



PINAL COUNTY  
*wide open opportunity*

**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MINUTES OF January 17, 2013**

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

**ABSENT:** Mr. Ellis, Member

**LEGAL STAFF PRESENT:**  
Ms. Grieb, Deputy County Attorney

**PLANNING STAFF PRESENT:**  
Mr. Stabley, Director  
Mr. Denton, Planner II  
Mr. Ashbaugh, Planner I  
Mr. Abraham, Planning Manager  
Ms. MacDonald, 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: December 20, 2012**

Commissioner Tameron arrived at 9:07 a.m.

**MOTION**

Commissioner Aguirre-Vogler made a motion to approve the minutes of December 20, 2012. Vice Chairman Riggins seconded the motion. Motion passed unanimously.

Commissioner Salas arrived at 9:08 a.m.

Mr. Stabley introduced Mr. Travis Ashbaugh as the new Planner for Planning and Development and gave a brief description of Mr. Ashbaugh's background.

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

There were no cases presented to Board of Supervisors on December 19, 2012 or January 9, 2013.

**NEW CASES**

**SUP-005-12 – PUBLIC HEARING/ACTION:** Avra Valley Fire District, applicant/landowner, Transworld Network, agent requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and Wi-Fi internet service on a 4.06± acre parcel in the (GR) General Rural zone; situated in a portion of the SE¼ of Section 18, T10S, R11E G&SRB&M, Tax parcel 410-22-008B (legal on file) (located at the NWC of Amber Sunrise Dr and Estancia Dr).

Commissioner Brown arrived at 9:10 am

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

Chairman Hartman called the applicant forward.

Ray Klein, Assistant Fire Chief, Avra Valley Fire District, 15790 W. Silverbell Rd. Marana, AZ 85653. Mr. Klein came forward to address the Commission.

Milt Jenson, no address provided. Mr. Jenson came forward to address the Commission.

Michaela Caproni, 8600 W. Tangerine Rd. Marana, AZ 85653. Ms. Caproni came forward to address the Commission.

Mr. Klein gave a brief description of his request.

Commissioner Aguirre-Vogler stated she has been part of the Board of Avra Valley and recently resigned.

Commissioner Aguirre-Vogler stated during the community meeting the tower was described as being an 80-foot tall tower, and asked why the height had changed? Commissioner Aguirre-Vogler asked if the tower could be a monopole, and be surrounded by a fence. Mr. Klein responded all the documents that had been provided showed a 100-foot tower. Commissioner Aguirre-Vogler stated she believes there was a precedent of 80 feet, and it was advertised during the community meeting as being 80 feet and it should remain that height. Mr. Stabley stated he does not recall a precedent of 80 feet on a tower, and staff relies on the applicant to provide the reasoning of the height. Mr. Jensen stated the reason the height was increased was for better coverage for the fire department. The higher the tower the better signal and coverage.

Commissioner Moritz asked Mr. Jensen if the public was aware of the height of the tower. Mr. Jensen responded yes, the application has a photograph and the information shows the tower being between 80-100 feet.

Commissioner Aguirre-Vogler asked if the tower will require strobing and if it is going to be collapsible. Mr. Jensen responded it will not be collapsible, and it does not require strobing. The FAA does not require painting, lighting and strobing, unless it is located within twenty-thousand feet of the nearest registered airport and regarding the fencing, anti-climbing shields will be placed surrounding the tower for security.

Chairman Hartman asked Mr. Jensen if there would be a chance that someone could strike the guy wires with a vehicle. Mr. Jensen responded that the tower will be placed behind the current facility where there is no traffic, and there is no traffic anticipated for the future.

Chairman Hartman asked Mr. Klein what type of vegetation is in the area. Mr. Klein responded most of the vegetation is shrubs and medium size trees, mostly desert vegetation.

Chairman Hartman asked Mr. Klein if there would be a generator used. Mr. Klein responded the station has a generator, and the tower will be tied into the existing generator. The generator is locked outside the station with a key.

Chairman Hartman asked Mr. Klein what the security would be like. Mr. Klein stated the station is secured; the doors have automatic locks with a restricted key code for entry to the facility.

Chairman Hartman stated there had been a discussion that a portion of the tower would be leased to compensate the cost of the construction. Mr. Klein agreed, stating Transworld will develop the tower

and deed it to the Avra Valley Fire District. Transworld will also place two-way radio equipment on the top of the tower, with no cost to the Fire District. Once the tower is running, Transworld will pay a small monthly fee for the equipment rental to the Avra Valley Fire District.

Commissioner Brown asked Mr. Klein how many users could actually use the tower. Mr. Klein responded he does not believe there is a limit to the users who can use the tower.

Commissioner Brown stated the County encourages co-location. The County does not want to see an overwhelming number of towers.

Ms. MacDonald stated the application submitted by the applicant states the tower is not designed to accommodate additional users. Mr. Jensen stated the tower is not designed to accommodate additional subscribers but the agreement was it would be allowed if certain criteria would be met in the future.

Mr. Stabley stated it does not matter what other criteria is met, if the applicant submitted an application stating it cannot accommodate additional users that is the way it will remain.

Commissioner Brown stated the information provided by the applicant is not consistent and it is confusing. Commissioner Aguirre-Vogler agreed.

Chairman Hartman asked Mr. Stabley if the Planning Commission could add a stipulation to allow multiple users. Mr. Stabley responded a stipulation could not be added for more users. Mr. Stabley suggested continuing the case, to have the applicant amend the application to what they actually want to accomplish. Commissioner Brown agreed with Mr. Stabley.

Chairman Hartman asked Mr. Stabley if it would be difficult for the applicant to change the application and will they need to have another public meeting. Mr. Stabley stated amending the application is not a difficult task, but regarding the public meeting it would have to be up to the Commission if they require the applicant to hold another public meeting.

Commissioner Moritz suggested continuing the case for 60 days, to have another public meeting and return all the information back to staff. Commissioner Salas stated the intent of the application needs to be clarified for the public as well as for staff. Vice Chairman Riggins stated the records provided are inconsistent, and what is on the application is what will be on the SUP and it needs to be consistent.

Commissioner Gutierrez stated if there is, going to be leasing involved and have multiple users, it is critical to state it on the application. Commissioner Gutierrez spoke about his concerns regarding the safety and security.

Chairman Hartman asked Mr. Stabley if in the future the applicant could return to the Planning Commission to amend the SUP if they had decided they could support other users. Mr. Stabley responded an applicant always has the right to amend a SUP.

Ms. Grieb read a portion of the minutes from the public hearing held by Avra Valley Fire District. The vote during the meeting was 4-0 with a passing decision for an 80-foot tower. The minutes do not mention anything about a 100-foot tower.

Chairman Hartman asked Mr. Klein how much time would he need to hold another public meeting, make the changes to the application, and meet with staff. Mr. Klein responded he was not aware of what the period would be to give notice for the public meeting, and was not sure how much time they would need.

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

**MOTION**

Vice Chairman Riggins made a motion to continue case SUP-005-12 to the Planning and Zoning regularly scheduled meeting of March 21, 2013 at 9:00 a.m. Commissioner Salas seconded the motion. Motion passed unanimously.

**SUP-009-12- PUBLIC HEARING/ACTION:** Eric & Marcelline Nelson, landowners, Verizon Wireless, applicant, Campbell A&Z, LLC, agent, requesting approval of a Special Use Permit to construct and operate a 90 foot tall monopole wireless communication facility on 1,188 square foot lease area of a 43± acre parcel in the (MHP) Manufactured Home Park Zone; situated in a portion of the east half of Section 29, T05S, R10E G&SRB&M, Tax parcel 206-16-002H (legal on file) (located approximately 1½ miles southeast of the Town of Florence and west of State Route 79).

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

Chairman Hartman called the applicant forward.

Mike Campbell, 6880 W. Antelope Dr. Peoria AZ, 85383. Mr. Campbell came forward to address the Commission. Mr. Campbell gave a brief description of his request.

Commissioner Brown asked Mr. Campbell how high the climbing pegs would be installed. Mr. Campbell responded that there would not be any climbing pegs on the monopole, and the ordinance requires a screen wall surrounding the monopole. Verizon would like to have a secured work environment for their employees, and they are installing a secured door for access.

Commissioner Aguirre-Vogler asked Mr. Campbell if the road to the site is a dirt road, and how far is the site from State Route 79. Mr. Campbell responded it is located about 200 feet away, and it is a dirt road.

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

Mr. Abraham stated when the Air Quality Department reviews the plans as part of the building permit; they will require the applicant to acquire a dust registration and Air Quality will let them know what they need to put down on the ground for dust control.

**MOTION**

Vice Chairman Riggins made a motion to forward case SUP-009-12 with a favorable recommendation along with the attached ten (10) stipulations to the Board of Supervisors. Deleting stipulation number one (1), making it nine (9) stipulations total. Commissioner Salas seconded the motion. Motion passed unanimously.

**PLANNING DIRECTORS DISCUSSION ITEMS**

Mr. Stabley provided the Zoning Commission an email from Ms. Zoe Richmond, from the Union Pacific Railroad (UPRR). Mr. Stabley gave a brief overview of the email.

Chairman Hartman asked Mr. Stabley if he or the County had been invited to the meeting held by UPRR. Mr. Stabley responded that he was not aware of the County being invited since it was being held by the City of Maricopa. Chairman Hartman stated he would like the County to be involved during the meetings

Mr. Stabley asked the Commission if they would like to have a presentation from Ms. Richmond regarding John Wayne Parkway during the March 21<sup>st</sup> Planning Commission hearing.

Commissioner Aguirre-Vogler suggested having the District 4 Board of Supervisors member also come before the Commission.

Chairman Hartman stated his concern is for the public who use the State Route 347 crossing; the Commission needs to know what the intent is since tentative plats in the area keep being extended.

Mr. Stabley explained why the AMTRAK station was placed in Pinal County.

Commissioner Aguirre-Vogler suggested inviting ADOT to the March meeting, also having a joint meeting with the new Board of Supervisors and County Manager. Mr. Stabley stated he has not had a chance to invite the Board of Supervisors nor the County Manager.

All of the Commission members agreed and would like to see the presentation from Ms. Richmond.

Chairman Hartman asked Mr. Stabley when the new Commission Members would start. Mr. Stabley stated that topic is currently being discussed, and a date has not been set.

Commissioner Gutierrez stated he had spoken to SRP (Salt River Project), and they are willing to speak to the Planning Commission regarding the water issues. Vice Chairman Riggins stated he would like a presentation to show all the new agreements and the settlements that have occurred recently.

#### **ADJOURNMENT**

Commissioner Aguirre-Vogler made a motion to adjourn. Vice Chairman Riggins seconded the motion. Chairman Hartman accepted the motion. Meeting adjourned at 10:46 a.m.

RESPECTFULLY submitted February 21, 2013



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Jerry Stabley, Planning Director