



MEETING DATE: DECEMBER 18, 2024

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **PZ-003-24 & PZ-PD-026-23 (MAGIC RANCH PARCEL N)**

CASE COORDINATOR: GLENN BAK, SENIOR PLANNER

SUPERVISOR DISTRICT: 4 MCCLURE

Executive Summary:

Request Overview:

This document outlines a proposal related to TSI/Elwood Properties, LLC, landowner, Sean Hamill, Applicant requesting a Rezone and a Planned Area Development to allow for development standards for a Single Family Residential Subdivision.

If This Request is Approved by the Board:

The applicant will apply for a Tentative Plat.

Recommendations:

The Planning and Zoning Commission voted 8-1 to recommend approval of PZ-003-24, with one stipulation, based upon the record as presented. The Planning and Zoning Commission voted 8-1 to recommend approval of PZ-PD-026-23, with twelve stipulations, based upon the record as presented.

LEGAL DESCRIPTION: A portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona.

REQUESTED ACTION & PURPOSE:

PZ-003-24 PUBLIC HEARING/ACTION: TSI/Elwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Rezone of ±40.0 acres from Single Residence Zone (CR-2) to Single Residence (R-7) zoning district, to allow for the development of a Single Family Residential Subdivision on Tax Parcel: 200-58-0120 – legal on file – situated in a portion of Section 2, Township 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ.

PZ-PD-026-23 PUBLIC HEARING/ACTION: TSI/Elwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Planned Area Development (PAD) Overlay District amendment to the existing PAD (PZ-PD-007-98A) on ±40.0 acres to allow for the development of a Single Family Residential Subdivision on Tax Parcel: 200-58-0120 – legal on file – situated in a portion of Section 2, Township 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ.

Items for Consideration:

- A number of similar subdivisions have been approved within a mile of the site.
- The site is currently vacant.
- Staff has received no items of opposition at the time this report was written.
- The proposed will provide needed housing for the area.

COMMISSION RECOMMENDATION: (PZ-003-24) At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted 8-1, to recommend approval of **(PZ-003-24)** based upon the record as presented, with one stipulation included in the staff report.

1. *Approval of this zone change (PZ-003-24) 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.*

COMMISSION RECOMMENDATION: (PZ-PD-026-23) At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted 8-1, to recommend approval of **(PZ-PD-026-23)** based upon the record as presented, with fourteen stipulations included in the staff report. e

1. The stipulations enumerated herein pertain to the area described in case PZ-003-24 & PZ-PD-026-23;
2. Approval of this PAD (PZ-PD-026-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
3. Magic Ranch Parcel N Planned Area Development (PAD) Amendment Overlay District (PZ-PD-026-23 is to be developed as shown in the PAD Book submitted on August 28, 2024.
4. Magic Ranch Parcel N Planned Area Development (PAD) Overlay District (PZ-PD-026-23) is to be developed as shown by the site plan/development plan dated December 4, 2023, 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;
5. 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-003-24;
6. 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;
7. 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;
8. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
9. Half-street right-of-way dedication and half-street improvements will be required for Quail Run Lane. The required minimum half-street right-of-way is Fifty-Five Feet (55') for Quail Run Lane along the development's frontage (Eastern Boundary). Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for Arizona Farms Road shall be the responsibility of the applicant;
10. Half-street right-of-way dedication and half-street improvements will be required for Mitchell Trail. The required minimum half-street right-of-way is Forty Feet (40') for Mitchell Trail along the development's frontage (Western Boundary). Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis or Statement) for Arizona Farms Road shall be the responsibility of the applicant;
11. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. All peripheral road and

infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction 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;

12. All right-of-way dedication shall be free and unencumbered;
13. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer; and
14. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan 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;

Date Prepared: 11/6/2024 GB

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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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ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 KLOB: With that, I call to order the Planning and
2 Zoning Commission meeting for Thursday, October 17th, and start
3 off with the roll call.

4 OLGIN: Okay. Member Klob.

5 KLOB: Here.

6 OLGIN: Mennenga. Del Cotto.

7 DEL COTTO: Here.

8 OLGIN: Hartman.

9 HARTMAN: Present.

10 OLGIN: Keller.

11 KELLER: Present.

12 OLGIN: Lizarraga.

13 LIZARRAGA: Present.

14 OLGIN: Schnepf.

15 SCHNEPF: Here.

16 OLGIN: Davila. Mooney.

17 MOONEY: Present.

18 OLGIN: Pranzo.

19 PRANZO: Present.

20 OLGIN: Okay.

21 KLOB: Thank you. With that, Planning Manager
22 Report.

23 OLGIN: Yes. So for the audience, for the Members,
24 I'm Gilbert Olgin, I'm the Planning Manager. We do apologize,
25 we're trying to find a way to open up the back for you guys.

1 OLGIN: Member Keller.

2 KELLER: Here.

3 OLGIN: Member Lizarraga.

4 LIZARRAGA: Here.

5 OLGIN: Member Schnepf.

6 SCHNEPF: Here.

7 OLGIN: Member Davila. Member Davila. Member

8 Mooney.

9 MOONEY: Present.

10 OLGIN: Member Pranzo.

11 PRANZO: Present.

12 OLGIN: Okay, we have a quorum.

13 MENNENGA: Thank you. Okay, we need to go back to

14 the last motion we approved, and to revise that motion to

15 include the stipulations, actually, so -

16 PRANZO: (Inaudible) the honors.

17 MENNENGA: Go for it.

18 PRANZO: (inaudible) that we approve PZ-PD-009-24,

19 abandonment of Goldmine Mountain Estates PAD overlay with the

20 four stipulations.

21 HARTMAN: I'll re-second it Chair.

22 MENNENGA: Thank you. Everybody in favor?

23 COLLECTIVE: Aye.

24 MENNENGA: We're good.

25 MOONEY: Opposed.

1 JOHNSON: One opposed.

2 MOONEY: Opposed.

3 MENNENGA: Okay. Are you good now, legal?

4 JOHNSON: Yes, we're good, thank you Mr. Chairman.

5 MENNENGA: Okay. All right, then let's move on to
6 case PZ-003-24. Staff.

7 BAK: Good afternoon, Mr. Chair, Commissioners. PZ-
8 003-24 and PZ-PD-026-23, otherwise known as Magic Ranch Parcel
9 N. This is a request to rezone, and a planned area
10 development to allow for development of a single family
11 residential subdivision on about 40 acres. The location is
12 southwest of Arizona Farms Road and Quail Run Lane.
13 TSI/Elwood Properties, LLC, is your land owner, and Sean
14 Hamill, I believe is here today, is your applicant. Shows you
15 the general location. Again, this one is also a little bit
16 northwest of Florence. Case zoning map showing you the
17 current zoning and the surrounding. This is a aerial photo
18 showing the current conditions of the property. Conceptual
19 site plan - or correction, plat plan in this case it's
20 subdivision. This is looking north from the site. To the
21 south. To the east, and to the west. Items for the
22 Commission's consideration. A number of similar subdivisions
23 have been approved within a mile or so of the site. The
24 proposed will provide needed housing for the area, and at the
25 time of the writing of the report, no items of opposition were

1 received by staff. No recommendation is provided. There are
2 17 stipulations attached with the second PZ-PD case; there is
3 one stipulation with the PZ case, and staff would be happy to
4 entertain any questions the Commission may have.

5 MENNENGA: Questions for staff?

6 KLOB: Got a real quick one.

7 MENNENGA: Go for it. Commissioner Klob.

8 KLOB: There's a, just a housekeeping item. Table
9 B, looks like it's page 663 in the staff report. It talks
10 about the setbacks on it, detached accessory buildings.
11 Minimum distance to, it says reat, it should say rear and
12 side.

13 BAK: Okay. I'm looking at that Commissioner Klob
14 and I see minimum - you're looking to - which is - what are
15 the setbacks proposed on this table?

16 KLOB: Well, I'll talk about that in a minute, but
17 the verbiage. Instead of rear it says R-E-A-T. Just a typo.

18 BAK: Yeah, and the applicant's here, and so I -
19 yeah, I'm looking at the table that I have in the staff report
20 and it reads correctly, rear, so.

21 KLOB: Okay.

22 BAK: Yeah.

23 KLOB: Cool, I'm good.

24 BAK: Okay.

25 MENNENGA: Anyone else? And is the applicant here?

1 Signed in?

2 HAMILL: I am.

3 MENNENGA: Name and address?

4 HAMILL: Good afternoon, Chairman, Vice Chairman,
5 Commissioners, my name is Sean Hamill. I'm with United
6 Engineering Group and I'm here representing the property as
7 the applicant. I just have a short presentation for you and
8 then I am open to take questions. Next Glenn.

9 BAK: Yeah, so she'll have to pull that up.

10 HAMILL: Okay, thank you. Okay, we'll start again.
11 Again, Sean Hamill, United Engineering, here's my brief
12 presentation. Again, I'm open to questions afterwards. The
13 property here is Magic Ranch Parcel N. Thank you. This is a
14 general overview of the area. As we know, it's in the Magic
15 Ranch area. You know, if you look at the project with just
16 over an aerial, it looks a little different than when you take
17 into account all the other planning that's been going on, you
18 know, in the County. United Engineering Group, ourselves,
19 we've worked on several of these projects. With that, you
20 know, we feel our request is consistent with what we're
21 surrounding, going from the CR-2 to the R-7, or comparable C-
22 3. This is just to show the Commission, during our pre-app it
23 was discussed with us that we should notify all of Magic Ranch
24 as a whole, not just the 1,200 or 600 or, you know, feet
25 surrounding the property. So we did that, and this is the

1 area identified. You know, we sent out over about 1,700
2 mailers. And to our meeting we had at the Walker Butte
3 Elementary School, we had five people show up. None really in
4 opposition, just had some concerns about traffic, which we
5 talked and explained, you know, the measures that the County
6 requires us to mitigate.

7 ??: (Inaudible).

8 JOHNSON: For the record, ladies and gentlemen, we
9 need to keep comments from the public down because these are
10 recorded hearings and if they were ever to be listened to, we
11 can't - the mic can't pick up what's going on. So if we could
12 just keep it to the person at the mic who has the floor,
13 please. Thank you.

14 HAMILL: This is just a zoomed in of the area again,
15 showing this relationship to Silver Cross, the property to the
16 east, Ashburn at Magic Ranch, which is a part of the Magic
17 Ranch community to the west, and then some other, you know,
18 existing developments within the Magic Ranch. Commercial to
19 the north and some existing homes to the south. A closer view
20 of the actual site. As we know, it's 40 acres, we are
21 proposing - sorry, put my glasses on - 8.8 acres of open
22 space, which equates to about 22 percent, which is well above
23 the County minimum 18, and well above the Magic Ranch
24 standards from the early 2000s. 159 lots, density of 3.99.
25 You can see from the layout, we situated the larger lots

1 around the perimeter to provide more buffer to the larger lots
2 to the north and south, which we - there was some outreach
3 done by the developers and the other project managers to
4 mitigate some of their concerns. We made the lots to the
5 south deeper to provide just more of a buffer from the
6 community, and along the north an actual buffer itself, as you
7 can see by a track on the northern end. This is a lot on this
8 map. So this was provided to staff to - and we don't have to
9 go through all the details, but just to pose the question of
10 Magic Ranch, you know, please justify your additional lots
11 from the 112 approved. So what we did is we went through the
12 original PAD, got a lot count. We went through the
13 amendments, multiple amendments over the years, what parcels
14 changed to industrial, what parcels changed to commercial,
15 what parcels in reality had X amount of lots, and we all know
16 drainage standards have changed over the years. That amount
17 wasn't actually done, so those lots kind of go back in the
18 pool, and what we came up with was a number to illustrate that
19 our request for the additional 47 lots is well justified
20 within the PAD, and the pool is there to give it to them.
21 This table is the standard development table. It varies a
22 little differently than the ones you guys received your
23 packet, we modified it was sent out. I just, I added the CR-3
24 for comparison, line table, which shows existing Magic Ranch
25 CR-3/PAD zoning. And just to show the comparison from our

1 proposal to that, that it is consistent. The front setbacks
2 are consistent, side setbacks. There's a couple other
3 variances. But again, we feel it's appropriate for the area.
4 This map just illustrates, the yellow is the CR-3 zoning, the
5 comparison to ours, and actually the purple in the lower left
6 is the CR-4, which is smaller lots, smaller setbacks,
7 everything, so much more dense product than ours. Just yeah,
8 the landscape plan. Just to illustrate the open space, how we
9 centrally located it. One amenity center centrally located,
10 with tot lots and ramadas and such, all connected through
11 sidewalks, through, whether it be a local streets or sidewalks
12 within the tracts themselves. You'll notice the entrances on
13 both the west and the east, Mitchell Trail and Quail Run, the
14 entrances go right into the open space area, trying to
15 prevent, you know, provide a sense of arrival. So when you
16 come in, you see this nice open space and, you know, feel like
17 you're home. This just goes into a little more details of the
18 landscape plan. Just again, more landscape, the different
19 wall types. We have a theme wall, the standard builder wall,
20 and then the view fence, which will be essentially located on
21 the interiors adjacent to the open space park. Just details
22 if, you know, if we have to get into them. Nothing to get
23 into here, I don't think. And that's it, I'm open for
24 questions. Thank you.

25 MENNENGA: Questions for the applicant?

1 HAMILL: Oh, and if I may. We've read the
2 stipulations in the staff report, we agree to both and accept
3 as written.

4 MENNENGA: Commissioner Klob.

5 KLOB: Yeah, through the Chair, thank you. Can you
6 go back to your table that showed all the setbacks and so on?
7 Two things. Number one, what I was talking about earlier
8 about the misspelling, it's on -

9 HAMILL: Yes, I see that on mine and I apologize for
10 that.

11 KLOB: Not a big deal there. The other one that -
12 and I beat up most applicants as they come in on this
13 particular issue because I deal with it 20 years down the
14 road, and that is setbacks less than five feet. Whether it be
15 a detached structure, a primary structure, whatever, the
16 building code, anything under five feet, it's got to be fire
17 rated. And as a design professional, I get the - I am the guy
18 that's the bad news bearer 20 years from now when they want to
19 put a little casita or whatever in their backyard, and have to
20 tell them that it's 25 percent more because it all has to be
21 fire rated. And they say well we can build at three feet.
22 Yes you can, but there's consequences. So what I've been
23 trying to push back on staff is let's keep those setbacks to
24 those requirements to five, and then those issues for those
25 homeowners go way down the road.

1 HAMILL: Would you be specifically referring to the
2 rear, the minimum distance, the detached?

3 KLOB: The rear and side lot, you have it at three.
4 I would recommend - and I realize Cody even says it's four,
5 but I think the new zoning that we're proposing is changing
6 that to five as well.

7 HAMILL: Okay, thank you.

8 KLOB: Do you have any issues with that?

9 HAMILL: I can briefly discuss with the client, I
10 think we'd be amenable to.

11 KLOB: Okay, that's the only thing I noticed. Thank
12 you.

13 HAMILL: Thank you.

14 MENNENGA: Anyone else? I will comment. This is
15 one of the finest site plans for 40 acres I have seen in a
16 long, long time.

17 HAMILL: Thank you.

18 MENNENGA: Unfortunately there was a comment earlier
19 about our job, but that is a, just a beautiful layout. I mean
20 all that green in the middle and the houses on that, that's a
21 fantastic layout. We saw a 80 acre one oh about a year ago
22 similar to that, and it just, you know, incredible use of that
23 property.

24 HAMILL: Thank you. We try.

25 MENNENGA: Good job.

1 MOONEY: I do have just one question if I may.

2 MENNENGA: Yes, Commissioner Mooney.

3 MOONEY: The cul-de-sacs, are they large enough for
4 fire trucks to get in and turn around amply, even if cars are
5 parked on the road?

6 HAMILL: Yes, they do meet County standards for cul-
7 de-sac design, yes.

8 MOONEY: Thank you.

9 MENNENGA: All right. So we need to - thanks for
10 your presentation.

11 OLGIN: Chair, Vice Chair, just clarification. For
12 more the Commission, really. And in regards to stipulations,
13 whether they agree or disagree, the Commission, it's at your
14 discretion to add stips that you think are helpful. And the
15 statement was made that they'll discuss it with the app.
16 That's nice, but it's not a requirement. If you choose that
17 you want to change something, it's at your discretion to add
18 that with or without the applicant's permission. Furthermore,
19 it's a recommendation going forward, so if they have an issue
20 with it, they can then discuss it with the Board if they wish
21 to remove that stipulation. I just want to make sure we're
22 aware that there's not a negotiation here, that's not the
23 purpose of this.

24 KLOB: And I wasn't looking necessarily for a
25 negotiation, but more if there's an actual reason why it needs

1 to be that way, then, you know, then it's legitimate, then
2 maybe it doesn't need to be a stipulation. So that was my
3 point on that one.

4 OLGIN: Just to clarify for Mooney and the rest of,
5 you know, the newer applicants. So it is at your discretion
6 to decide those additional stipulations if you choose to do
7 so, with or without the applicant's permission.

8 HAMILL: And we are okay if you add that stipulation
9 to change that from 3 to 5.

10 KLOB: Okay, thank you.

11 MENNENGA: Do we need to stip for that or is that -

12 OLGIN: Yes.

13 MENNENGA: We do.

14 OLGIN: Yes, because you would be changing the
15 standard (inaudible) going forward to the Board with that
16 change.

17 MENNENGA: Someone want to write that up, or
18 (inaudible).

19 OLGIN: Sure. We could - the way we typically would
20 do it is the planner of the case would then jot it down, read
21 it to the applicant and then you would read it forward to them
22 when you make the motion. So the only change is going to be
23 to change the 3 to 5?

24 KLOB: Yes.

25 OLGIN: And that's applicable to the minimum

1 distance to the rear and side lot lines. Then would you read
2 it that way, Patrick. Read that and then say change it from 3
3 to 5. Or sorry, Glenn, one of the planners, I'm sorry.

4 JOHNSON: And make sure that we're clear it's on the
5 PD.

6 OLGIN: Yes, it's for the PAD.

7 HAMILL: And if I may, for the detached accessory -

8 MENNENGA: It's on the bottom one (inaudible).

9 OLGIN: Yes, yes, that's a good call. Yes, for
10 detached.

11 MOONEY: Wait a second.

12 OLGIN: Yes.

13 MOONEY: Sorry. I just heard that side
14 conversation. So the five foot setback is strictly just for
15 detached or is that for the -

16 OLGIN: No, so it's for the detached. As you see up
17 here on the chart, where the three is at the bottom, it's only
18 applicable to the detached sensory structures. So the change
19 that's being requested is that detached accessory structure
20 that's specific to the minimum distance.

21 MOONEY: Yep, thank you.

22 OLGIN: That's the one that would be changing.

23 MOONEY: Yes.

24 OLGIN: So Glenn you can read that into the record,
25 and then you can repeat it once they make the motion.

1 BAK: Okay, so correct me if I'm wrong here, but
2 okay, so it would be a stipulation number 18?

3 JOHNSON: That's correct.

4 OLGIN: Go back to the chart.

5 JOHNSON: No, it'd 15.

6 BAK: Okay.

7 OLGIN: 15?

8 MENNENGA: 18.

9 BAK: Yeah, it would be an added stipulation 18.
10 Okay. The applicant shall amend table B provided within the
11 materials going forward to reflect a five foot setback minimum
12 distance to rear and side lot lines for detached accessory
13 structures.

14 MENNENGA: Exactly.

15 OLGIN: Yes. I think Monica's trying to jot
16 (inaudible).

17 MOONEY: Chair, if I may?

18 MENNENGA: Yes, ma'am.

19 MOONEY: There are 14 stipulations on what we have
20 presented in front of us, not 18.

21 BAK: I also am looking at 14 stipulations.

22 MENNENGA: (Inaudible) look at this.

23 MOONEY: Thank you.

24 MENNENGA: 14. So we got 15 now?

25 BAK: Okay, I'm looking at an older version of the

1 staff report, so yours should have the fewer. I think there
2 was some last minute going back and forth with engineering and
3 that's - yeah.

4 MENNENGA: We have 14 and now 15.

5 BAK: Correct.

6 MENNENGA: Okay, sounds good. All right, public
7 hearing portion. We're going to do a public hearing for two
8 cases, PZ-003-24 and PZ-PD-026-23. Anyone want to speak to
9 this case? Have you signed in and give us your name and
10 address.

11 POULSON: Ray Poulson, 6778 East Gecko Ranch Road,
12 85132. I didn't hear anybody even say how many houses are
13 going to be built back there. My understanding it's over 200,
14 or up to 200. And basically what I'm really concerned about
15 at this point is this area only has two entry points, one from
16 Arizona Farms Road and one at Magic Ranch to get through Magic
17 Ranch. In the mornings to get out between the hours of like 7
18 and 8:30, the traffic light is always backed up with 7, 8, 9
19 10 cars. All right? You're going to add 200 houses and
20 they've got two exits? They're going to be coming out both
21 sides. People are having a hard time getting out onto Hunt
22 Highway, Arizona Farms Road, and nobody's talking about that
23 right now. Everything's one lane roads. Mitchell Trail was
24 paved with the pebble roading. It's not tar, it's not - no
25 curbs, no nothing. Where are they going to put the entrances

1 to all of these developments? And if they're putting them on
2 Mitchell Trail or they're putting them on Heritage Road, these
3 are all small, small roads. Now there's a rumor they're
4 expanding Heritage Road, taking like 30 feet from all the
5 people on one side for this. Is that true? I don't know.
6 But where are we going to get the room for all these cars and
7 people? How are we going to make room for them? The other
8 question is, are they going to have problems with farm
9 animals? Is it going to be in the stipulation about they're
10 going to be notified there could be smells and everything
11 else? Is any of this happening? These are the questions I
12 have right now.

13 ??: One minute remaining.

14 POULSON: Hm?

15 MENNENGA: One minute left.

16 POULSON: Oh. And basically, you know, what about
17 the water table? You guys just were praising a guy for
18 keeping water down low, now you want to let 200 houses be
19 built. What's going on with the water table in our area? Or
20 do we have any of the answers to these questions? And I'll be
21 honest with you, I live in Magic Ranch as well. Okay? The
22 streets there have stop signs that 80 percent of the people
23 don't use. Somebody is going to get hurt. You start bringing
24 200 people rushing to work, getting caught in traffic, going
25 through the development. We have six kids at home, age 5 to

1 17. I have a stop sign right in front of my house. Guess how
2 many people stop on average? Most of them - I'm not saying
3 everybody - some of them will slow down and go through the
4 stop sign. We have people that do 40. I'm on Wilderness Way.

5 ???: Thank you.

6 POULSON: Thank you too.

7 MENNENGA: I want to clarify something. Any
8 questions? Okay. So go ahead. We're the Planning and Zoning
9 Commission, okay? We deal with rezoning and stuff. We don't
10 deal with traffic, we don't deal with stop signs, not
11 stopping. (Inaudible) these water issues.

12 JOHNSON: I think we're getting off track again.

13 MENNENGA: Okay, so I'm sorry, but I just want to
14 clarify for (inaudible).

15 POULSON: But your zoning should come into play for
16 people that don't have the room for this stuff, and basically
17 until you expand the roads out here -

18 MENNENGA: We deal with property rights.

19 POULSON: They shouldn't be able to sell those
20 houses.

21 MENNENGA: Anyone else to speak? Please. Have you
22 signed in?

23 B. POULSON: Yes, I'm his wife.

24 MENNENGA: Okay.

25 B. POULSON: 6778 East Gecko Ranch Road. We bought

1 our property because I have horses and we have chickens, and
2 we have an acre and a quarter there. These houses are going
3 to be backed up to our property. Are they going to complain
4 about my horses or the chickens? And like he said, the road,
5 people speed down that already, they blow through the traffic
6 lights. How much more traffic is going to be on a two lane
7 road? And like I said, my concern is somebody saying they
8 don't want my animals there, and I'm GR, so what's going to
9 happen with that? You're the Planning Commission, is none of
10 this taken into consideration? Most of the people who have
11 bought houses out there have bought them because they want
12 property, they want horses, they want to be able to ride, and
13 that's being taken away from us.

14 DEL COTTO: Chair.

15 MENNENGA: Questions?

16 DEL COTTO: Ma'am, in regards to your horses and
17 cows, chickens, pigs, can we not add a stipulation like we did
18 on the last case to let the new people moving in know that,
19 what they're moving in next to?

20 JOHNSON: The Board can add whatever stipulations it
21 so desires.

22 DEL COTTO: Does that make sense for you?

23 B. POULSON: Yes.

24 DEL COTTO: If everyone's willing to do that, then
25 maybe we can attach a stipulation.

1 MENNENGA: You know, we can, but all that's covered
2 again in the subdivision codes and all this material that's
3 given to prospective buyers, that is all covered in those
4 documents, basically, you know.

5 POULSON: But we'd like it stipulated.

6 MENNENGA: Well -

7 OLGIN: Chair, Vice Chair, Commission, just to be
8 clear and for the audience as well, we're not really in a
9 position to add stipulations yet. This is about a zone
10 change, specifically from one use to another and that's
11 essentially it. And we can modify standards per the Planned
12 Area Development ordinance, but it's specific to the law of -
13 that governs the way those are built. What you're asking is
14 at a different level, which is not typically reviewed or
15 talked about here. We understand your plight, we totally get
16 it, but just keep in mind that when staff - my team - reviews
17 these cases, our job is to look at the impact. The impact was
18 made when this company and others already started building
19 houses in the area, so that's our main focus is the impact.
20 We understand that there's more to it as the house - as
21 they're built going -we saw earlier in regards to the flood,
22 but this is really not the arena to argue that, but we hear
23 you and we understand what you guys are going through.

24 ??: (Inaudible).

25 OLGIN: So once again, we have a public hearing and

1 this is not the time for that. Thank you.

2 B. POULSON: But where would we go to find out about
3 making a stipulation, a law that has to be abided by?

4 MENNENGA: Well, that's way above us, trust me.

5 B. POULSON: And where do we go, though?

6 MENNENGA: I don't, ma'am I don't know. I don't
7 have a clue.

8 B. POULSON: Does the planning manager know where
9 people would go for that?

10 OLGIN: What's the question?

11 B. POULSON: If we wanted stipulations to be made
12 into law, if a development's coming in and they're backing up
13 to GR property so that the new people buying homes aren't
14 going to be complaining about our animals.

15 OLGIN: Yeah I - if I may, please. So this a
16 private property owner who's here today, so you're asking for
17 them to consider what might happen. This isn't the arena for
18 that.

19 B. POULSON: So where is the arena?

20 OLGIN: So what you would do is after the
21 subdivision goes in, because at this level you would come and
22 you give us your concerns. YOU can ask that the developer
23 talk to you, if they can mitigate those concerns, but once
24 again it's up to the Board to say yes or no. Once that's
25 happened, you can make a compliance complaint if they're not

1 following the ordinance that was approved. So (inaudible), as
2 I'm saying, it's more of a land use issue, not so much - what
3 you're talking about is after the homes are built. That's not
4 here, that's a code compliance issue so that would be dealt
5 with way down the road from here. It's a great question,
6 great concern, but there's a chance that this project may not
7 move forward after this entitlement's done. It can hold off
8 for several years. I know these developers, specifically,
9 worked with them for many years, and not every project is
10 funded to go forward. I'd like for this one to move forward,
11 but as you know, it just depends on the case. I believe the
12 last one we worked with, with Rose Law Group, that was 20
13 years in the making and it's changed. So yes, this is one
14 process, one step, but the next step would be the plat
15 process, and that process is year in the making. And when
16 that's done, you have to go to building permits and the
17 infrastructure. So by the time these houses are actually
18 built, you're talking a year, 4 or 5 years down the road. So
19 we hear you, but this, like I said, this isn't the arena for
20 what you're asking.

21 MENNENGA: Thank you. Anyone else want to speak?
22 Anyone at all? With that, we're going to close the public
23 hearing.

24 ??: Okay, actually I do.

25 MENNENGA: Okay, come on. Are you signed in?

1 ??: Yes (inaudible).

2 MENNENGA: Okay.

3 ??: Okay, so if we are - this is not the place for
4 us to speak about like the traffic and stuff like that, as you
5 said. Doesn't that kind of go hand in hand? For example,
6 you're building a community with people who have cars, so do
7 you ever oppose a new community coming up? Do you ever say no
8 because the traffic is so bad?

9 MENNENGA: Yes. Not based on traffic. We don't
10 decide traffic.

11 ??: Okay, so not based on traffic.

12 MENNENGA: That's the County Engineering Department.

13 ??: So for what reasons do you deny a new housing
14 development? If it's not something that you're a part of?

15 MENNENGA: Various locations, and there's lots of
16 different reasons. We don't deny a lot of them, but we do
17 deny some. Some of them we've denied. The Board of
18 Supervisors, you know, you gotta remember everybody, the Board
19 of Super - we're just a recommending board, okay? The Board
20 of Supervisors has the final say. If you really want your
21 word heard, you need to go to the Board of Supervisors.

22 ??: Thank you.

23 MENNENGA: Okay?

24 ??: Okay.

25 MENNENGA: That's the one you need to go to.

1 ???: Board of Supervisors.

2 MENNENGA: Right. And their agenda is always posted
3 online, correct? Yes. And they meet every other Wednesday
4 and everything. So that's - yes, want to remind everybody,
5 you know, that's the final word.

6 OLGIN: And just to be clear, I know there's some
7 confusion, you're welcome to talk about whatever. When you
8 get the three minutes, that's your time. But what we're
9 saying is some of this stuff isn't irrelevant, there's not
10 much this group, this Commission can do. That's all I'm
11 saying. So you have your three minutes to speak about
12 essentially what you want to speak about, but once again, some
13 of the concerns are irrelevant at this hearing, that's all I'm
14 saying. So I can't hear you unless you're at the mic.

15 ???: So the reason we're so confused also is we
16 didn't get notices of this. This was posted in a Facebook
17 neighborhood chat, so we didn't get proper documentation,
18 notification, of any of this. So how those five people showed
19 up, I don't know. I didn't get any information on that.

20 OLGIN: And we can meet with you afterwards to
21 provide you the rules in regards to the public hearings and
22 the neighborhood meeting, because that's two different. One's
23 per statute, one's policy, so it's different rules, but we'll
24 talk about that after the meeting.

25 ???: And the information that was given, we were

1 given a wrong address. So that -

2 OLGIN: Yeah, we can speak about that after this.

3 ??: Why? Okay.

4 MENNENGA: Thank you. Anyone else? Okay, with that
5 said, we're going to close the public hearing portion of case
6 PZ-003-24 and PZ-PD-026-23, and come back to the Commission.
7 Questions, concerns, comments, motion?

8 MOONEY: Chairman?

9 MENNENGA: What's that? Oh the applicant, do you
10 want to come back in rebuttal or anything, or are you okay?

11 HAMILL: I can just touch on a few very, very small
12 things. You know, just to reiterate, we are zoned
13 residential, it's existing residential community. We're
14 asking just for a small increase in unit count, and the total
15 unit count of 159 units, so definitely not 200. You know, for
16 traffic, again, I know it's not in our lane, but, you know, we
17 are bound by the County laws that say, you know, if we create
18 enough traffic to get to this intersection, then we have to
19 provide those upgrades to that intersection to take it from,
20 you know, from an F to a B or whatever the (inaudible) is.
21 You know, for water, same thing, we are bound by the State,
22 ADEQ and EPCOR to provide daily flows, fire flows, all this
23 stuff which we won't get permits for unless everybody agrees
24 that the water amount and quality is there. And then, you
25 know, just for the neighboring, the GR, you know, every

1 subdivision has to provide a public report. In the public
2 report, it describes who you're neighboring, what the
3 expectations are, so forth and so on. So, you know, I'll
4 just, I'll leave it at that.

5 MENNENGA: Thank you.

6 HAMILL: Thank you.

7 MENNENGA: Back to the Commission.

8 MOONEY: Chair, if I may.

9 MENNENGA: Yes.

10 MOONEY: Concerning that lady's question about
11 adding that stipulation, if this is already part of Magic
12 Ranch, it may not be in their documents. So adding this
13 stipulation for that area in the back, back there might not
14 hurt. Excuse me, I'm sorry, the other division.

15 MENNENGA: I understand, but it's kind of overkill.
16 But what - I'm gonna leave it to the Commission what you guys
17 want to do. Okay?

18 MOONEY: Because the other was a brand new
19 subdivision and that would be going into their documents as
20 well. Thank you.

21 MENNENGA: Looking for some -

22 ??: A motion.

23 MENNENGA: Yes sir.

24 HAMILL: If I may just add, you know, it'll be a new
25 public report not associated with the 1998 general one. Each

1 new subdivision does a new report. To provide a stipulation
2 like that at this time, I just - I have some hesitations to do
3 so. Not to - not, you know, not for no other reason, it's
4 just that's a very legal statement that we're just going to
5 throw together and I don't feel that's appropriate.

6 MENNENGA: Commission.

7 KLOB: I'll make a motion.

8 MENNENGA: Thank you.

9 KLOB: Make a motion to approve PZ-003-24 with the
10 stipulations - how many stipulations?

11 ??: 15.

12 JOHNSON: Everybody stop for a second. In the
13 rezone there is one stipulation.

14 KLOB: With the one stipulation for approval to the
15 Board of Supervisors.

16 MENNENGA: Second?

17 LIZARRAGA: Second.

18 MENNENGA: Second, Lizarraga. Comment? Vote,
19 everybody in favor?

20 COLLECTIVE: Aye.

21 MENNENGA: Any opposed?

22 MOONEY: Opposed.

23 MENNENGA: One opposed. Next one.

24 OLGIN: It carries.

25 KLOB: And then how many stips are in?

1 JOHNSON: 14.

2 KLOB: 14, plus we're going to add the (inaudible).

3 OLGIN: It's at the a pleasure to Commission, yes.

4 You don't have to, it's up to you. And you'll have to clarify
5 exactly what that stipulation is if you choose that.

6 JOHNSON: And that would be clarified in your
7 motion.

8 KLOB: Okay. I'd like to make a motion to approve -
9 or recommend approval to the Board of Supervisors for PZ-PD-
10 026-23 with the 14 stipulations, and the added stipulation
11 number 15 that says, the applicant shall amend Table B
12 Amendment Development Standards going forward to reflect the
13 change from 3 feet to 5 foot minimum distance setback,
14 specific to the detached accessory unit development standards.

15 MENNENGA: Second?

16 LIZARRAGA: Second.

17 MENNENGA: Second, Lizarraga. Any comments,
18 concerns? Everybody in favor?

19 COLLECTIVE: Aye.

20 MENNENGA: Opposed?

21 MOONEY: Opposed.

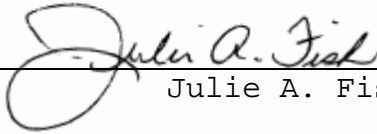
22 MENNENGA: One opposed. Motion passes. Okay, thank
23 you. All right, let's see. The next one is a revised item, I
24 see. Case PZ-053-23. Staff. Who's presenting this?

25 BAK: I'll be presenting that. Glenn Bak, Senior

1 I, Julie A. Fish, Transcriptionist, do hereby
2 certify that the foregoing pages constitute a full, true, and
3 accurate transcript in the foregoing matter, and that said
4 transcription was done to the best of my skill and ability.

5 I FURTHER CERTIFY that I am not related to nor
6 employed by any of the parties hereto, and have no interest in
7 the outcome hereof.

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Julie A. Fish

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Rachel Cozart, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Nov. 21, 2024

NOTICE ID: laANZrmxtJYN7mbCbkpW

NOTICE NAME: PZ-003-24 & PZ-PD026-23

Rachel Cozart

(Signed) _____

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal Nicole Burkholder, Notary Public Lancaster County My commission expires March 30, 2027 Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 11/22/2024

Nicole Burkholder

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 18th 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 AN APPLICATION FOR A REZONE (PZ) AND A PLANNED AREA DEVELOPMENT OVERLAY DISTRICT (PAD) IN THE UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA. PZ-003-24 - PUBLIC HEARING. ACTION: TSEIwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Rezone of ±40.0 acres from Single Residence Zone (SR-2) to Single Residence (R-7) zoning district to allow for the development of a Single Family Residential. Subdivision on Tax Parcel: 200-58-0120 - legal on file - situated in a portion of Section 2, Township: 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ. PZ-PD-026-23 - PUBLIC HEARING/ACTION: TSEIwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Planned Area Development (PAD) Overlay District amendment to the existing PAD (PZ-PD-007-98A) on ±40.0 acres to allow for the development of a Single Family Residential. Subdivision on Tax Parcel: 200-58-0120 - legal on file - situated in a portion of Section 2, Township: 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ. ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AND SPEAK AT THE PUBLIC HEARING AT THE DATE, TIME, AND PLACE DESIGNATED ABOVE. IF TWENTY PERCENT OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN THE ZONING AREA FILE PROTESTS, AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD WILL BE REQUIRED TO APPROVE THE REZONING. DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE AT: <https://www.pinal.gov/236/Notice-of-Hearings> DATED THIS 31st DAY OF OCTOBER, 2024, by Pinal County Community Development Department. TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:
1) Planning Case Number (see

above)

2) Your name, address, telephone number and property tax parcel number (Print or type)

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

4) Whether or not you wish to appear and be heard at the hearing

ANY WRITTEN STATEMENTS ARE ACCEPTED ON AN ONGOING BASIS, BUT WRITTEN STATEMENTS DESIRED TO BE A PART OF THE CASE PACKET FORWARDED TO THE COMMISSION IS REQUESTED TO BE PROVIDED TO STAFF BY THE TIMEFRAME SET BELOW:

PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

PO BOX 749

FLORENCE, AZ 85132

Contact for this matter: Glenn Bak, Senior Planner

E-mail address: glenn.bak@pinal.gov

Phone # (520) 866-6444

No. of publications: 1; date of publication: Nov 21, 2024



MEETING DATE: OCTOBER 17, 2024

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **PZ-003-24 & PZ-PD-026-23 (MAGIC RANCH PARCEL N)**

CASE COORDINATOR: GLENN BAK

SUPERVISOR DISTRICT: 4 MC CLURE

Executive Summary: TSI/Elwood Properties, LLC, landowner, Sean Hamill, applicant, requesting a Rezone and a Planned Area Development to allow for development standards for a Single Family Residential Subdivision.

If This Request is Approved:

The applicant will apply for a Tentative Plat.

Recommendation:

No recommendation

LEGAL DESCRIPTION: A portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona.

REQUESTED ACTION & PURPOSE:

PZ-003-24 PUBLIC HEARING/ACTION: TSI/Elwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Rezone of ±40.0 acres from Single Residence Zone (CR-2) to Single Residence (R-7) zoning district, to allow for the development of a Single Family Residential Subdivision on Tax Parcel: 200-58-0120 – legal on file – situated in a portion of Section 2, Township 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ.

PZ-PD-026-23 PUBLIC HEARING/ACTION: TSI/Elwood Properties, LLC, landowner, Sean Hamill, Applicant, requesting approval of a Planned Area Development (PAD) Overlay District amendment to the existing PAD (PZ-PD-007-98A) on ±40.0 acres to allow for the development of a Single Family Residential Subdivision on Tax Parcel: 200-58-0120 – legal on file – situated in a portion of Section 2, Township 4 South, Range 08 East, located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ.

Tax Parcel: 200-58-0120 (legal on file);

LOCATION: Located southwest of Arizona Farms Road and Quail Run Lane, Pinal County, AZ.

SIZE: 40.0± acres

COMPREHENSIVE PLAN: Magic Ranch Parcel N is located within the Moderate Low Density Residential (1-3.5 du/ac) land use category within the Pinal County Comprehensive Plan.

EXISTING ZONING AND LAND USE: The subject is currently zoned as Single Residence General Rural (CR-2) Zone and is vacant land.

SURROUNDING ZONING AND LAND USE:

- North: General Rural (GR) – Large Lot Homes
- South: General Rural (GR) - Large Lot Homes
- East: Single Residence (R-7) Zone – Agricultural
- West: Single Residence (CR-3) Zone – Vacant

PUBLIC PARTICIPATION:

- Neighborhood Meeting(s): November 20, 2023
- Agency Mail out: September 25, 2024
- Newspaper Advertising: September 28, 2024
- Site posting, Applicant: September 26, 2024

FINDINGS/SITE DATA:

History:

The property in its entirety is 40.0± acres and is a portion of the overall Magic Ranch Planned Area Development (PAD) Overlay District (PZ-PD-007-98A). The total acreage of the overall Magic Ranch PAD is approximately 1,555 gross acres. On June 20, 2000 an amendment was approved to allow the total number of units for Magic Ranch to increase from 6,017 to 6,217. This amendment also resulted in the maximum overall density increasing slightly from 3.9 to 4.00 DU/Gross AC. To date, only a small portion of the overall Magic Ranch development has been built.

Flood Zone X:

The Project site is located entirely within Zone X which is described by FEMA as “The areas of minimal flood hazard, which are the areas outside the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-annual-chance flood”.

ANALYSIS:

The proposed Parcel N consists of 159 detached single-story residences, at a density of approximately 3.975 du/acre.

Access:

Parcel N will gain access via Quail Run Lane to the east and Mitchell Trail to the west.

Comprehensive Plan

The Property is currently designated in the Pinal County Comprehensive Plan as Moderate Low Density Residential (1-3.5 du/ac).

Staff notes that this place type includes various housing types that establish a smooth transition from lower to higher intensity residential development; while also accommodating a cross section of incomes, life styles, and life cycles. Although smaller lot detached and attached homes are predominant, limited civic uses (such as places of worship, recreation facilities, or schools) are also provided along with all urban services.

Rezone & PAD

The applicant requests a rezone from Single Residence (CR-2/PAD) to Single Residence (R-7/PAD). The project complies with the PAD overlay’s intent to implement the Comprehensive Plan goals by encouraging:

*“Imaginative and innovative planning of neighborhoods, the provision of open space and recreational amenities, permitting flexibility in the development standards, and the availability of a variety of housing opportunities.”
(Pinal County Development Services Code, Section 2.176.020).*

This narrative and the development plan documents submitted herewith, such as the Preliminary Site Plan, Preliminary Landscape Plan, and conceptual imagery are preliminary in nature. They demonstrate how the requested zoning designation could be implemented consistent with the community themes and character. The elements of the PAD will create a unique and innovative development that will foster many of the goals and objectives outlined in the Comprehensive Plan and create compatible community with surrounding subdivisions.

The requested PAD overlay amendment will facilitate certain necessary deviations from the R-7 development standards. Requested deviations from the development standards include minimum lot size, minimum lot width, side yard setbacks, rear yard setbacks, detached accessory building minimum distance to main building, distance to front lot line and minimum distance to rear and side lot lines. The amended development standards are similar to those of other developments within the overall Magic Ranch community. Standards such as these have often been requested recently as housing products in demand evolve.

Development Standards

Section 2.275.040 outlines the Development Standards for the R-7 zoning district. Below are the R-7 standards along with the proposed PAD standards for Magic Ranch Parcel N:

Table B - Amendment Development Standards

	<i>CR2 – PAD (Existing)</i>	<i>R-7 (PAD)</i>	
	Code	Code	Proposed
<i>Minimum Lot Area</i>	<i>8,000 SF</i>	<i>7,000 SF</i>	5,175 SF
<i>Minimum Lot Width</i>	<i>60'</i>	<i>50'</i>	45'
<i>Minimum Setbacks (2)</i>			
<i>Minimum Front Yard Setback</i>	<i>25'</i>	<i>20'</i>	20'
<i>Minimum Side Yard Setback</i>	<i>10' / 10'</i>	<i>10' / 10'</i>	5' / 5'
<i>Minimum Rear Yard Setback</i>	<i>25'</i>	<i>25'</i>	15'
<i>Maximum Building Height</i>	<i>30'</i>	<i>30'</i>	30'
<i>Detached Accessory Buildings</i>			
<i>Minimum Distance to Main Building</i>	<i>20'</i>	<i>7'</i>	5'
<i>Minimum Distance to Front Lot Line</i>	<i>60'</i>	<i>60'</i>	45'
<i>Minimum Distance to Rear & Side Lot Lines</i>	<i>5'</i>	<i>4'</i>	3'
Notes:			
<ol style="list-style-type: none"> 1. <i>Minimum lot widths are measured at the front setback line.</i> 2. <i>Minimum setbacks do not apply to non-structural architectural features such as fireplaces, bay windows, pop-outs, patio covers, or other shaded elements.</i> 3. <i>20' to face of garage from the back of sidewalk and 10' to face of residence or to side access garage from the property line is proposed.</i> 			

SCHOOLS:

The developer will work with Florence Unified School District to ensure that adequate educational facilities are provided for the community.

UTILITIES AND SERVICES:

Table D - Utilities & Services	
Wastewater	EPCOR
Water	EPCOR
Electric	Salt River Project
Telephone	CenturyLink
CATV	Cox Communications
Police	Pinal County Sheriff’s Office
Fire	Rural Metro
Schools	Florence Unified School District
Solid Waste Disposal	Contract Hauling Company

RECREATIONAL OPEN SPACE:

A total of approximately 8.84 acres of open space has been proposed within Parcel N. This also equates to 22.2% open space where 18% is required. A central tot lot is being proposed, along with additional open areas to include sidewalks radiate from the central recreational area.

Items for Commission Consideration:

- A number of similar subdivisions have been approved within a mile of the site.
- The site is currently vacant.
- Staff has received no items of opposition at the time this report was written.
- The proposed will provide needed housing for the area.

PUBLIC PARTICIPATION

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 1,200 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 10/1/2024, no items of concern or opposition had been received.

The Pinal County Department of Public Works reviewed the proposal and had no comments.

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 by this Rezone (PZ-003-24) and PAD amendment (PZ-PD-026-23). 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: TSI/Elwood Properties, LLC, landowner, Sean Hamill, applicant, have submitted the proper application and evidence sufficient to warrant a recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of a Rezone and Planned Area Development.
2. At the time this report was written, no e-mails expressing opposition had been received.
3. The property has legal access.
4. Granting of the PAD 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.

CONCLUSION (PZ-003-24): After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), staff offers no recommendation of this request, subject to the one stipulation listed below:

1. *Approval of this zone change (PZ-003-24) 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; and*

CONCLUSION (PZ-PD-026-23): Staff has reviewed the case in detail and has no recommendation; 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 the Commission can forward PZ-PD-026-23 to the Board of Supervisors with a favorable recommendation with the following stipulations:

1. The stipulations enumerated herein pertain to the area described in case PZ-003-24 & PZ-PD-026-23;
2. Approval of this PAD (PZ-PD-026-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
3. Magic Ranch Parcel N Planned Area Development (PAD) Amendment Overlay District (PZ-PD-026-23 is to be developed as shown in the PAD Book submitted on August 28, 2024.
4. Magic Ranch Parcel N Planned Area Development (PAD) Overlay District (PZ-PD-026-23) is to be developed as shown by the site plan/development plan dated December 4, 2023, 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;
5. 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-003-24;
6. 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;
7. 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;

8. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
9. Half-street right-of-way dedication and half-street improvements will be required for Quail Run Lane. The required minimum half-street right-of-way is Fifty-Five Feet (55') for Quail Run Lane along the development's frontage (Eastern Boundary). Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for Arizona Farms Road shall be the responsibility of the applicant;
10. Half-street right-of-way dedication and half-street improvements will be required for Mitchell Trail. The required minimum half-street right-of-way is Forty Feet (40') for Mitchell Trail along the development's frontage (Western Boundary). Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis or Statement) for Arizona Farms Road shall be the responsibility of the applicant;
11. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction 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;
12. All right-of-way dedication shall be free and unencumbered;
13. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer; and
14. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan 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;

Date Prepared: 10/1/2024 GB

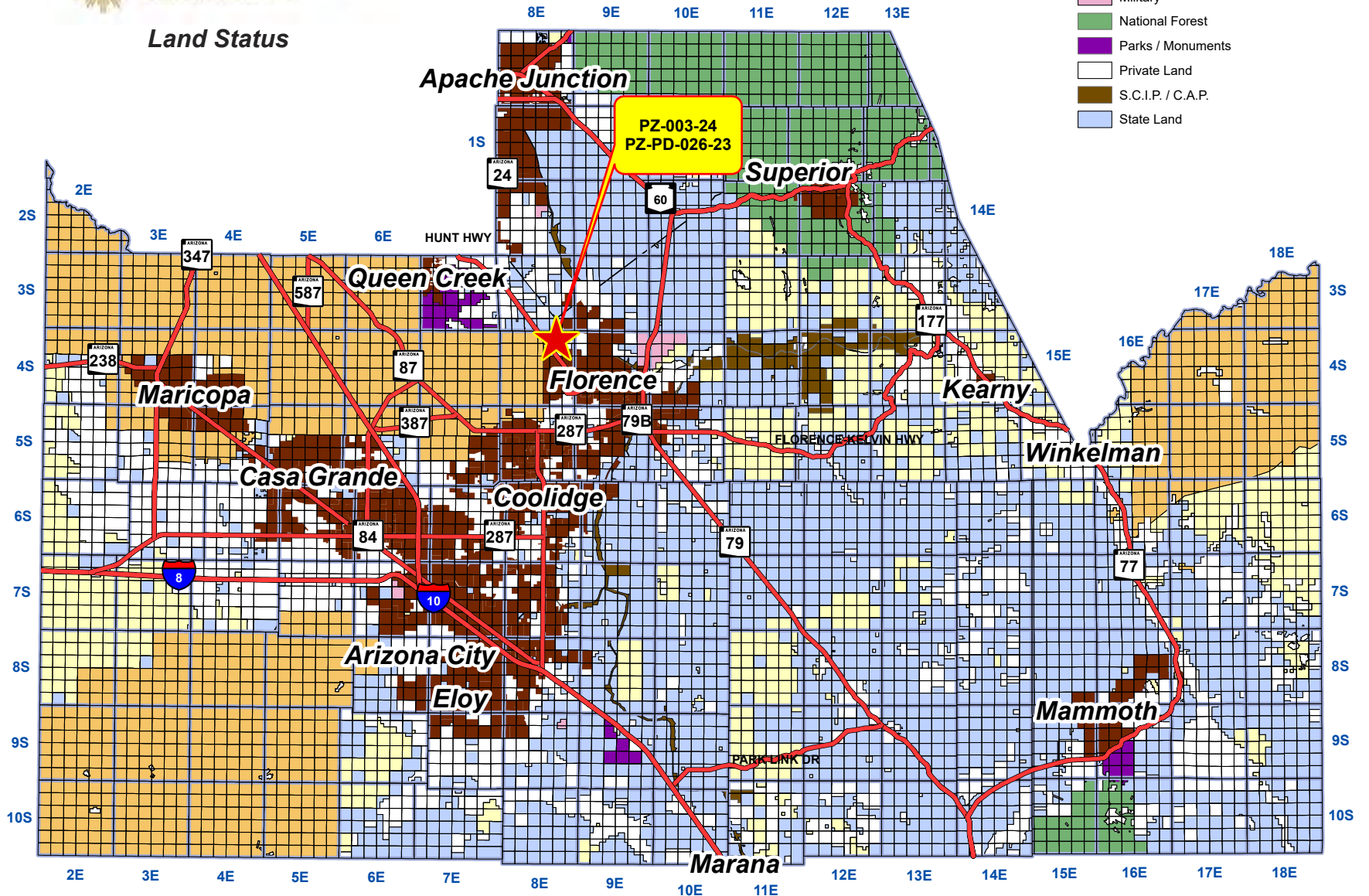
Revised: 10/3/2024 GB

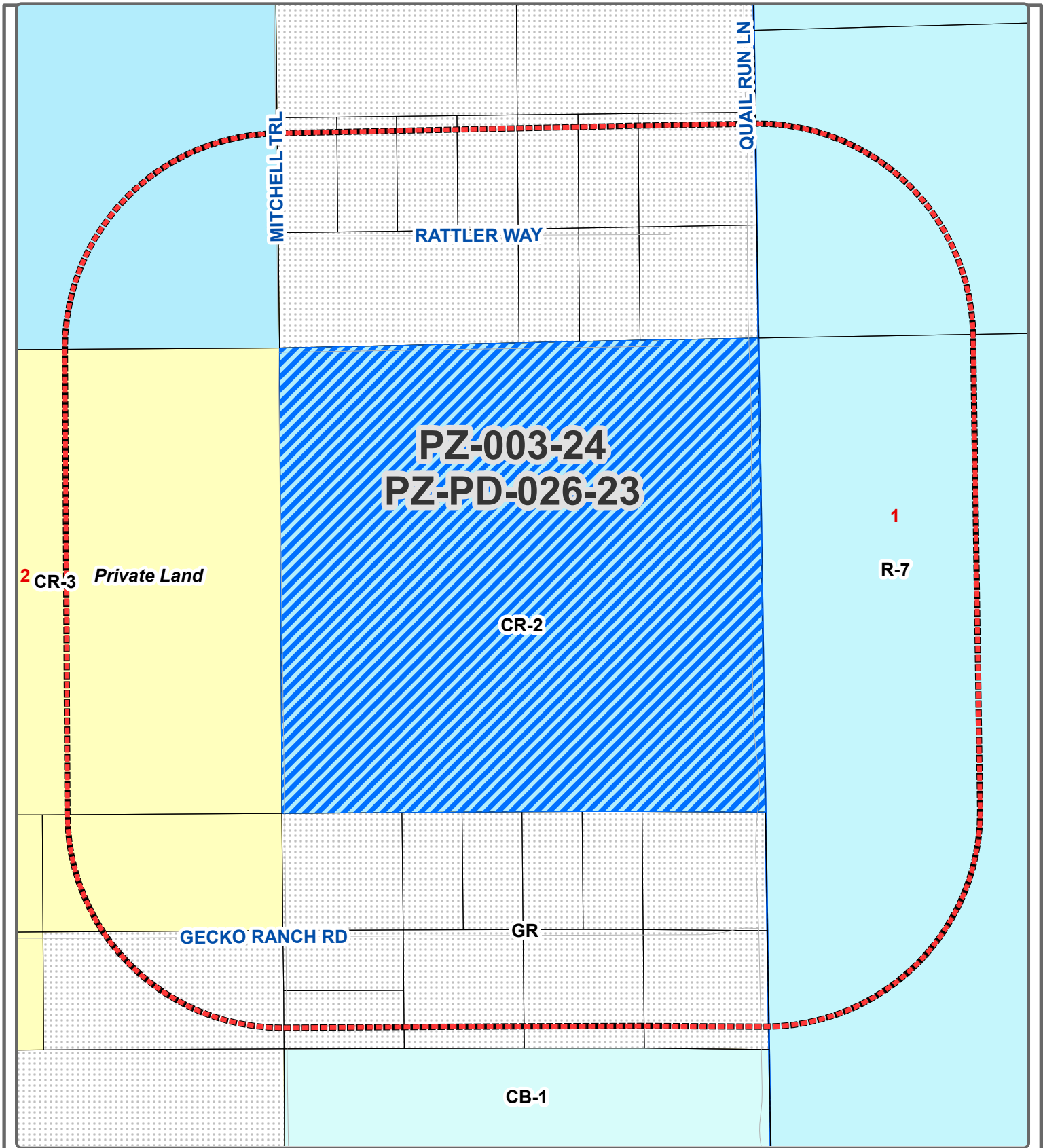


Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





Community Development

Owner/Applicant: TSI/Elwood Properties, LLC		
Drawn By: GIS/IT - RWH	Date: 04/08/2024	
Section 02	Township 04S	Range 08E
Case Number: PZ-003-24,PZ-PD-026-23		

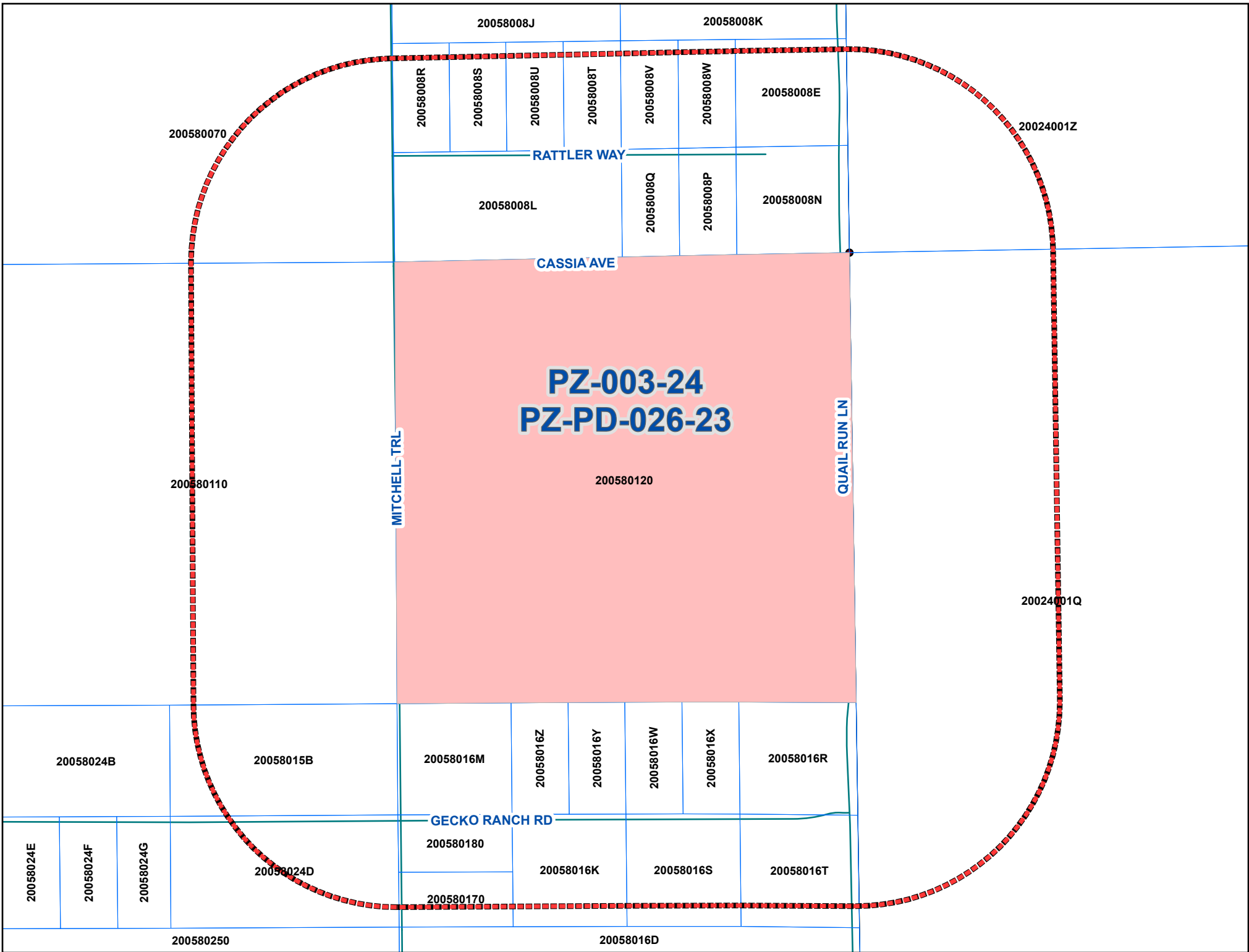
Legal Description:
 A portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona (legal on file) tax parcel: 200-58-012, located northwest of Quail Run Ln and Heritage Rd, Pinal County.

SEC 02, TWN 04S, RNG 08E


 Sheet No.
 1 of 1



Current Zoning: GR
 Request Zoning: Rezone
 Current Land Use: MLDR



20058008J

20058008K

200580070

20058008R

20058008S

20058008U

20058008T

20058008V

20058008W

20058008E

20024001Z

RATTLER WAY

20058008L

20058008Q

20058008P

20058008N

CASSIA AVE

PZ-003-24
PZ-PD-026-23

200580120

MITCHELL TRL

QUAIL RUN LN

200580110

20024001Q

20058024B

20058015B

20058016M

20058016Z

20058016Y

20058016W

20058016X

20058016R

GECKO RANCH RD

200580180

20058016K

20058016S

20058016T

20058024D

200580170

20058024E

20058024F

20058024G

200580250

20058016D

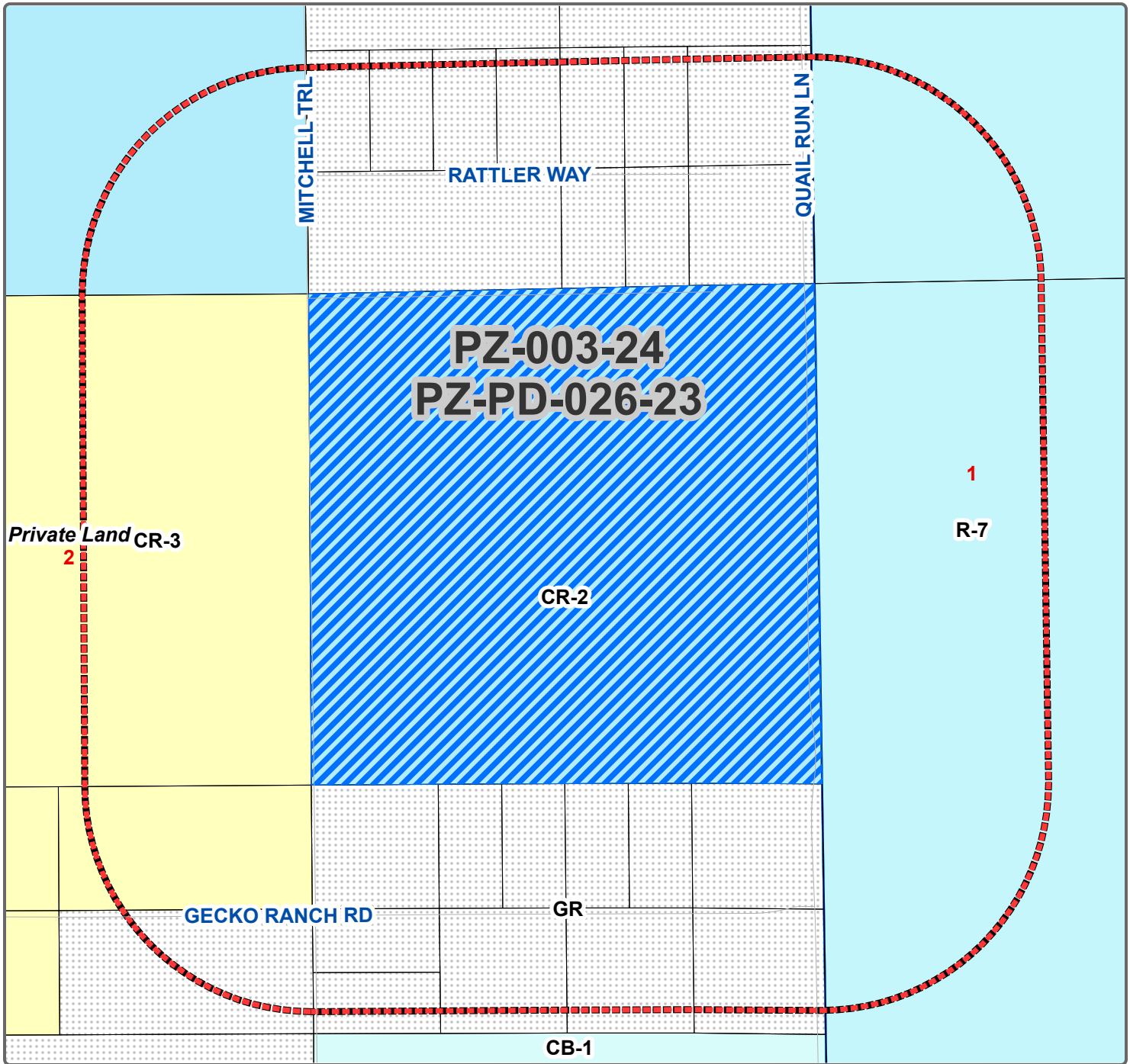


Community Development



PINAL COUNTY
WIDE OPEN OPPORTUNITY

PZ-003-24
PZ-PD-026-23



Community Development

PZ-003-24 PUBLIC HEARING/ACTION: TSI/Elwood Properties, LLC, landowner, Sean Hamill, applicant, requesting a rezoning of 40± acres from Single Residence (CR-2) zoning district to Single Residence (R7) zoning district, to allow a residential development, a portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona (legal on file) tax parcel: 200-58-012, located northwest of Quail Run Ln and Heritage Rd, Pinal County

Current Zoning: GR

Requested Zoning: Rezone

Current Land Use: MLDR



Legal Description:

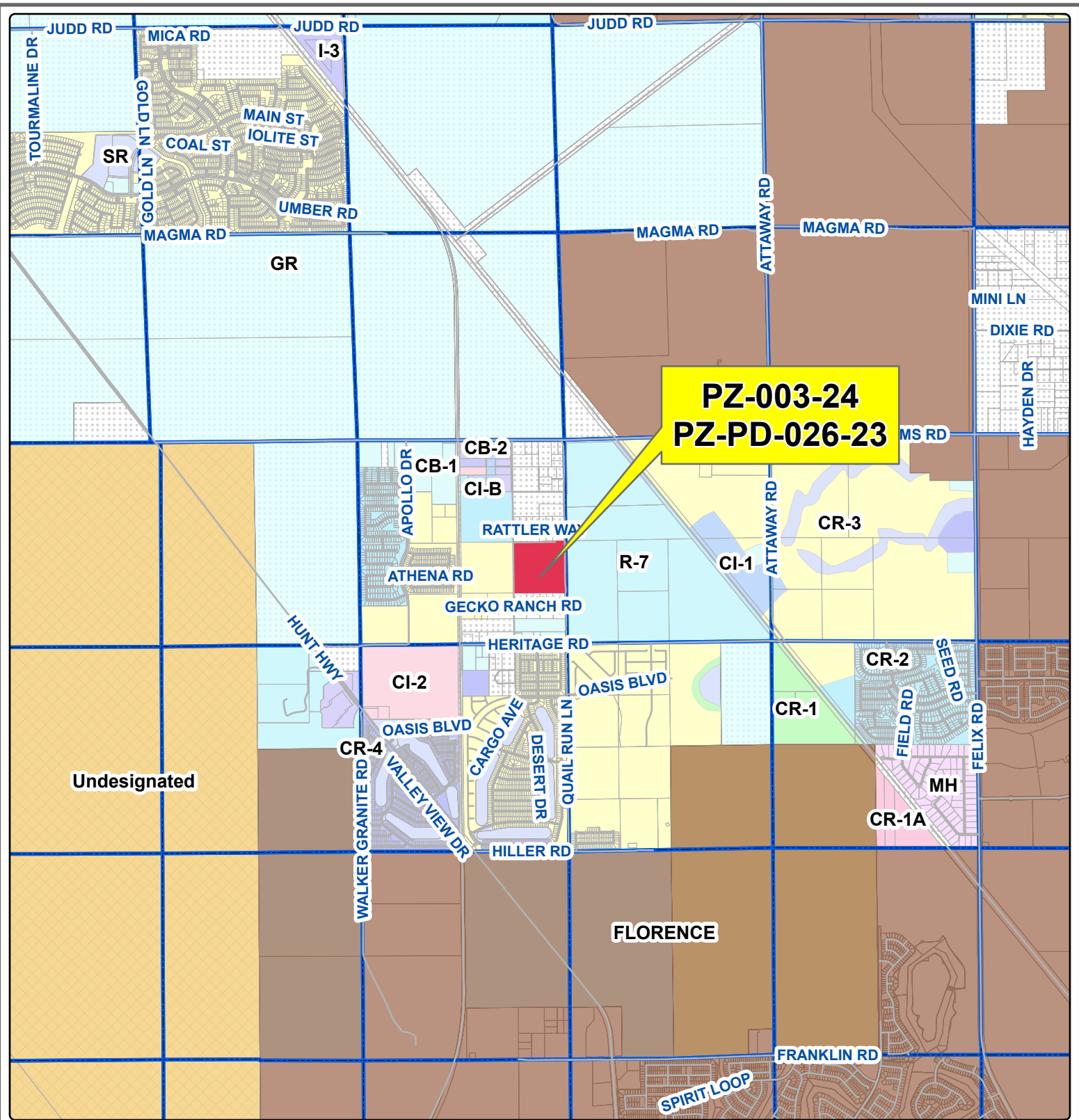
A portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona (legal on file) tax parcel: 200-58-012, located northwest of Quail Run Ln and Heritage Rd, Pinal County.

SEC 02, TWN 04S, RNG 08E



Owner/Applicant: TSI/ELWOOD PROPERTIES, LLC		
Drawn By: GIS / IT /RWH	Date: 04/08/2024	
Section 02	Township 04S	Range 08E
Case Number: PZ-003-24,PZ-PD-026-23		

Sheet No.
1 of 1



Community Development



Legal Description:

A portion of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona (legal on file) tax parcel: 200-58-012, located northwest of Quail Run Ln and Heritage Rd, Pinal County.

SEC 02, TWN 04S, RNG 08E



Owner/Applicant:

TSI/ELWOOD PROPERTIES, LLC

Drawn By:

GIS / IT / RWH

Date:

04/08/2024

Sheet No.

1 of 1

Section

02

Township

04S

Range

08E

Case Number:

PZ-003-24, PZ-PD-026-23

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 thePCDSC:
 - 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.pinalcountyaz.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**



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: _____
2. Date of Pre-application Review: __/__/____ Pre-Application Review No.: Z-PA-____-_____
3. Current Zoning (*Please provide Acreage Breakdown*): _____
4. Requested Zoning (*Please provide Acreage Breakdown*): _____
5. Parcel Number(s): _____
6. Parcel Size(s): _____
7. The existing use of the property is as follows: _____
8. The exact use proposed under this request: _____
9. What is the Comprehensive Plan Designation for the subject property: _____
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. _____

14. Explain why the proposed development is needed and necessary at this time. _____

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

COMMUNITY DEVELOPMENT
Planning Division

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

Name of Applicant

Address



Signature of Applicant

E-Mail Address

Phone Number

Name of Agent/Representative

Address



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.

Name of Landowner

Address



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

TSI/ELWOOD PROPERTIES LLC / Wellton Farms LLC

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

Hereinafter referred to as "Owner," is/are the owner(s) of 40 acres located at Mitchell Trl. & Cassia Ave. _____, and further identified

[Insert Address of Property]

As assessor parcel number 200-58-012 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 United Engineering Group

[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

Wellton Farms LLC

[Insert Company's or Trust's Name]

By: [Signature]

[Signature of Authorized Officer, or Trustee]

Its: Manager of CT Opportunity LLC, its Manager

[Insert Title]

Dated: 12/6/23

STATE OF Arizona)

) ss.

COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me, this 6th day of December, 2023 by

Perry Malhis, the Manager of CT Opportunity LLC, as the Manager of

[Insert Signor's Name]

[Insert Title]

Wellton Farms LLC, an Arizona limited liability company _____ 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: 10/25/27



Victoria Garrett

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.pinalcountyz.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.pinalcountyz.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 _____

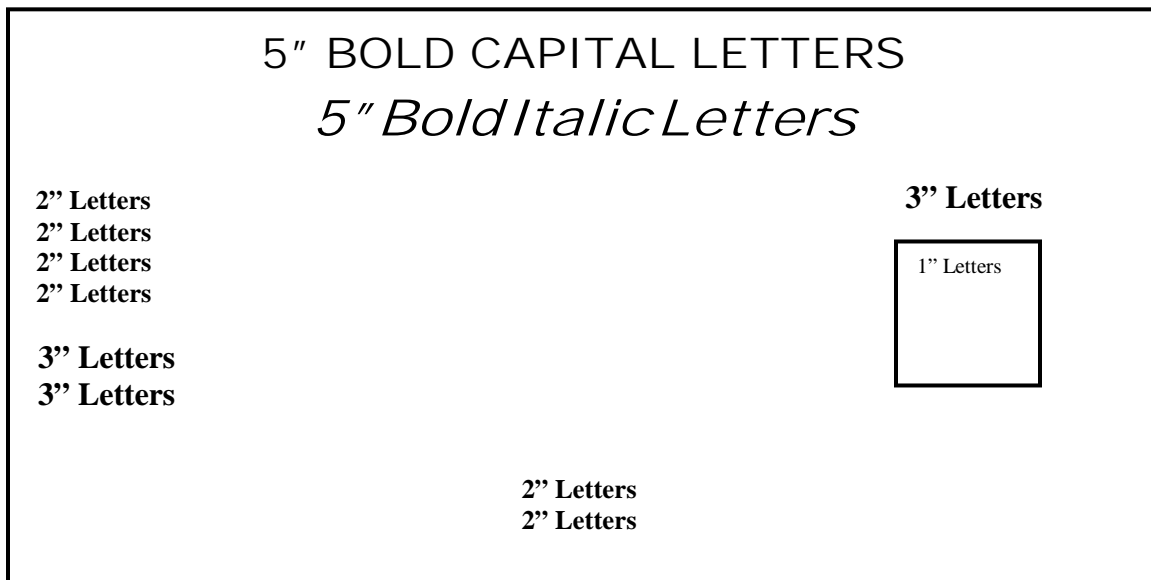
Pinal County Broadcast Notification Signs:

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 <i>Public Hearings</i>	
Case Number: Existing Zoning: Proposed Zoning: Acreage:	Public Hearing Information
Applicant Name: Applicant Phone Number:	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 <i>Public Hearings</i>	
Case Number: Existing Zoning: Proposed SUP/IUP Use: Acreage:	Public Hearing Information
Applicant Name: Applicant Phone Number:	Hearing Info Posted by Pinal County
Case Information Available at Pinal County Planning and Development Services (520) 866-6442	

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*



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 PCDCS.
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 PCDCS:
 - 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.pinalcountyz.gov/CommunityDevelopment/Planning/Documents/2019%20NEW%20APPLICATION S/Zone%20Change%20Pre-App.pdf](http://www.pinalcountyz.gov/CommunityDevelopment/Planning/Documents/2019%20NEW%20APPLICATION%20S/Zone%20Change%20Pre-App.pdf)

** Your **application must be submitted digitally** via the online portal at:
<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>.
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**

COMMUNITY DEVELOPMENT
Planning Division



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: _____
2. Date of Pre-application Review: __/__/____ Pre-Application Review No.: Z-PA-_____-_____
3. Current Zoning (Please provide Acreage Breakdown): _____
4. Requested Zoning (Please provide Acreage Breakdown): _____
5. Parcel Number(s) (Please attach a separate list if more space is needed): _____
6. Parcel Size(s): _____
7. The existing use of the property is as follows: _____
8. The exact use proposed under this request: _____
9. What is the Comprehensive Plan Designation for the subject property: _____
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-_____
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. _____

15. Explain why the proposed development is needed and necessary at this time. _____

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

COMMUNITY DEVELOPMENT
Planning Division

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.: _____
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

Name of Applicant Address



Signature of Applicant

E-Mail Address

Phone Number

Name of Agent/Representative Address



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.

Name of Landowner Address



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.

CORPORATE PROPERTY OWNER SIGNATURE BLOCK AND ACKNOWLEDGMENT

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

Wellton Farms LLC

[Insert Company's or Trust's Name]

By: [Signature]

[Signature of Authorized Officer, or Trustee]

Its: Manager of CT Opportunity LLC, its Manager

[Insert Title]

Dated: 12/6/23

STATE OF Arizona)

) ss.

COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me, this 6th day of December, 2023 by

Perry Malhis, the Manager of CT Opportunity LLC, as the Manager of

[Insert Signor's Name]

[Insert Title]

Wellton Farms LLC, an Arizona limited liability company _____ 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: 10/25/27



Victoria Garrett

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

5. 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.

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 PCDSO 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 dwelling units
- 17. Maximum Residential Density of each planning unit
- 18. Total number of parking spaces for recreational facilities
- 19. Type of landscaping
- 20. Preliminary hydrologic data and a statement on drainage
- 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 base zone.
 - 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:
 - 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 & 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 days prior 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 RSRS 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 2.176 of 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 of all 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 documentation outlined in the PAD application in a multi-PDF format per item of the application with all supporting documentation via the online portal at:
<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>.
 Please call or email the Planning Division for more information.

Submit

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

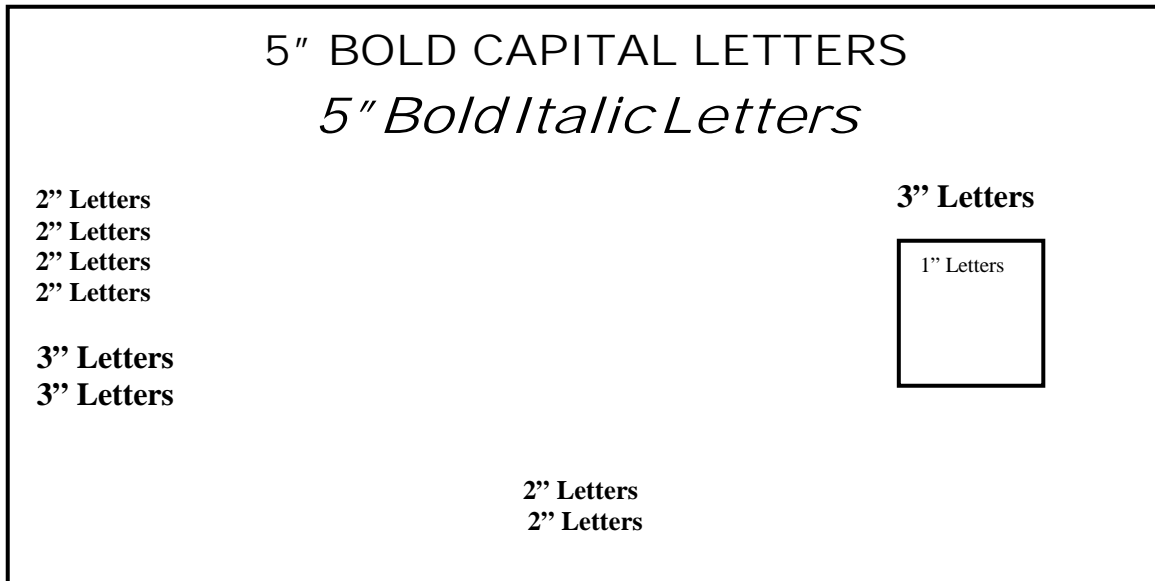
Date

**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)

<p>PINAL COUNTY <i>Public Hearings</i></p>		
<p>Case Number: Existing Zoning: Proposed Zoning: Acreage:</p>	<p>Public Hearing Information</p> <table border="1"><tr><td>Hearing Info Posted by Pinal County</td></tr></table>	Hearing Info Posted by Pinal County
Hearing Info Posted by Pinal County		
<p>Applicant Name: Applicant Phone Number:</p>		
<p>Case Information Available at Pinal County Planning and Development Services (520) 866-6442</p>		

Special Use Permit and Industrial Use Permit Cases

(4 Feet Tall by 8 Feet Wide)

<p>PINAL COUNTY <i>Public Hearings</i></p>		
<p>Case Number: Existing Zoning: Proposed SUP/IUP Use: Acreage:</p>	<p>Public Hearing Information</p> <table border="1"><tr><td>Hearing Info Posted by Pinal County</td></tr></table>	Hearing Info Posted by Pinal County
Hearing Info Posted by Pinal County		
<p>Applicant Name: Applicant Phone Number:</p>		
<p>Case Information Available at Pinal County Planning and Development Services (520) 866-6442</p>		

E-Submittal Requirements:

All Zoning Case reviews must be submitted digitally through the online permitting portal using the following naming convention:

ePlan Reviews

Plans can be submitted electronically through the Citizen Access Portal, which can be found at <https://citizenaccess.pinalcountyz.gov/CitizenAccess/> When plans are submitted through the ePlan review system, they **MUST** be in **one multi-page PDF** and use following naming format:

Review Type #_Plan Type. For example:

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

- Second Substantive Review (only resubmit items that are being amended)
 - 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*

ELLIE FAMILY LTD PSHIP
1911 E EL FREDA RD
TEMPE, AZ 85284

VILLAGOMEZ KIMBERLY
2042 W KENTON WAY
QUEEN CREEK, AZ 85142

RAMIREZ LOUIS C & DORIS M T...
2439 E DESERT LN
GILBERT, AZ 85234

GARCIA JOSE F VENZOR
38467 N ARMADILLO DR
SAN TAN VALLEY, AZ 85140

ALVAREZ ARMANDO L
PO BOX 1956
FLORENCE, AZ 85132

SIERRA KARLA LUNA
24995 N MITCHELL TRL
FLORENCE, AZ 85132

ROJAS DEREK
6824 E GECKO RANCH RD
FLORENCE, AZ 85132

PALMS - MAGIC RANCH 80 LLC
8800 N GAINNEY CENTER DR ST...
SCOTTSDALE, AZ 85258

EVANS MARVIN K & ELAINE M L...
6499 E GECKO RANCH RD
FLORENCE, AZ 85132

CASTRO DONALD A
6868 E GECKO RANCH RD
FLORENCE, AZ 85132

HIXSON AARON W
1608 SE 92ND CT
VANCOUVER, WA 98664

LUNA MARIA E
6804 E HERITAGE RD
FLORENCE, AZ 85132

LARSEN GARY G
MAIL RETURN
QUEEN CREEK, AZ 85142

SAMPSON GILBERT
4155 N PINE DR
RIMROCK, AZ 86335

POULSON BARBARA A & RAYM...
6778 E GECKO RANCH RD
FLORENCE, AZ 85132

MARGALLO LUCIO N II & CLAU...
23 SOUTH HARMON DR
MITCHELL, SD 57301

WALKER BRIAN & HOLLY
MAIL RETURN
FLORENCE, AZ 85132

LANGLEY MCRAE 10 LLC
2738 E GUADALUPE RD
GILBERT, AZ 85234

PALMS - MAGIC RANCH 80 LLC
8800 N GAINNEY CENTER DR ST...
SCOTTSDALE, AZ 85258

COX JAMES M & GLORIA
6862 E CASSIA AVE
FLORENCE, AZ 85132

LOEPER ARIELLE N
9612 E TANGERINE RD
FLORENCE, AZ 85132

TSI/ELWOOD PROPERTIES LLC...
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

JOHNSON JOSHUA & DALLAS
6882 E CASSIA AVE
FLORENCE, AZ 85132

LUNA AXEL ULISES MELLADO
24995 N MITCHELL TRL
FLORENCE, AZ 85132

EL DORADO ARIZONA FARMS L...
7600 E DOUBLETREE RANCH R...
SCOTTSDALE, AZ 85258

PADILLA ROBERT L & ESTEO
59 E ROSEBUD DR
SAN TAN VALLEY, AZ 85143

EL DORADO ARIZONA FARMS L...
7600 E DOUBLETREE RANCH R...
SCOTTSDALE, AZ 85258

CARRILLO JESUS & MARTINEZ ...
35041 N BANDOLIER DR
QUEEN CREEK, AZ 85142

MCGILL AMEDA JEANETTE
779 N PALO VERDE DR APT 2
APACHE JUNCTION, AZ 85120

MAGIC RANCH - PARCEL N

PLANNED AREA DEVELOPMENT AMENDMENT

(PADA)

Submitted to:

Pinal County

1st Submittal: December 14, 2023

2nd Submittal: August 28, 2024

Property Owner

TSI/Elwood Properties, LLC
5080 N 40th. Street, #250
Phoenix, AZ 85018
Contact: Perry Mathis

Applicant/Engineer

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PINAL COUNTY

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EXHIBITS

- Exhibit A - *Conceptual Land Use Plan*
- Exhibit B - *Surrounding Properties Map*
- Exhibit C - *Context Map*

APPENDIX

- Appendix A – *Lot Matrix Tabel and Exhibit*

**PLANNED AREA DEVELOPMENT AMENDMENT (PADA)
NARRATIVE**

FOR

Magic Ranch – Parcel N

PZ-PD-026-23 & PZ 003-24

Submitted to

Pinal County, Arizona

1st Submittal – December 14, 2023

2nd Submittal – August 28, 2024

PROPERTY OWNER

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2.0 PURPOSE OF REQUEST

This project narrative is being submitted to Pinal County as a supplement to the Rezone and PAD applications and is intended to illustrate the features of this high-quality family-oriented neighborhood. Magic Ranch Parcel N (**Parcel N**) was originally designed as a single-family residential neighborhood within the larger Magic Ranch master planned community first approved in 1998. This application serves to update and modernize the development plan for Parcel N while retaining its single-family residential character and insuring its compatibility with the existing Magic Ranch community.

Magic Ranch – Parcel N is a planned neighborhood designed for residents who appreciate the natural beauty and convenience of the San Tan area. The Project will consist of 159 single-family lots on approximately 40 acres. Typical lot sizes range from 45'x115' to 50'x115', with the largest lot being 11,400 square feet. The purpose of this report is to establish and request the approval of a Planned Area Development Amendment (**PADA**) for Parcel N, within Magic Ranch, along with the supplemental Open Space & Recreation Plan (**OSRP**) under a separate cover. A request to rezone the property from CR-2 PAD to R-7 PAD is also being processed. under a separate cover.

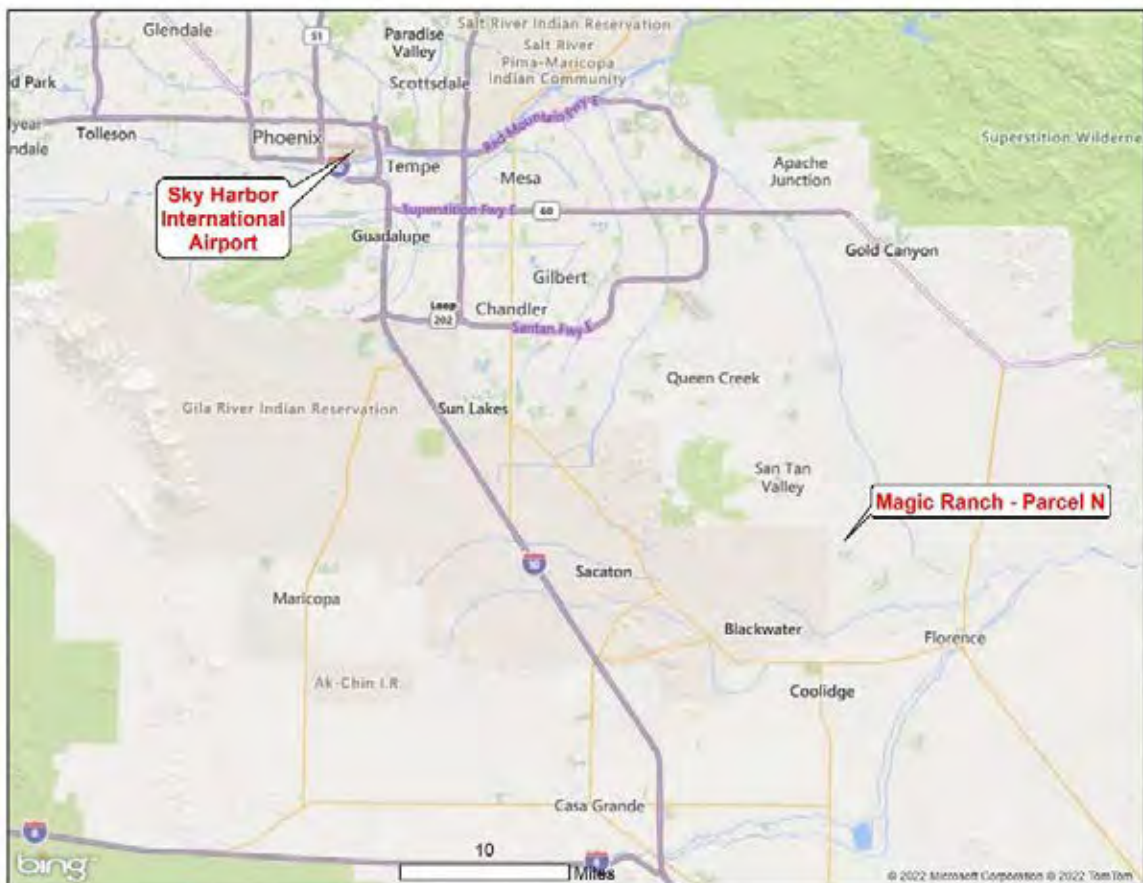


Figure 1 - Regional Map

The development is located south of Arizona Farms Road between Mitchell Trail and Quail Run Lane, Pinal County, Arizona. Parcel N is bound by private property on the north, south, east and west. Refer to **Figure 1** above for a **Regional Map** and **Figure 2** below for a **Vicinity Map** of the subject site.

The PADA for Parcel N lays out the land use characteristics for the property and proposes a development consisting of single-family residential at a density of 3.9 units per acre. Parcel N will incorporate approximately 8.8 acres (22%) of open space and landscape tracts into the development including one large central amenity area for the use and benefit of future residents.

The site is currently zoned CR-2 PAD. The requested R-7 PAD zoning and amended development standards are consistent with other areas within the Magic Ranch community. Also, the requested density of 3.99 units per acre (**Du/Ac**) is within the range previously approved for Parcel N within the original PAD. Our analysis of the Magic Ranch PAD shows that even with this modest proposed increase in units for Parcel N, the overall master planned community will end up about 700 residential units under its allowed total once fully developed, so this request is well within the existing project entitlements.

The existing Comprehensive Plan land use designation for the property is Moderate Low Density Residential (MLDR) allowing a density of 1-3.5 du/ac. See section 3.0 for further information on land use modifications.



Figure 2 - Vicinity Map

3.0 DESCRIPTION OF PROPOSAL

Nature of the Project

The Magic Ranch – Parcel N PAD designates a conceptual layout for the property as shown on **Exhibit A - Conceptual Land Use Plan**. This land plan utilizes ample open space centrally located to provide residents with enhanced view corridors, easy access to amenities and opportunities for community connectivity. At each entrance to the community, residents will be greeted with long views of the landscaped common area designed to create a sense of arrival. Not only will Parcel N be a very desirable neighborhood on its own, but it will blend well with the existing Magic Ranch community and the planned future developments nearby. Future homeowners within Parcel N will be drawn to the beauty of the San Tan area and its convenience to nearby schools, parks, shopping and employment.



The intent of the project design is to create a community with visual interest and distinctive character and identity through the creative use of open space, landscape, theme walls, and layout, while insuring compatibility with surrounding development.

Proposed Land Uses

Magic Ranch – Parcel N is being planned as a single-family residential community with two distinct lot sizes and substantial open space as shown on the **Site Plan**. The development will have public dedicated streets and the open space areas will serve as a gathering point for residents. Exceeding the existing PAD and Pinal County open space standards, approximately 22.2% total open space will be provided for the community, consisting of a total of 8.84 acres.

The original Magic Ranch PAD Table II-1 lists Parcel N with an allowed density of up to 4.0 units per acres, and our proposed development is below that allowed maximum.

Table A - Land Use Summary

SITE DATA:				
Gross Acreage	39.82 ac			
Area of Street R/W	9.71 ac			
Area of Lots	21.25 ac			
Total Open Space	8.84 ac (22.2%)			
Developed Open Space	3.22 ac			
Recreation Open Space	5.41 ac			
Total No. of Lots Permitted	159			
Total No. of Lots Provided	159			
Gross Density	3.99 du/ac			
Lot Mix:	Lot Area	Lot Size	Zoning District	% of Lots
	5,175 sf	45' x 115'	R-7	44%
	5,750 sf	50' x 110'	R-7	56%
Total			159	100%

Building Types and Densities

The development will have 159 single-family residential lots with sizes from 5,175 square feet to over 11,000 square feet. The overall density for the proposed development will be 3.99 du/acre. A summary of the **Amended Development Standards** and **Amended Land Uses** are listed in **Table B & C** respectively.

Table B - Amendment Development Standards

	CR2 – PAD (Existing)	R-7 (PAD)	
	Code	Code	Proposed
<i>Minimum Lot Area</i>	8,000 SF	7,000 SF	5,175 SF
<i>Minimum Lot Width</i>	60'	50'	45'
Minimum Setbacks (2)			
<i>Minimum Front Yard Setback</i>	25'	20'	20'
<i>Minimum Side Yard Setback</i>	10' / 10'	10' / 10'	5' / 5'
<i>Minimum Rear Yard Setback</i>	25'	25'	15'
<i>Maximum Building Height</i>	30'	30'	30'
Detached Accessory Buildings			
<i>Minimum Distance to Main Building</i>	20'	7'	5'
<i>Minimum Distance to Front Lot Line</i>	60'	60'	45'
<i>Minimum Distance to Rear & Side Lot Lines</i>	5'	4'	3'
Notes:			
<ol style="list-style-type: none"> 1. <i>Minimum lot widths are measured at the front setback line.</i> 2. <i>Minimum setbacks do not apply to non-structural architectural features such as fireplaces, bay windows, pop-outs, patio covers, or other shaded elements.</i> 3. <i>20' to face of garage from the back of sidewalk and 10' to face of residence or to side access garage from the property line is proposed.</i> 			

Table C - Amended Land Uses

Permitted Uses	<p>All uses under the R-7 base zoning per Pinal County Development Service Code, Sections 2.275.020</p> <ul style="list-style-type: none"> A. One dwelling, conventional construction B. Child care (no more than five children from whom compensation is received) C. Church, subject to the requirement set for the in PCDSC 2.150.220 D. Government structures, fire district stations, sheriff’s facilities and their accessory use E. Group home, subject to the requirements set forth in PCDSC 2.150.200 F. Guest house/casita, subject to the requirements set forth in PCDSC 2.150.240 G. Home occupation, subject to the requirements set forth in PCDSC 2.150.260 H. Parks I. Public schools J. Solar energy device, subject to the requirements set forth in Chapter 2.210 PCDSC K. Wireless communication facilities, subject to the requirements set forth in chapter 2.205 PCDSC L. Some uses are allowed in all zoning districts based on statutory exemptions (se PCDSC 2.05.050) or because a government entity or governmental agency is performing a governmental function. [Ord. 011812-OZ-PZ-007-10 § 36].
Non-permitted Uses	None

Conformance to Adopted Land Use Plans

Given the evolving market demands and preferences of modern home buyers, it has become essential to update the current entitlements to support and facilitate the development of the Property effectively. Magic Ranch - Parcel N is well-positioned to meet the needs and preferences of both current and future residents. By doing so, it will enhance the housing diversity within the community and support the rapidly growing employment base in the area.

The property will be rezoned from CR-2 PAD to R-7 PAD. The development is bordered by undeveloped residential areas to the west and east, and large-lot residential properties to the north and south. For a comparison of the existing and proposed Pinal County zoning for Magic Ranch – Parcel N, please refer to **Figure 3**.

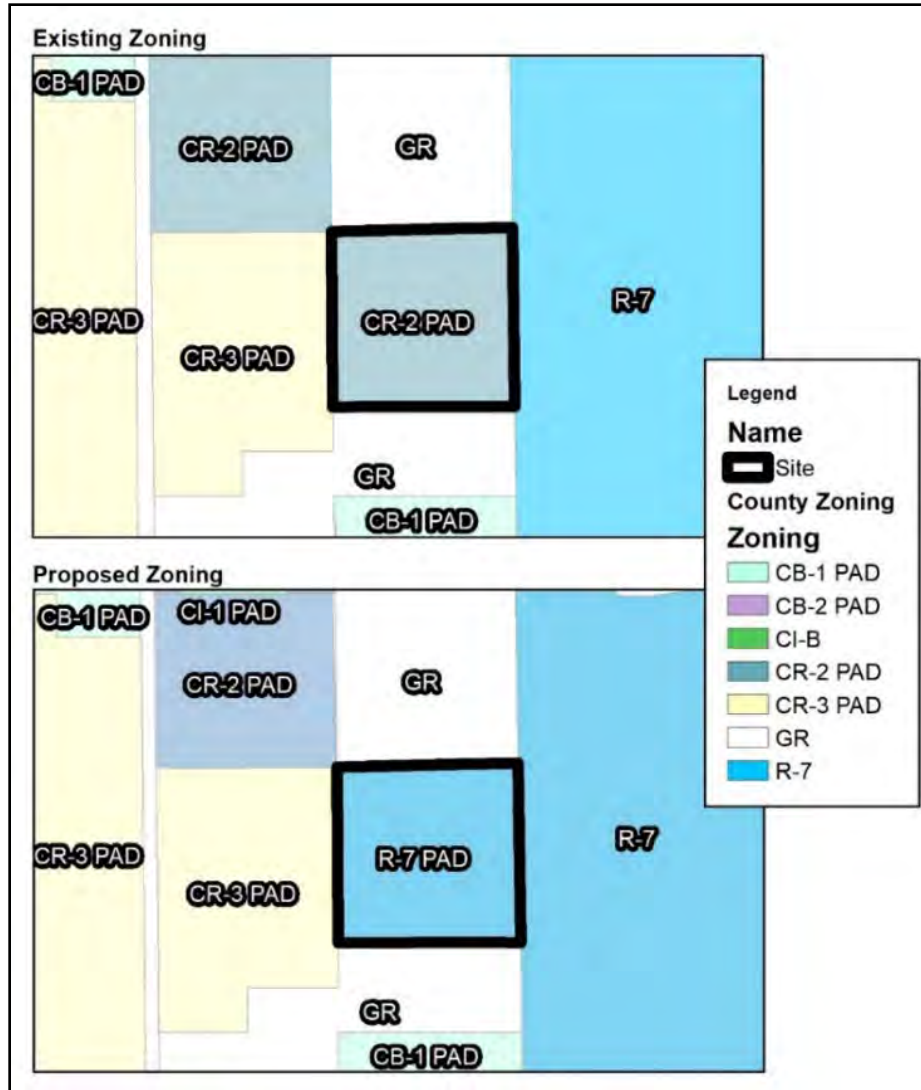


Figure 3 - Pinal County Zoning

Parcel N is situated within Tile A of the Pinal County Comprehensive Plan, where it is currently designated as MLDR. However, a change to MDR is being proposed for the entire 40-acre site. According to the current general plan, 25 to 50-acre parcels designated as MLDR, which are part of a larger master-planned community of 250 acres or more, can transition to Medium Density Residential use without requiring a Comprehensive Plan Amendment. For a visual comparison of the existing and proposed designations in the Pinal County Comprehensive Plan for Parcel N, please see **Figure 4**.

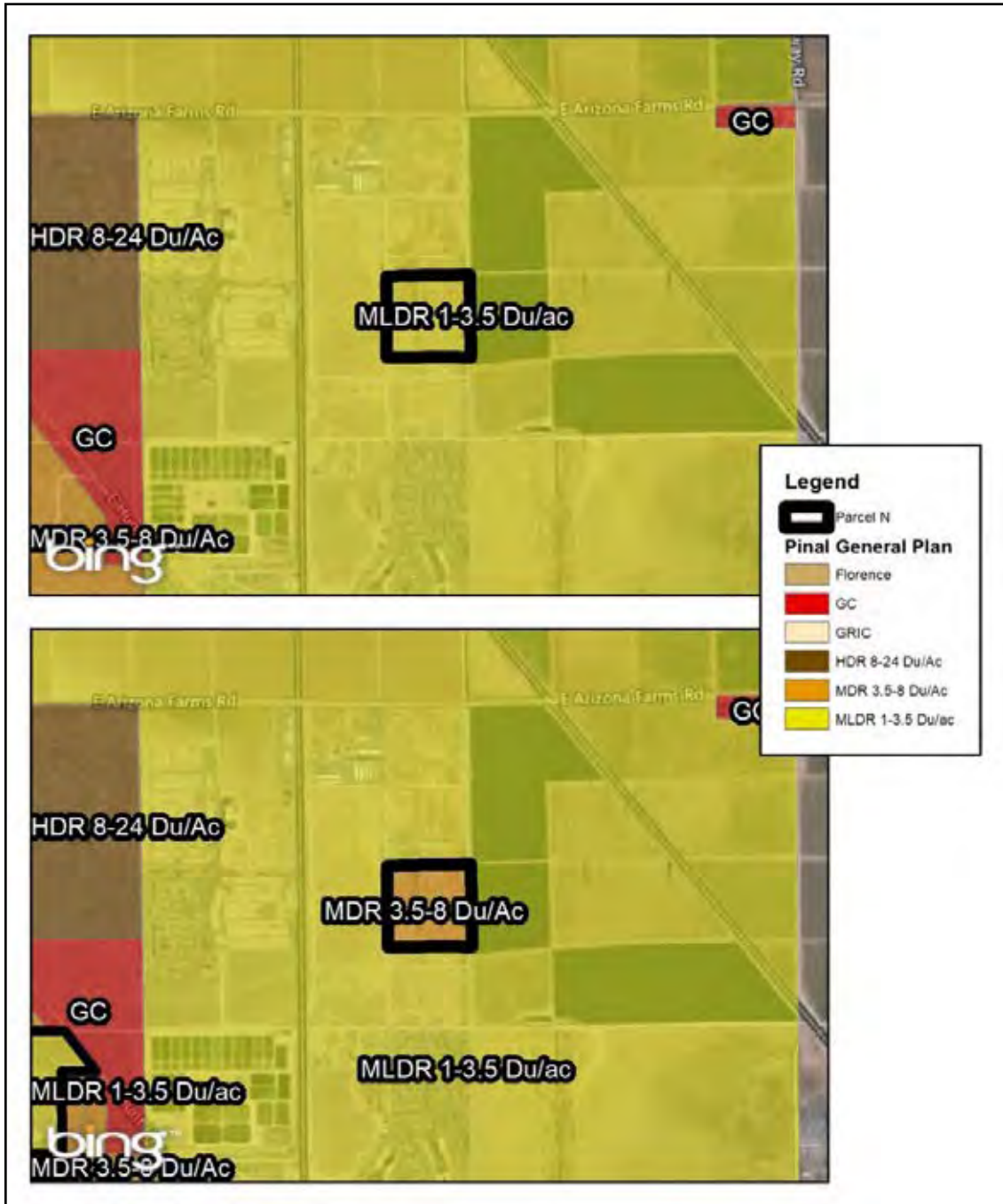
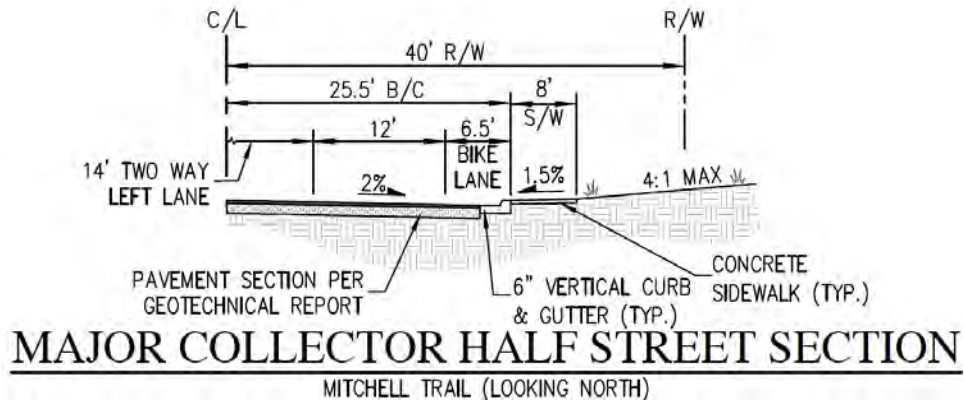


Figure 4 - Pinal County Comprehensive Plan

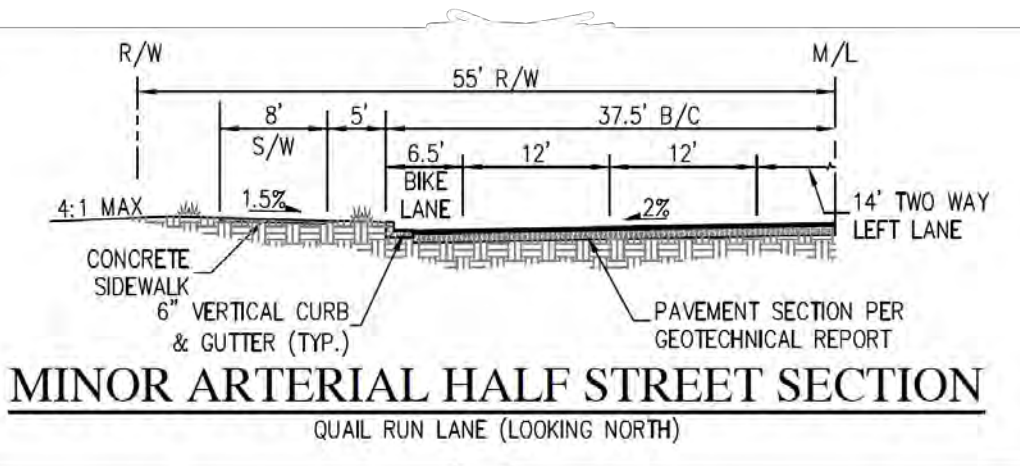
Circulation and Recreation Systems

Mitchell Trail will serve as the primary access route for Parcel N, with Quail Run Lane designated as the secondary access. All roadways will be public streets and will be dedicated to Pinal County following approval by the Pinal County Public Works Department. Each roadway will be developed according to the following standards:

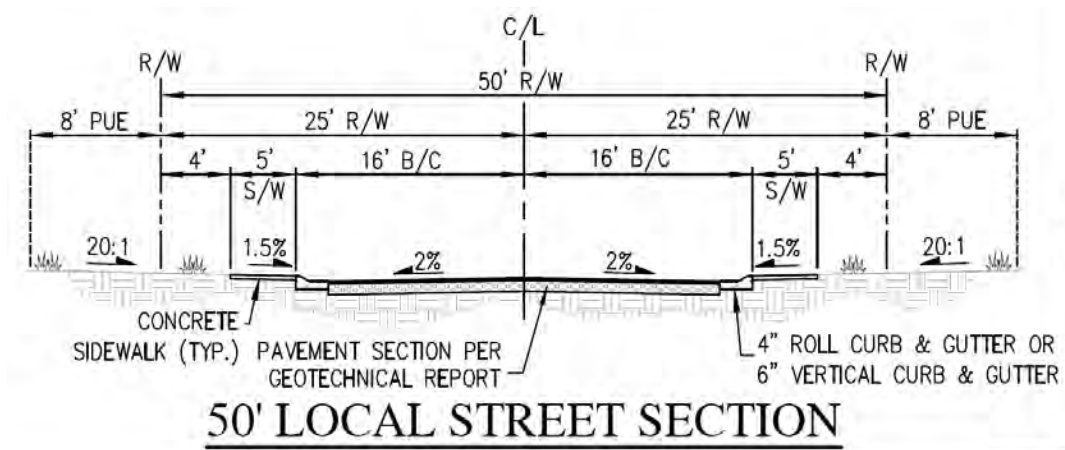
Mitchell Trail: Major Collector with a 40' ½ width



Quail Run: Minor Arterial with a 55' ½ width



Local Street: 50' Right-of-way.



Recreation systems for Parcel N will include a neighborhood park that has been centrally located in the development for the use and benefit of the residents. An extensive sidewalk network will be utilized to connect the park site and residential neighborhood areas. Refer to *Section 14.0* for additional detail on the recreational amenities.

4.0 RELATIONSHIP TO SURROUNDING PROPERTIES WITHIN ONE MILE

Magic Ranch – Parcel N is bordered to the north and south by large lot single family residential under GR zoning, and careful consideration was given to buffering those properties. Our land plan incorporates an open space tract along the north border, and significant extra depth was added to the lots along the south border to pull the new homes further away from the existing residences. To the west is the proposed Ashburn at Magic Ranch subdivision under CR-2 & CR-3 PAD zoning, and to the east is the future Silver Cross Subdivision under R-7 PAD zoning, and our planned project will be very compatible with both. Other land uses, including CR-4 PAD, CR-5, CI-2, and CB-1, are also located within one mile of the subject site. Refer to **Exhibit B - Surrounding Properties Map** which identifies area properties within one mile of the subject site.

5.0 SCHOOLS

Magic Ranch - Parcel N is located within the Florence Unified School District. Students in Kindergarten thru 8th grade will attend the Anthem K-8 School located approximately 4 miles southeast of the subject site. Students in grades 9th through 12th will attend the Florence High School located approximately 12 miles southwest of Parcel N.

6.0 PUBLIC SERVICES

Public services are located in the proximity of Magic Ranch – Parcel N.

Rural Metro Fire Station #843 is located on N Main S North of Copper Mine Rd, approximately 3.5 miles north of the site.

The Pinal County Sheriff’s Office substation is located at the northwest corner of Arizona Farms Road and Hunt Highway, approximately 1.5 miles northwest of the site.

The nearest post office is located in Florence on Main Street and Ruggles Street, approximately 12 miles to the southeast.

Another great amenity is the Florence Hospital at Anthem, located on Franklin Road and Hunt Highway, only 2.5 miles to the southeast.

7.0 COMMUNITY SERVICES

Residents within Parcel N will utilize nearby and regional community services such as churches, libraries, museums, and community centers – enhancing the draw of the development to families. Several churches

are in close proximity to the site including the Church of Jesus Christ of Latter-day Saints, Epic Christina Church, & Christ the Victor Church.

The new Florence Library is located approximately 10 miles to the southeast.

8.0 LOCATION AND ACCESSIBILITY

This project site benefits from its strategic location near established job centers, making it an ideal choice for development that can effectively meet the increasing demand for housing in the region. The site's proximity to these job centers not only enhances its appeal for potential residents but also ensures that the development will be well-integrated into the local economy and community.

Furthermore, the project site is situated a short distance from the scenic San Tan Mountains, San Tan Regional Park, and the Superstition Mountains. This proximity offers residents easy access to recreational activities and natural beauty, enhancing their overall quality of life.

Homes within Parcel N will have the added advantage of stunning views: to the west, residents can enjoy the expansive vistas of the San Tan Mountains, while the northern and eastern perspectives offer breathtaking views of the Superstition Mountains. This picturesque setting not only adds aesthetic value to the development but also contributes to a desirable living environment for future homeowners.

Magic Ranch is within a relatively short distance from the Central Arizona College (7 miles), Williams Gateway Airport (18 miles), ASU Campus (18 miles), the Town of Queen Creek (13 miles) and the Florence Prison Complex (12 miles), all of which are employment hubs.

The subject site is located approximately 4.5 miles from the major commercial intersection at Bella Vista Road and Hunt Highway, which provides ample shopping, restaurants, entertainment and services. Hunt Highway also provides a major link between the Phoenix metro area and San Tan Valley. Ellsworth Road, via Hunt Highway, provides another north-south access to the San Tan Freeway and US 60. The San Tan Freeway is approximately 18 miles northwest of Parcel N.

9.0 COMPLIANCE WITH ACCESS MANAGEMENT MANUAL

The proposed development is in compliance with the Pinal County Access Management Manual (October 2017 Update) – Regionally Significant Routes for Safety and Mobility (RSRSM). Neither Mitchell Trail, or Quail Run is considered a regionally significant route in this location.

10.0 UTILITIES AND SERVICES

Utilities and Services will be provided for Magic Ranch - Parcel N as shown in **Table D** below:

Table D - Utilities & Services	
Wastewater	EPCOR
Water	EPCOR
Electric	Salt River Project
Telephone	CenturyLink
CATV	Cox Communications
Police	Pinal County Sheriff's Office
Fire	Rural Metro
Schools	Florence Unified School District
Solid Waste Disposal	Contract Hauling Company

10.1 Wastewater

The property lies within the certificated area of EPCOR. EPCOR will be the wastewater provider for Parcel N. A proposed offsite wastewater line (to be installed by others) will convey onsite wastewater flows by gravity into a regional lift station. A service agreement between EPCOR and the developer will be executed prior to development to provide wastewater service to the property.

10.2 Water

The property lies within the certificated area of EPCOR. EPCOR will be the water provider for Parcel N and has facilities with available capacity to serve the subject site. A service agreement between EPCOR and the developer will be executed prior to development to provide water service to the property.

10.3 Electrical Service

Salt River Project (SRP) will provide electrical service to the site. The subject site is located within SRP electrical service area.

10.4 Telephone

CenturyLink is the provider of telephone service to the site.

10.5 Cable TV

Cox Communications is the provider of cable tv service for this area.

10.6 Police, Fire Protection

Police services will be provided by the Pinal County Sheriff's Department.

Fire protection and ambulance services will be provided by Rural Metro Corporation.

10.7 Solid Waste Handling

Solid waste services will be provided by a contract hauling company.

10.8 Schools and Libraries

Magic Ranch is located within the Florence Unified School District. There are two libraries located in the area of the subject site including the Florence Community Library and the Queen Creek Library.

11.0 OWNERSHIP & CONTROL

Ownership of the property is under TSI/Elwood Properties, LLC and Welton Farms L.L.C.

12.0 CONFORMANCE WITH COMPREHENSIVE PLAN

A Comprehensive Plan Amendment will not be required for this development. Within the Comprehensive Plan there is an exception that allows properties between 25-50 acres with a MLDR designation and are part of a 250-acre or larger master planned community to increase their land use designation to Medium Density Residential (MLD) without a Comprehensive Plan amendment. As this property falls within both those criteria options, the MDR designation is being requested on the total 40 acres currently designated as MLDR. The proposed development will contain 159 lots on 40 acres. The proposed gross density for Parcel N is 3.99 ($159/39.83 = 3.99$) dwelling units per acre and will be within the designated allotment of 3.5-8 du/ac after the CPA. Refer to *Section 3.4* for additional information regarding the Pinal County Comprehensive Plan.

13.0 DEVELOPMENT TIMING

The construction and required improvements for Magic Ranch – Parcel N are expected to move forward upon receiving project approvals. Parcel N is anticipated to be developed in one phase.

- PAD Approval – 4Q 2024
- Preliminary Plat
 - Submittal – 1Q 2025
 - Approval – 3Q 2025

14.0 RECREATIONAL AMENITIES

Recreational amenities at Magic Ranch – Parcel N are abundant and a strong selling point of the community to the families it will attract. It will have ample usable open space areas including a neighborhood park along with a network of trails to provide exercise opportunities and connections between the amenities and the homes. Refer to **Appendix D** for the *Preliminary Landscape Plans* for Magic Ranch – Parcel N, including preliminary details for the recreational amenities, open space, and pedestrian paths.

14.1 Conservation Open Space:

There are no Conservation Open Space areas within the community due to the barren nature of the property.

14.2 Recreation Open Space:

Significant effort has been given to the design and programming of the recreational amenities for the project. One main amenity area is strategically located for easy access to all residents via the 5-foot wide, paved and/or unpaved trail or project sidewalks.

All amenity areas exceed the minimum requirement of 10,000 square feet each and are designed to target users of all ages. The amenity areas include turf areas for open play, a shade structure with picnic furniture and play structures.

Visually pleasing, low water use landscaping will enhance the amenity areas and will include shrubs with a minimum size of 5 gallons and will be planted at a rate of 3 shrubs per tree, vegetative groundcover shall also be utilized in within landscape areas. A minimum 2-inch depth of ½-inch minus, or larger, decomposed granite will be specified on the landscape plans for all planted areas. To provide variety to the landscape, the clustering of trees and shrubs is provided. Reasonable effort has been made to conserve the natural drainage patterns.

Trees are strategically located to buffer the street frontage, to organize and define use areas on the recreation area site, to provide protection from wind and sun, and as a visual amenity to the recreation area.

14.3 Developed Open Space:

Developed Open Space is characterized as a passive amenity that provides an enhanced aesthetic to the community in the form of landscaping in the common area tracts of the community.

14.4 Amenity Details:

The below amenities are conceptual only and are to be used as a guideline for final product selection.

Play Structure(s) – Capacity: 40-50, Age: 2-12, Size: 17'x23', ADA compliant. Colors: TBD



Figure 5 - Typ. Play Structure

Ramada(s) – Size: 16', four-sided, hip roof, power coated steel frame, aluminum roof, Color: TBD



Figure 6 – Typ. Ramada

Picnic Bench(s) – Shape: Seats 3 +, Material: coated metal and wood slats. Colors: TBD



Figure 7 - Typ. Picnic Table

Bench(s) – Length: 6' or 8', Material: coated metal, wood or trex, Color: TBD.



Figure 8 - Typ. Bench

Trash Receptacle(s) - Size: 55-Gallon, Material: coated metal, slats. Ground mounted.
Color: TBD



Figure 9 - Trash Receptacle

Grill(s) – 20", Black.



Figure 10 - Typ. Grill

Refer to the *Preliminary Landscap Plans* in **Appendix D** for specific details.

15.0 FENCES, WALLS & SCREENING

Three wall elevations are proposed for the development. These include the project theme wall, project view wall and standard 4-inch builder block wall. All walls will be in earth tones to blend with the environment and to be compatible with the existing Magic Ranch development. The locations for each wall type are depicted on the Master Wall Plan.

The project theme wall will be located along the more visible routes as well as the sides of lots that face local streets within the development. The wall features a combination of smooth and split face blocks of varying depths along the top of and within the wall to provide relief.

The project view fence is provided in areas of the development were lots side or back to open space areas. The wall is comprised with a 4-foot of smooth block and 2-feet of tubular steel view fence on top, and CMU columns.

A standard 4-inch builder wall is proposed for portions of the development that are least visible within the community.

Refer to the *Preliminary Landscape Plans* in **Appendix D** for specific details.

16.0 TOTAL NUMBER OF DWELLING UNITS

A total of 159 single-family residential lots are proposed for Magic Ranch – Parcel N

17.0 MAXIMUM RESIDENTIAL DENSITY OF EACH PLANNING UNIT

The proposed Magic Ranch – Parcel N development will consist of 159 single-family residential lots on 40 acres. The overall maximum residential density for the development is proposed at 3.99 du/acre.

The original Magic Ranch PAD (PZ-PD-07-98) provided for 6,017 total residential units within the master planned community. Our analysis shows that subsequent PAD amendments over the years reduced that total number to 5,672 units.

Using the most recent Pinal County GIS data, it has been determined that there are 2,919 existing platted lots within the Magic Ranch Development. Deducting the existing platted lots from the allowed units (5,672 – 2,919), you are left with 2,753 units still allowed under the PAD.

Given UEG’s involvement with surrounding owners and assisting in various entitlements, including PAD and PADA’s, Preliminary plat & Final Plats, it can be projected that there are currently 1,686 units in either the entitlement stages or within parcels yet to be entitled (including this Parcel N at 159 units). Subtracting these 1,686 units from the 2,753 remaining, you are left with 1,067 unallocated units (2,753 - 1,686 = 1,067). Since Parcels L, M, N, T, U, X (portions) and CC are accounted for in the 1,067-unit count, and Parcels D, E, H, I, L1, L2, L3, P, Q, V & GG are designated as either industrial, commercial, or WWTP, Parcels J, K(Portion) & O are the only remaining parcels to absorb these 1,067 unallocated units. Under the Magic Ranch PAD (as amended), the allowed units for Parcel J (92), Parcel K (184) and Parcel O (86) total 362 units, which is well under the 1,067 remaining allowed units.

In summary, when accounting for the existing platted lots (2,919), the known planned units including our Parcel N (1,686) and the allowed units for unplanned Parcels J, K and O (362), Magic Ranch will still have more than 700 allowed but unused units. With that in mind, this request to increase the units in Parcel N from 112 to 159 has a negligible impact on the overall Magic Ranch PAD.

Please refer to **Appendix A** for the Lot Matrix Table and Exhibits.

18.0 TOTAL NUMBER OF PARKING SPACES FOR RECREATIONAL FACILITIES

Dedicated parking spaces will not be provided for the open space areas with Magic Ranch – Parcel N. Parking along the internal public streets will be allowed for residents and guests. Residents of the community will be encouraged to walk to the open space areas via the sidewalks and open space trails.

19.0 TYPE OF LANDSCAPING

The Magic Ranch – Parcel N development will be designed with distinctive character and identified through the creative use of open space areas, parks, trails, theme walls, and landscaping.

The landscape plan includes a diverse plant palette that features lush looking, but low water use, desert tolerant plant materials.

Shade trees, screening shrubs and colorful accent groundcover materials are used throughout the project to enhance the pedestrian experience. The design intent of the landscaping is to utilize a variety of water efficient trees, shrubs and groundcovers that will provide shade, visual interest, buffering, and aesthetic value to the project. Careful selection and massing of plant materials and turf will provide colorful and appropriate transition from the surrounding and more native landscape. Turf will be used sparingly at select locations, such as adjacent to more active recreational amenities. The landscape design will adhere to the landscape recommendations for open space and recreation areas as outlined in the OSRM and will meet the requirements for PAD's outlined in the Pinal County Development Services Code.

Trees and shrubs will be planted in sizes and quantities that meet the requirements of the OSRM and Chapter 2.176.160(C) of the Pinal County Development Services Code. While every tree and shrub to be planted is not depicted with the OSRP, the documentation provided identifies the landscape palette and general planting areas. ½-inch screened decomposed granite will be used as an inorganic groundcover in all recreation and development open space areas that are not identified as turf.

A tree Salvage and Inventory Plan has not been provided as the site consist mainly of creosote bushes and mesquite trees.

All proposed landscape areas will be irrigated with a water efficient system that utilizes drip irrigation in all non-turf areas. The location of landscape irrigation systems and future water outlets will be provided during final design and submittal of construction level landscape plans.

Refer to the *Preliminary Landscape Plan* in **Appendix D** for specific details.

20.0 PRELIMINARY HYDROLOGIC DATA

The Magic Ranch – Parcel N site is undeveloped, raw desert land consisting of native grasses, foliage and desert shrubbery. The property is sloped from west to east at approximately 0.3% and runoff disperses as sheet flow with no major conveyance elements that originate onsite. There are also no major offsite

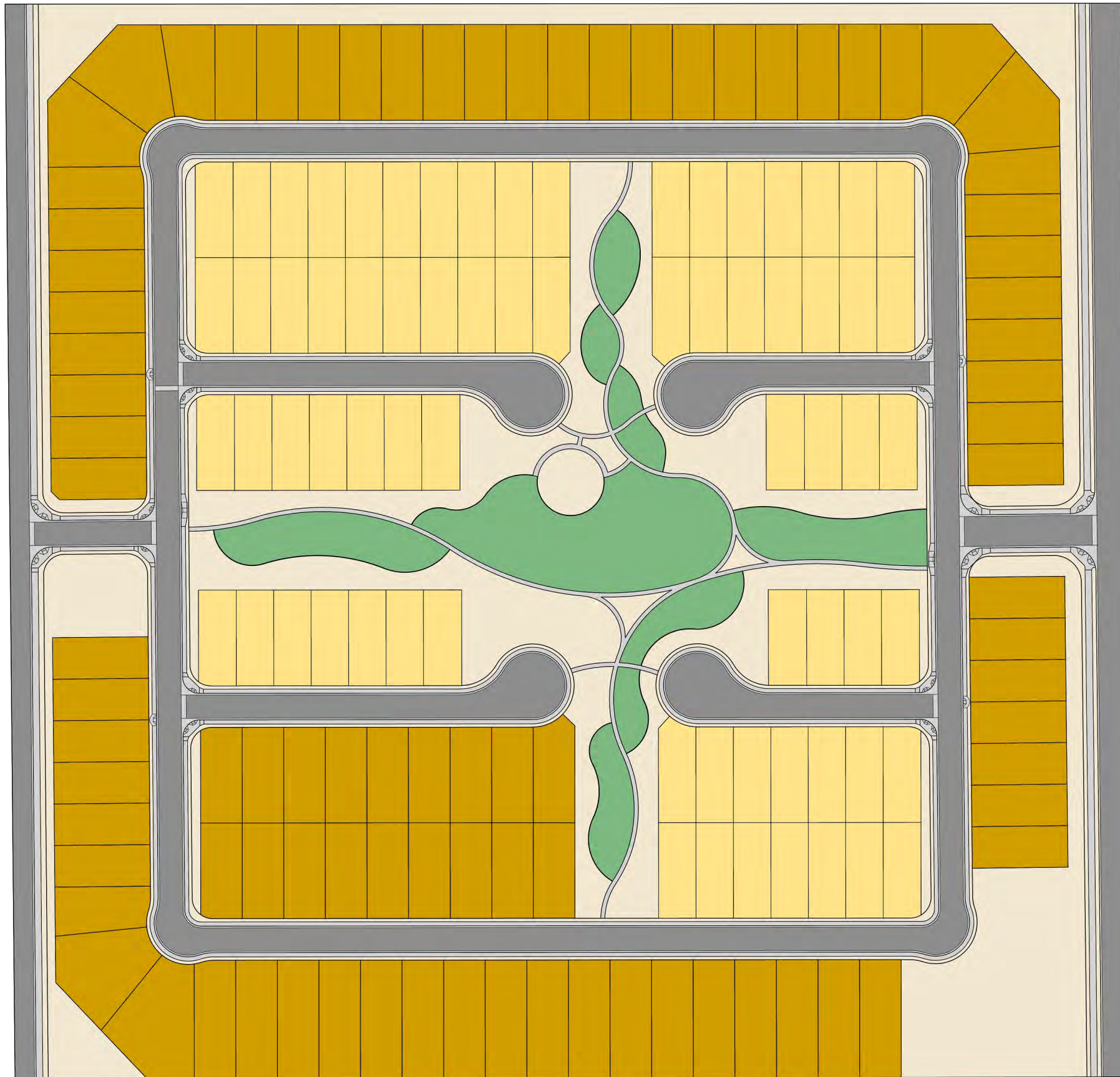
conveyances that impact the development. However, the minor sheet flow generated from the west of the site may affect the northwest corner of property as it is conveyed to the north in the chip-sealed road of Mitchell Trail, which minimally ponds in the road near the intersection of Mitchell Trail and Cassia Road before continuing on its historical flow pattern to the east.

The development will be designed so that individual lots will drain onto the streets and convey stormwater flows to the proposed retention basins via curb and gutter, catch basins, scuppers/spillways, and storm drains. Drainage patterns are based on the existing topography, proposed street patterns and proposed grading conditions. Street capacities will be designed to convey flows with the top of curbs and right-of-way for the 10-year and 100-year storm events, respectively. Retention basins will be designed to retain the 100-year, 2-hour storm event. In an event larger than the 100-year, 2-hour storm, emergency outfall for the property will be released to the east out of the southeastern retention basin. Upon leaving the site, the stormwater will follow the historic flow pattern.

21.0 CONCLUSION



Magic Ranch – Parcel N is planned to be developed as a highly desirable family community in the San Tan area. Through its emphasis on open space and the direct connection to the Pinal County master trail, plus its proximity to the hospital, college, churches, good schools, employment and shopping, Parcel N will attract families to contribute to the continued success of Pinal County. Because of the growing demand for new housing in this very area, we anticipate the development can begin construction in the near future.

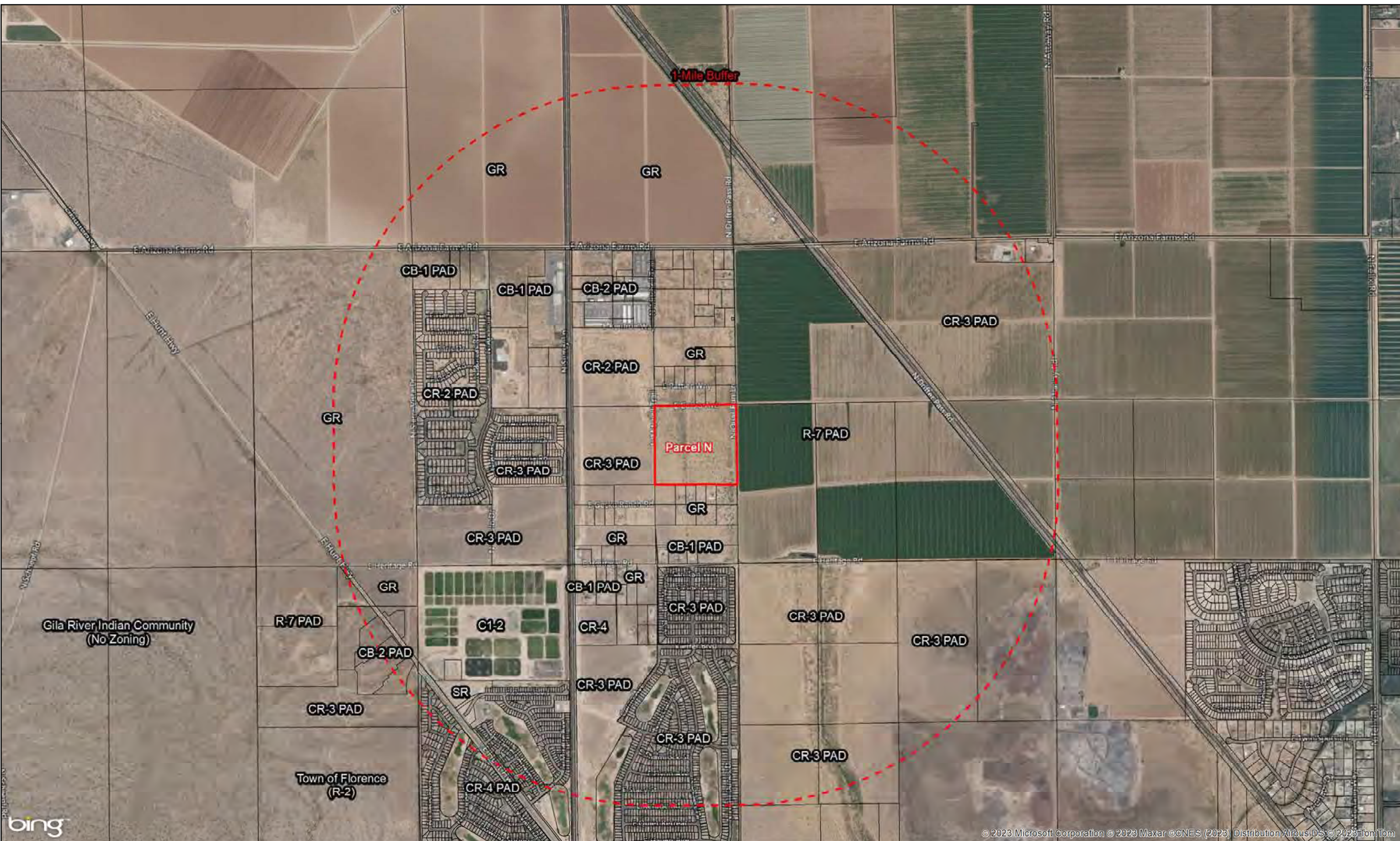
22.0 EXHIBITS



SITE DATA:

Gross Acreage	39.82 ac
Area of Street R/W	9.71 ac
Area of Lots	21.25 ac
Total Open Space	8.84 ac (22.2%)
Developed Open Space	3.22 ac
Recreation Open Space	5.41 ac
Total No. of Lots Permitted	159
Total No. of Lots Provided	159
Gross Density	3.99 du/ac

Lot Mix:	Lot Area	Lot Size	Zoning District R-7	% of Lots
	5,175 sf	45' x 115'	70	44%
	5,750 sf	50' x 110'	89	56%
Total			159	100%

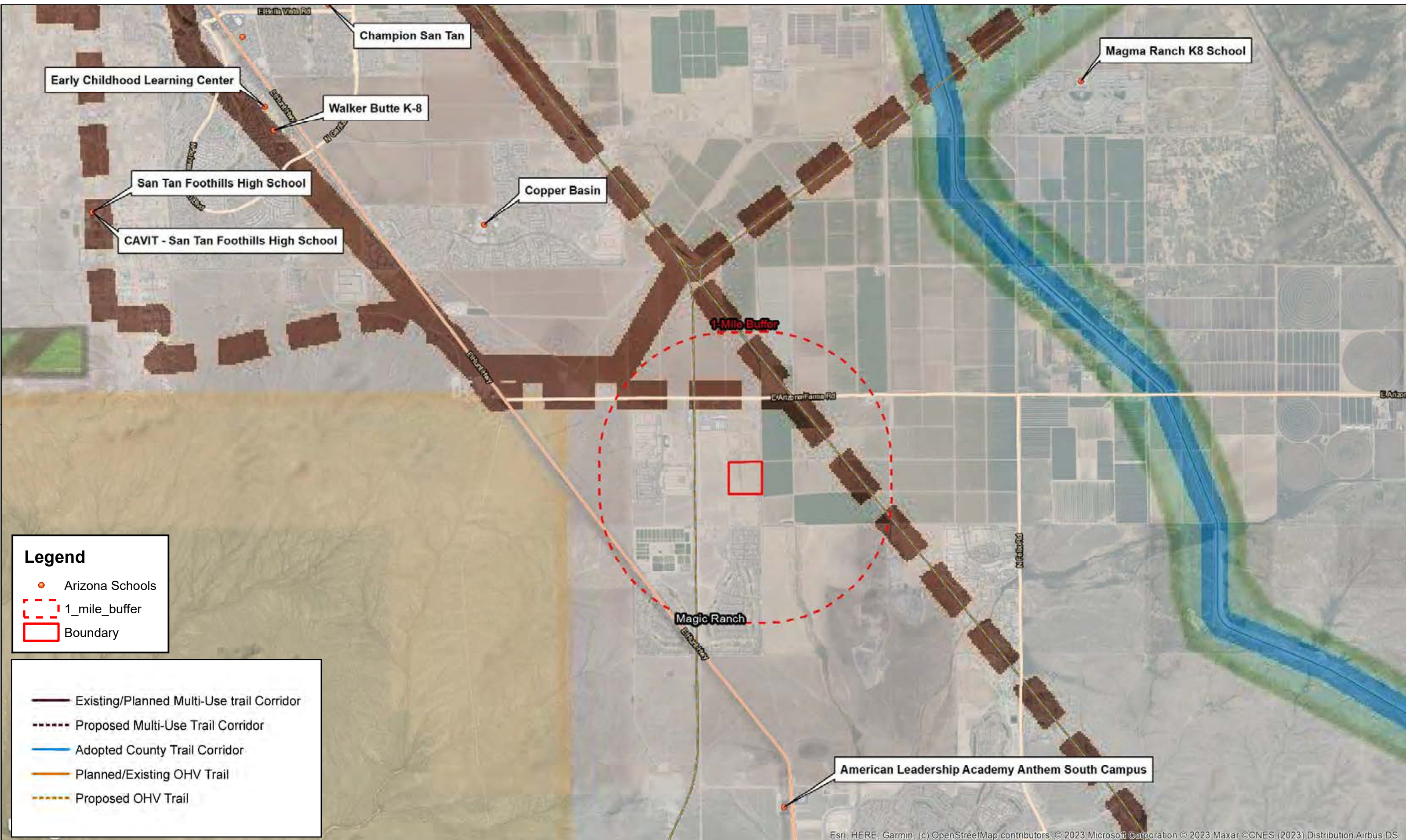


Magic Ranch - Parcel N

Pinal County, Arizona

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Legend

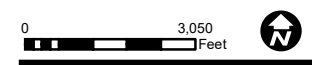
- Arizona Schools
- ⋯ 1_mile_buffer
- Boundary

- Existing/Planned Multi-Use trail Corridor
- - - Proposed Multi-Use Trail Corridor
- Adopted County Trail Corridor
- Planned/Existing OHV Trail
- - - Proposed OHV Trail

Esri, HERE, Garmin, (c) OpenStreetMap contributors, © 2023 Microsoft Corporation © 2023 Maxar © CNES (2023) Distribution Airbus DS

Magic Ranch - Parcel N

Pinal County, Arizona



Appendix A

Lot Matrix Table and Exhibit

Parcel Designation	Allowable Dwelling Units Par PAD 1998 PZ-07-98	2004 Amendments PZ-PD-008-04	2006 Amendment PZ-PD-007-98B	2003 Amendment PZ-PD-044-03	2019 Amendment	Platted as of 2024	Proposed (Future)
A	61	61	61	61	61	256	-
B	146	146	146	146	146	81	-
C	146	146	146	146	146	137	-
D	0	0	0	0	0	0	0
E	0	0	0	0	0	0	0
F	227	227	189	189	189	167	-
G	263	263	263	263	263	181	-
H	0	0	0	0	0	0	0
I	0	0	0	0	0	0	0
J	230	230	92	92	92	-	-
J1	x	x	0	0	0	-	-
K	392	392	268	268	268	184	-
L	216	110	110	110	137	-	137
L1	x	0	0	0	0	-	-
L2	x	0	0	0	0	-	-
L3	x	0	0	0	0	-	-
M	207	207	207	207	180	-	180
N	112	112	112	112	112	-	159
O	86	86	86	86	86	-	-
P	0	0	0	0	0	0	0
Q	0	0	0	0	0	0	0
R	353	353	353	353	353	222	-
S	319	319	319	319	319	325	-
T	459	459	459	459	459	-	320
U	9	9	9	9	9	-	9
V	0	0	0	0	0	0	0
W	980	980	980	980	980	325	669
X	711	711	711	711	711	209	-
Y	172	172	172	172	172	88	-
Z	335	335	335	335	335	260	-
AA	39	39	39	39	39	160	-
BB	224	224	224	224	224	260	-
CC	330	330	330	330	330	-	212
DD	0	0	0	61	61	64	-
EE	0	0	0	0	0	0	0
FF	0	0	0	0	0	0	0
GG	0	0	0	0	0	0	0
TOTAL	6017	5911	5611	5672	5672	2919	1686

Total Allowed Units in Magic Ranch (A) = 5672
 Total Units Currently Platted (B) = 2919
 Total Proposed Units (C) = 1686
 Total Remaining Units (A-(B+C)) = 1067

Parcel G, Portions of Parcels K & F
 530 Platted Lots

Ashburn at Magic Ranch
 312 Proposed Lots

Subject Site
 Magic Ranch - Parcel N
 112 Approved in Current PAD
 159 Proposed in Amendmetd PAD

Magic Ranch Estates
 222 Platted Lots

Promontory at Magic Ranch - Parcels A-D
 650 Platted Lots

Promontory at Magic Ranch - Parcel E & F
 230 Proposed Lots

Magic Ranch - Parcel CC
 212 Proposed Lots

Parcels B & C
 283 Platted Lots

OASIS SUNRISE
 160 Lots

Oasis Sunrise at Magic Ranch - Parcel A
 113 Platted Lots

Miarage at Magic Ranch - Phase II
 143 Platted Lots

Oasis at Magic Ranch - Phase V & VI
 216 Platted Lots

The Village at Magic Ranch
 669 Proposed Lots

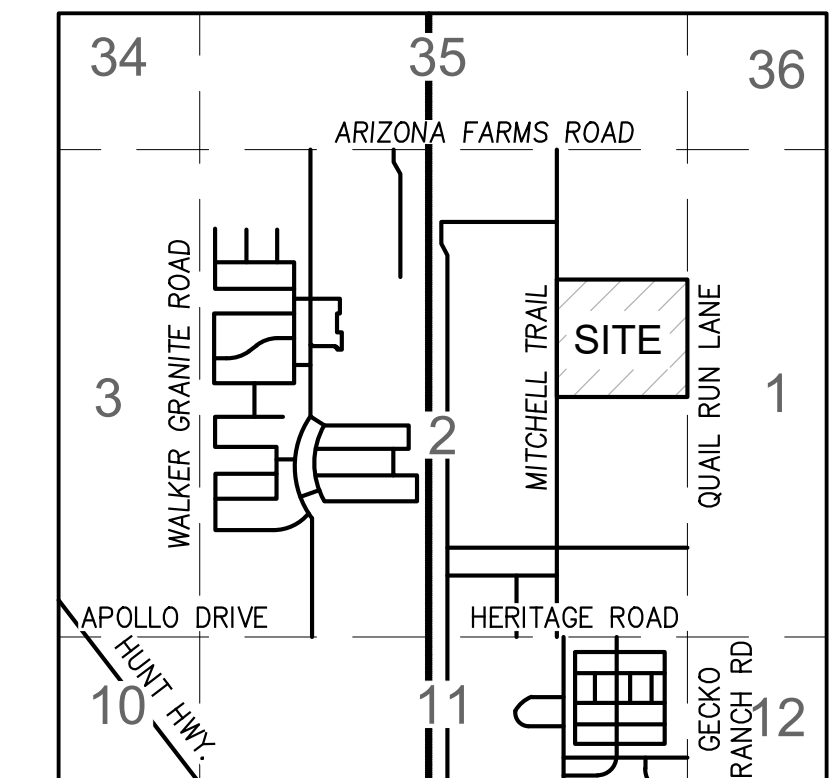
Oasis at Magic Ranch - Unit II
 256 Platted Lots

Oasis at Magic Ranch - Unit I
 258 Platted Lots

The Village at Magic Ranch - Unit 1
 80 Platted Lots

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

SITE ANALYSIS PLAN "PLANNED AREA DEVELOPMENT AMENDMENT" FOR "MAGIC RANCH 40" A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

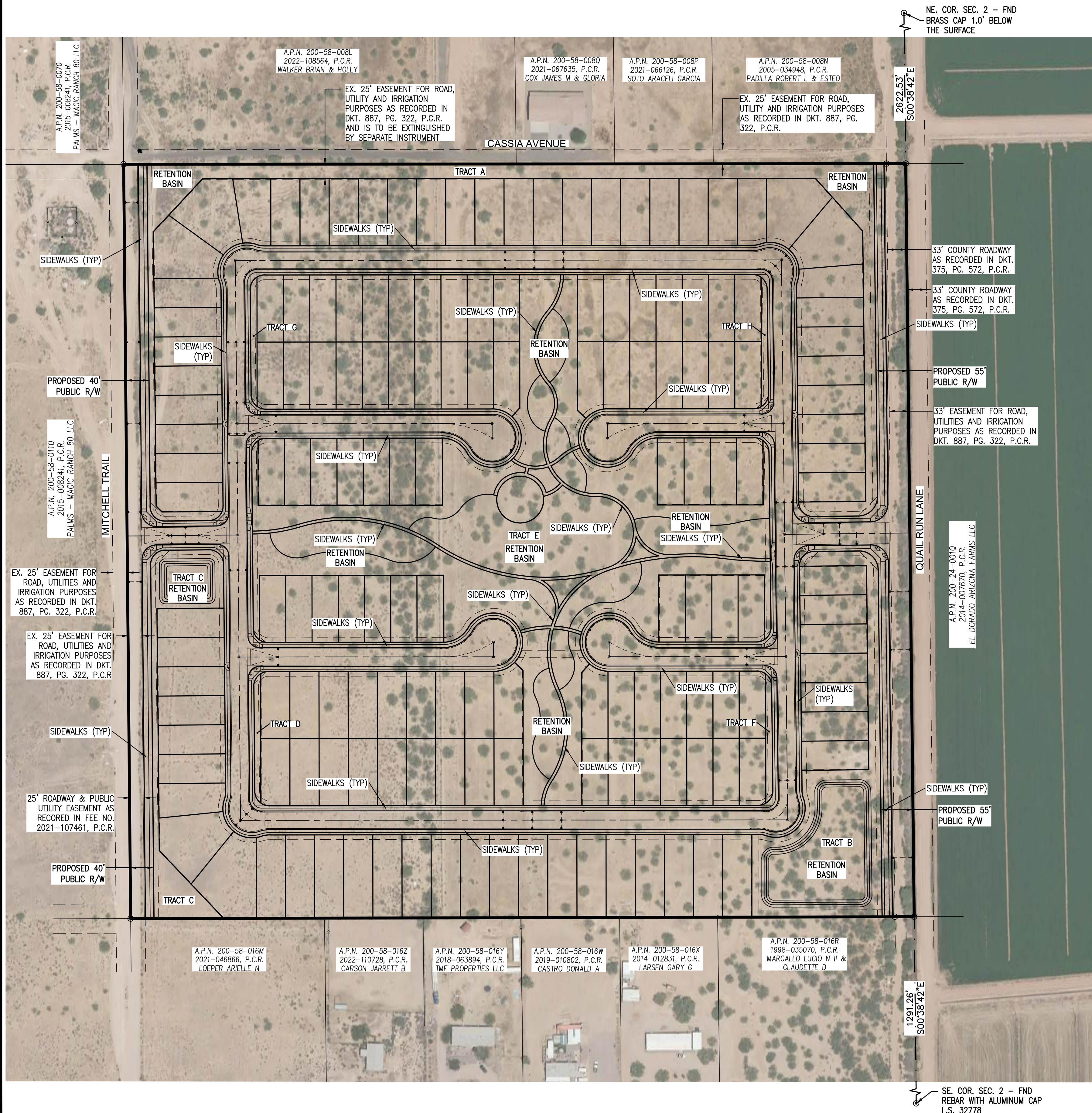


VICINITY MAP
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3205 W. Ray Road
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united engineering group



GENERAL NOTES:

- FOR PEDESTRIAN CIRCULATION, THIS PROPOSED DEVELOPMENT IS PROPOSING TO CONSTRUCT NUMEROUS 8', 6', AND 5' SIDE CONCRETE SIDEWALKS THROUGHOUT THE DEVELOPMENT AND VARIOUS WIDTH ATTACHED AND DETACHED SIDEWALKS ALONG ALL ROADWAYS.
- A COPY OF THIS PROPOSED DEVELOPMENT'S 'PRELIMINARY DRAINAGE REPORT' WAS SUBMITTED WITH THE DEVELOPMENT PLAN.
- TARGET MARKET - FAMILY

FLOOD ZONE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04021C0875E DATED DECEMBER 4, 2007, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X". ZONE "X" IS DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD."

TRACT TABLE:

TRACT TABLE			
TRACT	ACRES	SQ. FT.	USES
TRACT A	1.3811	60,159.76	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT B	1.2929	56,319.95	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT
TRACT C	0.5491	23,919.84	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT D	0.0526	2,292.43	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT E	5.4143	235,847.55	RECREATIONAL OPEN SPACE, TOT LOT, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT, TRAILS
TRACT F	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT G	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT H	0.0524	2,283.40	ADDITIONAL OPEN SPACE, LANDSCAPE
TOTAL	8.8494	385,486.61	

SLOPE TABLE:

SLOPE DATA			
MINIMUM SLOPE	MAXIMUM SLOPE	ACRES	PERCENTAGE
0.00%	5.00%	38.52	96.72%
5.00%	10.00%	0.39	0.98%
10.00%	15.00%	0.40	1.00%
15.00%	374.21%	0.52	1.30%

LOTING TABLE:

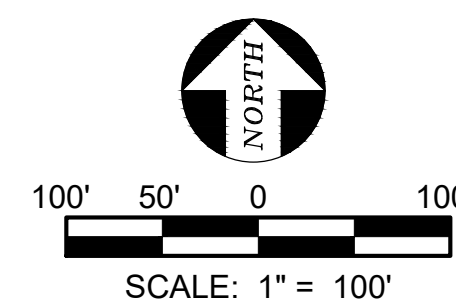
NEIGHBORHOOD PARCELS	LOT AREA	LOT SIZE	ZONING DISTRICT R-7	% OF LOTS
PHASE ONE	5,175 SF	45'x115'	70	44%
PHASE ONE	5,750 SF	50'x115'	89	56%
TOTALS			159	100%

AMENDED DEVELOPMENT STANDARDS:

MIN. LOT AREA (SF)		MIN. LOT WIDTH		SETBACKS (FRONT/SIDE/REAR)		MAX. BLDG. HEIGHT OF MAIN BUILDING		MAX. BUILDABLE AREA		MIN. DIST. BETWEEN MAIN BUILDINGS		MIN. DIST. BETWEEN MAIN & DETACHED ACCESSORY BUILDINGS		MAX. BLDG. HEIGHT OF DETACHED ACCESSORY BUILDING	
EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD
8,000	5,175	60'	*45'	25'/10'+10'/25'	*20'/15'/5'+5'/15'	20'	30'	40%	*70%	20'	10'	7'	5'	20'	20'

AMENDED USES TABLE:

PERMITTED USES	ALL USES UNDER THE R-7 BASE ZONING PER PINAL COUNTY DEVELOPMENT SERVICES CODE, SECTION 2.275.020
	A. ONE DWELLING, CONVENTIONAL CONSTRUCTION B. CHILD CARE (NO MORE THAN FIVE CHILDREN FROM WHOM COMPENSATION IS RECEIVED) C. CHURCH, SUBJECT TO THE REQUIREMENT SET FOR THE IN PCDSC 2.150.220 D. GOVERNMENT STRUCTURES, FIRE DISTRICT STATIONS, SHERIFF'S FACILITIES AND THEIR ACCESSORY USE E. GROUP HOME, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.200 F. GUEST HOUSE/CASITA, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.240 G. HOME OCCUPATION, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.260 H. PARKS I. PUBLIC SCHOOLS J. SOLAR ENERGY DEVICE, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.210 PCDSC K. WIRELESS COMMUNICATION FACILITIES, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.205 PCDSC L. SOME USES ARE ALLOWED IN ALL ZONING DISTRICTS BASED ON STATUTORY EXEMPTIONS (see PCDSC 2.05.050) OR BECAUSE A GOVERNMENT ENTITY OR GOVERNMENTAL AGENCY IS PERFORMING A GOVERNMENTAL FUNCTION. [Ord. 011812-02-PZ-007-10 § 36]
NON-PERMITTED USES	NONE



NO.	REVISIONS DESCRIPTION	DATE

SITE ANALYSIS PLAN
 PLANNED AREA DEVELOPMENT AMENDMENT FOR
 MAGIC RANCH 40
 PINAL COUNTY, ARIZONA

DESIGNED BY: UEG
 DRAWN BY: UEG
 CHECKED BY: UEG

SITE DEVELOPMENT PLAN "PLANNED AREA DEVELOPMENT AMENDMENT" FOR "MAGIC RANCH 40"

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, PINAL COUNTY, ARIZONA

LEGAL DESCRIPTION:

THAT PART OF THE EAST HALF OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;
THENCE SOUTH 0°38'42"E, A DISTANCE OF 2,623.36 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°58'24"W, A DISTANCE OF 1,341.71 FEET TO A POINT;
THENCE SOUTH 0°31'02"E, A DISTANCE OF 1,293.61 FEET TO A POINT;
THENCE NORTH 89°53'23"E, A DISTANCE OF 1,344.58 FEET TO A POINT;
THENCE NORTH 0°38'43"W, A DISTANCE OF 1,291.68 FEET TO THE TRUE POINT OF BEGINNING.
ALSO KNOWN AS PARCEL 12 OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, ACCORDING TO PLOTS OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, IN BOOK 1 OF SURVEYS, PAGES 45, 46 AND 47, THEREOF.

UTILITIES/SERVICES:

WATER EPCOR
SANITARY SEWER EPCOR
ELECTRICAL SALT RIVER PROJECT (SRP)
TELEPHONE CENTURYLINK
CABLE TV COX COMMUNICATIONS
POLICE PINAL COUNTY SHERIFF'S OFFICE
FIRE PROTECTION RURAL METRO
SCHOOLS FLORENCE UNIFIED SCHOOL DISTRICT
SOLID WASTE DISPOSAL BY PRIVATE CONTRACT

SITE DATA:

GROSS ACRES 39.8265 AC
NET ACRES 37.0085 AC
AREA OF QUAIL RUN LANE R/W 1.6304 AC
AREA OF MITCHELL TRAIL R/W 1.1876 AC
AREA OF LOCAL STREET R/W 6.9022 AC
AREA OF LOTS 21.2568 AC
DEVELOPED OPEN SPACE 3.2231 AC
RECREATIONAL OPEN SPACE 4.4143 AC
ADD'L OPEN SPACE 0.2120 AC
TOTAL OPEN SPACE & LS TRACTS 8.8494 AC (22.2%)
TOTAL NUMBER OF SINGLE FAMILY LOTS 159 LOTS
GROSS DENSITY 3.99 DU/AC
AVERAGE AREA PER LOT 5,823 SF

LOTING TABLE:

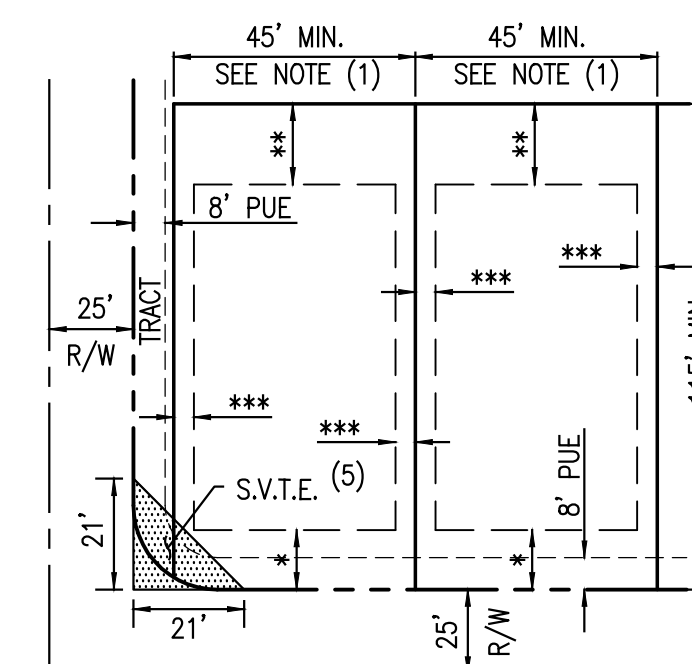
NEIGHBORHOOD PARCELS	LOT AREA	LOT SIZE	ZONING DISTRICT R-7	% OF LOTS
PHASE ONE	5,175 SF	45'x115'	70	44%
PHASE ONE	5,750 SF	50'x115'	89	56%
TOTALS			159	100%

LEGEND:

— SUBJECT PROPERTY LINE
— RIGHT OF WAY
— SECTION LINES
- - - EASEMENTS
- - - TOP OF BASINS
- - - EXIST. 5' CONTOURS
- - - EXISTING SURFACE FLOW
- - - PROPOSED STREET FLOW
- - - PROPOSED TRAILS
- - - EXIST. DIRT ROADS
- - - P.C.R. PINAL COUNTY RECORDS
- - - R.B. RETENTION BASIN

BASE ZONING AND ZONING CASE #:

EXISTING ZONING: CR-2 PAD;
ZONING CASE: PZ-007-98
PZ-PD-007-98
PROPOSED ZONING: R-7 PAD;
ZONING CASE: PZ-003-24
PZ-PD-026-23



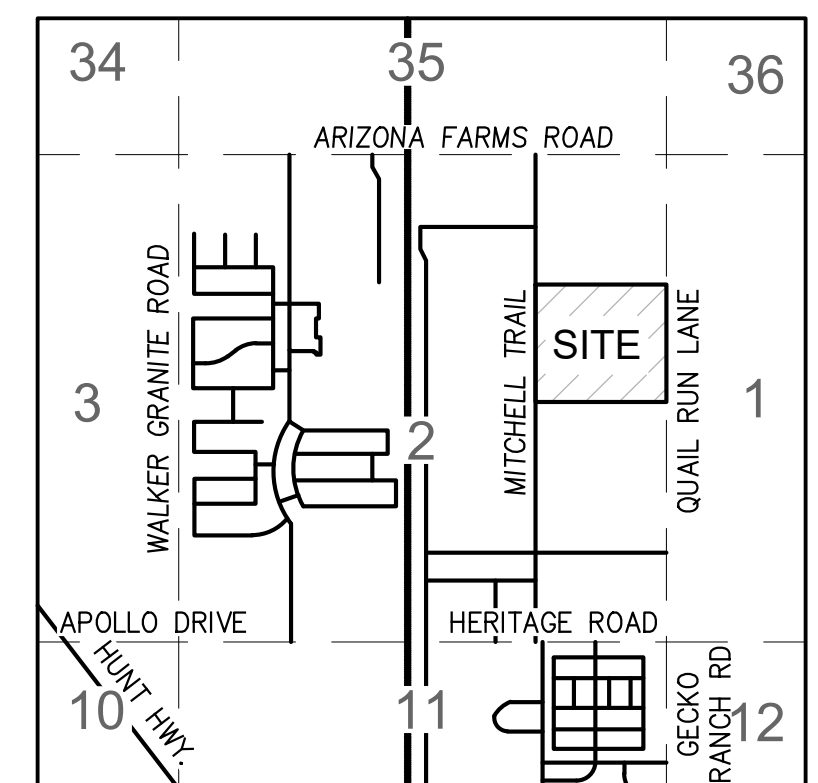
MINIMUM LOT DIMENSIONS AND BUILDING SETBACKS
NOT TO SCALE

GENERAL NOTES:

- THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE PINAL COUNTY ACCESS MANAGEMENT MANUAL - REGIONALLY SIGNIFICANT ROUTES FOR SAFETY AND MOBILITY (RSRSM). THERE ARE NO REGIONAL SIGNIFICANT ROUTES OR ROADWAYS ADJACENT TO MAGIC RANCH 40 THAT WILL BE IMPACTED BY THE RSRSM.
- PER THE PINAL COUNTY OPEN SPACE AND TRAILS MASTER PLAN THERE IS AN EXISTING ADOPTED COUNTY TRAIL CORRIDOR ALONG THE EASTERN BOUNDARY OF THE SITE.
- COVENANTS, CONDITIONS AND RESTRICTIONS (CC & R'S) WILL PROVIDE FOR THE FORMATION OF A HOMEOWNER'S ASSOCIATION FOR MAGIC RANCH 40. OPEN SPACE COMMON AREAS WITHIN MAGIC RANCH 40 WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. ALL STREETS WITHIN MAGIC RANCH 40 ARE BEING PROPOSED TO BE DEDICATED TO PINAL COUNTY UPON APPROVAL BY PINAL COUNTY PUBLIC WORKS DEPARTMENT AND WILL BE CONSTRUCTED IN ACCORDANCE WITH PINAL COUNTY STANDARDS. DEVELOPMENT AND CONSTRUCTION OF COMMON AREAS AND STREETS WILL BE THE RESPONSIBILITY OF THE DEVELOPER.
- THE DESIGNATED FLOOD ZONE IS "X" - AN AREA THAT IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THIS SITE PLAN IS CONCEPTUAL AND THE ENGINEERING WILL BE DETERMINED THROUGH THE TENTATIVE PLAT PROCESS.
- EXISTING DRAINAGE - THE PROPERTY IS CURRENTLY UNDEVELOPED RAW DESERT LAND WITH SOME FOLIAGE AND A PRIVATE EXISTING DRY CONCRETE DITCH THAT BISECTS THE PROPERTY FROM THE NORTH TO THE SOUTH TO BE ABANDONED DURING DEVELOPMENT. THE PROPERTY SLOPES FROM THE WEST TO THE EAST AT APPROXIMATELY 0.30%, DISPERSING AS SHEET FLOW WITH NO MAJOR CONVEYANCE ELEMENTS THAT ORIGINATE ON SITE. THERE ARE ALSO NO MAJOR OFFSITE CONVEYANCES THAT IMPACT THE PROPERTY. THE MINOR SHEET FLOW GENERATED WEST OF THE PROPERTY IS CONVEYED TO THE NORTH IN THE GRAVEL ROAD OF MITCHELL TRAIL, WHERE IT PONDS IN THE NORTHWEST CORNER NEAR THE INTERSECTION OF MITCHELL TRAIL AND CASSIA ROAD BEFORE CONTINUING ON ITS HISTORICAL FLOW PATTERN TO THE EAST.
- PROPOSED DRAINAGE - THE SITE WILL BE DESIGNED SO THAT INDIVIDUAL LOTS WILL DRAIN ONTO PUBLIC STREETS AND CONVEY STORMWATER FLOWS TO THE PROPOSED RETENTION BASINS LOCATED IN THE WEST, MIDDLE AND SOUTHEAST CORNER OF THE PROPERTY VIA CATCH BASINS AND STORM DRAIN PIPES. THE PROPOSED RETENTION BASINS WILL RETAIN THE 100-YEAR, 2-HOUR RAINFALL STORM EVENT ON SITE PER THE REQUIREMENTS IN THE PINAL COUNTY DRAINAGE MANUAL. IN AN EVENT LARGER THAN THE 100-YEAR, 2-HOUR RAINFALL STORM EVENT, EMERGENCY OUTFALL FOR THE PROPERTY WILL BE RELEASE EAST OUT OF THE PROPOSED SOUTHEASTERN RETENTION BASIN. UPON LEAVING THE SITE, THE STORMWATER WILL FOLLOW ITS HISTORIC FLOW PATTERN.

AMENDED USES TABLE:

PERMITTED USES	ALL USES UNDER THE R-7 BASE ZONING PER PINAL COUNTY DEVELOPMENT SERVICES CODE, SECTION 2.275.020
	A. ONE DWELLING, CONVENTIONAL CONSTRUCTION
	B. CHILD CARE (NO MORE THAN FIVE CHILDREN FROM WHOM COMPENSATION IS RECEIVED)
	C. CHURCH, SUBJECT TO THE REQUIREMENT SET FORTH IN PCOSC 2.150.220
	D. GOVERNMENT STRUCTURES, FIRE DISTRICT STATIONS, SHERIFF'S FACILITIES AND THEIR ACCESSORY USE
	E. GROUP HOME, SUBJECT TO REQUIREMENTS SET FORTH IN PCOSC 2.150.200
	F. GUEST HOUSE/CASITA, SUBJECT TO REQUIREMENTS SET FORTH IN PCOSC 2.150.240
	G. HOME OCCUPATION, SUBJECT TO REQUIREMENTS SET FORTH IN PCOSC 2.150.260
	H. PARKS
	I. PUBLIC SCHOOLS
	J. SOLAR ENERGY DEVICE, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.210 PCOSC
	K. WIRELESS COMMUNICATION FACILITIES, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.205 PCOSC
	L. SOME USES ARE ALLOWED IN ALL ZONING DISTRICTS BASED ON STATUTORY EXEMPTIONS (see PCOSC 2.05.050) OR BECAUSE A GOVERNMENT ENTITY OR GOVERNMENTAL AGENCY IS PERFORMING A GOVERNMENTAL FUNCTION. [Ord. 011812-02-PZ-007-10 § 36].
NON-PERMITTED USES	NONE



VICINITY MAP
N.T.S.

OWNER/DEVELOPER:

TSI/ELWOOD PROPERTIES LLC
5080 N 40TH ST
SUITE 205
PHOENIX, AZ 85018
PH. (602) 647-8881

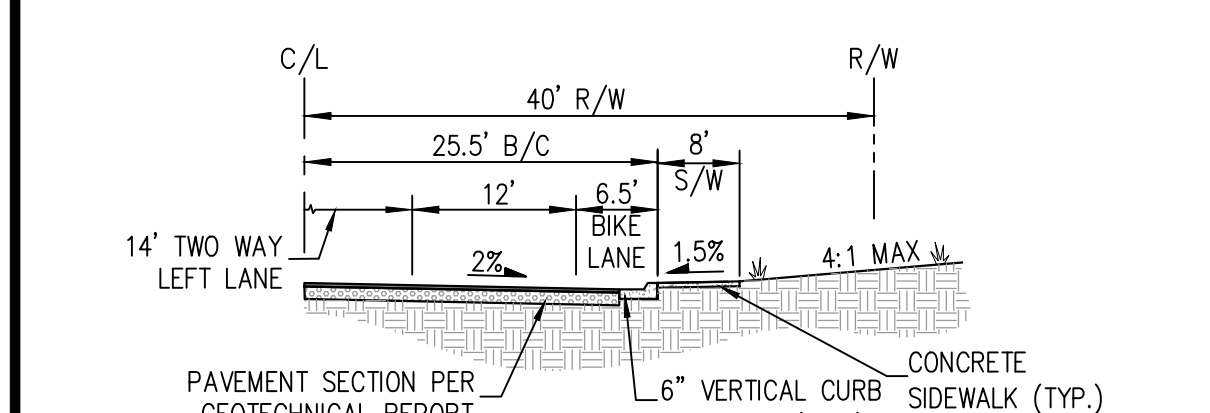
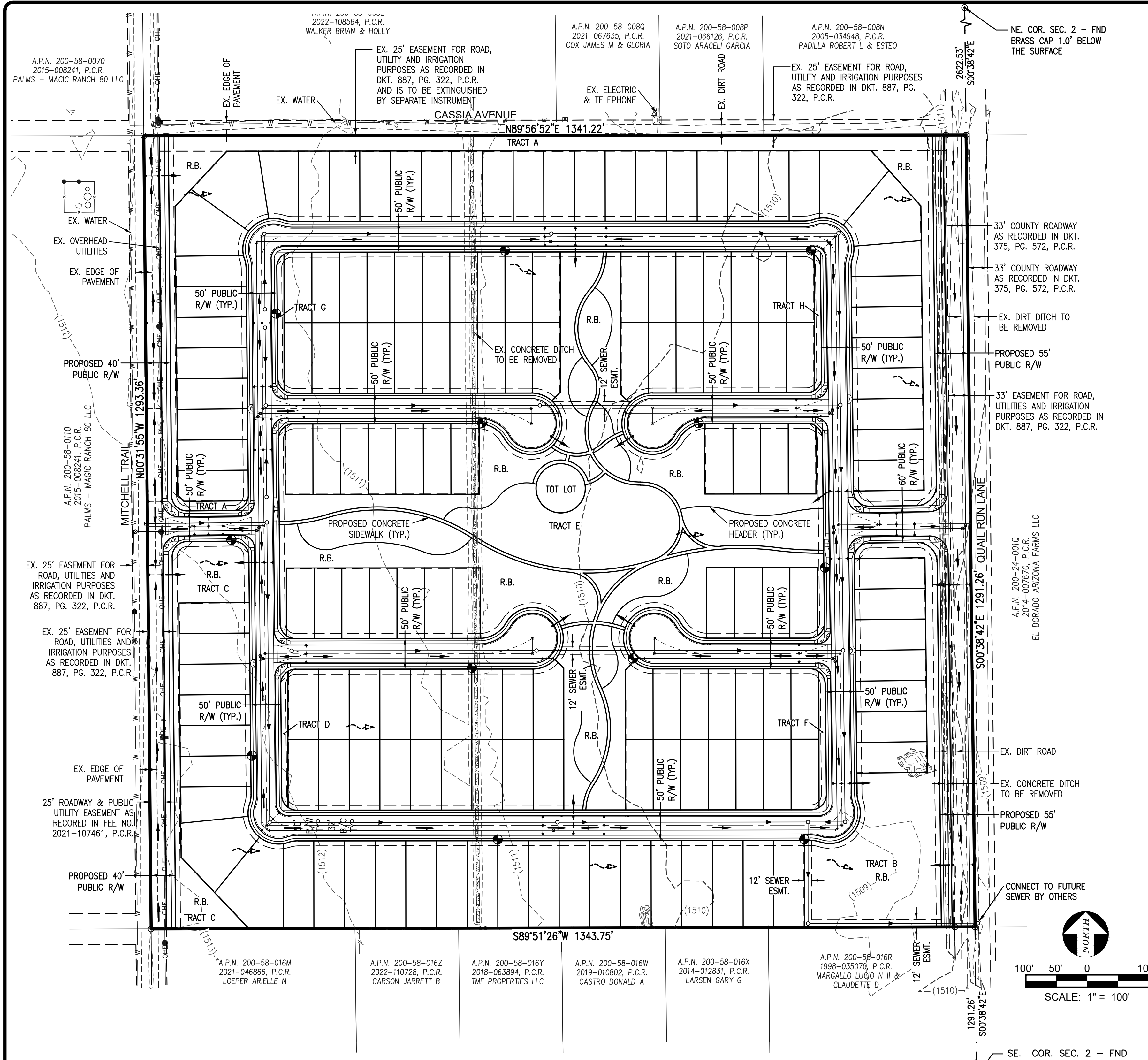
ENGINEER:

UNITED ENGINEERING GROUP
3205 WEST RAY ROAD, SUITE 1
CHANDLER, ARIZONA 85226
PHONE: (480) 705-5372
FAX: (480) 705-5376
CONTACT: CHRISTOPHER F. LENZ, P.E.

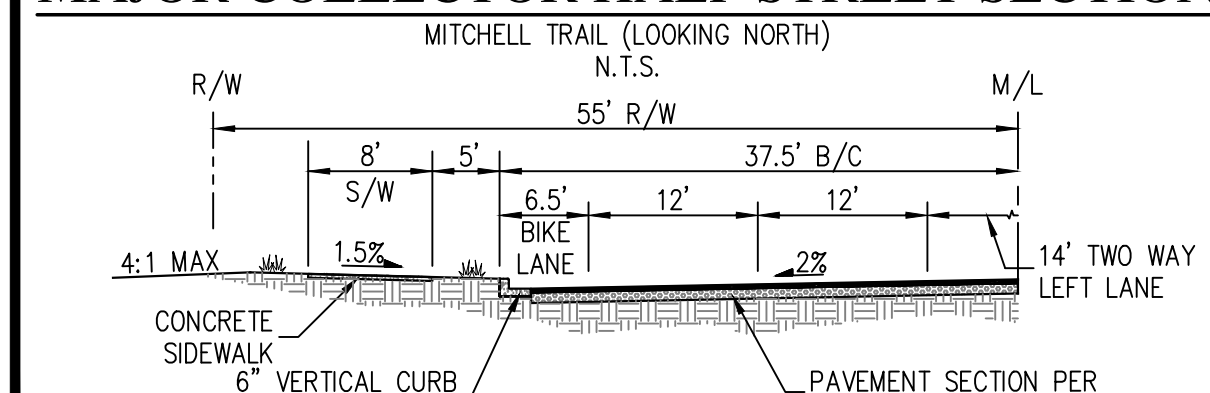
FLOOD ZONE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04021C0875E DATED DECEMBER 4, 2007, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X". ZONE "X" IS DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD."

- MINIMUM LOT WIDTHS ARE MEASURED AT THE FRONT SETBACK LINE AND THE FRONT SETBACK LINES ARE MEASURED FROM THE RIGHT OF WAY.
- GARAGE FORWARD IS MEASURED FROM BACK OF SIDEWALK TO FACE OF GARAGE. HOUSE FORWARD AND SIDE ENTRY GARAGE IS MEASURED FROM R/W.
- A COVERED PATIO MAY BE CONSIDERED A SINGLE-STORY ELEMENT AND MAY EXTEND INTO THE REAR YARD SETBACK NO MORE THAN 10 FEET, AND THE FRONT SETBACK NO MORE THAN 5'.
- STREET SIDE YARD SETBACKS ON LOTS SHALL INCLUDE ADJACENT LANDSCAPE TRACTS. IN ADDITION TO ANY LANDSCAPE TRACT, A 5 FOOT WIDE SIDE YARD SETBACK WILL BE REQUIRED ON THE LOT.
- A 21'x21' SIGHT VISIBILITY TRIANGLE EASEMENT (S.V.T.E.) SHALL BE AT ALL LOCAL TO LOCAL INTERSECTIONS AND A 33'x33' S.V.T.E. AT ALL COLLECTOR AND ARTERIAL STREET INTERSECTION



MAJOR COLLECTOR HALF STREET SECTION
MITCHELL TRAIL (LOOKING NORTH)
N.T.S.

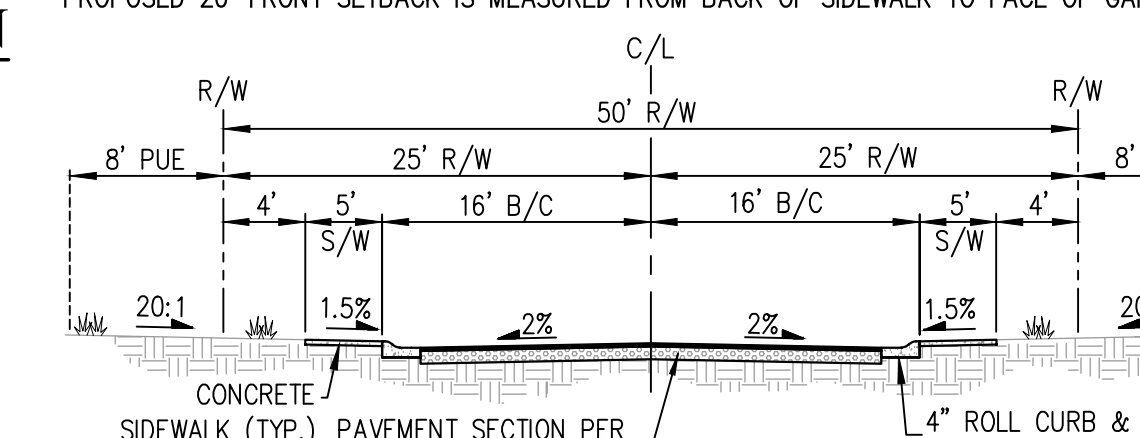


MINOR ARTERIAL HALF STREET SECTION
QUAIL RUN LANE (LOOKING NORTH)
N.T.S.

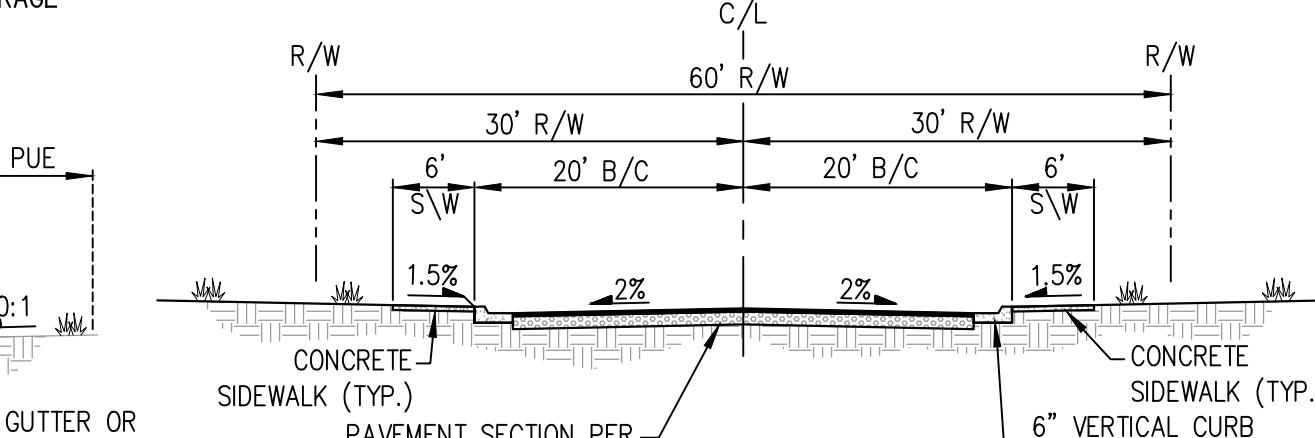
AMENDED DEVELOPMENT STANDARDS:

MIN. LOT AREA (SF)		MIN. LOT WIDTH		SETBACKS (FRONT/SIDE/REAR)		MAX. BLDG. HEIGHT OF MAIN BUILDING		MAX. BLDG. AREA		MIN. DIST. BETWEEN MAIN BUILDINGS		MIN. DIST. BETWEEN MAIN & DETACHED ACCESSORY BUILDINGS		MAX. BLDG. HEIGHT OF DETACHED ACCESSORY BUILDING	
EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED
8,000	5,175	60'	45'	25'/10'+10'/25'	*20'/15' 5'+5'/15'	20'	30'	40%	70%	20'	10'	7'	5'	20'	20'

*PROPOSED 20' FRONT SETBACK IS MEASURED FROM BACK OF SIDEWALK TO FACE OF GARAGE



50' LOCAL STREET SECTION
N.T.S.



MINOR COLLECTOR STREET SECTION
STREET CONNECTION TO QUAIL RUN LANE
N.T.S.

3205 W. Ray Road
Chandler, AZ 85226
Phone: 480.705.5372
Fax: 480.705.5376
www.ueg.com

ueg united engineering group

NO.	REVISIONS	DATE

DESIGNED BY: UEG
DRAWN BY: UEG
CHECKED BY: UEG

PREPARATION DATE: 12/04/2023

SHEET 1 OF 1
PROJECT NUMBER
14110

SITE DEVELOPMENT PLAN
PLANNED AREA DEVELOPMENT AMENDMENT FOR
MAGIC RANCH 40
PINAL COUNTY, ARIZONA



MEETING MINUTES – NEIGHBORHOOD OPEN HOUSE

5:00pm – 6:00pm

Monday, November 20th, 2023

Location: Walker Butte K-8 School (Library)
29697 N Desert Willow Blvd, San Tan Valley, AZ 85143

Re: Magic Ranch – Parcel N

40 Acres - South of Arizona Farms Rd, East of Mitchell Trail., Pinal County, AZ
APN: 200-58-012

Request to Pinal County Planning & Development including:

- *Rezone 40 acres from Single Residence (CR-2) to Residential (R-7)*
- *Planned Area Development (PAD) Overlay on 40 acres.*

Hosted by: Sean Hamill (United Engineering Group, Applicant), Perry Mathis (Ownership Group)

Attended by: See attached sign in sheet.

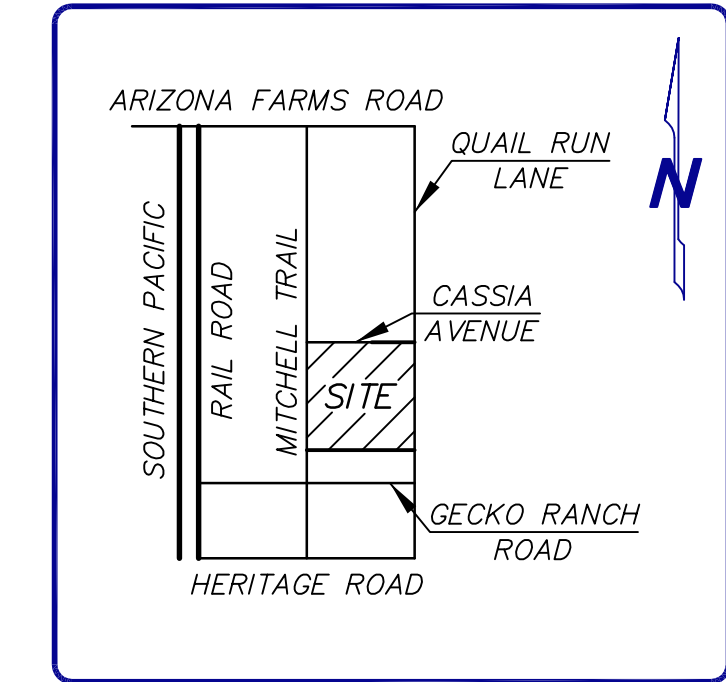
Meeting Minutes:

- Neighborhood Open House for Magic Ranch – Parcel N residential development was held on Monday, November 20th, 2023 at the Walker Butte k-8 School from 5:00pm to 6:00pm.
- 5 attendees signed in on the attached sign-in sheet and 8 attendees were there in total.
- The meeting was held in an open house format, with all of the attendees arriving before 5:00.
- We had 24x36 foam boards displaying the following exhibits: site plan, landscape plan, and overall aerial of the Magic Ranch area with surrounding existing and proposed developments.
- A general presentation was given of the proposed development, including:
 - Unit Count
 - Density
 - Open Space
 - Circulation
 - Utilities (Wet and Dry)
- Attendees raised the following topics:
 - What roadway improvements will come with this development.
 - It was discussed with this new development; the County will require a Traffic Impact Analysis to be submitted and Approved. The TIA would state what roads, intersections, turn lanes etc. would need to be upgraded either directly or indirectly with as a result of the added traffic from this development.
 - It was discussed that a newly installed traffic signal and turn lanes at Arizona Farms and Hunt Hwy.
 - Same for Oasis and Hunt Hwy.



- It was discussed that DRC that was recently complete for Heritage Rd. From Felix the Hunt Hwy.
 - This development would be responsible for their ½ street improvement along Mitchell Trail and along Quail Run.
 - Existing road within Magic Ranch are too narrow and with on street parking, there isn't enough room for 2-way traffic.
 - It was explained that this development will utilize the current County 50' local street. While still 50' R/W, the pavement section goes from 24' to 28' with sidewalks.
 - Driveways in Magic Ranch are not deep enough and truck stick out into the streets.
 - It was explained that our proposed setback from the Garage to the back of sidewalk would be 20'
- It was explained that the project has not been submitted to the County yet and was still in the early stages of planning. Once a formal submittal has been made, the County will notify the residents of future hearings by both posting a sign on the property and sending out a mailer to the residents in the immediate area.
- The meeting concluded around 6:00pm and all attendees appeared informed about the application and seemed appreciative to have the opportunity to discuss.

A.L.T.A. / N.S.P.S. LAND TITLE SURVEY
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.



VICINITY MAP
NOT TO SCALE

SCHEDULE "B" ITEMS

- 2. Reservations contained in the Patent
From: State of Arizona
To: J. H. Zellweger and Elsie DeWolf Zellweger, his wife and Pete Grubb and Lois Grubb, his wife
Recording Date: July 25, 1946
Recording No: Book 77 of Deeds, Page 585
(AFFECTS SUBJECT PROPERTY – NOT PLOTTABLE)
- 7. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: pipelines
Recording Date: November 21, 1955
Recording No: Docket 139, Page 15
(AFFECTS SUBJECT PROPERTY – NO SPECIFIED LOCATION WITHIN SECTION 2 – NOT PLOTTABLE)
- 8. A Resolution by the County Board of Supervisors, recorded in Docket 375, Page 572 purporting to establish a county roadway.
(PLOTTABLE MATTERS SHOWN HEREON)
- 9. Matters shown on record of survey.
Recording No.: Book 1 of Maps, Page 45
(PLOTTABLE MATTERS SHOWN HEREON)
- 10. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document.
Recording No: Docket 872, Page 275
(PLOTTABLE MATTERS SHOWN HEREON)
- 11. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: ingress, egress, irrigation and public utilities
Recording Date: August 18, 1977
Recording No: Docket 878, Page 932
(PLOTTABLE MATTERS SHOWN HEREON)
- 12. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: ingress, egress, irrigation and public utilities
Recording Date: August 18, 1977
Recording No: Docket 887, Page 322
(PLOTTABLE MATTERS SHOWN HEREON)
- 13. A resolution in favor of the Board of Supervisors of Pinal County, Arizona For: zone change
Recording Date: June 03, 1998
Recording No: 1998-021900
(AFFECTS SUBJECT PROPERTY – NOT PLOTTABLE)
- 14. A resolution in favor of the Board of Supervisors of Pinal County, Arizona For: zone change
Recording Date: June 03, 1998
Recording No: 1998-021901
(AFFECTS SUBJECT PROPERTY – NOT PLOTTABLE)
- 15. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: roadway and public utility
Recording Date: August 10, 2021
Recording No: 2021-099895 and
Thereafter, Resolution No. 082521-RD21-024 – A Resolution of the Board of Supervisors of Pinal County,
Arizona Accepting a Deed of Easement
Recording Date: August 26, 2021
Recording No: 2021-107461
(PLOTTABLE MATTERS SHOWN HEREON)

SURVEY NOTES

1. This survey and the description used are based on a Commitment for Title Insurance issued by Fidelity National Title Agency, Inc., issuing agent for Fidelity National Title Insurance Company, File Number 55004367-055-KG2-DW, dated May 11, 2022.
2. BASIS OF BEARING: The monument line of Quail Run Lane, also being the East line of Section 2, using a bearing of South 00 degrees 38 minutes 42 seconds East, per the Plat of Survey, recorded in Book 1, Page 45, P.C.R.
3. The bearings and distances depicted indicate actual field or computed measurements performed during the course of this survey. This information may vary from documents of record used for this survey.
4. No buildings were observed on the surveyed property.
5. The utility information shown is limited to visible above ground evidence and/or records provided by the respective utility companies. At the time of completion of this survey only APS and Cox has supplied underground utility maps. This survey may not depict all of the underground utilities either in service or abandoned that may exist adjacent to or within the boundaries of the subject property. No representation is made to the accuracy or completeness of any third party maps, records or information used to depict the underground utilities. An underground utility locator was not contacted and should be retained prior to excavation or construction to determine the precise location of all utilities that may exist adjacent to or within the boundaries of the subject property. The certification on this survey does not guarantee or provide any warranty to the exact location or presence of any underground utilities that may actually exist adjacent to or within the boundaries of the subject property. Prior to any excavation please call an underground utility locator or "BLUE STAKE" at (602)659-7500 for the precise location and extent of all utilities in the area.
6. This Survey has been prepared exclusively for the parties stated in the certification for use in conjunction with the escrow referenced in Survey Note No. 1. Reproduction or use of this survey by any other party for any other transaction or purpose is unauthorized without written authorization from Alliance Land Surveying, LLC. The use of the word "certify" or "certification" by a person or firm that is registered or certified by the board is an expression of professional opinion regarding facts or findings that are the subject of the certification and does not constitute an express or implied warranty or guarantee (A.R.S. 32-151).
7. The benchmark used for this survey is the NGS monument PID# DU2292, having designation "B 517", and stamped "B 517 1992". The benchmark has an elevation of 1506.07, NAVD88 datum per the NGS Data Sheet available online.

PARCEL DESCRIPTION

That part of the East half of Section 2, Township 4 South, Range 8 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

COMMENCING at the Northeast corner of said Section 2, Township 4 South, Range 8 East of the Gila and Salt River Base and Meridian;

Thence South 0° 38' 42" East, a distance of 2,623.36 feet to the TRUE POINT OF BEGINNING;
 Thence South 89° 58' 24" West, a distance of 1,341.71 feet to a point;
 Thence South 0° 31' 02" East, a distance of 1,293.61 feet to a point;
 Thence North 89° 53' 23" East, a distance of 1,344.58 feet to a point;
 Thence North 0° 38' 43" West, a distance of 1,291.68 feet to the TRUE POINT OF BEGINNING

Also known as Parcel 12 of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, according to Plats of Record in the Office of the County Recorder of Pinal County, Arizona, in Book 1 of Surveys, Pages 45, 46 and 47, thereof.

SITE INFORMATION

ADDRESS: UNAVAILABLE

A.P.N.: 200-58-0120

LAND AREA: 39.827 ACRES – 1,734,847 SQ. FT.

STRIPED PARKING SPACE TABULATION:

There are no striped parking spaces on the subject property.

REFERENCE DOCUMENTS

- (R) DEED 2021-107461, P.C.R.
- (R1) PLAT OF SURVEY PER BOOK 1, PAGE 45, P.C.R.
- (R2) R.O.S. PER FEE NO. 1998-035010, P.C.R.
- (R3) R.O.S. PER FEE NO. 2005-018508, P.C.R.

CERTIFICATION

TO:
 TSI/Elwood Properties, LLC;
 Fidelity National Title Agency, Inc.;
 and Fidelity National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 5, 8, 9, 11(a), 13, and 14 of Table A thereof. The fieldwork was completed on May 19, 2022.

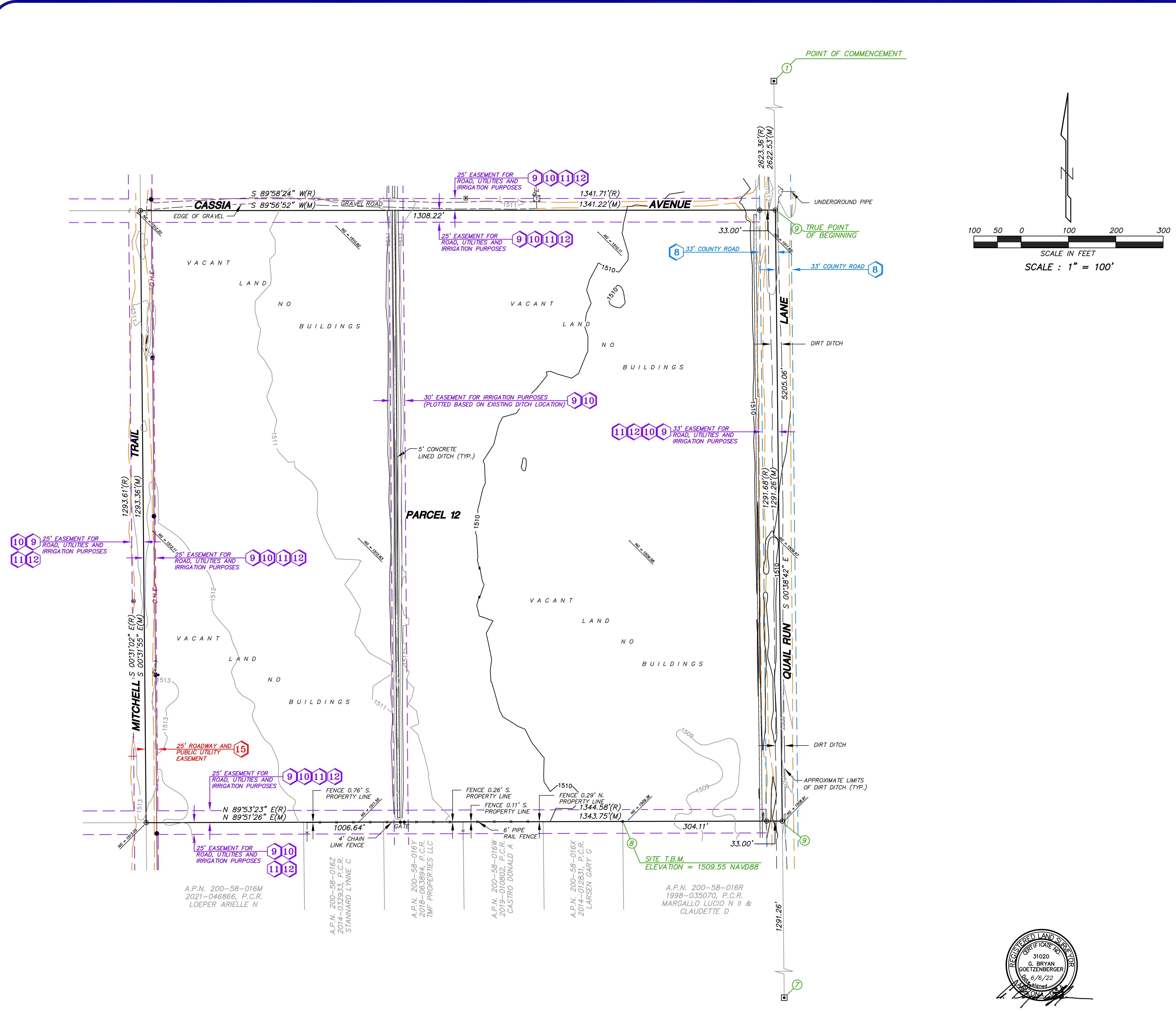
June 6, 2022
 G. Bryan Goetzenberger
 R.L.S. 31020



ALTA / N.S.P.S. LAND TITLE SURVEY

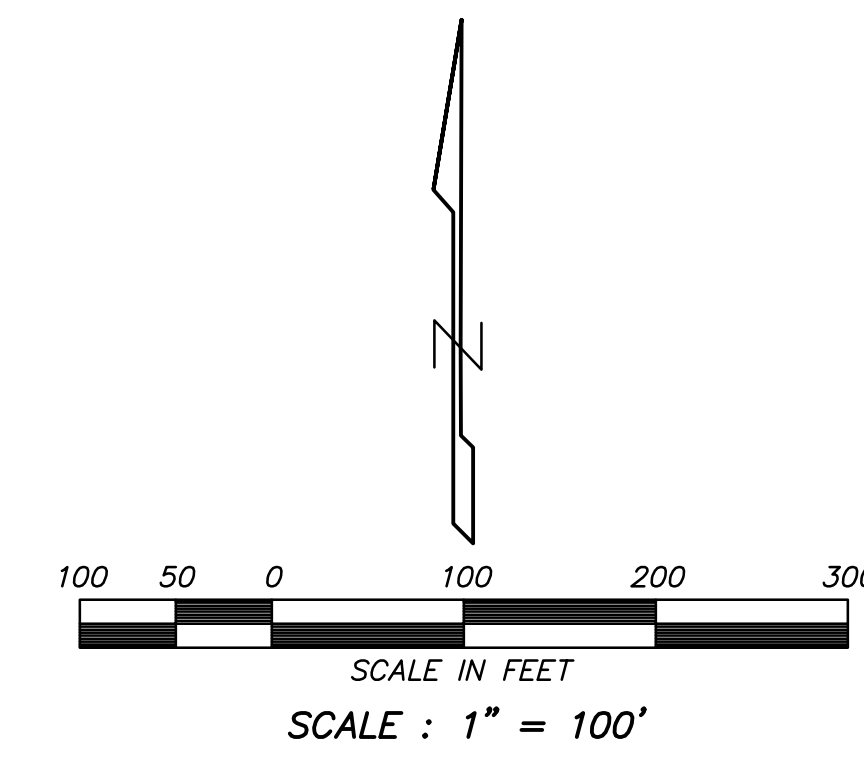


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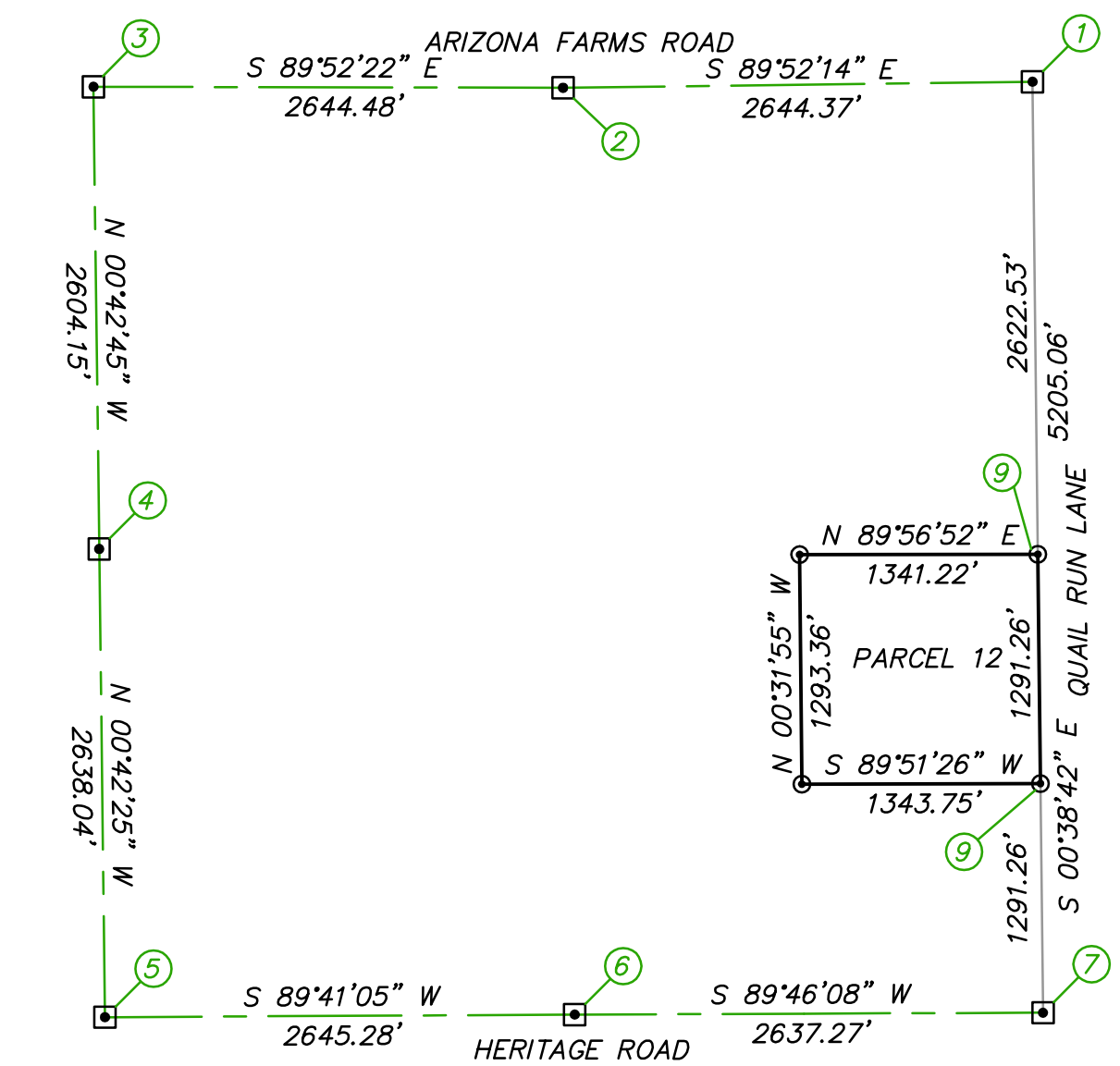


LEGEND

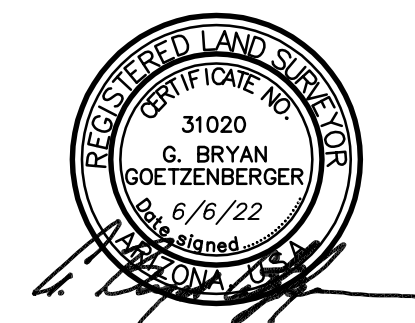
- Set 1/2" Rebar W/ Cap L.S. 31020 (unless otherwise noted)
- Property Line
- Fnd Survey Monument (See Monument Table)
- ① (See Monument Table)
- (R) See Reference Documents Measured
- (M) Schedule "B" Item
- Concrete Surface
- Dirt Road
- Fence
- Overhead Electric Line
- Down Guy Wire
- Electric Transformer
- Guard Post or Gate Post
- Power Pole
- Power Pole W/ Underground Electric
- Telephone Riser
- Water Marker
- Water Meter
- Underground Electric Line
- NG Natural Ground



SECTION 2, T4S, R8E



MONUMENT TABLE	
①	NE. COR. SEC. 2 - FND BRASS CAP 1.0' BELOW THE SURFACE
②	N. 1/4 COR. SEC. 2 - FND HANDHOLE WITH NO MONUMENT - CALCULATED POSITION PER FEE # 2005-018508, P.C.R.
③	NW. COR. SEC. 2 - FND BRASS CAP 1.0' BELOW THE SURFACE
④	W. 1/4 COR. SEC. 2 - NO MONUMENT FOUND OR SET - CALCULATED POSITION PER FEE # 2005-018508, P.C.R.
⑤	SW. COR. SEC. 2 - FND BRASS CAP 1.0' BELOW THE SURFACE
⑥	S. 1/4 COR. SEC. 2 - FND 1/2" REBAR WITH NO I.D.
⑦	SE. COR. SEC. 2 - FND REBAR WITH ALUMINUM CAP L.S. 32778
⑧	FND 1/2" REBAR WITH NO I.D.
⑨	PROPERTY CORNER NOT SET - LANDS IN DIRT DITCH



ALTA / N.S.P.S. LAND TITLE SURVEY

ALLIANCE
LAND SURVEYING LLC

7800 N. 70th AVENUE, SUITE 104
GLENDALE, AZ 85303
Phone: (623) 972-2200
contactus@azalls.com
www.alliancelandsurveying.com

MAGIC RANCH - PARCEL N

OPEN SPACE AND RECREATION PLAN

(OSRP)

Submitted to:

Pinal County

1st Submittal: December 14, 2023

Property Owner

TSI/Elwood Properties, LLC
5080 N 40th. Street, #250
Phoenix, AZ 85018
Contact: Perry Mathis

Applicant/Engineer

United Engineering Group
3205 W Ray Rd, Suite 1
Chandler, AZ 85226
Contact: Sean Hamill



PINAL COUNTY

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EXHIBITS

- Exhibit A - *Conceptual Land Use Plan*
- Exhibit B - *Site Development Plan*
- Exhibit C - *Context Map*

APPENDIX

Appendix A - *Site Analysis Plan*

Appendix B - *Preliminary Landscape Plans*

- *Landscape & Open Space Plan*
- *Recreation Amenity Plan*
- *Master Wall Plan*
- *Entrance and Mailbox Concepts*
- *Master Trail Plan*

Appendix C - *Arizona State Museum Check*

OPEN SPACE AND RECREATION PLAN (OSRP) NARRATIVE

FOR

Magic Ranch – Parcel N

Submitted to

Pinal County, Arizona

1st Submittal – December 14, 2023

PROPERTY OWNER

TSI/Elwood Properties LLC

5080 N 40. Street #250

Phoenix, AZ 85018

Contact: Perry Mathis

602-647-8881

APPLICANT/ENGINEER

UNITED ENGINEERING GROUP, LLC

3205 W. Ray Rd., Suite 1

Chandler, AZ 85226

Contact: Sean Hamill

shamill@unitedeng.com

(480) 705-5372

2.0 PROPOSED DEVELOPMENT

Magic Ranch – Parcel N is a planned residential development built for families who appreciate the natural beauty and convenience of the San Tan area. The Project will consist of 159 single-family lots on 40 gross acres. This Open Space & Recreation Plan (OSRP) is being provided as a supplement to the Planned Area Development (PAD) narrative and application for Magic Ranch - Parcel N under a separate cover. The development is located south of Arizona Farms between Mitchell Trail and Quail Run, Pinal County, AZ. Parcel N is bound by private property on the north, south, east and, west. Refer to **Figure 1** below for a **Regional Map** and **Figure 2** for a **Vicinity Map** of the subject site.

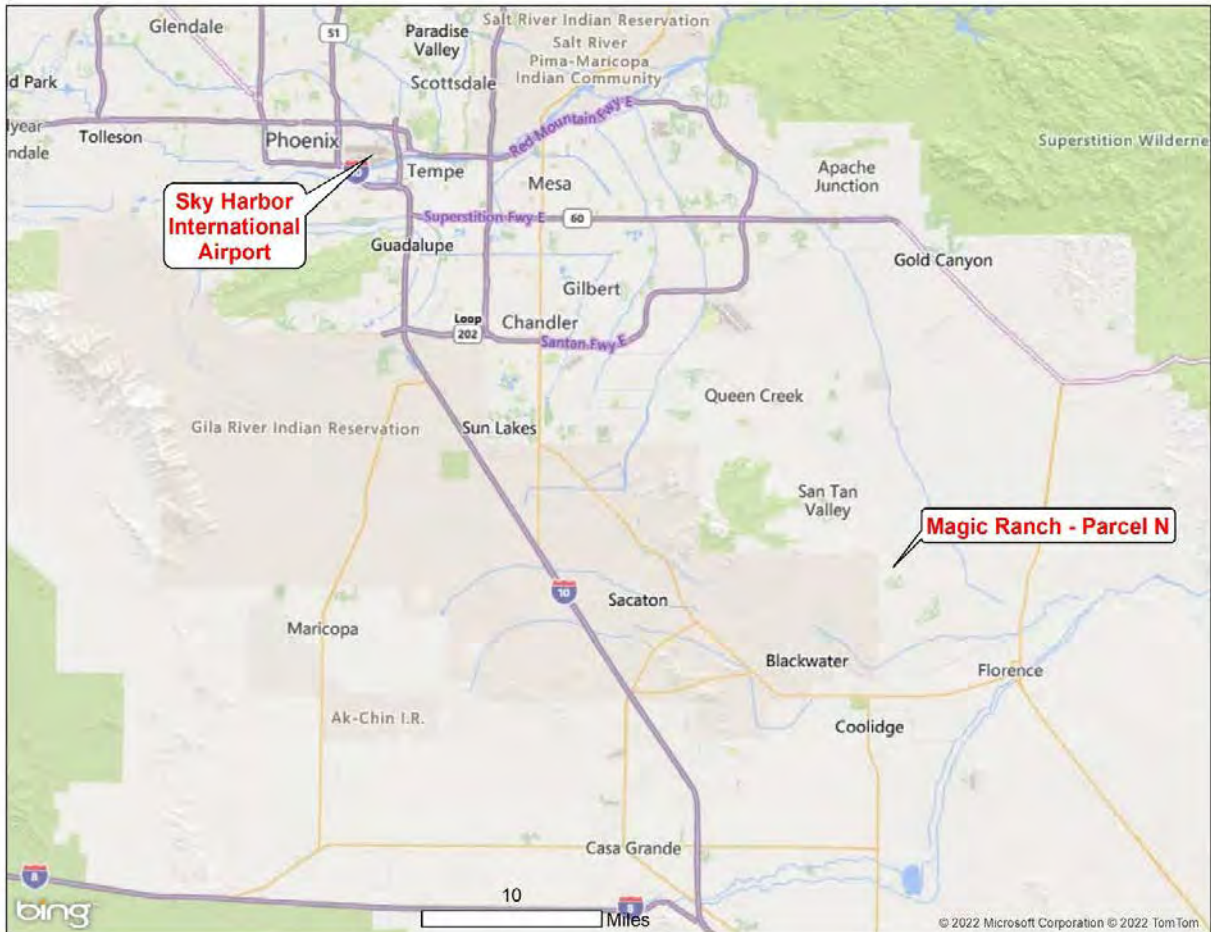


Figure 1 - Regional Map

Magic Ranch - Parcel N community is anticipated to be developed in one (1) phase. Refer to **Exhibit A - Conceptual Land Use Plan** and **Exhibit B Site Development Plan** - for the proposed conceptual layout of Magic Ranch - Parcel N community.



Figure 2 - Vicinity Map

3.0 CONTEXT MAP

Magic Ranch - Parcel N is bordered to the south and north by large lot single family residential; the future Ashburn at Magic Ranch single family residential community to the west; and the future Silver cross Single family residential community to the east. The subject site is also in close proximity to nearby commercial centers, medical centers, churches, schools, and transit areas. Refer to **Exhibit C** for the **Context Map**.

4.0 ANTICIPATED TARGET MARKET

The anticipated target market for Magic Ranch - Parcel N are families who seek to live in such beautiful natural surroundings and will include housing product catering to first time home buyers. These families will obviously embrace all the benefits of the growth in the San Tan area including vibrant schools, new shopping and entertainment venues, and an abundance of young, growing families.

5.0 EXISTING AND PROPOSED OPEN SPACE AREAS WITHIN ONE MILE

As Magic Ranch - Parcel N and the neighboring Ashburn at Magic Ranch develop there will be an abundance of open space within a close proximity to the site. Refer to the **Context Map (Exhibit C)** for additional detail.

6.0 OPEN SPACE, RECREATION, MULTI-USE PATHS & TRAIL REQUIREMENTS

Magic Ranch - Parcel N development is located in a transitional area of the valley comprising of both a rural agrarian feel and also a natural desert vernacular. The landscape design for this single-family housing development will replicate the same aesthetic of rural mixed with desert. The landscape palette will consist of low water use plants, incorporating a variety of trees and shrubs, all watered by an efficient automatic irrigation system. The landscape design for the development will rely heavily on a rural theme but will have a good portion of desert plantings. The use of turf will be limited to recreation and focal areas. Planting density will exceed Pinal County requirements. Refer to the **Preliminary Landscape Plan** in **Appendix B** for specific details.

Entry to the development will be on the east side of the project, off Mitchell Trail. There not be any entry monumentation to stay consistent with the surrounding Magic Ranch parcels.

Three wall elevations are proposed for the development. These include the project theme wall, project view wall and standard 4-inch builder block wall. All will be stained in earth tones to blend with the environment. The locations for each wall type are depicted on the Master Wall Plan.

The project theme wall will be located along the more visible routes as well as the sides of lots that face local streets within the development. The wall features a combination of smooth and split face blocks of varying depths.

The project view fence is provided in areas of the development where lots side or back to open space areas. The wall detail complements the theme wall detail with 4-foot of smooth block and 2-feet of tubular steel view fence on top, and smooth CMU columns.

A standard 4-inch builder wall is proposed for portions of the development that are least visible within the community

Refer to the **Master Sign & Wall Plan** in **Appendix B** for specific details.

6.1 Amenity Details:

Typical amenities within Magic Ranch - Parcel N will include, “Tot-Lot”, Ramada with sitting area, picnic tables trash receptacles, trails, benches. These are conceptual only and are to be uses as a guideline for final product selection.

Play Structure(s) – Capacity: 40-50, Age: 2-12, Size: 17'x23', ADA compliant. Colors: TBD



Figure 3 - Play Structure

Ramada(s) – Size: 16', four-sided, hip roof, power coated steel frame, aluminum roof, Color: TBD



Figure 4 - Ramada

Picnic Bench(s) – Shape: Seats: 3 +, Material: coated metal and wood slats. Colors: TBD



Figure 5 - Picnic Bench

Bench(s) – Length: 6’ or 8’, Material: coated metal, wood or trex, Color: TBD. / tan.



Figure 6 - Bench

Trash Receptacle(s) - Size: 55-Gallon, Material: coated metal, slats. Ground mounted.
Color: TBD Ground mounted. Color: green / tan



Figure 7 - Trash Receptacle

Grill(s) – 20", Black.



Figure 8 - Grill

6.2 Developed Open Space

Developed Open Space is characterized as a passive amenity that provides an enhanced aesthetic to the community in the form of landscaping in the common area tracts of the community.

Live, drought tolerant, vegetative plant material will consist of: a) a minimum of 50% vegetative groundcover that does not exceed 18-inches in height, and b) no more than 50% trees and shrubs. Tree and shrub coverage area will be determined by calculating two thirds (2/3) the mature canopy size of the tree and/or shrub. Shrubs with a minimum size of 5 gallons will be planted at a rate of 3 per tree. To provide variety to the landscape, the clustering of trees and shrubs will be provided. Regular on-center spacing or linear placement of trees and shrubs in retention/detention basins will be limited in favor of natural spacing to mimic the adjacent, undisturbed areas. Refer to the ***Open Space & Recreation Plan*** and ***Pedestrian Path & Trails Plan*** in **Appendix B** for specific details.

The site topography ranges is relatively flat. Per Pinal County's minimum requirements for open space (Chapter 2.176.130 of the PCDSC), 18% total open space is required for the subject site while a minimum of 7% is required for recreation open space.

Total open space for the development is proposed at 8.84 acres (22.2%). Developed open space within the proposed Magic Ranch - Parcel N site will make up a total of 3.22 acres (8.1%) for the project. Approximately 5.41 acres (13%) of the site will be dedicated to recreation open space. Refer to the ***Site Development Plan (Exhibit B)*** and the ***Site Analysis Plan*** in **Appendix A** for the site-specific details of the proposed development and an aerial photo of the site.

6.3 Tree and Shrub Calculations

The recreation areas for Magic Ranch - Parcel N will be consistent with the minimum requirements in Chapter 2.176.160 of the PCDSC. All requirements for the recreation areas will be met, including:

- 1.) Trees with a minimum size of 15 gallons shall be planted at the rate of 1 tree per 1,000 square feet of surface area provided
- 2.) Trees shall be planted at a rate of 1 tree per 25 feet of linear street frontage, exclusive of driveways
- 3.) Minimum of 50% of the required trees shall be 24-inch box tree
- 4.) Trees Height: 6 feet
- 5.) Trunk caliper, signal trunk: .75 inches, measured 4 inches above the soil line
- 6.) Multiple trunk: .75 (average of the 2 largest), measured 4 inches above the soil line.
- 7.) All trees shall be planed and stacked in accordance with the Arizona Nursery Association standards.
- 8.) Shrubs with a minimum size of 5 gallons shall be planted to complement the placement of trees.
- 9.) Shrubs shall be planted at a minimum rate of 3 shrubs per tree.
- 10.) Shrubs and vegetative groundcovers shall be planted to cover a minimum of 25 percent of the landscape area.

- 11.) Street trees, shrubs, accent plants, and ground covers planted in the right-of-way shall be selected from the Arizona Department of Water Reservice Low Water Use/ Drought Tolerant Plant List for the Phoenix Active Management Area.

Open Space Requirements and Calculations:

- o Open Space: 8.84 ac
- o Trees: 1 per 1,000 square feet $8.84 \times 43,560 / 1000 = 385$ Required
- o Trees: 5,800 LF right-of-way / 25 = 233 required
- o Trees: 618 total trees required / 2 = (309) 24" box trees and (309) 15-gallon trees
- o Shrubs: (3) 5-gallon shrubs required per tree = $618 \times 3 = 1,854$ shrubs to be provided

*Note: All plants within the ROW shall be selected from the AZ Dept. of Water Resources Low water Use/ Drought Tolerant Plant List.

A Native Plant Inventory / Salvage Plan was not prepared due to the nature of the site.

Existing 4" cal. or less plant materials are not required to be salvaged. Those plants will be removed from the proposed development areas.

Minimum requirements for storm water retention and detention basins will also be met. The maximum side slope for retention / detention basins within open space areas is 4:1. Refer to Section 2.176.180(A) of the PCDSC.

7.0 PEDESTRIAN CIRCULATION SYSTEM

Sidewalks will be installed onsite to provide connectivity between the residents and open space areas. Tree shaded seating areas and colorful plantings along the trail will make the open spaces enjoyable and useable. Refer to **Figure 4** above.

8.0 SLOPE ANALYSIS

A slope analysis was not prepare for this site as these is a 0.1% fall across the entire site, thus, no slope to analys.

9.0 PRELIMINARY HYDROLOGIC INFORMATION

The Magic Ranch – Parcel N site is undeveloped, raw desert land consisting of native grasses, foliage and desert shrubbery with a private existing dry concrete ditch that bisects the property from the north to the south to be abandoned during development. The property is sloped from west to east at approximately 0.3% and runoff disperses as sheet flow with no major conveyance elements that originate onsite. There are also no major offsite conveyances that impact the development. However, the minor sheet flow generated from the west of the site may affect the northwest corner of property as it is conveyed to the north in the chip-sealed road of Mitchell Trail, which minimally ponds in the road near the intersection of Mitchell Trail and Cassia Road before continuing on its historical flow pattern to the east.

The development will be designed so that individual lots will drain onto the streets and convey stormwater flows to the proposed retention basins via curb and gutter, catch basins, scuppers/spillways, and storm drains. Drainage patterns are based on the existing topography, proposed street patterns and proposed grading conditions. Street capacities will be designed to convey flows with the top of curbs and right-of-way for the 10-year and 100-year storm events, respectively. Retention basins will be designed to retain the 100-year, 2-hour storm event. In an event larger than the 100-year, 2-hour storm, emergency outfall for the property will be released to the east out of the southeastern retention basin. Upon leaving the site, the stormwater will follow the historic flow pattern.

10.0 RIPARIAN VEGETATION AND BIOLOGICAL HABITATS

A native plant inventory was not prepared for the site due to it's existing nature of creosote bushes and mesquite trees.

11.0 VIEW CORRIDORS

Magic Ranch - Parcel N site takes advantage of natural view corridors including the San Tan Mountains to the west and vast open desert to the east.

12.0 FLOODPLAIN

The subject site is not located within a FEMA 100-year floodplain. The site is located within Zone X of the FEMA FIRM #: 04021C0875E Dated December 4, 2007.

13.0 ARIZONA STATE MUSEUM

A record check through the Arizona State Museum (ASM) for archeological sites and identification of any sites or surveys was conducted. A preliminary search of the records indicates no findings at the site. A copy of the **Arizona State Museum Record Check** can be found in **Appendix C**.

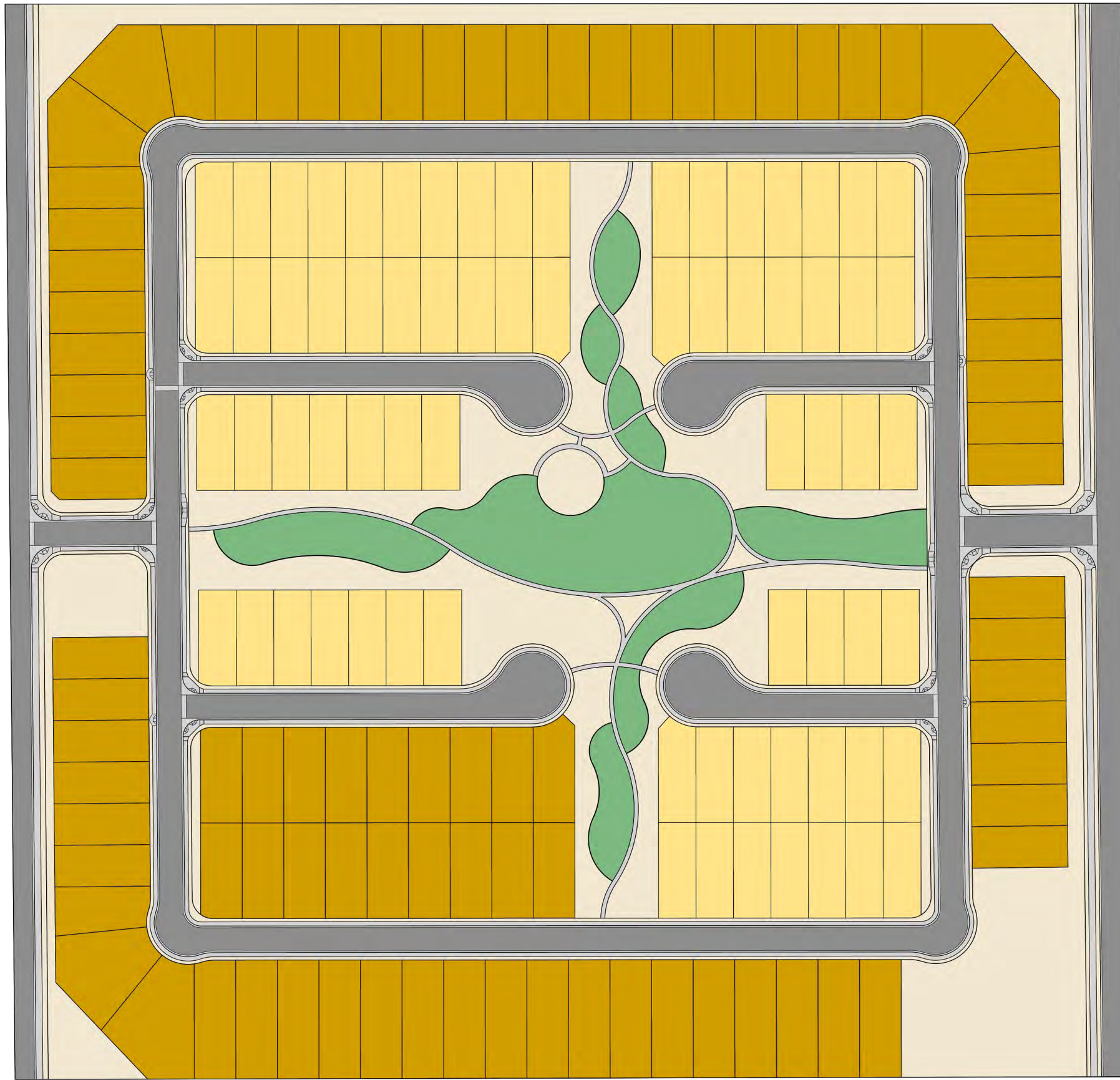
14.0 PRESERVED AREAS AS CONSERVATION OPEN SPACE

Due to the existing nature of the site, consisting of creosote bushes and mesquite trees, no conservation open space area are being proposed.

15.0 PRESERVED AREAS AS DEVELOPED OPEN SPACE



The developed open space areas, parks and tracts for Magic Ranch - Parcel N are identified on the **Site Development Plan (Exhibit B)** and **Preliminary Landscape Plans (Appendix B)**. The total developed open space for Magic Ranch - Parcel N is 3.22 acres (8.0%), while the total open space for the community is 8.84 acres (22.2%).

Exhibits



SITE DATA:

Gross Acreage	39.82 ac
Area of Street R/W	9.71 ac
Area of Lots	21.25 ac
Total Open Space	8.84 ac (22.2%)
Developed Open Space	3.22 ac
Recreation Open Space	5.41 ac
Total No. of Lots Permitted	159
Total No. of Lots Provided	159
Gross Density	3.99 du/ac

Lot Mix:	Lot Area	Lot Size	Zoning District R-7	% of Lots
	5,175 sf	45' x 115'	70	44%
	5,750 sf	50' x 110'	89	56%
Total			159	100%

SITE DEVELOPMENT PLAN "PLANNED AREA DEVELOPMENT AMENDMENT" FOR "MAGIC RANCH 40"

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2,
TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, PINAL COUNTY, ARIZONA

LEGAL DESCRIPTION:

THAT PART OF THE EAST HALF OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;
THENCE SOUTH 0°38'42"EAST, A DISTANCE OF 2,623.36 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°58'24"WEST, A DISTANCE OF 1,341.71 FEET TO A POINT;
THENCE SOUTH 0°31'02"EAST, A DISTANCE OF 1,293.61 FEET TO A POINT;
THENCE NORTH 89°53'23"EAST, A DISTANCE OF 1,344.58 FEET TO A POINT;
THENCE NORTH 0°38'43"WEST, A DISTANCE OF 1,291.68 FEET TO THE TRUE POINT OF BEGINNING.
ALSO KNOWN AS PARCEL 12 OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, ACCORDING TO PLOTS OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, IN BOOK 1 OF SURVEYS, PAGES 45, 46 AND 47, THEREOF.

LOTGING TABLE:

NEIGHBORHOOD PARCELS	LOT AREA	LOT SIZE	ZONING DISTRICT	% OF LOTS
PHASE ONE	5,175 SF	45'x115'	R-7	44%
PHASE ONE	5,750 SF	50'x115'	R-7	56%
TOTALS	10,925	159	100%	

UTILITIES/SERVICES:

WATER EPICOR
SANITARY SEWER EPICOR
ELECTRICAL SALT RIVER PROJECT (SRP)
TELEPHONE CENTURYLINK
CABLE TV COX COMMUNICATIONS
POLICE PINAL COUNTY SHERIFF'S OFFICE
FIRE PROTECTION RURAL METRO
SCHOOLS FLORENCE UNIFIED SCHOOL DISTRICT
SOLID WASTE DISPOSAL BY PRIVATE CONTRACT

SITE DATA:

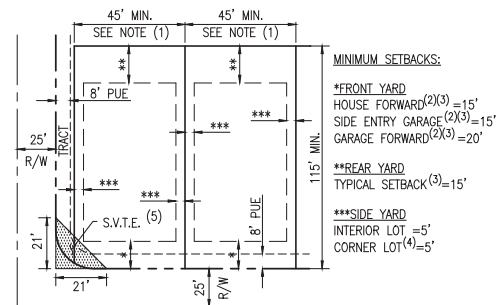
GROSS ACRES 39.8265 AC
NET ACRES 37.0085 AC
AREA OF QUAIL RUN LANE R/W 1.6304 AC
AREA OF MITCHELL TRAIL R/W 1.1876 AC
AREA OF LOCAL STREET R/W 6.9022 AC
AREA OF LOTS 21.2568 AC
DEVELOPED OPEN SPACE 3.2231 AC
RECREATIONAL OPEN SPACE 5.4143 AC
ADDT'L OPEN SPACE 0.2120 AC
TOTAL OPEN SPACE & LS TRACTS 8.8494 AC (22.2%)
TOTAL NUMBER OF SINGLE FAMILY LOTS 159 LOTS
GROSS DENSITY 3.99 DU/AC
AVERAGE AREA PER LOT 5,823 SF

LEGEND:

- SUBJECT PROPERTY LINE
- RIGHT OF WAY
- SECTION LINES
- - - EASEMENTS
- - - TOP OF BASINS
- - - EXIST. 5' CONTOURS
- - - EXISTING SURFACE FLOW
- - - PROPOSED STREET FLOW
- - - PROPOSED TRAILS
- - - EXIST. DIRT ROADS
- - - PINAL COUNTY RECORDS
- - - RETENTION BASIN
- P.C.R. PINAL COUNTY RECORDS
- R.B. RETENTION BASIN

BASE ZONING AND ZONING CASE #:

EXISTING ZONING: CR-2 PAD;
ZONING CASE: PZ-007-98
PROPOSED ZONING: R-7 PAD;
ZONING CASE: PZ-PD-007-98



MINIMUM LOT DIMENSIONS AND BUILDING SETBACKS
NOT TO SCALE

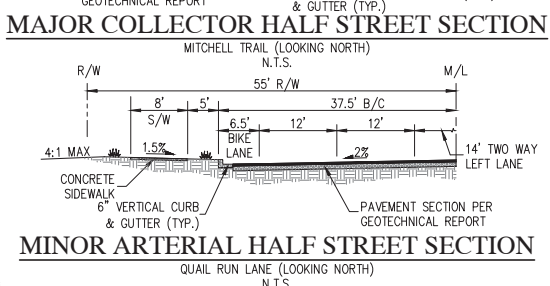
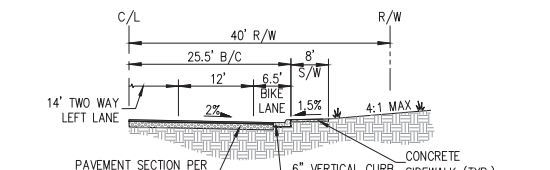
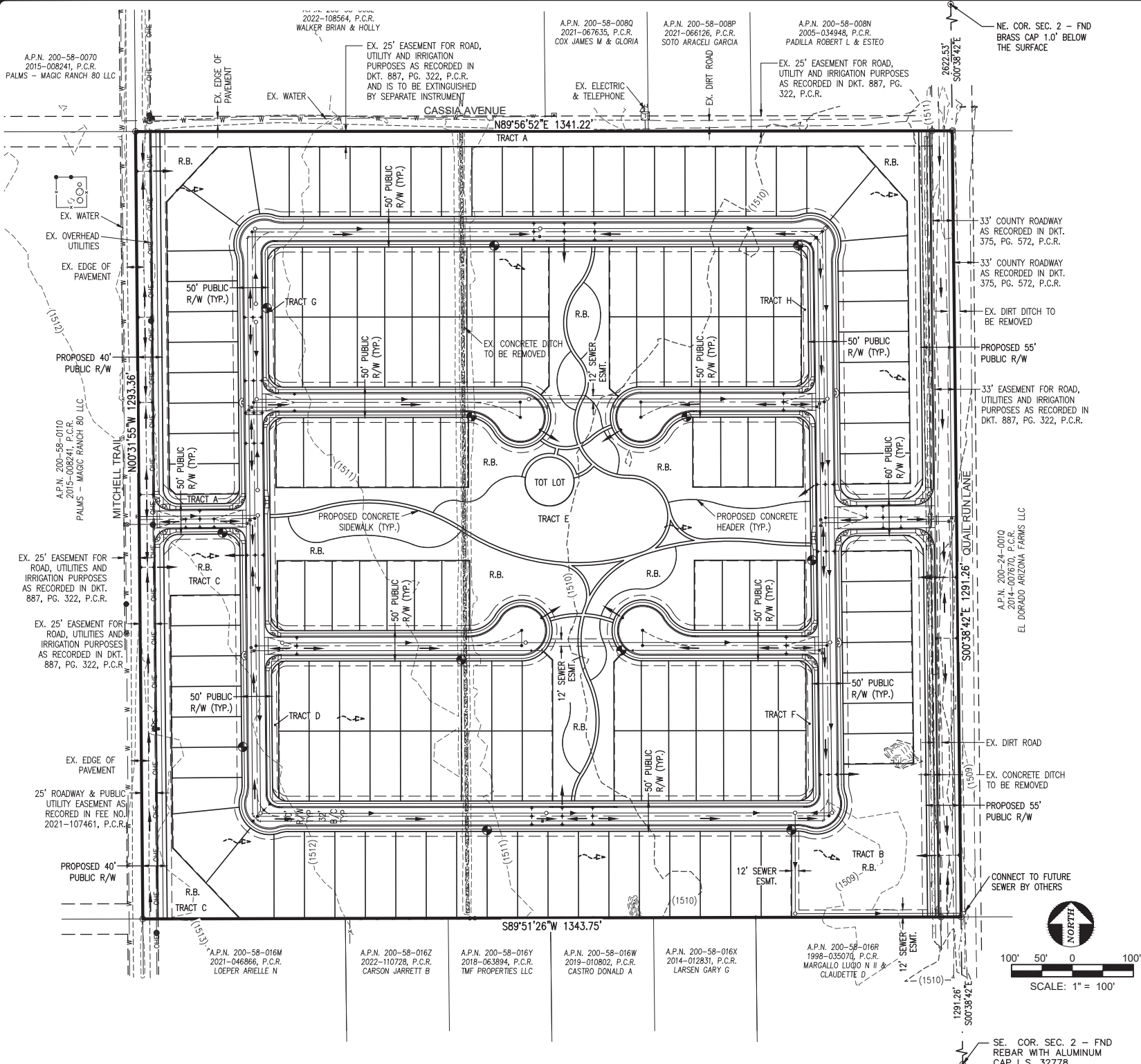
GENERAL NOTES:

- THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE PINAL COUNTY ACCESS MANAGEMENT MANUAL - REGIONALLY SIGNIFICANT ROUTES FOR SAFETY AND MOBILITY (RSRSM). THERE ARE NO REGIONAL SIGNIFICANT ROUTES OR ROADWAYS ADJACENT TO MAGIC RANCH 40 THAT WILL BE IMPACTED BY THE RSRSM.
- PER THE PINAL COUNTY OPEN SPACE AND TRAILS MASTER PLAN THERE IS AN EXISTING ADOPTED COUNTY TRAIL CORRIDOR ALONG THE EASTERN BOUNDARY OF THE SITE.
- COVENANTS, CONDITIONS AND RESTRICTIONS (CC & R'S) WILL PROVIDE FOR THE FORMATION OF A HOMEOWNER'S ASSOCIATION FOR MAGIC RANCH 40. OPEN SPACE COMMON AREAS WITHIN MAGIC RANCH 40 WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. ALL STREETS WITHIN MAGIC RANCH 40 ARE BEING PROPOSED TO BE DEDICATED TO PINAL COUNTY UPON APPROVAL BY PINAL COUNTY PUBLIC WORKS DEPARTMENT AND WILL BE CONSTRUCTED IN ACCORDANCE WITH PINAL COUNTY STANDARDS. DEVELOPMENT AND CONSTRUCTION OF COMMON AREAS AND STREETS WILL BE THE RESPONSIBILITY OF THE DEVELOPER.
- THE DESIGNATED FLOOD ZONE IS "X" - AN AREA THAT IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THIS SITE PLAN IS CONCEPTUAL AND THE ENGINEERING WILL BE DETERMINED THROUGH THE TENTATIVE PLAT PROCESS.
- EXISTING DRAINAGE - THE PROPERTY IS CURRENTLY UNDEVELOPED RAW DESERT LAND WITH SOME FOLIAGE AND A PRIVATE EXISTING DRY CONCRETE DITCH THAT BISECTS THE PROPERTY FROM THE NORTH TO THE SOUTH TO BE ABANDONED DURING DEVELOPMENT. THE PROPERTY SLOPES FROM THE WEST TO THE EAST AT APPROXIMATELY 0.30%, DISPERSING AS SHEET FLOW WITH NO MAJOR CONVEYANCE ELEMENTS THAT ORIGINATE ONSITE. THERE ARE ALSO NO MAJOR OFFSITE CONVEYANCES THAT IMPACT THE PROPERTY. THE MINOR SHEET FLOW GENERATED WEST OF THE PROPERTY IS CONVEYED TO THE NORTH IN THE GRAVEL ROAD OF MITCHELL TRAIL, WHERE IT PONDS IN THE NORTHWEST CORNER NEAR THE INTERSECTION OF MITCHELL TRAIL AND CASSIA ROAD BEFORE CONTINUING ON ITS HISTORIC FLOW PATTERN TO THE EAST.

PROPOSED DRAINAGE - THE SITE WILL BE DESIGNED SO THAT INDIVIDUAL LOTS WILL DRAIN ONTO PUBLIC STREETS AND CONVEY STORMWATER FLOWS TO THE PROPOSED RETENTION BASINS LOCATED IN THE WEST, MIDDLE AND SOUTHEAST CORNER OF THE PROPERTY VIA CATCH BASINS AND STORM DRAIN PIPES. THE PROPOSED RETENTION BASINS WILL RETAIN THE 100-YEAR, 2-HOUR RAINFALL STORM EVENT ONSITE PER THE REQUIREMENTS IN THE PINAL COUNTY DRAINAGE MANUAL. IN AN EVENT LARGER THAN THE 100-YEAR, 2-HOUR RAINFALL STORM EVENT, EMERGENCY OUTFALL FOR THE PROPERTY WILL BE RELEASED EAST OUT OF THE PROPOSED SOUTHEASTERN RETENTION BASIN. UPON LEAVING THE SITE, THE STORMWATER WILL FOLLOW ITS HISTORIC FLOW PATTERN.

AMENDED USES TABLE:

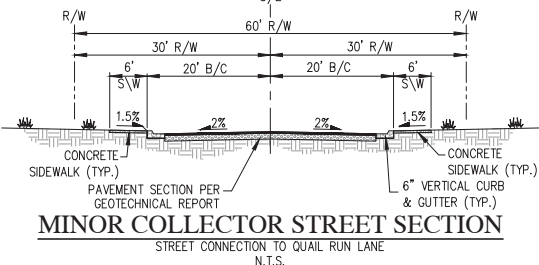
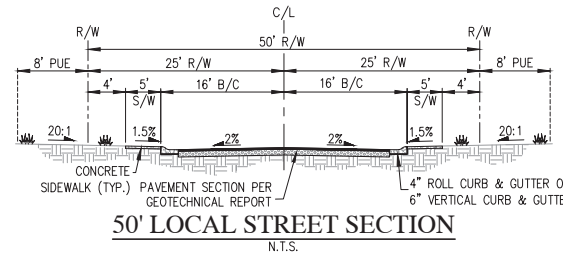
PERMITTED USES	ALL USES UNDER THE R-7 BASE ZONING PER PINAL COUNTY DEVELOPMENT SERVICES CODE, SECTION 2.275.020
A. ONE DWELLING, CONVENTIONAL CONSTRUCTION	
B. CHILD CARE (NO MORE THAN FIVE CHILDREN FROM WHOM COMPENSATION IS RECEIVED)	
C. CHURCH, SUBJECT TO THE REQUIREMENT SET FORTH IN PCDSC 2.150.220	
D. GOVERNMENT STRUCTURES, FIRE DISTRICT STATIONS, SHERIFF'S FACILITIES AND THEIR ACCESSORY USE	
E. GROUP HOME, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.200	
F. GUEST HOUSE/CASITA, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.240	
G. HOME OCCUPATION, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.260	
H. PARKS	
I. PUBLIC SCHOOLS	
J. SOLAR ENERGY DEVICE, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.210 PCDSC	
K. WIRELESS COMMUNICATION FACILITIES, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.205 PCDSC	
L. SOME USES ARE ALLOWED IN ALL ZONING DISTRICTS BASED ON STATUTORY EXEMPTIONS (see PCDSC 2.05.050) OR BECAUSE A GOVERNMENT ENTITY OR GOVERNMENTAL AGENCY IS PERFORMING A GOVERNMENTAL FUNCTION. [Ord. 011812-02-PZ-007-10 § 36]	
NON-PERMITTED USES	NONE



AMENDED DEVELOPMENT STANDARDS:

MIN. LOT AREA (SF)		MIN. LOT WIDTH		SETBACKS (FRONT/SIDE/REAR)		MAX. BLDG. HEIGHT OF MAIN BUILDING		MAX. BLDG. HEIGHT OF DETACHED ACCESSORY BUILDING		MAX. BUILDABLE AREA		MIN. DIST. BETWEEN MAIN BUILDINGS		MIN. DIST. BETWEEN MAIN & DETACHED ACCESSORY BUILDINGS		MAX. BLDG. HEIGHT OF DETACHED ACCESSORY BUILDING	
EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED
8,000	5,175	60'	45'	25'/10'	20'/15'	20'	30'	40%	70%	20'	10'	7'	5'	20'	20'		

*PROPOSED 20' FRONT SETBACK IS MEASURED FROM BACK OF SIDEWALK TO FACE OF GARAGE



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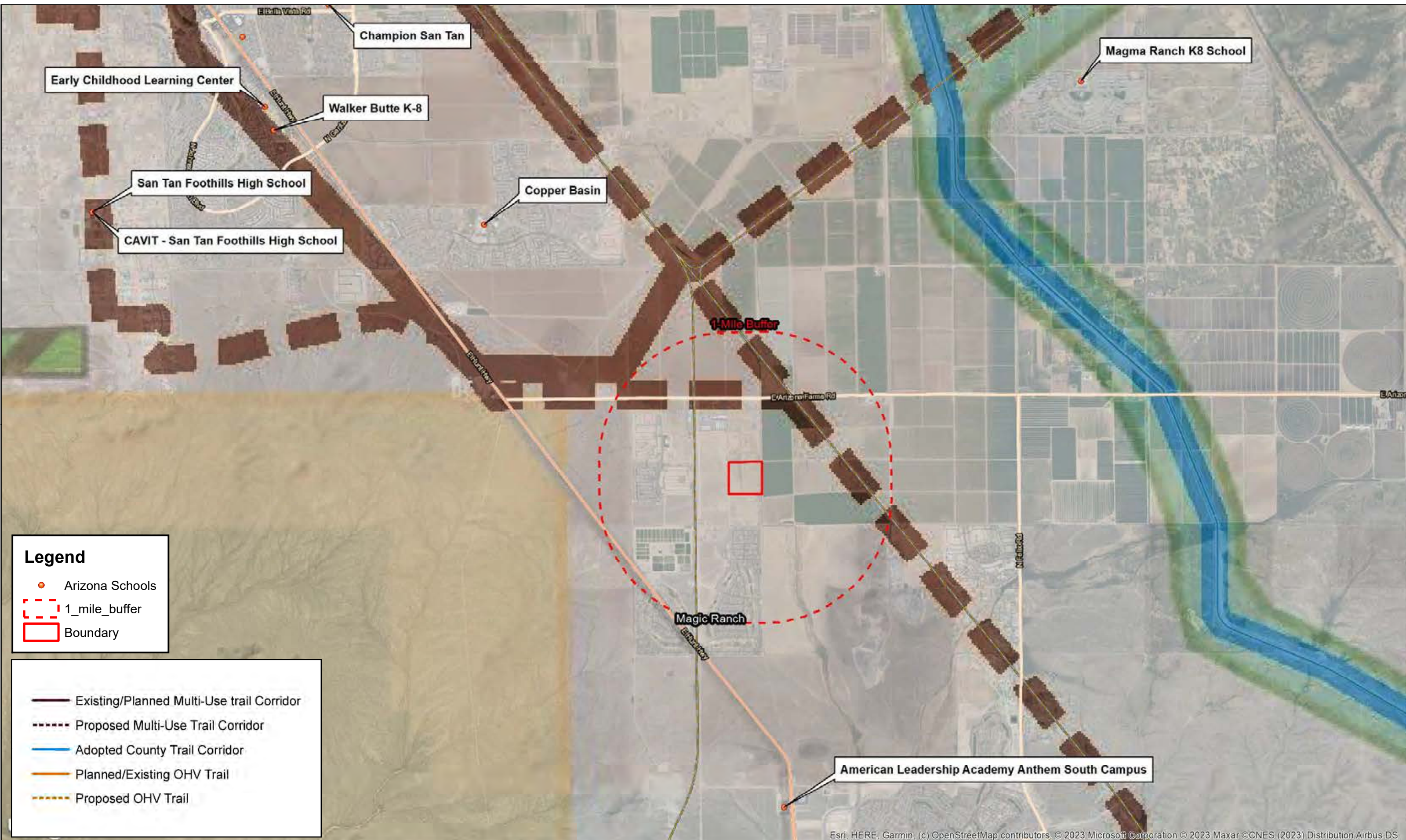
united engineering group

NO.	REVISIONS	DESCRIPTION	DATE

SITE DEVELOPMENT PLAN
PLANNED AREA DEVELOPMENT AMENDMENT FOR
MAGIC RANCH 40
PINAL COUNTY, ARIZONA

DESIGNED BY: UEG
DRAWN BY: UEG
CHECKED BY: UEG

PREPARATION DATE: 12/04/2023
SHEET 1 OF 1
PROJECT NUMBER
14110



Legend

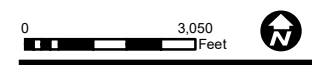
- Arizona Schools
- 1_mile_buffer
- Boundary

- Existing/Planned Multi-Use trail Corridor
- Proposed Multi-Use Trail Corridor
- Adopted County Trail Corridor
- Planned/Existing OHV Trail
- Proposed OHV Trail

Esri, HERE, Garmin, (c) OpenStreetMap contributors, © 2023 Microsoft Corporation © 2023 Maxar © CNES (2023) Distribution Airbus DS

Magic Ranch - Parcel N

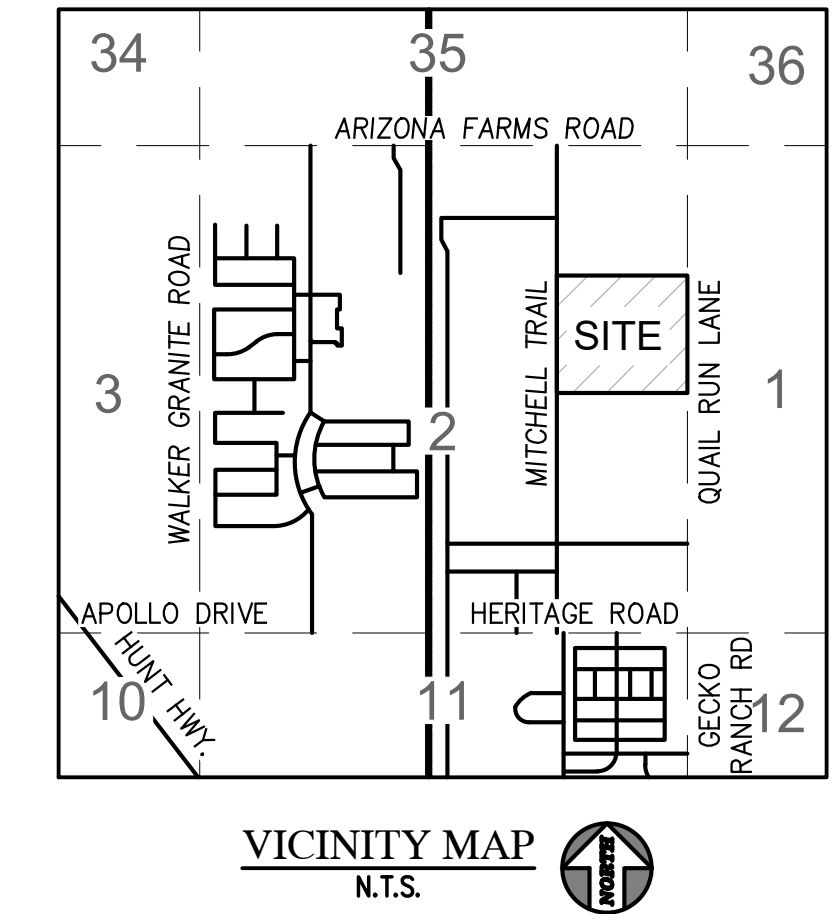
Pinal County, Arizona



Appendix A

Site Analysis Plan

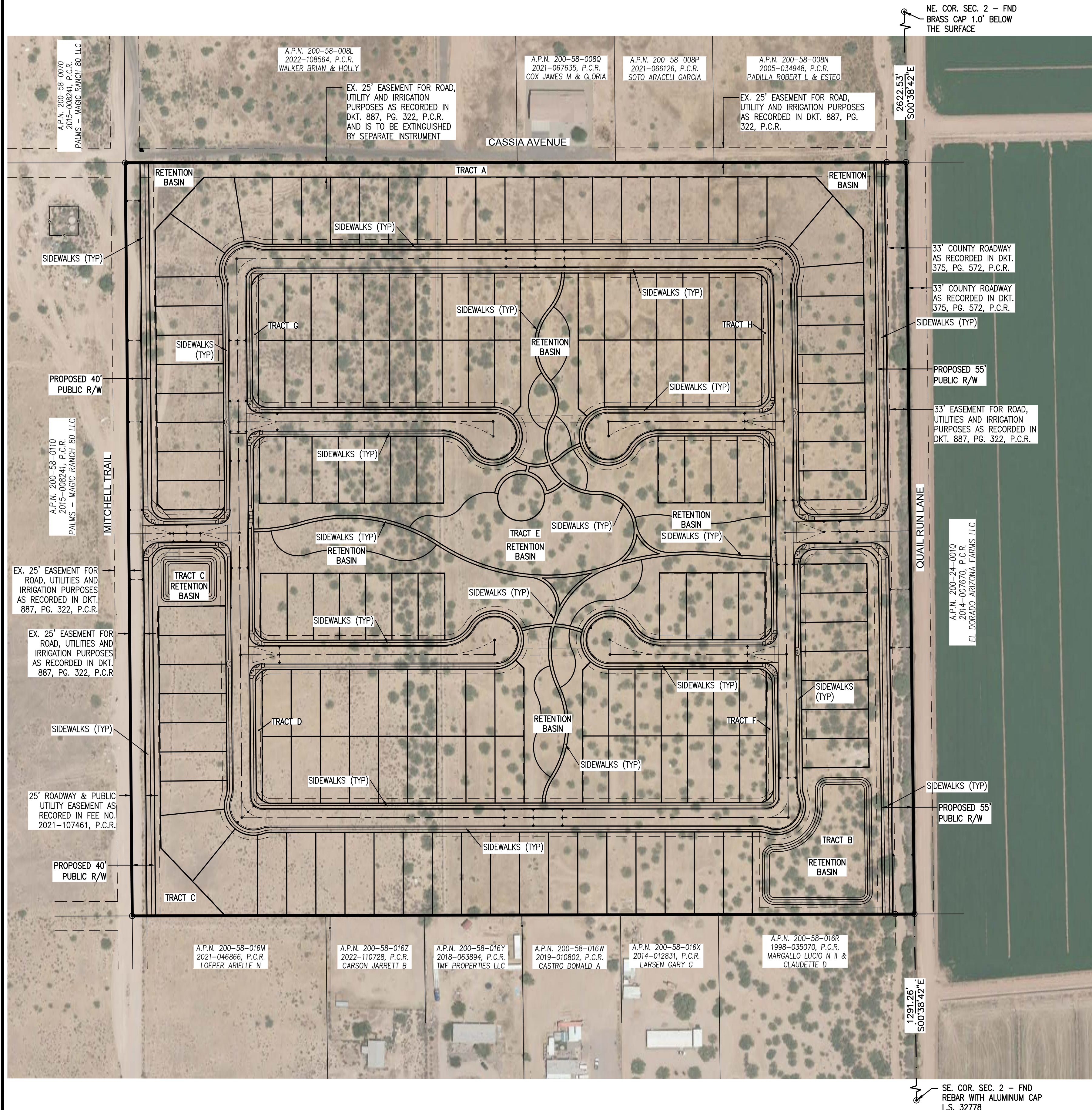
SITE ANALYSIS PLAN "PLANNED AREA DEVELOPMENT AMENDMENT" FOR "MAGIC RANCH 40" A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA



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united engineering group



GENERAL NOTES:

- FOR PEDESTRIAN CIRCULATION, THIS PROPOSED DEVELOPMENT IS PROPOSING TO CONSTRUCT NUMEROUS 8', 6', AND 5' SIDE CONCRETE SIDEWALKS THROUGHOUT THE DEVELOPMENT AND VARIOUS WIDTH ATTACHED AND DETACHED SIDEWALKS ALONG ALL ROADWAYS.
- A COPY OF THIS PROPOSED DEVELOPMENT'S 'PRELIMINARY DRAINAGE REPORT' WAS SUBMITTED WITH THE DEVELOPMENT PLAN.
- TARGET MARKET - FAMILY

FLOOD ZONE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04021C0875E DATED DECEMBER 4, 2007, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X". ZONE "X" IS DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD."

TRACT TABLE:

TRACT TABLE			
TRACT	ACRES	SQ. FT.	USES
TRACT A	1.3811	60,159.76	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT B	1.2929	56,319.95	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT
TRACT C	0.5491	23,919.84	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT D	0.0526	2,292.43	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT E	5.4143	235,847.55	RECREATIONAL OPEN SPACE, TOT LOT, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT, TRAILS
TRACT F	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT G	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT H	0.0524	2,283.40	ADDITIONAL OPEN SPACE, LANDSCAPE
TOTAL	8.8494	385,486.61	

SLOPE TABLE:

SLOPE DATA			
MINIMUM SLOPE	MAXIMUM SLOPE	ACRES	PERCENTAGE
0.00%	5.00%	38.52	96.72%
5.00%	10.00%	0.39	0.98%
10.00%	15.00%	0.40	1.00%
15.00%	374.21%	0.52	1.30%

LOTING TABLE:

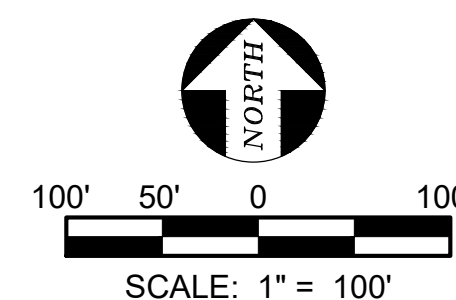
NEIGHBORHOOD PARCELS	LOT AREA	LOT SIZE	ZONING DISTRICT R-7	% OF LOTS
PHASE ONE	5,175 SF	45'x115'	70	44%
PHASE ONE	5,750 SF	50'x115'	89	56%
TOTALS			159	100%

AMENDED DEVELOPMENT STANDARDS:

MIN. LOT AREA (SF)		MIN. LOT WIDTH		SETBACKS (FRONT/SIDE/REAR)		MAX. BLDG. HEIGHT OF MAIN BUILDING		MAX. BUILDABLE AREA		MIN. DIST. BETWEEN MAIN BUILDINGS		MIN. DIST. BETWEEN MAIN & DETACHED ACCESSORY BUILDINGS		MAX. BLDG. HEIGHT OF DETACHED ACCESSORY BUILDING	
EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED R-7 PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD	EXISTING CR-2 PAD	PROPOSED PAD
8,000	5,175	60'	*45'	25'/10'+10'/25'	*20'/15'/5'+5'/15'	20'	30'	40%	*70%	20'	10'	7'	5'	20'	20'

AMENDED USES TABLE:

PERMITTED USES	ALL USES UNDER THE R-7 BASE ZONING PER PINAL COUNTY DEVELOPMENT SERVICES CODE, SECTION 2.275.020
	A. ONE DWELLING, CONVENTIONAL CONSTRUCTION B. CHILD CARE (NO MORE THAN FIVE CHILDREN FROM WHOM COMPENSATION IS RECEIVED) C. CHURCH, SUBJECT TO THE REQUIREMENT SET FOR THE IN PCDSC 2.150.220 D. GOVERNMENT STRUCTURES, FIRE DISTRICT STATIONS, SHERIFF'S FACILITIES AND THEIR ACCESSORY USE E. GROUP HOME, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.200 F. GUEST HOUSE/CASITA, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.240 G. HOME OCCUPATION, SUBJECT TO REQUIREMENTS SET FORTH IN PCDSC 2.150.260 H. PARKS I. PUBLIC SCHOOLS J. SOLAR ENERGY DEVICE, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.210 PCDSC K. WIRELESS COMMUNICATION FACILITIES, SUBJECT TO REQUIREMENTS SET FORTH IN CHAPTER 2.205 PCDSC L. SOME USES ARE ALLOWED IN ALL ZONING DISTRICTS BASED ON STATUTORY EXEMPTIONS (see PCDSC 2.05.050) OR BECAUSE A GOVERNMENT ENTITY OR GOVERNMENTAL AGENCY IS PERFORMING A GOVERNMENTAL FUNCTION. [Ord. 011812-02-PZ-007-10 § 36]
NON-PERMITTED USES	NONE



NO.	REVISIONS DESCRIPTION	DATE

SITE ANALYSIS PLAN
 PLANNED AREA DEVELOPMENT AMENDMENT FOR
 "MAGIC RANCH 40"
 PINAL COUNTY, ARIZONA

DESIGNED BY: UEG
 DRAWN BY: UEG
 CHECKED BY: UEG

Appendix B

Preliminary Landscape Plans

PRELIMINARY LANDSCAPE NOTES

PLANTING

THE SITE WILL BE LANDSCAPED IN ACCORDANCE WITH PINAL COUNTY STANDARDS. ALL TREES AND SHRUBS ARE TO BE STAKED AND PLANTED IN ACCORDANCE WITH THE ARIZONA NURSERY ASSOCIATION PUBLISHED STANDARDS.

SIZES OF TREES AND SHRUBS WILL CORRESPOND WITH REQUIREMENTS SET BY PINAL COUNTY. ALL PLANTING AREAS WILL RECEIVE A 2" DEPTH OF DECOMPOSED GRANITE AND SHALL BE TREATED WITH PRE-EMERGENT HERBICIDE.

IRRIGATION

THE IRRIGATION SYSTEM WILL CONSIST OF DRIP EMITTERS AND PRESSURE REGULATORS CONNECTED TO AUTOMATIC VALVES AND WILL BE TIED INTO AUTOMATIC CONTROLLERS AS REQUIRED. THE IRRIGATION SYSTEM SHALL PROVIDE 100% COVERAGE.

GRADING

ALL EARTHWORK WILL BE DONE SO THAT ALL MOISTURE DRAINS OFF AND AWAY FROM SIDEWALKS AND STRUCTURES. THE MAJORITY OF ONSITE DRAINAGE WILL DRAIN INTO THE RETENTION BASINS LOCATED ON SITE.

OPEN SPACE REQ.

OPEN SPACE: 8.84 AC
 TREES: 1 PER 1,000 S.F. 385 REQ./ 385 PROVIDED
 (8.84 AC X 43,560 S.F./ 1,000)
 TREES: 5,800 L.F. ROW/ 25 233- REQ./ 233 PROVIDED

TREES: (618 TOTAL) 15 GALLON, 50% 24" BOX MIN. 309- 24" BOX REQ./ 309 PROVIDED
 SHRUBS: (3) 5 GAL. SHRUBS REQ. PER TREE = 618 X 3 = 1,854 SHRUBS TO BE PROVIDED

SALVAGED PLANTS TO BE DETERMINED DURING PLANT INVENTORY.

CHAPTER 2.176.160-200 MIN. REQUIREMENTS HAVE BEEN MET.

GENERAL LANDSCAPE NOTES

- ALL PLANT MATERIAL PLACED IN PUBLIC RIGHTS-OF-WAY SHALL BE ON AN ACTIVE MANAGEMENT AREA LOW WATER USE PLANT LIST AND APPROVED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES.
- AVOID HIDDEN BASINS, WHICH DO NOT PROVIDE VISIBILITY AND MAY CREATE SAFETY CONCERNS.
- ALL TREES PLACED IN PUBLIC RIGHTS-OF-WAY SHALL BE PRUNED UP AND MAINTAINED AT A SEVEN (7) FOOT MINIMUM CANOPY HEIGHT.
- WITHIN BASINS, A MINIMUM TWO INCH DEPTH OF 1/2-INCH MINUS, OR LARGER, DECOMPOSED GRANITE SHOULD BE SPECIFIED ON LANDSCAPE PLANS FOR ALL PLANTED AREAS WITHIN RETENTION/DETENTION BASINS.
- THE MINIMUM WIDTH OF THE LANDSCAPE AREA BETWEEN THE TOP OF SLOPE OF RETENTION/DETENTION BASINS AND ANY EXISTING OR PROPOSED PROPERTY LINE, INTERNAL LOT LINE, OR STREET RIGHT-OF-WAYS SHOULD BE FIVE (5) FEET.
- WITHIN BASINS, LIVE VEGETATIVE PLANT MATERIAL SHOULD CONSIST OF: A) A MINIMUM OF FIFTY PERCENT (50%) VEGETATIVE GROUND COVER THAT DOES NOT EXCEED EIGHTEEN (18) INCHES IN HEIGHT, AND B) NO MORE THAN FIFTY PERCENT (50%) TREES AND SHRUBS. TREE AND SHRUB COVERAGE AREA WILL BE DETERMINED BY CALCULATING TWO THIRDS (2/3) THE MATURE CANOPY SIZE OF THE TREE AND/OR SHRUB.
- WHERE THE SIZE OF THE BRIDGES OVER RETENTION/DETENTION AREAS AND DRAINAGE-WAYS MUST BE A MINIMUM OF 12 FEET HIGH AND 12 FEET WIDE IN ORDER TO ACCOMMODATE WATER FLOWS, GRADE SEPARATED CROSSINGS SHOULD BE USED AT PARKWAY, ARTERIAL AND MAJOR COLLECTOR ROADWAY CROSSINGS OF THE COUNTY TRAILS AND MULTI-USE TRAILS THAT ARE DEPICTED IN THE COMPREHENSIVE PLAN.
- CLUSTERING OF TREES AND SHRUBS IS ENCOURAGED TO ACCENT FOCAL POINTS OR LANDMARKS AND TO PROVIDE VARIETY TO THE STREETScape. CONTOURING OF THE GROUND AND PLACEMENT OF MOUNDS AND EARTH BERMS ALONG STREETS IS RECOMMENDED.
- A MINIMUM OF TWENTY-FIVE (25) PERCENT OF ALL FRONTAGE LANDSCAPED AREAS SHOULD BE COVERED WITH VEGETATIVE OR ORGANIC GROUND COVER CONSISTING OF LIVING PLANT MATERIALS CHARACTERIZED BY HORIZONTAL GROWTH WHICH GENERALLY DOES NOT EXCEED EIGHTEEN (18) INCHES IN HEIGHT.
- A MINIMUM TWO INCH DEPTH OF 1/2-INCH MINUS, OR LARGER, DECOMPOSED GRANITE SHOULD BE SPECIFIED ON LANDSCAPE PLANS FOR ALL PLANTED AREAS.
- ALL RECREATION AREAS WITHIN THE DEVELOPMENT SHOULD BE CONNECTED THROUGH A MULTI-USE PATH OR TRAIL SYSTEM. THE MULTI-USE PATH OR TRAIL SYSTEM SHOULD PROVIDE LINKAGES TO OPEN SPACE, RECREATION AREAS, TRAILS, PATHS, BIKEWAYS, SCHOOLS AND COMMERCIAL PARCELS WITHIN THE PROPOSED DEVELOPMENT AS WELL AS TO ADJACENT NEIGHBORHOODS AND COMMUNITIES, AND THE COUNTY'S TRAIL SYSTEM, IF APPLICABLE.

PLANT LEGEND

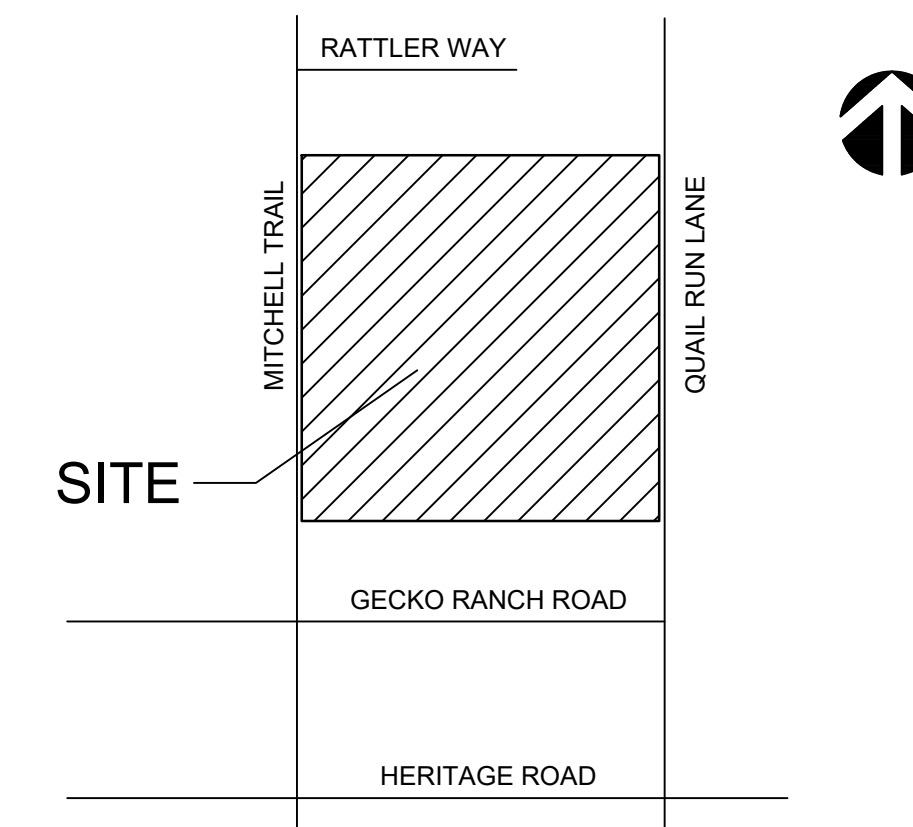
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	ACACIA SALICINA	WILLOW ACACIA	15 GAL.
	CAESALPINIA CACALACO	THORNLESS CASCALOTE	15 GAL.
	FRAXINUM SP. 'RIO GRANDE'	FAN-TEX ASH	15 GAL./ 24" BOX
	PARKINSONIA X. 'DESERT MUSEUM'	DESERT MUSEUM	15 GAL.
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH PISTACHE	15 GAL./ 24" BOX
	PROSOPIS CHILENSIS	THORNLESS MESQUITE	15 GAL.
	ULMUS PARVIFOLIA	EVERGREEN ELM	15 GAL./ 24" BOX
SHRUBS/ VINES			
	BOUGAINVILLEA SP.	BARBARA KARST BOUG.	5 GAL.
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL.
	ENCELIA FARINOSA	BRITTLEBUSH	5 GAL.
	EREMOPHILA HYGROPHANA	BLUE BELLS	5 GAL.
	LEUCOPHYLLUM LAEVIGATUM	CHIHUAHUAN SAGE	5 GAL.
	NERIUM OLEANDER	'PETITE PINK' OLEANDER	5 GAL.
	RUELLIA BRITTONIANA	BRITISH RUELLIA	5 GAL.
	SENNA ARTEMISIOIDES	CASSIA	5 GAL.
	TECOMA STANS	'GOLD STAR' YELLOW BELLS	5 GAL.
ACCENTS			
	AGAVE DESMETTIANA	AGAVE	5 GAL.
	ALOE SP.	ALOE	5 GAL.
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL.
	HESPERALOE PARVIFLORA	YELLOW YUCCA	5 GAL.
	MUHLENBERGIA CAPILLARIS	REGAL MIST	1 GAL.
	MUHLENBERGIA RIGENS 'NASHVILLE'	NASHVILLE MUHLY GRASS	1 GAL.
GROUND COVER			
	ACACIA REDOLENS	DESERT CARPET	1 GAL.
	EREMOPHILA GLABRA	OUTBACK SUNRISE EMU	1 GAL.
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GAL.
	MELAMPodium LEUCANTHUM	BLACKFOOT DAISY	1 GAL.
	PENSTEMON PARRYI	PARRY'S PENSTEMON	1 GAL.
	ROSMARINUS OFFICINALIS	TRAILING ROSEMARY	1 GAL.
	RUELLIA BRITTONIANA 'KATIE'	KATIE RUELLIA	1 GAL.
INERT GROUND COVER			
	TURF	HYDROSEED BERMUDA	
	DECOMPOSED GRANITE	TBD	1/2" SCREENED (2" MIN. DEPTH)
	CONCRETE HEADER	PLAIN CONCRETE	4" W X 6" HT.
	PLAYGROUND WOOD CHIPS	FOR PLAY AREA	12" DEPTH

TRACT TABLE

TRACT TABLE			
TRACT	ACRES	SQ. FT.	USES
TRACT A	1.3811	60,159.76	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT B	1.2929	56,319.95	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT
TRACT C	0.5491	23,919.84	DEVELOPED OPEN SPACE, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT
TRACT D	0.0526	2,292.43	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT E	5.4143	235,847.55	RECREATIONAL OPEN SPACE, TOT LOT, LANDSCAPE, DRAINAGE, RETENTION, PUBLIC UTILITY EASEMENT, SIGHT VISIBILITY TRIANGLE EASEMENT, SEWER EASEMENT, TRAILS
TRACT F	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT G	0.0535	2,331.84	ADDITIONAL OPEN SPACE, LANDSCAPE
TRACT H	0.0524	2,283.40	ADDITIONAL OPEN SPACE, LANDSCAPE
TOTAL	8.8494	385,486.61	

VICINITY MAP

NOT TO SCALE



SHEET INDEX

SHEET	TITLE
PL-1	COVER SHEET/ NOTES
PL-2	PRELIMINARY LANDSCAPE PLAN
PL-3	WALL PLAN
PL-4	WALL ELEVATIONS
PL-5	OPEN SPACE AND RECREATION PLAN/ CONSERVATION PLAN/ PEDESTRIAN PATH AND TRAILS PLAN
PL-6	STREET/ PERIMETER CROSS SECTIONS
PL-7	PRELIMINARY LANDSCAPE PLAN- RENDERING

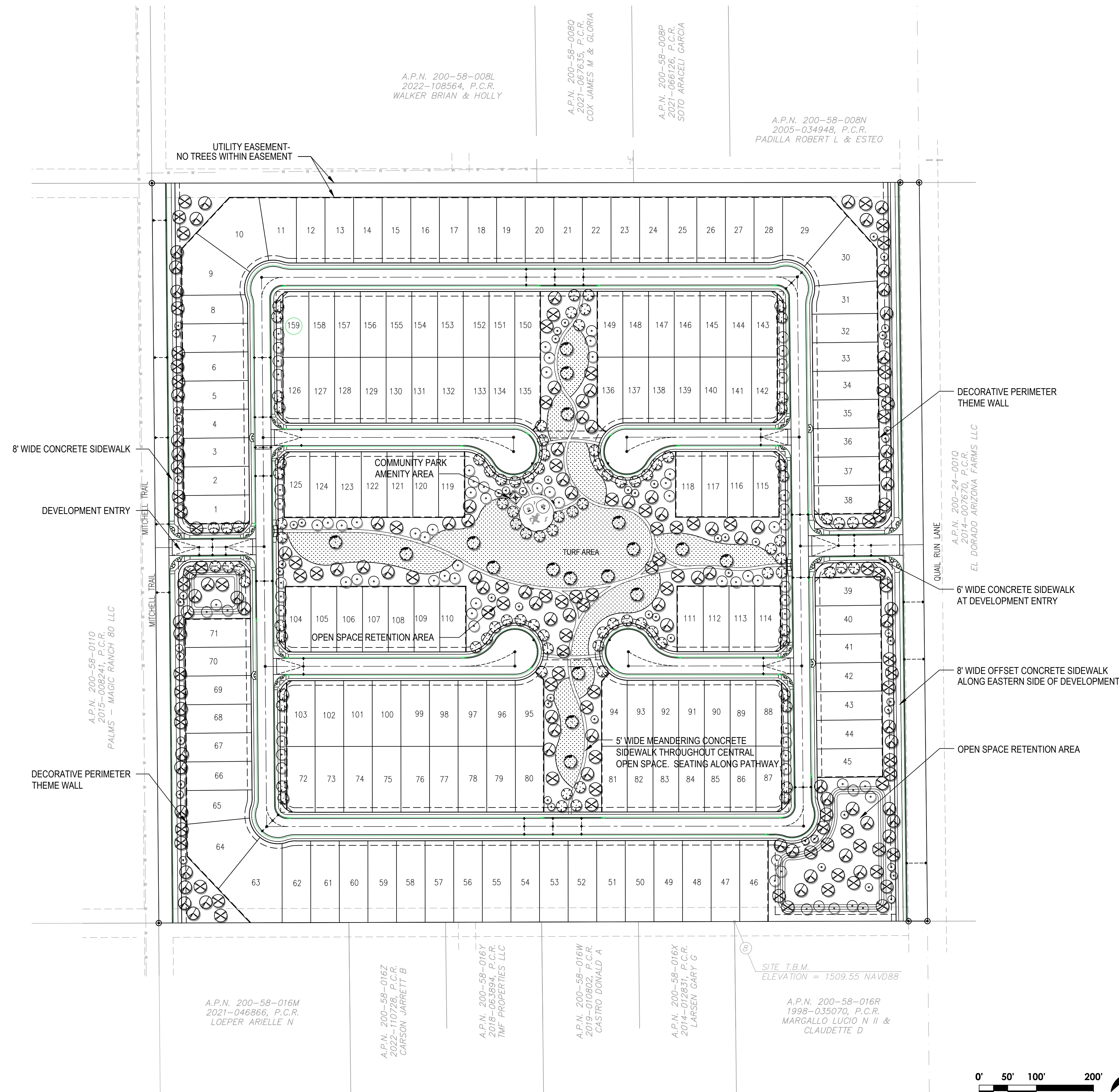
SITE DATA

GROSS ACREAGE	39.8265 AC
NET ACREAGE	37.0085 AC
AREA OF QUAIL RUN LANE R/W	1.6304 AC
AREA OF MITCHELL TRAIL R/W	1.1876 AC
AREA OF LOCAL STREET R/W	6.9022 AC
AREA OF LOTS	21.2568 AC
DEVELOPED OPEN SPACE	3.2231 AC
RECREATIONAL OPEN SPACE	5.4143 AC
ADDTL OPEN SPACE	0.2120 AC
TOTAL OPEN SPACE & LS TRACTS	8.8494 AC (22.2%)
TOTAL NUMBER OF SINGLE FAMILY LOTS	159 LOTS
GROSS DENSITY	3.99 DU/AC
AVERAGE AREA PER LOT	5.823 SF



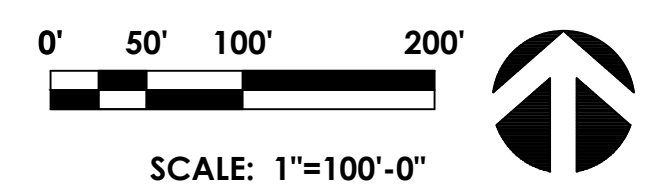
DATE: 6.1.23
 JOB NO: 2305
 DRAWN BY: EL

REVISIONS



PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	ACACIA SALICINA	WILLOW ACACIA	15 GAL.
	CAESALPINIA CACALACO	THORNLESS CASCALOTE	15 GAL.
	FRAXINUM SP. 'RIO GRANDE'	FAN-TEX ASH	15 GAL/ 24" BOX
	PARKINSONIA X. 'DESERT MUSEUM'	DESERT MUSEUM	15 GAL.
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH PISTACHE	15 GAL/ 24" BOX
	PROSOPIS CHILENSIS	THORNLESS MESQUITE	15 GAL.
	ULMUS PARVIFOLIA	EVERGREEN ELM	15 GAL/ 24" BOX
SHRUBS/ VINES			
	BOUGAINVILLEA SP.	BARBARA KARST BOUG.	5 GAL.
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL.
	ENCELIA FARINOSA	BRITTLEBUSH	5 GAL.
	EREMOPHILA HYGROPHANA	BLUE BELLS	5 GAL.
	LEUCOPHYLLUM LAEVIGATUM	CHIHUAHUAN SAGE	5 GAL.
	NERIUM OLEANDER	'PETITTE PINK' OLEANDER	5 GAL.
	RUELLIA BRITTONIANA	BRITISH RUELLIA	5 GAL.
	SENNA ARTEMISIOIDES	CASSIA	5 GAL.
	TECOMA STANS	'GOLD STAR' YELLOW BELLS	5 GAL.
ACCENTS			
	AGAVE DESMETTIANA	AGAVE	5 GAL.
	ALOE SP.	ALOE	5 GAL.
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL.
	HESPERALOE PARVIFLORA	YELLOW YUCCA	5 GAL.
	MUHLENBERGIA CAPILLARIS	REGAL MIST	1 GAL.
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GROUNDCOVER			
	ACACIA REDOLENS	DESERT CARPET	1 GAL.
	EREMOPHILA GLABRA	OUTBACK SUNRISE EMU	1 GAL.
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GAL.
	MELAMPodium LEUCANTHUM	BLACKFOOT DAISY	1 GAL.
	PENSTEMON PARRYI	PARRY'S PENSTEMON	1 GAL.
	ROSMARINUS OFFICINALIS	TRAILING ROSEMARY	1 GAL.
	RUELLIA BRITTONIANA 'KATIE'	KATIE RUELLIA	1 GAL.
	TURF	HYDROSEED BERMUDA	
INERT GROUNDCOVER			
	DECOMPOSED GRANITE	TBD	1/2" SCREENED (2" MIN. DEPTH)
	CONCRETE HEADER	PLAIN CONCRETE	4" W X 6" HT.
	PLAYGROUND WOOD CHIPS	FOR PLAY AREA	12" DEPTH



MAGIC RANCH 40
PINAL COUNTY, ARIZONA
PRELIMINARY LANDSCAPE PLAN
PRELIMINARY LANDSCAPE PLAN

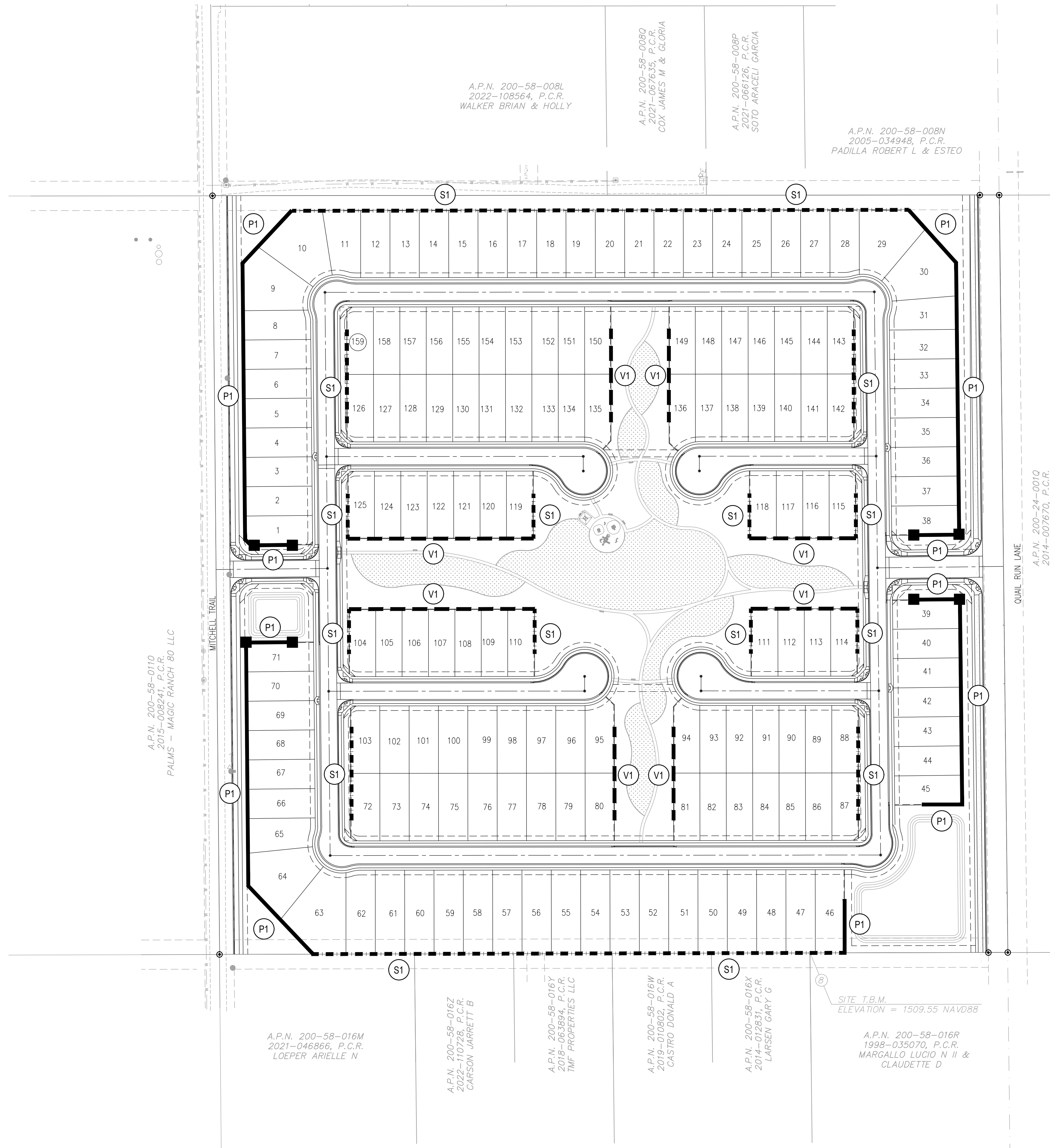


DATE: 6.1.23
JOB NO: 2305
DRAWN BY: EL

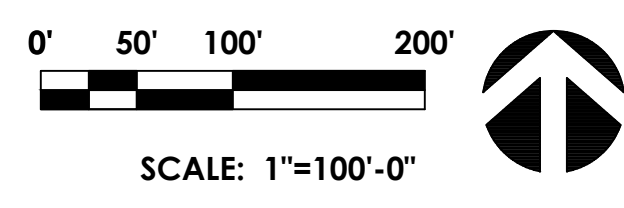
REVISIONS

PRELIMINARY - NOT FOR CONSTRUCTION

SHEET



- ### WALL KEY NOTES
- 6' HT. PRIMARY THEME WALL.
 - 6' HT. STANDARD 4" X 8" X 16" BLOCK WALL
 - VIEW FENCE- 2' W.I. OVER 4' CMU
 - 6' HT., 2' X 2' CMU BLOCK COLUMN.
- NOTE: NO SIGNAGE FOR THIS PARCEL.
- ALL PERIMETER AND INTERIOR WALLS NOT NOTED ABOVE SHALL BE STANDARD 4" X 8" X 16" CMU FENCE BLOCK UNLESS SPECIFIED OTHERWISE BY OWNER. OWNER TO SELECT PAINT COLOR.



MAGIC RANCH 40
 PINAL COUNTY, ARIZONA
PRELIMINARY LANDSCAPE PLAN
PRELIMINARY WALL PLAN

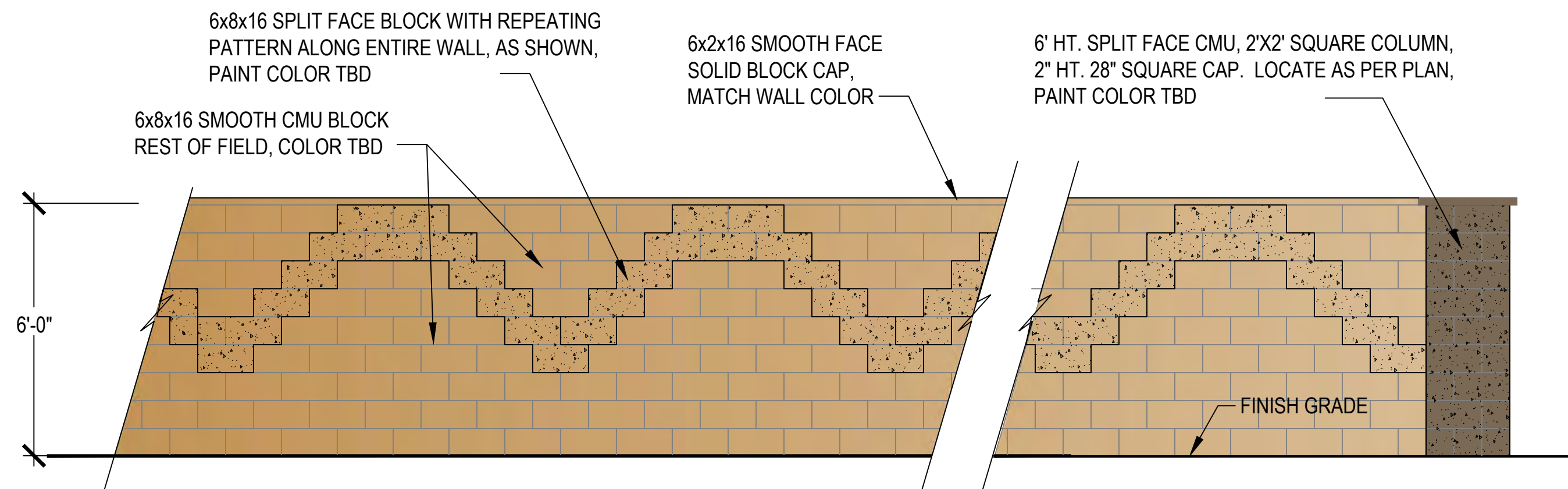


DATE: 6.1.23
 JOB NO: 2305
 DRAWN BY: EL

REVISIONS

PRELIMINARY-
 NOT FOR
 CONSTRUCTION

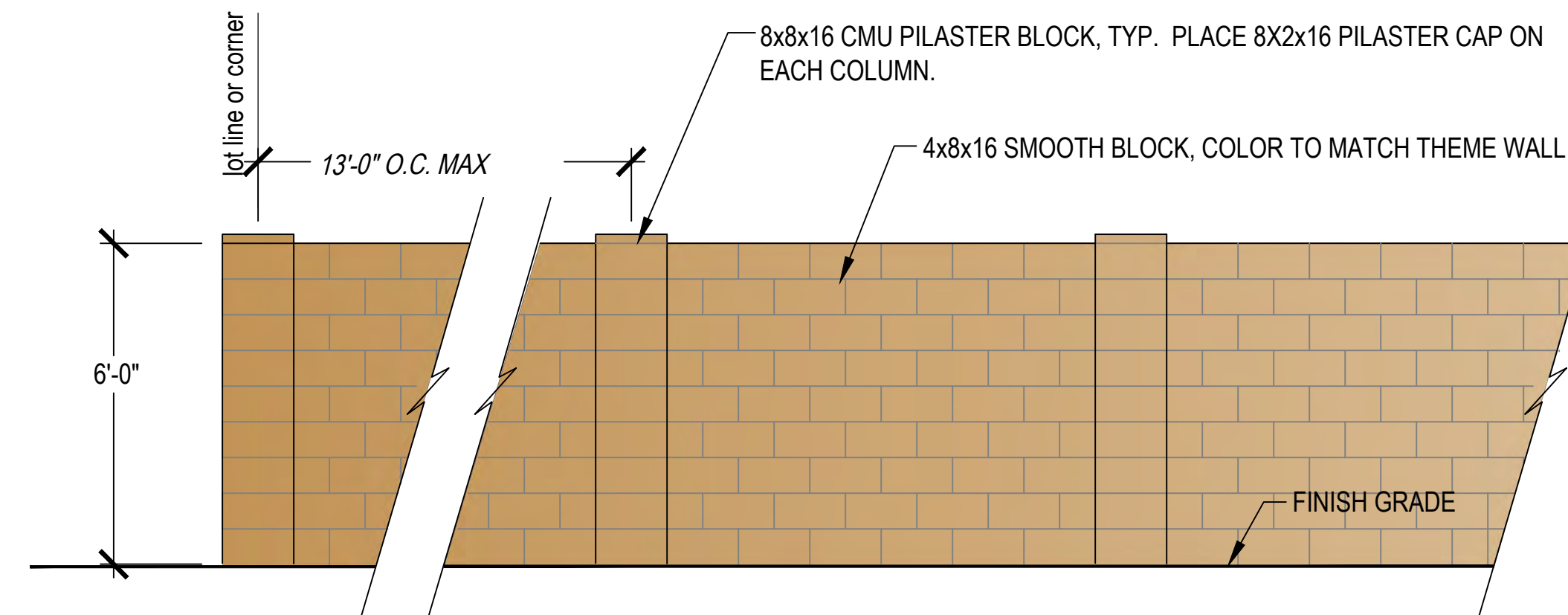
SHEET



P1 PRIMARY THEME WALL

NOTE: THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS TO THE LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE BEGINNING OF CONSTRUCTION.

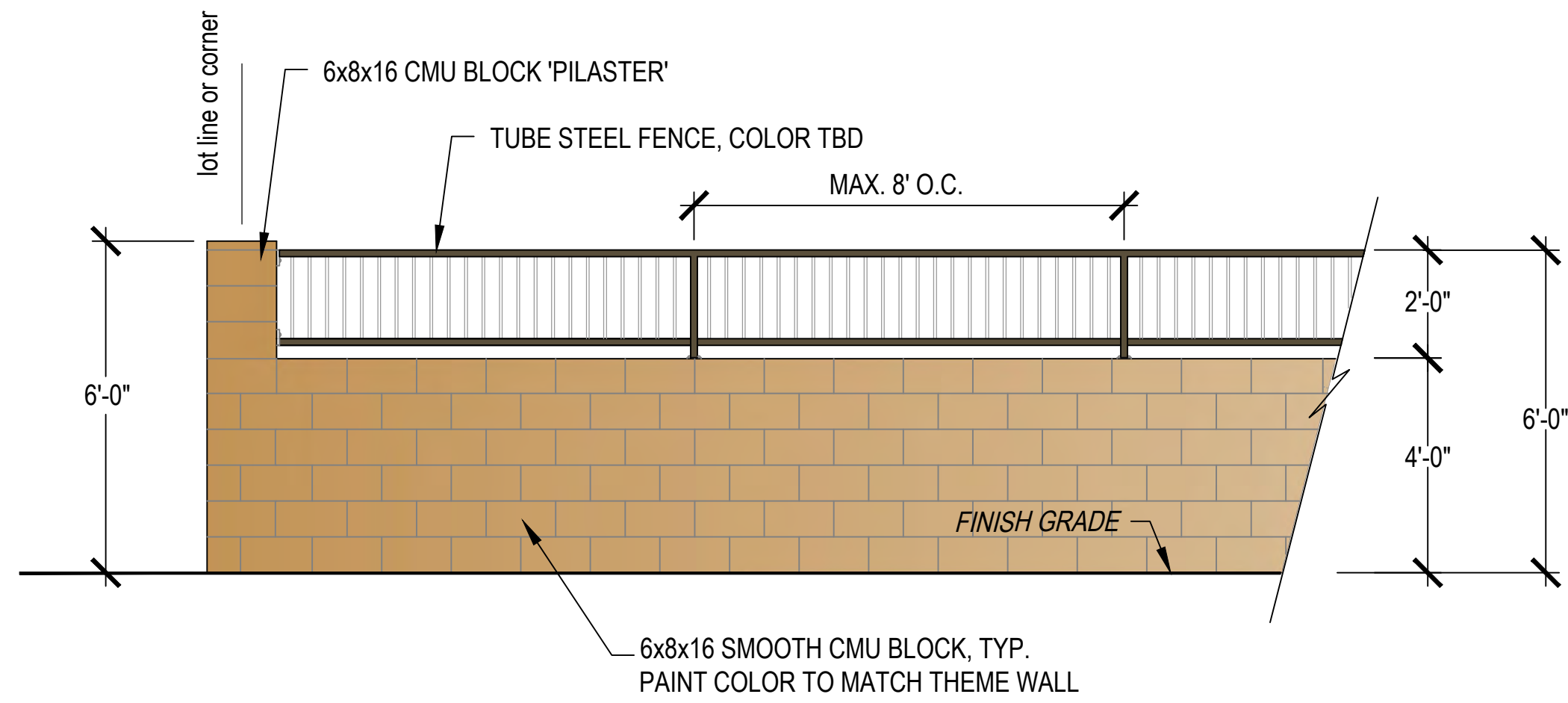
NTS



S1 STANDARD BLOCK WALL

NOTE: THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS TO THE LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE BEGINNING OF CONSTRUCTION.

NTS



V1 VIEW FENCE- 2' W.I. OVER 4' CMU

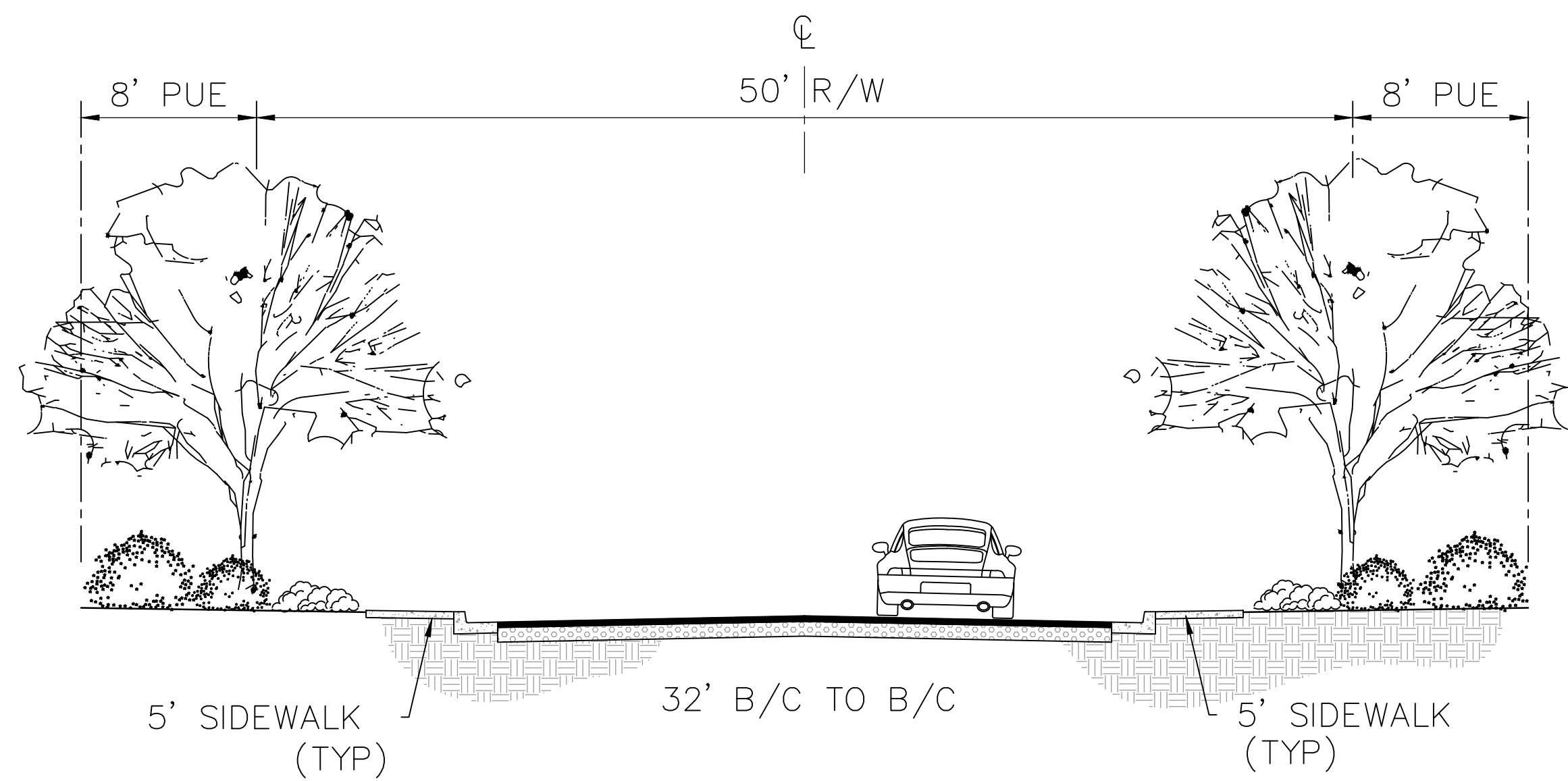
NOTE: THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS TO THE LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO THE BEGINNING OF CONSTRUCTION.

NTS



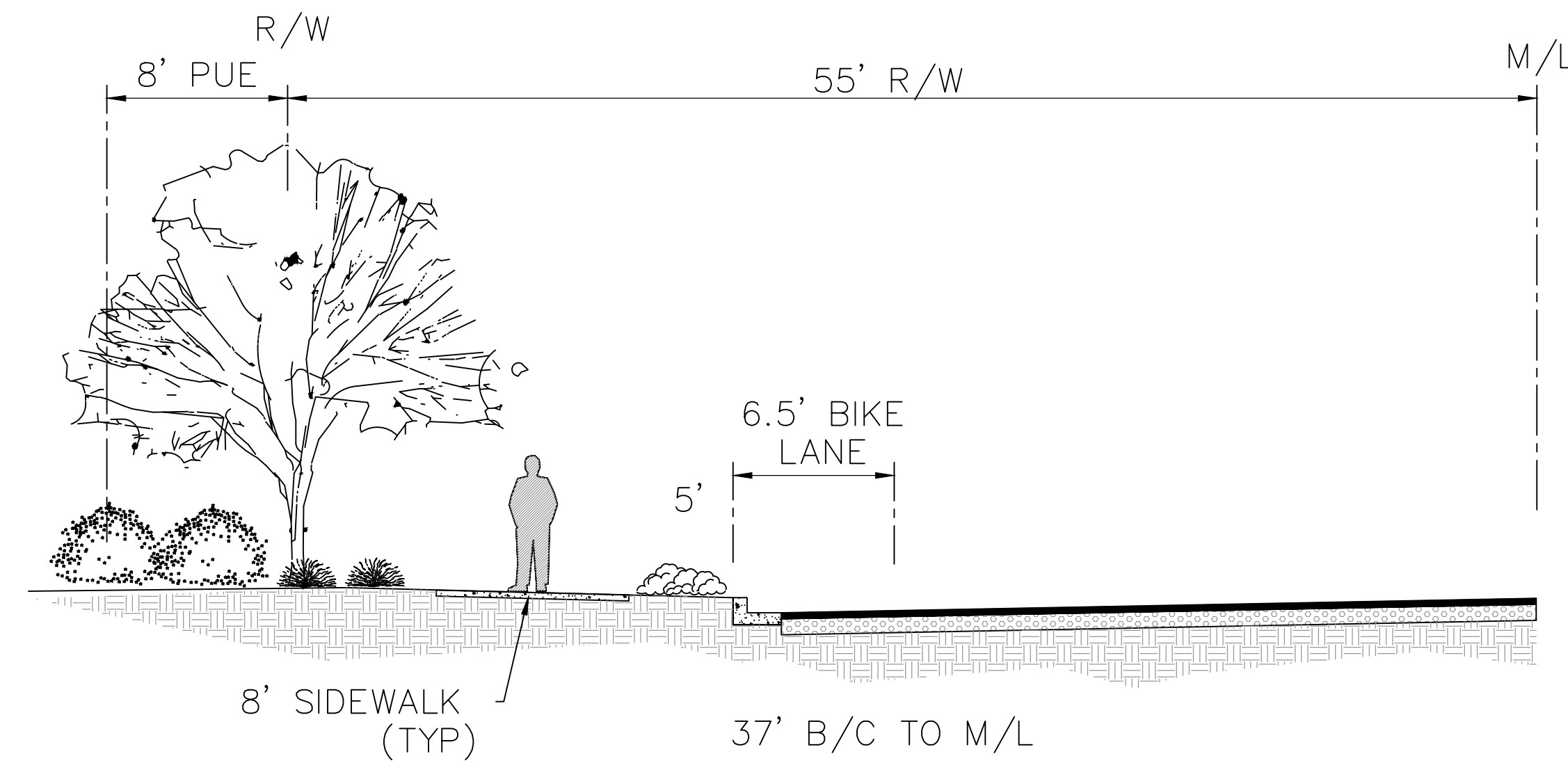
DATE: 6.1.23
JOB NO: 2305
DRAWN BY: EL

REVISIONS



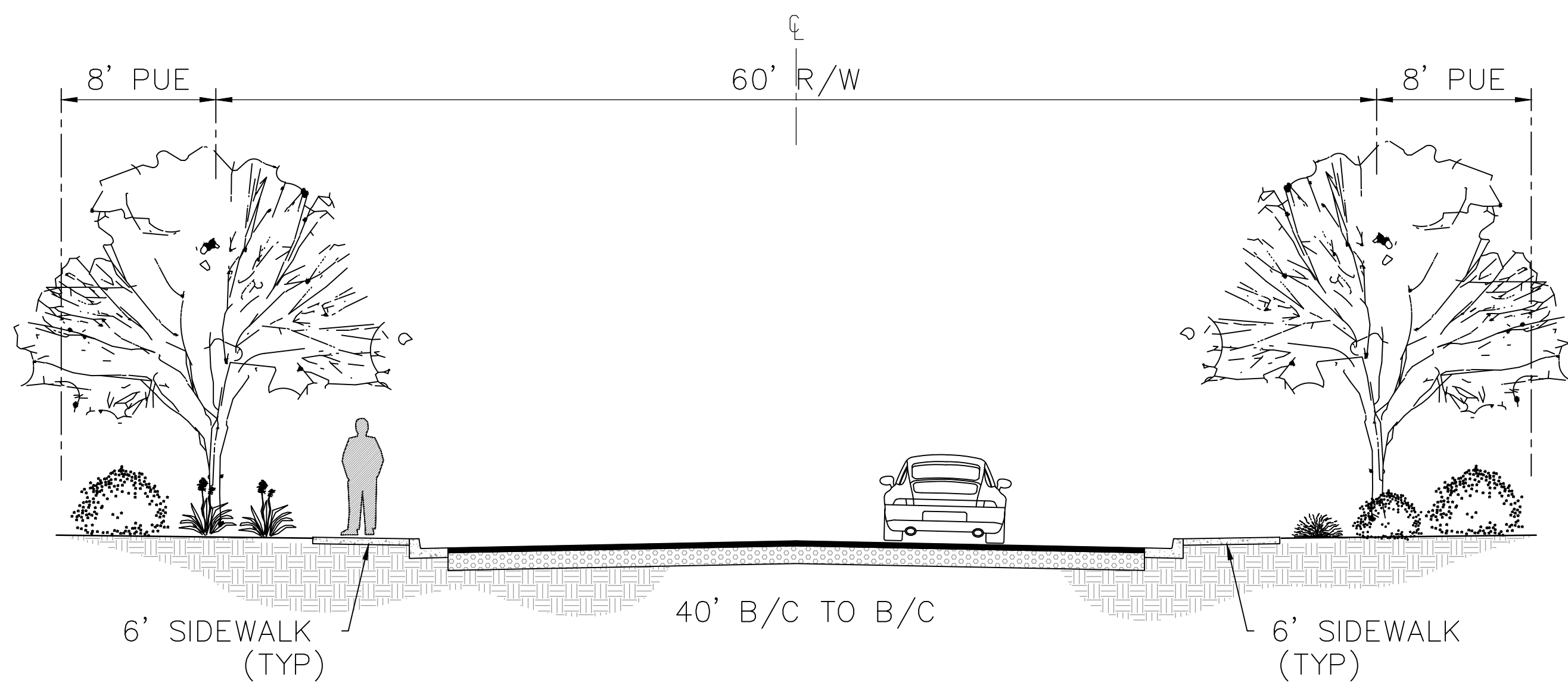
50' LOCAL STREET SECTION

N.T.S.



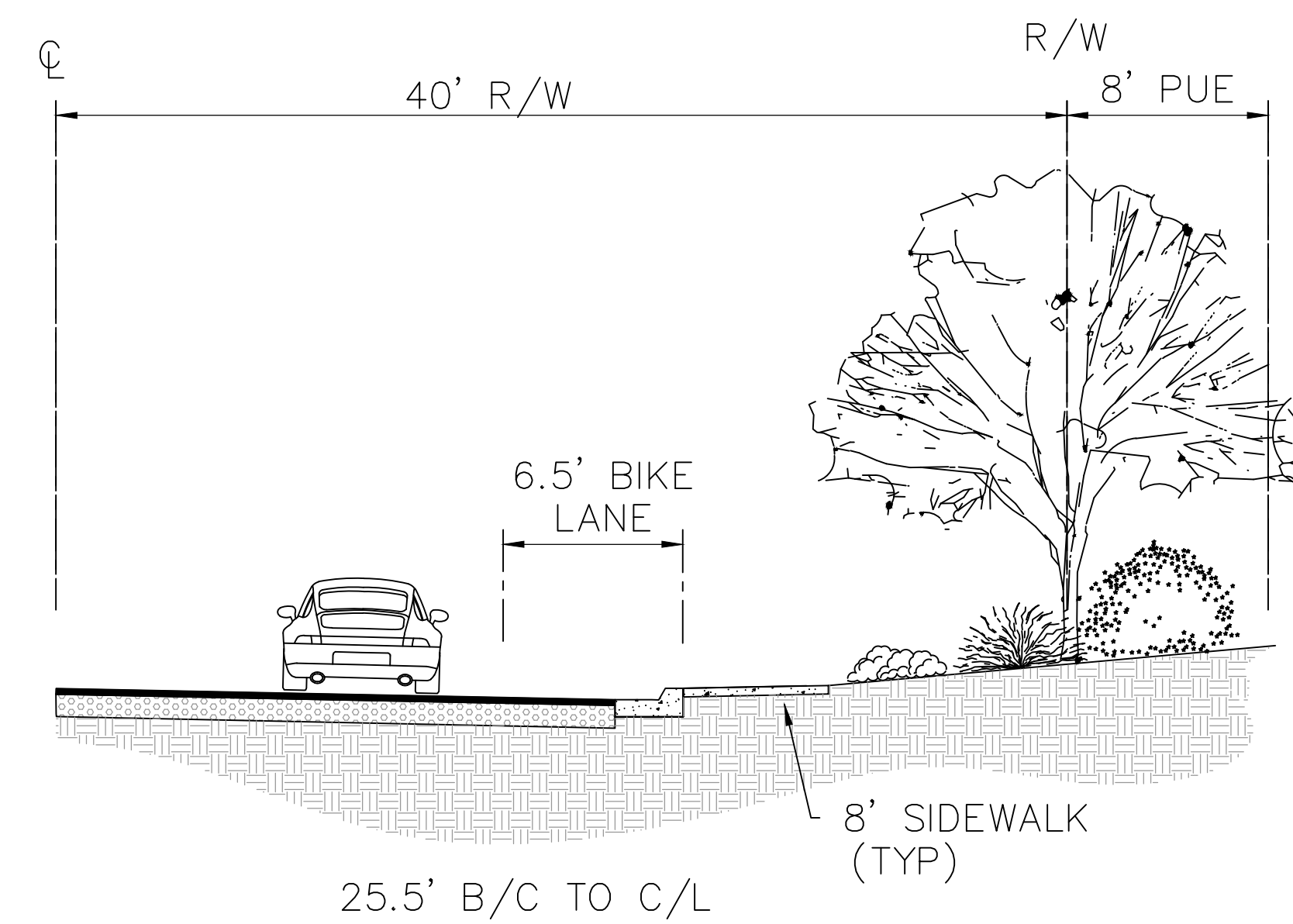
MINOR ARTERIAL HALF STREET SECTION

QUAIL RUN LANE (LOOKING NORTH)
N.T.S.



MINOR COLLECTOR STREET SECTION

STREET CONNECTION TO QUAIL RUN LANE
N.T.S.



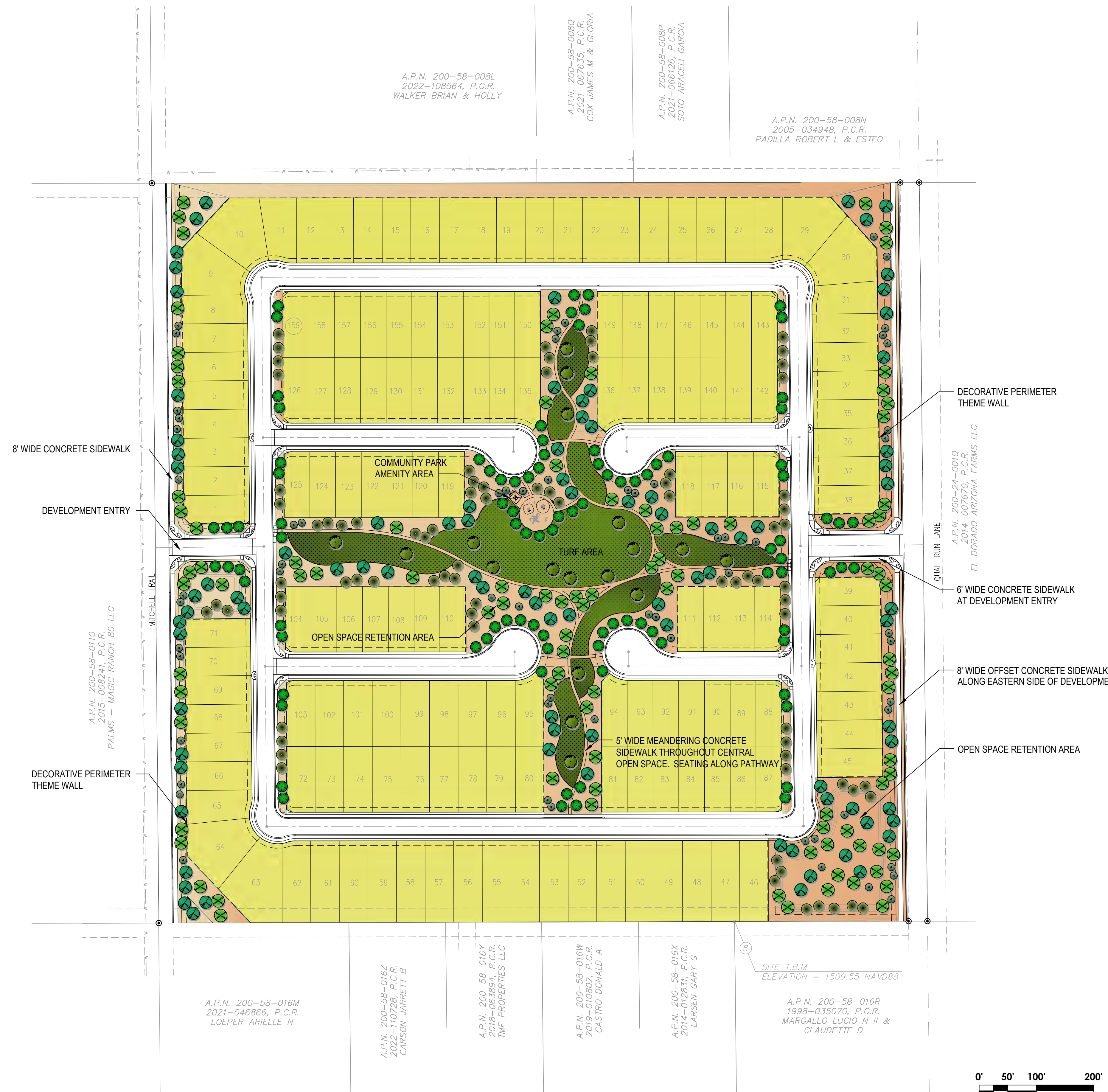
MAJOR COLLECTOR HALF STREET SECTION

MITCHELL TRAIL (LOOKING NORTH)
N.T.S.



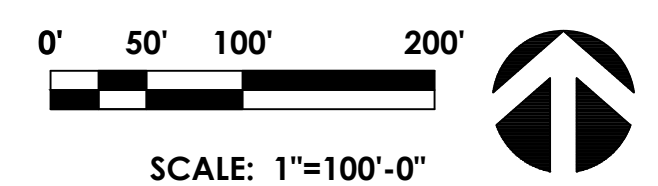
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REVISIONS



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INERT GROUNDCOVER			
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	CONCRETE HEADER	PLAIN CONCRETE	4" W X 6" HT.
	PLAYGROUND WOOD CHIPS	FOR PLAY AREA	12" DEPTH



DATE: 6.1.23
JOB NO: 2305
DRAWN BY: EL

REVISIONS

PRELIMINARY-
NOT FOR
CONSTRUCTION

SHEET

Appendix C

Arizona State Museum Record Check

Sean Hamill
United Engineering Group
3205 W Ray Road, Ste 1
Chandler, AZ 85226

March 10, 2023

RE: Magic Ranch 40
Parcel 200-58-012

Dear Sean,

The Arizona State Museum (ASM) has reviewed archaeological project and site records in support of the following project:

United Engineering Group's Magic Ranch 40 project (ASM Job No. 005421)

Correspondence indicates this project will involve the development of privately-owned land with the intent of single family development. The project area is located at the unaddressed location in Pinal County, and encompasses parcel 200-58-012 within Township 4 South, Range 8 East, Section 2.

I invite you to review the results of ASM's research, which are summarized below.

Search Results:

According to a search of the archaeological site records and reports held in ASM collections, seventeen archaeological investigations were conducted within a one-mile radius of the project area between 1974 and 2009. Of these seventeen archaeological investigations, one intersects a portion of the project area.

For the one archaeological investigation that intersects the project area, Table 1 summarizes its basic information and scope.

Additionally, four ASM archaeological sites have been identified within a one-mile radius of the project area. Of these four archaeological sites, none intersect the project area.

ASM Reference Number (AZProj/Accession)	Report Citation	Year(s) Conducted	Scope of Project	Partial or Entire Coverage of Current Project Area
1987-222	Bruder 1986 & O'Brien et al. 1987	1986-1987	Row clearance for buried fiber optics	Partial

Table 1. ASM archaeological investigations that intersect the project area.

Recommendations and Responsibilities:

1. Since a portion of the project area has not been subject to prior archaeological survey, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

Additionally, in the portions of the project area that have been previously surveyed, the work was conducted thirty-six years ago. It is standard archaeological practice for a property to be re-surveyed if the previous survey was conducted 10 or more years ago, as there is a possibility for previously unidentified archaeological sites to have since been exposed. For this reason, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

A list of archaeological contractors is available on the ASM website at:
<https://statemuseum.arizona.edu/crm/document/aaa-qualified-consultants>

2. Pursuant to Arizona Revised Statute §41-865, if any human remains or funerary objects are encountered during project work, all work must stop within the area of the remains and the ASM Repatriation Office must be contacted at 520-626-0320.

3. City, county, or municipal governments may have their own requirements. Therefore, ASM recommends that the relevant jurisdiction(s) be consulted.

If you have any questions about the results of this records search, please feel free to contact me at dophelps@arizona.edu or 520-621-4011.

Best,



Danielle Phelps, Ph.D.
 Research Specialist
 Archaeological Records Office
 Arizona State Museum
 520-621-4011
dophelps@arizona.edu

Arizona Environmental Online Review Tool Report



Arizona Game and Fish Department Mission

To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

Project Name:

Magic Ranch - Parcel N

Project Description:

40 Acre Single Family Subdivisions.

Project Type:

Development Outside Municipalities (Rural Development), Residential subdivision and associated infrastructure, New construction

Contact Person:

Sean Hamill

Organization:

United Engineering Group

On Behalf Of:

PINAL

Project ID:

HGIS-18825

Please review the entire report for project type and/or species recommendations for the location information entered. Please retain a copy for future reference.

Disclaimer:

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. Arizona Wildlife Conservation Strategy (AWCS), specifically Species of Greatest Conservation Need (SGCN), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

Locations Accuracy Disclaimer:



Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.

Recommendations Disclaimer:

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:
Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366
Or
PEP@azgfd.gov
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

Magic Ranch - Parcel N USA Topo Basemap With Locator Map



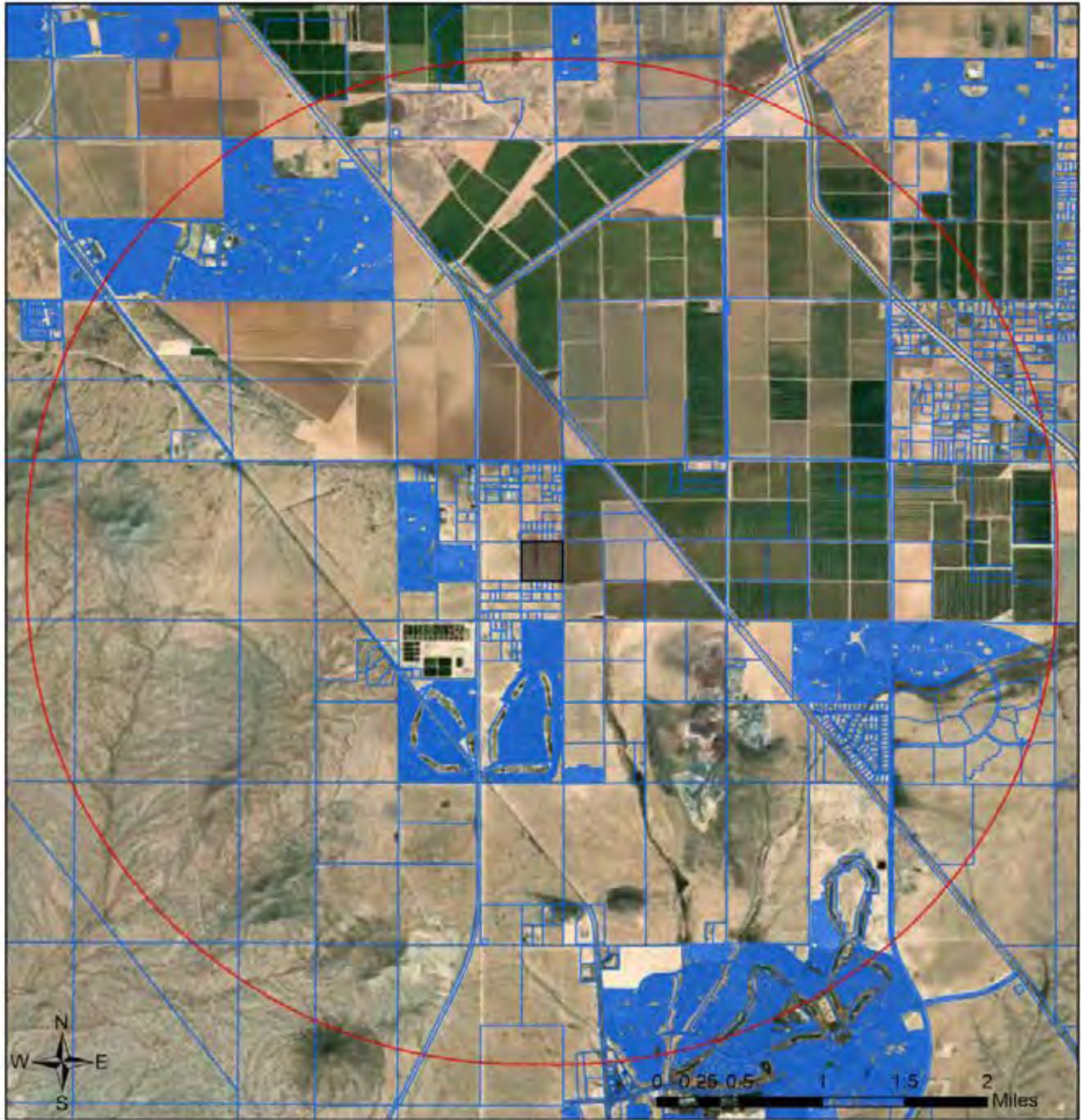
-  Buffered Project Boundary
-  Project Boundary

Project Size (acres): 40.17
Lat/Long (DD): 33.1094 / -111.4929
County(s): Pinal
AGFD Region(s): Mesa
Township/Range(s): T4S, R8E
USGS Quad(s): FLORENCE

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Magic Ranch - Parcel N Web Map As Submitted By User

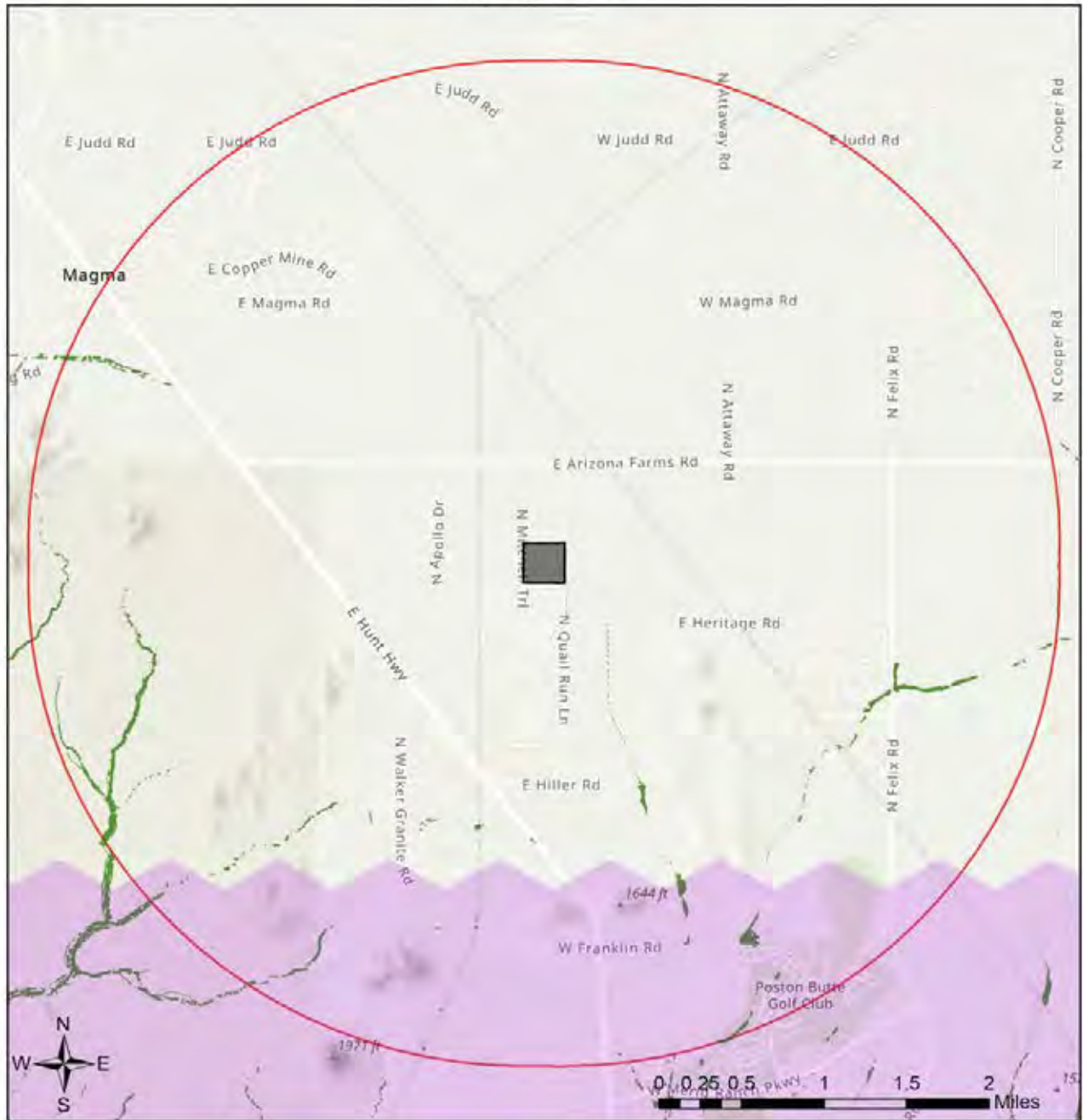


- id_pinal
- Buffered Project Boundary
- Project Boundary

Project Size (acres): 40.17
Lat/Long (DD): 33.1094 / -111.4929
County(s): Pinal
AGFD Region(s): Mesa
Township/Range(s): T4S, R8E
USGS Quad(s): FLORENCE

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Magic Ranch - Parcel N Important Areas



- Buffered Project Boundary
- Project Boundary
- Important Bird Areas
- Critical Habitat
- Pinal County Riparian
- Important Connectivity Zones
- Wildlife Connectivity

Project Size (acres): 40.17
 Lat/Long (DD): 33.1094 / -111.4929
 County(s): Pinal
 AGFD Region(s): Mesa
 Township/Range(s): T4S, R8E
 USGS Quad(s): FLORENCE

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Magic Ranch - Parcel N

Township/Ranges and Land Ownership



- | | |
|---------------------------|------------------------|
| Buffered Project Boundary | National Park/Mon. |
| Project Boundary | Private |
| AZ Game & Fish Dept. | State & Regional Parks |
| BLM | State Trust |
| BOR | US Forest Service |
| Indian Res. | Wildlife Area/Refuge |
| Military | Township/Ranges |
| Mixed/Other | |

Project Size (acres): 40.17
 Lat/Long (DD): 33.1094 / -111.4929
 County(s): Pinal
 AGFD Region(s): Mesa
 Township/Range(s): T4S, R8E
 USGS Quad(s): FLORENCE

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystrelen, Rykswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Special Status Species Documented within 3 Miles of Project Vicinity

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		2
Lepus alleni	Antelope Jackrabbit					2

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>

Special Areas Documented that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Riparian Area	Riparian Area					

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Ammospermophilus harrisi	Harris' Antelope Squirrel					
Anthus spragueii	Sprague's Pipit	SC				2
Aquila chrysaetos	Golden Eagle			S		2
Artemisiospiza nevadensis	Sagebrush Sparrow					
Athene cunicularia hypugaea	Western Burrowing Owl	SC	S	S		2
Auriparus flaviceps	Verdin					2
Buteo regalis	Ferruginous Hawk	SC		S		2
Buteo swainsoni	Swainson's Hawk					2
Calypte costae	Costa's Hummingbird					2
Campylorhynchus brunneicapillus	Cactus Wren					2
Catharus ustulatus	Swainson's Thrush					2
Charadrius montanus	Mountain Plover	SC				2
Chilomeniscus stramineus	Variable Sandsnake					2
Coccyzus americanus	Yellow-billed Cuckoo (Western DPS)					
Colaptes chrysoides	Gilded Flicker			S		2
Columbina inca	Inca Dove					2
Corynorhinus townsendii pallescens	Pale Townsend's Big-eared Bat	SC	S	S		1
Cynanthus latirostris	Broad-billed Hummingbird		S			2
Empidonax wrightii	Gray Flycatcher					2
Eumops perotis californicus	Greater Western Bonneted Bat					
Falco mexicanus	Prairie Falcon					2
Falco peregrinus anatum	American Peregrine Falcon					
Falco sparverius	American Kestrel					2
Gopherus morafkai	Sonoran Desert Tortoise	CCA	S	S		1
Icterus bullockii	Bullock's Oriole					2

Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Incilius alvarius</i>	Sonoran Desert Toad					2
<i>Lanius ludovicianus</i>	Loggerhead Shrike	SC				2
<i>Lasiurus blossevillii</i>	Western Red Bat		S			2
<i>Lasiurus cinereus</i>	Hoary Bat					2
<i>Lasiurus xanthinus</i>	Western Yellow Bat		S			2
<i>Lepus alleni</i>	Antelope Jackrabbit					2
<i>Lithobates yavapaiensis</i>	Lowland Leopard Frog	SC	S	S		1
<i>Macrotus californicus</i>	California Leaf-nosed Bat	SC		S		2
<i>Megascops kennicottii</i>	Western Screech-owl					
<i>Melanerpes uropygialis</i>	Gila Woodpecker					2
<i>Melospiza lincolni</i>	Lincoln's Sparrow					2
<i>Micrathene whitneyi</i>	Elf Owl					
<i>Myotis auriculus</i>	Southwestern Myotis					2
<i>Myotis velifer</i>	Cave Myotis	SC		S		2
<i>Myotis yumanensis</i>	Yuma Myotis	SC				2
<i>Nyctinomops femorosaccus</i>	Pocketed Free-tailed Bat					2
<i>Parabuteo unicinctus</i>	Harris's Hawk					2
<i>Passerculus sandwichensis</i>	Savannah Sparrow					2
<i>Perognathus amplus</i>	Arizona Pocket Mouse					2
<i>Phrynosoma solare</i>	Regal Horned Lizard					2
<i>Poocetes gramineus</i>	Vesper Sparrow					2
<i>Spizella breweri</i>	Brewer's Sparrow					2
<i>Tadarida brasiliensis</i>	Brazilian Free-tailed Bat					
<i>Toxostoma bendirei</i>	Bendire's Thrasher					2

Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Callipepla gambelii</i>	Gambel's Quail					
<i>Odocoileus hemionus</i>	Mule Deer					
<i>Zenaida asiatica</i>	White-winged Dove					
<i>Zenaida macroura</i>	Mourning Dove					

Project Type: Development Outside Municipalities (Rural Development), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

Fence recommendations will be dependent upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (<https://new.azwater.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at PEP@azgfd.gov or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/Wildlife/LivingWith>.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly at PEP@azgfd.gov.

Project Location and/or Species Recommendations:

This review has identified **riparian areas** within the vicinity of your project. During the planning stage of your project, avoid, minimize, or mitigate any potential impacts to riparian areas identified in this report. Riparian areas play an important role in maintaining the functional integrity of the landscape, primarily by acting as natural drainages that convey water through an area, thereby reducing flood events. In addition, riparian areas provide important movement corridors and habitat for fish and wildlife. Riparian areas are channels that contain water year-round or at least part of the year. Riparian areas also include those channels which are dry most of the year, but may contain or convey water following rain events. All types of riparian areas offer vital habitats, resources, and movement corridors for wildlife. The Pinal County Comprehensive Plan (i.e. policies 6.1.2.1 and 7.1.2.4), Open Space and Trails Master Plan, Drainage Ordinance, and Drainage Design Manual all identify riparian area considerations, guidance, and policies. Guidelines to avoid, minimize, or mitigate impacts to riparian habitat can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>. Based on the project type entered, further consultation with the Arizona Game and Fish Department and Pinal County may be warranted.

HDMS records indicate that **Western Burrowing Owls** have been documented within the vicinity of your project area. Please review the western burrowing owl resource page at: <https://www.azgfd.com/wildlife/speciesofgreatestconservneed/burrowingowlmanagement/>.

Sean Hamill
United Engineering Group
3205 W Ray Road, Ste 1
Chandler, AZ 85226

March 10, 2023

RE: Magic Ranch 40
Parcel 200-58-012

Dear Sean,

The Arizona State Museum (ASM) has reviewed archaeological project and site records in support of the following project:

United Engineering Group's Magic Ranch 40 project (ASM Job No. 005421)

Correspondence indicates this project will involve the development of privately-owned land with the intent of single family development. The project area is located at the unaddressed location in Pinal County, and encompasses parcel 200-58-012 within Township 4 South, Range 8 East, Section 2.

I invite you to review the results of ASM's research, which are summarized below.

Search Results:

According to a search of the archaeological site records and reports held in ASM collections, seventeen archaeological investigations were conducted within a one-mile radius of the project area between 1974 and 2009. Of these seventeen archaeological investigations, one intersects a portion of the project area.

For the one archaeological investigation that intersects the project area, Table 1 summarizes its basic information and scope.

Additionally, four ASM archaeological sites have been identified within a one-mile radius of the project area. Of these four archaeological sites, none intersect the project area.

ASM Reference Number (AZProj/Accession)	Report Citation	Year(s) Conducted	Scope of Project	Partial or Entire Coverage of Current Project Area
1987-222	Bruder 1986 & O'Brien et al. 1987	1986-1987	Row clearance for buried fiber optics	Partial

Table 1. ASM archaeological investigations that intersect the project area.

Recommendations and Responsibilities:

1. Since a portion of the project area has not been subject to prior archaeological survey, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

Additionally, in the portions of the project area that have been previously surveyed, the work was conducted thirty-six years ago. It is standard archaeological practice for a property to be re-surveyed if the previous survey was conducted 10 or more years ago, as there is a possibility for previously unidentified archaeological sites to have since been exposed. For this reason, ASM recommends—but does not require—that a qualified archaeological contractor be consulted before any ground-disturbing activity begins.

A list of archaeological contractors is available on the ASM website at:
<https://statemuseum.arizona.edu/crm/document/aaa-qualified-consultants>

2. Pursuant to Arizona Revised Statute §41-865, if any human remains or funerary objects are encountered during project work, all work must stop within the area of the remains and the ASM Repatriation Office must be contacted at 520-626-0320.

3. City, county, or municipal governments may have their own requirements. Therefore, ASM recommends that the relevant jurisdiction(s) be consulted.

If you have any questions about the results of this records search, please feel free to contact me at dophelps@arizona.edu or 520-621-4011.

Best,



Danielle Phelps, Ph.D.

Research Specialist
Archaeological Records Office
Arizona State Museum
520-621-4011
dophelps@arizona.edu

References:

Bruder, J.S.

1986 *Cultural Resource Technical Report for the U.S. Telecom Fiber Optic Cable Project from San Timoteo, CA to Socono, TX. The Arizona Segment. Vol 1.* Dames & More, Phoenix, Arizona.

O'Brien, P., J.S. Bruder, D.A. Gregory, A.E. Rogge, and D. A. Hull

1987 *Cultural Resource Technical Report for the U.S. Telecom Fiber Optic Cable Project from San Timoteo, CA to Socono, TX. The Arizona Segment. Vol 2.* Dames & More, Phoenix, Arizona.

Appendix A: Comprehensive Plan Compliance Checklist

Purpose:

Provide guidance to ensure conformity of development proposals with the Pinal County Comprehensive Plan.

Intent:

1. Explain how to determine if development proposals are compatible with the Comprehensive Plan.
2. Explain why unique conditions exist to deviate from the Plan.

The Pinal County Comprehensive Plan graphics, Land Use, Circulation (two graphics), and Economic Development, are not intended to be zoning maps that outlines specific locations and parcel-by-parcel determination for land uses and facilities. The Comprehensive Plan's intent is to provide policy direction and a framework for how the Pinal County "development form" or layout should occur over time. It is not the intent to predetermine specifically where land uses must occur. Guidelines within the Land Use element provide direction on development and how it relates to transportation corridors, surrounding land uses, public facilities, and natural environment.

Determination:

Comprehensive Plan Compliance is determined by the development's conformity with the Comprehensive Plan's land use designations (Land Use graphic and Land Use element text) and activity centers (Land Use and Economic Development graphics and Economic Development element text) as well as the goals, objectives, policies and guidelines outlined in the Pinal County Comprehensive Plan. Planning guidelines for each of the land use designations and Activity Centers are also included in the Land Use element. It is important to note that all components and concepts may not apply to every potential proposal.

Organization:

The Compliance Checklist focuses on two major components:

1. Consistency with Pinal County's Vision Components
2. Consistency with the Plan's Key Concepts illustrated on Land Use, Circulation, and Economic Development graphics.

How Is the Checklist Used?

Various concepts are discussed and a "YES" checkbox is provided to indicate if the proposal complies with the key concepts of the Plan.

- If a project complies, it receives a ✓ in the appropriate box.
- If it does not comply, the checkbox will remain blank, and additional information would need to be provided to explain the unique circumstance, if applicable.

- If a project has no relation to a particular check list item, a “non applicable” response is acceptable with a brief explanation.

Who Should Use the Checklist?

Developers, staff, and decision-makers should use the Comprehensive Plan Compliance Checklist.

- ✓ Developers should use this checklist as a guide to the Plan’s policies in the early stages of a development proposal and when submitting an application for review.
- ✓ Staff should use it to review development proposals and to make recommendations to decision-makers. The checklist can assist in developing the staff report.
- ✓ Decision-makers can use the checklist to better understand how well a proposal does or does not comply with the Pinal County Comprehensive Plan.

PART ONE

Consistency with Pinal County’s Vision Components

The Pinal County Comprehensive Plan is a vision-based plan that provides the framework that all decisions related to growth and development are measured against. The following is intended to describe how the proposal meets the various vision components.

Pinal County Vision The County recognizes the importance of the region’s strategic location between the Phoenix and Tucson Metropolitan Areas and its relationship to the overall well-being of the state of Arizona. What happens in Pinal County does not stay in Pinal County; the decisions made here will impact the entire state on many levels: business development, mobility, land management, air quality, water, and overall quality of life. People choose Pinal County for the diverse opportunities it offers; this diversity is what makes Pinal County unique but also represents a challenge as Pinal County continues to grow and change.

Pinal County is a place where history, culture and heritage are the foundation for its future. Pinal County will be seen as a leader in environmental stewardship and conservation practices by ensuring that the natural environment is preserved, yet still available to be discovered. Pinal County provides quality educational and training opportunities placing residents in cutting edge, environmentally-compatible jobs within the County. While communities within Pinal County retain and celebrate their unique qualities, governments and agencies share a collaborative spirit to ensure successes across Pinal County and remain responsive and accountable to their constituents.

Sense of Community—Pinal County is a collection of unique communities, each of which has something special to offer residents and visitors. Balancing emerging urban centers and Pinal County’s rural character is important to residents; ensuring that the threads of Pinal County’s history, heritage, and culture are woven into its future is what makes Pinal County unique from other regions. Ensuring places exist for people to gather and for communities to showcase the diversity of places, people, lifestyles, cultures, and opportunities will help to define Pinal County’s identity.

The proposal:

Is consistent with the **Sense of Community** vision component

Please explain:

Mobility and Connectivity—Ensuring Pinal County has adequate transportation corridors and a variety of multimodal transportation options addressing all populations is essential for moving goods and people throughout the County and State with minimal affect on Pinal County’s native wildlife. Offering multiple mobility and communication options, to effectively connect communities and activity centers throughout the County, will reduce congestion and improve air quality while enhancing the area’s quality of life.

The proposal:

Is consistent with the **Mobility and Connectivity** vision component

Please explain:

Economic Sustainability—Expanding opportunities for residents to live, work, learn, and play in close proximity promotes long-term economic viability. Pinal County desires activity centers that serve the current and future residents’ needs offering services, businesses and employment opportunities, including high-tech and environmentally-friendly employers who champion Pinal County’s conservation philosophy. The creation of the full range of quality jobs that allow residents to start their career, raise a family, and move up instead of out of Pinal County for career advancement is essential. (This may not apply to all projects)

The proposal:

Is consistent with the **Economic Sustainability** vision component

Please explain:

Open Spaces and Places—Residents value the large connected open spaces and unique places of Pinal County, not only as part of their quality of life, but as an important resource to sustain the region’s immense wildlife habitat and their corridors. From the majestic mountains rising from the desert floor in the west to the high desert and rugged mountain terrain to the east, enjoyment of and respect for the natural surroundings is a big part of why people choose Pinal County to live and visit.

The proposal:

Is consistent with the **Open Spaces and Places** vision component

Please explain:

Environmental Stewardship—People value the views of the mountains and open vistas during the day and the stars at night. These values have translated to a strong conservation ethic that stresses the importance of maintaining the quality of Pinal County’s natural resources for future generations. Pinal County is the leader in environmental stewardship, and rewards and encourages sustainable practices such as innovative land use planning, sustainable agriculture, water conservation, green building development, and the use of renewable and alternative energy sources.

The proposal:

Is consistent with the **Environmental Stewardship** vision component

Please explain:

Healthy, Happy Residents—Access to quality healthcare and healthy lifestyle choices is a priority. Pinal County is a healthy, safe place where residents can walk or ride to activity centers and where interaction in Pinal County’s clean, natural environment is encouraged. Ensuring residents are healthy, safe and happy in their community is a priority for Pinal County.

The proposal:

Is consistent with the **Healthy, Happy Residents** vision component

Please explain:

Quality Educational Opportunities—Quality, community-based Pre k-12 programs that provide youth with a competitive edge along with a wide variety of post-secondary educational opportunities and technical or specialized workforce training are necessities. Pinal County residents seek out life-long opportunities that help to expand their minds and diversify their experiences. (This may not apply to all projects)

The proposal:

Is consistent with the **Quality Educational Opportunities** vision component

Please explain:

PART TWO

Consistency with the Plan’s Key Concepts illustrated on Land Use, Economic, and Circulation graphics

Consistency with the Land Use Designation shown on the graphics

The project land uses:

- Are shown as indicated on the Land Use and Economic Development graphic
- Are not shown as indicated on the Land Use and Economic Development graphic

Consistency with the Mixed Use Activity Center Concept

The project land uses:

- Meet the Mixed Use Activity Center requirements
- Are not shown within a Mixed Use Activity Center

If shown within a Mixed Use Activity Center, explain how it meets the planning guidelines outlined in the Land Use element.

The land use proposal includes a Mixed Use project, not shown in a Mixed Use Activity Center; explain how it meets the planning guidelines and intent of the Plan.

Consistency with the Planning Guidelines described in the Land Use element

The project land uses:

- Are consistent with the applicable Planning Guidelines described in the Land Use element

Quality Employment Opportunities County-wide

The Comprehensive Plan stresses the importance of increasing the number of opportunities to locate quality jobs County-wide in order to increase the jobs-to-population ratio.

The proposal:

- Is consistent with the Economic Development element
- Includes additional information about how the development addresses the Economic Development Vision embodied in the Comprehensive Plan.

Please explain:

Viable Agriculture, Equestrian and Rural Lifestyle

Historically, agriculture has played an important role in Pinal County’s economy and lifestyle. Encouraging the continuation of viable agriculture and protecting it is an important component of the Plan. Additionally, supporting an equestrian and rural lifestyle has a place in Pinal County as it continues to urbanize.

The proposal:

- Clusters development to protect open space and agriculture
- Includes additional information about how the development addresses Viable Agriculture, Equestrian, and Rural Lifestyle.

Please explain:

System of Connected Trails and Preservation of Open Space

Pinal County is committed to the preservation of large swaths of open space and the development of a connected system of trails. This applies to all projects/proposals/actions.

The proposal:

- Is consistent with *Pinal County Trails and Open Space Master Plan* and Comprehensive Plan Open Space and Places Chapter
- Includes additional information about how the development addresses the open space Vision and goals

Please explain:

Natural and Cultural Resource Conservation

The Comprehensive Plan strives to protect natural/cultural resources, wildlife corridors and environmentally-sensitive areas such as mountains and foothills, major washes, and vistas. These areas are predominantly undeveloped and contain sensitive resources or natural hazard areas.

The proposal:

- Address environmentally sensitive areas it may impact.
- Includes additional information about how the development addresses the natural and cultural resource conservation.

Please explain:

Water Resources, Public Facilities/Services, and Infrastructure Support

All developments must bring adequate water resources and the necessary infrastructure to support the intensity of development in order to minimize the impact on the County’s ability to provide public services. All development and growth, public and private, must acknowledge its impacts and pay its own way.

The proposal:

- Ensures that adequate public facilities are in place or planned for within a reasonable time of the start of the new development

Please explain:



Fidelity National Title Agency, Inc.

ISSUING OFFICE: 3410 E University Dr, #200, Phoenix, AZ 85034

June 23, 2022

(1st REVISED PROFORMA OWNERS POLICY

=addressee=

Order No.: 55004367-055-KG2-
DW

Property Address: S of SEC Arizona Farms and Mitchell Train, Florence, AZ 85132
Seller: Lauren Conrad Berger and Keri Berger and Jacob Berger
Buyer: TSI/Elwood Properties, LLC

We appreciate this opportunity to serve you. Enclosed please find your Policy of Title Insurance. Please call us immediately if you have any questions or concerns.

Sincerely,

Fidelity National Title Agency, Inc.

Escrow Contact:
Kristina Gooding
(480) 214-4510 Ext. 2
kristina.gooding@fnf.com



PRO FORMA OWNER'S POLICY OF TITLE INSURANCE

Issued by

Fidelity National Title Insurance Company

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, **Fidelity National Title Insurance Company**, a Florida corporation (the "Company"), insures as of the Date of Policy and, to the extent stated in Covered Risks 9 and 10, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;
 - iv. a failure to perform those acts necessary to create a document by electronic means authorized by law;
 - v. a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - vi. a document not properly filed, recorded, or indexed in the Public Records, including the failure to have performed those acts by electronic means authorized by law;
 - vii. a defective judicial or administrative proceeding; or
 - viii. the repudiation of an electronic signature by a person that executed a document because the electronic signature on the document was not valid under applicable electronic transactions law.
 - b. the lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - c. the effect on the Title of an encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), but only if the encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment would have been disclosed by an accurate and complete land title survey of the Land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. A violation or enforcement of a law, ordinance, permit, or governmental regulation (including those relating to building and zoning), but only to the extent of the violation or enforcement described by the enforcing governmental authority in an Enforcement Notice that identifies a restriction, regulation, or prohibition relating to:
 - a. the occupancy, use, or enjoyment of the Land;
 - b. the character, dimensions, or location of an improvement on the Land;
 - c. the subdivision of the Land; or
 - d. environmental remediation or protection on the Land.
6. An enforcement of a governmental forfeiture, police, regulatory, or national security power, but only to the extent of the enforcement described by the enforcing governmental authority in an Enforcement Notice.
7. An exercise of the power of eminent domain, but only to the extent:
 - a. of the exercise described in an Enforcement Notice; or
 - b. the taking occurred and is binding on a purchaser for value without Knowledge.



8. An enforcement of a PACA-PSA Trust, but only to the extent of the enforcement described in an Enforcement Notice.
9. The Title being vested other than as stated in Schedule A or being defective or a court order providing an alternative remedy:
 - a. resulting from the avoidance, in whole or in part, of any transfer of all or any part of the Title to the Land or any interest in the Land occurring prior to the transaction vesting the Title because that prior transfer constituted:
 - i. a fraudulent conveyance, fraudulent transfer, or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights law; or
 - ii. a voidable transfer under the Uniform Voidable Transactions Act; or
 - b. because the instrument vesting the Title constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights law by reason of the failure:
 - i. to timely record the instrument vesting the Title in the Public Records after execution and delivery of the instrument to the Insured; or
 - ii. of the recording of the instrument vesting the Title in the Public Records to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to the Date of Policy and prior to the recording of the deed or other instrument vesting the Title in the Public Records.

DEFENSE OF COVERED CLAIMS

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

Fidelity National Title Insurance Company

Countersigned by:

Pro Forma Specimen

Authorized Signature

This is a Pro Forma Policy. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1.
 - a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
 - b. any governmental forfeiture, police, regulatory, or national security power.
 - c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is:
 - a. a fraudulent conveyance or fraudulent transfer;
 - b. a voidable transfer under the Uniform Voidable Transactions Act; or
 - c. a preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments, imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- a. "Affiliate": An Entity:
 - i. that is wholly-owned by the Insured;
 - ii. that wholly-owns the Insured; or
 - iii. if that Entity and the Insured are both wholly-owned by the same person or Entity.
- b. "Amount of Insurance": The Amount of Insurance stated in Schedule A, as may be increased by Condition 8.c. or decreased by Condition 10 or 11; or increased or decreased by endorsements to this policy.
- c. "Date of Policy": The Date of Policy stated in Schedule A.
- d. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- e. "Enforcement Notice": A document recorded in the Public Records that describes any part of the Land and:
 - i. is issued by a governmental agency that identifies a violation or enforcement of a law, ordinance, permit, or governmental regulation;
 - ii. is issued by a holder of the power of eminent domain or a governmental agency that identifies the exercise of a governmental power; or
 - iii. asserts a right to enforce a PACA-PSA Trust.
- f. "Entity": A corporation, partnership, trust, limited liability company, or other entity authorized by law to own title to real property in the jurisdiction where the Land is located.
- g. "Insured":
 - i.
 - (a) The Insured named in Item 1 of Schedule A;
 - (b) the successor to the Title of an Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (c) the successor to the Title of an Insured resulting from dissolution, merger, consolidation, distribution, or reorganization;
 - (d) the successor to the Title of an Insured resulting from its conversion to another kind of Entity; or
 - (e) the grantee of an Insured under a deed or other instrument transferring the Title, if the grantee is:
 - (1) an Affiliate;
 - (2) a trustee or beneficiary of a trust created by a written instrument established for estate planning purposes by an Insured;
 - (3) a spouse who receives the Title because of a dissolution of marriage;
 - (4) a transferee by a transfer effective on the death of an Insured as authorized by law; or
 - (5) another Insured named in Item 1 of Schedule A.
 - ii. The Company reserves all rights and defenses as to any successor or grantee that the Company would have had against any predecessor Insured.
- h. "Insured Claimant": An Insured claiming loss or damage arising under this policy.
- i. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- j. "Land": The land described in Item 4 of Schedule A and improvements located on that land at the Date of Policy that by law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- k. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- l. "PACA-PSA Trust": A trust under the federal Perishable Agricultural Commodities Act or the federal Packers and Stockyards Act or a similar state or federal law.
- m. "Public Records": The recording or filing system established under state statutes in effect at the Date of Policy under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- n. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- o. "Title": The estate or interest in the Land identified in Item 2 of Schedule A.

- p. "Unmarketable Title": The Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or a lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF COVERAGE

This policy continues as of the Date of Policy in favor of an Insured, so long as the Insured:

- a. retains an estate or interest in the Land;
- b. owns an obligation secured by a purchase money mortgage given by a purchaser from the Insured; or
- c. has liability for warranties given by the Insured in any transfer or conveyance of the Insured's Title.

Except as provided in Condition 2, this policy terminates and ceases to have any further force or effect after the Insured conveys the Title. This policy does not continue in force or effect in favor of any person or Entity that is not the Insured and acquires the Title or an obligation secured by a purchase money mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured must notify the Company promptly in writing if the Insured has Knowledge of:

- a. any litigation or other matter for which the Company may be liable under this policy; or
- b. any rejection of the Title as Unmarketable Title.

If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under this policy is reduced to the extent of the prejudice.

4. PROOF OF LOSS

The Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy, that constitutes the basis of loss or damage and must state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- a. Upon written request by the Insured and subject to the options contained in Condition 7, the Company, at its own cost and without unreasonable delay, will provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company has the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those covered causes of action. The Company is not liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of any cause of action that alleges matters not insured against by this policy.
- b. The Company has the right, in addition to the options contained in Condition 7, at its own cost, to institute and prosecute any action or proceeding or to do any other act that, in its opinion, may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it is liable to the Insured. The Company's exercise of these rights is not an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under Condition 5.b., it must do so diligently.
- c. When the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction. The Company reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- a. When this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured will secure to the Company the right to prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. When requested by the Company, the Insured, at the Company's expense, must give the Company all reasonable aid in:
 - i. securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement; and
 - ii. any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter, as insured.

If the Company is prejudiced by any failure of the Insured to furnish the required cooperation, the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation, regarding the matter requiring such cooperation.

- b. The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos, whether bearing a date before or after the Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant must grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all the records in the custody or control of a third party that reasonably pertain to the loss or damage. No information designated in

writing as confidential by the Insured Claimant provided to the Company pursuant to Condition 6 will be later disclosed to others unless, in the reasonable judgment of the Company, disclosure is necessary in the administration of the claim or required by law. Any failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in Condition 6.b., unless prohibited by law, terminates any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company has the following additional options:

a. *To Pay or Tender Payment of the Amount of Insurance*

To pay or tender payment of the Amount of Insurance under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option provided for in Condition 7.a., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

b. *To Pay or Otherwise Settle with Parties other than the Insured or with the Insured Claimant*

i. To pay or otherwise settle with parties other than the Insured for or in the name of the Insured Claimant. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

ii. To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either option provided for in Condition 7.b., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

8. CONTRACT OF INDEMNITY; DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by an Insured Claimant who has suffered the loss or damage by reason of matters insured against by this policy. This policy is not an abstract of the Title, report of the condition of the Title, legal opinion, opinion of the Title, or other representation of the status of the Title. All claims asserted under this policy are based in contract and are restricted to the terms and provisions of this policy. The Company is not liable for any claim alleging negligence or negligent misrepresentation arising from or in connection with this policy or the determination of the insurability of the Title.

a. The extent of liability of the Company for loss or damage under this policy does not exceed the lesser of:

i. the Amount of Insurance; or

ii. the difference between the fair market value of the Title, as insured, and the fair market value of the Title subject to the matter insured against by this policy.

b. Except as provided in Condition 8.c. or 8.d., the fair market value of the Title in Condition 8.a.ii. is calculated using the date the Insured discovers the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy.

c. If, at the Date of Policy, the Title to all of the Land is void by reason of a matter insured against by this policy, then the Insured Claimant may, by written notice given to the Company, elect to use the Date of Policy as the date for calculating the fair market value of the Title in Condition 8.a.ii.

d. If the Company pursues its rights under Condition 5.b. and is unsuccessful in establishing the Title, as insured:

i. the Amount of Insurance will be increased by 15%; and

ii. the Insured Claimant may, by written notice given to the Company, elect, as an alternative to the dates set forth in Condition 8.b. or, if it applies, 8.c., to use either the date the settlement, action, proceeding, or other act described in Condition 5.b. is concluded or the date the notice of claim required by Condition 3 is received by the Company as the date for calculating the fair market value of the Title in Condition 8.a.ii.

e. In addition to the extent of liability for loss or damage under Conditions 8.a. and 8.d., the Company will also pay the costs, attorneys' fees, and expenses incurred in accordance with Conditions 5 and 7.

9. LIMITATION OF LIABILITY

a. The Company fully performs its obligations and is not liable for any loss or damage caused to the Insured if the Company accomplishes any of the following in a reasonable manner:

i. removes the alleged defect, lien, encumbrance, adverse claim, or other matter;

ii. cures the lack of a right of access to and from the Land; or

iii. cures the claim of Unmarketable Title,

all as insured. The Company may do so by any method, including litigation and the completion of any appeals.

b. The Company is not liable for loss or damage arising out of any litigation, including litigation by the Company or with the Company's consent, until a court of competent jurisdiction makes a final, non-appealable determination adverse to the Title.

- c. The Company is not liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.
- d. The Company is not liable for the content of the Transaction Identification Data, if any.
10. **REDUCTION OR TERMINATION OF INSURANCE**
All payments under this policy, except payments made for costs, attorneys' fees, and expenses, reduce the Amount of Insurance by the amount of the payment.
11. **LIABILITY NONCUMULATIVE**
The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after the Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.
12. **PAYMENT OF LOSS**
When liability and the extent of loss or damage are determined in accordance with the Conditions, the Company will pay the loss or damage within 30 days.
13. **COMPANY'S RECOVERY AND SUBROGATION RIGHTS UPON SETTLEMENT AND PAYMENT**
- a. If the Company settles and pays a claim under this policy, it is subrogated and entitled to the rights and remedies of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person, entity, or property to the fullest extent permitted by law, but limited to the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant must execute documents to transfer these rights and remedies to the Company. The Insured Claimant permits the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
- b. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company defers the exercise of its subrogation right until after the Insured Claimant fully recovers its loss.
- c. The Company's subrogation right includes the Insured's rights to indemnity, guaranty, warranty, insurance policy, or bond, despite any provision in those instruments that addresses recovery or subrogation rights.
14. **POLICY ENTIRE CONTRACT**
- a. This policy together with all endorsements, if any, issued by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy will be construed as a whole. This policy and any endorsement to this policy may be evidenced by electronic means authorized by law.
- b. Any amendment of this policy must be by a written endorsement issued by the Company. To the extent any term or provision of an endorsement is inconsistent with any term or provision of this policy, the term or provision of the endorsement controls. Unless the endorsement expressly states, it does not:
- i. modify any prior endorsement,
 - ii. extend the Date of Policy,
 - iii. insure against loss or damage exceeding the Amount of Insurance, or
 - iv. increase the Amount of Insurance.
15. **SEVERABILITY**
In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, this policy will be deemed not to include that provision or the part held to be invalid, but all other provisions will remain in full force and effect.
16. **CHOICE OF LAW AND CHOICE OF FORUM**
- a. *Choice of Law*
The Company has underwritten the risks covered by this policy and determined the premium charged in reliance upon the law affecting interests in real property and the law applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.
Any court or arbitrator must apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title and to interpret and enforce the terms of this policy. In neither case may the court or arbitrator apply conflicts of law principles to determine the applicable law.
- b. *Choice of Forum*
Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.
17. **NOTICES**
Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at: **Fidelity National Title Insurance Company**, Attn: Claims Department, Post Office Box 45023, Jacksonville, Florida 32232-5023.
18. **CLASS ACTION**
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS POLICY, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS POLICY, ANY BREACH OF A POLICY PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS POLICY, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING.

19. ARBITRATION

- a. All claims and disputes arising out of or relating to this policy, including any service or other matter in connection with issuing this policy, any breach of a policy provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this policy, may be resolved by arbitration. If the Amount of Insurance is \$2,000,000 or less, any claim or dispute may be submitted to binding arbitration at the election of either the Company or the Insured. If the Amount of Insurance is greater than \$2,000,000, any claim or dispute may be submitted to binding arbitration only when agreed to by both the Company and the Insured. Arbitration must be conducted pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("ALTA Rules"). The ALTA Rules are available online at www.alta.org/arbitration. The ALTA Rules incorporate, as appropriate to a particular dispute, the Consumer Arbitration Rules and Commercial Arbitration Rules of the American Arbitration Association ("AAA Rules"). The AAA Rules are available online at www.adr.org.
- b. ALL CLAIMS AND DISPUTES MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING IN ANY ARBITRATION GOVERNED BY CONDITION 19. The arbitrator does not have authority to conduct any class action arbitration, private attorney general arbitration, or arbitration involving joint or consolidated claims under any circumstance.
- c. *If there is a final judicial determination that a request for particular relief cannot be arbitrated in accordance with this Condition 19, then only that request for particular relief may be brought in court. All other requests for relief remain subject to this Condition 19.*
- d. **Fees** will be allocated in accordance with the applicable AAA Rules. The results of arbitration will be binding upon the parties. The arbitrator may consider, but is not bound by, rulings in prior arbitrations involving different parties. The arbitrator is bound by rulings in prior arbitrations involving the same parties to the extent required by law. The arbitrator must issue a written decision sufficient to explain the findings and conclusions on which the award is based. Judgment upon the award rendered by the arbitrator may be entered in any State or federal court having jurisdiction.

Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:

Issuing Agent: Fidelity National Title Agency, Inc.
Issuing Office: 3410 E University Dr, #200, Phoenix, AZ 85034
Issuing Office's ALTA® Registry ID:
Issuing Office File Number: 55004367-055-KG2-DW
Property Address: S of SEC Arizona Farms and Mitchell Train, Florence, AZ 85132

SCHEDULE A

This is a Pro Forma Policy. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

Name and Address of Title Insurance Company: **Fidelity National Title Agency, Inc., 14000 N. Pima Road, Suite 100, Department 55, Scottsdale, AZ 85260**

Policy Number: **Pro Forma-AZ-FMPC-IMP-27512-1-22-55004367**

Amount of Insurance: **PRO FORMA\$2,100,000.00**

Premium: **PRO FORMA**

Date of Policy: **PRO FORMA**

1. The Insured is:

TSI/Elwood Properties, LLC, an Arizona limited liability company

2. The estate or interest in the Land insured by this policy is:

A FEE

3. The Title is vested in:

TSI/Elwood Properties, LLC, an Arizona limited liability company

4. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof.

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FLORENCE, IN THE COUNTY OF PINAL, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

That part of the East half of Section 2, Township 4 South, Range 8 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

COMMENCING at the Northeast corner of said Section 2, Township 4 South, Range 8 East of the Gila and Salt River Base and Meridian;

Thence South 0° 38' 42" East, a distance of 2,623.36 feet to the TRUE POINT OF BEGINNING;

Thence South 89° 58' 24" West, a distance of 1,341.71 feet to a point;

Thence South 0° 31' 02" East, a distance of 1,293.61 feet to a point;

Thence North 89° 53' 23" East, a distance of 1,344.58 feet to a point;

Thence North 0° 38' 43" West, a distance of 1,291.68 feet to the TRUE POINT OF BEGINNING

Also known as Parcel 12 of Section 2, Township 4 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, according to Plats of Record in the Office of the County Recorder of Pinal County, Arizona, in Book 1 of Surveys, Pages 45, 46 and 47, thereof.

APN: 200-58-012

SCHEDULE B EXCEPTIONS FROM COVERAGE

This policy does not republish any covenant, condition, restriction, or limitation contained in any document referred to in this policy to the extent that the specific covenant, condition, restriction, or limitation violates local, state, or federal discrimination law, including laws based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, national origin, or other legally protected class.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the year 2022.
2. Reservations contained in the Patent

From:	State of Arizona
To:	J. H. Zellweger and Elsie DeWolf Zellweger, his wife and Pete Grubb and Lois Grubb, his wife
Recording Date:	July 25, 1946
Recording No:	Book 77 of Deeds, Page 585

Which among other things recites as follows:

This patent is issued subject to any and all easements or rights of way heretofore legally obtained and now in full force and effect. Excepting and Reserving unto the United States rights of way for ditches and canals constructed by their Authority.

3. Water rights, claims or title to water, whether or not disclosed by the public records.
4. Intentionally Omitted
5. Intentionally Omitted
6. Any rights, liens, claims or equities, if any, in favor of Magma Flood Control District, Central Arizona Water Conservation District and Pinal County Flood Control District. (All assessments due and payable have been paid)
7. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose:	pipelines
Recording Date:	November 21, 1955
Recording No:	Docket 139, Page 15
8. A Resolution by the County Board of Supervisors, recorded in Docket 375, Page 572 purporting to establish a county roadway.



SCHEDULE B
(Continued)

9. Easements shown on record of survey:

Recording No.: Book 1 of Maps, Page 45

Amended in

Recording No: Docket 887, Page 319

Recording No: Docket 925, Page 772

and in Declaration of Restrictions recording in

Recording No: Docket 872, Page 275

and thereafter terminations recorded in

Recording No: 2004-086974

Recording No: 2004-086975

Recording No: 2005-8997

Recording No: 2005-55487

Recording No: 2005-97108

Recording No: 2005-149514

Recording No: 2007-66175

10. Intentionally Omitted

11. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: ingress, egress, irrigation and public utilities

Recording Date: August 18, 1977

Recording No: Docket 878, Page 932 and re-recorded

Recording Date: August 18, 1977

Recording No: Docket 887, Page 322

12. Intentionally Omitted

13. A resolution in favor of the Board of Supervisors of Pinal County, Arizona

For: zone change

Recording Date: June 03, 1998

Recording No: 1998-021900

14. A resolution in favor of the Board of Supervisors of Pinal County, Arizona

For: zone change

Recording Date: June 03, 1998

Recording No: 1998-021901



SCHEDULE B
(Continued)

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: roadway and public utility
Recording Date: August 10, 2021
Recording No: 2021-099895 and

Thereafter, Resolution No. 082521-RD21-024 - A Resolution of the Board of Supervisors of Pinal County, Arizona Accepting a Deed of Easement

Recording Date: August 26, 2021
Recording No: 2021-107461

16. Intentionally Omitted

17. Intentionally Omitted (SUBJECT TO REVIEW OF EXECUTED OWNERS AFFIDAVIT)

END OF SCHEDULE B

This is a pro forma policy furnished to or on behalf of the party to be insured. It neither reflects the present status of title, nor is it intended to be a commitment to insure. The inclusion of endorsements as a part of the pro forma policy in no way evidences the willingness of the company to provide any affirmative coverage shown therein. There are requirements which must be met before a final policy can be issued in the same form as the pro forma policy. A commitment to insure setting forth these requirements should be obtained from the Company.

Additional Matters may be added or other amendments may be made to this pro forma policy by reason of any defects, liens or encumbrances that appear for the first time in the Public Records or come to the attention of the Company and are created or attached between the issuance of this pro forma policy and the issuance of a policy of title insurance. The Company shall have no liability because of such addition or amendment.



PRO FORMA ENDORSEMENT
Attached to Policy No. Pro Forma-AZ-FMPC-IMP-27512-1-22-55004367
Issued By
Fidelity National Title Insurance Company

The Company insures the Insured against loss which the Insured shall sustain by reason of damage to existing improvements, including lawns, shrubbery or trees, resulting from the exercise of any right to use the surface of the Land for the enforcement of any of the reservations contained in the patent referred to in paragraph 2 of Schedule B.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Dated: **PRO FORMA**

Fidelity National Title Insurance Company

Countersigned by:

Pro Forma Specimen

Authorized Signature

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

PRO FORMA ENDORSEMENT
Attached to Policy No. Pro Forma-AZ-FMPC-IMP-27512-1-22-55004367
Issued by
Fidelity National Title Insurance Company

The Company insures against loss or damage sustained by the Insured by reason of damage to existing improvements, including lawns, shrubbery or trees, resulting from the exercise of any right to use the surface of the Land for the extraction or development of water excepted from the description of the Land or shown as a reservation in Schedule B.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Dated: **PRO FORMA**

Fidelity National Title Insurance Company

Countersigned by:

Pro Forma Specimen

Authorized Signature

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