

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

ORDINANCE NO. 2020-PZ-PD-009-19

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS, APPROVING THE REZONING FOR CERTAIN PROPERTY LOCATED IMMEDIATELY SOUTH OF QUEEN CREEK WASH AND WEST OF NORTH GANTZEL ROAD, IN THE SAN TAN VALLEY AREA. (TAX PARCELS 104-53-005A, 104-53-005B, 104-53-006C, & PORTIONS OF 104-53-009D), FROM SR (SUBURBAN RANCH-74 ACRES AND CR-2 (SINGLE RESIDENCE ZONE-14 ACRES) TO R-7/PAD (SINGLE RESIDENCE ZONING), IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. PZ-PD-009-19; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION

WHEREAS, the Pinal County Board of Supervisors (“Board”) is authorized pursuant to Pinal County Development Services Code Chapter 2.176 to approve a Planned Area Development in order to conserve and promote the public health, safety, convenience and general welfare; and

WHEREAS, on September 27, 2019, the Pinal County Community Development Department (“Department”) received an application for a rezoning from Sean M. Hamill, United Engineering Group, Agent and Gantzel Partners, LLC, landowner, of property located in unincorporated Pinal County, (tax parcels 104-53-005A, 104-53-005B, 104-53-006C, & portions of 104-53-009D) legally described in the attached Exhibit A (the “Property”) to rezone the property from SR and CR-2 to R-7/PAD (Case No. PZ-PD-009-19); and

WHEREAS, on September 17 2020, the Pinal County Planning and Zoning Commission held a public hearing on Case No. PZ-PD-009-19, after providing notice pursuant to statutory requirements, and following the public hearing, voted 5 to 3 to recommend denial of case PZ-PD-009-19, and; and

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

Section 1: The rezoning of the property legally described and depicted in the attached Exhibit A from SR and CR-2 to R-7/PAD, and is hereby approved subject to 8 Stipulations of Approval set forth in the attached Exhibit B.

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

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

PASSED AND ADOPTED this 28th day of October, 2020, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney

**EXHIBIT A
TO
ORDINANCE NO. 2020-PZ-PD-009-19**

GANTZEL & COMBS (PARCEL A) - LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 30 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 30 BEARS NORTH 00 DEGREES 17 MINUTES 23 SECONDS EAST A DISTANCE OF 2642.35 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 32 SECONDS WEST A DISTANCE OF 1304.40 FEET;

THENCE NORTH 00 DEGREES 10 MINUTES 29 SECONDS EAST A DISTANCE OF 20.37 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 37 MINUTES 34 SECONDS WEST A DISTANCE OF 1261.00 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 30 SECONDS EAST A DISTANCE OF 85.03 FEET;

THENCE NORTH 89 DEGREES 37 MINUTES 56 SECONDS WEST A DISTANCE OF 1398.44 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 53 SECONDS EAST A DISTANCE OF 1100.09 FEET;

THENCE CONTINUING NORTH 00 DEGREES 16 MINUTES 53 SECONDS EAST A DISTANCE OF 80.00 FEET;

THENCE SOUTH 89 DEGREES 32 MINUTES 09 SECONDS EAST A DISTANCE OF 2657.39 FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 37 SECONDS WEST A DISTANCE OF 80.00 FEET;

THENCE CONTINUING SOUTH 00 DEGREES 10 MINUTES 37 SECONDS WEST A DISTANCE OF 1180.80 FEET TO THE POINT OF BEGINNING.

GANTZEL & COMBS (PARCEL B) - LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 30 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 30 BEARS NORTH 00 DEGREES 17 MINUTES 23 SECONDS EAST A DISTANCE OF 2642.35 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 32 SECONDS WEST A DISTANCE OF 707.36 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 17 MINUTES 17 SECONDS WEST A DISTANCE OF 502.74 FEET;

THENCE SOUTH 00 DEGREES 18 MINUTES 55 SECONDS WEST A DISTANCE OF 30.00 FEET;

EXHIBIT B
TO
ORDINANCE NO. 2020-PZ-PD-009-19

[Stipulations of Approval]

See following page(s)

1. The stipulations enumerated herein pertain to the amendment area described in case PZ-PD-009-19.
2. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat 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 going before the Planning and Zoning Commission;
3. Per Section 702.6 of the Pinal County Subdivision Regulations there shall be a minimum of two permanent access points to the subject property. Approval of adequate access or approval of a Waiver Request shall be approved by the County Engineer prior to the Tentative Plat going before the Planning and Zoning Commission;
4. A drainage report will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the first Final Plat approval. The approved Drainage Plan shall provide retention for storm waters in a common retention area or as approved by the County Engineer;
5. Prior to the tentative plat being scheduled for the Planning & Zoning Commission the existing Pecan Creek Drive (portion west of Gantzel Rd) shall be dedicated as public right-of-way;
6. All right-of-way dedication shall be free and unencumbered;
7. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;
8. Lighting Zone 1 shall apply to this development.