

ORDINANCE NO. 880-25

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, DECLARING AS PUBLIC RECORD THAT CERTAIN DOCUMENTS TITLED “SAN TAN BLVD & ELLSWORTH PROJECT NARRATIVE”, LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT “A”, AND ADOPTING EXHIBIT “A”, IN ADDITION TO THE DOCUMENT TITLED “CONDITIONS OF APPROVAL” AND ATTACHED HERETO AS EXHIBIT “B”, AND ADOPTING EXHIBIT B”, THEREBY AMENDING THE OFFICIAL ZONING DISTRICT MAP FOR THE TOWN OF QUEEN CREEK, ARIZONA, PURSUANT TO ARTICLE 3, SECTION 3.4 OF THE ZONING ORDINANCE FOR THE TOWN OF QUEEN CREEK BY CHANGING THE ZONING DISTRICT CLASSIFICATION FROM R1-43 TO C-1 WITH A PLANNED AREA DEVELOPMENT OVERLAY ON APPROXIMATELY 4.2 ACRES. THIS PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF SAN TAN BOULEVARD AND ELLSWORTH ROAD. THE ASSOCIATED ZONING CASE FOR THE PROPERTY IS P24-0101.

WHEREAS, A.R.S. § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full, but exhibits to the ordinance need not be published in full so long as certain requirements are fulfilled; and

WHEREAS, Article 3, ZONING PROCEDURES, Section 3.4 AMENDMENT AND REZONING, establishes the authority and procedures for amending the Zoning Ordinance; and

WHEREAS, Article 4, ZONING, Section 4.2 ESTABLISHMENT OF ZONING DISTRICTS, establishes the Zoning District Maps and states that the Zoning District Maps, along with all the notations, references, and other information shown thereon, are a part of this Ordinance and have the same force and effect as if said maps and all the notations, references, and other information shown thereon were all fully set forth or described in the Zoning Ordinance text; and

WHEREAS, a Public Hearing on this ordinance was heard before the Planning and Zoning Commission on November 12, 2025; and

WHEREAS, the Planning and Zoning Commission voted 7-0 in favor of this zone change for the real property described in Exhibit A (the “Property”); and

WHEREAS, a Public Hearing on this ordinance was heard before the Town of Queen Creek Town Council on November 19, 2025; and

WHEREAS, the Town Council has determined that for the reasons set forth above and for the purpose of protecting the public health, safety, and welfare of the residents and visitors of Queen Creek, it is in the best interest of the Town to establish the zoning designation of C-1/PAD on the location depicted in Exhibit "A" attached hereto and incorporated herein.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

- Section 1:** The attached Exhibit A, titled "Legal Description", and Exhibit B, titled "Conditions of Approval" are declared to be a public record and are adopted and incorporated herein by this reference.
- Section 2:** Exhibits A and B attached hereto are adopted as amending the Official Zoning District Map for the Town of Queen Creek, Arizona, by changing the zoning district classification for the Property from R1-43 to C-1/PAD and imposing the Conditions of Approval upon the Property.
- Section 3:** The Town's Official Zoning Map is hereby amended by changing the zoning designation of the land depicted on Exhibit "A" attached hereto and incorporated herein from R1-43 to C-1/PAD.
- Section 4:** The development of the subject site(s), as described in Exhibit "A" attached hereto shall be in conformance with any applicable Town Codes and Ordinances.
- Section 5:** If any section, subsection, clause, phrase or portion of this Ordinance or any part of these amendments to the Queen Creek Zoning Map is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
- Section 6:** At least one paper copy and one electronic copy of this Ordinance and Exhibit(s) are to be filed with and will be located at the office of the Town Clerk.

PASSED AND ADOPTED by the Common Council of the Town of Queen Creek, Arizona, this 19th day of November, 2025.

FOR THE TOWN OF QUEEN CREEK:



Leah Martineau, Vice Mayor

ATTESTED TO:



Maria Gonzalez, Town Clerk

REVIEWED BY:



Bruce Gardner, Town Manager

APPROVED AS TO FORM:



Clifford Matthe, Town Attorney

EXHIBITS ON FILE AND LOCATED AT THE TOWN CLERK'S OFFICE

ORDINANCE NO. 880-25

Exhibit A

Legal Description

**LEGAL DESCRIPTION
PARCEL 304-91-045K**

A PARCEL OF LAND BEING LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HAND HOLE WHICH MARKS THE QUARTER CORNER OF SAID SECTION 33, FROM WHICH A 1"x1" IRON BAR MARKING THE CENTER QUARTER CORNER OF SAID SECTION 33 BEARS NORTH 89 DEGREES 59 MINUTES 01 SECONDS WEST, A DISTANCE OF 263.22 FEET;

THENCE FROM SAID EAST QUARTER CORNER NORTH 89 DEGREES 59 MINUTES 01 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 12 MINUTES 46 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 12 MINUTES 46 SECONDS WEST, A DISTANCE OF 621.25 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 59 MINUTES 11 SECONDS WEST, A DISTANCE OF 338.85 FEET;

THENCE NORTH 00 DEGREES 15 MINUTES 03 SECONDS EAST, A DISTANCE OF 621.43 FEET TO A POINT;

THENCE SOUTH 80 DEGREES 59 MINUTES 01 SECONDS EAST, A DISTANCE OF 338.43 FEET TO THE POINT OF BEGINNING.

EXCEPT THE NORTH 299.81 FEET THEREOF.

EXCEPT SAID LAND AS DEEDED TO MARICOPA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA IN FINAL JUDGEMENT IN CONDEMNATION RECORDED AS DOCUMENT No. 2010-0880907 AND RE-RECORDED AS DOCUMENT No. 2010-0936726.

THE ABOVE DESCRIPTION IS RECORDED IN DOCUMENT 2020-0202097, RECORDS OF MARICOPA COUNTY, ARIZONA.



**LEGAL DESCRIPTION
PARCEL 304-91-045J**

THE NORTH 299.81 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND BEING AND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HAND HOLE WHICH MARKS THE EAST QUARTER CORNER OF SAID SECTION 33 FROM WHICH A 1" IRON BAR MARKING THE CENTER QUARTER CORNER OF SAID SECTION 33 BEARS NORTH 89 DEGREES, 59 MINUTES, 01 SECONDS WEST, A DISTANCE OF 2,635.22 FEET;
THENCE FROM SAID EAST QUARTER CORNER, NORTH 89 DEGREES, 59 MINUTES, 01 SECOND WEST, A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES, 12 MINUTES, 46 SECONDS WEST, A DISTANCE OF 300.58 FEET;
THENCE NORTH 89 DEGREES, 59 MINUTES, 01 SECOND WEST, A DISTANCE OF 338.63 FEET;
THENCE NORTH 00 DEGREES, 15 MINUTES, 03 SECONDS EAST, A DISTANCE OF 300.58 FEET TO A POINT;
THENCE SOUTH 89 DEGREES, 59 MINUTES, 01 SECOND EAST, A DISTANCE OF 338.43 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 33, MONUMENTED BY A BRASS CAP FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 33, MONUMENTED BY A BRASS CAP, BEARS AS A BASIS OF BEARINGS, SOUTH 00 DEGREES, 21 MINUTES, 00 SECONDS EAST, A DISTANCE OF 2,645.21 FEET;
THENCE SOUTH 00 DEGREES, 21 MINUTES, 00 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 40.00 FEET;
THENCE SOUTH 89 DEGREES, 26 MINUTES, 37 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY AND SAID POINT ALSO BEING PARALLEL WITH AND 40.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 33 AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES, 21 MINUTES, 00 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID PROPERTY, A DISTANCE OF 260.58 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY;
THENCE SOUTH 89 DEGREES, 26 MINUTES, 37 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID PROPERTY, A DISTANCE OF 30.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 70.00 FEET WESTERLY OF THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33;
THENCE NORTH 00 DEGREES, 21 MINUTES, 00 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 215.58 FEET;
THENCE NORTH 45 DEGREES, 27 MINUTES, 12 SECONDS WEST, A DISTANCE OF 21.17 FEET TO A POINT ON A LINE PARALLEL WITH AND 70.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33;

ORDINANCE NO. 880-25

THENCE SOUTH 89 DEGREES, 26 MINUTES, 37 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 293.44 FEET TO A POINT ON THE WESTERLY LINE OF SAID PROPERTY;
THENCE NORTH 00 DEGREES, 19 MINUTES, 19 SECONDS WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY, SAID POINT ALSO BEING PARALLEL WITH AND 40.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33;
THENCE NORTH 89 DEGREES 26 MINUTES, 37 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID PROPERTY, A DISTANCE OF 338.43 FEET TO THE TRUE POINT OF THE BEGINNING.

THE ABOVE DESCRIPTION IS RECORDED IN DOCUMENT 2021-0163593, RECORDS OF MARICOPA COUNTY, ARIZONA.



LEGAL DESCRIPTION

TOTAL PROPERTY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HAND HOLE MARKING THE EAST QUARTER CORNER OF SAID SECTION 33, BEING MARKED BY A BRASS CAP IN HANDHOLE, LYING SOUTH 00 DEGREES 12 MINUTES 58 SECONDS WEST, A DISTANCE OF 2,645.12 FROM THE SOUTHEAST CORNER OF SAID SECTION 33, BEING MARKED BY A BRASS CAP IN HANDHOLE;

THENCE SOUTH 00 DEGREES 12 MINUTES 58 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 33, 661.24 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 13 SECONDS WEST, 70.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 58 MINUTES 59 SECONDS EAST, 293.47 FEET;

THENCE SOUTH 44 DEGREES 53 MINUTES 01 SECONDS EAST, 21.18 FEET;

THENCE SOUTH 00 DEGREES 12 MINUTES 58 SECONDS WEST PARALLEL WITH AND 70.00 FEET WEST OF THE EAST LINE OF SAID SECTION 33, 576.27 FEET TO THE POINT OF BEGINNING.

AREA IS 182,409 S.F. OR 4.1875 AC. MORE OR LESS.



Exhibit B

Conditions of Approval

1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance, General Plan, and Town Code applicable to this case.
2. Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof-mounted, shall be screened and painted to match the main color of the building or to blend in with adjacent landscaping.
3. All roof mounted equipment shall be fully screened by the roof parapet.
4. The developer shall construct a new 8-inch water line along Ellsworth Road, connecting to the existing waterline on San Tan Blvd and extending along Ellsworth Road to stub out at the southern boundary of the property.
5. All water, fire, and sewer infrastructure on site shall be private.
6. The applicant is required to and responsible for the construction, installation, and maintenance of landscaping within the existing median on Ellsworth Road across the entire project frontage.
7. The development shall address all outstanding comments from the Technical Review Committee review and submit complete sets of plans and reports addressing said comments with the building and construction plan submittal.
8. The applicant shall revise the lighting plan to incorporate wall-mounted gooseneck light fixtures in the building plans.
9. The approved site plan and associated documents with case P24-0103 is consistent with the Rural General Plan Land Use Category, and any changes to the site plan or uses shall meet the criteria for commercial uses in the Rural Category. Any significant change to the site or uses may require a PAD amendment as determined by the Planning Administrator.
10. For off-site public improvements, the Town requires cash, irrevocable letter of credit (IRLOC), or a bond to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. The assurance amount shall be determined by an engineer's estimate during the Construction Document review phase. Construction assurance shall be deposited with the Town prior to any permits being issued.
11. For onsite public improvements, the Town requires cash, irrevocable letter of credit (IRLOC), bond, or a signed C of O hold agreement to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. Construction assurance shall be deposited with the Town prior to final plat recordation.
12. The Town requires all poles less than 69kV to be relocated underground. SRP may require easements outside of Public Right-of-Way. The applicant shall contact SRP for specific requirements that they may have in addition to the Town requirements.
13. A Construction Assurance is required for all offsite public improvements. The Assurance shall be per Section 7.5 of the Town of Queen Creek Subdivision Ordinance. An Engineer's Cost Estimate for the offsite improvements shall be submitted for review and approval.

ORDINANCE NO. 880-25

14. Arterial street lights are required along the San Tan Blvd frontage.
15. Full ½ street improvements shall be required to be designed and constructed for San Tan Blvd and Ellsworth Road for all portions of the Right-of-Way adjacent to the property frontage. Full ½ street improvements including all related sidewalk, curb and gutter, median, streetlights, landscaping, landscaped medians, applicable water and sewer lines, drainage facilities, fiber optic conduit and cabling, and power pole relocation shall be designed and constructed for all portions of the right-of-way adjacent to the property frontage. Road improvements shall include all appropriate roadway tapers as required by the Town's Traffic Division.
16. The drainage plan shall be in accordance with the current Maricopa County Drainage Manual. The approved Drainage Plan shall provide retention for storm waters in onsite retention areas.
17. The Site Plan approval shall be valid for a period of eighteen (18) months from the date of approval, at which time construction shall commence per Article 3.8 *Expiration of Development Approvals*. If construction has not commenced, the Site Plan approval shall expire.