

Commercial Real Estate

Wittmann residents seek incorporation to block BNSF's \$3.2 billion rail hub project



Image: Dallas Business Journal

BNSF has wanted to build an intermodal facility in the Valley since the 2000s.

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Story Highlights

- Wittmann residents hope to incorporate, opposing BNSF's \$3.2 billion rail hub
- BNSF's project faces community backlash and repeated rezoning vote delays
- Keep Us Rural aims to preserve Wittmann's rural culture through incorporation

A group of Wittmann residents has filed a notice of intention to incorporate into a town, the latest effort from irked residents seeking to stop BNSF Railway Co.'s multibillion-dollar rail hub project in the rural area.

A letter announcing those plans obtained by the Business Journal was sent to the Maricopa County Board of Supervisors Aug. 1. It was signed by Jeff August, the president of Keep Us Rural LLC, a resident-led group that has emerged as a vocal opponent of BNSF's planned multibillion-dollar intermodal facility.

Residents of Wittmann, an unincorporated area of Maricopa County roughly an hour northwest of Phoenix, have long [opposed the project](#). Keep us Rural argued in an Aug. 11 announcement that the rail hub would "increase crime and noise," result in "massive amounts of traffic and air pollution" and "strain critical services."

The Texas railway company has sought an intermodal facility in the Valley since the 2000s. The proposed \$3.2 billion rail complex is located east of 235th Avenue, between U.S. Highway 60 and State Route 74. Plans include a 1,770-acre intermodal facility, a 1,400-acre logistics park and a logistics center on 1,100 acres – making it the first BNSF facility to feature all three pieces in one facility.

In the incorporation letter, Keep us Rural outlined the proposed borders for the would-be “Town of Wittmann.” From north to south, the town would sit between Arizona State Route 74 and W. Jomax Road, and from west to east, from N. Rooks Road to N. Crozier Road. Assisted by election attorney Tim La Sota, Keep Us Rural plans to gather signatures from 10% of Wittmann residents, around 800 people, and get the incorporation effort onto the ballot.

According to the county’s incorporation timeline, a notice of intent must be followed by publishing the petition of incorporation in a newspaper and circulating it for two weeks. After that, the parties must submit the petition to the county board of supervisors at least 60 days after initial publication.

Then, the parties have 180 days to submit the petition and signatures for review by the county. If the petition meets the 10% threshold, it goes to an election within 60 days of submission. If the petition reaches a 2/3 signature threshold, the town can incorporate without a vote.

Other Arizona municipalities have incorporated, although not usually for the same reasons as Wittmann. Most recently, San Tan Valley became the state’s 92nd municipality after voters decided to [incorporate in an Aug. 5 election](#). San Tan Valley, one of the largest regions in the state, will become Pinal County’s largest city after finally incorporating following a 15-year effort. The town will continue to rely on the county for many services until next July.

BNSF faces delays, community backlash

Wittmann's push to incorporate is the latest in a saga of delayed votes and backlash against the project. In May, residents from Wittmann and neighboring communities gathered to [express their frustration](#) over the railway hub. That meeting preceded a vote planned for August, during which the Maricopa County board of supervisors was set to decide whether to rezone the site.

The oft-delayed zoning vote was initially scheduled for last December, just after the county planning and zoning commission recommended approval for 839 acres of the BNSF property, now called Logistics Park Phoenix. At the [Dec. 11 meeting](#), the board of supervisors voted to table until March.

In early March, BNSF [requested another delay](#), asking for more time to work with the community and stakeholders. BNSF [requested in July](#) that the hearing be moved to Nov. 5. The board will vote on granting the delay during the Aug. 20 meeting, [per the Arizona Republic](#).

Initially, BNSF sought to rezone and annex land through the city of Surprise. Anticipated delays and expressed trepidation from members of Surprise City Council caused the company to move to rezone through the county instead. Wittmann residents worry the rail hub would ruin their rural lifestyle and cowboy culture.

Leaders in Surprise voiced concerns over potential traffic and environmental impacts. In a letter to Maricopa County, Surprise Mayor Kevin Sartor and Councilmember Nick Haney said current traffic volumes in the area exceed its "grossly overburdened" infrastructure capacity.

BNSF maintains the proposed rail hub would streamline supply chains for the fast-growing Valley and is more environmentally friendly than truck-based

transport, while also providing economic stimulation and job creation. In response to some resident outcry, the company has plans for a [shrubbery buffer zone around the perimeter](#) and will keep the hub about half a mile away from residences, although its warehouses may be closer.

Even if rezoned and developed through Maricopa County, the county's staff have said it prefers that BNSF annex its property in Surprise to access municipal services, the Business Journal [previously reported](#).

“The traffic is going to be moving through here whether we build this or not,” Lena Kent, executive director of public affairs at BNSF, [said at the time](#).

“Arizona has to make a choice as a state – what's the best way to move things?”

Keep Us Rural says incorporation would give residents the power to reject the BNSF project and potential similar developments, according to the Aug. 11 announcement. Specifically, the would-be town of Wittmann would move to preserve its one home per acre zoning and maintain agricultural parcels in order to safeguard its rural culture.

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