



PINAL COUNTY  
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## PINAL COUNTY PLANNING AND ZONING COMMISSION

Regular Meeting

9:00 a.m.

Thursday, March 15, 2012

Emergency Operations Center (EOC) Pinal County Complex - Building F

31 N. Pinal St. Florence, Arizona

### NOTICE OF PUBLIC MEETING AND AGENDA

There may be a supplemental agenda for this hearing, please check with the Planning & Development Department at 520-866-6447.

#### CALL TO ORDER:

- |                            |                            |
|----------------------------|----------------------------|
| ( ) HARTMAN, Chairman      | ( ) RIGGINS, Vice-Chairman |
| ( ) AGUIRRE-VOGLER, Member | ( ) SALAS, Member          |
| ( ) FAUCETTE, Member       | ( ) ELLIS, Member          |
| ( ) BROWN, Member          | ( ) MORITZ, Member         |
| ( ) GUTIERREZ, Member      | ( ) DEPUTY COUNTY ATTORNEY |

**SCHEDULE OF AGENDA:** ACTION MEANS DISCUSSION/ RECOMMENDATION FOR APPROVAL OR DENIAL TO THE BOARD OF SUPERVISORS ON THE FOLLOWING PLANNING CASES. (Numbers are shown for administrative convenience only. All interested persons should be aware that the cases may be heard in an order different than that shown on the agenda).

A work session is not a public hearing. For matters that are not listed as "public hearings" the public may attend and listen to the proceedings, but may only address the Commission with its permission.

#### 1. DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES:

- February 16, 2012

#### 2. REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES

- February 22, 2012
- March 14, 2012

#### CONTINUED CASES:

#### AGENDA ITEMS 3 & 4 WILL BE DISCUSSED TOGETHER

3. **PZ-PA-010-11 - PUBLIC HEARING/ACTION:** Tapia Acencion, landowner/applicant, requesting approval of a Non-Major Comprehensive Plan Amendment from **Very Low Density Residential (0-1 DU/AC)** to **Employment** on 3.3± acres to allow parking for 10 semi-trucks for business use; situated in a portion of the northeast quarter of Section 23, T05S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area). (Continued from the November 17, 2011 & January 19, 2012 Planning Commission Meetings)

PLANNING & DEVELOPMENT

4. **SUP-013-11 - PUBLIC HEARING/ACTION:** Tapia Acencion, landowner/applicant, requesting approval of a Special Use Permit to allow parking for 10 semi-trucks for business use on a 3.3± acre parcel in the Suburban Ranch Zone; situated in a portion of the northeast quarter of Section 23, T05S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area). **(Continued from the November 17, 2011 & January 19, 2012 Planning Commission Meetings)**
  
5. **PZ-PD-011-11 – PUBLIC HEARING/ACTION:** One Community Church, landowner/ applicant, Dean Schifferer, agent requesting approval of a Planned Area Development to allow a church/ office/ commercial use within the 1.25± acre parcel; situated in a portion of the northeast quarter of Section 3, T3S, R7E G&SRB&M (legal on file) Tax Parcel 509-04-002E (west of Trica Road, south of Hunt Highway in the Queen Creek area). **(Continued from the February 16, 2012 Planning Commission Meeting)**

**NEW CASES:**

6. **PZ-C-002-12 - DISCUSSION/APPROVAL/DISAPPROVAL:** The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. section 11-813(D) a zoning regulation amendment to **Title 2** of the **Pinal County Development Services Code**, amending **Chapter 2.145 Signs**, to consider adding language to address new types of portable and temporary signs as well as adding the new zones categories created with the recent Zoning Ordinance update.
  
7. **PZ-C-003-12 - DISCUSSION/APPROVAL/DISAPPROVAL:** The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. section 11-813(D) a zoning regulation amendment to **Title 2** of the **Pinal County Development Services Code**, amending **Chapter 2.185 Outside Storage and Parking**, to consider adding language to address definitions, parking locations, setbacks, and restrictions for commercial vehicles with a gross vehicle weight of 19,501 lbs or more and to add language in support of A.R.S. sec. 11-269.10 (Public Service and Public Safety Emergency Vehicles).

The Planning Commission may go into executive session for purposes of obtaining legal advice from the County’s attorney(s) on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).

**ADJOURNMENT**



**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
DRAFT MINUTES OF February 16, 2012**

**PRESENT:** Mr. Hartman, Chairman  
Ms. Aguirre-Vogler, Member  
Mr. Ellis, Member  
Mr. Gutierrez, Member  
Mr. Riggins, Vice-Chairman  
Mr. Faucette, Member  
Mr. Brown, Member  
Ms. Moritz, Member

**ABSENT:** Mr. Salas, Member

**LEGAL STAFF PRESENT:**  
Mr. Johnson, Deputy County Attorney

**PLANNING STAFF PRESENT:**  
Mr. Stabley, Director  
Ms. Sarkissian, Planner I  
Ms. MacDonald, Planner II  
Mr. Abraham, Planning Manager  
Mr. Denton, Planner II  
Ms. Cortez, Administrative Secretary

**PUBLIC WORKS STAFF PRESENT:**  
Mr. Chow, Development Section Chief

The meeting was called to order at 9:06 a.m., this date by Chairman Hartman in the Emergency Operations Center (EOC) Hearing Room, Building F, Florence, Arizona.

**DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: January 19, 2012**

Commissioner Aguirre-Vogler stated on page eight (8) on the work session, there is a spelling errors, the word should be "redistricting" and not "restricting."

Commissioner Faucette wanted to clarify on page eight (8) of the work session. It is not discourteous when the commission comments on presentations, it is actually helpful for everyone. Would like to continue to ask questions and comment during the presentations, since they are work sessions.

**MOTION**

Commissioner Ellis made a motion to accept the minutes from January 19, 2012, with the correction of the spelling. Commissioner Moritz seconded the motion. Motion passed unanimously.

**PLANNING DIRECTORS DISCUSSION ITEMS**

Mr. Stabley stated Ms. Grieb will not be present at the meeting and Mr. Johnson will be the legal advisor.

Mr. Stabley stated Ken Buchannan took a new position with the Town of Fountain Hills as the new Town Manager. His last day with Pinal County was Friday, February 10, 2012. The County Manager has appointed Greg Stanley as the interim Assistant County Manager for Development Services. Greg Stanley has appointed A.J Blaha as the interim Director for Public Works.

Commissioner Aguirre-Vogler stated after the Commission recommends a case to the Board of Supervisors and the developers come in, citizens think that the tax dollars are paying for the infrastructure. People are upset they pay taxes and things are not being done, the roads are not done.

What happens after things go to the board? How are the taxes being divided? How does the County make sure it is being done per plan? What are the basics on how the County works? Mr. Abraham responded since the questions are so wide in range and in many different departments, it would be a good idea to have a series of discussions with the department's directors. Commissioner Aguirre-Vogler stated there is no clarification on the thousand-house ruling, the fire station will not come on line, and how interstate 10 causes a problem, the fire department cannot get into Red Rock. The County does not think of things like this when things are being developed.

Chairman Hartman requested the new Public Works director come before the board to answer questions. The commission has many questions that need to be addressed. Mr. Stabley stated he would speak to the Public Works director to address the issues and concerns from the commission. Commissioner Aguirre-Vogler recommended inviting the Building and Safety director as well.

Mr. Abraham clarified the order of what the agenda would look like in the future.

- Minutes Discussion, Planning Director's Items, Report from Board of Supervisors
- Work Session from outside entities
- Public Hearings
- Staff generated items

#### **REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES**

Commissioner Aguirre-Vogler requested clarification on Rose Law, and Pulte Development wanting to develop a golf course in Red Rock. Mr. Stabley responded they are considering building a golf course community in Red Rock. Commissioner Aguirre-Vogler asked Mr. Stabley what are the limitations on applying for projects of a thousand acres or less. Mr. Stabley responded that was on the context on how open space is calculated, and how open space can be used to count towards golf course. What the development community proposed was to have a threshold if the project was small enough they could count more of the open space requirements towards the golf course.

Ms. MacDonald went over the approval and modifications made by the Board of Supervisors on the zoning ordinance.

Commissioner Ellis stepped out 9:30 a.m.

Commissioner Ellis returned 9:34 a.m.

#### **NEW CASES**

##### **CASE PZ-011-11 & PZ-PD-011-11 WILL BE DISCUSSED TOGETHER**

**PZ-011-11 – PUBLIC HEARING/ACTION:** One Community Church, landowner/ applicant, Dean Schifferer, agent requesting approval of a Rezone request from GR (General Rural) to CB-1 (Commercial) to allow a church/ office/ commercial use within the 1.25± acre parcel; situated in a portion of the northeast quarter of Section 3, T3S, R7E G&SRB&M (legal on file) Tax Parcel 509-04-002E (west of Trica Road, south of Hunt Highway in the Queen Creek area).

Ms. Sarkissian read a portion of the staff report and used a power point presentation. Ms. Sarkissian stated both cases have the same twelve (12) stipulations, and are adding an additional stipulation to both. The town of Queen Creek has submitted a letter stating they do not agree with the rezone, but do agree with the PAD amendment.

Chairman Hartman called the applicant forward.

Mr. Mark Krenz, 24441 N. Plum Rd., Florence Arizona 85152. Mr. Krenz came forward to address the Commission. Mr. Krenz gave a brief history of the church and the proposal.

Mr. Dean Schifferer, Architect 12345 E. Cloud Rd., Chandler Arizona 85249. Mr. Schifferer came forward to address the Commission. Mr. Schifferer gave a brief description of the proposal.

Commisisoner Brown stated it is important to know the history of the area, and the importance of longevity. With the open (use) palette and knowing the people that have worked so hard in that area, it is hard to approve the case.

Mr. Krenz asked if stipulation thirteen (13) does not require a new proposed owner to come before the Commission as well as the Board of Supervisors. To require the approval and it is not just an open palette. Mr. Stabley responded when someone has commercial zoning they have zoning rights. In Arizona, zoning gives people many rights. Stipulation thirteen (13) will not take away their right to have commercial on the site. They will need to follow a process to look at how everything is being laid out.

Chairman Hartman stated there is no steeple for cell tower, if they would add a cell tower would they have to come in front of the commission. Mr. Abraham responded it would depend if they met the code requirements. There are requirements that the churches must follow, they have to go through the review process.

Commisisoner Moritz stated the plan is not designed as a church; it is designed for an office space, and would be used as an office. They will not be putting in a steeple, if they want to add a steeple in the future they will need to come back.

Chairman Hartman asked if there would be across outside. Mr. Krenz responded there would be no cross, but would like to add a sign upfront. Chairman Hartman asked if there is a parking lot. Mr. Krenz responded yes and the property has existing pavement if they need more room.

Commissioner Ellis stated it appears to be more as an office space, than a church. Office space is commercial, how are they different. Mr. Krenz responded the main gathering place has enough room for 180 people. This place will be used for smaller groups, and no Sunday morning worship service.

Commissioner Ellis stated with the request to change the zone to CB-1, there would be no issues to use as an office. Everything you want to do, you could do now without rezoning. Commissioner Aguirre-Vogler agreed with Commissioner Ellis, and suggested removing the church portion of the proposal.

Commissioner Moritz stated it would raise the value of the location. Commissioner Moritz asked Mr. Krenz would the location be used for youth group, bible study, would it strictly be an office area. Mr. Krenz responded yes, correct.

Commissioner Gutierrez asked Mr. Krenz what type of precautions they are taking to conserve the security and privacy of the neighbors. Mr. Schifferer responded there are screen walls for lights. If the property does develop further, they would add fencing, and would acquire the all permits. Commissioner Gutierrez asked what type of screen walls. Is there any attempt to putting in a solid brick wall? Mr. Schifferer responded it is a no climb fence, and it keeps the animals to the south. The new masonry screen wall protects the light from affecting the neighbors. Chairman Hartman asked what the height of the lighting would be. Mr. Schifferer responded there is no pole lighting; the light is confined to the property.

Commissioner Faucette stated there is a fine line between planning and speculative zoning.

Vice Chairman Riggins stated having a church in that site is a good thing to discuss, and not a problem. Having an open palette with fifty (50) different uses and different users, all approved and entitled for a future buyer is speculative zoning and it would cause a problem.

Commissioner Moritz stated there is a cluster of general rural sitting in a surrounding area all but one side of CB-1, and would feel more comfortable with stipulation thirteen (13). Commissioner Moritz asked Ms. Sarkissian what the flood zone is. Ms. Sarkissian responded it is located on flood zone X, outside the one hundred year. (The uses permitted adjacent to CB-1 property are restaurants, medical offices, and retail offices.)

Vice Chairman Riggins stated with stipulation thirteen (13) does not address any of the issues pertaining to an open palette. Ms. Sarkissian stated with any expansion of the house as it is now, it would require them to apply for a formal PAD amendment before the Commission. If a commercial, use wanted to use the existing building as it shown they could go in without having to come before the Commission. Vice Chairman Riggins stated they are pre entitled with CB-1 zoning; they would not have to go through a process.

Chairman Hartman opened the meeting to the public.

Mr. Wayne Balmer, Planning Administrator for the town of Queen Creek. No address given. Mr. Balmer spoke against the rezoning, and in approval of the PAD.

Commissioner Ellis asked Mr. Balmer if the area was zoned commercial what would he like to see occur. Mr. Balmer responded they would like to see it stay residential and being used as a church.

Commissioner Moritz asked how the CB-1 approval was granted in the area surrounding the church and how does adding one more area of CB-1 cause a problem. Commisisoner Brown responded the community is amiable to hearing commercial presentations but they do reserve the right for denial. The community does not agree with an open palette.

Mr. Thomas Lang, 6875 W. Hunt Hwy Queen Creek, Arizona 85142. Mr. Lang came forward to address the Commission. Mr. Lang spoke in favor of the church, and against the open palette with the rezone.

Chairman Hartman closed the public portion of the hearing.

Chairman Hartman asked Mr. Stabley could they back zone to general rural. Mr. Stabley responded the application could be amended.

**MOTION**

Commissioner Moritz made a motion to forward PZ-011-11 to the Board of Supervisors with a recommendation of denial. Commissioner Faucette seconded the motion. Motion passed unanimously.

Ms. Sarkissian stated the PZ-PD would allow them to have the church, currently the setbacks do not allow them to. Mr. Stabley stated if the PAD would be approved it will be better to have a continuance to work with the details, since the two (2) cases are linked together.

**PZ-PD-011-11 – PUBLIC HEARING/ACTION:** One Community Church, landowner/ applicant, Dean Schifferer, agent requesting approval of a Planned Area Development to allow a church/ office/ commercial use within the 1.25± acre parcel; situated in a portion of the northeast quarter of Section 3,

T3S, R7E G&SRB&M (legal on file) Tax Parcel 509-04-002E (west of Trica Road, south of Hunt Highway in the Queen Creek area).

### MOTION

Commissioner Ellis made a motion to continue case PZ-PD-011-11 to March 15, 2012 at 9am. Vice Chairman Riggins seconded the motion. Motion passed unanimously.

BREAK 10:50 a.m.

RECONVENED 11:03 a.m

### CASES PZ-PA-011-11 & SUP-012-11 WILL BE DISCUSSED TOGETHER

**PZ-PA-011-11 PUBLIC HEARING/ACTION:** Candelario Chacon, landowner, applicant requesting approval of a Non-Major Comprehensive Plan Amendment from **Moderate Low Density Residential, 3.5 DU/AC, (MDR)** to **Employment** to allow an outdoor aluminum and light metal recycling facility on a 3.5± acres situated in the NW ¼ of Section 2, T07S, R06E G&SRB&M (legal on file) Tax parcel 511-21-013A (located on the east side of the intersection of Henness Rd. and Jimmie Kerr Blvd in the Casa Grande area).

Mr. Abraham read a portion of the staff report and used a power point presentation. Mr. Abraham stated The City of Casa Grande has submitted a letter stating they do not agree with the recycling center, as well as other neighbors in the area.

Commissioner Aguirre-Vogler asked if there was anything about recycling electronics. Mr. Abraham stated it would be best to have a limit on the items, electronic items can be considered hazardous because of the materials inside.

Vice-Chairman Riggins asked is the palette restricted or is it open CB-2 zoning. Mr. Abraham responded it is an open CB-2 zoning.

Chairman Hartman called the applicant forward.

Mr. Candelario Chacon, 3589 S. Henness Rd Casa Grande Arizona. Mr. Chacon came forward to address the Commission. Mr. Chacon gave a brief description of the proposal.

Chairman Hartman asked why the access to the mobile home would be limited on Henness Road. Mr. Abraham stated the stipulations states there would be no public entry to the caretaker's office. Mobile homes are considered houses and public access to a mobile home will require following all ADA standards. It is much easier to limit the access than to have the mobile home modified.

Commisisoner Gutierrez asked Mr. Chacon how is the recycled material going to be transported to the main recycling center. Mr. Chacon responded he would be using two (2) dump trucks, and they will be taken the Phoenix. Commisisoner Gutierrez asked Mr. Chacon how far is the entrance from Henness Road to the Jimmie Kerr light. Mr. Chacon responded approximately fifty (50) feet.

Commisisoner Ellis asked Mr. Chacon if he would be the operator of the business or if it would be leased. Mr. Chacon responded the property would be leased.

Chairman Hartman opened the meeting to the public. Hearing none, Chairman Hartman closed the public portion of the meeting.

Vice-Chairman stated what is being requested by this case is not a CB-2 use, it is an Industrial use. Looking at the case, it should be a case that should be denied. Commisisoner Ellis agreed with Vice-Chairman Riggins and stated the moderate low density residential is not the appropriate comprehensive plan designation for this case. The landowners surrounding the area do not agree either. Commisisoner Moritz also agreed and iterated that it is not a good idea to have recycling facilities on major thoroughfares into towns and cities that are trying to improve the image and appearance of the towns and cities.

#### **MOTION**

Commisisoner Moritz made a motion to forward case PZ-PA-011-11 with a recommendation of denial to the Board of Supervisors. Commisisoner Ellis seconded the motion. Motion passed unanimously.

**SUP-012-11 - PUBLIC HEARING/ACTION:** Candelario Chacon, landowner, applicant requesting approval of a Special Use Permit to allow an outdoor aluminum and light metal recycling facility on a 3.5± acres in the General Business Zone (CB-2) (**PZ-585-79**) situated in the NW ¼ of Section 2, T07S, R06E G&SRB&M (legal on file) Tax parcel 511-21-013A (located on the east side of the intersection of Henness Rd. and Jimmie Kerr Blvd in the Casa Grande area).

#### **MOTION**

Commisisoner Ellis made a motion to forward case SUP-012-11 with recommendation of denial to the Board of Supervisors. Vice-Chairman Riggins seconded the motion. Motion passed unanimously.

LUNCH 11:30 a.m.

RECONVENED 12:31 a.m

#### **TENTATIVE PLATS**

**S-001-05 - ACTION:** Amarillo Creek South, LLC, landowner, Barbara Rust, Coe & Van Loo Consultants, Inc., engineer, requesting approval of a tentative plat extension for **Amarillo Creek South**, 1,086 lots on a 321.3± acre parcel in the CR-3/PAD & CB-2/PAD zones; described as the E½ of Section 20, T5S, R3E, G&SRB&M, Tax Parcels 510-48-015F & 510-48-015G (located approximately 2 miles southwest of the City of Maricopa).

Mr. Denton read a portion of the staff report and used a power point presentation.

Chairman Hartman called the applicant forward.

Ms. Barbara Rust 4550 N 12th St., Phoenix Arizona 85014. Ms. Rust came forward to address the Commission. Ms. Rust gave a brief description of the proposal.

Chairman Hartman asked Ms. Rust if there has been any work done on the site. Ms. Rust responded there was a master plan community that incorporated some land to the north, and to the west. There was nothing done on this PAD. Chairman Hartman asked what is being done about the access traffic in the area, mainly the Union Pacific Rail Road tracks. Ms. Rust responded we have followed the process from ADOT, the railroad and the City of Maricopa. They have been discussing this for at least five (5) years; there have not been any solutions.

Commisisoner Ellis stated they are currently working on figuring out if they are going to use John Wayne Park Way or White and Parker. It is a very complex because there are so many different entities.

Ms. Rust stated as the engineering firm they do try to keep up on improvements on the highways in the areas. The firm is involved with the railroad across John Wayne Park Way with City of Maricopa. It is very difficult to keep track of everyone's opinion when there are so many entities.

Commissioner Ellis stated the stakeholders are working on the flood control issues first and the traffic control issues second. The applicant should not be penalties on how the bridge is done; they have no control over it.

Mr. Mike Caslow, property owner of Amarillo Creek South LLC and Picacho Landings Equities LLC. Mr. Caslow came forward to address the Commission. Mr. Caslow stated the property on Papago Road and North Amarillo Valley Road has been improved. The owners can only do so much; they have no control over the north side of Papago Road, since it is owned by the State of Arizona. Mr. Caslow stated as a property owner in Maricopa he does have a large interest on the area being completed.

**MOTION**

Vice-Chairman Riggins made motion to approve the following stipulations for the Tentative Plat case S-001-05 of Amarillo Creek South, with stipulations one through fifty-one (51), modification of stipulation forty-three (43) to extend the tentative plat to April 15, 2014, as set forth in the staff report. Commisisoner Ellis seconded the motion. Motion passed unanimously.

**NEW CASES**

**PZ-C-001-12 – DISCUSSION/APPROVAL/DISAPPROVAL:** The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. 11-829 (E) a Zoning Ordinance Text Amendment to **Title 2** of the **Pinal County Development Services Code**, amending **Chapter 2.166 Rezoning**, to consider adding language to require metes and bounds legal descriptions for each zoning district in a rezone request.

Ms. MacDonald read a portion of the staff report and used a power point presentation.

The Commission had no comments or questions for Ms. MacDonald.

**MOTION**

Commissioner Ellis made a motion to approve the initiation of the Zoning Ordinance Text Amendment, case PZ-C-001-12. Vice-Chairman Riggins seconded the motion. Motion passed unanimously.

**ADJOURNMENT**

Commissioner Ellis made a motion to adjourn. Vice-Chairman Riggins seconded the motion. Chairman Hartman accepted the motion. Meeting adjourned at 1:03 p.m.

RESPECTFULLY submitted March 15, 2012.

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Jerry Stabley, Planning Director



PINAL COUNTY  
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## MEMORANDUM

TO: Pinal County Planning and Zoning Commission

FROM: Arline Studley, Drafting Specialist  
Planning & Development

DATE: March 15, 2012

SUBJECT: **BOARD OF SUPERVISORS (BOS) ACTION ON P&Z CASES**

### BOS HEARING OF FEBRUARY 22, 2012 P&Z Cases

**PZ-PA-009-11** - Tapia Acencion, landowner/applicant, requesting approval of a Non-Major Comprehensive Plan Amendment from **Very Low Density Residential (0-1 DU/AC)** to **Employment** on 3.3± acres to allow parking for 10 semi-trucks for business use.

**P&Z voted unanimously to recommend approval.**

**BOS Action: Approved**

**SUP-016-11** - Tapia Acencion, landowner/applicant, requesting approval of a Special Use Permit to allow parking for 10 semi-trucks for business use on a 3.3± acre parcel in the Suburban Ranch Zone.

**P&Z voted unanimously to recommend approval.**

**BOS Action: Approved**

### BOS HEARING OF MARCH 14, 2012 P&Z Cases

**No Cases**

Chairman Rios recognized County Attorney, Jim Walsh in the audience.

**Meeting of the Pinal County Public Health Services District Board of Directors.**

**10:33 A.M.** – Motion was made by Supervisor Snider and seconded by Supervisor Martyn to recess from regular session of the Board of Supervisors and convene as the Pinal County Public Health District Board of Directors. Motion carried by unanimous vote.

**10:34 A.M.** - Motion was made by Director Snider and seconded by Director Martyn to adjourn from the Pinal County Public Health District Board of Directors and reconvene as the Pinal County Board of Supervisors. Motion carried by unanimous vote.

Chairman Rios recognized Clerk of the Court, Chad Roche in the audience.

**A. PZ-PA-009-11 – Arizona State Land Department, landowner, Jason Allen, agent, requesting approval of a Non-Major Comprehensive Plan Amendment from Restricted Use Open Space to Moderate Low Density Residential on 4.91± acres to allow an unmanned aircraft testing field; situated in a portion of the southeast quarter of Section 30, T03S, R10E G&SRB&M (legal on file) State Land (located on the east side of Highway 79 approximately 1 mile north of Arizona Farms Road) Planning Commission voted unanimously to recommend approval of PZ-PA-009-11.**

**B. SUP-016-11- Arizona State Land Department, landowner, The Boeing Company, applicant, Jason Allen, agent, requesting approval of a Special Use Permit to allow an unmanned aircraft testing field on 4.91± acres in the General Rural Zone; situated in a portion of the southeast quarter of Section 30, T3S, R10E G&SRB&M (legal on file) State Land (located on the east side of Highway 79 approximately 1 mile north of Arizona Farms Road). Planning Commission voted unanimously to recommend approval of SUP-016-11 with 11 stipulations.**

Chairman Rios announced that the above listed cases would be heard without additional input from the applicant or public unless prior to the time the case was publically heard, the applicant, a staff member or the member of the public requested that a case be considered separately. He advised that in the event that no such request for a hearing was made the Board would vote to approve the recommendation of the Commission.

Chairman Rios asked if there were any requests from the public, staff or the Board to have a zoning case pulled from the consent agenda for a public hearing. A member of the audience requested that both items be heard separately.

Chairman Rios opened the public hearing and called for comments.

Ty LeSueur of LeSueur Investments in Mesa, Arizona appeared before the Board. The burden of proof is upon the applicant to provide the required information at a public hearing and be prepared to address and mitigate the following issues: Land use, perimeter walls, signage, setbacks, ingress, egress and landscaping; public services, sewer water utilities and drainage; neighborhood impact; flood control; traffic impact; compatibility consistency with Pinal County comprehensive plan; and benefits detrimental to Pinal County. Mr. LeSueur felt that the neighborhood impact issue has not been fully addressed and asked the Board to consider continuing the items until it can be addressed. He recommended that a noise study be done before the case moves forward.

Ashlee McDonald presented a power point presentation that can be found on the Board of Supervisor's website. Surrounding property is state land and is state land leased. The site is currently vacant as are the surrounding properties. Planning Commission recommended approval of both cases with stipulations associated with SUP-16-11.

Applicant Jason Allen, Skyline Consultant, Phoenix Arizona appeared on behalf of the Boeing Company. The site is as far from civilization as possible and he pointed out they have gone through the notification process. Mr. Allen pledged to provide Mr. LeSueur with a noise contour map and provide a personal phone number of a Boeing representative to address any issues should they arise. The burden of proof has been met and there will be little to no impact on adjacent properties.

There was no one else who wished to speak. Chairman Rios closed the public hearing and called for a motion.

Motion was made by Supervisor Martyn and seconded by Supervisor Snider to approve PZ-PA-009-11 – Arizona State Land Department, Jason Allen, agent, as presented with no stipulations. Motion carried by unanimous vote.

Motion was made by Supervisor Martyn and seconded by Supervisor Snider to approve SUP-016-11- Arizona State Land Department, landowner, The Boeing Company, applicant, Jason Allen, agent, with eleven (11) stipulations:

1. Access to State Route 79 shall require ADOT approval. Provide ADOT permit/approval prior to Site Plan approval;
2. Any work within the FEMA 100-yr floodplain (Zone A) will require a floodplain use permit;
3. The permit is issued to The Boeing Company, not to the land;
4. The layout, design and set up of the unmanned aircraft testing field shall be developed as shown and set forth on the applicant's submittal documents and site plan, except as stipulated herein;

5. Operation of the testing field shall be limited to sunrise to sunset;
6. The applicant/owner/developer shall attend Site Plan Review meeting(s) with Planning and Development Services staff;
7. The applicant shall keep the area free of trash, litter and debris;
8. 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;
9. The applicant shall receive any necessary permits and approvals from the State Fire Marshall for the 55 gallon fuel drum storage and dispensing;
10. All Federal, State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance and building permits; and
11. Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Department.

Motion carried by unanimous vote.

**Resolution No. 022212-CEO, a joint resolution of the Constitutional Elected Officers and Board of Supervisors of Pinal County, Arizona adopting the prohibition of certain political activity provision of Pinal County Policy and Procedure 1.30 for each elected office.**

Wendy Peterson, Pinal County Human Resources Director appeared before the Board. There were comments from around the county regarding the structure and wording of the resolution. The policy has not been changed since 2004 and does provide for prohibitions for employees. The issue is that the policy pertains to all county employees excluding elected officials. Ms. Peterson suggested a revision be done and action be taken at a later date.

County Attorney Jim Walsh indicated that his office has complied with the policy and would support approval of the resolution when it returns for consideration.

Motion was made by Supervisor Snider and seconded by Supervisor Martyn to table consideration of Resolution No. 022212-CEO to March 14, 2012 at 9:30 A.M. Motion carried by unanimous vote.

**Discussion and possible action on Board Initiative for the Abandonment of a portion of Camino Largo, 60 feet wide, commencing at Rolling Ridge Lane and proceeding southerly for 237 feet to the point of termination, located within Supervisory District #2, Section 2, T3S, R8E, within the unincorporated area of Pinal County, Arizona; to direct the County Engineer to request written recommendations, including a legal description and maps of the proposed**

**PZ- PA-010-11  
&  
SUP-013-11**

**PZ- PA-010-11 & SUP-013-11**



MEETING DATE: March 15, 2012 (***continued from November 17, 2011 & January 19, 2012 hearing***)

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NOS.: **PZ-PA-010-11/SUP-013-11 (Tapia Trucking)**

CASE COORDINATOR: Dedrick Denton

LEGAL DESCRIPTION: A 3.3± acre parcel situated in Sections 23, T05S, R04E, G&SRB&M  
(legal on file)

TAX PARCEL: 502-44-014

APPLICANT/LANDOWNER: Acencion Tapia, 32621 West San Lorenzo Drive, Maricopa, AZ  
85138.

REQUESTED ACTION & PURPOSE (**PZ-PA-010-11**): Acencion Tapia, applicant/landowner,  
requesting approval of a non-major comprehensive plan amendment on 3.3± acres from  
**Very Low Density Residential to Employment.**

REQUESTED ACTION & PURPOSE (**SUP-013-11**): Acencion Tapia, applicant/landowner,  
requesting approval of Special Use Permit to operate ten semi-trucks for business use  
on 3.3± acre parcel in the (SR) Suburban Ranch Zone.

LOCATION: The subject property is located adjacent to San Lorenzo Drive and just south of  
Trading Post Road.

SIZE: 3.3± acres

COMPREHENSIVE PLAN: The site is designated as Very Low Density Residential (0-1 du/ac)  
and this designation surrounds the site. There is land designated as Employment along  
the north side of Trading Post Road and an Activity Center is approximately located ¼  
mile northeast of the subject property.

EXISTING ZONING AND LAND USE: The subject property is currently zoned Suburban Ranch.  
There is currently a residential use on the property in conjunction with an existing  
trucking business. The intent of the Non-Major Comprehensive Plan Amendment and  
Special Use Permit is to allow the operation of a trucking business on the site.

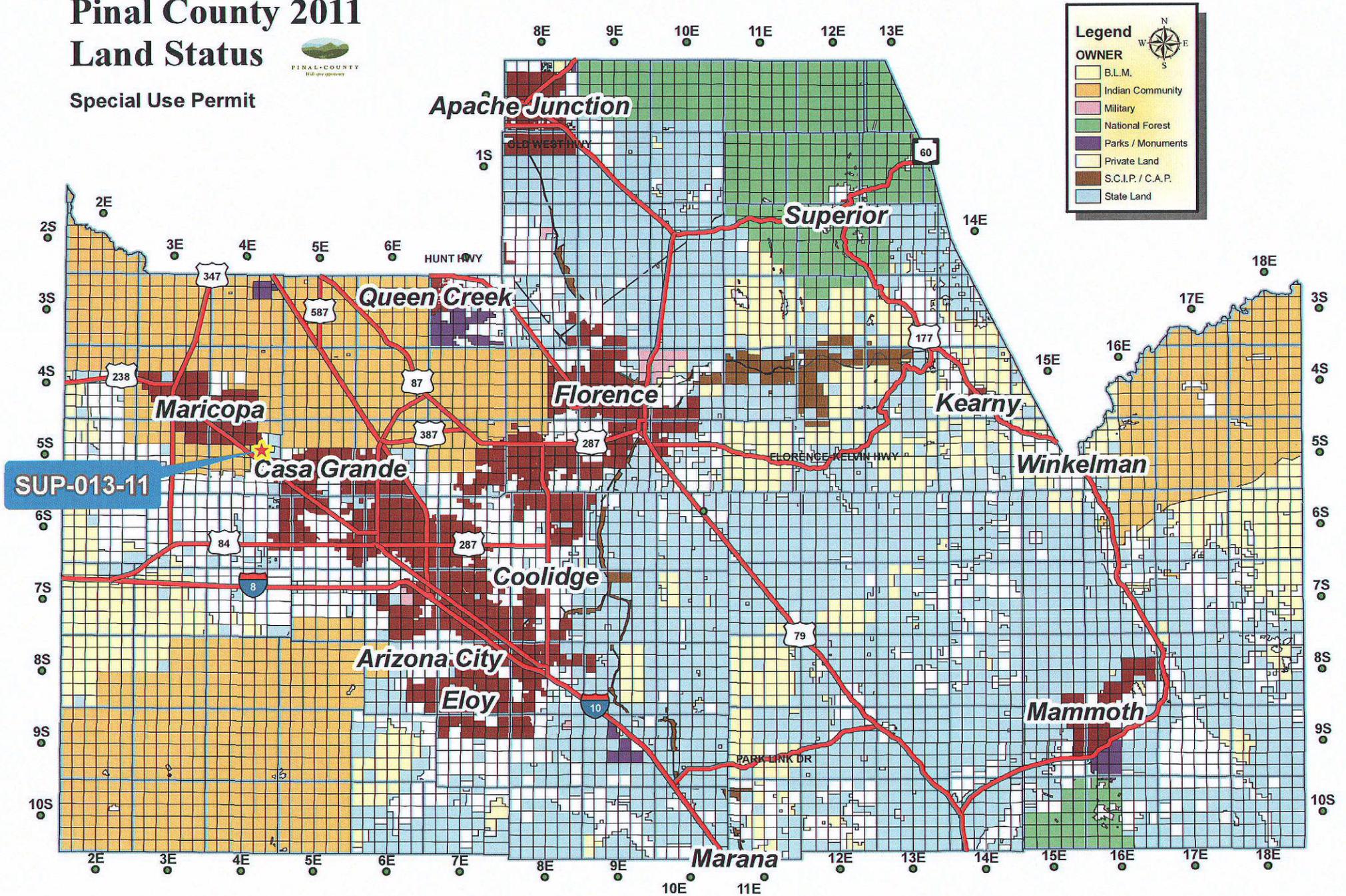
SURROUNDING ZONING AND LAND USE:

North: (SR); Residential  
South: (SR); Residential  
East: (SR); Residential  
West: (SR); Residential

# Pinal County 2011 Land Status



## Special Use Permit





### Non-Major Comprehensive Plan Amendment

PZ-PA-010-11 - PUBLIC HEARING/ACTION: Tapia Acencion, landowner/applicant, requesting approval of a Non-Major Comprehensive Plan Amendment from Very Low Density Residential (0-1 DU/AC) to Employment on 3.3± acres to allow parking for 10 semi-trucks for business use; situated in a portion of the northeast quarter of Section 23, T5S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area).

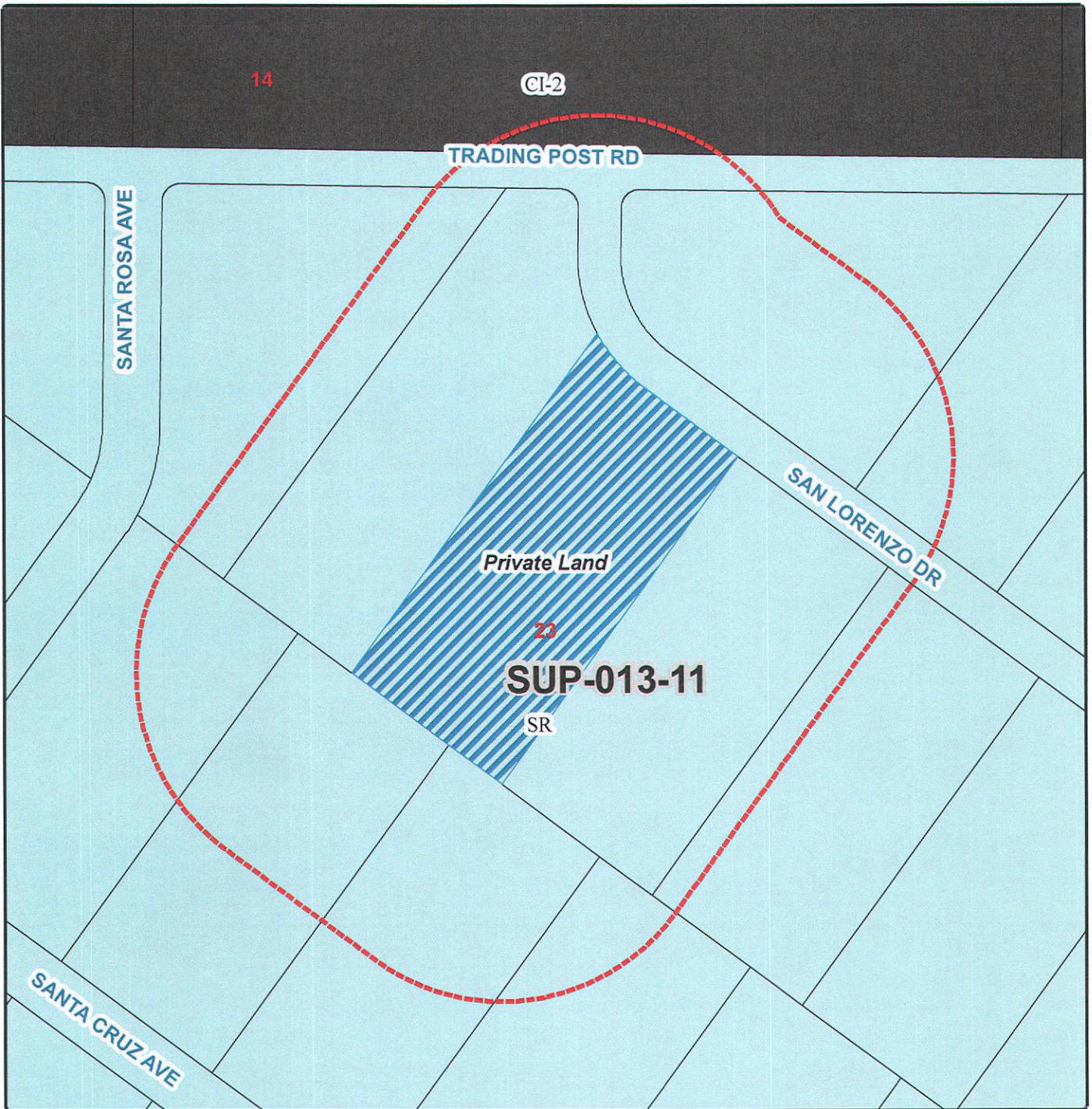


Current Zoning: SR  
 Request Land Use: EMPLOYMENT  
 Current Land Use: VLDR



**Legal Description:**  
 Situated in a portion of the Section 23, T05S, R04E, G&SRB&M, Parcel 502-44-014 (legal on file) (CASA GRANDE area).  
 T05S-R04E Sec 23

	Owner/Applicant: TAPIA ACENCION		
	Drawn By: GIS / JT / VC	Date: 10/12/2011	
Sheet No. 1 of 1	Sections 23	Township 05S	Range 04E
Case Number: PZ-PA-010-11			



### Special Use Permit

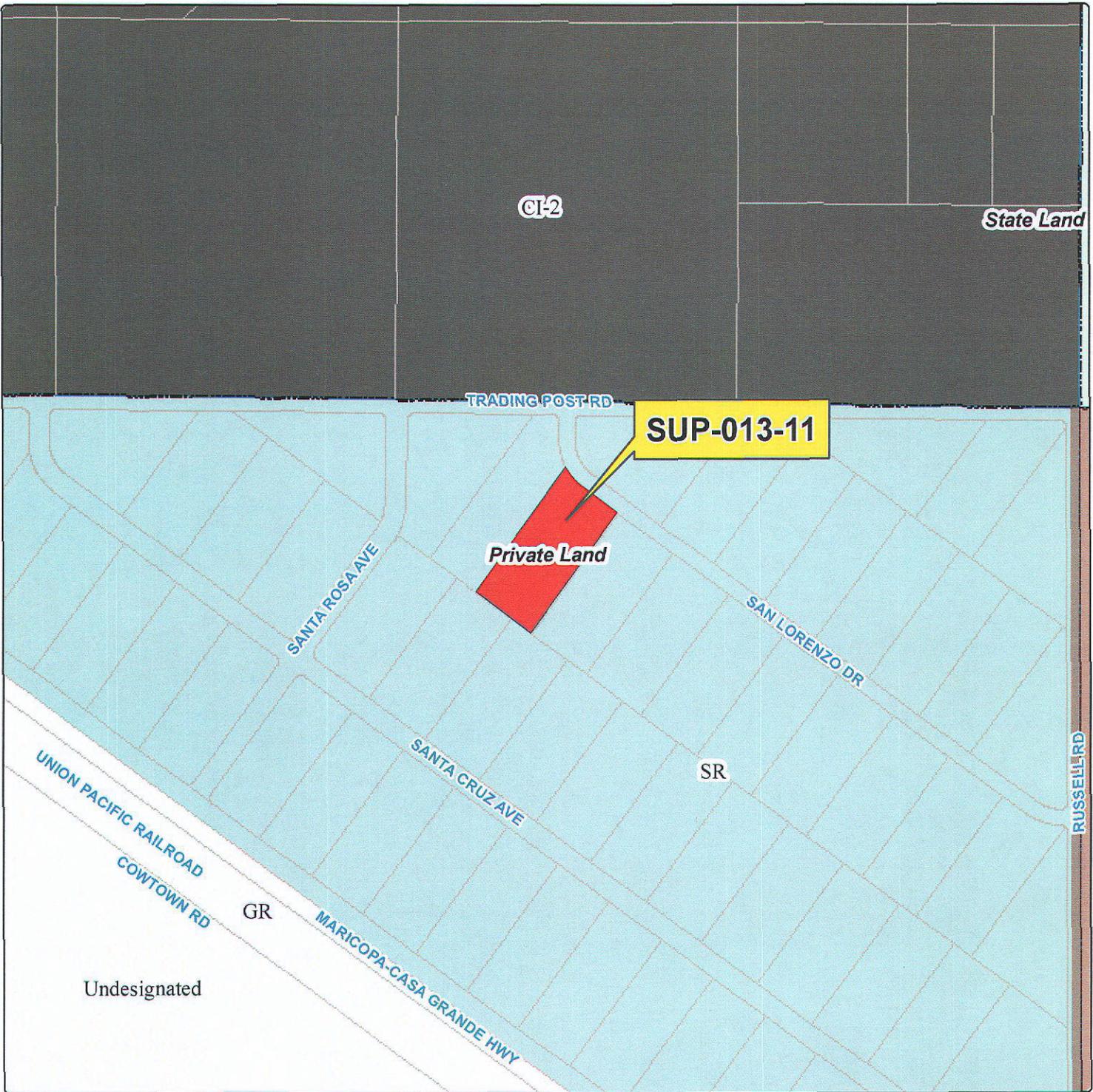
SUP-013-11 - PUBLIC HEARING/ACTION: Tapia Acencion, landowner/applicant, requesting approval of a Special Use Permit to allow parking for 10 semi-trucks for business use on a 3.3± acre parcel in the Suburban Ranch Zone; situated in a portion of the northeast quarter of Section 23, T5S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area).



Current Zoning: SR  
 Request Zoning: Special Use Permit  
 Current Land Use: VLDR



<b>Legal Description:</b> <small>Shaded in a portion of the Section 23, T05S, R04E, G4SRB&amp;M. Parcel 502-44-014 (legal on file) (CASA GRANDE area).</small>		<b>Owner/Applicant:</b> TAPIA ACENCION	
T05S-R04E Sec 23		<b>Drawn By:</b> GIS / JT / VC	<b>Date:</b> 12/12/2011
<b>Sheet No.:</b> 1 of 1	<b>Sections:</b> 23	<b>Township:</b> 05S	<b>Range:</b> 04E
<b>Case Number:</b> SUP-013-11			



# Special Use Permit

Planning & Development Services



PINAL COUNTY  
Wide open opportunity

TAPIA ACENCION

**Legal Description:**

Situated in Section 23, T05S, R04E G&SRB&M, Parcel 50244014 (legal on file)  
T05S-R04E Sec 23



Sheet No.  
1 of 1

TAPIA ACENCION			
Drawn By:	GIS / IT / VC	Date: 10/12/2011	
Sections	23	Township	05S
		Range	04E
Case Number:	SUP-013-11		



**SUP-013-11**

## **Special Use Permit**



**PINAL • COUNTY**  
*Wide open opportunity*



**SUP-013-11**



502440120 Private

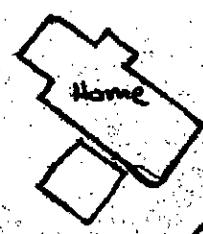
502440040 Private

502440130 Private

Gate Entrance

St. San Lorenzo Dr  
Paved Road

Landscaping



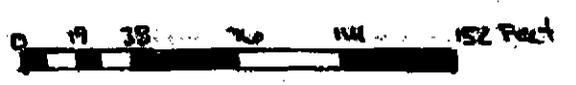
Open Space for  
Parking Trucks & Equipment

Loose Dirt

502440150 Private

502440160 Private

502440310 Private



**FINDINGS:**

Site data:

Flood zone: "x" an area that is determined to be outside the 100 year floodplain.

Water: available to property

Sewer: Septic

Access: The property is accessed from San Lorenzo Drive

**PUBLIC PARTICIPATION:**

Neighborhood Meeting: July 13, 2011

Neighborhood and agency mail out: Week of October 12, 2011

News paper Advertising: October 20, 2011

Site posting: Applicant: Week of October 24, 2011

Site posting: County: October 26, 2011

**HISTORY:** The property was rezoned from CI-2 to SR as part of case PZ-C-017-72. The 2009 Comprehensive Plan shows the area as Very Low Density Residential.

**ANALYSIS:** The applicant is requesting approval of a Non-Major Comprehensive Plan Amendment and a Special Use Permit to allow the operation of ten semi-trucks for business use on a 3.3± acre parcel in the (SR) Suburban Zone.

The Subject property is currently located within the Very Low Density Residential land use designation on the Comprehensive Plan land use map. The applicant is requesting a designation change to Employment on a 3.3± acre parcel under case PZ-PA-010-11. If approved, this change would create an island of Employment within the VLDR designation. The request for a Comprehensive Plan Amendment is necessary to ensure compatibility with the Special Use Permit request. These cases will be heard together but a separated motion is needed for each case.

The site is located within Saddleback Farms subdivision. The subdivision is bounded by Trading Post Road, Russell Road, Maricopa – Casa Grande Highway, and Anderson Road. Adjacent to the north side of Trading Post Road is Phoenix Regional Airport. The City of Casa Grande city limits is approximately 1,800 feet east of the site and the City of Maricopa city limits is approximately 1 mile northwest.

Currently, there is a zoning code violation filed against the property owner. The citation was issued on March 26, 2011 for operating a business within a residential zone.

At the previous hearing the applicant mentioned other businesses are operating within their neighborhood. Staff conducted a site visit and discovered two businesses that might be questionable. This information was conveyed to our code compliance officers and a letter of violation was issued to both property owners to discontinue the business or apply for a Special Use Permit.

To date, no letters in opposition or in favor have been received from property owners inside the 600 foot notification area.

The **Pinal County Department of Public Works** reviewed the proposal and their recommended stipulations are included.

The **Pinal County Air Quality Control District** provided comments which are included in the correspondence section of this staff report.

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 Non-Major Comprehensive Plan Amendment under Planning Case **PZ-PA-010-11** and Special Use Permit under Planning Case **SUP-013-11**. Furthermore, the Commission must determine that this Non-Major Comprehensive Plan Amendment and SUP 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.

**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:** The applicant, Acencion Tapia, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of a Non-Major Comprehensive Plan Amendment and a Special Use Permit.
2. The subject property is located within the "Very Low Density Residential" designation of the Pinal County Comprehensive Plan.
3. The applicant is requesting a designation change to Employment to continue the operation of their trucking business.
4. Currently, there is a zoning code violation on the property for operating a business within a residential zone.
5. To date, no letters in opposition or in favor have been received from property owners inside the 600 foot notification area.
6. The property is accessed from San Lorenzo Road.
7. Granting of the SUP 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.
8. A separate motion is needed for each case.

**STAFF RECOMMENDATION (PZ-PA-010-11):** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this request, is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote the orderly growth and development of the County and will be consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **PZ-PA-010-11** to the Board of Supervisors with a favorable recommendation. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- No recommended stipulations

**STAFF RECOMMENDATION (SUP-013-11):** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this SUP request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-013-11** to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- 1) A Traffic Impact Analysis may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval.
- 2) A drainage report may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval.
- 3) The permit is issued to Acencion Tapia, not to the land.
- 4) The layout, design and set up of the trucking business shall be developed as shown and set forth on the applicant's submittal documents and site plan, except as stipulated herein.
- 5) There shall be a twenty-five foot (west lot line), hundred foot (rear lot line) and fifty foot (east lot line) buffer zone measured from the property line. The buffer zone shall include landscaping; parking of semi-trucks within the buffer area is prohibited.
- 6) Drought tolerant trees shall be planted within the buffer zone every twenty feet. A minimum 15 gallon size shall be planted and maintained to provide a visual barrier.
- 7) Hours of operation shall be limited to 4:00 am to 5:00 pm.

- 8) The permit allows only for ten semi-trucks including their trailer on the property.
- 9) The driveway and parking area shall be paved in accordance with Chapter 2.140 Section 030A of the Development Services Code.
- 10) A six foot solid masonry wall shall be maintained around the perimeter of the site.
- 11) Maintenance and repair work will not be permitted on site.
- 12) Access to and from the site shall be Trading Post Road to Russell Road to Maricopa-Casa Grande Highway. The use of Anderson Road will not be permitted.
- 13) The applicant/owner/developer shall attend Site Plan Review meeting(s) with Planning and Development Services staff for the trucking business. Site plan review shall include landscaping plans.
- 14) The applicant shall keep the area free of trash, litter and debris.
- 15) 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.
- 16) All Federal, State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance and building permits.
- 17) Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Department.

Date Prepared: 11/04/11 - dld  
Revised: 01/06/12 - dld  
Revised: 03/05/12 - dld

**PINAL COUNTY ATTORNEY**  
**CIVIL DIVISION**

**MEMO TO:** Dedrick Denton, Planner II

**FROM:** Patricia A. Grieb  
Deputy County Attorney

**DATE:** December 30, 2011

**RE:** Conditions for special use permits

Question: Can the planning and zoning commission place a condition on the grant of a special use permit, requiring a specific route be used to access the property where the special use will be located?

Answer: Before granting a special use permit, the planning and zoning commission needs to determine that the “public health, safety, morals and general welfare will not be adversely affected, that ample off-street parking will be provided and that necessary safeguards will be provided for the protection of surrounding person and neighborhood values.” [Pinal County Development Services Code section 2.150.020]

The planning and zoning commission may designate such conditions that “will, in its opinion, secure substantially the objectives of the regulation or provision to which such special use permit is granted, and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted.” [Pinal County Development Services Code section 2.150. 050]

Any condition imposed must be related to the use of the land. Conditions permitting the use of property by special use permit must be found in the zoning regulations and the commission must have the authority to subject the grant of the special use permits to those conditions. Beckish v. Planning and Zoning Commission of Town of Columbia, 162 Conn. 11, 291 A.2d 208 91971) citing Farina v. Zoning Board of Appeals, 157 Conn. 420, 422, 254 A.2d 492. Furthermore, the conditions must bear a relationship to the proposed use. See Beckish case and Gordon v. Zoning Bd. of Appeals of Town of Clarkstown, 126 Misc.2d 75, 481 N.Y.S.2d 275 (1984)

Traffic flow and traffic congestion are legitimate concerns under public safety. It is important that the record show ample evidence to support a finding that the conditions attached to the special use permit are reasonably required to prevent or reduce the concerns addressed in the conditions. See Exxon, Inc. vs. the City of Frederick, 36 Md.App. 703, 375 A.2d 34).

Summary: If a condition concerning traffic issues arises out of concerns for the public health, safety, morals and general welfare; the proposed special use will add to the traffic issues; and there is ample evidence to support a finding that a condition is reasonably required to mitigate the traffic issues, then the planning and zoning commission has a basis for recommending that such a condition be imposed on the grant of the special use permit.

C:\DOCUME~1\dedrickd\LOCALS~1\Temp\XPgrpwise\SUP-conditions-memo 12-30-2011.doc

**From:** Carrie Duncan  
**To:** Denton, Dedrick  
**Date:** 1/4/2012 10:15 AM  
**Subject:** Complaints

Good Morning Dedrick,  
Gene called me and said that Mr. Tapia was complaining about other businesses in the area of his and why they don't have to have an SUP to operate.  
I sent out letters of violation to the trash service (CC-0004-12) and the fabrication business (CC-0005-12) letting them know they need to discontinue business or apply for an SUP.

Let me know if I can be of anymore help,

Carrie



## Memorandum

Date: November 17, 2011

To: Steve Abraham, Senior Planner  
Planning and Development Services Department

From: A.J. Blaha, P.E.  
Deputy Public Works Director *UAC*

**Subject: Rezoning Application for TAPIA TRUCKING, Case No. SUP-013-11**

The Public Works Department has reviewed the Rezoning Application for TAPIA TRUCKING, Case No. SUP-013-11 and recommends that it be approved subject to the following conditions:

- 1) A Traffic Impact Analysis may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval;
- 2) A drainage report may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval;

rev: L. Chow  
c: D. Denton



PINAL COUNTY  
*wide open opportunity*

MEMORANDUM FROM AIR QUALITY

Date: November 9, 2011

To: Steve Abraham

Cc: P & Z Review Committee

From: Anu Jain - Permit Engineer

Re: Planning & Zoning Cases

I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
11/17/11	PZ-PA-010-11, SUP-013-11	Acencion Tapia	Trucking Business	See comment 1
11/17/11	PZ-PA-008-11, PZ- (PD)010-11, IUP- 004-11	Christopher Lenz	Photovoltaic Solar Facility	See comments 1 & 2
11/17/11	PZ-PA-009-11, SUP-016-11	Jason Allen	Boeing Helipad	See comment 1
11/17/11	SUP-015-11	Charles Vowell	Feed Store	See comment 1

**\*Comments:**

1. The above proposed Planning and Zoning cases should have a paved road arterial access to the project, paved road access within the project and paved parking lots.
2. Air Quality permit may be required if any equipment emitting regulated pollutants (nitrogen oxides, carbon monoxide, particulate matter, sulfur dioxides, volatile organic compounds and hazardous air pollutants) are installed.

**Note:**

All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District.

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. The legal description of the property: Personal property

2. Parcel Number(s): 14 502 44-DA Total Acreage: 3.75

3. Current Land Use Designation: operation of my business <sup>very low density residential</sup>

4. Requested Land Use Designation: operation of my business employment

5. Date of Concept Review: 11/23/2010 Concept Review Number: CR-035-10

6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.):

I have been giving a notice of violation and am trying to make everything correct

7. Discuss any recent changes in the area that would support your application.

Any changes needed to be proved

8. Explain why the proposed amendment is needed and necessary at this time.

This is my personal property and always operated my business from here. I haven't had any complaints from my neighbors to move everything would cause a hardship and possible loss of business

RECEIPT #: AMT: \$1,545.<sup>00</sup> DATE: 8/5/11 CASE: P3-PA-007-11  
010

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- A. One copy of a **certified** A.L.T.A. Survey, including legal descriptions of the proposed designations
- B. Location map which identifies the property and its relationship to Pinal County environs.
- C. Map showing the topography of the property.
- D. Site map which specifically identifies the property including parcels under separate ownership.
- E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- G. Non-refundable filing fee as shown on the cover page.
- H. Submit a CD which contains a copy of the application and narrative in PDF format.

THIS APPLICATION MUST BE SUBMITTED IN PERSON.

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.

Acencion Tapia 26301 W. San Lorenzo Dr. Maricopa AZ 85138 [REDACTED]

---

Name of Landowner (Applicant) Address Phone Number



---

Signature of Landowner (Applicant) E-Mail Address

---

Name of Agent Address Phone Number

---

Signature of Agent E-Mail Address

**The Agent has the authority to act on behalf of the landowner. The Agent will be the contact person for Planning staff and must be present at all hearings. Please use the attached Agency Authorization form, if applicable.**

APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF  
PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. Pinal County Staff Coordinator: Steve Abraham
2. Date of Concept Review: CR-035-10 Concept Review Number: 11/23/2010
3. The legal description of the property: Personal Property

4. Tax Assessor Parcel Number: 14 502-44-D14

5. Current Zoning: SR

6. Parcel size: 3.75 Acres

7. The existing use of the property is as follows: Business operations of  
A Topic Trucking

8. The exact use proposed under this request: Allow to operate my  
business at this location

9. Is the property located within three (3) miles of an incorporated community?  
YES  NO

10. Is an annexation into a municipality currently in progress?  
YES  NO

\*11. Is there a zoning violation on the property for which the owner has been cited?  
YES NO If yes, Zoning Violation Number: \_\_\_\_\_

12. 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. \_\_\_\_\_

Any changes needed to be approved

13. Explain why the proposed development is needed and necessary at this time. \_\_\_\_\_

This is my personal property, and always  
operated my business here. I haven't had any  
complaints from neighbors, so moving everything would  
cause a significant hardship and possible loss of business.

RECEIPT #:

AMT:

DATE:

CASE:

\$995.00

8/5/11

SUP-013-11



**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 300 feet of the subject parcel boundary.

Parcel No.: 502.44.0120  
Name: Stephen Schultz & Nancy T  
Address: 11449 N. Santa Rosa Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0290  
Name: Konnie Properties LLC  
Address: 32953 W. Santa Cruz Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0300  
Name: Berman Betty J  
Address: 32892 W. Santa Cruz  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0310  
Name: Gandy Bradshaw  
Address: 32870 W. Santa Cruz  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0150  
Name: Hill Cameron & Hill Ruth  
Address: 32501 W. San Lorenzo Dr  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0300  
Name: Robert Laha  
Address: 32871 W. Santa Cruz Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0340  
Name: Chris & Lorna Hawley  
Address: 52585 W. Trachine Rd Rd  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

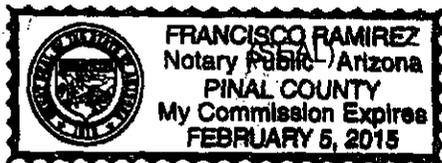
Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

I hereby verify that the name list above was obtained on the 22 day of June, 2011, at the office of E2 Numbers and is accurate and complete to the best of my knowledge.

[Signature]  
Signature

6-22-11  
Date

Acknowledged before me by Acencion Tapia on this 22 day of June, 2011.



[Signature]  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

SUPPORTING INFORMATION

1. Which category applies to this application? Q
2. If item (N) above, provide information as to the use and evidence that it is in accordance with the intent of Section 2.150.020 N/A
3. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public No Services
4. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Show ingress/egress on the site plan. No additional Traffic
5. How many parking spaces are to be provided (employees and customers). Indicate these parking spaces on the site plan. Does not apply
6. 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? None
7. What type of landscaping are you proposing to screen this use from your neighbors? None
8. What type of signage are you proposing for the activity? Where will the signs be located? No Signs
9. 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. N/A
10. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested It's my property and will maintain it as normal
11. Have you discussed possible conditions that may be placed on the permit with the Planning Department? YES NO
12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void? YES NO

## **Neighborhood Meeting**

Where:32621 W San Lorenzo Dr  
Maricopa AZ 85238

What: A group discussion regarding our  
future plans for a business permit

When: Wednesday July 13<sup>th</sup> 7:00pm

Children are welcome, we will have  
Food and refreshments for our guests

Thank you  
Tapia Family

## **Neighborhood Meeting**

Where:32621 W San Lorenzo Dr  
Maricopa AZ 85238

What: A group discussion regarding our  
future plans for a business permit

When: Wednesday July 13<sup>th</sup> 7:00pm

Children are welcome, we will have  
Food and refreshments for our guests

Thank you  
Tapia Family

## **Neighborhood Meeting**

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When: Wednesday July 13<sup>th</sup> 7:00pm

Children are welcome, we will have  
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Thank you  
Tapia Family

Lind and Chuck Stegou  
32441 San Lorenzo Dr

MELVA GOETHEL  
32381 W. SAN LORENZO DR.

MAURO ROSAS  
32401 W. SAN LORENZO DR. MARICOPA

AL MOONEY  
32681 W. San Lorenzo

Eddie Rivera  
14344 N Palovade

Richard Goodwin  
32477 W. Santa Cruz Ave

Tracy Smith  
32537 W. Santa Cruz Ave

Silvia Goodwin  
32477 W. Santa Cruz Ave

Ana Lancheros  
32477 W. Santa Cruz Ave

**PZ- PA-010-11  
&  
SUP-013-11**

**PZ- PA-010-11 & SUP-013-11**



MEETING DATE: March 15, 2012 (***continued from November 17, 2011 & January 19, 2012 hearing***)

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NOS.: **PZ-PA-010-11/SUP-013-11 (Tapia Trucking)**

CASE COORDINATOR: Dedrick Denton

LEGAL DESCRIPTION: A 3.3± acre parcel situated in Sections 23, T05S, R04E, G&SRB&M  
(legal on file)

TAX PARCEL: 502-44-014

APPLICANT/LANDOWNER: Acencion Tapia, 32621 West San Lorenzo Drive, Maricopa, AZ  
85138.

REQUESTED ACTION & PURPOSE (**PZ-PA-010-11**): Acencion Tapia, applicant/landowner,  
requesting approval of a non-major comprehensive plan amendment on 3.3± acres from  
**Very Low Density Residential to Employment.**

REQUESTED ACTION & PURPOSE (**SUP-013-11**): Acencion Tapia, applicant/landowner,  
requesting approval of Special Use Permit to operate ten semi-trucks for business use  
on 3.3± acre parcel in the (SR) Suburban Ranch Zone.

LOCATION: The subject property is located adjacent to San Lorenzo Drive and just south of  
Trading Post Road.

SIZE: 3.3± acres

COMPREHENSIVE PLAN: The site is designated as Very Low Density Residential (0-1 du/ac)  
and this designation surrounds the site. There is land designated as Employment along  
the north side of Trading Post Road and an Activity Center is approximately located ¼  
mile northeast of the subject property.

EXISTING ZONING AND LAND USE: The subject property is currently zoned Suburban Ranch.  
There is currently a residential use on the property in conjunction with an existing  
trucking business. The intent of the Non-Major Comprehensive Plan Amendment and  
Special Use Permit is to allow the operation of a trucking business on the site.

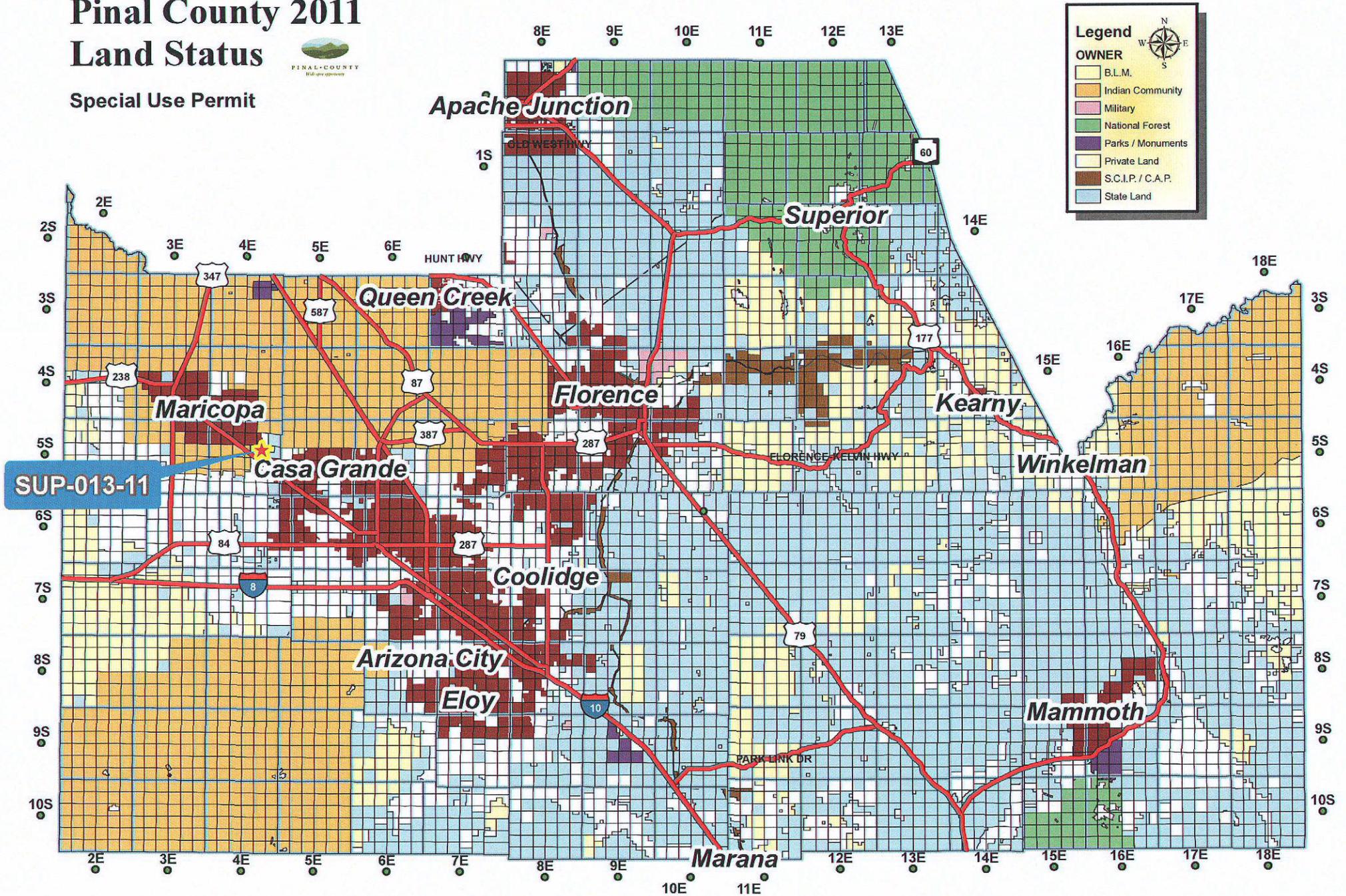
SURROUNDING ZONING AND LAND USE:

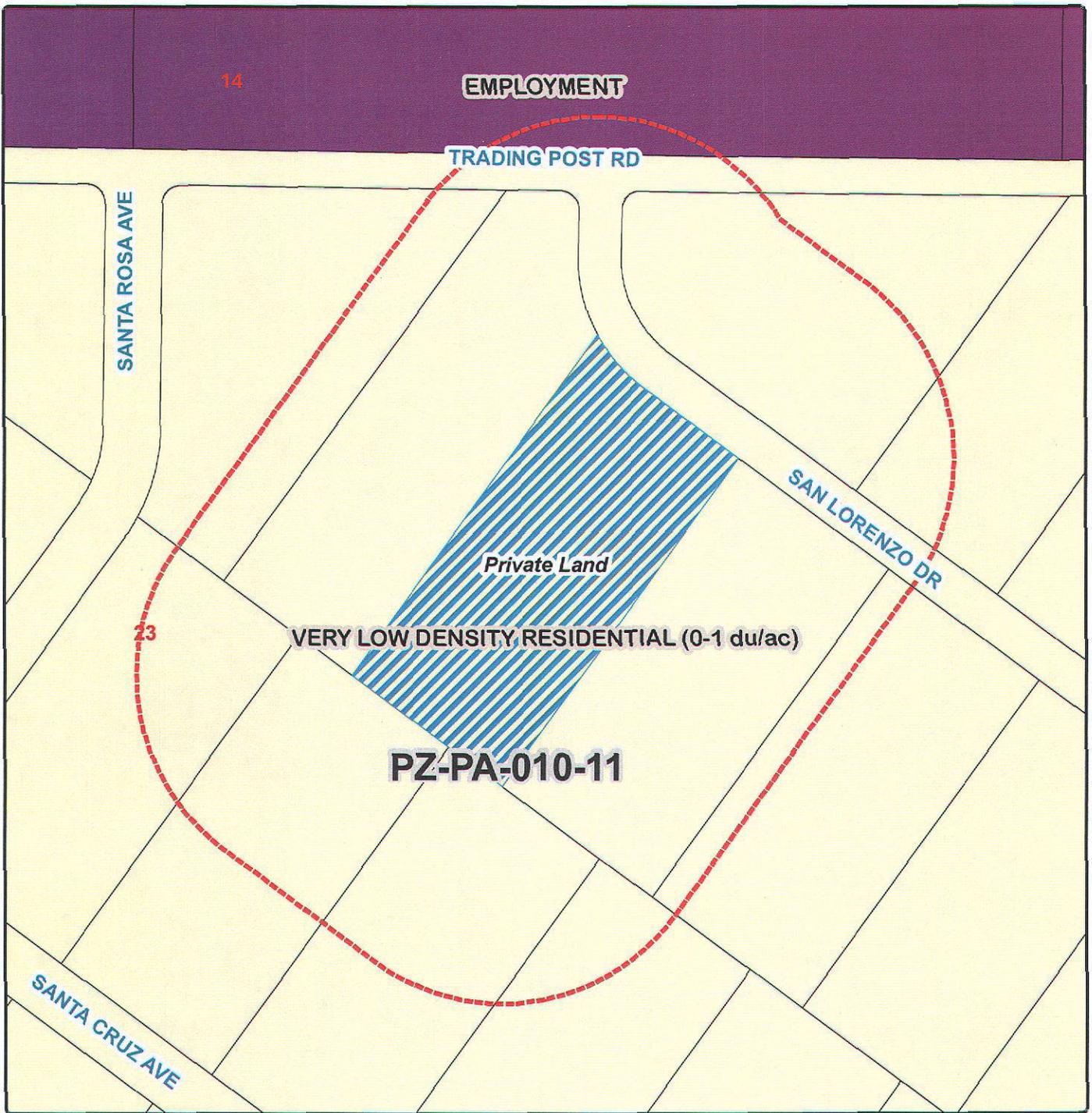
North: (SR); Residential  
South: (SR); Residential  
East: (SR); Residential  
West: (SR); Residential

# Pinal County 2011 Land Status



## Special Use Permit





### Non-Major Comprehensive Plan Amendment

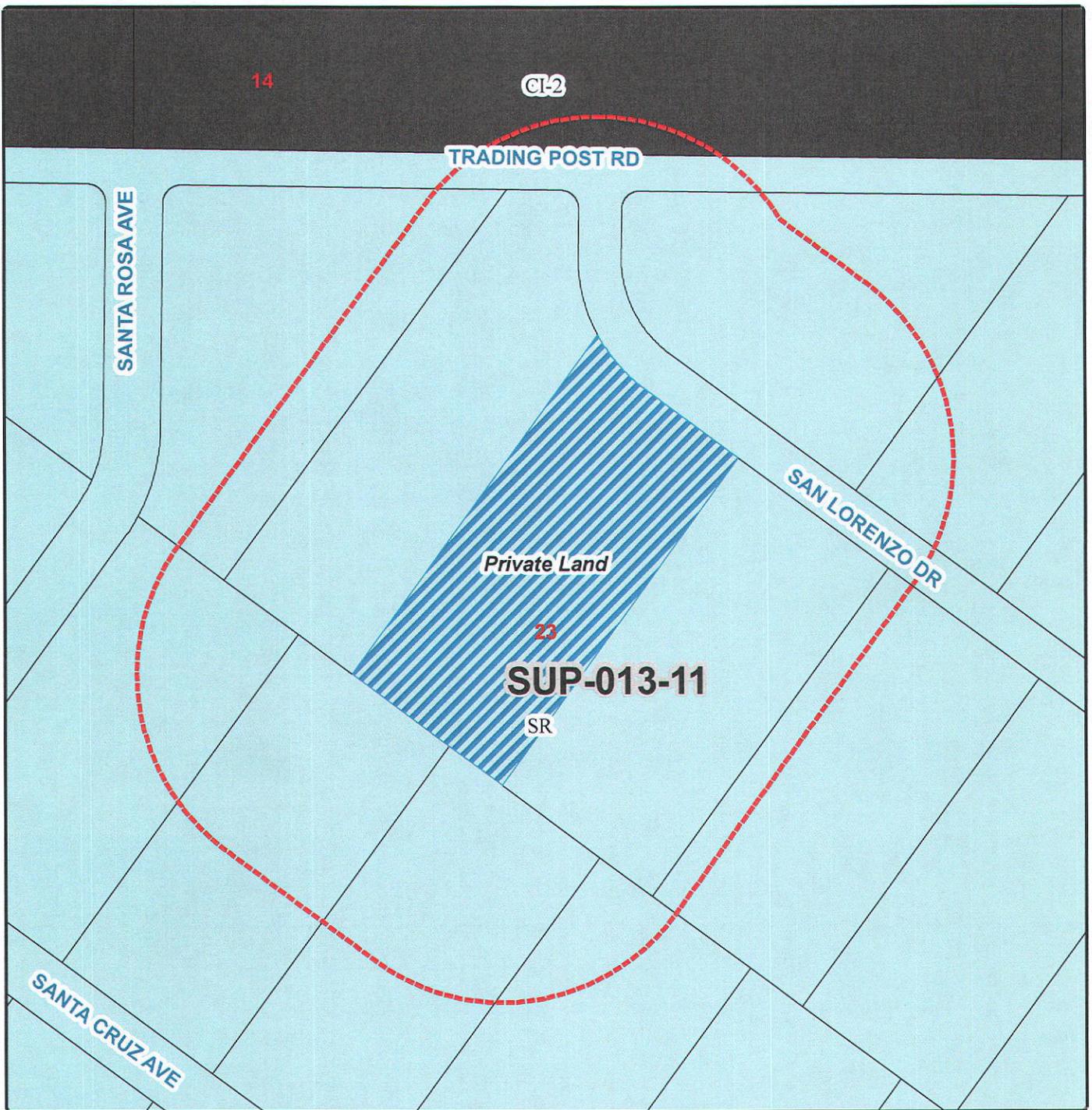
PZ-PA-010-11 - PUBLIC HEARING/ACTION: Tapia Acencion, landowner/applicant, requesting approval of a Non-Major Comprehensive Plan Amendment from Very Low Density Residential (0-1 DU/AC) to Employment on 3.3± acres to allow parking for 10 semi-trucks for business use; situated in a portion of the northeast quarter of Section 23, T5S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area).



Current Zoning: SR  
 Request Land Use: EMPLOYMENT  
 Current Land Use: VLDR



<b>Legal Description:</b> <small>Situated in a portion of the Section 23, T05S R04E, G&amp;SRB&amp;M, Parcel 502-44-014 (legal on file) (CASA GRANDE area).</small>		<b>Owner/Applicant:</b> TAPIA ACENCION	
T05S-R04E Sec 23		<b>Drawn By:</b> GIS / JT / VC	<b>Date:</b> 10/22/2011
<b>Sheet No.:</b> 1 of 1	<b>Sections:</b> 23	<b>Township:</b> 05S	<b>Range:</b> 04E
<b>Case Number:</b> PZ-PA-010-11			



### Special Use Permit

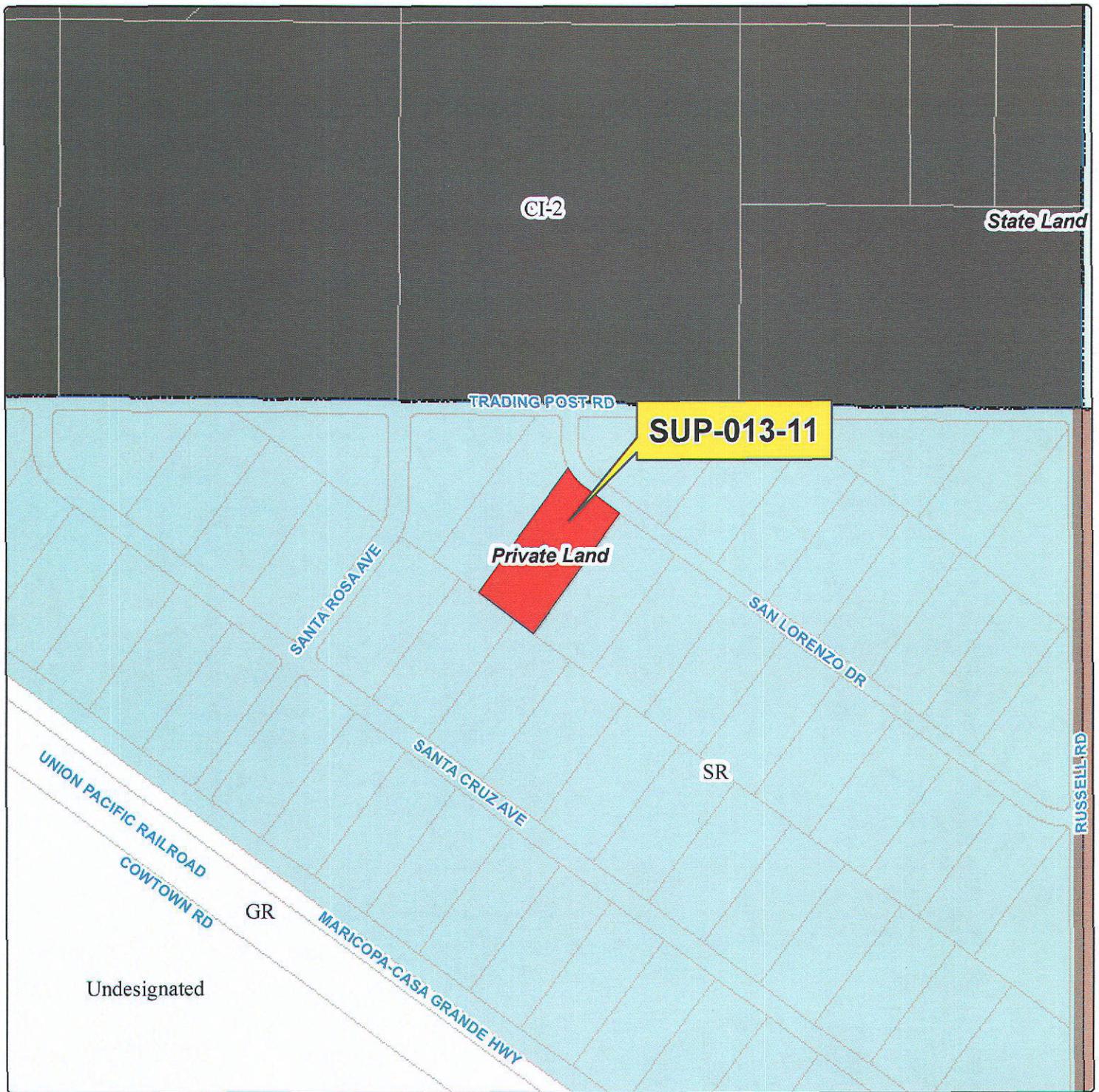
SUP-013-11 - PUBLIC HEARING/ACTION: Tapia Acencion, landowner/applicant, requesting approval of a Special Use Permit to allow parking for 10 semi-trucks for business use on a 3.3± acre parcel in the Suburban Ranch Zone; situated in a portion of the northeast quarter of Section 23, T5S, R04E G&SRB&M (legal on file) Tax Parcel 502-44-014 (located approximately ¼ mile west of Russell Road and south of Trading Post Road in the Casa Grande area).



Current Zoning: SR  
 Request Zoning: Special Use Permit  
 Current Land Use: VLDR



<b>Legal Description:</b> <small>Shaded in a portion of the Section 23, T05S, R04E, G4SRB&amp;M. Parcel 502-44-014 (legal on file) (CASA GRANDE area).</small>		<b>Owner/Applicant:</b> TAPIA ACENCION	
T05S-R04E Sec 23		<b>Drawn By:</b> GIS / JT / VC	<b>Date:</b> 12/12/2011
<b>Sheet No.:</b> 1 of 1	<b>Sections:</b> 23	<b>Township:</b> 05S	<b>Range:</b> 04E
<b>Case Number:</b> SUP-013-11			



## Special Use Permit

Planning & Development Services



PINAL COUNTY  
Wide open opportunity

TAPIA ACENCION

**Legal Description:**

Situated in Section 23, T05S, R04E G&SRB&M, Parcel 50244014 (legal on file)  
(CASA GRANDE area)

T05S-R04E Sec 23



Sheet No.  
1 of 1

TAPIA ACENCION

Drawn By: GIS / IT / VC Date: 10/12/2011

Sections 23 Township 05S Range 04E

Case Number: SUP-013-11



**SUP-013-11**

## **Special Use Permit**



**PINAL • COUNTY**  
*Wide open opportunity*



**SUP-013-11**



502440120 Private

502440040 Private

502440130 Private

Gate Entrance

W. San Lorenzo Dr  
Paved Road

Landscaping



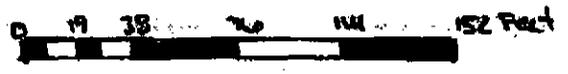
Open Space for  
Parking Trucks & Equipment

Loose Dirt

502440150 Private

502440160 Private

502440310 Private



**FINDINGS:**

Site data:

Flood zone: "x" an area that is determined to be outside the 100 year floodplain.

Water: available to property

Sewer: Septic

Access: The property is accessed from San Lorenzo Drive

**PUBLIC PARTICIPATION:**

Neighborhood Meeting: July 13, 2011

Neighborhood and agency mail out: Week of October 12, 2011

News paper Advertising: October 20, 2011

Site posting: Applicant: Week of October 24, 2011

Site posting: County: October 26, 2011

**HISTORY:** The property was rezoned from CI-2 to SR as part of case PZ-C-017-72. The 2009 Comprehensive Plan shows the area as Very Low Density Residential.

**ANALYSIS:** The applicant is requesting approval of a Non-Major Comprehensive Plan Amendment and a Special Use Permit to allow the operation of ten semi-trucks for business use on a 3.3± acre parcel in the (SR) Suburban Zone.

The Subject property is currently located within the Very Low Density Residential land use designation on the Comprehensive Plan land use map. The applicant is requesting a designation change to Employment on a 3.3± acre parcel under case PZ-PA-010-11. If approved, this change would create an island of Employment within the VLDR designation. The request for a Comprehensive Plan Amendment is necessary to ensure compatibility with the Special Use Permit request. These cases will be heard together but a separated motion is needed for each case.

The site is located within Saddleback Farms subdivision. The subdivision is bounded by Trading Post Road, Russell Road, Maricopa – Casa Grande Highway, and Anderson Road. Adjacent to the north side of Trading Post Road is Phoenix Regional Airport. The City of Casa Grande city limits is approximately 1,800 feet east of the site and the City of Maricopa city limits is approximately 1 mile northwest.

Currently, there is a zoning code violation filed against the property owner. The citation was issued on March 26, 2011 for operating a business within a residential zone.

At the previous hearing the applicant mentioned other businesses are operating within their neighborhood. Staff conducted a site visit and discovered two businesses that might be questionable. This information was conveyed to our code compliance officers and a letter of violation was issued to both property owners to discontinue the business or apply for a Special Use Permit.

To date, no letters in opposition or in favor have been received from property owners inside the 600 foot notification area.

The **Pinal County Department of Public Works** reviewed the proposal and their recommended stipulations are included.

The **Pinal County Air Quality Control District** provided comments which are included in the correspondence section of this staff report.

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 Non-Major Comprehensive Plan Amendment under Planning Case **PZ-PA-010-11** and Special Use Permit under Planning Case **SUP-013-11**. Furthermore, the Commission must determine that this Non-Major Comprehensive Plan Amendment and SUP 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.

**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:** The applicant, Acencion Tapia, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of a Non-Major Comprehensive Plan Amendment and a Special Use Permit.
2. The subject property is located within the "Very Low Density Residential" designation of the Pinal County Comprehensive Plan.
3. The applicant is requesting a designation change to Employment to continue the operation of their trucking business.
4. Currently, there is a zoning code violation on the property for operating a business within a residential zone.
5. To date, no letters in opposition or in favor have been received from property owners inside the 600 foot notification area.
6. The property is accessed from San Lorenzo Road.
7. Granting of the SUP 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.
8. A separate motion is needed for each case.

**STAFF RECOMMENDATION (PZ-PA-010-11):** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this request, is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote the orderly growth and development of the County and will be consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **PZ-PA-010-11** to the Board of Supervisors with a favorable recommendation. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- No recommended stipulations

**STAFF RECOMMENDATION (SUP-013-11):** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this SUP request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-013-11** to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- 1) A Traffic Impact Analysis may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval.
- 2) A drainage report may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval.
- 3) The permit is issued to Acencion Tapia, not to the land.
- 4) The layout, design and set up of the trucking business shall be developed as shown and set forth on the applicant's submittal documents and site plan, except as stipulated herein.
- 5) There shall be a twenty-five foot (west lot line), hundred foot (rear lot line) and fifty foot (east lot line) buffer zone measured from the property line. The buffer zone shall include landscaping; parking of semi-trucks within the buffer area is prohibited.
- 6) Drought tolerant trees shall be planted within the buffer zone every twenty feet. A minimum 15 gallon size shall be planted and maintained to provide a visual barrier.
- 7) Hours of operation shall be limited to 4:00 am to 5:00 pm.

- 8) The permit allows only for ten semi-trucks including their trailer on the property.
- 9) The driveway and parking area shall be paved in accordance with Chapter 2.140 Section 030A of the Development Services Code.
- 10) A six foot solid masonry wall shall be maintained around the perimeter of the site.
- 11) Maintenance and repair work will not be permitted on site.
- 12) Access to and from the site shall be Trading Post Road to Russell Road to Maricopa-Casa Grande Highway. The use of Anderson Road will not be permitted.
- 13) The applicant/owner/developer shall attend Site Plan Review meeting(s) with Planning and Development Services staff for the trucking business. Site plan review shall include landscaping plans.
- 14) The applicant shall keep the area free of trash, litter and debris.
- 15) 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.
- 16) All Federal, State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance and building permits.
- 17) Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Department.

Date Prepared: 11/04/11 - dld  
Revised: 01/06/12 - dld  
Revised: 03/05/12 - dld

**PINAL COUNTY ATTORNEY**  
**CIVIL DIVISION**

**MEMO TO:** Dedrick Denton, Planner II

**FROM:** Patricia A. Grieb  
Deputy County Attorney

**DATE:** December 30, 2011

**RE:** Conditions for special use permits

Question: Can the planning and zoning commission place a condition on the grant of a special use permit, requiring a specific route be used to access the property where the special use will be located?

Answer: Before granting a special use permit, the planning and zoning commission needs to determine that the “public health, safety, morals and general welfare will not be adversely affected, that ample off-street parking will be provided and that necessary safeguards will be provided for the protection of surrounding person and neighborhood values.” [Pinal County Development Services Code section 2.150.020]

The planning and zoning commission may designate such conditions that “will, in its opinion, secure substantially the objectives of the regulation or provision to which such special use permit is granted, and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted.” [Pinal County Development Services Code section 2.150. 050]

Any condition imposed must be related to the use of the land. Conditions permitting the use of property by special use permit must be found in the zoning regulations and the commission must have the authority to subject the grant of the special use permits to those conditions. Beckish v. Planning and Zoning Commission of Town of Columbia, 162 Conn. 11, 291 A.2d 208 91971) citing Farina v. Zoning Board of Appeals, 157 Conn. 420, 422, 254 A.2d 492. Furthermore, the conditions must bear a relationship to the proposed use. See Beckish case and Gordon v. Zoning Bd. of Appeals of Town of Clarkstown, 126 Misc.2d 75, 481 N.Y.S.2d 275 (1984)

Traffic flow and traffic congestion are legitimate concerns under public safety. It is important that the record show ample evidence to support a finding that the conditions attached to the special use permit are reasonably required to prevent or reduce the concerns addressed in the conditions. See Exxon, Inc. vs. the City of Frederick, 36 Md.App. 703, 375 A.2d 34).

Summary: If a condition concerning traffic issues arises out of concerns for the public health, safety, morals and general welfare; the proposed special use will add to the traffic issues; and there is ample evidence to support a finding that a condition is reasonably required to mitigate the traffic issues, then the planning and zoning commission has a basis for recommending that such a condition be imposed on the grant of the special use permit.

C:\DOCUME~1\dedrickd\LOCALS~1\Temp\XPgrpwise\SUP-conditions-memo 12-30-2011.doc

**From:** Carrie Duncan  
**To:** Denton, Dedrick  
**Date:** 1/4/2012 10:15 AM  
**Subject:** Complaints

Good Morning Dedrick,  
Gene called me and said that Mr. Tapia was complaining about other businesses in the area of his and why they don't have to have an SUP to operate.  
I sent out letters of violation to the trash service (CC-0004-12) and the fabrication business (CC-0005-12) letting them know they need to discontinue business or apply for an SUP.

Let me know if I can be of anymore help,

Carrie



## Memorandum

Date: November 17, 2011

To: Steve Abraham, Senior Planner  
Planning and Development Services Department

From: A.J. Blaha, P.E.  
Deputy Public Works Director *vac*

**Subject: Rezoning Application for TAPIA TRUCKING, Case No. SUP-013-11**

The Public Works Department has reviewed the Rezoning Application for TAPIA TRUCKING, Case No. SUP-013-11 and recommends that it be approved subject to the following conditions:

- 1) A Traffic Impact Analysis may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval;
- 2) A drainage report may be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval;

rev: L. Chow  
c: D. Denton



PINAL COUNTY  
wide open opportunity

MEMORANDUM FROM AIR QUALITY

Date: November 9, 2011

To: Steve Abraham

Cc: P & Z Review Committee

From: Anu Jain - Permit Engineer

Re: Planning & Zoning Cases

I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
11/17/11	PZ-PA-010-11, SUP-013-11	Acencion Tapia	Trucking Business	See comment 1
11/17/11	PZ-PA-008-11, PZ- (PD)010-11, IUP- 004-11	Christopher Lenz	Photovoltaic Solar Facility	See comments 1 & 2
11/17/11	PZ-PA-009-11, SUP-016-11	Jason Allen	Boeing Helipad	See comment 1
11/17/11	SUP-015-11	Charles Vowell	Feed Store	See comment 1

**\*Comments:**

1. The above proposed Planning and Zoning cases should have a paved road arterial access to the project, paved road access within the project and paved parking lots.
2. Air Quality permit may be required if any equipment emitting regulated pollutants (nitrogen oxides, carbon monoxide, particulate matter, sulfur dioxides, volatile organic compounds and hazardous air pollutants) are installed.

**Note:**

All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District.

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. The legal description of the property: Personal property

2. Parcel Number(s): 14 502 44-DA Total Acreage: 3.75

3. Current Land Use Designation: operation of my business <sup>very low density residential</sup>

4. Requested Land Use Designation: operation of my business employment

5. Date of Concept Review: 11/23/2010 Concept Review Number: CR-035-10

6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.):

I have been giving a notice of violation and am trying to make everything correct

7. Discuss any recent changes in the area that would support your application.

Any changes needed to be proved

8. Explain why the proposed amendment is needed and necessary at this time.

This is my personal property and always operated my business from here. I haven't had any complaints from my neighbors to move everything would cause a hardship and possible loss of business

RECEIPT #: AMT: \$1,545.<sup>00</sup> DATE: 8/5/11 CASE: P3-PA-007-11  
010

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- A. One copy of a **certified** A.L.T.A. Survey, including legal descriptions of the proposed designations
- B. Location map which identifies the property and its relationship to Pinal County environs.
- C. Map showing the topography of the property.
- D. Site map which specifically identifies the property including parcels under separate ownership.
- E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- G. Non-refundable filing fee as shown on the cover page.
- H. Submit a CD which contains a copy of the application and narrative in PDF format.

THIS APPLICATION MUST BE SUBMITTED IN PERSON.

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.

Acencion Tapia 26301 W. San Lorenzo Dr. Maricopa AZ 85138 [REDACTED]  
 Name of Landowner (Applicant) Address Phone Number

  
 Signature of Landowner (Applicant) E-Mail Address

\_\_\_\_\_  
 Name of Agent Address Phone Number

\_\_\_\_\_  
 Signature of Agent E-Mail Address

**The Agent has the authority to act on behalf of the landowner. The Agent will be the contact person for Planning staff and must be present at all hearings. Please use the attached Agency Authorization form, if applicable.**

APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF  
PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. Pinal County Staff Coordinator: Steve Abraham
2. Date of Concept Review: CR-035-10 Concept Review Number: 11/23/2010
3. The legal description of the property: Personal Property

4. Tax Assessor Parcel Number: 14 502-44-D14

5. Current Zoning: SR

6. Parcel size: 3.75 Acres

7. The existing use of the property is as follows: Business operations of  
A Topic Trucking

8. The exact use proposed under this request: Allow to operate my  
business at this location

9. Is the property located within three (3) miles of an incorporated community?  
YES  NO

10. Is an annexation into a municipality currently in progress?  
YES  NO

\*11. Is there a zoning violation on the property for which the owner has been cited?  
YES NO If yes, Zoning Violation Number: \_\_\_\_\_

12. 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. \_\_\_\_\_

Any changes needed to be approved

13. Explain why the proposed development is needed and necessary at this time. \_\_\_\_\_

This is my personal property, and always  
operated my business here. I haven't had any  
complaints from neighbors. To move everything would  
cause a significant hardship and possible loss of business.

RECEIPT #:

AMT:

DATE:

CASE:

\$995.00

8/5/11

SUP-013-11



**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 300 feet of the subject parcel boundary.

Parcel No.: 502.44.0120  
Name: Stephen Schultz & Nancy T  
Address: 11449 N. Santa Rosa Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0290  
Name: Konnie Properties LLC  
Address: 32953 W. Santa Cruz Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0300  
Name: Beaman Betty J  
Address: 32892 W. Santa Cruz  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0310  
Name: Gandy Bradshaw  
Address: 32870 W. Santa Cruz  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0150  
Name: Hill Cameron & Hill Ruth  
Address: 32501 W. San Lorenzo Dr  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0300  
Name: Robert Laha  
Address: 32871 W. Santa Cruz Ave  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 502.44.0340  
Name: Chris & Lorna Hawley  
Address: 52585 W. Trachine Rd Rd  
City/ST/Zip: Maricopa AZ 85139

Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

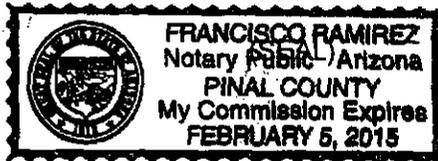
Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

I hereby verify that the name list above was obtained on the 22 day of June, 2011, at the office of E2 Numbers and is accurate and complete to the best of my knowledge.

[Signature]  
Signature

6-22-11  
Date

Acknowledged before me by Acencion Tapia on this 22 day of June, 2011.



[Signature]  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

SUPPORTING INFORMATION

1. Which category applies to this application? Q
2. If item (N) above, provide information as to the use and evidence that it is in accordance with the intent of Section 2.150.020 N/A
3. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public No Services
4. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Show ingress/egress on the site plan. No additional Traffic
5. How many parking spaces are to be provided (employees and customers). Indicate these parking spaces on the site plan. Does not apply
6. 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? None
7. What type of landscaping are you proposing to screen this use from your neighbors? None
8. What type of signage are you proposing for the activity? Where will the signs be located? No Signs
9. 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. N/A
10. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested It's my property and will maintain it as normal
11. Have you discussed possible conditions that may be placed on the permit with the Planning Department? YES  NO
12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void?  YES NO

## **Neighborhood Meeting**

Where:32621 W San Lorenzo Dr  
Maricopa AZ 85238

What: A group discussion regarding our  
future plans for a business permit

When: Wednesday July 13<sup>th</sup> 7:00pm

Children are welcome, we will have  
Food and refreshments for our guests

Thank you  
Tapia Family

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Children are welcome, we will have  
Food and refreshments for our guests

Thank you  
Tapia Family

Lind and Chuck Stegou  
32441 San Lorenzo Dr

MELVA GOETHEL  
32381 W. SAN LORENZO DR.

MAURO ROSAS  
32401 W. San Lorenzo

AL MOONEY  
32681 W. San Lorenzo

Eddie Rivera  
14344 N Palovade

Richard Goodwin  
32477 W. Santa Cruz Ave

Tracy & John  
32537 W. Santa Cruz Ave

Silvia Goodwin  
32477 W. Santa Cruz Ave

Ana Lancheros  
32477 W. Santa Cruz Ave

**PZ-PD-011-11**

**PZ-PD-011-11**



TO: PINAL COUNTY PLANNING & ZONING COMMISSION

MEETING DATE: March 15, 2012 (*continued from February 16, 2012 hearing*)

CASE NO.: **PZ-PD-011-11 (One Community Church)**  
(Connected to PZ-011-11 zone change request)

CASE COORDINATOR: Jessica Sarkissian, AICP

LEGAL DESCRIPTION: 1.27± acres situated in Section 3, T3S, R7E G&SRB&M (legal on file)

TAX PARCEL: 509-04-002E

APPLICANT/LANDOWNER: One Community Church, landowner/ applicant, 35244 N Trica Rd,  
Queen Creek, AZ 85241

REQUESTED ACTION & PURPOSE: One Community Church, landowner/ applicant,  
requesting approval of a Planned Area Development (PAD) overlay to allow church  
assembly and commercial/ office uses within a 1.27± acre parcel.

LOCATION: The subject property is located south of Hunt Highway and west of Trica Road,  
south of the Town of Queen Creek.

SIZE: 1.27± acres

EXISTING ZONING AND LAND USE: The subject property is currently zoned GR (General  
Rural), the property currently has a residential unit on it.

**SURROUNDING ZONING AND LAND USE:**

North: (CB-2); vacant  
South: (GR); residential  
East: (CB-1); vacant  
West: (CB-1); residential

**FINDINGS:**

Site data:  
Flood zone: "X" is determined to be outside the 100 and 500 year flood plain  
Water: Queen Creek Water  
Sewer: Septic  
Access: The property is accessed from Trica Road

**PUBLIC PARTICIPATION:**

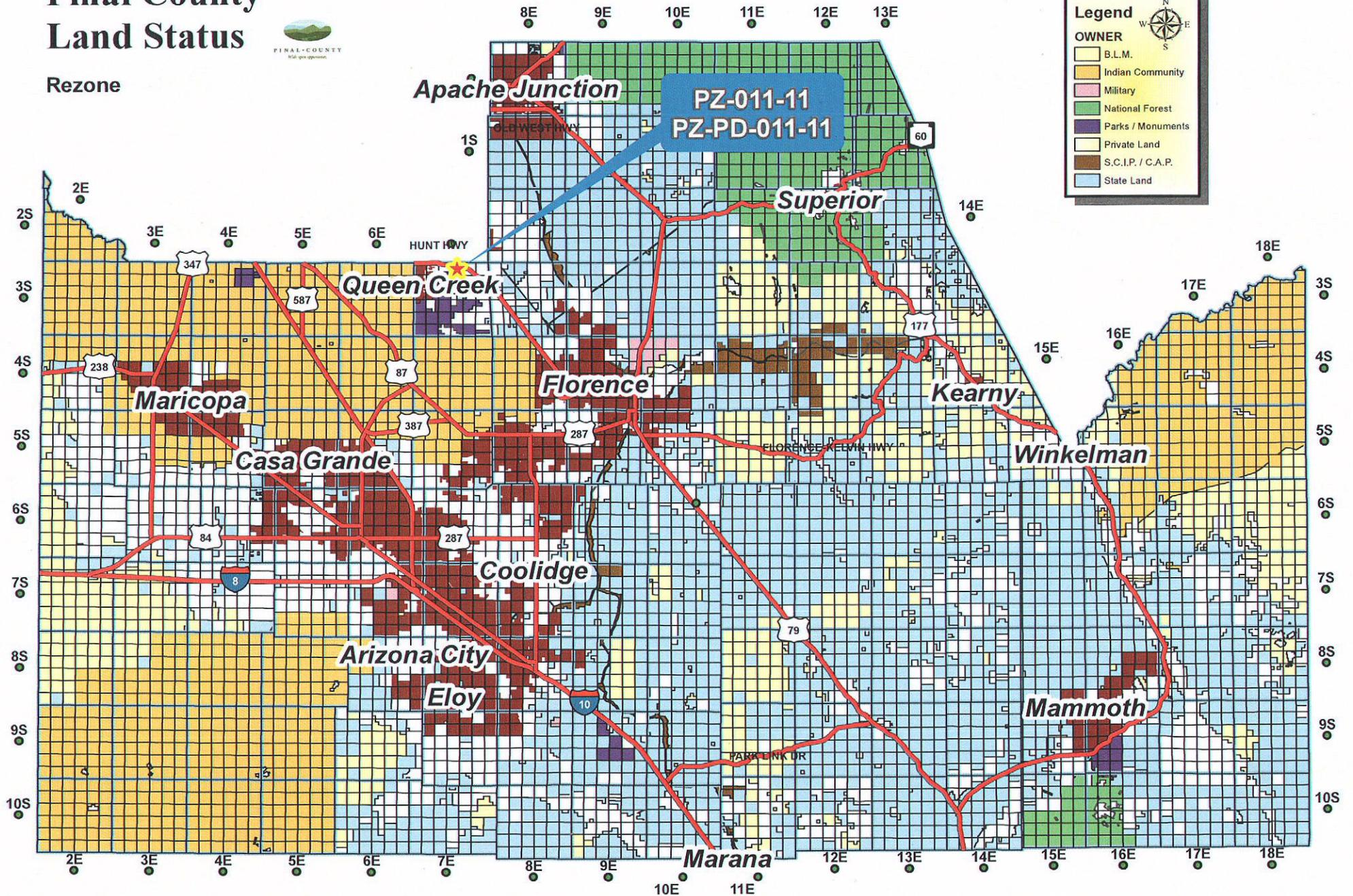
Neighborhood Meeting: November 29, 2011  
Neighborhood and agency mail out: January 6, 2012  
News Paper Advertising: January 23, 2012  
Site posting: Applicant: January 13, 2011 & County: January 24, 2012

HISTORY: The site is zoned GR and was previously a residence but is currently vacant.

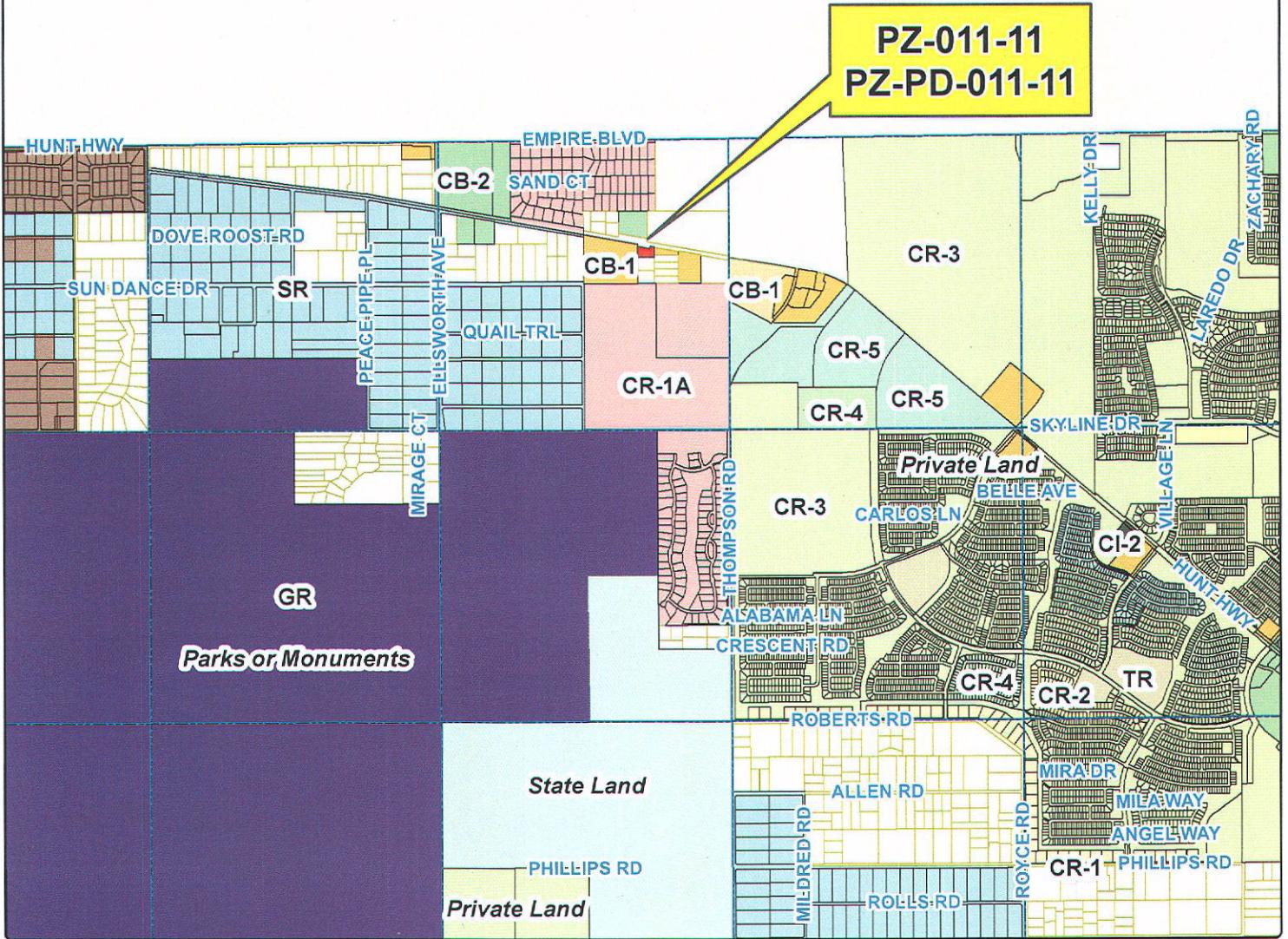
# Pinal County Land Status



Rezone



# Maricopa County



## Rezone

Planning & Development Services



PINAL COUNTY  
Wide open opportunity

ONE COMMUNITY CHURCH

**Legal Description:**  
Sited in a portion of the Section 3, T03S,R07E, G&SR&M, Parcel 509-04-002E.  
(legal on file) (Queen Creek area).

T03S-R07E Sec 3

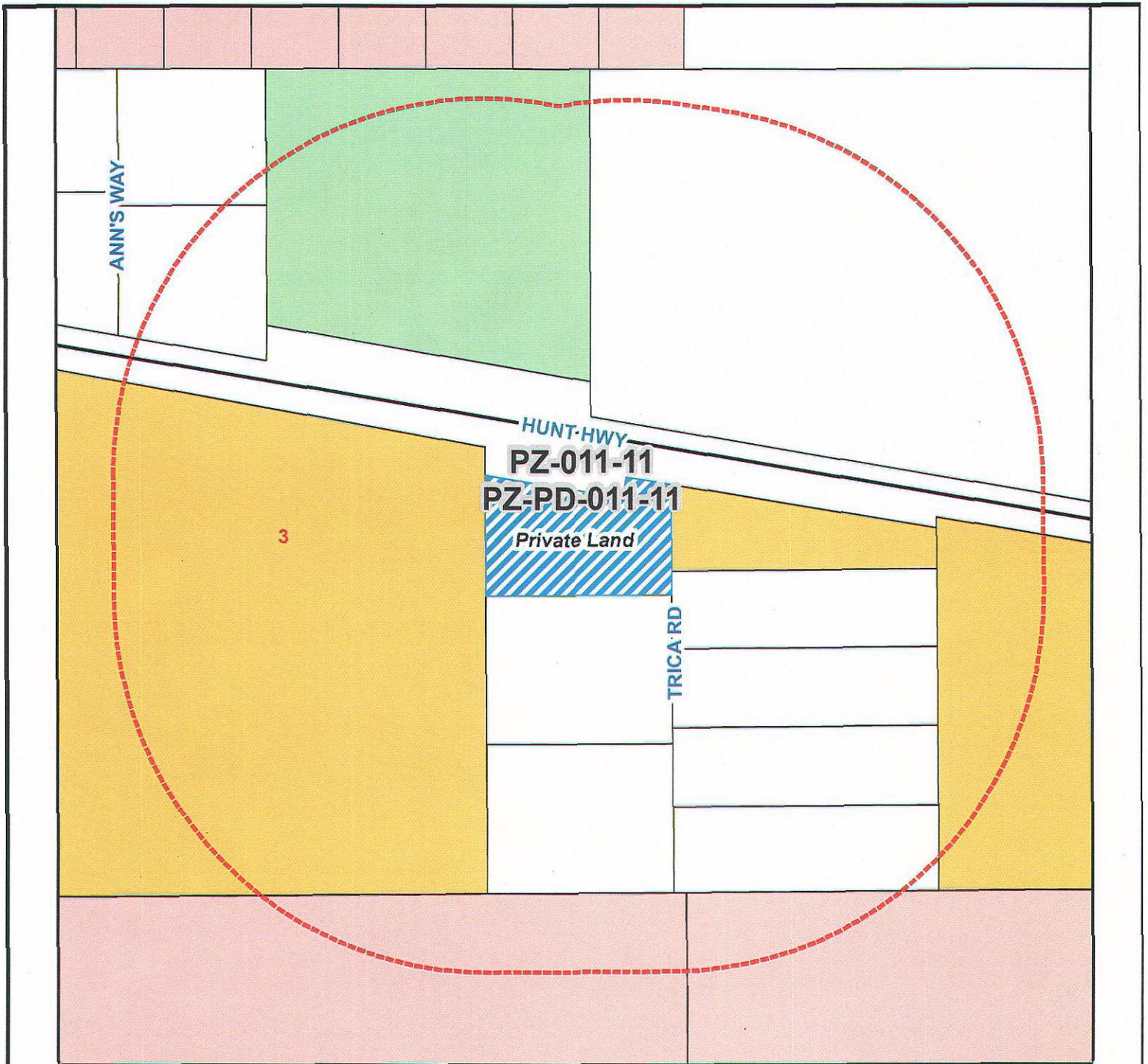
Page 65



Sheet No.  
1 of 1

ONE COMMUNITY CHURCH

Drawn By:	GIS / IT / LIT	Date:	01/05/2012
Sections:	3	Township:	03S
Range:	07E	Case Number:	PZ-011-11 & PZ-PD-011-11

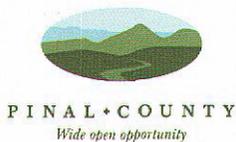


**Rezone**

PZ-011-11 & PZ-PD-011-11 PUBLIC HEARING/ACTION: One Community Church, landowner/ applicant, Dean Schifferer, agent requesting approval of a Rezone request from GR (General Rural) to CB-1 (Commercial) to allow a church/ office/ commercial use within the 1.25± acre parcel; situated in a portion of the northeast quarter of Section 3, T3S, R7E G&SRB&M (legal on file) Tax Parcel 509-04-002E (west of Trica Road, south of Hunt Highway in the Queen Creek area).



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



<b>Legal Description:</b> <small>Situated in a portion of the Section 3 T03S, R07E, G&amp;SRB&amp;M, Parcel 509-04-002E (legal on file) (Queen Creek area).</small>		<b>Owner/Applicant:</b> ONE COMMUNITY CHURCH	
T03S-R07E Sec 3		<b>Drawn By:</b> GS/IT/LJT	<b>Date:</b> 01/09/2012
<b>Sheet No.</b> 1 of 1	<b>Sections</b> 3	<b>Township</b> 03S	<b>Range</b> 07E
<b>Case Number:</b> PZ-011-11 & PZ-PD-011-11			



**Rezone**



**PINAL COUNTY**  
*Wide open opportunity*

**PZ-011-11**  
**PZ-PD-011-11**

**ADMP Flows**

-  100 cfs
-  200 cfs

**Site**

-  Parcel(s)
-  5,000 cfs
-  10,000 cfs
-  50,000 cfs

 Fissures AZGS

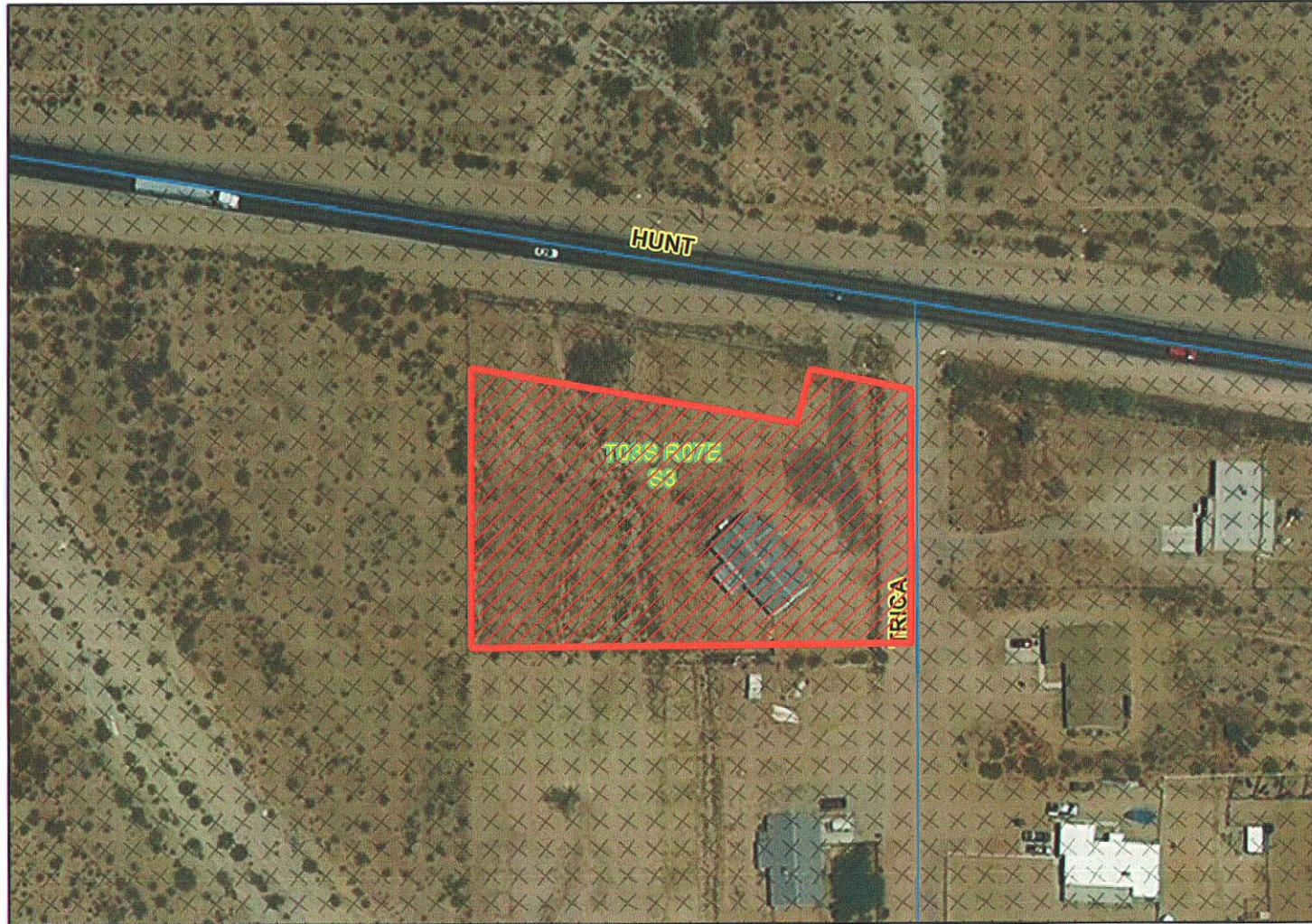
**Flood Zones**

-  A
-  AE
-  AH
-  AO
-  X (Shaded)
-  X
-  D
-  Administrative FP

**2009\_Aerials**

**RGB**

-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3



Taken From the 12/4/2007 Effective FEMA Flood Insurance Rate Maps Modified to Reflect Current LOMC's.

**Flood Hazard Area Zone Definitions**

- Zone A: An area inundated by 100-year flooding, for which no Base Flood Elevations (BFEs) have been determined.
- Zone AE: An area inundated by 100-year flooding, for which (BFEs) have been determined.
- Zone AH: An area inundated by 100-year flooding (usually an area of ponding), for which (BFEs) have been determined; flood depths range from 1 to 3 feet.
- Zone AO: An area inundated by 100-year flooding (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from 1 to 3 feet.
- Zone X (Shaded): An area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 100-year flooding.
- Zone X: An area determined to be outside the 100- and 500-year floodplains.
- Zone D: An area of undetermined but possible flood hazards.

It is the user and/or creators responsibility to verify the truth, lack of truth, validity, invalidity, accuracy, and/or inaccuracy of any data and information shown on this map. This map and represented data is not intended to be used as a survey product or for navigation. The creator accepts responsibility for the unauthorized use, transmission, or distribution of this map in its actual or altered form. Pinal County assumes no responsibility for any errors and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained herein. The flood zone data is based on the most current Flood Insurance Rate Maps of Pinal County and is believed to be accurate and reliable. The FEMA maps are updated regularly and a parcel's zone designation or flood depth can change at any time. This information does not imply that the referenced property will or will not be free from flooding or damage. A property not in a Special Flood Hazard Area may be damaged by a flood greater than that predicated on the FEMA FIRM or from a local drainage problem not shown on the map. Hazard information shown on this map is of an approximate nature. It is intended to serve as a representative planning level map illustrating some of the possible hazards that may be present in the area.

**Case: PZ-PD-011-11**

Last month the Commission voted to recommend denial of the associated rezoning case (PZ-011-11) request to CB-1 Zoning. This PAD overlay case (PZ-PD-011-11), which was presented to overlay the proposed commercial rezoning, was continued to March 15, 2012. The Commission requested that the proposed PAD be revised to overlay the current zoning district of (GR) General Rural with the commercial references removed from the narrative. Since the last hearing, the applicant has determined it wishes to move forward with the existing proposed PAD with a slightly revised commercial list and the commercial rezone request intact and will take a denial recommendation and proceed to the Board of Supervisors.

ANALYSIS: The applicant is requesting approval of a Planned Area Development overlay to allow the existing residential building to meet setbacks for church assembly as well as allow for a modified list of commercial/ office uses. The subject property is located within the Moderate Low Density Residential (1-3.5 du/ac) land use designation of the Pinal County Comprehensive Plan. The proposed use appears to conform to the goals and policies of this Comprehensive Plan designation.

The applicant conducted a neighborhood meeting the results of which are included in the narrative.

**THE APPLICANT HAS PROVIDED INFORMATION REGARDING THIS REQUEST, WHICH IS PROVIDED UNDER SEPARATE COVER.**

The Pinal County Department of Public Works reviewed the proposal and provided stipulations.

The Pinal County Flood Control Section provided comments that the site is located within flood zone "X" which determined to be outside the 100 and 500 year flood plain. A large wash exists on the property which will need to be addressed at the time of site plan submittal.

The Pinal County Department of Air Quality reviewed the proposal and commented that the site should have paved arterial road access to the project, paved road access within the project and paved parking lots.

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 request under Planned Area Development Case **PZ-PD-011-11**, to allow church assembly and commercial/ office uses. Furthermore, the Commission must determine that this planned area development 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.

**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: The applicant, One Community Church, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of a PAD Overlay request to allow a church assembly and office/ commercial uses.
2. To date, 1 letter has been received which is in favor of the PAD for church uses and opposes the commercial use of the property.
3. **Staff does not support the long term Master Development Site Plan figure "MP" submitted with this application.**
3. This development will be served by planned utility facilities and services.
4. The subject property is located in the vicinity of existing commercial and residential uses.
5. The proposed development will have access to public streets.
6. The proposed Planned Area Development is to be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan.
7. Granting of the Planned Area Development overlay request 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. Also include landscaping plans, as applicable.

**STAFF RECOMMENDATION (PZ-PD-011-11): Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this planned area development request does not comply with the current zoning of general rural or will not be consistent with the Commission's recommendation of denial on the connecting zone change request case PZ-011-11, then staff recommends that the Commission forward PZ-PD-011-11 to the Board of Supervisors with a recommendation of denial.**

If the Board of Supervisors decides to approve PZ-011-11 and PZ-PD-011-11, staff will recommend the following STIPULATIONS for PZ-PD-011-11:

1. The property is to be developed in accordance with the applicable criteria set forth in Chapter 2.175 of the Pinal County Development Services Code and the applicant's submittal documents including the submitted site plan and project narrative dated December 2011;
2. approval of this Planned Area Development 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. approval of this overlay request will allow the applicant/owner, during construction to provide for construction trailer(s) and associated parking;
4. any change of the specified uses shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.175 of the Development Services Code;
5. any roadway sections, alignments and accesses shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;
6. access to County right-of-ways shall be per the Regionally Significant Routes for Safety & Mobility (RSRSM): Access Management Manual, October 2008;
7. the design of Hunt Hwy and the Site Plan shall be coordinated with the County's Hunt Highway Widening CIP. Applicant/Owner shall contact the Project Manager for coordination;
8. all roadway and infrastructure improvements shall be in accordance with the current Pinal County standards, and as recommended by the approved Traffic Impact Analysis;
9. all peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis (TIA) 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 & Procedures and shall be submitted at the time of the Site Plan submittal. The TIA shall be approved prior to the Site Plan approval;
10. the drainage plan shall be in accordance with the current Pinal County Drainage Manual and shall be submitted at the time of Site Plan submittal. The drainage report shall be approved prior to Site Plan approval. The approved Drainage Plan shall provide retention for storm waters in an on-site retention area;
11. 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;
12. all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District; and
13. any commercial expansion of the specified structure shown on site plan P-1 shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.175.080.C of the Development Services Code.

DATE PREPARED: 2/8/12 – jds

REVISED: 3/6/12 - jds

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

(All applications must be typed or written in ink.)

1. Pinal Count Staff Coordinator: ASHLEE MACDONALD
2. Date of Concept Review: 8-30-11 Concept Review No.: 058-11
3. The Legal Description of the Property: 35244 N. TRICA RD.  
Queen Creek AZ. 85242.  
SEE ATTACHED FOR DETAILS OF EAST QUARTER  
CORNER SECTION 3, TOWNSHIP 3 SOUTH, RANGE 7
4. Tax Assessor Parcel No.: APN 509-04-002E
5. Current Zoning: "GR"  
Requested PAD Overlay District: CB-1/PAD
6. Parcel Size: 55,473 Sq Ft. or 1.27 Acres
7. The existing use of the property is as follows: Residence and open lot
8. The exact use proposed under this request: Residence becomes the church office with the intent of constructing a future small church on the parcel.
9. Is the property located within three (3) miles of an incorporated community?  
 YES  NO
10. Is an annexation into a municipality currently in progress?  
 YES  NO
11. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation # \_\_\_\_\_  
 YES  NO
12. 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.  
The parcels to the west, north and east are re-zoned to CB-1 and CR-2.  
It is apparent the Hunt Hwy corridor, in this area, will be developed with commercial enterprises.
13. Explain why the proposed development is needed and necessary at this time.  
The residential home is oriented towards Trica + Hunt Hwy. and would make a nice soft transitional commercial function buffering Hunt from the low density residential. The house is less than the 50' setback for commercial. The PAD will reduce the setback requirement to less than 25' (current distance off lot line) so an office function can be used in this facility.

RECEIPT #:

AMT:

DATE:

CASE:

## DESCRIPTION

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

### PARCEL NO.1:

COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the G&A and Salt River Base and Meridian, Pinal County, Arizona;

THENCE North 89 degrees 59 minutes 52 seconds West, (basis of bearings), along the East-West Mid-Section line of said Section 3, a distance of 914.99 feet to the Southeast corner of Lot 1 as recorded in Book 5 of Surveys, Page 220, Pinal County Records;

THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 735.16 feet to the Southwest corner of said Lot 1;

THENCE North 00 degrees 01 minutes 09 seconds West, along the Westerly line of said Lot 1, a distance of 470.00 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 00 degrees 01 minutes 09 seconds West, a distance of 293.15 feet to the Northwest corner of said Lot 1, being on the physical centerline of Hunt Highway;

THENCE South 80 degrees 15 minutes 40 seconds East, along said centerline, a distance of 304.40 feet to a point from which the Northeast corner of said Lot 1; bears South 80 degrees 15 minutes 40 seconds East, 441.56 feet distant therefrom;

THENCE South 00 degrees 01 minutes 09 seconds East, a distance of 241.67 feet to a point from which a point on the said East-West Mid-Section line of Section 3, bears South 00 degrees 01 minutes 09 seconds East, 470.00 feet distant therefrom;

THENCE North 89 degrees 59 minutes 52 seconds West, a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

EXCEPT that portion conveyed to Pinal County, a political subdivision of the State of Arizona recorded in Fee No. 2009-014509; and

EXCEPTING therefrom all the coal and other minerals in said land, as reserved to the United States of America, in the Patent of said land.

### PARCEL NO.2:

An Easement for ingress, egress and public utilities as created in Recording No. 2001-47202 over the East 23 feet of the following described property:

COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the G&A and Salt River Base and Meridian, Pinal County, Arizona;

THENCE North 89 degrees 59 minutes 52 seconds West, (basis of bearings), along the East-West Mid-Section line of said Section 3, a distance of 914.99 feet to the Southeast corner of Lot 1, as Recorded in Book 5 of Surveys, Page 220, Pinal County Records;

THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 435.16 feet to the TRUE POINT OF BEGINNING;

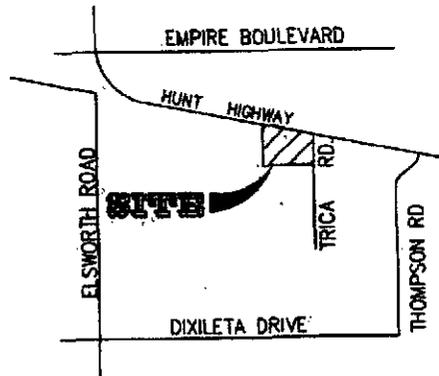
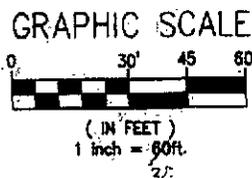
THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 300.00 feet to the Southwest corner of said Lot 1;

THENCE North 00 degrees 01 minutes 09 seconds West, along the Westerly line of said Lot 1, a distance of 763.15 feet to a point on the physical centerline of Hunt Highway;

THENCE South 80 degrees 15 minutes 40 seconds East, a distance of 304.40 feet;

THENCE South 00 degrees 01 minutes 09 seconds East, a distance of 711.67 feet to the POINT OF BEGINNING;

EXCEPT any portion thereof lying within Parcel NO.1.



VICINITY MAP

ALTA SURVEY SERVICES  
CONSTRUCTION SURVEYS  
PROPERTY SURVEYS  
UTILITY SURVEYS  
ASBESTOS SURVEYS  
ENVIRONMENTAL SURVEYS  
MOBILE SURVEYS  
LAND ACQUISITION  
FINISH FLOOR CERTIFICATIONS

**RYEYING**  
ARIZONA  
OBILE  
30-1762

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.

\_\_\_\_\_  
Name of Landowner (Applicant)      Address      Phone Number

\_\_\_\_\_  
Signature of Landowner (Applicant)      E-Mail Address

DEAN SCHIFFERER      \_\_\_\_\_      \_\_\_\_\_  
Name of Agent      Address      Phone Number

Dean Schifferer      \_\_\_\_\_      \_\_\_\_\_  
Signature of Agent      E-Mail Address

The Agent has the authority to act on behalf of the landowner, 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.



[Corporate PROPERTY OWNER signature block and acknowledgment. The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

ONE Community Church  
[Insert Company or Trustee's Name]

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

Its: Lead Pastor  
[Insert Title]

Dated: 10/24/11

STATE OF Arizona )  
COUNTY OF Pinal ) ss.

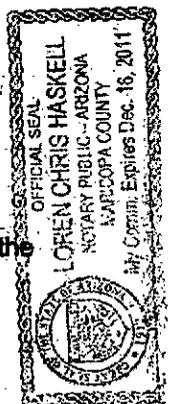
The foregoing instrument was acknowledged before me, this 24<sup>TH</sup> day of October, by  
MARK KRENZ Lead Pastor  
[Insert Signor's Name] [Insert Title]

ONE COMMUNITY CHURCH an ARIZONA  
[Insert 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.

Loren Chris Haskell  
Notary Public

My commission expires: Dec 16, 2011



**ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, personally appeared

\_\_\_\_\_  
[Insert Signor's Name] Who acknowledged himself/herself to be

\_\_\_\_\_  
[Title of Office Held] of \_\_\_\_\_ [Second Company]

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

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

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**NEIGHBORHOOD MEETING NOTICE**

Nov 2, 2011

Dear Area Neighbor:

You are invited to a neighborhood meeting regarding a Rezoning request to be filed with Pinal County. The subject property is located at 35244 N. Trica Rd (South West Corner of Hunt Hwy and Trica), which we desire to be the "ONE Community Church Ministry Center" property. The Church has purchased the property and wishes to initially utilize the home for church office functions and small group meetings. The long term goal would be to add a small church multi-use building with associated parking. This function would require the parcel to have our "General Rural" zoning overlaid with a "Planned Area Development (PAD) classification. This neighborhood meeting is an opportunity for property owners to learn more about the development project, support the improvements and/or express their concerns and make their requests known.

The neighborhood meeting will be held at the time and place listed below:

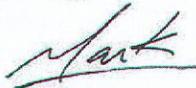
**DATE: November 21<sup>th</sup> (Monday)**

**TIME: 6:30 PM**

**LOCATION: 35244 N. Trica Rd. at subject property**

If you are unable to attend the meeting, or need additional information, please feel free to contact our design consultant, Dean Schifferer, for information at [redacted] or [redacted]. You may also contact me, Mark Krenz, ONE Community Church Pastor at (480) 383-9393 or [mark@discoverone.net](mailto:mark@discoverone.net).

Sincerely,



Dr. Mark Krenz  
Lead Pastor - ONE Community Church

The Neighbors within 1,200' of One Community Church

<u>Parcel No.</u>	<u>Primary Owner</u>	<u>Name 2</u>	<u>Address</u>
509-04-002E	ONE COMMUNITY CHRUCH		35244 N. TRICA ROAD, QUEEN CREEK, AZ 85142
509-04-002F	ROBINSON CARMEL		35172 N. TRICA ROAD, QUEEN CREEK, AZ 85142
509-04-002G	JOHNSON CARRIE		35106 N. TRICA ROAD, QUEEN CREEK, AZ 85142
	ROACH JAMES		(MAILING: 205 HUBBARD WAY, YOUNG, AZ 85554)
509-04-002M	AGUILAR JOEL ETAL		35265 N. TRICA ROAD, QUEEN CREEK, AZ 85142
509-04-002N	HANSEN WES A & KAREN K		35203 N. TRICA ROAD, QUEEN CREEK, AZ 85142
509-04-002P	SHERKO JOSHUA J		35163 N. TRICA ROAD, QUEEN CREEK, AZ 85142 (MAILING: 13230 HIDDEN VALLEY DR, HOMER GLEN, IL 60491)
509-04-002R	BULLOCK GREGORY & AMY		35127 N. TRICA ROAD, QUEEN CREEK, AZ 85142
509-04-002S	STOUTENBURG JAMES E		35095 N. TRICA ROAD, QUEEN CREEK, AZ 85142
	STOUTENBURG JAMI SUE		
509-04-002X	HUNT HWY LLC		(MAILING: 1818 ERIE ST, SAN DIEGO, CA 92110)
	TJ ASTON GROUP LLC		
509-04-002W	INTERNATIONAL INVESTMENT SOURCE		(MAILING: 1051 W. 4 TH PL 102, MESA, AZ 85201)
509-04-0030	FIRST TRUST COMPANY OF ONAGA CUSTODIAN FBO LOUIS VASQUEZ ETA		
	C/O ML MANAGER LLC		5505 W HUNT HWY, QUEEN CREEK, AZ 85142  (MAILING ADDRESS: 14050 N 83RD AVE STE 180, PEORIA, AZ 85381)
509040640	PALACIOS JOSE LUIS		5510 W HUNT HWY, SAN TAN VALLEY, AZ 85142
509040660	CYR ABRAHAM E		35376 N ANN'S WAY, SAN TAN VALLEY, AZ 85142
509040650	TORMALA KENNETH TORMALA KATHARINE		35440 N ANN'S WAY, SAN TAN VALLEY, AZ 85142

509040670	CAUDRON BRYAN	35441 N ANN'S WAY, SAN TAN VALLEY, AZ 85142
509040680	SEATON JOHNNY & BARTON TARA	35375 N ANN'S WAY, SAN TAN VALLEY, AZ 85142
50904001A	MAMIES LLC C/O LUE YOUSE	
	(BONANZA LAND CO LLC C/O DAVID A BIRDSSELL	MAILING: 216 N CENTER ST, MESA, AZ 85201)
509041590	DLC & ASSOCIATES BUSINESS CONSULTING INC	5179 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142 (MAILING: 9602 W BUCKEYE RD, TOLLESON, AZ 85353)
509041580	BARBETTA COSIMO BARBETTA SANDRA L	5223 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041570	DAHLSTRAND CHARLES	5267 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
	DAHLSTRAND CONNIE	
509041560	BILL & KAR ENTERPRISES LLC ETAL	5333 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
	C/O DURFEE & PHELPS PLLC	(MAILING: 1423 S HIGLEY RD STE 127, MESA, AZ 85206)
509041550	MOSES SCOTT & JODY	5357 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041540	SOUTHEAST VALLEY ASSOCIATES LLC	5401 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142 (MAILING: 20509 E VIA DE ARBOLES, QUEEN CREEK, AZ 85142)
509041530	MAY WILLIAM F MAY MARILYN S	5441 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041520	RED MOUNTAIN FUNDING INC	5465 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142 (MAILING: 916 E BASELINE RD #105, MESA, AZ 85204)
509041510	RODRIGUEZ LUIS A	35480 N SOL ST, SAN TAN VALLEY, AZ 85142
509041500	RYAN DENNIS M & PAMELA C	35570 N SOL ST, SAN TAN VALLEY, AZ 85142

509041720	RADOWICK JAMES & DINA	5460 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041730	AVA HOLDING LLC	5438 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142 (MAILING: PO BOX 2594, MESA, AZ 85214)
509041740	BERNAL ANDREW S BERNAL MARY ANN M	5396 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041750	C P LAND LLC	5348 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142 (MAILING: 4120 W KITTY HAWK WAY #1, CHANDLER, AZ 85226)
509041760	BAEZ MARIO D & MARIO A	5300 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041770	MANN STEVE TISSAW JULIE A	5260 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041780	ANDERSON MARK S & TERESA JONES DOUGLAS & INORIO GINA	5222 W ENCANTO VERDE DR, SAN TAN VALLEY, AZ 85142
509041600	WALKER JAMES L WALKER TERESA E	35615 N CABALLERO DR, SAN TAN VALLEY, AZ 85142
50904002J	CLARK WILLIAM & MARGARET TRUST C/O TODD A SCHULTZ ESQ	(MAILING: 714 E ROSE LN STE 200, PHOENIX, AZ 85014)
50904002K	CHURCH MOUNTAIN VIEW FREE WILL BAPTIST	4815 W HUNT HWY, QUEEN CREEK, AZ 85142
509040040	ARIZONA SAN TAN BORGATA RETURN LLC	(MAILING: 1111 MAIN ST STE 1600, KANSAS CITY, MO 64105)
509040050	ARIZONA SAN TAN BORGATA RETURN LLC	(MAILING: 1111 MAIN ST STE 1600, KANSAS CITY, MO 64105)

Name	Address	Email
Amy Bullock Greg Bullock	35127 N. Trica Rd. Queen Creek, AZ 85142	
JAMIE STOUTENBURG	35095 N. Trica Rd Queen Creek AZ 85142	
DEAN SCHIFFEREN	12345 E. CLOUD RD. CHANDLER AZ. 85249	
MARK KRENZ	24441 N. Plum Rd FLORENCE, AZ 85132	

**Public Meeting Notes**  
**35244 N Trica Rd, Queen Creek, AZ, 85242**  
**Nov 29, 2011 6:30pm**

**Neighbors Present:**

- Jamie Stoutenburg (Neighbor on Trica) – Would not like to see usage of property for WIC
- Amy and Greg Bullock (Neighbor on Trica)

**Meeting Facilitated By**

- Dean Schifferer, Construction Engineer and Architectural Consultant
- Dr. Mark Krenz, Lead Pastor, ONE Community Church, Property Owner

**Meeting Notes**

- Meeting began at 6:37pm
- Presentation by Dean Schifferer
  - Drawings Displayed and referenced
  - Zoning of surrounding properties (picture shown)
  - Widening of Hunt Hwy
  - Driveway off Trica vs Hunt Hwy
  - Property Lines
  - Phase 1 improvements
  - Site Plan Capacity Study
  - Comparison of buildable footprint GR-1 v PAD
    - Setbacks comparison
  - Lighting regulations

**Questions by Neighbors and Responses from Dean and Mark**

- Greg's Position
  - Everything is zoned commercial, maybe our best way out is to have everything zoned commercial and increase our property value in the future. Commercial zoning seems inevitable.
  - We would like to have Trica Rd well maintained. Anything to help with that would be welcomed.
- Jamie's Items
  - Usage of property over short, medium and long-term?
    - Short – Offices for 1 full-time and 4 part-time employees
    - Medium – Mid-size groups (20-30 people for evening mid-week church functions)
    - Longer – occupancy for 60-70 people in current house, and adding a multi-purpose building

- Parking items, cars coming and going?
  - Short-term very little additional traffic
  - Long-term, desire is for direct Hunt Hwy access for our parking lot
- Timeframe for PAD approval and exterior improvements?
  - 3-4 months for PAD approval
  - 2-3 months for site improvements
- Landscaping – responsibility for and design and ongoing maintenance?
  - Maintained by church members under the direction of church leadership
- Overall concern – What does this ultimately do to help improve the attractiveness for the Trica rd properties to become commercial?
  - We can only speculate, but it would seem that this property moving to a public use, along with adjacent properties already being zoned commercial, makes the remaining lots desirable for future investor to buy up and make commercial as well.
- What wouldn't be allowed on this property?
  - Adult novelty boutiques, abortion clinic, gas station
- Who is your primary constituency?
  - Cross section of residents primarily from San Tan Valley, some from Queen Creek, and Chandler
- What is your expected rate of growth?
  - Currently we have 200 average in worship attendance. We have Sunday worship at Mountain Vista School in San Tan Heights. We are five years old as a church.
- What is your primary source of funding for this property?
  - Donations from members and outside donors.
- How do you gain new members?
  - We are an active part of our community and stay visible. Church members invite friends to church with them. We don't go door to door.
- What will the lighting be?
  - We discussed lighting regulations and that lighting will be restricted to our property.
- Neighbors expressed overall consent and approval for the project.
- Meeting adjourned 7:45pm

Notes taken by Mark Krenz

**Additional Meeting  
November 22, 2011**

With Carmel Robinson - neighbor with adjacent property immediately to the South

**NOTES**

- Carmel was not able to attend the Nov 21 Public Meeting because she works evening shift.
- Mark Krenz met personally with her on the 35244 N Trica Rd property at 12:30p on Nov 22.
- Items Reviewed:
  - Surrounding zoning
  - Phase 1 plans
  - Maximum build out potential
  - Planned usage of the property/facility as office and small group meetings
- Carmel's Questions
  - Trica Rd access verses Hunt Hwy access to property?
    - Phase 1 access will be off of Trica Rd. With future construction of buildings on site and a larger parking lot we are requesting direct Hunt Hwy access.
  - How will the county address the entrance/connection to Trica Rd when Hunt Hwy is widened?
    - Unable to answer that question
  - How does a church/PAD affect my property value?
    - Don't know that for sure, but with the beautification of our property and landscaping it will create a much nicer entrance to this small neighborhood and a much more appealing corner property
- No other concerns were noted.
- Carmel expressed support of the project and ONE Community Church as her neighbor.

Submitted by Mark Krenz

# ONE Community Church

35244 N. Trica Rd. Queen Creek, AZ.

Parcel #509-04-002E

## Development Narrative

Dec 29, 2011

**Owner:**

Pastor Mark Krenz – President of ONE Community Church  
35244 N. Trica Rd. Queen Creek, AZ. 85242  
[mark@discoverone.net](mailto:mark@discoverone.net)  
480-383-9393

**Development Agent:**

Schifferer Consulting LLC  
Dean Schifferer CSI CDT – Principal



### **Purpose of the Request:**

ONE Community Church is now the owner of this parcel and desires to utilize the existing facilities as the church office. It is their long term goal to further develop the site to include a multi-purpose meeting building and associated parking.

The parcel is currently zoned GR (General Rural) with a residential house situated 26' from the southern property line. GR zoning requires setbacks of 50' front, side and rear.

We are requesting the subject parcel be re-zoned to a "Local Business Zone" (CB-1) with a "Planned Area Development" (PAD) overlay district to enhance the functionality of the site.

### **Description of Proposal**

#### **1. Nature of Project:**

The nature of this project is to convert a residential lot and structure along the Hunt Highway corridor to a "soft commercial" transitional use. The residential building will become the church offices with the intent that a future phase could develop the lot further which would add a church building and associated parking.

The short term goal, would be for 4 or 5 staff to office and have an occasional volunteer coordination meeting in the residential building. As ministries develop and additional development funding is available, ONE Community Church desires to have week-day evening Bible studies and volunteer meetings that may grow to as large as 60-70 people in attendance. This facility is never intended to replace the larger week-end worship celebrations which currently occur in the San Tan Heights sub-division at the Mountain Vista School.

The long term goal would be to add a multi-purpose building sizable to seat 180 - 200 occupants in approximately 4,000 SqFt along with the necessary associated parking.

This site has been chosen because of its proximity to the start-up location of the church. The church organization believes it will be very beneficial to the church if their building location was addressed along Hunt Highway. There are a very limited number of real estate options along Hunt Hwy, in the San Tan Village area, that could accommodate such a development making this parcel very attractive.

Please note, ONE Community Church are currently in discussions with Pinal County Public Works to adjust the Right-of-Way alignment along Hunt highway.

**2. Proposed Land Uses and Relationship to Surrounding Properties:**

This parcel is intended to be used for a commercial office space with the option of adding a church building and additional parking.

It is our understanding many other previous potential buyers have had the desire to make this parcel into a commercial use. A church function on this site has a very compatible interface with the rural residential properties directly adjacent to the south. The parcels adjacent to the North, West and East are currently zoned; commercial CB-1, General Business CB-2, and should not find objection to the PAD church utilization.

**3. Building Types and Densities:**

The parcel is currently occupied by a 1,920 SqFt single story residential home constructed of a wood frame, weatherproofed with stucco and a composite shingle roof. This structure will remain as it is with minor modifications for improved accessibility. Bedrooms will be utilized as offices while living/dining areas will be used as small group meeting spaces.

The parcels proposed site study/master-plan includes another structure sizable to seat 180 - 200 occupants in approximately 4,000 SqFt. This church auditorium building will be a high volume, single story, structure with weatherproofing finishes compatible with residential construction looks and practices. Approximately 50 additional parking places will be added in sequence to accommodate building improvements as congregational growth occurs.

The parcels net area, without Ingress/Egress easement, is 51,154 SqFt. Therefore the proposed lot coverage, for the structures, would be less than 12%.

**4. Conformance to Adopted Land Use Plans:**

This parcel is situated along the Hunt Highway corridor, within the "San Tan Plan Area 1B" and Land Use Plan – "Tile A". The comprehensive "Land Use Plan" identifies this area as a "Moderate Low Density Residential" district. This type of district allows "Quasi-Public Uses" which identifies and includes churches as a Quasi-Public Use. Therefore we believe this PAD request conforms to the intent of the Pinal County Land Use Plan.

**5. Circulation and Recreational Systems:**

The 1.27 acre site will generate negligible impact on the traffic volumes and recreational opportunities. The further development of the site is not known to interfere with potential future recreational paths. The Right-Of-Way is dedicated to the widest dimension found along this stretch of highway.

**6. Relationship to Surrounding Properties:**

The parcels adjacent to the North, West and East are currently zoned commercial CB-1 (Local Business), General Business CB-2 and should not find objection to the CB-1/PAD church utilization. The Parcel to the south is zoned GR (General Rural) and is developed into a suburban ranch type property with a single family home, barns and fenced pasture.

**7. Location & Accessibility:**

Entrance into the site will be off of Trica (a private road) and Hunt Hwy. Trica Road is established as an Ingress-Egress easement to the adjacent parcels south of Hunt Hwy. Trica Road is situated approximately 3,120 feet west of N. Thompson Road and approximately 1,570 feet east of Valley View Rd. There are no other intersections in the area other than other private driveways.

By utilizing Trica Road as an access point, the grade has an opportunity to transition to the future Hunt Hwy elevation. It also provides opportunity to stage cars exiting onto Hunt Hwy.

There is also a desire to add a future driveway directly onto Hunt Hwy as far away from Trica Road as possible (to the west). Should a 50 car parking lot be developed, the second entrance would be extremely beneficial to the church as well as the residential neighbors.

There would be no interior streets. On-site circulation will be achieved entirely through the parking lots.

**8. Timing of Development:**

The initial phase of this development would be to use the existing structure as an office building. Minor parking provisions will be constructed as soon as the project is approved.

A multi-year fund-raising phase will follow prior to any further development that would include any type of significant structure.

**9. Public Utilities and Services:**

The parcel is served by municipal water of significant size to accommodate significant development for miles in either direction along Hunt Highway.

Electrical and telephone service is currently serving the parcel with overhead lines along the south side of Hunt Hwy. Additional capacity is available.

The facility is currently treating sewage with a septic system. The septic system permitted design flow is 450 Gallons per day (permit # 926-01). Additional structures will require expansion of the septic system and likely incorporate a storage tank with metered discharge to balance the load into the septic system evenly throughout the course of the week.

**10. Maintenance of Streets & Common Areas:**

There will be no interior streets on this parcel. The parking lots, landscaping and hardscape will be maintained similarly to other free standing commercial properties with scheduled landscape pruning, and annual parking cleaning and/or sealing.

**11. Appendix (Not applicable)**

Name of Project:

ONE Community Church

Planned Area Development

Amended Development Standards

Proposed Zoning	Minimum Lot Area (Square Feet)		Minimum Lot Width (Feet)		Minimum Yard Sizes (Building Setbacks in Feet)		Maximum Building Height (Feet)		Detached Accessory Buildings (Minimum Distance Between)		Buildable Area	
	Code	Proposed	Code	Proposed	Code	Proposed	Code	Proposed	Code	Proposed	Code	Proposed
<del>EXISTING</del> GR	54,450		100		Front: 40 Side: 20 Rear: 40	Front: Side: Rear:	30		Main Building: 7 Front Lot Line: 60 Rear & Side Lot Lines: 15 side 4 rear	Main Building: Front Lot Line: Rear & Side Lot Lines:	1/3 of rear and side yards	14,900sf
PROPOSED CB-1/ PAD	54,450		100		Front: Side: Rear:	Front: 20 Side: 4 Rear: 4	30		Main Building: Front Lot Line: Rear & Side Lot Lines:	Main Building: 7 Front Lot Line: 15 Rear & Side Lot Lines: 4 side 4 rear		40,000sf
					Front: Side: Rear:	Front: Side: Rear:			Main Building: Front Lot Line: Rear & Side Lot Lines:	Main Building: Front Lot Line: Rear & Side Lot Lines:		

Name of Project:

ONE COMMUNITY CHURCH

Planned Area Development

Amended Permitted Use List

Proposed Zoning	Uses that <u>WILL BE</u> permitted in this Planned Area Development
CB-1/PAD	ALL proposed use's included in a GR or CB-1 excluding exceptions noted.

Name of Project:

ONE COMMUNITY CHURCH

Planned Area Development

Amended Permitted Use List

Proposed Zoning	Uses that will <u>NOT</u> be permitted in this Planned Area Development
CB-1/PAD	<ul style="list-style-type: none"><li>● Liquor Store</li><li>● Gas Station</li><li>● Abortion Clinic</li><li>● Adult Club or Boutique</li></ul> <hr/> <p>SEE ATTACHED CB-1 ORD. + TR ORD.</p>

REVISED STIPULATION LIST 3-2-12

- B. Maximum height: 20 feet.
- C. Minimum distance to main building: seven feet.
- D. Minimum distance to front lot line: 60 feet.
- E. Minimum distance to side lot lines: four feet.
- F. Minimum distance to rear lot line: four feet if building is not used for poultry or animals; 15 feet if building is used for poultry or animals. [Ord. 61862 § 1410].

Chapter 2.90

CB-1 LOCAL BUSINESS ZONE

Sections:

- 2.90.010 Uses permitted.
- 2.90.020 Site development standards.
- 2.90.030 Detached accessory buildings.

2.90.010 Uses permitted.

A. Any use permitted in PCDS 2.85.010(B) through (J) (TR transitional zone).

B. The following uses, which in any CB-1 zone shall be conducted wholly within a completely enclosed building unless otherwise specified and use operated as a store, shop or business, shall be a retail establishment and all products on the premises shall be sold at retail on the premises.

- Antique store;
- ~~Apparel store;~~
- ~~Art needlework or hand-weaving establishment;~~
- ~~Art gallery or store;~~
- ~~Auto parking lot (within or without building) subject to the provisions of PCDS 2.140.030;~~
- ~~Bakery;~~
- ~~Bank, safe depository or trust company;~~
- Barber or beauty shop;
- Bicycle shop (no sales or servicing of motor scooter or motorcycles);
- ~~Book, newspaper, magazine, stationery, art or drawing supply store;~~
- ~~Cafe, lunch room (provided no dancing is allowed and no alcoholic beverages sold except beer and wine);~~
- ~~Catering service;~~
- Church;
- ~~Cigar store;~~
- ~~Cleaning, dyeing, laundry, collection agency;~~
- ~~Clinic;~~
- Club or lodge (nonprofit);
- Community service agency;
- ~~Confectionery store;~~
- ~~Custom dress making, millinery, hemstitching or pleating;~~
- ~~Custom weaving or mending;~~
- Day nursery or child-care center;
- ~~Dealer in coins, stamps, or similar collector's items;~~
- ~~Delicatessen store;~~
- ~~Dental or medical laboratory;~~

- Department store, variety store;
- ~~Drug store;~~
- ~~Dry goods or notions store;~~
- ~~Electric appliance store;~~
- Florist shop;
- ~~Frozen food locker;~~
- ~~Furniture or house furnishing store;~~
- ~~Garage for public storage only;~~
- ~~Gasoline service station (incidental repairing only) subject to the provisions of PCDSC 2.140.070;~~
- Gift, curio, novelty, toy or hobby shop;
- Governmental structure;
- Grocery, fruit or vegetable store;
- ~~Hardware store;~~
- ~~Hotel;~~
- Ice cream store;
- ~~Ice station for packaged sales only;~~
- Interior decorator;
- Jewelry store or jewelry and watch repair;
- ~~Laundry and dry cleaning units provided the same occupy no more than 3,000 square feet of gross floor area;~~
- ~~Leather goods store;~~
- Library, rental or public;
- ~~Liquor store for packaged sales only;~~
- ~~Meat, fish or dressed poultry market, provided no live poultry are kept on premises;~~
- ~~Messenger service;~~
- ~~Multigraphing, mimeographing, duplicating, addressographing;~~
- ~~Museum;~~
- ~~Music, phonograph or radio store;~~
- ~~Nursery, flower, plant or tree (within a building or enclosure);~~
- Office: business, professional or semi-professional);
- Photograph studio or photographic supply store;
- ~~Postal stations;~~
- ~~Pressing establishment;~~
- ~~Refreshment stand;~~
- Religious rescue mission;
- School, barber or beauty culture;
- School, business;
- School, dramatic;
- School, handicraft, painting or sculpture;
- Shoe store or shoe repair shop;
- ~~Sporting goods, hunting and fishing equipment store;~~
- ~~Station, bus or stage;~~

- Tailor shop;
- ~~Taxi cab stand;~~
- ~~Taxidermist;~~
- ~~Theater, except drive-in or outdoor theater;~~
- Water, telephone or telegraph distribution, installation or electrical receiving or distribution station (within or without a building) subject to the provisions of PCDSC 2.140.030;

Other similar enterprise or business of the same class, which in the opinion of the board of supervisors, as evidenced by resolution or record, is not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses above enumerated.

C. Accessory building or use (not involving open storage), when located on the same building site.

D. Administrative, engineer, scientific research, design or experimentation facility, and such processing and fabrication as may be necessary thereto; provided, that all such operations be completely housed within buildings located on a site of not less than 10,000 square feet; that all such buildings shall be set back not less than 25 feet from any property line abutting a residential zone; that an off-street parking area be provided for all such vehicles incidental to said operation; and that one additional such parking space be provided for each three persons regularly employed on said premises; that a masonry wall or screened planting shall be erected and maintained on any property line directly abutting any residential zones; that there is no manufacturing or warehousing of goods for sale at wholesale or retail; and that any activity conducted on said premises shall be free of dust, noxious smoke, fumes, odors, or unusual vibrations or noise.

~~E. Restaurant or tea room, including a cocktail lounge or bar in connection therewith, upon condition that no outside door opens into the cocktail lounge or bar; and provided further, that the applicant for a permit shall provide the zoning inspector with written consent of 75 percent of the owners, by number and area, of property within 300 feet of the site for which the permit is sought.~~

F. One-family dwelling unit, conventional construction, or mobile home or manufactured home in conjunction with an established, permitted use. [Ord. 61862 § 1501].

REVISED STIPULATION LIST 3-2-12

Chapter 2.80

Chapter 2.85

CR-5 MULTIPLE RESIDENCE ZONE

TR TRANSITIONAL ZONE

Sections:

- 2.80.010 Uses permitted.
- 2.80.020 Site development standards.
- 2.80.030 Detached accessory buildings.

Sections:

- 2.85.010 Uses permitted.
- 2.85.020 Site development standards.
- 2.85.030 Detached accessory buildings.

**2.80.010 Uses permitted.**

- A. Any use permitted in the CR-3, CR-4 zone.
- B. Multiple dwelling for any number of families.
- C. Boarding or rooming house for any number of guests, but not primarily for transients. [Ord. 61862 § 1301].

**2.85.010 Uses permitted.**

- A. Any use permitted in the CR-3, CR-4, and ~~CR-5 zone.~~
- ~~B. Tourist court or hotel, together with the following accessory uses located on the premises and having no exterior entrance closer than 100 feet to a public street:~~

**2.80.020 Site development standards.**

- A. Building height: maximum height of any structure shall be 30 feet.
- B. Minimum lot area: 7,000 square feet.
- C. Minimum lot width: 60 feet.
- D. Minimum front yard: 25 feet.
- E. Minimum side yards: seven feet each.
- F. Minimum rear yard: 25 feet.
- G. Minimum distance between main buildings: 14 feet. [Ord. 61862 §§ 1302 – 1308].

- Retail shops;
- Personal services;
- ~~Recreational facilities;~~
- ~~Restaurant;~~
- ~~Beverage service.~~

**2.80.030 Detached accessory buildings.**

- A. Permitted coverage: 35 percent of the minimum rear yard area plus 50 percent of any additional space in the rear of the principal building.
- B. Maximum height: 20 feet.
- C. Minimum distance to main building: seven feet.
- D. Minimum distance to front lot line: 60 feet.
- E. Minimum distance to side and rear lot lines: four feet. [Ord. 61862 § 1309].

- C. Professional or semi-professional office.
- D. Private club or lodge (nonprofit).
- ~~E. Club, college, community service agency, governmental structure, library, museum, playground or athletic field, private school.~~
- ~~F. Community storage garage.~~
- ~~G. Guest ranch in accordance with Chapter 2.115 PCDSC, Guest Ranch Regulations.~~
- ~~H. Hospital, clinic, dispensary, or sanitarium.~~
- I. Office, real estate. [Ord. 61862 § 1401].

**2.85.020 Site development standards.**

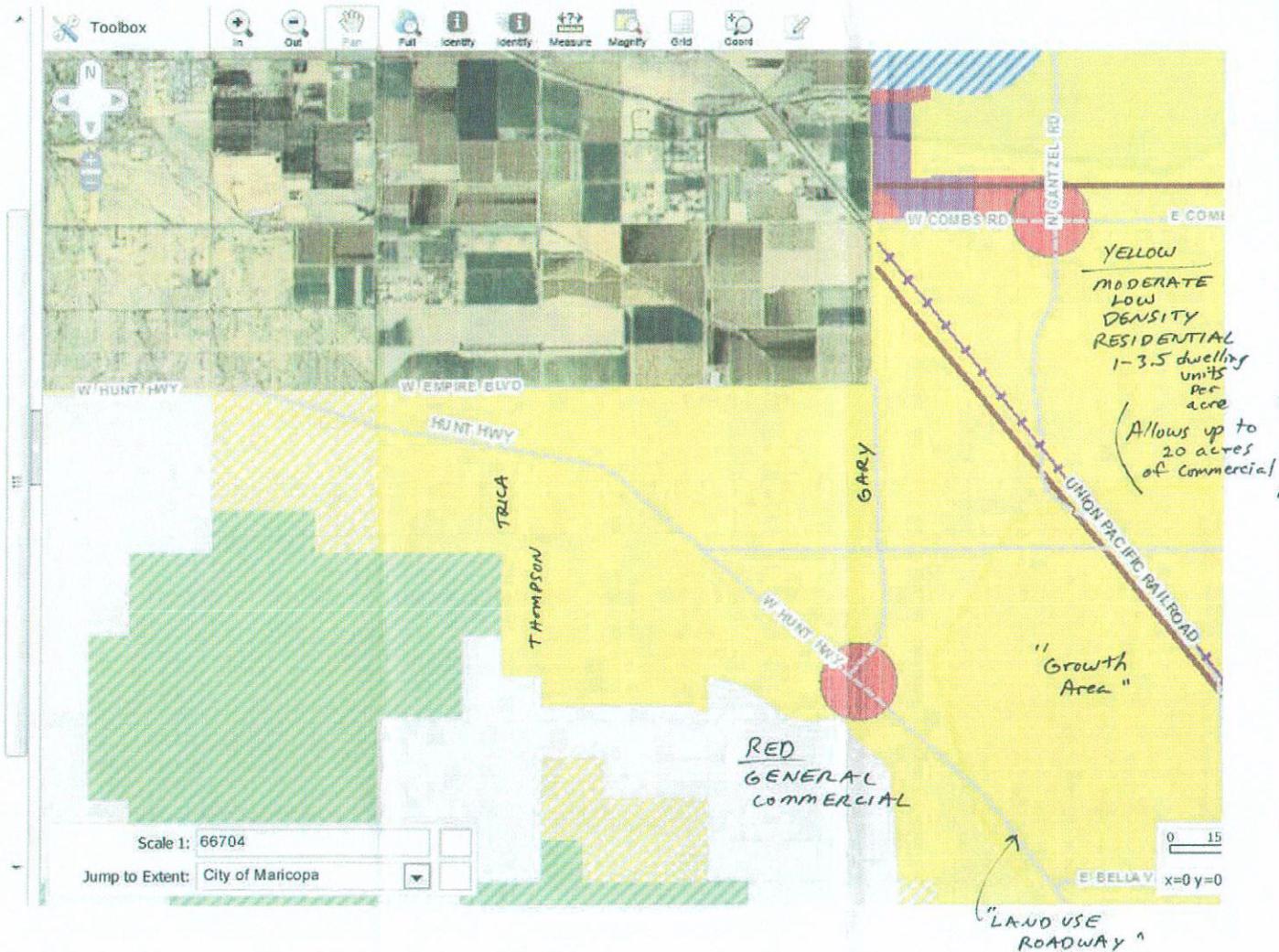
- A. Building height: maximum height of any structure shall be 30 feet.
- B. Minimum lot area: 10,000 square feet for residential uses.
- C. Minimum lot width: 60 feet.
- D. Minimum area per dwelling unit: 1,000 square feet.
- E. Minimum front yard: 20 feet.
- F. Minimum side yards: seven feet each.
- G. Minimum rear yard: 25 feet.
- H. Minimum distance between main buildings: 14 feet. [Ord. 61862 §§ 1402 – 1409].

**2.85.030 Detached accessory buildings.**

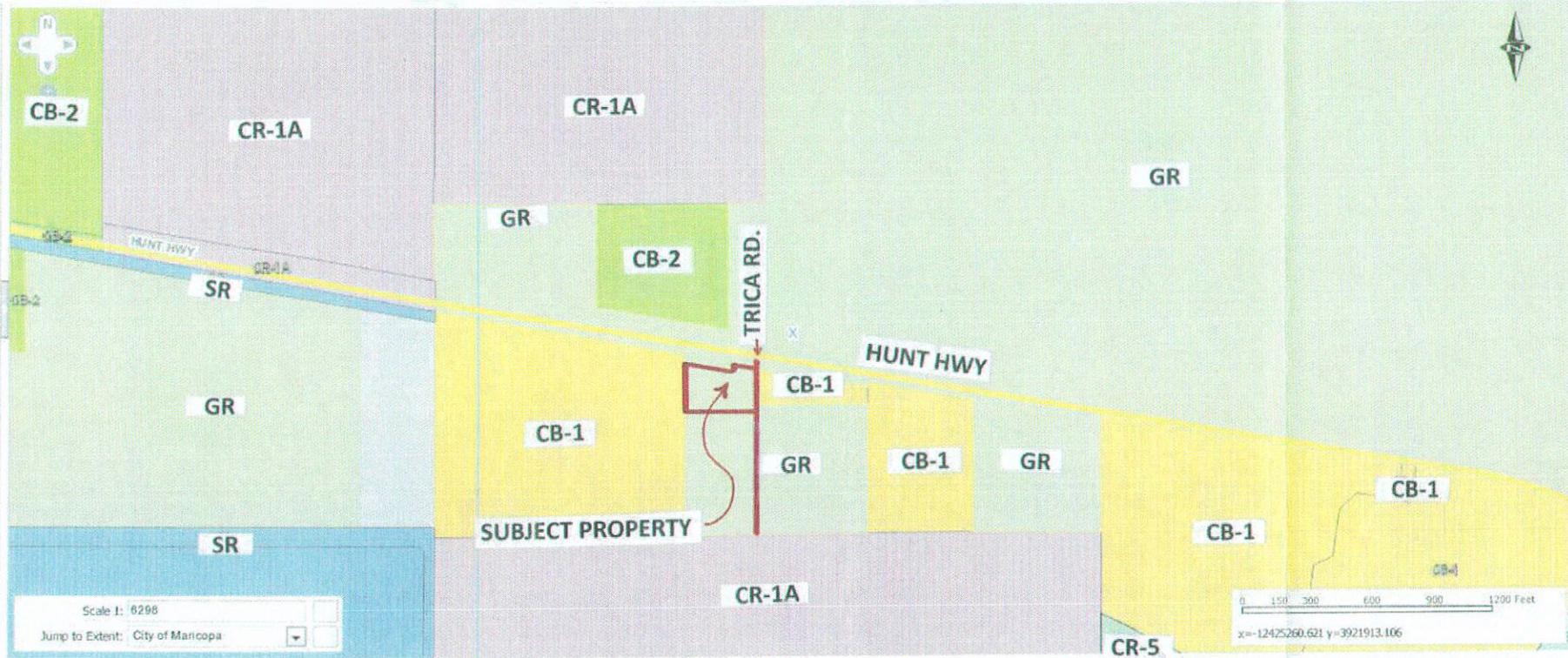
- A. Permitted coverage: 40 percent of the minimum rear yard area plus 50 percent of any additional space in the rear of the principal building.

LAND USE PLAN  
"COMPREHENSIVE PLAN"

- [Industrial Use Permits](#)
- [Special Use Permits](#)
- [Impact Fee Areas](#)
- [Subdivisions](#)
- [Alluvial Basins](#)
- [Former Defense Sites](#)
- [No Fence District](#)
- [Earth fissures](#)
- [S-Quad Index](#)
- [Special Density Permits](#)
- Comprehensive Plan 2009**
  - Comprehensive Plan 2009
  - [Land Use POI](#)
  - [Transit Centers](#)
  - [Copper Corridor](#)
  - [High Capacity Corridors](#)
  - [Land Use Interstate](#)
  - [Land Use Rivers](#)
  - [Land Use Roadways](#)
  - [Land Use Topography](#)
  - [Land Use Transit](#)
  - [Potential Future High Capacity Corridor](#)
  - [CSS Corridor](#)
  - [Land Use Categories](#)
  - [Land Use Growth Areas](#)
  - [Land Use Open Space](#)
  - [Land Use Superstition Vistas Planning Area](#)
- Tax Authorities**
  - General
  - 2010 Census



P.A.D for ONE COMMUNITY CHURCH - 35244 N. TRICA RD.



- |      |                       |       |                         |
|------|-----------------------|-------|-------------------------|
| CB-1 | Local Business Zone   | CR-1A | Single Residence Zone   |
| CB-2 | General Business Zone | CR-5  | Multiple Residence Zone |
| GR   | General Rural Zone    | SR    | Suburban Ranch Zone     |

# ALTA LAND TITLE SURVEY OF A PORTION OF THE NORTH EAST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

## SCHEDULE B - SECTION II

Commitment for Title Insurance Issued by CHICAGO TITLE INSURANCE COMPANY,  
(License No. CT-1102531-C12333, Effective March 30, 2011)

- Schedule B of the policy or policies to be issued shall contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:
- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or otherwise known to the Effective Date but prior to the date the Proposed Insured acquired for value all record the estate or interest or mortgage thereon covered by this Commitment.
  - Leases or assignments which are not shown on existing liens by the records of any taxing authority that were leases or assignments or real property or by the public records. Proceedings by a public entity which may result in leases or assignments, or nature of such proceedings, whether or not shown by the records of such entity or by the public records.
  - Any rights, interests or claims, which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
  - Encumbrances, liens or encumbrances, or claims thereof, which are not shown by the public records.
  - Discrepancies, conflicts in boundary lines, shortage in area, encumbrances, or any other matters which correct survey would disclose and which are not shown by the public records.
  - (a) Unperfected mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown in the public records.
  - Property taxes, which are a lien in real property, including any assessments collected with taxes to be levied for the year 2011.
  - Lienholders and obligations imposed upon said land by its inclusion within any district formed pursuant to Title 48, Arizona Revised Statutes.
  - Taxes and assessments levied by the Municipality of Queen Creek.
  - Any rights, liens, claims or equities, if any, in favor of the following District(s):
    - A. Central Arizona Water Conservation District
    - B. Pinal County Flood Control District
    - C. Phoenix Active Management Area Southcenter Replenishment District
  - Reservations, exceptions and provisions contained in the patent and in the acts authorizing the issuance thereof.
  - The right of entry to prospect for, mine and remove the minerals excepted from the description of said land in Schedule A.
  - Water rights, claims or title to water, whether or not disclosed by the public records.
  - Matters contained in that certain document:
    - Certain: An Ordinance of the Board of Supervisors of Pinal County, Arizona, Relating to Residential Fireplaces (Restrictions)
    - Recording Date: January 5, 2001
    - Recording No.: Fee No. 2001-005758 and in document recorded January 8, 2008 in Fee No. 2008-00780
    - Reference is hereby made to said document for full particulars.
  - All matter set forth on Record of Survey Map Land Division recorded in Book 5 of Record of Survey, Page 220.
  - All matter set forth on Record of Survey Map showing a Water Land Division recorded in Book 5 of Record of Survey, Page 282.
  - Estimate(s) for the purposes of (a) shows below and rights incident thereto as set forth in a document:
    - Purpose: Income, Egress and Public Utilities
    - Recording Date: October 15, 2001
    - Recording No.: Fee No. 2001-047203
  - Taxes, so shown, liabilities and obligations contained in that certain document:
    - Certain: Roof Maintenance Agreement
    - Recording Date: October 15, 2001
    - Recording No.: Fee No. 2001-47203
    - Reference is hereby made to said document for full particulars.
  - All matter set forth on Record of Survey recorded in Fee No. 2009-066617.

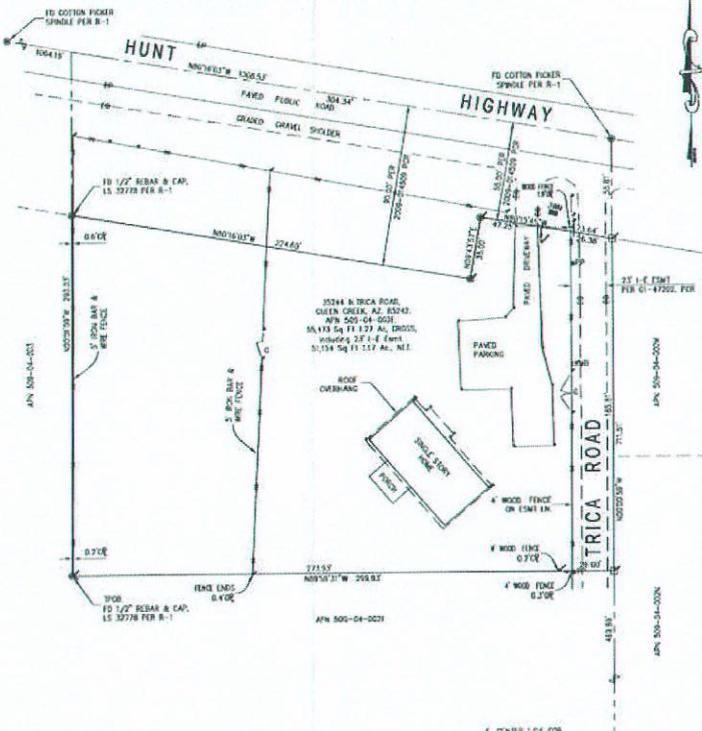
## BASIS OF BEARING

THE BEARING OF ANGLE'S WEST ALONG THE NORTH LINE OF HUNT HIGHWAY PER B-1

**NOTES:**  
1. All Title information and the description shown herein is based upon a Commitment for Title Insurance issued by CHICAGO TITLE INSURANCE COMPANY, License No. CT-1102531-C12333, Effective March 30, 2011.

**REFERENCES:**  
B-1 RECORD OF SURVEY, 35244 N TRICA ROAD, QUEEN CREEK, AZ 85242 ACCORDING TO FEE NO. 2009-066617, P.L.R.

**OWNER:**  
ONE COMMUNITY CHURCH  
35244 N TRICA RD  
QUEEN CREEK, AZ 85242

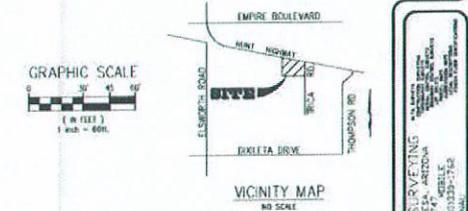


- LEGEND**
- PROPERTY LINE
  - SECTION LINE
  - FOUND OR SET SURVEY MONUMENT AS NOTED
  - SET 1/2\"/>
  - POWER POLE CULY
  - ▲ POWER POLE
  - APN ACCESSOR'S PARCEL NUMBER
  - CLEAR OF PROPERTY LINE
  - EASEMENT
  - GATE
  - INGRESS & EGRESS
  - MAIL BOX
  - OVER PROPERTY LINE
  - PINAL COUNTY RECORDER
  - TITLE POINT OF BEGINNING

## DESCRIPTION

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

- PARCEL NO. 1:**  
COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona:  
THENCE North 80 degrees 50 minutes 52 seconds West, (base of bearings), along the East-West Mid-Section line of said Section 3, a distance of 34.65 feet to the Southeast corner of Lot 1 as recorded in Book 5 of Survey, Page 220, Pinal County Records;  
THENCE continuing North 83 degrees 50 minutes 52 seconds West, a distance of 235.16 feet to the Southeast corner of said Lot 1;  
THENCE North 00 degrees 00 minutes 00 seconds West, along the Westerly line of said Lot 1, a distance of 430.00 feet to the TITLE POINT OF BEGINNING;  
THENCE continuing North 02 degrees 01 minutes 00 seconds West, a distance of 293.15 feet to the Northwest corner of said Lot 1, being on the physical centerline of Hunt Highway;  
THENCE South 80 degrees 15 minutes 40 seconds East, along said centerline, a distance of 324.40 feet to a point from which the Northwest corner of said Lot 1, bears South 80 degrees 15 minutes 40 seconds East, 140.56 feet distant therefrom;  
THENCE South 00 degrees 01 minutes 00 seconds East, a distance of 247.67 feet to a point from which a point on the said East-West Mid-Section line of Section 3, bears South 00 degrees 01 minutes 00 seconds East, 475.00 feet distant therefrom;  
THENCE North 88 degrees 58 minutes 52 seconds West, a distance of 300.00 feet to the TITLE POINT OF BEGINNING;  
EXCEPT that portion conveyed to Pinal County, a political subdivision of the State of Arizona recorded in Fee No. 2009-014508, and  
EXCEPT therefrom all the coal and other minerals in said land, as reserved to the United States of America, in the Patent of said land.
- PARCEL NO. 2:**  
An Easement for ingress, egress and public utilities as needed in Recording No. 2001-47202 over the East 22 feet of the following described property:  
COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;  
THENCE North 80 degrees 50 minutes 52 seconds West, (base of bearings), along the East-West Mid-Section line of said Section 3, a distance of 34.65 feet to the Southeast corner of Lot 1, as recorded in Book 5 of Survey, Page 220, Pinal County Records;  
THENCE continuing North 83 degrees 50 minutes 52 seconds West, a distance of 435.16 feet to the TITLE POINT OF BEGINNING;  
THENCE continuing North 85 degrees 50 minutes 52 seconds West, a distance of 300.00 feet to the Southeast corner of said Lot 1;  
THENCE North 00 degrees 01 minutes 00 seconds West, along the Westerly line of said Lot 1, a distance of 293.15 feet to a point on the physical centerline of Hunt Highway;  
THENCE South 80 degrees 15 minutes 40 seconds East, a distance of 324.40 feet;  
THENCE South 00 degrees 01 minutes 00 seconds East, a distance of 217.67 feet to the POINT OF BEGINNING;  
EXCEPT any portion thereof lying within Parcel No. 1.



## CERTIFICATION

In the Community Clerk and Chicago 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 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 4, 7a, 7b, 14 and 15 of Table A thereof. The field work was completed on May 26, 2011.

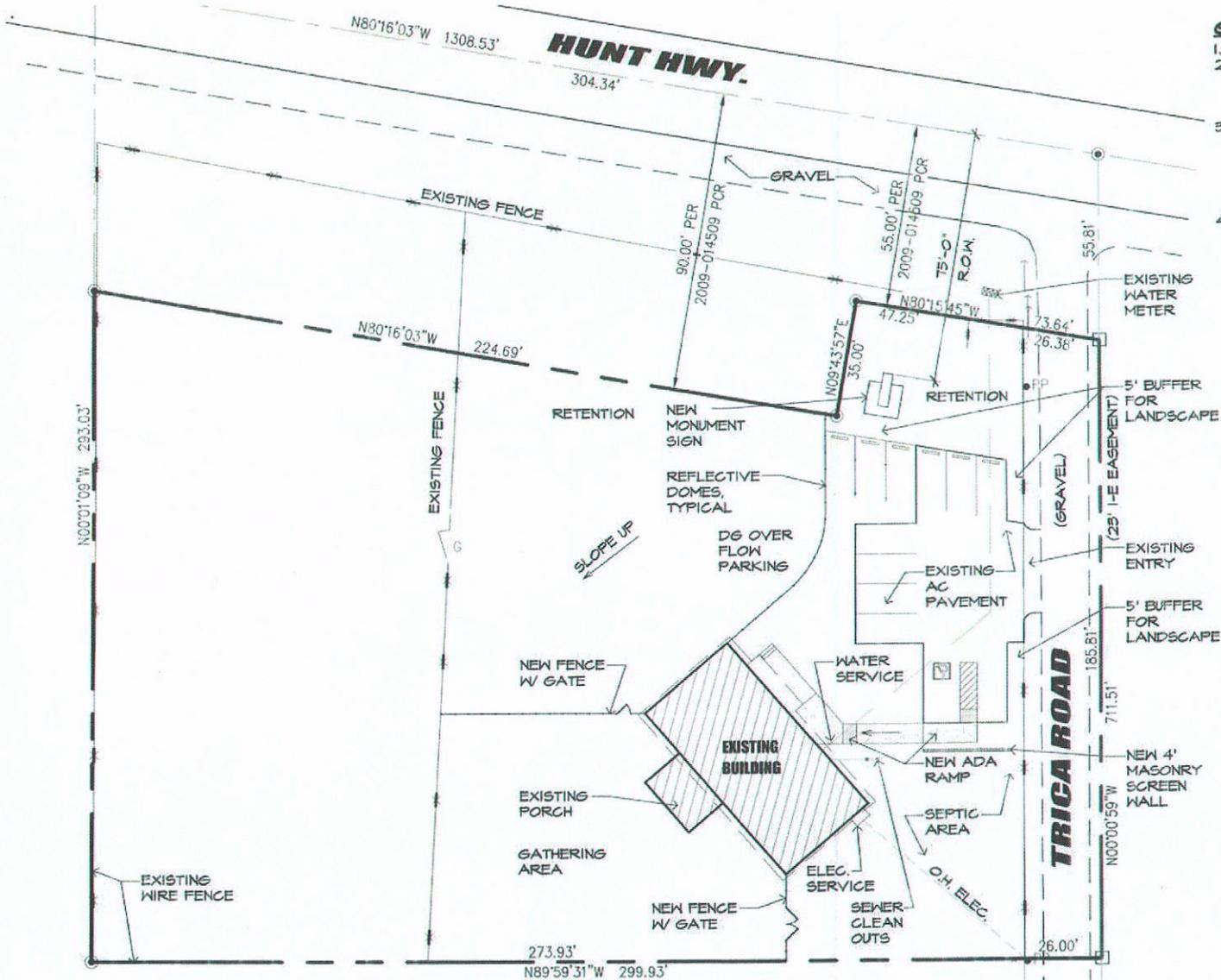
Arvid E. Jones  
RLS, 13719

REVISION		
NO.	DATE	DESCRIPTION

**ALTA-INTEGRA SURVEYING**  
1000 N. CENTRAL AVENUE  
SUITE 200  
DENVER, CO 80202  
TEL: 303.733.8888  
FAX: 303.733.8889  
WWW.ALTA-INTEGRA.COM

ALTA-INTEGRA SURVEYING  
P.O. BOX 20747 • DENVER, ARIZONA  
OFFICE: 800.737-2747 • MOBILE:  
(480) 965-5884 • (602) 333-1742  
— SURVEYING & MORE —

JOB NAME  
000  
SHEET  
1 OF 1



**GENERAL NOTES**

1. NO KNOWN FISSIONS
2. THE LOW POINT ON THE SITE IS AT HUNT HWY. AND TRICA ROAD. NATURAL SLOPE IS SOUTH TO NORTH.
3. MINIMAL LANDSCAPING EXISTS BUT CREOSOTE BUSHES AND PALO VERDE TREE. FUTURE LANDSCAPING TO BE FULLY DEVELOPED PER COUNTY AND MUNICIPAL CODES.
4. SETBACKS:  
- FRONT AND SIDE STREET 10'  
- REAR AND SIDE 0'



**PHASE I SITE PLAN**  
**MINISTRY CENTER**  
SCALE: 1" = 30'-0"

**ONE COMMUNITY CHURCH**  
35244 North Trica Road, Queen Creek, AZ 85242

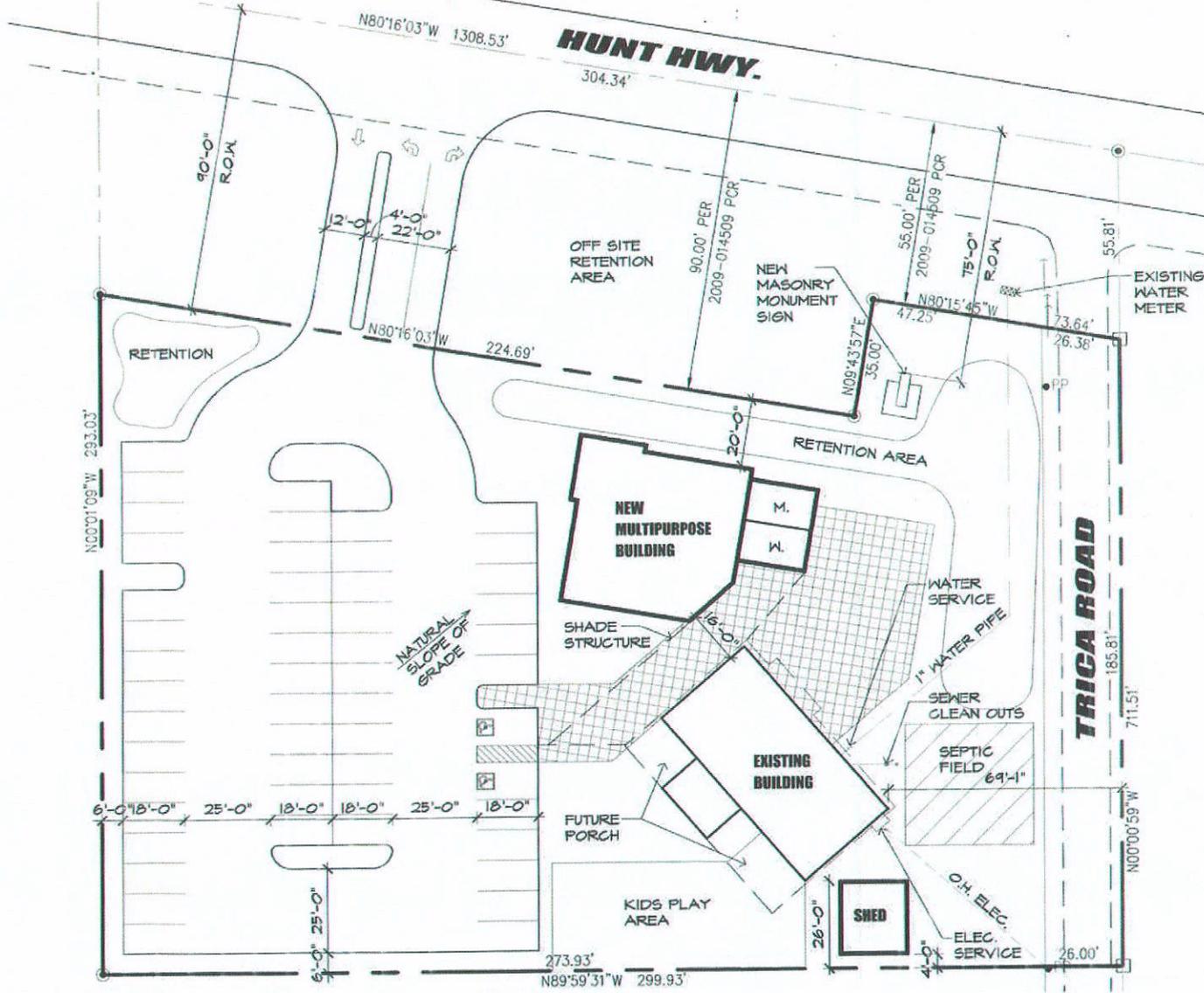
**P.A.D. DEVELOPMENT PLAN - PHASE ONE**



Schiffner Consulting LLC  
11245 E. Camelback Road  
Phoenix, Arizona 85249  
P: 480.202.1304  
info@schiffner.us  
date: OCTOBER 26, 2017  
project no: OCC

**P-1**

PHASE ONE SITE



**GENERAL NOTES**

1. NO KNOWN FISSURES
2. THE LOW POINT ON THE SITE IS AT HUNT HWY. AND TRICA ROAD. NATURAL SLOPE IS SOUTH TO NORTH.
3. MINIMAL LANDSCAPING EXISTS BUT CREOSOTE BUSHES AND PALO VERDE TREE. FUTURE LANDSCAPING TO BE FULLY DEVELOPED PER COUNTY AND MUNICIPAL CODES.
4. SETBACKS:
  - FRONT AND SIDE STREET 10'
  - REAR AND SIDE 0'
5. FENCING:
  - REAR AND SIDE, 6' MASONRY



**SITE PLAN  
CAPACITY STUDY**  
SCALE: 1" = 30'-0"

**ONE COMMUNITY CHURCH**

35244 North Trica Road, Queen Creek, AZ 85242

**MASTER DEVELOPMENT PLAN**



Schifferer Construction LLC  
12345 W. Camelback  
Chandler, Arizona 85242  
T: 480.852.1305  
E: jolson@schiffereraz.com

date: OCTOBER 26, 2011  
project no: OCC



MASTER SITE



CHICAGO TITLE INSURANCE COMPANY

Title No.: CT1102532

COMMITMENT FOR TITLE INSURANCE

Issued by  
Chicago Title Insurance Company

Chicago Title Insurance Company ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

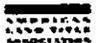
All liability and obligation under this Commitment shall cease and terminate 6 months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Natalie Bombardieri  
Countersigned

CHICAGO TITLE INSURANCE COMPANY  
BY [Signature] President  
ATTEST [Signature] Secretary



Title No.: CT1102532  
Amendment No.: 2/MKB

**CHICAGO TITLE INSURANCE COMPANY**

2555 E. Camelback Rd., # 500  
Phoenix, AZ 85016

**SCHEDULE A**

Title Officer: Joseph Dani  
Escrow Officer: Theresa Bolin-Alberico  
Escrow No.: CT1102532-CT2333  
Loan No.: 7631

1. Effective date: October 4, 2011 at 07:30 AM
2. Policy or Policies to be issued: Amount  
(a) Owner's Policy ( ALTA Standard Owner's Policy (06/17/2006) ) \$ 1.00  
Proposed Insured:  
Town of Queen Creek, a(n) \_\_\_\_\_
3. The estate or interest in the land described or referred to in this Commitment is:  
A Fee as to Parcel(s) 1  
Easement(s) more fully described below as to Parcel(s) 2
4. Title to the estate or interest in the land is at the Effective Date vested in:  
One Community Church
5. The land referred to in the Commitment is described as follows:  
SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

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FDAZ0244.rdw

ALTA Commitment - 2006

**CHICAGO TITLE INSURANCE COMPANY**  
**LEGAL DESCRIPTION**  
**EXHIBIT "ONE"**

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

PARCEL NO. 1:

COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

THENCE North 89 degrees 59 minutes 52 seconds West, (basis of bearings), along the East-West Mid-Section line of said Section 3, a distance of 914.99 feet to the Southeast corner of Lot 1 as recorded in Book 5 of Surveys, Page 220, Pinal County Records;

THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 735.16 feet to the Southwest corner of said Lot 1;

THENCE North 00 degrees 01 minutes 09 seconds West, along the Westerly line of said Lot 1, a distance of 470.00 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 00 degrees 01 minutes 09 seconds West, a distance of 293.15 feet to the Northwest corner of said Lot 1, being on the physical centerline of Hunt Highway;

THENCE South 80 degrees 15 minutes 40 seconds East, along said centerline, a distance of 304.40 feet to a point from which the Northeast corner of said Lot 1, bears South 80 degrees 15 minutes 40 seconds East, 441.56 feet distant therefrom;

THENCE South 00 degrees 01 minutes 09 seconds East, a distance of 241.67 feet to a point from which a point on the said East-West Mid-Section line of Section 3, bears South 00 degrees 01 minutes 09 seconds East, 470.00 feet distant therefrom;

THENCE North 89 degrees 59 minutes 52 seconds West, a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

EXCEPT that portion conveyed to Pinal County, a political subdivision of the State of Arizona recorded in Fee No. 2009-014509; and

EXCEPTING therefrom all the coal and other minerals in said land, as reserved to the United States of America, in the Patent of said land.

PARCEL NO. 2:

An Easement for ingress, egress and public utilities as created in Recording No. 2001-47202 over the East 23 feet of the following described property:



**EXHIBIT "ONE"**

(Continued)

COMMENCING at the East quarter corner of Section 3, Township 3 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

THENCE North 89 degrees 59 minutes 52 seconds West, (basis of bearings), along the East-West Mid-Section line of said Section 3, a distance of 914.99 feet to the Southeast corner of Lot 1, as Recorded in Book 5 of Surveys, Page 220, Pinal County Records;

THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 435.16 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 59 minutes 52 seconds West, a distance of 300.00 feet to the Southwest corner of said Lot 1;

THENCE North 00 degrees 01 minutes 09 seconds West, along the Westerly line of said Lot 1, a distance of 763.15 feet to a point on the physical centerline of Hunt Highway;

THENCE South 80 degrees 15 minutes 40 seconds East, a distance of 304.40 feet;

THENCE South 00 degrees 01 minutes 09 seconds East, a distance of 711.67 feet to the POINT OF BEGINNING;

EXCEPT any portion thereof lying within Parcel No. 1.



**CHICAGO TITLE INSURANCE COMPANY**  
**SCHEDULE B - SECTION I**  
**REQUIREMENTS**

1. Pay the agreed amounts for the interest in the Land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the Land and/or the mortgage to be insured must be signed, delivered and recorded.
4. You must tell us in writing the name of anyone not referred to in this commitment who will get an interest in the Land or who will make a loan on the Land. We may then make additional requirements or exceptions.
5. Furnish proof that any outstanding municipal and/or county tax assessments which are due have been paid current.
6. Furnish evidence that all assessments which are due, if any, as disclosed by that certain instrument entitled "Road Maintenance Agreement", recorded October 15, 2001 in Fee No. 2001-047203, have been paid in full and are current as of the close of escrow.
7. The Company will require the following documents for review prior to the issuance of any title assurance predicated upon a conveyance or encumbrance by the church named below.

Name of Church: One Community Church

- a) Proof of incorporation from the state or other place of incorporation.
- b) A copy of its discipline, by-laws or other regulations authorizing real estate transactions.
- c) A copy of the resolution authorizing the purchase, sale or encumbrance of real property and designating appropriate officers to represent the church.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

8. Furnish for recordation a deed as set forth below:

Type of deed: Warranty Deed

Grantor(s): One Community Church, an Arizona non-profit corporation

Grantee(s): Town of Queen Creek, a(n) \_\_\_\_\_

Note: ARS 11:1133 may require the completion and filing of an Affidavit of Value.



## SCHEDULE B - SECTION I

(Continued)

**Tax Note:**

Year: 2011

Tax Parcel No: 509-04-002E

Total Tax: \$862.64

First Installment Amount: \$431.32 UNPAID

Second Installment Amount: \$431.32 UNPAID

The Land described in this commitment DOES NOT qualify for the issuance of the 1987 ALTA Residential Title Insurance Policy or the ALTA Homeowner's 1-4 Family Residence (1-1-08) Policy. The ALTA Owner's Policy (06-17-06) Standard Coverage will be issued insuring the buyer named in Schedule A hereof.

The Company is not aware of any matters which would cause it to decline to attach the CLTA Endorsement Form 116 indicating that there is located on said land Single Family Residence known as 35244 N. Trica Road, Queen Creek, AZ, 85142 to an Extended Coverage Loan Policy.

Note: Pursuant to Arizona Revised Statutes 11-480, effective January 1, 1991, the County Recorder may not accept documents for recording that do not comply with the following:

- (a) Print must be ten-point type or larger.
- (b) Margins of at least one-half inch along all sides, including top and bottom, except the top of the first page which must be at least two inches for recording and return address information. The margin must be clear of all information including but not limited to, notaries, signatures, page numbers.
- (c) Each instrument shall be no larger than 8 - 1/2 inches in width and 14 inches in length.

Note: Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirement cannot be met, please call the Company at the number provided in this report.

Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.

**END OF SCHEDULE B - SECTION I**



**CHICAGO TITLE INSURANCE COMPANY**  
**SCHEDULE B - SECTION II**  
**EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
3. Any rights, interests or claims, which are not shown by the public records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
4. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other matters which a correct survey would disclose and which are not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown in the public records.
7. Property taxes, which are a lien, including any assessments collected with taxes to be levied for the year 2011.
8. Liabilities and obligations imposed upon said Land by its inclusion within any district formed pursuant to Title 48, Arizona Revised Statutes.
9. Taxes and assessments levied by the Municipality of Queen Creek.
10. Any rights, liens, claims or equities, if any, in favor of the following District(s):
  - A. Central Arizona Water Conservation District
  - B. Pinal County Flood Control District
  - C. Phoenix Active Management Area Groundwater Replenishment District
11. Reservations, exceptions and provisions contained in the patent and in the acts authorizing the issuance thereof.
12. The right of entry to prospect for, mine and remove the minerals excepted from the description of said Land in Schedule A.
13. Water rights, claims or title to water, whether or not disclosed by the public records.



**SCHEDULE B - SECTION II**

(Continued)

14. Matters contained in that certain document

Entitled: An Ordinance of the Board of Supervisors of Pinal County, Arizona, Relating to Residential Fireplace Restrictions  
Recording Date: January 5, 2001  
Recording No.: Fee No. 2001-000756 and in document recorded January 8, 2008 in Fee No. 2008-001862

Reference is hereby made to said document for full particulars.

15. All matters set forth on Record of Survey Minor Land Division recorded in Book 5 of Record of Survey, Page 220.

16. All matters set forth on Record of Survey Map showing a Minor Land Division recorded in Book 5 of Record of Survey, Page 252.

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

Purpose: Ingress, Egress and Public Utilities  
Recording Date: October 15, 2001  
Recording No: Fee No. 2001-047202

18. Terms, conditions, liabilities and obligations contained in that certain document

Entitled: Road Maintenance Agreement  
Recording Date: October 15, 2001  
Recording No: Fee No. 2001-47203

Reference is hereby made to said document for full particulars.

19. All matters set forth on Record of Survey recorded in Fee No. 2009-066617.

20. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$100,000.00  
Dated: May 13, 2011  
Trustor/Grantor: One Community Church  
Trustee: Chicago Title Insurance Company, a Nebraska corporation  
Beneficiary: Everence Association, Inc., a fraternal benefit society  
Recording Date: May 16, 2011  
Recording No: 2011-040799

**END OF SCHEDULE B - SECTION II**



## CHICAGO TITLE INSURANCE COMPANY

### CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <<http://www.alta.org/>>*



**PZ-C-002-12**

**PZ-C-002-12**



PINAL COUNTY  
*wide open opportunity*

MEETING DATE: March 15, 2012

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NOS.: **PZ-C-002-12 (Signs Update)**

CASE COORDINATOR: Jessica Sarkissian, AICP

REQUESTED ACTION & PURPOSE: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. section 11-813(D) a zoning regulation amendment to Title 2 of the Pinal County Development Services Code, amending Chapter 2.145 Signs, to consider adding language to address new types of portable and temporary signs as well as adding the new zones categories created with the recent Zoning Ordinance update.

HISTORY: The Pinal County Zoning Ordinance was adopted by the Board of Supervisors on June 18, 1962 and last amended on January 18, 2012. The Sign Chapter was not part of that update and this update will add the new zoning categories and address the new portable and temporary signs available to businesses.

ANALYSIS: This request is to initiate a text amendment to Title 2, Chapter 2.145 Signs, to consider adding language to address new types of portable and temporary signs as well as add the new zone categories created with the recent Zoning Ordinance update.

STAFF RECOMMENDATION: Staff recommends the Commission approve Case PZ-C-002-12 to initiate the Ordinance Amendment and allow Staff to proceed with the Zoning Ordinance Amendment process to amend Title 2, Chapter 2.145 (Signs) of the Development Services Code.

Date Prepared: 03/06/12 - jds

Revised:

**PZ-C-003-12**

**PZ-C-003-12**



MEETING DATE: March 15, 2012

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **PZ-C-003-12 (Commercial Vehicle Parking)**

CASE COORDINATOR: Terrilyn Klucar

**REQUESTED ACTION & PURPOSE:** The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. 11-829 (E) a Zoning Ordinance Text Amendment to **Title 2 of the Pinal County Development Services Code**, amending **Chapter 2.185 Outside Storage and Parking**, to consider adding language to address the definition, parking locations, setbacks, and restrictions for commercial vehicles over 19, 501 lbs and to add language in support of A.R.S. 11-269.10 (Public Service and Public Safety Vehicles)

**HISTORY:** The Pinal County Zoning Ordinance was adopted by the Board of Supervisors on June 18, 1962 and last amended on January 18, 2012.

**ANALYSIS:** This request is to initiate a text amendment to Title 2, Chapter 2.185: "Outside Storage and Parking", in order to:

- Provide a clear definition of "commercial vehicle"
- Set guidelines and minimal requirements for parking of commercial vehicles in residential and rural zones.
- Staff will present a power point presentation outlining the proposed ordinance amendment
- Staff is tentatively scheduled to return to the Commission with a working draft ordinance amendment in April, 2012.

**STAFF RECOMMENDATION:** Staff recommends the Commission approve Case PZ-C-003-12 to initiate the Ordinance Amendment and allow Staff to proceed with the Zoning Ordinance Amendment process to amend Title 2, Chapter **2.185 Outside Storage and Parking** of the Development Services Code.

Date Prepared: 03/6/12 - tk