



PINAL COUNTY  
*wide open opportunity*

**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MINUTES OF June 19, 2014**

**PRESENT:** Mr. Hartman, Chairman Ms. Aguirre-Vogler, Member  
Mr. Salas, Member Mr. Gutierrez, Member  
Mr. Smyers, Member Mr. Del Cotto, Member  
Ms. Moritz, Member Mr. Grubb, Member

**ABSENT:** Mr. Riggins, Vice-Chairman  
Mr. Anderson, Member

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

**PLANNING STAFF PRESENT:** Mr. Stabley, Community Development Director  
Ms. MacDonald, Planner II Mr. Denton, Planner II  
Mr. Balmer, Planner I Ms. Bruninga, Secretary II

**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 Pinal County Emergency Operations Center, Florence, Arizona.

**DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES:**

**May 15, 2014**

**MOTION**

Commissioner Salas made a motion to approve the minutes of May 15, 2014. Commissioner Grubb seconded the motion. Motion passed unanimously. (8-0)

**PLANNING DIRECTORS DISCUSSION ITEMS**

**Community Plan**

Mr. Stabley stated that the community plan meeting will not happen in June; he added that there was a lack of volunteers and staff. Mr. Stabley asked if July 24 works for the Commission. Chairman Hartman stated that he is unavailable that day. Mr. Stabley stated the meeting could be pushed out to August. The Commission agreed to that date. Mr. Stabley stated that they will attempt to schedule the meeting for the Thursday after the August Commission meeting.

Mr. Stabley stated that there has not been a replacement for Commissioner Anderson as of yet.

Mr. Stabley stated that there will be a celebration for his retirement at 2 pm. Commissioner Moritz asked if there is a replacement for him in the works. Jerry stated that there will be a temporary replacement

while recruiting. Chairman Hartman thanked Mr. Stabley for his involvement with the Community Plan and Comprehensive Plan and he added that the Commission appreciates his hard work.

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

May 28, 2014

June 4, 2014 – No Cases

Mr. Stabley discussed the cases that were heard by the Board of Supervisors, including the medical marijuana case in Oracle that was approved by the Board of Supervisors on June 18, 2014 with a vote of 3-2 with Supervisors Chase and Rios in opposition.

### NEW CASES:

**PZ-PA-001-14 - DISCUSSION/APPROVAL/DISAPPROVAL:** Pinal County, applicant, requesting a non-major amendment of the **Pinal County Comprehensive Plan** to amend the **Land Use Plan** to designate 155± acres of land to **Very Low Density Residential (0-1 DU/AC)**; situated in a portion of the northeast quarter of Section 17, T5S, R6E G&SRB&M; located a half mile southwest of Interstate 10 & Highway 387 interchange. **(Withdrawn by Staff)**

### MOTION – PZ-PA-001-14

Commissioner Salas made a motion to withdraw case PZ-PA-001-14. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously.

**PZ-PA-002-14 – PUBLIC HEARING/ACTION:** Psalm 91, LLC, landowner, Lyle Richardson, agent, requesting approval of a **Non-Major Comprehensive Plan Amendment** from **Very Low Density Residential (0-1 du/ac)** to **Secondary Airport** on 40± acres pending and in conjunction with Rezone request **SUP-004-14** in the GR zone; situated in a portion of the NE¼ of Section 29, T4S, R2E G&SRB&M, tax parcel 510-10-002C and 002E (legal on file) (located at the northwest corner of Sage Street and Dasher Road in the Maricopa area).

**SUP-004-14 – PUBLIC HEARING/ACTION:** Psalm 91, LLC, landowner, Lyle Richardson, agent, requesting a Special Use Permit to operate a private airstrip/heliport landing field and skydiving facility on a 40± acre parcel in the GR Zone; situated in a portion of the NE¼ of Section 29, T4S, R2E G&SRB&M, tax parcel 510-10-002C and 002E (legal on file) (located at the northwest corner of Sage Street and Dasher Road in the Maricopa area).

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

Chairman Hartman stated that there were a couple of letters in opposition of the project.

Lyle Richardson, 7356 N Camino Sin Vacas, Tucson, Arizona 85718, came forward to address the Commission. Mr. Richardson gave a brief history of the site and the applicants' request.

Chairman Hartman expressed his concerns with the amount of traffic on dirt roads. Mr. Richardson responded that the number of people accessing the site is no greater than what a residential use would allow. He added that there is a stipulation requiring a Traffic Impact Analysis through the Site Plan Review process. Chairman Hartman stated that there will be a requirement for a Right-of-Way dedication. Mr. Richardson stated that the applicant is prepared for that. Chairman Hartman asked if there are overhead power lines. Mr. Richardson responded that all of the utilities are currently in place, underground.

Commissioner Moritz asked if the sale of the property will be affected if the case is denied. Mr. Richardson responded that there is a lease option in place. Commissioner Moritz asked about the discrepancy in the number of flights listed in stipulation thirteen (13) and the number of flights per year

on the application. Mr. Richardson responded that the number of flights is twenty-one (21) per month. Commissioner Moritz asked what emergency access is available on site. Mr. Richardson stated that there are multiple entry points to the site. Commissioner Moritz asked for more information on the minor improvements that are planned on site. Mr. Richardson responded that the applicant will create the grass landing area, the parking area will be designated, and improvements to the heliport pad. Mr. Richardson added long term improvements would include dust proofing on the runway, and ongoing maintenance. Commissioner Moritz stated that there was a letter in opposition from Mr. Millar, describing a problem with the landing pattern. Mr. Richardson stated that since neither location has a tower, there is ongoing communication between pilots. The airspace is not controlled, and is available to all parties in the area.

Commissioner Salas stated that the fact that there is no flight pattern concerns him, especially with the amount of near misses. Mr. Richardson stated that these facilities operate in close proximity all over the country. Mr. Richardson stated that the planes are already in the air today, they will just be changing location.

Commissioner Gutierrez asked if there are agreements in place for emergency responders. Mr. Richardson stated that there are agreements in place for the existing location, and the applicant will work out the change in location if the case is approved. Commissioner Gutierrez asked how long the response time is. Mr. Richardson stated that he is unsure as there have been no emergency calls yet. Commissioner Gutierrez asked how many skydivers there could be at any given time. Mr. Richardson responded that there can be one or two planes in the air at a time, and as many as 8 people on an aircraft at any given time. Commissioner Gutierrez asked if there will be any alternative aircrafts. Mr. Richardson stated that there will be single engine aircraft only.

Commissioner Smyers asked if there will be tandem jumps or lessons on site. Mr. Richardson responded that there will be primarily tandem jumps.

Commissioner Del Cotto stated that he is unsure of the take on and landing area orientation. Mr. Richardson responded that the runway is set up East-West. He added that the property belonging to Mr. Millar runs North-South. Commissioner Del Cotto stated that according to the letter in opposition this could create some aircraft safety issues. Mr. Richardson stated that there is no flight plan requirement for the area, and the pilots have the responsibility to ensure that they are in constant radio communication with each other.

Commissioner Grubb stated that he has a problem with the responsibility being placed on the pilots. He added that it is the Commission's responsibility to ensure the safety of the public. Commissioner Grubb also stated that he is concerned with the emergency response, as Maricopa is resistant to respond to areas outside of their service area.

Mr. Richardson stated that if someone were to respond, they would come out of Gateway by helicopter.

Commissioner Del Cotto stated that the major concern is safety. Commissioner Del Cotto added that the Commission wants to ensure that the two runway zones aren't colliding.

Commissioner Moritz stated that there will be two locations instead of three and asked if the number of jumps currently occurring at the Estrella site will remain the same upon approval of the new site. Commissioner Moritz stated that there should be no more danger to the skydivers by just relocating the site. Mr. Richardson stated that the Estrella airport will still be functional; it will just not have this specific operation located there.

Mark Hogue, 300 N Henkel, Mesa, Arizona, 85201, came forward to address the Commission. Mr. Hogue stated that the FAA approves the airports and their location. Mr. Hogue added that one airport can run north and south, and a neighboring airport can run east and west, and this is perfectly safe. He stated that the FAA has done studies and determined that multiple airports can coexist.

Commissioner Smyers asked if the FAA gets involved in skydiving. Mr. Richardson responded that the FAA recognizes skydiving as an aviation activity, but they do not regulate the operation.

Chairman Hartman opened the public portion of the meeting.

Shelley Clark, 3442 Meander, came forward to address the Commission in opposition of the request. Ms. Clark discussed the CC&R's in place for the neighboring area and the noise restrictions.

Chairman Hartman closed the public portion of the meeting.

Mr. Richardson stated that he understands the concerns of the neighboring properties. Mr. Richardson added that it is unlikely that an aircraft will be seen by any person, as they fly at 13,000 ft.

Commissioner Moritz asked if the majority of the jumps take place on the weekends. Chairman Hartman asked if there are certain hours for jumps. Mr. Hogue responded that the jumps will occur three (3) to five (5) days a week, with more days during the week in the winter and more on weekends during the summer season. Mr. Richardson added that the season drives the time of the jumps. Mr. Hogue stated that in the summer the jumps are usually from 9:00am to 12 pm, with the occasional sunset jump. During the winter the jumps are generally midday.

Commissioner Salas asked if wind speed effects operation. Mr. Hogue stated operation is governed by wind speed.

Commissioner Moritz asked how often the skydivers land in the area they intend to land. Mr. Richardson stated that they do not miss their target landing spot.

**MOTION PZ-PA-002-14**

Commissioner Moritz made a motion to forward case PZ-PA-002-14 to the Board of Supervisors with a favorable recommendation with no attached stipulations. Commissioner Del Cotto seconded the motion. Chairman Hartman called for a roll call vote.

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|-----------------------------|-----|
| Commissioner Aguirre-Vogler | Yes |
| Commissioner Gutierrez      | Yes |
| Commissioner Smyers         | Yes |
| Commissioner Salas          | No  |
| Commissioner Moritz         | Yes |
| Commissioner Del Cotto      | Yes |
| Commissioner Grubb          | No  |
| Chairman Hartman            | Yes |

Motion passed 6-2 with Commissioners Salas and Grubb in opposition.

**MOTION SUP-004-14**

Commissioner Moritz made a motion to forward SUP-004-14 to the Board of Supervisors with a favorable recommendation along with its attached 16 stipulations. Commissioner Aguirre-Vogler seconded the motion. Motion passed 6-2, with Commissioners Salas and Grubb in opposition.

**PZ-PA-003-14 – PUBLIC HEARING/ACTION:** Lynora Largent and Randy Largent, landowners/applicants, Rodney Jarvis, agent, requesting approval of a **Non-Major Comprehensive Plan Amendment from Moderate Low Density Residential (1-3.5 du/ac) to Employment on 20± acres pending and in conjunction with Rezone request PZ-007-14** in the GR zone; situated in a portion of the NW¼ of Section 11, T6S, R7E G&SRB&M, tax parcel 401-01-028A (legal on file) (located on the east side of N Curry Road South of W Randolph Rd).

**PZ-007-14 – PUBLIC HEARING/ACTION:** Lynora Largent and Randy Largent, landowners/applicants, Rodney Jarvis, agent, requesting approval of a rezone from GR (General Rural) to I-2 (Light Industrial and Warehouse Zoning District) on 20.0± acres to plan and develop an office and mechanical testing/adjustment facility for farming and dirt-moving equipment pending and in conjunction with a non-major comprehensive plan amendment request **PZ-PA-003-14**; situated in a portion of the NW¼ of Section 11, T6S, R7E G&SRB&M, tax parcel 401-01-028A (legal on file) (located on the east side of N Curry Road South of W Randolph Rd).

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

Chairman Hartman asked if there are stipulations on a screening fence. Ms. MacDonald responded that the western 543 ft of the site has a chain link fence with metal slats and there is a stipulation requiring all development and testing to occur within the western 543 of the property. Ms. MacDonald added that the applicant has proposed to keep all native vegetation in the buffer area.

Rod Jarvis, 2575 E Camelback Rd, Phoenix, Arizona, 85016, came forward to address the Commission. Mr. Jarvis gave a brief history of the site and the applicants' request.

Chairman Hartman stated that he wants to make sure that the site is well screened. Mr. Jarvis responded that the screening will be appealing to the neighboring properties.

Commissioner Moritz asked how long the current owners have owned the property. Mr. Jarvis stated that this isn't a recent purchase; the owners operated the paintball operation as well. Commissioner Moritz asked why the applicants chose this location for this use, and not an area already designated employment. Mr. Jarvis responded that this site was chosen because of its secluded location and convenient access.

Commissioner Salas asked how many employees will be on site. Mr. Jarvis stated that there are currently ten (10) but in the future there may be as many as fifteen (15). Commissioner Salas asked if the equipment that comes on site will already be assembled. Mr. Jarvis stated yes, there will primarily be maintenance and adjustments done on site. Mr. Jarvis added that the testing is done on the farms.

Commissioner Gutierrez asked if the stipulation about road improvements requires that the whole stretch of road will be improved. Mr. Jarvis responded that a temporary improvement will go from Randolph to the site on Curry. He added that the permanent improvement will occur at a later date.

Ms. Grieb stated that the County Attorney's office is involved in the draft of the agreement and is aware of the road improvement phases. Commissioner Gutierrez asked if the stipulation would be changed once the case is approved. Ms. Grieb stated that the stipulation can stay the same, adding that the road needs to be improved to a specific standard.

Commissioner Salas asked how long the business will be on site. Mr. Jarvis stated that the applicants are buying the site and plan to be there for the indefinite future.

Commissioner Grubb asked about emergency response to the site. Mr. Jarvis stated that he will have a solid answer before the Board of Supervisors meeting.

Chairman Hartman opened the public portion of the meeting.

Hamid Farhadi, 3317 E Cherokee St. Phoenix, Arizona 85044, came forward to address the Commission in opposition of the proposal. Mr. Farhadi stated that he would like to see a wall along the entire northern boundary of the site to prevent any dust and noise problems. Mr. Farhadi also stated that he would like to see Curry Road completely improved.

Commissioner Salas asked when Mr. Farhadi plans on moving on to his property. Mr. Farhadi stated that his property is an investment property and he has no estimated date at this time. Commissioner Salas asked who the noise would offend if there are no neighbors. Mr. Farhadi stated that anyone that plans to move into the area would be affected by smoke, noise, and dust. He added that there are large fuel tanks on site, indicating that there will be large vehicles traveling on the road.

Chairman Hartman stated that there are twenty-six (26) properties in the area, and in order to get the road improved, a majority of the owners will have to contribute. Mr. Farhadi stated that the stipulation in this case requires the applicant to improve the road. Chairman Hartman stated that there will be temporary road improvements and limited dust. Mr. Farhadi stated that the road in front of the property has to meet the requirements of the County.

Commissioner Gutierrez asked if there are conceptual future plans for Mr. Farhadi's property. Mr. Farhadi stated that he has conceptual plans for a gas station, mini storage, and small strip shop, with small housing units behind. Mr. Farhadi stated this is the reason that he would like to see a noise protective wall.

Commissioner Moritz asked Mr. Farhadi if he would be ok with the project if the applicant put up a wall the length of the property. Mr. Farhadi responded that he would be ok if the wall was put up and the entire road was improved. Mr. Farhadi added that he is willing to stucco the wall on his side, if and when he develops his property, but he wants the applicant to put up the wall.

Commissioner Salas asked if this action agrees with the future planning area of the city of Coolidge. Ms. Grieb stated that the Commission has to make a decision, and the decisions of the Commission don't always please the surrounding cities.

Chairman Hartman closed the public portion of the meeting.

Mr. Jarvis returned to address the Commission.

Chairman Hartman asked what the total square footage is on site. Mr. Jarvis stated that the total square footage is less than 12,000 square feet.

Commissioner Gutierrez asked if the Northern end of the site has vegetation. Mr. Jarvis stated that the west side is xeri-scape, and the rest of the site is existing landscape. Commissioner Gutierrez asked if there will be dust mitigation in the buffer area. Mr. Jarvis responded that they can look into adding to the buffer area, but there are currently no plans for dust mitigation.

#### **MOTION PZ-PA-003-14**

Commissioner Salas made a motion to forward case PZ-PA-003-14 to the Board of Supervisors with a favorable recommendation with no attached stipulations. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously (8-0)

#### **MOTION PZ-007-14**

Commissioner Aguirre-Vogler made a motion to forward case PZ-007-14 to the Board of Supervisors with a favorable recommendation, along with its attached 20 stipulations. Commissioner Salas seconded the motion. Motion passed unanimously (8-0).

BREAK 11:17  
RECONVENED 11:24

**TENTATIVE PLATS**

**S-013-05 - DISCUSSION/APPROVAL/DISAPPROVAL:** Amarillo & Papago Investments, LLP, landowner, Ryan Weed, Coe & Van Loo Consultants, Inc., engineer, requesting approval of a tentative plat extension for Amarillo Creek Units II & III, 1,549 lots on a 452.48± acre parcel in the CR-3/PAD zone; situated in portion of Section 17, T5S, R3E, G&SRB&M, Tax Parcels 510-48-009D, 009F, 009J, & 009K (located approximately 1½ miles southwest of the City of Maricopa).

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

Commissioner Aguirre-Vogler asked if there is a problem granting a three (3) year extension as requested. Mr. Denton responded that it is up to the Commission to decide whether they want to grant a two or three year extension.

Ryan Weed, 4550 N 12<sup>th</sup> Street, Phoenix, Arizona, 85014, came forward to address the Commission and explain the request for extension.

**MOTION S-013-05**

Commissioner Aguirre-Vogler made a motion to approve stipulations 1-51, modifying stipulation 48 to extend the tentative plat to July 21, 2017 as requested. Commissioner Moritz seconded the motion. Motion passed unanimously (8-0).

**S-021-08 - DISCUSSION/APPROVAL/DISAPPROVAL:** Wolfkin Farms, LLC, landowner, Rose Law Group, PC, agent, requesting approval of a tentative plat extension for Bella Vista Section 13, 2,007 lots on a 659.09± acre parcel in the CR-3/PAD & CB-2/PAD zones; described as Section 13, T3S, R8E, G&SRB&M, Tax Parcel 210-13-001A (located adjacent to the northern boundary of the Town of Florence).

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

Jordan Rose, 6600 N Scottsdale Rd, came forward to address the Commission and explain the request for an extension. Commissioner Aguirre-Vogler asked which roads were used for access. Ms. Rose responded that the property is near Attaway and Bella Vista. She added that this project will improve the roadways that are not yet improved. Chairman Hartman asked if two years is long enough. Ms. Rose responded that the project should be able to get started within two years.

**MOTION S-021-08**

Commissioner Grubb made a motion to approve stipulations 1-30, modifying stipulation 28 to extend the tentative plat to August 21, 2016, as set forth in the staff report. Commissioner Moritz seconded the motion. Motion passed unanimously (8-0).

**S-017-14 - DISCUSSION/APPROVAL/DISAPPROVAL:** El Dorado Bella Vista, LLC, landowner, HilgartWilson, engineer, requesting approval of a tentative plat for **Bella Vista Farms Development Unit 2**, 1219 lots on a 416.48± acre parcel in the CR-2/PAD & CR-3/PAD (**PZ-PD-012-11**) zone; situated in a portions of Section 10,11 & 15, T3S, R8E G&SRB&M, Tax Parcels 210-10-001, 210-10-002A, 210-15-001B and 210-11-003 (located south of Skyline Drive and east of Schnepf Road, approximately 4½ mile southeast of the Town of Queen Creek).

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

Dean Pehrson, 2141 E Highland Ave, Phoenix, Arizona, 85016, came forward to address the Commission. Mr. Pehrson gave a brief history of the property and the applicant's proposal.

Chairman Hartman asked how many stipulations have been completed. Mr. Pehrson responded that some stipulations have been completed, but some are not required until the final plat stage.

**MOTION S-017-14**

Commissioner Grubb made a motion to approve findings 1-7 and approve the tentative plat S-017-14 along with its attached 19 stipulations as presented in the staff report. Commissioner Moritz seconded the motion. Motion passed unanimously (8-0).

Mr. Stabley informed the Commission that the Community Plan meeting would be August 28, 2014 and asked if this would conflict with any Labor Day plans the Commission may have planned. The Commission agreed that this is a good day.

**ADJOURNMENT**

Commissioner Aguirre-Vogler made a motion to adjourn. Commissioner Salas seconded the motion. Meeting adjourned at 11:42.

RESPECTFULLY submitted July 17, 2014.



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Steve Abraham, Planning Manager