



PINAL COUNTY
WIDE OPEN OPPORTUNITY

PZ-047-23 & PZ-PD-025-23

BOARD OF SUPERVISORS

4/3/2024

Community Development Department

PZ-047-23 & PZ-PD-025-23

□ Proposal:

- **PZ-047-23 – PUBLIC HEARING/ACTION:** Conrad Hernandez, owner, Peter Furlow, Rose Law Group, agent/applicant, requesting an approval of a rezone of 2.24± acres from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a wedding and event venue; situated in Section 24, T06S, R05E G&SRB&M; Tax parcel 503-46-006K (legal on file), located approximately 350 feet east of N Burriss Rd and south of West Camino Ledezma in Pinal County.
- **PZ-PD-025-23 – PUBLIC HEARING/ACTION:** Conrad Hernandez, owner, Peter Furlow, Rose Law Group, agent/applicant, requesting approval of a Planned Area Development (PAD) Overlay District, to apply C-3 PAD development standards on 2.24± acres, to allow development of a wedding and event venue; situated in the Northern quarter of Section 24, T06S, R05E G&SRB&M, tax parcels 503-46-006K (legal on file), located approximately 350 feet east of N Burriss Rd and south of West Camino Ledezma in Pinal County.

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▣ **Location:**

- The subject site is located approximately 350 feet east of N Burriss Rd and south of West Camino Ledezma in Pinal County

▣ **Landowner:**

- Conrad Hernandez

▣ **Agent/Representative:**

- Jordan Rose and Peter Furlow – Rose Law Group

County Map

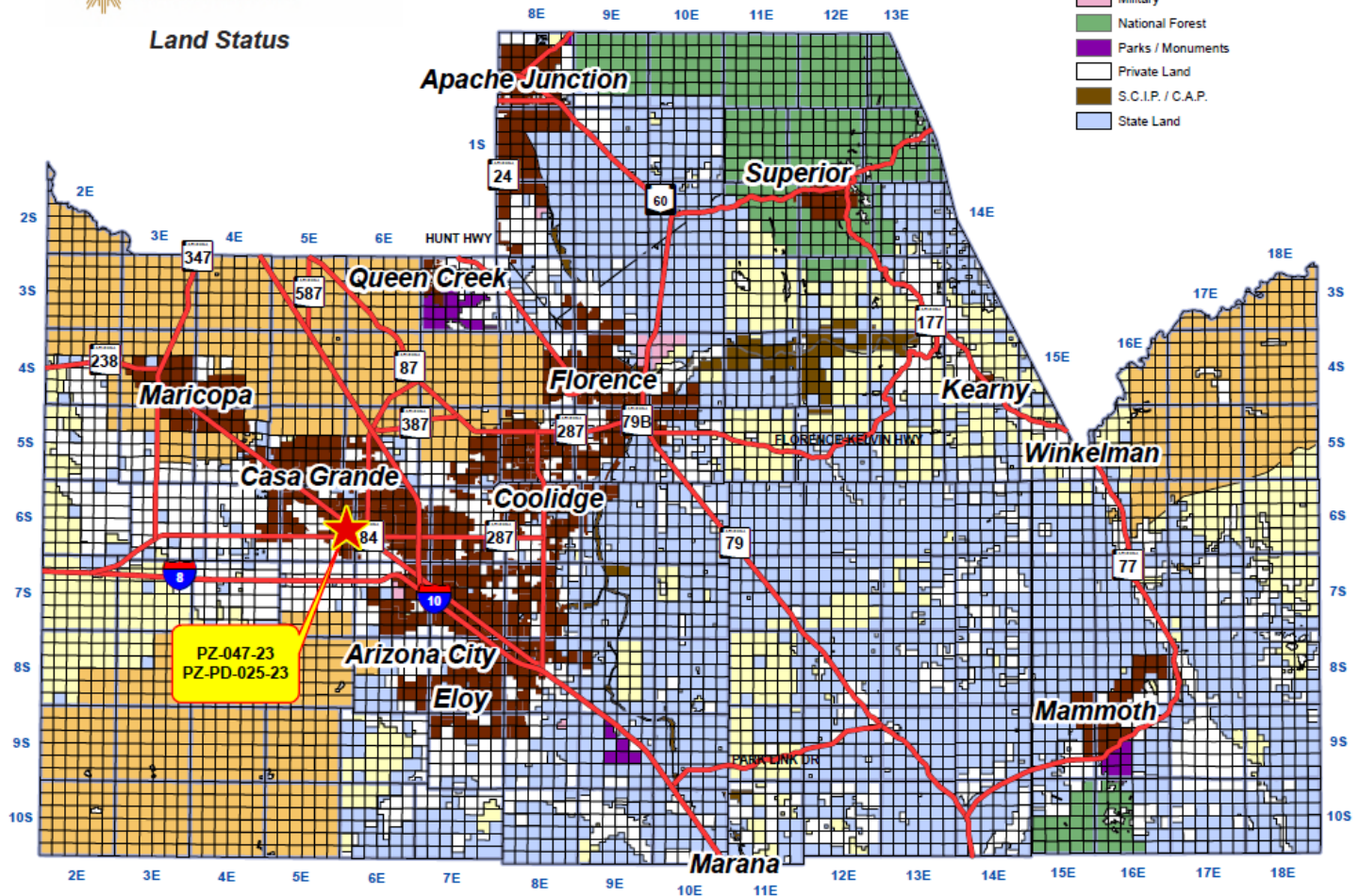


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Land Status



Legend

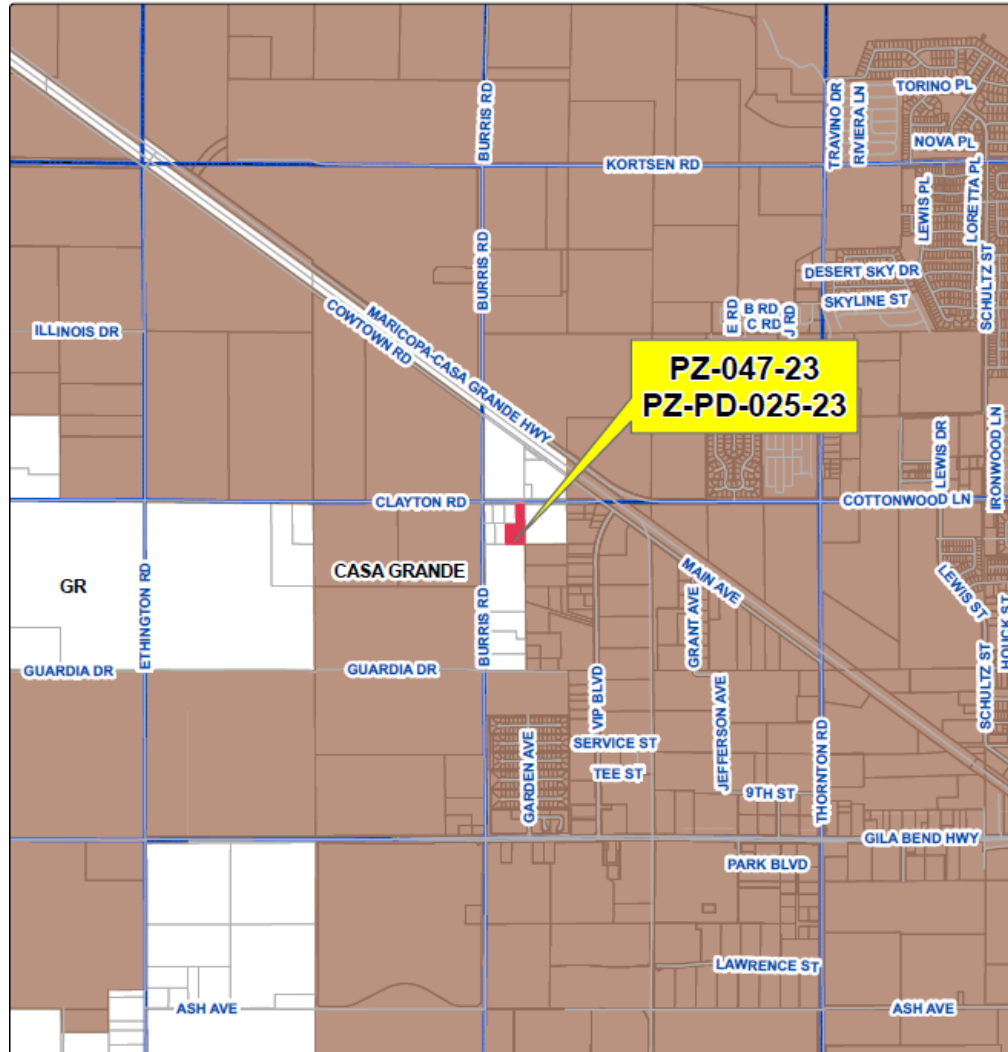
- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land

Vicinity Map



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Aerial Map



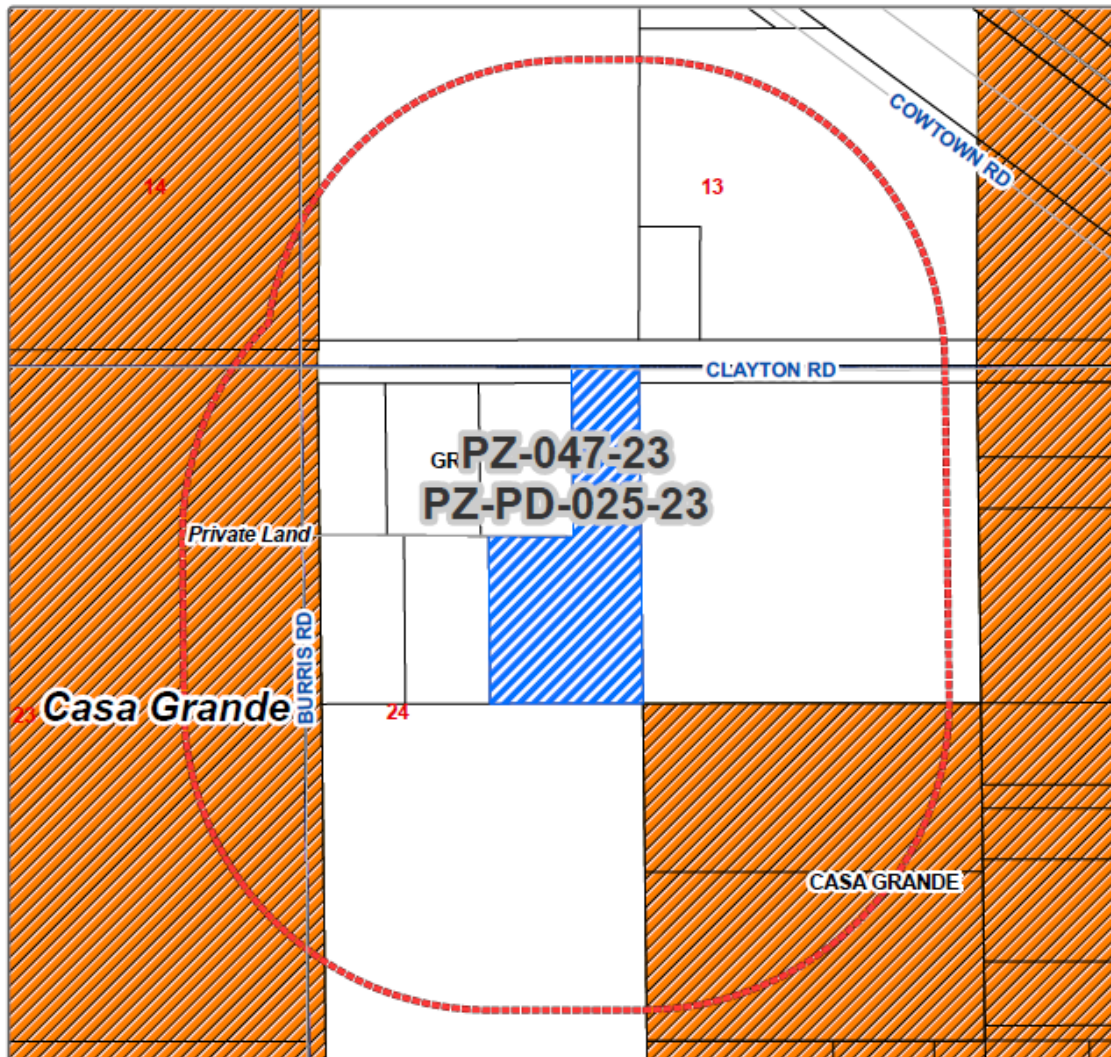
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Zoning

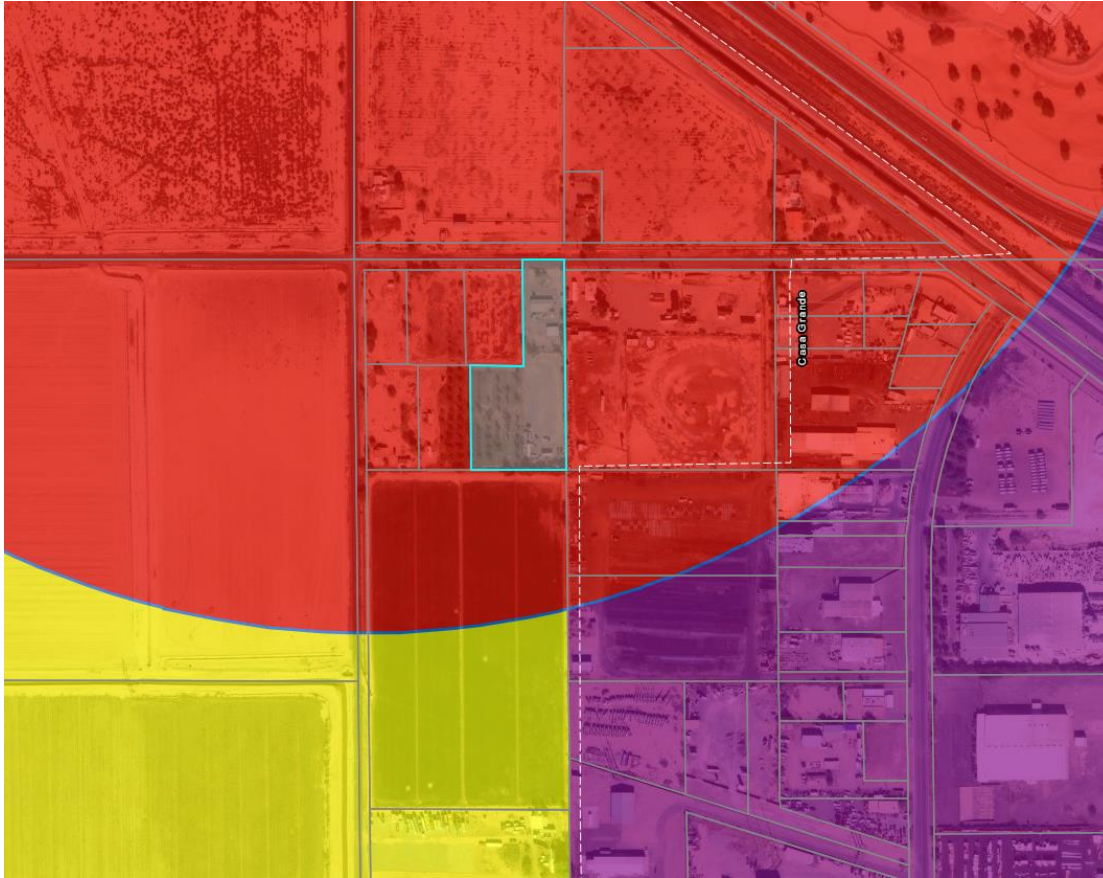


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Current Zoning:
General Rural
(GR)

**Proposed
Zoning:**
General
Commercial
Zone
(C-3/PAD)



Comprehensive Plan Designation:

Mid-Intensity Activity Center:

Staff has found that the proposed rezoning complies with the goals presented in the comprehensive plan for transitional development in Mid-Intensity Activity Centers.

This project also meets standards for Neighborhood Commercial established for commerce-related uses.

Pinal County Comprehensive Plan



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Commerce-Related Definitions (Commercial and Employment)

General Commercial provides locations for commercial development included in adopted municipal general plans. The Pinal County Comprehensive Plan does not make any changes to these locations. This category allows uses in unincorporated areas.

Neighborhood Commercial is defined as less than 20 acres and is not shown on the Land Use Plan, but may be included in all land use designations if it addresses the Comprehensive Plan planning guidelines. Neighborhood commercial includes commercial goods and services and typically serves a surrounding residential population.

General Commercial Planning Guidelines

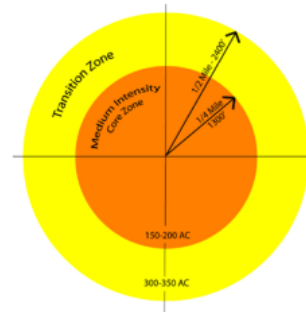
- ✓ Encourage the pedestrian scale of commercial development so visitors are enticed to walk to and between shops.
- ✓ Commercial development should be compatible with surrounding land uses, provide a proper transition or buffer and minimize negative impacts of on-site activities to adjacent uses, which may include architectural relief.
- ✓ Mitigate negative visual impacts arising from the scale, bulk, and mass of large commercial buildings and centers.
- ✓ Promote building designs and construction practices that are sustainable and adapted to Central Arizona's climate.
- ✓ Allow for needed flexibility to respond to conditions and constraints inherent to specific sites and areas in Pinal County.
- ✓ Concentrate commercial development in cohesively planned centers or districts rather than individual commercial uses or parcels in a linear strip along roadways, where possible.
- ✓ Impacts of commercial development on the surrounding local and regional roadway network must be determined by the County.

3-13: Mid Intensity Activity Center Characteristics (Approximately 500 Acres Illustrated)

Activity Center Development Zone Suggested Land Use Mix	Approximate Area of Activity Center	Suggested Land Use Mix	Primary Means of Mobility	General Activity Center Characteristics
<ul style="list-style-type: none"> • 25% Basic Employment • 35% Service Employment • 40% Residential 	<ul style="list-style-type: none"> • 30-40% • 150-200 acres • 1,000-1,300' radius from center 	<ul style="list-style-type: none"> • Regional and Lifestyle Retail • Mid Density Professional Office • Entertainment • Office/Research Park • Mix of High and Mid Density Housing • High School, Vocational School and Small Governmental Campus 	<ul style="list-style-type: none"> • Transit Circulator • Neighborhood Electric Vehicles • Walking • "Car Share" Program • Bicycling • Private Automobile 	<ul style="list-style-type: none"> • Mid-rise Character • Vertical and Horizontal Mixed Use • Mix of Structured and Surface Parking
<ul style="list-style-type: none"> • 15% Basic Employment • 25% Service Employment • 60% Residential 	<ul style="list-style-type: none"> • 60-70% • 300-350 acres • 2,400' radius from center core 	<ul style="list-style-type: none"> • Garden Office • Business Parks and Light Industrial in Campus Setting • Community and Convenience Retail • Mix of Mid and Low Density Residential 	<ul style="list-style-type: none"> • Transit Circulator • Neighborhood Electric Vehicles • Bicycling • Fixed Route Bus • Private Automobile 	<ul style="list-style-type: none"> • Garden Scale Character • Mostly Horizontal Mixed Use • Mostly Surface Parking

Source: Pinal County Comprehensive Plan, 2009

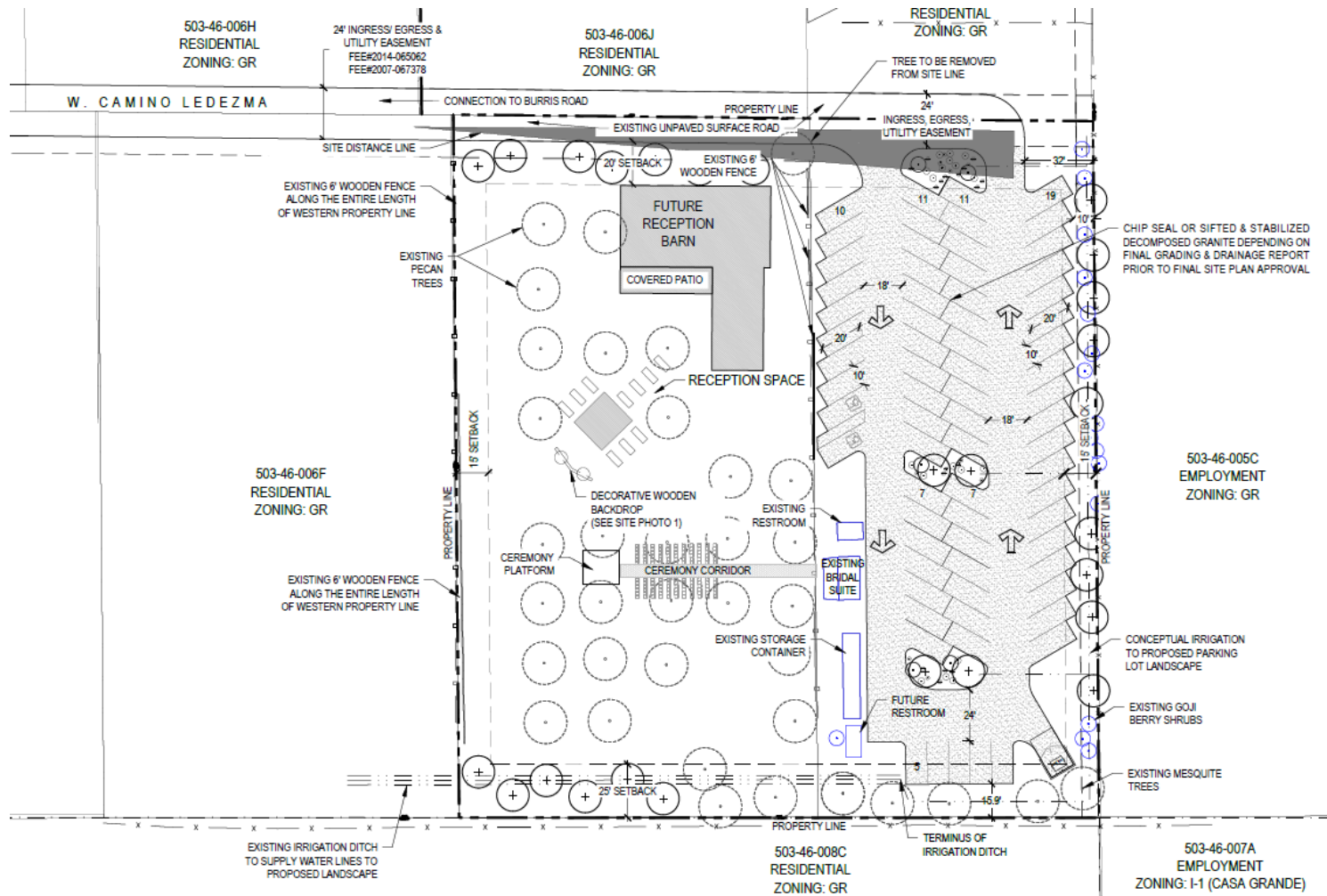
3-14: Mid Intensity Activity Center Development (Approximately 500 Acres Illustrated)



Hernandez Pecan Farm Wedding & Event Space



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Hernandez Pecan Farm Wedding & Event Space



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Table 1: Amended Permitted Uses Table	
Permitted Uses	A. Event Venue (Max. 200 People)
Specially Permitted Uses	None
Non-permitted Uses	<p>A. Amusements such as billiard or pool hall, bowling alley, theaters, gymnasium, arcade, shooting gallery, skating rink, archery range, miniature golf or practice driving or putting range, games of skill or science, swimming pool, or tennis court.</p> <p>B. Assisted living facility.</p> <p>C. Automotive repair, garages, welding shops, machine shops, outdoor storage or sales.</p> <p>D. Bar, cocktail lounge, night club, or tavern, not within a restaurant, dance floor permitted.</p> <p>E. Builders' supplies including sales of lumber.</p> <p>F. Child care center.</p> <p>G. Church, subject to the requirements set forth in PCDSC 2.150.220.</p> <p>H. College and arts, business, technical, and trade schools.</p> <p>I. Community service agency, library or museum.</p> <p>J. Government structures, fire district stations, sheriff's facilities, and their accessory uses.</p> <p>K. Health club or fitness center.</p> <p>L. Hospital, health care facility or urgent care facility.</p> <p>M. Light manufacturing or assembling incidental to retail sales by business engaged in</p>

Hernandez Pecan Farm

Wedding & Event Space



Table 1: Amended Permitted Uses Table	
Permitted Uses	A. Event Venue (Max. 200 People)
Specially Permitted Uses	None
Non-permitted Uses	<p>A. Amusements such as billiard or pool hall, bowling alley, theaters, gymnasium, arcade, shooting gallery, skating rink, archery range, miniature golf or practice driving or putting range, games of skill or science, swimming pool, or tennis court.</p> <p>B. Assisted living facility.</p> <p>C. Automotive repair, garages, welding shops, machine shops, outdoor storage or sales.</p> <p>D. Bar, cocktail lounge, night club, or tavern, not within a restaurant, dance floor permitted.</p> <p>E. Builders' supplies including sales of lumber.</p> <p>F. Child care center.</p> <p>G. Church, subject to the requirements set forth in PCDSC 2.150.220.</p> <p>H. College and arts, business, technical, and trade schools.</p> <p>I. Community service agency, library or museum.</p> <p>J. Government structures, fire district stations, sheriff's facilities, and their accessory uses.</p> <p>K. Health club or fitness center.</p> <p>L. Hospital, health care facility or urgent care facility.</p> <p>M. Light manufacturing or assembling incidental to retail sales by business engaged in</p>

Hernandez Pecan Farm

Wedding & Event Space



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Non-permitted Uses Continued

	<p>manufacturing, processing, assembling, treatment, installation and repair of products.</p> <p>N. Motel or hotel with accessory uses, including restaurant, incidental retail sales and services, personal services and recreational facilities.</p> <p>O. Offices.</p> <p>P. Parks.</p> <p>Q. Private club or lodge, fraternal and service organizations (nonprofit).</p> <p>R. Private schools.</p> <p>S. Restaurant.</p> <p>T. Restaurant, including a cocktail lounge or bar; dance floor permitted.</p> <p>U. Retail sales establishments.</p> <p>V. Sale, rental or display of automobiles, airplanes, boats, trucks, recreational vehicles, travel trailers, motor homes, manufactured homes, motorcycles and accessories, agricultural supplies and machinery.</p> <p>W. Service establishments.</p> <p>X. Self-storage facility.</p> <p>Y. Veterinary hospitals or kennels, provided no building or structure housing animals is within 40 feet of any site boundary abutting property in a rural or residential zone.</p> <p>Z. Wireless communication facilities, subject to the requirements set forth in chapter 2.205 PCDSC.</p> <p>AA. One dwelling unit, conventional construction, as an accessory to an established use.</p> <p>BB. Some uses are allowed in all zoning districts based on statutory exemptions (see PCDSC 2.05.050) or because a governmental entity or governmental agency is performing a governmental function.</p>
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Hernandez Pecan Farm

Wedding & Event Space



Standard	C-3 Standard	Requested Standard
Maximum Building height	40 feet	40 feet
Minimum lot area	3,500 square feet	3,500 square feet
Minimum lot width	None	None
Minimum front yard	20 feet	3,500 square feet
Minimum side yard	None except where the commercial use abuts rural or residential zones, then 25-foot side setbacks are required; seven feet each for detached accessory dwelling.	15 feet
Minimum rear yard	25 feet; 25 feet for detached accessory dwelling.	25 feet
Minimum distance between main buildings	None; 14 feet between detached accessory dwelling and commercial.	None.
Screening	Minimum six-foot wall between this zone and a rural or residential zone; minimum ten-foot landscape strip between the wall and any use in this zone, including parking. The landscape strip shall be planted with trees 30 feet on	Minimum six-foot wall constructed with wood or like material or view fencing as approved by Community Development Department along the east, west, and south Property Lines.

Staff notes that this front yard setback request is an error. This has been addressed through Stipulation 7.

Hernandez Pecan Farm Wedding & Event Space



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Amended Development Standards Continued

	center and with mature trees next to any existing homes.	Mature, dense landscaping located along rear East side and rear yard planted at 10 feet off center.
Parking	One per every 50 square feet of total floor area used for public assembly or one per three seats in the main assembly room, whichever is greater	One per every three seats.

Planned Area Development



2.175.040. - Location.



A PAD overlay zoning district may be established in any zoning district upon a finding by the supervisors, after receiving a recommendation from the planning commission, that such a development would comply with the intent of this section of this title and that the PAD overlay zoning district substantially complies with any previously approved area plans. A PAD overlay zoning district may not be established on any parcel consisting of less than ten gross acres, unless the commission and supervisors find that a tract containing less than ten gross acres is suitable as a PAD overlay zoning district by virtue of its unique character, topography or other features. If a proposed project requires rezoning, a request may be considered by the commission simultaneously with its consideration of the development plan.

(Ord. No. 011812-ZO-PZ-C-007-10, § 17; Ord. No. 61862, § 3303. Formerly 2.175.030)

PAD Applications are typically restricted to parcels of a minimum of 10 Acres.

Staff finds that this property meets the intent of the above exception on the basis of utilizing existing agricultural resources to provide a scenic venue for a singular specified use.

North



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North



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South



PINAL COUNTY

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South



PINAL COUNTY

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East



PINAL COUNTY

WIDE OPEN OPPORTUNITY



East



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West



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West



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- **Items for Board Consideration:**
 - ▣ This land use request is for approval of a rezoning, and a PAD amendment.
 - ▣ If the applications are approved, the subject property will be rezoned from GR to C-3/PAD and allow development of an event space on 2.65± acres of land.
 - ▣ The property has legal access and functional circulation.
 - ▣ The project provides for a service in limited supply in this region of the County. The project capitalizes upon scenic elements introduced from a prior use and which is unique to this property.
 - ▣ This proposal meets the goals of the comprehensive plan for Neighborhood Commercial development.

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□ **Items for Board Consideration:**

- This proposal addresses concerns raised under a prior code compliance case that has been closed.
- Staff has received no comments or letters of opposition from members of the public.
- On February 15th, the Pinal County Planning and Zoning Commission recommended approval unanimously 9-0 for both cases.

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- ▣ Approval:

 - PZ-047-23 (1 stipulation)

 - PZ-PD-025-23 (17 stipulations)

PZ-047-23 & PZ-PD-025-23

- ▣ Approval:

 - PZ-047-23 (1 stipulation)

- ▣ 1. Approval of this zone change (PZ-047-23) 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.

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- ▣ Approval:

PZ-PD-025-23 (17 stipulations)

- ▣ 1. The stipulations herein pertain to the area described in case PZ-PD-025-23;
- ▣ 2. Approval of this PAD (PZ-PD-025-23) 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. Hernandez Pecan Farm Planned Area Development (PAD) Overlay District (PZ-PD-025-23) is to be developed as shown by the site plan/development plan dated August 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;
- ▣ 4. 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-047-23;

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- 5. 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;
- 6. 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;
- 7. The PAD narrative dated December 5, 2023 shall be amended to reflect standards for minimum front yard setbacks of 20 feet.
- 8. A Minimum six foot wall constructed with wood or like material or view fencing as approved by Community Development Department shall be constructed along the east, west and south property lines.
- 9. Minimum side yard setbacks shall be 15 feet.
- 10. Mature dense landscaping shall be located along the rear east side and rear yard planted at 10 feet off-center.
- 11. Required parking shall be calculated at one parking stall per three seats.

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- 12. The primary access road from Burris Road east to the entrance of the development shall be paved to a minimum all-weather access standard to support the proposed traffic volumes and to provide dust abatement. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
- 13. A Traffic Impact Statement will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIS shall be in accordance with the current Pinal County TIS Guidelines and shall be approved prior to the Site Plan Approval;
- 14. Any additional right-of-way dedications needed for the any required infrastructure improvements (as identified in the approved Traffic Impact Statement) for any roadways shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision standards or as approved by the County Engineer;
- 15. All right-of-way dedications shall be free and unencumbered;

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- 16. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the County Engineer;
- 17. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal or review and approval to ensure provisions have been made to accommodate offsite runoff and to ensure onsite retention of storm water runoff or as approved by the County Engineer.