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PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 235426)

Regular Meeting
9:00 a.m.
Thursday, October 20, 2016
EOC Room - Building F
31 N. Pinal St., Florence, Arizona

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ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 RIGGINS: Okay, we will call the regular meeting of
2 the Pinal County Planning and Zoning Committee to order at
3 9:00, Thursday the 20th of October, and we'll move right into
4 our agenda. First thing is Discussion of Action Item Report.

5 ABRAHAM: Thank you Mr. Chair, good morning
6 Commission Members. Your Action Item Report contains the
7 cases that we looked at last month. Both of those - actually
8 the - all three of those actually went to the Board of
9 Supervisors yesterday, so planning staff's had a busy day.
10 SUP-003-16, the Commissioners may recall you directed staff to
11 get some stipulations and some engineering documents from them
12 regarding the construction of the pole. They did submit those
13 between the time you saw it and when it went to the Board of
14 Supervisors. The Board ended up approving that based on the
15 engineering of that monopole that addressed many of the
16 concerns that the Commission and the Board had about co-
17 location requirements. So that one was, just as a reminder,
18 was out in Dudleyville and was built to give the new casino
19 out there Wi-Fi service. The second - or I'm - the two other
20 ones were our Comp Plans. Both Comp Plan and our Comp Plan
21 season actually has concluded. Those - both of those cases
22 ended up getting approved. Probably the big news of the day
23 was on the power plant that the Commission looked at. At the
24 hearing, the applicants changed their proposal that they
25 abandon the idea of doing a gas-fired 600 megawatt facility.

1 That was news to us, that was revealed to us at the hearing,
2 so the Board listened to those concerns, they are not
3 proposing the gas-fired component. They're going to move
4 forward with solar and still the battery storage facility out
5 there by the fairgrounds. So the Board ended up approving
6 that, and also the racetrack also went through as well. So -
7 and that concludes the Action Item Report.

8 RIGGINS: Questions?

9 HARTMAN: Steve.

10 RIGGINS: Vice Chair.

11 HARTMAN: Thank you Chairman Riggins. Steve, which
12 Supervisor voted against it?

13 ABRAHAM: Supervisor Miller.

14 HARTMAN: And he's the only one.

15 ABRAHAM: That is correct.

16 HARTMAN: All right, thank you.

17 SALAS: 4 to 1. Or was it 3? (Inaudible)

18 RIGGINS: Okay, Report on Board of Supervisors
19 Action on P and Z cases.

20 ABRAHAM: So the Commission looked at the Passarelli
21 airstrip. That one took a couple meetings to get through, and
22 that ended up getting approved, as well as it was presented to
23 the Commission. So the Board did not add anything to that one
24 or take anything away. And that, that's it for September.

25 RIGGINS: Okay. I see that there were no tentative

1 plat extensions approved.

2 ABRAHAM: Correct.

3 RIGGINS: So no need to discuss those. And now I
4 see we have a presentation by Kent Taylor.

5 ABRAHAM: And we do, and it's actually he is here at
6 the request of the Commission. Before Kent - before he gets
7 started. So we have Kent here for a couple different reasons.
8 One is to give you an update on the Palo Verde Regional Park
9 Master Plan that he's been diligently working on, on the far,
10 far western side of the County. He's also here to lend some
11 support on your work session, that's the item after that. And
12 he's going to give you an update on those two things. But
13 before we do that, Kent, sorry one more interruption. I know.
14 I have an - it's kind of a bittersweet announcement to make.
15 You may notice Dedrick is not in his normal position behind
16 the staff table here, and that is because he's no longer with
17 Community Development. He's taken a position with Tim
18 Kanavel, our Economic Development Coordinator and he'll be
19 assisting Tim with that role. And also he'll be working with
20 our Transportation Planning Department in Public Works. So
21 he'll be doing that function as well. So he will no longer be
22 with you as a planning staff member, but may occasionally come
23 to these meetings to give advice and/or opinion on economic
24 development and transportation planning matters. So, thank
25 you for your service, Dedrick. We wish you the best in your

1 future endeavors.

2 DENTON: Thank you.

3 SALAS: Enjoyed working with you D.

4 AGUIRRE-VOGLER: Excuse me just a minute. So is he
5 going to stay here throughout the meeting?

6 ABRAHAM: Are you?

7 DENTON: No.

8 ABRAHAM: No he's not.

9 AGUIRRE-VOGLER: So he's not going to give us an
10 update on - did you go to Town Hall?

11 DENTON: I did.

12 AGUIRRE-VOGLER: Okay, well then maybe we'll have to
13 plan that sometime later. You said transportation, so I
14 wanted to know what's going on. Thank you.

15 ABRAHAM: I do. Kent, please.

16 RIGGINS: Go right ahead.

17 TAYLOR: Thank you, Steve. Good morning,
18 Commission. Again, thank you for having me back. This has
19 become a regular occurrence this calendar year anyhow to keep
20 you up to date on our planning process on the west side of the
21 County for Palo Verde Regional Park. We're at a new
22 milestone, so we thought it'd be a good time to update you,
23 and we've got some - we're in the middle of a 30 day comment
24 period which I'll get back - I'll get to at the end of the
25 presentation. I'm going to go through the first part of the

1 presentation pretty quick because I know I've given you guys
2 regular updates throughout the year, but please feel free to
3 stop me if you have any questions. So as you recall, Palo
4 Verde Regional Park is a BLM-owned property on the far west
5 side of the County, a little bit outside of the incorporated
6 city limits of Maricopa, again managed by Bureau of Land
7 Management, and we're in the process of doing a master plan
8 and then entering - would lead to entering into an agreement,
9 what we call a cooperative recreation management agreement
10 with the Bureau of Land Management to manage that for
11 recreation purposes. It's a little under 22,000 acres, and a
12 little under 34 square miles, and it's shown in that
13 footprint. Again, as you recall, we started the process last
14 year about this time going through a site analysis, so just
15 basically finding out what was on the site, and this included
16 analyzing soils, transportation, hill slopes, utility
17 corridors and other like items, so we can get a good idea of
18 what is available on the site, and what makes sense activity-
19 wise, recreation-wise, to go where within that footprint. The
20 other thing we do with that resource analysis as part of the
21 BLM process, we'll have to go through an environmental
22 assessment of that footprint. This basically is the baseline
23 that we'll use in that environmental assessment. One of the
24 other things we did in this resource analysis that - and
25 again, this isn't part of the environmental review but more of

1 the decision-making process - early on we had questions about,
2 you know, does it make sense to put a regional park in that
3 area. We're fortunate to be able to work off of some of the
4 previous work that Maricopa County has done, and what we did
5 and what our consultant has done for us is create a drive-time
6 analysis. Our Comp Plan sets out a goal of having these kind
7 of facilities within a 30 minute drive of anywhere in the
8 County, so we use 30 minutes as our kind of baseline to
9 analyze this piece of property population-wise. And you can
10 see that in the - as of 2010 there's about 65,000 people
11 within a 30 minute drive, that takes us right to the edge,
12 western edge of the City of Casa Grande. And in four short
13 years, in 2020, we'll be up to 78,000 within that 30 minute
14 drive. And to give you a comparison on how Maricopa County
15 parks stack up, McDowell Mountain Regional Park, when Maricopa
16 County did their analysis in 2007, again 62,000 in population
17 in San Tan Mountain Regional Park at about 51,000. And then
18 to give you an idea of how those parks in Maricopa County
19 draw, the last items on that slide give you a representation
20 of the traffic and the use of those regional parks. And San
21 Tan, since it is in Pinal County, in 2016 146,000 visitors to
22 San Tan Mountain Regional Park. So we're confident that the
23 work we're doing now in the western side of the County is
24 going to meet the needs of the existing population and the
25 future population moving forward. So again, from that

1 resource analysis, we went to what we call a recreation
2 evaluation, and basically that's just we asked folks what kind
3 of recreation would you like to do if we had a park in that
4 area. And what we found out, what scored the highest on this
5 evaluation were things like both motorized and non-motorized
6 trail opportunities, picnicking, RV camping, or camping in
7 general, including RV camping. Shooting sports, and those
8 type of activities. So once we had the activities kind of
9 nailed down, we had that resource analysis done, and in the
10 middle of the summer we went out to another public meeting, we
11 developed four alternatives - and again, this is part of the
12 BLM process. So we always start out with the no action
13 alternative. This is basically if the - we left that site
14 alone. So that would be Alternative A. And then we did three
15 other alternatives. Basically just stepping up the use - the
16 uses within the footprint in each of those alternatives.
17 Alternative B, and I believe I talked to you in the summer,
18 was just the minimal change. Basically the same activities
19 that are going on out there currently, but in a little bit
20 more managed fashion. Alternative C, built on again
21 Alternative B. Added some other facilities, so we added
22 actual camping with developed sites, so water and electric, an
23 interpretive center, some equestrian facilities, and added
24 some features to the shooting sports area. And then what we
25 call the most change, Alternative D, again built on

1 Alternative - the previous Alternative C. And added some
2 other opportunities, things like a challenge ropes course, a
3 zipline, some BMX bike opportunities and those type of things
4 in that footprint. We did a public meeting in June and
5 presented these four alternatives, and then we also took those
6 four alternatives and posted them online. The comment period
7 was open, basically from June 7th to July 15th, so about a six
8 week timeframe. We had 845 total respondents. And you guys
9 have been around a long time and have seen the - that's a lot
10 of responses. So - and basically what told us was we had
11 about 70 percent of the respondents wanted some type of action
12 in that Alternative B, C or D. And 30 percent wanted no
13 action whatsoever. So from that feedback, what we did is we
14 put that together and we developed what we call our preferred
15 alternative. And for lack of a better description, I call it
16 C-plus, so it's Alternative C, with a few of the features from
17 Alternative D. And again, it maintains from that recreation
18 analysis that we did, it maintains those features that were
19 most important to the folks that talked to us during the
20 process, both non-motorized and motorized trail opportunities,
21 camping and developed sites and undeveloped sites, some
22 interpretive uses, a shooting sports area, except for
23 paintball, and some miscellaneous, possible miscellaneous
24 uses, you know, such as rock climbing, an off-leash dog area
25 and those type of things. Through - it was kind of

1 interesting, through this process we went through basically
2 ten months or eight months worth of planning and we didn't
3 hear anything about disc golf until we got to this stage, and
4 what we found out is the City of Maricopa has a very vigorous
5 and active disc golf community, and they came back with many
6 comments asking us to add that feature to the alternative, so
7 that is included in our preferred alternative. And so where
8 we're at now, we're in the middle of - and again, this is part
9 of the BLM requirements - we're in what we call our 30 day
10 public comment period on this preferred alternative, running
11 October 11th through November 10th, asking for comments about
12 the preferred alternative, you know, suggested changes and
13 reasons why you suggest those changes. You go to the County
14 website there's a link on the main page that'll get you to
15 that comment site. From there, we're going to take the
16 comments, we'll modify the preferred alternative, take it back
17 to my Open Space and Trails Advisory Commission at the end of
18 November and ask them for a recommendation to the Board, and
19 then we'll be back to the Board hopefully in December with
20 both a work session and an action item in December on the
21 final Master Plan. And with that, I am happy to answer any
22 questions.

23 RIGGINS: Commission Members?

24 SALAS: It looks good.

25 RIGGINS: Commissioner Putrick.

1 PUTRICK: I just have one comment. On - if you're
2 looking at a golf course, it's awfully expensive to operate.

3 TAYLOR: Disc golf course.

4 PUTRICK: Huh?

5 TAYLOR: Disc golf course.

6 PUTRICK: Oh, disc.

7 TAYLOR: So, I don't know if you're familiar with
8 disc golf courses, but yeah.

9 PUTRICK: They do that up at Fountain Hills a lot.

10 TAYLOR: Yes.

11 SALAS: No water.

12 TAYLOR: Extremely, extremely inexpensive to own and
13 operate.

14 RIGGINS: Vice Chair Hartman.

15 HARTMAN: Commissioner Riggins. Kent, did the
16 opposition slow you down at all, or just put up a pretty good
17 fight against the development of this (inaudible).

18 TAYLOR: I would say the opposition led to more
19 involvement from the public than we typically get in these
20 processes. So good or bad. Or for or against. And I think
21 that, if you look back to the comment period in June, you
22 know, we had 845 total responses. I did a planning project
23 last year on the CAP trail and we had two. So just - I think
24 it involved the entire public very well. And actually, you
25 know, it helped us get the message out on what we're trying to

1 do.

2 HARTMAN: That's very good. That's what the public
3 process is all about. That's good.

4 TAYLOR: Correct. Correct.

5 HARTMAN: Thank you for that.

6 TAYLOR: You're welcome.

7 RIGGINS: Any other Commissioners? Okay. Thank you
8 very much. And it looks like we go into Work Session.

9 ABRAHAM: Mr. Chairman, Commissioners Members, I
10 know this item's a bit out of order from the way we normally
11 do things, but we needed Kent here to lend his wise words on
12 this Work Session. Enrique is going to give you a very basic
13 overview on the proposed staff-initiated Comp Plan change.
14 And just to give the Commission some background, every year
15 that we do the major amendment cycle, we put out an APB to
16 internal staff to say okay, we're going to start this
17 amendment cycle, do you have anything that we need to look at
18 in the Comp Plan. Kent came forward and had some updates and
19 some adjustments that he needed to make to our open space and
20 trails section of the Comprehensive Plan. It turns out after
21 looking at those, those were minor amendments, a series of
22 minor amendments rather than major. So at this point staff is
23 introducing the Commission to those proposed changes, and then
24 we're going to go out and do our regular public outreach
25 notice, all those good things, so this is really the front end

1 of that. We did give you a handout to follow along and it
2 should be under the planning magazines in your mail as Enrique
3 kind of gives a very, very brief overview of the proposals.

4 BOJORQUEZ: Good morning, Mr. Chair, Members of the
5 Commission. My name is Enrique Bojorquez, I will be presenting
6 the non major Comprehensive Plan Amendments initiated by the
7 County. Once again, this would be a text amendment to Chapter
8 6, Open Spaces and Places of the Pinal County Comprehensive
9 Plan. There are nine proposed text amendments so far. Once
10 again, a non-major text amendment to the Comprehensive Plan is
11 defined as text changes and corrections that do not compromise
12 the intent or impact, thus - a substantive mixture and balance
13 of the plan. This is one of the changes. This would be to
14 the Pinal County Parks section, page 227. This section here,
15 we will be adding two new parks to the table. Also, a new
16 equestrian arena and also updating the acreage on the parks.
17 This section we'll be doing some minor changes as well. This
18 will be to the regional trail section. And on this section
19 here, also on the regional trails, on the same page, we'll be
20 updating the name of the Arizona Trail, and also we will be
21 adding some more language (inaudible) on the trail as well.
22 On this section here, once again, we will be updating the name
23 also and also adding substantially more text, more detail to
24 this here. On the regional trail section, we'll be updating
25 also the text as well on the Comprehensive Plan, once again

1 adding some more text. There will be a trail addition. The
2 Lost Dutchman Trail, this is in the Superstition region. And
3 then we'll do some major changes as well to this section here.
4 We'll be updating the name, as well as adding more detail to
5 this section. Again, this is on the Regional Parks, page 233.
6 This will be some (inaudible) name changes from the Arizona
7 Trail. We'll be renaming it to Arizona National Scenic Trail
8 on the following pages. We'll be also changing the name of
9 the CAP Canal to CAP National Recreational Trail on the pages
10 listed there. And this reflects one of the changes that was
11 mentioned earlier for the Arizona Trail. This would be a
12 change to the Juan Bautista de Anza National Historic Trail.
13 Once again, this would be another text change from the Arizona
14 Trail to Arizona National Scenic Trail. And just to conclude
15 here, the next step as Steve had mentioned would be to
16 schedule a neighborhood meeting sometime in late October/early
17 November and then come back to the Planning and Zoning
18 Commission and we will present the feedback that we received
19 from the public and, you know, discuss this item. And this
20 concludes my presentation. I will turn it back to the
21 Commission.

22 RIGGINS: Very good, Commission Members? Questions
23 or comments concerning the proposed Comp Plan Minor - or Non-
24 Major Comp Plan Amendment? Pretty much textual in nature, not
25 much other than just some revisions. Okay, good well thank

1 you very much. Thank you very much. Okay, well we're ready
2 to get into new cases then. It looks like we have three cases
3 to be heard as one, and we'll identify it as PZ-PA-005-16.

4 And I assume that you are ready to begin the presentation.

5 BOJORQUEZ: Correct. So presentation's up there.

6 And this right here, it really involves the three cases.

7 First case PZ-PA-005-16, PZ-004-16, PZ-PD-004-16. This PZ-PA-
8 005-16 is proposing a Non-Major Comprehensive Plan Amendment
9 for Moderate Low Density Residential. It's listed in the Land
10 Use section of the Comprehensive Plan which allows 1 to 3.5
11 dwelling units an acre to Employment. This request is also -
12 this is also requesting approval of a rezone from SR -
13 Suburban Ranch - to I-1/PAD Industrial Buffer Zoning to
14 develop the Severtson Screens manufacturing facility on a 5.13
15 acres. To date, 11 letters of opposition and no letters in
16 support have been received. The site is located in the San
17 Tan Valley area and the applicant is Pew & Lake. This map
18 here shows the site in reference to the County. You can see
19 this shows the San Tan area pretty close to Queen Creek. This
20 is the aerial map showing the site and also some of the other
21 land uses in the area. As you can see, there's various
22 different types of land uses there. That (inaudible)
23 neighborhood is strictly SR, Suburban Ranch. Across the
24 street you have military land as well (inaudible) Peak. This
25 is the Comprehensive Plan land use designation for the area.

1 As you can see, the site is outlined in red and is designated
2 as Moderate Low Density Residential. Immediately across
3 Schnepf Road to the east to the east you have military land,
4 and most of that you have Employment designation. The
5 existing zoning on the site is SR or Suburban Ranch, and the
6 red line shown up there on the screen it represents a 600 foot
7 buffer from the site. There's an aerial image of the site,
8 and as you can see the site is currently adjacent to three
9 main roads. You have Airport Drive to the north, Joy Drive to
10 the south, and Schnepf Road to the east. This is a site plan
11 provided by the applicant. As you can see, there are various
12 entrance points to the site, a couple of entry points to the
13 north, two entry points to the south. There's also an entry
14 point along Schnepf Road. The blue line that's shown there
15 along the perimeter of the site represents a six foot tall
16 (inaudible) wall that's proposed by the applicants. The
17 applicants also have proposed the landscaping, the perimeter
18 of the site as well. As you can see, most of the site is
19 currently developed, with the exception of one new building
20 that will be up to the northwest. I believe it's 150 by 180
21 feet. So some photo simulations provided by the applicant.
22 As you can see, most of the site as I had mentioned, is
23 currently developed. But as you can see towards the back, you
24 will see a difference in the number of structures. They will
25 be adding one building back there. This is another image just

1 showing the same location, just a little bit of a close-up.
2 And this is a view along airport drive. As you can see, the
3 applicant has proposed to enclose the open building that's
4 there. The following images were taken from this location on
5 the sites. This is looking north across Airport Drive. This
6 is looking south onto the site. As you can see, there's an
7 existing storage building there. This is looking east toward
8 Schnepf Road. And this is looking west. Similar images were
9 taken along Schnepf Road. This is looking north. This is
10 looking south. This is an eastern view looking onto the
11 military land across Schnepf Road. And this is looking west
12 onto the office facility that's current there on the site.
13 Similar images along Joy Drive. This is looking north into
14 the sites. This is looking south across Joy Drive. This is
15 looking east toward Schnepf Road. And this is looking west.
16 In conclusion, the staff has recommended approval with 26
17 stipulations. We will note that there are two typos in the
18 staff report. One of the typos will be on stipulation number
19 6. Stipulation number 6 should read: In the event any
20 discrepancy or conflict arises between the applicant's written
21 narrative for the PAD Overlay District in case PZ-PD-004-16,
22 and the stipulations, the stipulations shall govern. There's
23 also another typo on the staff report. This would be on page
24 number 5, on the second paragraph where it mentions PZ-004-16.
25 This case is for a rezone, not a Non-Major Comprehensive Plan

1 Amendments as motioned here on the staff report. And that
2 concludes my presentation.

3 RIGGINS: Would you identify the location of the
4 second one again?

5 BOJORQUEZ: Yes. It's going to be on page number 5,
6 on the second paragraph where it lists in bold PZ-004-16. It
7 should really read from essentially the first sentence, should
8 the Commission find after the presentation of the applicant,
9 together with the testimony and evidence presented at the
10 public hearing, that this rezone request is needed and
11 necessary at this location and time currently in this Non-
12 Major Comprehensive Plan Amendments, but really, really this
13 section should have been PZ-PA-005-16.

14 RIGGINS: Okay. Okay. Very good. So does that
15 conclude the staff report?

16 BOJORQUEZ: Correct. I can turn it out to the
17 Commission for discussion.

18 RIGGINS: Very good. Commissioners, any questions
19 or comments of staff at this point? Commissioner Smyres.

20 SMYRES: Under the - excuse me - under the current
21 zoning, SR, is there any business-type activity that can take
22 place on SR zoning?

23 BOJORQUEZ: Yes, Commissioner Smyres. There is -
24 actually SR, some of the most intense uses that are allowed
25 there would be a hospital, (inaudible) dispensary with some

1 restrictions. Also professionals in a professional office or
2 studio and public or parochial school. Some of the more
3 intensive uses as I had mentioned.

4 SMYRES: Okay. Is rezoning to, what is it I-1, what
5 type of activity can take place at that point?

6 BOJORQUEZ: Well, the applicant has proposed a PAD,
7 which will exclude some of the uses, but I can list the uses
8 that will be allowed. That would be light manufacturing and
9 assembly of products from previously-prepared materials. Also
10 an office, scientific or research laboratories, warehouse.
11 Wireless communication facilities, subject to the requirements
12 from the Pinal County Development Services Code, and also any
13 zoning uses allowed on statutory exemptions, because of
14 governmental entity or governmental agency performing a
15 government function.

16 SMYRES: Okay. Under the proposal that we're
17 considering, we're asked to accept a variance on the setback
18 on the building and a variance of approximately one-third of
19 the required parking spaces, is that correct?

20 BOJORQUEZ: Commissioner Smyres, the variance would
21 be requested from the Board of Adjustments. At this time we
22 are only looking at the rezone, the PAD and the Non-Major
23 Comprehensive Plan Amendments.

24 SMYRES: Okay, thank you.

25 BOJORQUEZ: But the setbacks, they have been, they

1 have been addressed in the PAD with the - within the
2 application.

3 SMYRES: Thank you.

4 RIGGINS: Vice Chair Hartman.

5 HARTMAN: Chair Riggins, thank you. Enrique,
6 there's one thing that I think that you did not state with
7 those types of uses that can occur, but they've got to incur
8 within the enclosed building, do they not?

9 BOJORQUEZ: I'm sorry, can you repeat your question?
10 I'm sorry Commissioner.

11 HARTMAN: Could any of this manufacturing or the
12 uses that you've stated, be outside of it, an enclosed
13 building? I think as I remember that everything must be
14 inside an enclosed building.

15 BOJORQUEZ: The applicant's proposal, per narrative,
16 they're proposing having all the uses inside to mitigate some
17 of the noises.

18 HARTMAN: Okay, thank you.

19 RIGGINS: Okay, Commissioners, any other questions
20 or comments? In that case, we'll call the applicant up to
21 tell us how they intend to do this.

22 LAKE: Chairman, Commission Members, Sean Lake, here
23 on behalf of the property owners and Severtson Screens, and
24 before I get started and while we're loading the presentation,
25 first off I want to recognize Ron and Toby Severtson who are

1 here in the audience, and Toby who is the president and CEO of
2 Severtson Screen will address a little bit about his business
3 and how it functions, because we think that's an important
4 part of the application that we're presenting to you today.
5 And also Margaret Schnepf and family members, the Schnepf
6 family are here as well, having a lot of interest in this
7 property. Sorry, be patient with me while I get to the
8 beginning of the presentation. There we go. We also wish to
9 express appreciation for working with staff. We have been
10 working extensively with Tim in Economic Development, as well
11 as with Enrique and Steve in Planning to attract this business
12 to Pinal County. We're excited about it, and they have been
13 very good in working with us, and diligent and we express our
14 appreciation for all they've done in working with us and
15 helping us along. What we're here today is to talk about
16 bringing a great home grown American success story business to
17 Pinal County, and located on the proposed property. By way of
18 background, the property is the old location of the H2O Water
19 Company where they ran their business out of this property.
20 You can see many of the buildings that are there, were there
21 to facilitate the operation of the H2O Water Company that's
22 been there for 40-plus years. They have an approximately
23 7,000 square foot office building in the front where their
24 management and management staff, as well as employees, ran the
25 business out of the office building in the front, and then

1 they have various warehouses around the site that they stored
2 all their trucks and equipment and water trucks and
3 maintenance equipment to keep the water company up and
4 running, and they've been doing this out of this site for a
5 very, very long time. Well about three years ago, the Town of
6 Queen Creek purchased H2O Water Company and then they moved
7 in-house the management and then all of the equipment and
8 things that it takes to run a water company, into the yards,
9 if you will, of the Town of Queen creek, and so really all the
10 Town of Queen Creek purchased were the two large storage tanks
11 that are excluded from our application. So Queen Creek has
12 these two large massive water storage tanks out in the front,
13 and then the Schnepfs retained the balance of the site of
14 approximately five acres, which had the office building that's
15 in the front, and then the various warehouses throughout the
16 project. And over the last three years, they've been
17 marketing what do we do with this property with all these
18 existing improvements. It became difficult because as many of
19 you know, a utility really doesn't need zoning. The use that
20 they had, the industrial use of running the water company out
21 of that site didn't need zoning because utility companies are
22 exempt from zoning, and so it retained its Suburban Ranch
23 zoning, and when we came forward with the Severtson proposal,
24 the Schnepfs felt this was a good compromise to utilize the
25 building for a very low impact neighbor, use the existing

1 facilities and Mr. Severtson and I'll talk a little bit later
2 about why this is a perfect fit for Severtson Screens. I will
3 then - I'll introduce Toby to come up and tell you a little
4 bit about their business and why we think this is a good
5 business and a good fit for this area.

6 SEVERTSON: Good morning Mr. Chairman and Members of
7 the Commission. So I'm Toby Severtson, I am the president and
8 CEO of the company. My father runs Severtson back here, is
9 the one who started the company about 30 years ago when I was
10 the - just a young teenager of about - of seven children, two
11 foster children on top of that, living in a three bedroom
12 house. Dad started the - dad worked at Farnsworth
13 Construction, if you remember that, out in East Mesa, working
14 on Sunland and Dream Land Village and all those construction
15 sites, running the paint crew there for Ross Farnsworth. One
16 day dad got a call from Williams Air Force Base saying we're
17 trying to build a flight simulator and produce on the inside
18 of it a painted coating that gives such a realistic experience
19 to the pilots so they actually feel like they're in - flying
20 it. And dad said well I've never done anything like that, we
21 just paint houses but being known for his honesty and for his
22 ability to figure out things, he went out to Williams Air
23 Force and looked at the project and said let me see what I can
24 do. Well, for the next six months dad went back and tried to
25 figure out a formula that he could apply to the inside of this

1 flight simulator, since there was no paint that could do it at
2 that time. And after about six months and many, many sample
3 panels that all of us Severtson kids hated, because when we
4 got in trouble we'd have to sand all these panels down and
5 make sure that he could use - reuse them - he - we went back -
6 he went and came up with a formula that worked, coated the
7 inside of the simulator and within the two weeks the colonel
8 of the base there sending him to Germany and started a long
9 trek of sites all over the world painting these simulators.
10 By coincidence - I'm getting into some of the next slides -
11 but that's the background story of how we started as a
12 company. Family-based, just a local community and started
13 right here in our own backyard. We are now known in the
14 industry as being one of the - we are one of the top three
15 movie screen manufacturers in the world. We are the largest
16 U.S.-based movie screen manufacturer. So that's kind of where
17 we've come from and where we are. We are known in the
18 industry as being the innovators, the ones that figure out
19 ways to do things that everybody else - all our competitors
20 and everybody else in the industry - are saying is impossible.
21 So that is a little bit of background from us. We go to the
22 next slide. So here's just a little bit about what I talked
23 about before, dad and his start there at Williams Air Force
24 Base, and what we started to do, including many of these. And
25 like I said, Israel and Korea and German and many other places

1 that the U.S., at air force bases is where dad ended up
2 traveling to and doing this. Then by coincidence - actually,
3 let me go into this one - then by coincidence one day one of
4 the guys in the simulation industry sat next to a employee at
5 IMAX screens, IMAX theaters, and said hey have you met Ron
6 Severtson? He's know for coating screens and I know you guys
7 are doing a large direction in 3D pictures. And so IMAX
8 contacted dad, had him out there and said can you apply your
9 coating to a movie screen, and dad said well let me try it,
10 and figured out a way to get that coating to adhere to that
11 movie screen, and produced it in a water-based fashion that
12 could no longer - that no longer needed any hard harsh
13 chemicals or anything like that, so that it could be used
14 inside of a movie theater without fumes that could affect the
15 participants at the movie. Well, what we've done since that
16 time is figured - it's branched beyond there, it's a mini-
17 movie theater, in fact we're doing all the movie theaters in
18 the Valley here. We do Harkins, we do the Fat Cats that just
19 went in, the new Alamo Draft Houses that are coming in, the
20 Movie Studio Grill, AMC off of Cooper there - we do all those
21 movie theaters all over, and we've expanded from there all
22 throughout the United States. We're number one in South
23 America for movie screens, and primarily number one in South
24 America because of what you see on the screen right now. What
25 we did is found that - found and innovated a way to that with

1 out coating, our water-based coating, that we could make it
2 flexible enough that we could fold our screens, these large
3 movie screens, into a small box and ship them out. And so for
4 areas all over the world, we're now branching into Africa and
5 other regions, where we can fold these screens, very large
6 screens, into a small box and ship them and make it very cost
7 effective for our customers, but also make it something that
8 can get easily moved into a movie theater. One of the hardest
9 things about movie theaters is getting the screen actually
10 into the theater. Many times holes have to be cut in walls or
11 damage has to be done to just, or a door has to be put in just
12 to bring the screen into the theater. So we can fold our
13 screens and it makes it very low impact, makes it very good
14 for us to be able to service the globe. The reason these
15 buildings are good to us and are appealing to us, are because
16 we right now are in three separate facilities in Mesa, and it
17 makes it very hard to run your building out of three separate
18 facilities. And plus, on top of that, all - it says that
19 there's three now, we just had our fourth guy build a house in
20 Queen Creek also, so we've got three of the four of us are in
21 Queen Creek, the other's in South Gilbert. So we're in the
22 area and region already. The other thing that's very nice for
23 us, is many of these buildings that are existing, which was a
24 shock to us when we first saw this site, is we need existing
25 structures that have no pillars in them. The reason we need

1 no pillars is because we lay the screens out on the floor and
2 we have a robotic spray arm that we invented ourselves, that
3 goes - sprays up and down on the floor and sprays that movie
4 screen so that all the coating just goes right down on the
5 floor and there's very minimal overspray or dust that gets put
6 into the air. We've been doing this for a number of years,
7 and we need very large warehouses, which is why we need even
8 the other large building built, because we send many of these
9 screens out that way. Today, as I already mentioned, we've
10 got many customers throughout the world - IMAX being one of
11 the big ones, but you've heard some of the other names like
12 Dolby, everybody knows Harkins here in the Valley, but Regal,
13 Cinemark, AMC, Lowes, whoever, you can name it, we've done
14 screens for the Grand Old Opry and many other name brands that
15 are out there on the market. So that's who we are, that's
16 what we're trying to do. Is there any questions for me?

17 SALAS: How many employees do you have?

18 SEVERTSON: I have 22 employees.

19 SALAS: Where?

20 SEVERTSON: In Mesa.

21 SALAS: In Mesa.

22 SEVERTSON: Yes.

23 SMYRES: Does that 22 include owners?

24 SEVERTSON: That is including owners.

25 SMYRES: So the total payroll's 22 people.

1 SEVERTSON: 22 people, yes.

2 SMYRES: Thank you.

3 SEVERTSON: Any other questions?

4 SALAS: What do you have in South America?

5 SEVERTSON: We do not have any facilities in South
6 America. The way I work, is I sell through dealers and
7 integrators, so I don't have - I don't sell direct, my movie
8 screens to - direct to consumers. I sell through this
9 network, and then they make their living off of buying the
10 screen from me and reselling it to the theaters. So South
11 America is - we're everywhere in South America, just about
12 every country there. Any other questions? Thank you.

13 RIGGINS: Thank you.

14 LAKE: Now let me just walk through the request that
15 we have before you, and this is - it's really a perfect fit
16 because the existing structures on this site fit the needs of
17 what they're looking for with those (inaudible), no pillars in
18 the buildings, and so they can really come in, enclose the
19 buildings and run their operations so that it does take place
20 inside of existing facilities. But the request is for a Comp
21 Plan Amendment and a rezoning because the previous user that
22 used the site, the utility, didn't need zoning, and so we
23 needed to zone it to an industrial buffer zone. But as staff
24 pointed out, if you take the existing I-1 zoning and just lay
25 out those uses, there was a concern that we might do a bate

1 and switch, or play games, and so what we did is we added a
2 PAD overlay and struck out some of these other uses that we
3 weren't intending to do so that there's some protection there
4 that with this zoning, you know, Severtson wouldn't come in
5 and in the next year sell it to Home Depot, or QuikTrip or
6 something and do something more intense. The protection is
7 really there to strike out all these other uses, other than
8 what they will be using this facility for to provide
9 protection, and that's written into the zoning and sticks and
10 ties with the property. Here's an aerial view that staff
11 presented. You can see, really, the buildings that we'll be
12 using, this is the new building back here. All these other
13 buildings we'll be utilizing and we'll be enclosing these.
14 Currently they're open, and when H2O ran their maintenance
15 operations and their trucking out of there, those were out of
16 big open sheds, and those are currently open now, but we'll be
17 enclosing those and putting a concrete floor inside those so
18 that everything that happens and the application and the
19 process occurs inside a enclosed building. So there's really
20 not much change as far as the site layout, the buildings, and
21 the functionality of the site from what it previously operated
22 as. Again, here's another rendering. You can see this is how
23 it is today, it's open, we will then be enclosing it - the
24 building. We'll also be installing a new perimeter block
25 wall. Currently there's a chain link fence with some wire on

1 the top. Here's another perspective. Again, open buildings,
2 that we'll be enclosing, open here that we'll be enclosing.
3 We'll also be removing some of the other noxious things that
4 are on there, gas storage tanks and chemicals and things to
5 clean up the site to make it better than it currently is. And
6 so we'll be - we don't need those type of things, whereas the
7 utility company did need those for all their trucks and
8 operations that came and went from the site, we don't need
9 those because the shipping that leaves this site through a
10 FedEx or DHL or UPS can come to the site and pick up the
11 screens and these boxes and then take them away and ship them
12 around the world. So we believe that this use of this
13 property is really a good neighbor. The uses for these
14 buildings, the industrial uses, the utility for many, many
15 years has been there. We have looked at this site and we
16 think it's - ours low impact. We actually think we'll have
17 lower traffic than what has been there historically with the
18 H2O Water Company and all the trucks they had coming and
19 going, plus the customer base that would come there and pay
20 their bills. We will have less traffic than what has happened
21 there historically. As was presented, the chemicals that are
22 used here are not toxic, so we don't have a toxic chemical
23 issue where we'll be storing unsafe chemicals onsite; this is
24 all water based stuff and we've already had the County
25 Environmental Health Services out, they came and within

1 minutes they said, you know, you guys are good, this isn't a
2 problem. We won't be producing any dust or noise or
3 vibrations that you typically see with some of the other
4 industrial - heavier industrial uses. This is really a good
5 neighbor type use that fits into an existing building. We
6 believe it's consistent with the - with what we're proposing
7 with the General Plan because it retains the existing
8 character of the site, the uses that go on on the site are
9 going to be very similar, the buildings will be very similar,
10 the office building out in the front will be utilized the way
11 it historically has, with less traffic, plus with Pinal County
12 it provides an opportunity to bring a world leader
13 corporation, corporate headquarters to Pinal County. And the
14 employees, currently they have 22, they're looking to go up to
15 30, but they also have salesmen around the world, if you will,
16 that also receive their - they put food on the table by
17 selling the Severtson Screens, and so we think this is a great
18 business, a great asset to have in Pinal County. And so one
19 of the benefits to Pinal County, we think, we'll be adding
20 jobs to the County, bringing a compatible business and
21 utilizing existing buildings the way they were designed. It
22 will be a good neighbor with low impact, with a light
23 industrial use and we'll be utilizing the existing building.
24 So with that I'd be happy to answer any questions related to
25 the site, and then reserve some time at the end for rebuttal

1 or response. Thank you.

2 RIGGINS: Thank you. Commissioners? Commissioner
3 Smyres.

4 SMYRES: Do you have any - I guess what I'm
5 concerned about is you said the traffic you thought it would
6 be less than what H2O was - do you have any idea what H2O was
7 doing, traffic-wise from over there?

8 LAKE: H2O had - I spoke with the people at H2O and
9 I also spoke with some other people in water - that worked for
10 the water company, they had about the same number of
11 employees, about 30 employees, but then they also had
12 customers coming to and from the site, and then they also had
13 truck traffic coming to and from the site with all the repair
14 and manufacturing. So we've got 22 employees with the parking
15 lot that will come and go from the site everyday. We don't
16 have customers that come to the site. It's just the employees
17 that come to the site everyday and do their work and then go
18 home. The hours are pretty standard working hours. Daylight
19 hours, they're not around the clock type of a business, and
20 then all the business happens inside an enclosed building.

21 SMYRES: One other quick question. I can't find it
22 in my narrative now of course, but the amount of truck
23 traffic, semis versus the smaller trucks. What was those
24 numbers? I can't find it again. It's in here somewhere.

25 LAKE: We believe that we - at the absolute most,

1 based upon our growth, we could have maybe in the future up to
2 a maximum of one semi a day, but then we're going to have
3 FedEx trucks and UPS trucks on their normal rotation coming
4 and picking up these boxes and shipping them around the world.
5 And so really minimal truck traffic compared to the public
6 utility that had their work trucks coming and going everyday.

7 SMYRES: Thank you.

8 RIGGINS: Okay, Commissioner Smyres - Putrick.

9 PUTRICK: What would you estimate export duty tax
10 (inaudible) business?

11 LAKE: I don't - Chairman, Commissioner, I don't
12 know that. I know this is one of the few companies that does
13 actually export to China, and around the world. We don't have
14 many of those anymore. But they do export all around the
15 world and I don't have those numbers for you. I don't know
16 that - I apologize for not being prepared to answer that one.

17 PUTRICK: That's important.

18 RIGGINS: Commissioners? Questions? Vice Chair
19 Hartman.

20 HARTMAN: Chair Riggins. Sean, this question you
21 can maybe answer, but if you can't, maybe staff can. I'm
22 concerned that if this whole zoning on this property has kind
23 of been through a back door situation. I mean I agree with
24 the people that will probably speak later on, but I've read
25 their letters and I know there is quite a bit of opposition.

1 Well, what I'm wondering about is what would happen to this
2 property if the Stevensons [sic] no longer utilize this?
3 Could they sell it and another manufacturing like welding or
4 something come in there? Some heavy industrial type, noise,
5 loud noises, and all kinds of stuff, which would be very
6 disruptive to the area for sure.

7 LAKE: Chairman, Commission Member, you raise a good
8 point. You know, what is tied to this property? And
9 typically with an I-1 type of use, there are some other
10 heavier industrial uses that are tied with it, and so having
11 heard that at the first and the second neighborhood meeting
12 that we've been working on this, that's why we added the PAD
13 overlay to exclude - if you'll look at the list of allowed
14 uses up on the screen, you can see we've crossed out or
15 excluded most of them, so that the type of - somebody who
16 would come in, let's say the Severtsons, for some reason, went
17 out of business 10, 20, 30, 40 years from now, this zoning
18 would still take place. So any type of future use that
19 happens on this property would all have to be enclosed,
20 inside, because that's part of it - it's light manufacturing
21 of assembling pre-manufactured things, as opposed to welding
22 or fabricating new things, which is more of a heavy
23 industrial-type use. They couldn't do commercial or those
24 type of things, so we've excluded a lot of those noxious uses.
25 They wouldn't be allowed. And so somebody could come in and

1 if they wanted to do that, they'd have to go through this
2 whole process again, rezoning, go through the Planning
3 Commission and the Board of Supervisors to change the zoning.

4 HARTMAN: Bring it back before -

5 LAKE: Bring it back before the Planning Commission
6 and the Board of Supervisors.

7 HARTMAN: Okay.

8 LANGLITZ: Mr. Chair, Mr. Vice Chair, if it's
9 helpful to the Commission, I agree with Mr. Lake that is
10 exactly what would have to happen. They would have to come
11 back again. If there was an alterative type of use proposed,
12 they would have to come back, probably do a PAD amendment or
13 rezone again, so it wouldn't automatically happen.

14 SALAS: Mr. Chair?

15 RIGGINS: Commissioner Salas.

16 SALAS: One of the things that I'm interested in
17 here is - there's a statement here that Mr. Schnepf has been
18 pulling some strings to push the zoning change? So what are
19 the strings?

20 LAKE: Chairman, Commissioner, I didn't say that. I
21 think that was one of the neighbors that is making that
22 accusation. I don't know of any strings that are being
23 pulled. I know we've been working with planning staff and
24 we've been working with Economic Development and the County
25 has been anxious to get this - to locate this business here.

1 But I - we're - the Schnepfs aren't pulling any strings and
2 myself and Toby have had the communication with the County, so
3 I don't know the basis or grounds for that accusation.

4 RIGGINS: Commissioner Smyres.

5 SMYRES: I have a question, it maybe more for staff
6 than for the applicant. Why are we going with a zoning change
7 versus an application for a PAD or an SUP, which would not
8 affect the zoning, it would only affect that particular
9 business? Should it leave then we wouldn't be faced with a
10 zoning of an industrial zoning inside a residential area.

11 BOJORQUEZ: Mr. Chair, Commissioner Smyres,
12 unfortunately SR only allows certain types of uses, and this
13 type of use, light manufacturing is not one of the uses that's
14 allowed in SR, thus a PAD overlay wouldn't work for this one
15 here. It will require a zone change, and it appears that I-1
16 would be the least intensive zone that they could potentially
17 rezone to, and the PAD as the applicant had mentioned, will
18 limit some of the other intensive uses on this one here.
19 Thus, this seems to be the most appropriate alternative for
20 their purpose. Following up to that, this particular use
21 would not be eligible for an SUP, since it's not listed on the
22 list of SUPs, thus it wouldn't be something that could, you
23 know, be removed versus having to do the whole rezone and
24 getting a PAD and so forth.

25 LANGLITZ: Mr. Chair, if I may again add, if it's

1 helpful for the Commission, what we're doing here is basically
2 a two step process. The zoning would allow the use, and then
3 the PAD restricts the use to just that. So that's why we're
4 doing zoning and also with the PAD to address the concerns
5 voiced by some members of the public that if this thing is
6 allowed, then we'll never know in the future what else type of
7 uses can come in. That's the reason for the zoning and the
8 PAD.

9 RIGGINS: Commissioners? Vice Chair Hartman.

10 HARTMAN: Chair Riggins. Sean, one of the - under
11 the stipulations, one of them is that there be placed a six
12 foot wall around the property, that hadn't been addressed at
13 all, and also some landscaping, would you explain to us
14 exactly what that entails?

15 LAKE: Correct. Yes I will. Chairman, Commission Member, the
16 first condition requires a six foot masonry wall to be
17 installed. Currently there is not, it is a chain link fence
18 around the property. The Severtsons will be installing a
19 solid six foot masonry wall that will replace the chain link
20 fence, both visually and for security purposes, but will help
21 protect the site on the inside. And then the staff has
22 requested that we install landscaping outside of the wall to
23 kind of soften and buffer along the perimeter.

24 HARTMAN: Trees and shrubs is what it says.

25 LAKE: Yes sir.

1 HARTMAN: Okay, thank you Chair. Thank you.

2 RIGGINS: Commissioners, any other questions?

3 Commissioner Shearer.

4 AULT: Yes, I'm just curious about the previous
5 operation, commercial operations on the property relative to
6 the age of the surrounding residential establishments. Was
7 the previous commercial operations on this property, did it
8 predate the residential development surrounding the area, or
9 was it - they coincide in time?

10 LAKE: Let me just look. I think it's - I'm just
11 verifica - for Mrs. Schnepf who is the back - the Schnepfs
12 actually own the property directly to the west, and so if you
13 look at the original, or the first picture, they own that
14 property and the utility - so the Schnepfs own this home right
15 here, and they're selling us the property. So this home right
16 here and the Schnepfs, they're selling this property to us.
17 So they own this property. This utility has been here 40-plus
18 years and has been operating for 40-plus years, and it
19 predates, I would say, most the people who live out in this
20 area.

21 RIGGINS: Okay, Vice Chair Hartman.

22 HARTMAN: But it doesn't predate the zoning as
23 Suburban Ranch.

24 LAKE: No, it's been zoned Suburban Ranch for
25 forever.

1 HARTMAN: Since (inaudible).

2 LAKE: Since probably the 60s is probably when the
3 zoning ordinance was adopted.

4 HARTMAN: Right.

5 BOJORQUEZ: Commissioner Hartman. It appears that
6 the zoning for this site here was applied in the 70s, and it's
7 remained the same since that time.

8 LAKE: But the SR was just established, because that
9 was a surrounding area. Utility did not require zoning, and
10 so they've operated not needing any type of zoning, quite
11 frankly.

12 RIGGINS: Vice Chair Hartman.

13 HARTMAN: One point, clarification, under history it
14 says the subject property was rezoned from General Rural to
15 Suburban Ranch in 1971 under planning case PZ-29-6-71. So it
16 was done in 1971. It was from general - from General Rural to
17 Suburban Ranch in '71.

18 RIGGINS: Approximately the same time as the H2O
19 facility. Kind of concurrent. At least at this point in time
20 it seems kind of concurrent. Okay. Commissioners, do we have
21 any other questions or comments to the applicant? There none
22 being, I'll ask you to sit down and it is time to open up the
23 public portion of this meeting. I'm going to ask a question,
24 a show of hands, how many people intend to get up and speak to
25 this? Okay, that looks fine then. In that case at this time

1 I'll ask the first one to come up and first you'll need to do
2 is sign your name and address in on the register, and then
3 tell us who you are and where you're from and let us know what
4 you're thinking.

5 WARBINGTON: My name is Cathy Warbington. I have
6 lived in this area for 22 years. I have come with a map and
7 96 signatures from landowners in the area that are strongly
8 opposed to this. We, as a part of an established community,
9 are here in opposition to the rezoning of H2O water offices
10 and their surrounding buildings. We, as a community, have had
11 to fight many times to keep our rural and agricultural
12 community. It is the main reason most of us have bought and
13 chose to live and raise our families here. It is on record
14 here in Pinal County the number of times people have tried to
15 split or rezone their properties in this community. We truly
16 feel any zoning change will open the flood gates for others to
17 do the same. Once one land owner is allowed to change their
18 zoning, or split their property, it will set a precedent that
19 we will not be able to roll back. In the past, Planning and
20 Zoning, and the Zoning Commission has always backed our rural
21 low-keyed lifestyle. We appreciate that. There are not many
22 communities like ours left. The Commission has told previous
23 applicants they need to have 75 percent of the land owners in
24 favor of their proposal. I don't believe that the burden of
25 proof should be on the opposing land owners to do these

1 signatures and petitions to keep people from doing this
2 against the will of the community; however, because we truly
3 want and need to keep our lifestyle, we will continue to do
4 our part. Just as a reminder, there is one property that was
5 split back in the last 90s or early 2000s. It was done in a
6 way the neighborhood was not aware of, nor was Planning and
7 Zoning Commission, and I believe the same family that did that
8 is trying to sell this property in question. When the
9 Planning and Zoning Commission and/or the Board of Supervisors
10 discovered that, they had been skirted, the statement was
11 made, that would never happen again. One of the reasons for
12 changing the zoning is they don't know who would want a
13 building as such, but I know of a place in Gilbert, a
14 beautiful home made out of three grain silos. If an architect
15 can make a house out of three grain silos, they can definitely
16 redesign that office building and split it up and sell it as
17 homes. I don't know a man in my life that wouldn't want one
18 of them big metal buildings in their backyard. So in light of
19 the fact that we have told them in a previously meeting they
20 need 75 percent of the land owners to be in favor of their
21 proposal, I'm curious - we're curious - did they get any
22 signatures on a position. And I just want to thank you from
23 myself and from all the people in our community for hearing
24 our concerns and our comments. We truly do not want this in
25 our neighborhood. Now, on the map they showed you, they did

1 show a building that was not on their previous maps. If I
2 may, this building in front here is being built as we speak on
3 the west side of Mr. Schnepf's home. Now that's being built
4 as of today. If anyone was to go look, that is a solid flat
5 floor, they have some plumbing in the northeast corner of that
6 building. That's all, the rest of that floor is dead flat.
7 Now Mr. Severtson kind of made our case for us. They need a
8 flat surface, that building is being built as we speak, and I
9 don't see that Mr. Schnepf, at his age, has any reason to
10 build a building like that. None of us do. He has also spoke
11 today about them being world-wide. This is not going to be a
12 small operation. This is going to be a huge operation, and
13 regardless of what they say, I don't foresee it being 22
14 employees, 22 people. When the water company was there, they
15 ran half ton, three-quarter ton trucks in and out of there.
16 They didn't run semis out of there, and the only time there
17 was a lot of traffic there, was when it came time for people
18 to go pay their water bills. It was not a high traffic area.
19 We absolutely believe that if this is allowed to go forward,
20 it's going to set a precedent that we may never be able to get
21 out of. But we greatly appreciate your time, and for hearing
22 our comments and concerns. Any questions?

23 RIGGINS: Thank you very much. Commissioners?

24 SALAS: Mr. Chair?

25 RIGGINS: Commissioner Salas.

1 SALAS: Ma'am, you said you had 96 signatures
2 opposing?

3 WARBINGTON: I do.

4 SALAS: What percentage does that constitute of your
5 area?

6 WARBINGTON: Well it depends on how you count the
7 properties. If there's 96 signatures, we have half, more than
8 half. I counted 172 properties, and we've got 96. And I also
9 have the map, a map, and I kind of colored it in according to
10 - if you want them, you're more than -

11 RIGGINS: Please, please stay, please stay at the
12 podium.

13 WARBINGTON: A map that I have colored in of the
14 area with the properties that we have signatures on. Now,
15 just because we don't have the rest of the signatures doesn't
16 mean that they're in favor of this proposal, we jus didn't get
17 them all. There was a lot of people that weren't home or
18 working, they had closed gates. But we have probably 95
19 percent of the people in that area do not want this to go
20 through.

21 SALAS: Well I'm interested in knowing how you're
22 going to proceed on getting 75 percent, whether it's a
23 Commission or whoever's in charge of verification of this 75
24 percent signatures in order to change. You know, personally I
25 can't make a decision like that if we don't even know how to

1 obtain that 75 percent, whether it's the responsibility of the
2 staff or whoever would be the one, you know they're proposed
3 the 75 percent signatures, and so how are they to proceed on
4 acquiring 75 percent?

5 WARBINGTON: They can't because we have more than 50
6 percent, so they - there's no way they can get 75 percent, but
7 we have landowners and we have parcel numbers and addresses
8 and signatures to go with our petition, so they're all
9 verifiable.

10 SALAS: That might be true, but does it get to 75
11 percent?

12 WARBINGTON: Absolutely. Abso - oh, we don't have
13 to get to 75 percent, they would need to get -

14 SALAS: That's what I'm saying.

15 WARBINGTON: Okay.

16 SALAS: We obtained that, because you said well
17 there's no way counting or whatever it is -

18 WARBINGTON: Well you can count. I counted 172
19 pieces of property in our area.

20 PUTRICK: I just have two quick questions.

21 RIGGINS: Commissioner Putrick.

22 PUTRICK: Where did the 75 percent come from?

23 WARBINGTON: The County has said - Planning and
24 Zoning has said in previous meetings that the - whoever came
25 in with a change needed to have 75 percent of the land owners

1 in favor of their proposal.

2 PUTRICK: Staff, can we verify that?

3 ABRAHAM: Sure. So kind of to back up a little bit.
4 Many, many years ago there was a signature requirement for
5 zone changes. Since then, State law has been changed, our
6 code has been changed, that the burden of proof is now on the
7 surrounding property owners to lodge what's called a protest.
8 They call it the protest provision, which is 20 percent of all
9 property owners by area in number within 300 feet of a
10 proposed site. So how that works is that they submit their
11 petitions, staff does an analysis and makes sure that those
12 two levels are attained, then what staff would do is alert the
13 Board of Supervisors that they need, basically, a super
14 majority to adopt the zone change. That protest provision,
15 staff - is if we get the material in time we tell the
16 Commission there's a substantial amount of opposition, but it
17 doesn't affect your vote. Like you wouldn't need a super
18 majority to recommend to the Board of Supervisors. Since we
19 don't have that information, we have to look at that if the -
20 if we move forward today, we would look at that information,
21 then tell the Board of Supervisors how - the appropriate way
22 to respond to that.

23 PUTRICK: Okay, and they have submitted the
24 signatures - the petitions?

25 ABRAHAM: I don't know, did they? Did you get

1 anything? Okay, no so -

2 WARBINGTON: We've always just brought them with us.
3 We did submit some comments online.

4 PUTRICK: Just quickly, just so you know, it's not
5 official, it's hearsay, unless it's submitted officially.

6 WARBINGTON: Well, we were not -

7 PUTRICK; Well, I know, I understand. I'm just
8 telling you what the law is. So it's essentially hearsay,
9 unless it's submitted to the County officially. Is that
10 correct?

11 ABRAHAM: Yeah, that's correct. There needs to be a
12 time to analyze the petition, so - and sometimes there's a lot
13 of property owners, there's some numbers involved, it's
14 something that we certainly couldn't do at the hearing today,
15 but I think what the Commission just in something like this,
16 you put it in the realm of there appears to be a large number
17 of anti sentiment to this.

18 RIGGINS: Okay, a question on my part just to make
19 sure I understand the timeframe that you just mentioned. The
20 ability of the community to lodge their signatures still
21 remains between the period of time of this Commission meeting
22 and the Board of Supervisors meeting.

23 ABRAHAM: Absolutely.

24 RIGGINS: Okay. So that is something that can be
25 done during that period of time. As you know, the Commission

1 only makes a recommendation to the Board of Supervisors, the
2 Supervisors make the decision. But I think we've enumerated
3 it then, what our process is and our procedure and we've taken
4 away some of the 75 percent and what that means. We now have
5 a procedure and we know exactly what to do with it.

6 WARBINGTON: Well several of us sent comments to Mr.
7 Bojorquez and at no time did he say we needed to get these
8 signatures in at a certain time.

9 RIGGINS: Well it sounds like to me that there is a
10 process and a venue open at this point. So that would be
11 something to take up with staff and to proceed with.

12 WARBINGTON: So I need to give them these
13 signatures.

14 RIGGINS: And you can - I'm sure you can get an
15 appointment set up and get things along as soon as this is
16 done.

17 PUTRICK: And just to add, this is like gathering
18 signatures for somebody running for office, so they have to be
19 - they also have to be notarized, okay? So when you do the
20 forms, they have to be notarized as well. It's all part of
21 the State requirements.

22 LANGLITZ: Mr. - yeah, Mr. Chair, we - yeah. I
23 would just be a little concerned about giving advice on how to
24 comply with the State statutes. We -

25 PUTRICK: Yes, I concur totally. We should not give

1 advice from the Commission, but there is a venue that's been
2 established in an open meeting and, you know, please examine
3 that and, you know, examine your best interests in that and
4 deal with staff to figure out the directions to go.

5 WARBINGTON: So these signatures need to be
6 individually notarized?

7 PUTRICK: I would say that we can't answer that
8 today. I would say that we cannot answer that today.

9 LANGLITZ: The statute is when you go to Arizona
10 Revised Statutes, it's in Title 11, which deals with counties.
11 And then there's the section that will talk about zoning and
12 is it the 600s? Do you know? I don't remember exactly in
13 there, but it'll set forth the process of what you'll need to
14 do.

15 WARBINGTON: So who are we going to need to talk to
16 get this process?

17 LANGLITZ: You might want to consult an attorney, or
18 we can send you a copy of the statute. Yeah, we can -

19 ABRAHAM: Yeah, we can do that. And then also turn
20 in whatever you have. We'll take a look at whatever you've
21 put together, we'll evaluate it, accord it to our statutes and
22 our codes to make a determination to the Board. You know,
23 this isn't the first time we've had to do something like this,
24 so I'll help Enrique kind of go through all those names and
25 all those lists that you've put together.

1 WARBINGTON: Okay, thank you very much.

2 ABRAHAM: You're welcome.

3 RIGGINS: Any - Commissioner Salas.

4 SALAS: Is there anybody with your group that can
5 answer my previous question on who was pulling strings?
6 There's an allegation that was made and evidently it's public
7 and it's come to our attention, and that disturbs me. You
8 know, to make an allegation like that, that somebody's pulling
9 strings.

10 WARBINGTON: Yeah, I did not put that in my letter
11 whatso -

12 SALAS: And you don't have any information as to who
13 that could have been?

14 WARBINGTON: No, people sent in their individual
15 comments, so what other people sent in, I have no clue. I
16 know what I sent in.

17 SALAS: Well, for me that's a serious allegation.

18 RIGGINS: Okay, Commissioners, any other question of
19 the speaker? Thank you very much. Our next person that would
20 like to speak? If you could please write your name and
21 address down on the log there and then give that information
22 to us before we begin.

23 ERICKSON: Yes sir. Yes. Good morning, my name's
24 Patrick Erickson, I live at 40797 North Kenworthy Road. I
25 bought the property about 14 years ago. The previous speaker

1 mentioned that the last rezoning in the area was about 14
2 years ago. She's not correct on that one. But the second
3 previous one was, it was my next door neighbor. He had 4.4
4 acres. He asked for it to be rezoned to Suburban Homestead,
5 so 2.2 acres each. It was approved, even though the Board of
6 Supervisor had voted in opposition, it was unanimous with the
7 three Supervisors at that time, and so there's some confusion
8 on hey you guys voted against it, the Board of Supervisors
9 passed it. Bottom line is the property is now occupied by my
10 next door neighbors, they're great neighbors. They've got a
11 5,000 square foot house, they don't have any children.
12 Benefit to the County. No road improvements, no additional
13 kids, but the taxes went from a vacant lot to a multi-million
14 dollar property, and so you can imagine what the tax rate
15 increase was. Brought in a beautiful house, it's a standard
16 that you seldom see inside Pinal County, and it was a
17 successful rezone application. The last one that was rezoned
18 successfully was over on Ocotillo Road on Rattlesnake. They
19 rezoned that commercial. And then there's another commercial
20 property inside this area also. So there's already two
21 commercial properties and there has been successful rezoning
22 inside there. I applaud the staff for citing the State laws
23 and everything else, the 300 foot setbacks and then the 600
24 foot setbacks for public comment. I know the staff has done
25 their work perfectly because I went through this process about

1 four years ago. I came in front of - I think only three of
2 you were here at that time. I asked for my property to be
3 split and it was turned down. The reason - I take that back -
4 I asked my property to be rezoned so I could build a house for
5 my parents. Even though these people that speak in opposition
6 here they don't like the words I use, I'll just call them
7 mean. They stood up and said my parents weren't old, they
8 weren't ailing. I didn't need to have the opportunity to
9 build my parents a house. My parents died within a year and I
10 buried them, so that's my statement. And there's consequences
11 for these people standing up and just saying anything they can
12 possibly say to get their way. Again, my parents were old,
13 they were ailing, they were 40 miles away when the time came
14 for me to go and support them. I wasn't there in time and I
15 buried them both on the same day. Thank you.

16 RIGGINS: Any questions? Thank you. Thank you.
17 Okay, next person that would like to speak. Yes, and if you
18 could please give us your - write your name and address down
19 there on the log and then tell us that and -

20 DANIELS: My name is Renate Daniels and I live at
21 2950 East Pima Road, and I'd like to say first of all that I'm
22 opposed to this, and the biggest reason is the traffic. We're
23 going to increase the traffic along Pima, Schnepf, Ocotillo,
24 it's gotten horrendous, I would say, in the last six years.
25 I've had to call up gravel truck companies asking them not to

1 drive down Pima Road. The employees of the new company,
2 including their trucks, their delivery trucks, it will be
3 semis. I feel insulted that the attorney talked about parcel
4 and FedEx when the slides definitely show less than truckload
5 traffic and perhaps truckload. I'm not sure what their
6 inbound tonnage is, but I would like to know what their
7 outbound shipment number is per day, and what their tonnage is
8 per day, outbound and inbound. The semis will go down Pima
9 Road, they will go down Ocotillo, and they will go down
10 Germann and Schnepf. And they may even go down some of the
11 side streets to avoid traffic. Our neighborhood is a great
12 neighborhood and everyone there has moved there because of
13 their children. We ride our horses up and down the road, kids
14 ride their bicycles. We have several handicap. Our speed
15 limit is 25 and it's not enforced. The police do the best
16 they can, but we see people during the day cut through that
17 neighborhood to avoid the congestion on Ironwood and Ocotillo.
18 And there's going to be a lot of road repair with these semis.
19 Even if his product is not real heavy, those semis that are
20 coming to pick up his product could have 20-30,000 pounds,
21 which will tear up our roads. Now I don't know if the zoning
22 is going to change, if it's going to happen, but perhaps the
23 community can work together. Maybe what we need in our
24 neighborhood, number one I have a hard time believing we do
25 not have truck restrictions in our subdivision. I come from

1 the Midwest, and most neighborhoods you are not allowed truck
2 traffic. I think we need more stop signs, or even speed
3 bumps. I have seen people go down Pima Road, 25 mile an hour
4 speed limit, going 55, 65, most of them are going 45 and 50.
5 And everyone in the neighborhood has called the police and
6 (inaudible) out there and given tickets. And the trash is
7 unbelievable. I see pee cups, power drink - I know these
8 people are cutting through the neighborhood to go somewhere,
9 to work some place, and throwing their trash out the window.
10 Now I don't know if there's a way to work things out to where
11 we can avoid traffic, and I think that's the major concern of
12 everybody in the neighborhood, is the through traffic. That's
13 all I've got to say.

14 RIGGINS: Thank you. Commissioners, any questions?
15 Commissioner Putrick.

16 PUTRICK: Ma'am? Your comments about the traffic I
17 think are well taken. This Commission does not have purview
18 over speed limits and roads and things like that, that's
19 another part of Community Development or the County.

20 DANIELS: (Inaudible) we need more stop signs, or
21 there needs to be posted no through traffic, especially for
22 trucks. You know, the newer neighborhoods - we're an old
23 neighborhood. The newer ones have taken care of that. All
24 the new subdivisions, you get lost if you go in them. And
25 there's a reason for that, so there's no through traffic.

1 Perhaps we can work with this company and the County to do
2 something to protect our neighborhood, not just for this, but
3 future. They're not the only problem.

4 PUTRICK: No they're not. I -

5 DANIELS: No they're not. And Schnepf Road
6 shouldn't be. Why would Schnepf be 45 miles an hour, when
7 they changed that from 25 to 45 they -

8 PUTRICK: I can't answer that, but what I'm saying
9 to you is that your biggest problem with traffic is not going
10 to be Schnepf. It's already here. It's the growth in the
11 area. Encanterra is an example.

12 DANIEL: No, they're going to contribute
13 (inaudible).

14 PUTRICK: (Inaudible) Creek, all of that, all that
15 traffic is going north in the morning on Ironwood, and coming
16 south on Ironwood in the evening, and it's a scary road. I'm
17 not afraid to drive in traffic at all, but there are some
18 scary people on Ironwood. So that's a thing that you should
19 bring up with staff to see who you should talk to about doing
20 something, and I think that's a reasonable alternative to your
21 question about traffic. But the way growth is, you know, and
22 you know that they've told you that Schnepf is a major
23 arterial, and that's the reason they raised the speed limit to
24 45, and that it's going to - it may change again. But your
25 problem is mainly work traffic.

1 DANIELS: No it's - well, that's the problem right
2 now, but allowing this rezoning, we're going to have semis in
3 there. I spent my entire career in the trucking industry and
4 I saw those slides, that is not parcel. That is less than
5 truck load. You're looking at shipments that are over 1,000
6 pounds, 500 or more. Parcel does not pick that up. Either
7 one of those pictures they showed. And they haven't provided
8 to us the number of shipments that are coming in. If they're
9 as large and world leader, they're going to have more than
10 what they said coming in and out of there. They've got to
11 have all the inbound freight coming in to manufacture or make
12 their product, or assemble it or whatever they do. And then
13 they've got to have the truck traffic coming out. And to my
14 knowledge, because I said something to the police department,
15 and they said there were no tonnage limits on our roads. So
16 that's going to get semis and you know semis are gonna - well,
17 by rezoning it I don't know what comes first. The cart or the
18 horse. But right now we're talking about zoning that's going
19 to bring semis into our neighborhood that little kids are
20 riding their horses, and that's going to spook the horses, and
21 they're going to get injured.

22 PUTRICK: But I think what I'm saying is that your -
23 the worst of your problem is not semis coming in.

24 DANIELS: Well it will be. It is. One of my - I
25 lived on Pima with semis coming through.

1 PUTRICK: I'm not going to argue with you about it,
2 okay? You have an opinion and that's fine and you expressed
3 it, and we thank you for that.

4 RIGGINS: Vice Chair Hartman.

5 HARTMAN: Chair Riggins, could we ask Lester Chow
6 (inaudible) to address the traffic situation in that area.
7 And PCs knows anything that's going to change to improve some
8 of the problems, current problems that are there, and
9 multiplied by maybe this land use.

10 CHOW: Chairman Riggins, Vice Chair Hartman. Like
11 any other site plan that this will be required to do, they
12 will be, or they had a traffic analysis that will identify the
13 volumes produced by this company and it'll identify the type
14 of vehicles also, whether it's a van, semi, half ton, that
15 kind of stuff. So that could identify those, including the
16 employees and the peak hour times in the morning and the
17 afternoon. So it will identify the traffic. As far as the
18 roads that they use, I mean they're all public roadways, so,
19 you know, they all have the right to use them. Schnepf,
20 Kenworthy, Pima, they all are identified as arterials, so
21 those are the main roads that the people will be traveling on.

22 RIGGINS: How about Joy and Airport?

23 CHOW: Well, they're not arterials, but they are
24 public right-of-ways.

25 RIGGINS: No restrictions currently?

1 CHOW: No. No.

2 RIGGINS: Okay. All right. Commissioners, anything
3 else? Yes. The next person that would like to come up and
4 speak, please. Please. And remember to please write your
5 name and address down, and then tell us before you begin.

6 MACDOUGALL: My name is Julia MacDougall, my husband
7 Dave MacDougall. We've been residents in the community for
8 about 20 years.

9 SALAS: Excuse me, is that on.

10 MACDOUGALL: Oh, is that better?

11 RIGGINS: Better.

12 MACDOUGALL: I'm sorry. Thank you for taking the
13 time to hear our neighborhood concerns. I think there's been
14 a lot of talk whether this company is a perfect fit for the
15 location. An awful lot of talk about that. Our concern, is
16 it a perfect fit for our neighborhood, the one we've been in
17 for over 20 years. The one that is zoned agricultural. The
18 one we raised our families in. Our children ride horses by
19 the side of the street. Our pets will occasionally run out,
20 our children. It is an agricultural community. And although
21 it might be a good fit for the world's - or the U.S. largest
22 manufacturer of movie screens, which I congratulate, I have
23 doubts whether it fits into our agricultural neighborhood.
24 And yes, I was one of the people who got the signatures from
25 the neighborhood. Everybody was so grateful. It's like we

1 all want to preserve what we have, but the average working
2 person is so busy, they're not sure which way to go. We don't
3 have legal counsel. We get signatures, we try to show the
4 Commissioners that we're interested in maintaining the
5 integrity of our community, but it's difficult. And we'll
6 surely follow the recommendations now that we know them. But,
7 you know, we just fear that once our zoning regulations are
8 breached, our neighborhood will change, it will be lost
9 forever. And there's no way that we can find a replacement.
10 We're not like a company looking to relocate. This is where
11 our families are raised, and once the zoning is changed, for
12 one, how would we ever stop it for another and another? As
13 our neighborhood forever changes, I fear for the safety of our
14 families riding horses down our street as the traffic
15 increases, for the pet or child that runs into the street as
16 more and more trucks come in with the zoning changes. We are
17 asking you, sincerely, for your help to keep the integrity of
18 our neighborhood. Let us remain agricultural. There has to
19 be other locations and options for this company that does not
20 involve putting our neighborhood at risk. We fear that
21 granting them a zoning change is a huge risk factor to the
22 life of our community. That's everything. Thank you.

23 RIGGINS: Thank you. Any questions, Commissioners?
24 Okay, thank you very much. Anyone else? Would anybody else
25 like to come up and speak?

1 ??: (Inaudible)?

2 RIGGINS: That's a good question. No one's ever - I
3 don't believe so.

4 ABRAHAM: It's the discussion of the Chair, but I
5 don't think we've done that before.

6 RIGGINS: No, in all the years I've sat here, no
7 one's ever asked that.

8 ??: Last time I was here I (inaudible).

9 RIGGINS: Oh my. Okay.

10 ??: (Inaudible).

11 ??: Okay. Does anybody else wish to speak?

12 ABRAHAM: Mr. Chairman, I have a statement that Mr.
13 Kanavel would like me to read into the record, but if you are
14 done with the public hearing, with the public, I will wait
15 until then.

16 RIGGINS: Do you have something new?

17 ??: Yeah, in answer to the (inaudible).

18 RIGGINS: Since you're the last one, please don't
19 plow any old ground, but if you something good, would you give
20 us your name and address again verbally?

21 ERICKSON: Yes sir. Patrick Erickson, and my
22 address is 40797 North Kenworthy Road. That is the property I
23 own, however I grew up a mile away from here. I went to
24 school with the Schnepf kids, and earlier you were asking
25 about whether the H2O was there before the rezoned. This 960

1 acres has been subdivided, was Schnepf properties. They owned
2 all 960 acres. They subdivided the road for transfer to the
3 County at the time, and the water company did not exist at
4 that time. A couple years later, about '73, we started
5 putting in the pipes because Schnepf, H2O water company was to
6 provide water to this subdivision. The 960 acres were there
7 kind of first, and then the water company came in right after
8 that. But it's all there because of Schnepfs. Again, if they
9 didn't want to divide their property into the subdivision,
10 none of this would be happening right now. So they were
11 extremely great family out there, and again, they use their
12 wisdom. A lot of the other properties out there instead of
13 subdivided, they went ahead and split, so they from a square
14 mile to five parcels, and then those five parcels split into
15 five parcels, and those are the ones where the County has
16 problems with. The roads are not the County ones to maintain,
17 and everything else. So this is actually a proper subdivision
18 of 960 acres done by the Schnepfs, so.

19 RIGGINS: Thank you.

20 ERICKSON: Any questions?

21 RIGGINS: Any questions? Okay, very good. Well
22 then at this point in time, there being nobody else that
23 wishes to speak to this case, we will close the public portion
24 of the meeting and I will recognize staff has a statement that
25 they wanted to bring before the Commission.

1 ABRAHAM: Thank you Mr. Chair, and this is on behalf
2 of Tim Kanavel who couldn't make it with us today, and I will
3 definitely be brief, because we can enter this email in its
4 entirety as part of the record as it moves forward. To the
5 Chairman and distinguished Members of the Pinal County
6 Planning and Zoning Commission: I do apologize for not being
7 at the Commission meeting in person and respectfully ask that
8 this letter be read into the official record for the meeting
9 of Thursday, October 20, 2016. As the Pinal County Economic
10 Development Manager, I fully endorse the applicant's request
11 for approval based on the following 13 reasons. That based on
12 the factors listed above, I ask the P and Z Commission Members
13 vote for approval of the client's application. Should the
14 Planning Commission have further questions, please contact me
15 at your convenience. I can be reached by cell. And he has a
16 bullet point list of several reasons that the Commission
17 should approve it, so we'll go ahead and enter that into the
18 record.

19 AGUIRRE-VOGLER: Would we have time?

20 RIGGINS: Well of course I have - of course I have -

21 AGUIRRE-VOGLER: Could we have time for those to be
22 read?

23 RIGGINS: Would the Commission like to hear the
24 bullet points?

25 HARTMAN: Yes.

1 AGUIRRE-VOGLER: Yes.

2 RIGGINS: Okay. If you will, please.

3 ABRAHAM: I'll just read them in order. This
4 project is in keeping with the Board of Supervisors Public
5 Declaration to enhance economic development, job creation and
6 capital investment as a County-wide priority. The jobs
7 created by this project will be good paying manufacturing
8 jobs, with good employee benefits. The jobs created will be
9 skilled manufacturing-type jobs that will enhance our
10 residents workforce and skill sets. Products created by the
11 company will be sold worldwide. The greater San Tan Valley
12 area is in desperate need of non-retail type jobs. The
13 company that is seeking to locate at the site will bring much
14 needed tax revenue to the County through taxes paid on
15 property, both real and personal, and through wages paid to
16 employees. The company will have a low impact environmentally
17 on the subject area. They are - it's the same compliance with
18 air quality regulations. The company will have a low impact
19 on traffic in the area. The company will have a low impact
20 acoustically on the area. The location is already a business
21 site. Queen Creek (inaudible) storage and is currently
22 adjacent to the property. (Inaudible) company's present
23 operations and twice remarked to the owners that several times
24 how quiet the operations were. There was no smell (inaudible)
25 their entire operations, except some storage was contained

1 inside their buildings. And lastly I believe this company
2 would be a great corporate asset to Pinal County. That
3 includes the bullet points.

4 RIGGINS: Thank you.

5 SALAS: I have a question.

6 RIGGINS: Commissioner Salas.

7 SALAS: Is there any listing of what the wages are
8 going to be for these - supposed all these workers?

9 ABRAHAM: Maybe the applicant could answer that.

10 RIGGINS: Would the app - it's time for the
11 applicant to come back up and give any rebuttal you wish, or
12 any last closing comments to the Commission.

13 LAKE: Chairman, Commission Members, I will go ahead
14 and answer some questions. Specifically the wages. Some of
15 the lowest paid \$10-15 an hour, upward to \$20 an hour, salary
16 employees as well. And so that's a broad range of wages. I
17 don't have a list of all 22 or potentially 30 employees and
18 what their wages will be, but they'll be good quality, good
19 paying jobs. Let me address a couple of things. It was -
20 there was an accusation that there's some type of - I'm - not
21 above the board activity with Mr. Schnepf building a metal
22 building on the west side of his home. Now keep in mind that
23 our property, then Mr. Schnepf's home to the west, and then on
24 the other side of his home he's building a metal building to
25 store some of his goods. I don't know why that's - there's

1 something wrong with that. I know people build buildings on
2 the side of their homes to store their personal belongings all
3 the time. I don't understand where the - why that - to
4 interpret something bad about that. Let's see. The screens,
5 there was talk about the heavy weight of the trucking traffic
6 that will come. The big screens that they have and then they
7 fold up into these boxes weigh about 500 pounds. That's not
8 that heavy of a load, considering a lot of industrial uses or
9 manufacturing uses that you have. So there's really not a lot
10 of weight into that. Schnepf Road is an arterial roadway. It
11 is a section lined road, a mile lined road, and we've all seen
12 in the last 25 years that I've been down in Pinal County doing
13 rezoning projects, the transformation of the area. Schnepf
14 Road has gone from a small little sleepy road to the
15 proliferation of residential units that have been developed in
16 San Tan Valley, Queen Creek, Pinal County, and that traffic
17 that is happening south here is, as you pointed out, coming
18 north in the morning, and then going south in the evening. I
19 remember when we put together a plan to widen Ironwood Road
20 and how we were going to do that, to carry the traffic. Well
21 Ironwood is bursting at the seams, so what happens is people
22 use Kenworthy or they use Schnepf as alternative routes. Well
23 in the future, Schnepf is going to be a big main road, and it
24 will carry traffic north up and past Germann. As we all know,
25 Highway 24 which we take now to get off the loop road in

1 Phoenix, we take 24 to take it out to Ellsworth, 24 will be
2 extended all the way out to Meridian by Mesa and Queen Creek
3 here shortly. They have funding for that. And then that 24
4 will also then be extended out past this area, and so Schnepf
5 will be connecting into 24 at some time in the future. So a
6 lot of the traffic that you see from the development that's
7 occurred over the last 25 years, from the south will be coming
8 up and through Kenworthy and Schnepf, and Ironwood up into the
9 freeway system and dispersed through the project. Regardless
10 of whether we go here, there will be a substantial amount of
11 traffic on Schnepf Road. There's nothing I can do or change
12 about that. We don't produce much traffic. All of the
13 traffic that we produce will be coming and going from Schnepf
14 Road. The trucks that come onto this site will exit onto
15 either - or Joy or Airport, and then go straight to Schnepf
16 and then out. They will not be turning left or going west
17 through the neighborhood. No truck traffic will go west
18 through the neighborhood, we can direct that and make sure.
19 If you're comfortable, we can put signs out there that all
20 traffic goes directly to Schnepf and then out to the arterial
21 roadway system to get around the Valley. Let's see. Make
22 sure I - as far as setting a precedent, this is an unusual
23 case. Typically when I've come before this Commission in the
24 past, we're here to talk about farm land and developing and
25 changing the very nature of a property that has been farmed

1 for 50 to 100 years. This is not the case here. This is a
2 piece of property that has been used with these existing
3 buildings for 40-plus years, in an industrial-type
4 environment, with truck traffic and employees coming and going
5 from this site. We are - because it was utility, they didn't
6 require zoning. We are here to request zoning to have a
7 similar type of traffic or less, similar type of enclose.
8 We're actually more - we do all of our work in enclosed
9 buildings, whereas H2O didn't, so we feel we're less impactful
10 on the surrounding. We're also going to be putting up
11 perimeter landscaping and screen walls to enhance the
12 surrounding of the property. So we think we're less impactful
13 than the previous use that's been there for many years. We
14 think this is a great business, a great asset to come to Pinal
15 County. We think this is good jobs and good people, and a
16 score for Pinal County. So we would urge your recommendation
17 for support.

18 RIGGINS: Okay, Commissioners.

19 AGUIRRE-VOGLER : I have a question.

20 RIGGINS: Commissioner Aguirre-Vogler.

21 AGUIRRE-VOGLER: One of the concerns was the truck
22 traffic, and I don't think that was answered. And then
23 where's the entrance going to be? Off of Schnepf into what?

24 LAKE: The - Chairman, Commission Member, the main
25 point of access is off of Schnepf Road and that's where all

1 the employees will be coming and going into and from the site.

2 AGUIRRE-VOGLER: And they won't go in on a street
3 and then turn into the -

4 LAKE: Well the main point of access. There are
5 access points to the backyard that are off of Airport and Joy
6 where the trucks will be coming down, you know, a couple
7 hundred feet down Joy or Airport, go into the yard and then
8 their product, the box will be loaded and then they'll egress
9 out onto Joy Road and then out to Schnepf and then disperse
10 through the arterial roadway.

11 AGUIRRE-VOGLER: (Inaudible) is really going to be
12 off of Joy. I mean once you get off -

13 LAKE: They'll be a couple trucks that come and go,
14 but most of the traffic will be off of Schnepf with employees
15 and their passenger vehicles coming to the site and parking at
16 the office building.

17 AGUIRRE-VOGLER: So estimate kind of how many trucks
18 will be taking.

19 LAKE: We said - we're hoping to get upward of maybe
20 one semi a day, and then you'll have FedEx and DHL and UPS.

21 AGUIRRE-VOGLER: Okay, thank you.

22 RIGGINS: Okay, Commissioners? Commissioner Smyres.

23 SMYRES: Approximately, and I know this is a wild
24 guess, how many of the fold down screens do you ship a day?

25 ??: (Inaudible).

1 SMYRES: I'm sorry, how many?

2 LAKE: He said ten every two weeks.

3 ??: (Inaudible) go in one truck.

4 SMYRES: Okay. So you would ship - okay. Because
5 weight requirement, they're not going to go by UPS or FedEx.
6 Size requirement, I'm sure -

7 ??: (Inaudible).

8 ABRAHAM: Sir, can you go to the podium please?
9 Thank you.

10 SEVERTSON: We do a lot of home theater screens, as
11 well, so those get picked up just by your small parcel trucks.

12 SMYRES: But the larger ones would have to go out by
13 semi.

14 SEVERTSON: Yeah, the larger ones go out - well, I'm
15 not exactly sure what constitutes a semi. The larger FedEx
16 truck that comes to pick them up.

17 SMYRES: The weight requirement, size requirement,
18 (inaudible).

19 SEVERTSON: Yeah, 20 or (inaudible) that they'll
20 come and pick up, and they'll pick up - you know, we ship them
21 in bulk. People, usually when they order a movie screen, if
22 somebody orders a movie screen from us, they might be do 12,
23 all 12 theaters at one time. So we'll ship 12 theater screens
24 to them at one time. And that might come, like I said, once a
25 week or so that they'll come and pick up those things.

1 SMYRES: Okay, thank you.

2 RIGGINS: Thank you. Commissioner Putrick.

3 PUTRICK: Yeah, I'd just like to bring up the point
4 that if you'll look at what's happening in Queen Creek, that's
5 coming this way. That growth is coming this way. That
6 traffic is coming this way. And there's nothing - we don't
7 want to stop it, but those changes are going to happen. 24,
8 the so-called Gateway Freeway is going to run from 202 all the
9 way over to 60 east of here in Apache Junction eventually.
10 Ellsworth and Ironwood are the, sort of the North-South
11 Freeway at the moment, and that's why there's so much traffic.
12 Eventually when we have - whenever that is - the North-South
13 Freeway, that's going to relieve some of that north/south
14 traffic, but it may impact you as well because if you'll look
15 at the corridor, the proposed corridor by ADOT for the North-
16 South Freeway, it's going to be pretty close to where you guys
17 are. So there are a lot of things coming that are going to
18 change things over which the greater good of the County - and
19 that's what we're charged with is the greater good of the
20 County - for all 425,000 residents of the County. So we have
21 to, we have to take a broader view of these kinds of
22 developments. And I just, I say that every meeting, I think.
23 That's all I have. Thank you.

24 RIGGINS: Commissioners? Vice Chair Hartman.

25 HARTMAN: Chair Riggins. Shane. One of the things

1 that I wonder and worry about is when you get new uses of
2 parcels, the tax base. Under the utility, I'm sure they don't
3 pay that much taxes under utility, public service. So I - the
4 tax base, tell me about what will happen to the tax base?

5 LAKE: Well, Chairman, Commissioner Member, the tax
6 for property, my understanding the utility does not pay taxes
7 on property for a utility, so it's zero. And so when it - it
8 will then convert to private property or private use, and then
9 it is taxed at the commercial rate, the County's commercial
10 rate. So there will be new source of revenue. And then when
11 you run an operation out of it, you'll all of a sudden have
12 more than just property tax and sales tax and other type of
13 taxes that will be applied by the utilization of this
14 property, as opposed to just sitting there and doing nothing.

15 RIGGINS: Thank you. Commissioners, any other
16 questions of the applicant? Okay. Thank you very much. All
17 right, I'll turn it back to the Commission then for any
18 further discussion on these cases, or motions. Whatever
19 direction is the pleasure of the Commission. Does he - there
20 we are. Yes.

21 LANGLITZ: Mr. Chair, if we may, we've been
22 discussing briefly here the issue of truck traffic, and we're
23 thinking of adding a stipulation which Enrique will read to
24 you, which will basically keep truck traffic consistent with a
25 diagram that's shown that will basically just go around the

1 property, that's it. If it comes in on Joy, just to the back
2 of the property and back out, and onto Schnepf, so that the
3 truck traffic will not go further west into the neighborhoods.

4 RIGGINS: Are you contemplating a stipulation that's
5 binding on the property?

6 LANGLITZ: Yes, it would be a stipulation to the
7 PAD.

8 RIGGINS: Yeah, mm hm.

9 LANGLITZ: And we have not discussed -

10 RIGGINS: That's good, because I was planning on
11 introducing one anyway, so it makes it simpler.

12 LANGLITZ: I was reading your mind, Mr. Chair. We
13 have not discussed that yet with Mr. Lake or the applicant,
14 but it's pretty straight-forward. Would you like Enrique to
15 read what we've come up with?

16 RIGGINS: Would the Commission like to hear that at
17 this point? Let's go ahead and let them read this,
18 Commissioner Salas and -

19 SALAS: It's pertaining to what he's going to read.

20 RIGGINS: Okay, well then go ahead. Commissioner
21 Salas.

22 SALAS: My question is, is this going to affect the
23 advice that these people have been given to turn in their
24 petition and whatever action's going to be taken or not?

25 LANGLITZ: Mr. Chair, Commissioner Salas, no.

1 Absolutely not. They will have an opportunity between now and
2 when this goes to the Board of Supervisors to file their
3 written protest, and if the numbers meet, I think it's 20
4 percent within 300 feet, then it would require a super
5 majority of the Board of Supervisors to approve it, which is
6 basically four out of five. And between now and then if there
7 were more stipulations to be added, they could. The Board of
8 Supervisors is not bound to adopt just what is recommended by
9 the Commission.

10 AGUIRRE-VOGLER: Can I ask one more question
11 regarding traffic?

12 RIGGINS: Commissioner Aguirre-Vogler.

13 AGUIRRE-VOGLER: And long with that, am I correct in
14 assuming that there is a traffic analysis as well that goes
15 along with this? Thank you.

16 RIGGINS: Okay, so the Board's - the Commission's
17 pleasure, would we like to hear what they're proposing? Okay,
18 please.

19 BOJORQUEZ: Mr. Chairman, staff proposes an
20 additional stipulation number 27 as shown on the screen over
21 there. This would read truck circulations shall adhere to the
22 circulation plan outlined on page 9 of the submitted PAD
23 narrative dated September 7, 2016. And I would also like to
24 point out an update to stipulation number 15, which shall read
25 landscaping shall be provided and maintained by the applicant,

1 owner, and developer. And once again, this would be for a
2 total of 27 stipulations now.

3 AGUIRRE-VOGLER: And the 27 stipulations are
4 attached to all of this? Because PZ-004 has two stipulations,
5 so I'm a little confused as how you wrote this.

6 BOJORQUEZ: Mr. Chairman, Commissioner Vogler, there
7 are 26 stipulations that - the two stipulations that are on
8 there are for, essentially for the zoning. This stipulation
9 will be for the PAD, and -

10 AGUIRRE-VOGLER: Two PADs, right? No, you had one.
11 I see.

12 BOJORQUEZ: Yes, that would be the last set of
13 stipulations. Currently you have 26, but we are proposing
14 number 27, as shown on the screen up there.

15 RIGGINS: And that ties back into their circulation
16 system. That pretty much ties back into their development
17 plan. So okay. Yes.

18 LAKE: We concur with the additional stipulation.

19 RIGGINS: Oh, that makes it even easier. Okay,
20 Commission, comments, discussion concerning these cases?
21 Motions, whatever anybody wishes to...

22 SALAS: I'll move.

23 RIGGINS: Commissioner Salas.

24 SALAS: I move that we decline the petitioner for
25 rezoning.

1 RIGGINS: Okay.

2 SALAS: On those three, whatever those number,
3 (inaudible) we accumulated together.

4 RIGGINS: You want to read into the record the case
5 number that we're dealing with here, Frank?

6 SALAS: Yeah.

7 LANGLITZ: Mr. Chair?

8 RIGGINS: Yes.

9 LANGLITZ: Again, if I may. The Commission should
10 consider each item separately, and vote on each item
11 separately.

12 RIGGINS: Certainly.

13 LANGLITZ: Probably in order of the way they're -
14 they show up on the agenda.

15 RIGGINS: Beyond a shadow of a doubt.

16 AGUIRRE-VOGLER: Which one are you -

17 RIGGINS: Frank, it would be the first, the first
18 number that's listed in that line of numbers you have on the
19 blue sheet there.

20 HARTMAN: Page 9.

21 SALAS: PZ-PA-005-16, PZ-

22 RIGGINS: No, just that one. That's - we'll vote on
23 that one first. So Commissioner Salas has made a motion to
24 recommend to decline case number PZ-PA-005-16. Is there a
25 second to the motion? In that case that motion dies from the

1 lack of a second.

2 AGUIRRE-VOGLER: So I'll make a motion.

3 RIGGINS: Commissioner Aguirre-Vogler.

4 AGUIRRE-VOGLER: Make a motion to recommend that the
5 Commission forward PZ-PA-005-16 to the Board of Supervisors
6 with a favorable recommendation, with the attached 27
7 stipulations.

8 RIGGINS: Noting modifications of stipulation 15.

9 ABRAHAM: Mr. Chair, no stipulations on the Comp
10 Plan amendment case. The 27 stipulations would end up on the
11 PAD case.

12 AGUIRRE-VOGLER: Thank you.

13 RIGGINS: That's correct. Thank you very much.
14 Okay, so we have a motion.

15 SALAS: Mr. Chairman.

16 RIGGINS: Yes, Commissioner Salas.

17 SALAS: (Inaudible) information. I was making a
18 motion on these three and I was told to do it separately for
19 each one, and now you've allowed another motion to go on top
20 of what I'm proposing. So I think that the Commission has the
21 opportunity to vote the other ones up or down.

22 RIGGINS: We have a situation here to where we have
23 three cases. We've been hearing the three cases as a single
24 case up to this point. At the time of voting, each case will
25 have to be voted on individually. So you made a motion on the

1 first case -

2 SALAS: And I'm proposing that, you know, I thought
3 I had the floor on these three motions.

4 RIGGINS: The first motion - after this first one,
5 we're going to vote on every single one of them. Every one of
6 them. So back to we had a - we had the first motion to
7 decline, died for lack of a second. We have a new motion on
8 the floor for PZ-PA-005-16, it's a motion to refer with a
9 favorable recommendation. Do we have a second?

10 PUTRICK: I'll second.

11 RIGGINS: Commissioner Putrick seconds. In that
12 case, let's go ahead and do a roll call vote on this. Please.

13 ABRAHAM: This will be a roll call vote on case PZ-
14 PA-005-16, with a motion to approve. Commissioner Ault.

15 AULT: Yes.

16 ABRAHAM: Commissioner Salas.

17 SALAS: (Inaudible).

18 ABRAHAM: Commissioner Shearer. He is not here
19 today. Commissioner Putrick.

20 PUTRICK: Yes.

21 ABRAHAM: Commissioner Smyres.

22 SMYRES: No.

23 ABRAHAM: Commissioner Aguirre-Vogler.

24 AGUIRRE-VOGLER: Yes.

25 ABRAHAM: Vice Chair Hartman.

1 HARTMAN: Yes.

2 ABRAHAM: Chairman Riggins.

3 RIGGINS: Yes.

4 ABRAHAM: 1, 2, 3, 4, 5 - 5 to 2, the motion
5 carries.

6 RIGGINS: Okay. We now need a motion on case PZ-
7 004-16.

8 AGUIRRE-VOGLER: I'll make that motion.

9 RIGGINS: Commissioner Aguirre-Vogler.

10 AGUIRRE-VOGLER: Recommend the Commission forward
11 PZ-004-16 to the Board of Supervisors with a favorable
12 recommendation, with the attached stipulations. And this
13 where I - that's two stipulations on that one?

14 ABRAHAM: Correct.

15 RIGGINS: Okay, we have a motion, do we have a
16 second?

17 PUTRICK: I'll second.

18 RIGGINS: Commissioner Putrick seconds.

19 RIGGINS: Let's go ahead and let's continue with
20 roll call votes for it.

21 ABRAHAM: This is a motion to approve case PZ- 004-
22 16, with attached two stipulations. Commissioner Ault.

23 AULT: Yes.

24 ABRAHAM: Commissioner Salas.

25 SALAS: No.

1 ABRAHAM: Commissioner Putrick.

2 PUTRICK: Yes.

3 ABRAHAM: Commissioner Smyres.

4 SMYRES: No.

5 ABRAHAM: Commissioner Aguirre-Vogler.

6 AGUIRRE-VOGLER: Yes.

7 ABRAHAM: Vice Chair Hartman.

8 HARTMAN: Yes.

9 ABRAHAM: Chairman Riggins.

10 RIGGINS: Yes.

11 ABRAHAM: The motion carries 5 to 2.

12 RIGGINS: Carries. 5 to 2. We have one more case
13 that we need to have a motion on.

14 AGUIRRE-VOGLER: I'll make that motion.

15 RIGGINS: Commissioner Aguirre-Vogler.

16 AGUIRRE-VOGLER: I recommend the Commission forward
17 PZ-PD-004-16 to the Board of Supervisors with a favorable
18 recommendation, with the attached 27 stipulations.

19 RIGGINS: And do we have a second?

20 HARTMAN: I'll second the motion.

21 RIGGINS: Vice Chair Hartman seconds.

22 RIGGINS: And let's finish off with a final roll
23 call vote.

24 ABRAHAM: This is a motion to approve case PZ- PD-
25 004-16, with 27 stipulations, as amended by staff and the

1 Commission. Commissioner Ault.

2 AULT: Yes.

3 ABRAHAM: Commissioner Salas.

4 SALAS: No.

5 ABRAHAM: Commissioner Putrick.

6 PUTRICK: Yes.

7 ABRAHAM: Commissioner Smyres.

8 SMYRES: No.

9 ABRAHAM: Commissioner Aguirre-Vogler.

10 AGUIRRE-VOGLER: Yes.

11 ABRAHAM: Vice Chair Hartman.

12 HARTMAN: Yes.

13 ABRAHAM: Chairman Riggins.

14 RIGGINS: Yes.

15 ABRAHAM: Motion carries 5 to 2.

16 RIGGINS: Okay. We have passed this series of cases

17 onto the Board of Supervisors with a favorable recommendation.

18 There is still a great deal of public process between now and

19 the Board of Supervisors case. I certainly encourage all

20 parties to pursue their options and to look into things to -

21 for their best interests, and I wish everybody good luck in

22 going forward with these cases and this aspect of development

23 in that part of the County. Thank you very much.

24 HARTMAN: Going to call for recess?

25 RIGGINS: And we'll call for a ten minute recess,

1 please.

2 HARTMAN: Thank you, Chair.

3 RIGGINS: I believe we are now hearing case SUP-015-
4 15?

5 ABRAHAM: That is correct.

6 BALMER: Mr. Chairman, Members of the Commission,
7 this is SUP-015-15. It is a proposal for a Special Use Permit
8 to operate a private motocross facility on approximately 12
9 acres. It's located about a mile east of Highway 79 in
10 Florence. I have a map coming up that will show you the exact
11 location. The applicant is Michael Corral. We didn't get any
12 letters in support or opposition for this case. We have a
13 County map. We're right basically in the heart of Florence,
14 in the middle of the County there. So getting in a little
15 closer, the subject property on this map is in red. The brown
16 areas to the south and the west are the Town of Florence. The
17 yellow area north of the property is BLM Land, and that kind
18 of pinkish color towards the top is the National Guard.
19 Comprehensive Plan Designation is Very Low Density
20 Residential. The existing zoning on this property is GR, and
21 that's really consistent with the surrounding properties.
22 Pretty much everything in the area is zoned General Rural. I
23 have an aerial of the site. There's not a lot to look at.
24 It's currently vacant. There - it does appear to be used as
25 an illegal dump of sorts. This is the applicant site plan.

1 He's proposing some parking on the northern end of the
2 property and two motocross tracks towards the southern end. I
3 went out and took some - actually two rounds of photos. The
4 first are right in front of the subject property. This is
5 north. You can see where adjacent there's a San Carlos
6 irrigation channel on the north part of the property. This is
7 looking north across that. This is south, I'm just inside of
8 the property line there looking into the subject property.
9 This is east long that - the easement, the canal road. And
10 this would be west, back towards Highway 79. I did take one
11 additional picture from the access point off of 79. I also
12 wanted to point out a few other things in this aerial. I
13 mentioned in the staff report kind of the surrounding uses of
14 the property. The nearest neighbor of the property is the
15 Fisher Sand & Gravel operation. It's about a quarter mile or
16 so south of the property, actually in the Gila River. You can
17 kind of see the National Guard to the northwest in this
18 picture, and really from a, you know, a planning perspective I
19 know you've seen similar applications in the past where, you
20 know, they were adjacent to residential development, this one
21 from a staff's perspective is actually probably in a pretty
22 good location for this type of activity. There's no, no
23 residences in the area. The closest residence is actually
24 associated with the River Bottom Grill right on Highway 79
25 there. So this last picture, I just wanted because the

1 subject property's back down the road a little bit. I just
2 wanted to take one picture. This is what it looks like when
3 you turn off of Highway 79 and head back towards the property
4 to the east there. You can see a little bit of the River
5 Bottom Grill, just kind of for perspective on the left-hand
6 side of this picture. With that, staff does recommend
7 approval of this Special Use Permit. I've included 17
8 stipulations in your staff report, and I would be happy to
9 answer any questions the Commission might have.

10 RIGGINS: Yes, I have a question right off, right
11 off the bat. Looking at this aerial photograph, it appears to
12 me that the only access to this property that is shown is
13 along the maintenance easement of San Carlos North Canal.

14 BALMER: That is correct, Mr. Chairman.

15 RIGGINS: And that is not a private easement for
16 anyone to use. That is illegal.

17 BALMER: In this case the applicant can actually
18 probably talk a little bit more about this. He's been working
19 diligently on this. There is not an existing easement for
20 that canal, private or public. The only easement -

21 RIGGINS: The maintenance on an irrigation ditch is
22 always reserved onto the irrigation district, and it's - you
23 know, they can close that and lock that anytime they please.

24 BALMER: The - I'll let the applicant get into that.
25 He actually talked to the irrigation district. We have had

1 several staff meetings with different legal and public works,
2 and I've met with the people who work our right-of-way. They
3 went through the records and were unable to find anything
4 relating to that canal. Mr. Corral established - went through
5 the process to establish a private easement for his use and
6 the property owner's use between him and Highway 79. I think
7 there were three or four other property owners. So he does
8 have an easement in place from Highway 79 to his property.

9 RIGGINS: Along the San Carlos lateral.

10 BALMER: That is correct.

11 RIGGINS: Interesting to hear that described. Okay,
12 well we will get into it as we go. Vice Chair Hartman.

13 HARTMAN: Chair Riggins. Evan and Chair Riggins, I
14 think State law requires that a parcel not be landlocked, and
15 so he needs some source of ingress/egress to that property.

16 BALMER: That is correct, and that's one of the kind
17 of issues the applicant has had to work through to get to this
18 point. The parcels that were created are all over ten acres,
19 so none of them went through our minor land division process.
20 In the Minor Land Division process we look for legal access
21 and things like that, but that's only if the parcels that are
22 created are less than ten acres. So there's this subject
23 property and there are a few others along that canal there
24 that also did not - this is their only form of access, but
25 they were never reviewed by the County when they were created.

1 RIGGINS: Well again, a form of access over
2 something that's specifically prohibited legally is not a form
3 of access. Generally you go get a presumptive access from a
4 court award on a piece of landlocked property is the way you
5 go, but a San Carlos lateral is not an access.

6 BALMER: That's - again, I'll let the applicant get
7 into that. He's done a little more work on this than I have.
8 He did secure an easement to the property from the adjoining
9 property owners. That is included in your packet as well.

10 RIGGINS: Okay. Vice Chair Hartman.

11 HARTMAN: Okay, Chair Riggins. Evan, another -
12 let's go to the stipulations. I - when I first was reading
13 the case, and I didn't read it thoroughly - I was reading it
14 thoroughly, but I came upon stipulations that the use limited
15 to owners of the property. And then I saw some place else
16 where there's like 40 owners. I thought to myself, boy he
17 must have a big family if he's gonna just going to just use
18 this just strictly for his family use. But - and that's what
19 I kind of read into it. But then I saw where he has probably
20 40 owners, and the applicant can discuss that, but my question
21 is I didn't see anything about fencing or anything, and how
22 are you going to limit it to family or the owners only, if
23 it's not even fenced? So I had a question on maybe should
24 fencing? Because that's going to be what I call an attractive
25 nuisance. There's going to be a lot of people that would like

1 to go out there and buzz around on that course.

2 BALMER: Mr. Chair, Vice Chair Hartman, there is
3 some fencing existing along the northern end of the property,
4 and as far as the ownership situation, the narrative included
5 in the application gets into it a little bit. I'll let
6 Michael get into kind of the specifics on that, that aspect of
7 it and how that part will work. There is fencing. I don't
8 believe the entire property is fenced, but there is fencing on
9 three sides of the property.

10 HARTMAN: Okay, we'll ask the applicant that
11 question. He can explain it. Okay, thank you. Chair
12 Riggins.

13 RIGGINS: Very good. Well let's have the applicant
14 come up and let's...

15 CORRAL: My name is Michael Corral, River Bottom
16 Motocross. Went through about a six month process looking for
17 a specific parcel. Things that we were looking for in a
18 parcel was, number one, a little bit of seclusion. We were
19 looking for an area where we didn't feel that there would be
20 homes coming down the pipeline. We were looking for, I guess
21 what you would - as a property owner look for the least
22 desirable piece of property. Putting myself in the frame of
23 mind, if I was a homeowner, what would I want to have around
24 my home? Well number one, obviously I can't build structures
25 financially. I mean like anything, you can build anything

1 anywhere, but from a fiscal standpoint, building in a
2 floodplain a residential structure is a huge problem. Number
3 two, who are my neighbors? Right? I mean if I was going to
4 build a home, do I want to build a home with a view of a
5 gravel pit? Do I want to build a home with a predominant view
6 of a prison? These are things that when I was looking for a
7 parcel of land where what would be unattractive to most, was
8 attractive to me because it's gonna present a situation where
9 we're not going to have - or it'll be less desirable for
10 normal homes and etc. to encroach on the property, thereby
11 creating less problems down the pipeline for us to be able to
12 go out and enjoy the motocross tracks. You were asking about
13 fencing on the property. The property right now is currently
14 fenced on three sides. We will be adding fencing on the
15 fourth side. There is a liability that will be going onto the
16 property and part of the stipulations of the liability, of
17 course, is fencing. There will be extensive no trespassing,
18 private properties. You were right in terms of yeah, this is
19 - would be a very desirable thing to build. We need to
20 control it, we understand the liability that is entailed in
21 this, and we're going to be dealing with that appropriately,
22 with our insurance people. And obviously to protect our own
23 rights. You were asking about easement. The properties -
24 this property right here was a 2001, 20005C, and the two
25 properties to the east, our property lines are actually the

1 center line of the canal. So the canal itself and the road is
2 technically on the property, and there is an easement in place
3 for the San Carlos Water District, it historically is the
4 Aztec Water Canal. I've been going way, way back. And the
5 agreement with - obviously you're right. They have the
6 ability to, at any time, go through that area for the
7 maintenance of, but their understanding is is that their canal
8 is partially on my property. We don't block the road, they
9 don't block the road. It's kind of a mutual harmony thing.
10 I've also met with them, and they understand that the biggest
11 problem that they had with the maintenance on the canal is
12 there's people who think that an open hole on the ground is a
13 wonderful place to dump things. Well the reason it's more of
14 a place to dump things is because there's nobody out there.
15 There's no eyes and ears, things like that will happen.
16 There's probably 2,000 tires that have been dumped on the
17 property at some point that we will have to deal with as part
18 of our development. Directly across from my property on I -
19 what's the name of the owner? I'm brain - anyway. The
20 property directly across from me, there's a couch out there,
21 there's just trash, it's - it is unfortunately a lot of
22 illegal dumping that happens out there. The ultimate hope is
23 is that as there is the presence of people out there, people
24 who have and own - who own it, have a stake in this area, a
25 lot of this will be gone. It'll disappear. Will it go

1 somewhere else? Probably yeah. You know, they'll find the
2 next place where there's not people running around to do their
3 illegal activities. Questions?

4 RIGGINS: Commissioners? Commissioner Salas.

5 SALAS: Did I understand, I know that your access
6 can be rejected at any time?

7 CORRAL: No, we have a legal easement signed and in
8 place. There is a small path of land as you're coming off
9 high - off of highway 79, and that is parallel - it's
10 basically wedged between the River Bottom Bar and Grill to the
11 north, and to the south Eddie Taylor, the Taylor Family Trust.
12 And we have a legal easement through there, and we also - but
13 then at that point, that parcel dead ends at the property
14 owned by James Gloria. The Gloria family who owned the parcel
15 all as one lot at one point, and then it got subdivided in a
16 divorce. That little stash through there dead ends at the
17 parcel of James Gloria. The road then continues through the
18 property of James Gloria into Manual Gloria, into the parcel
19 that we're talking about now, and all those parcels are
20 included on the access easement that you have in your packet,
21 along with, you know, the recording of the easement, all the
22 surveys, etc.

23 RIGGINS: But that easement dead ends into another
24 private parcel somewhere to the west.

25 CORRAL: That dead ends - no, from my property it

1 goes continuous to Highway 79 to the west. To the east it
2 goes into the adjacent property owner, and that property
3 owner, I believe their property goes north all the way to
4 Price Road.

5 RIGGINS: But that easement has no road whatsoever
6 on it at this time.

7 CORRAL: I'm not understanding.

8 RIGGINS: I've got an aerial here, and there's the
9 only, the only thing into your property is the North Canal.

10 CORRAL: That's correct. The legal easement comes
11 off the other side off of Bonnybrooke - Bonny -

12 RIGGINS: But it - so at this point in time, there
13 is no - there might be an easement, but there's no vehicular
14 access there.

15 CORRAL: No, there's vehicular access. You can go
16 up and down that - people have been historically going up and
17 down that canal road for -

18 RIGGINS: Just because people do things
19 historically, doesn't mean (inaudible).

20 CORRAL: I understand that, and the lawyer who
21 drafted all this and who put all this together, dealt with -
22 you're right, there is a - and Mr. Hartman was correct, you
23 cannot landlock in the State of Arizona. So there's two
24 options. There are legal access, which the County provided
25 during this - you know, they basically ran that Bonnybrooke

1 across the river, so that the County covered their interests
2 or, you know, to give it a legal way. Well, who the - do you
3 all want to build a bridge across the river bottom there?
4 It's not feasible or practical. So then the next is a right
5 of necessity. There's also a historical right. So right of
6 necessity, we could have - I could have taken all of the
7 adjacent property owners to court and bullied my way through.
8 I went another way, and said hey look, let's get this thing
9 surveyed, let's make everybody happy, let's do the good
10 neighbor policy. So I could have went that route, but I
11 decided to go the other way and get everybody on the same
12 page. And hey look, we have a problem out here. Right now
13 the County shows us coming across Bonnybrooke, you know? We
14 have this other road that's there, let's create the right of
15 necessity way, and we put everything legally on paper and
16 recorded it.

17 RIGGINS: But that can't be on the southern side of
18 the San Carlos easement on the North Canal. You can't
19 establish a right of way there.

20 CORRAL: It's my property.

21 RIGGINS: Well I got property that goes through the
22 center of Attaway Road, but I guarantee you there's a road
23 there and I -

24 CORRAL: But that doesn't prevent you from driving
25 down Attaway Road.

1 RIGGINS: That's because it's a public-declared
2 road.

3 CORRAL: This is a private easement, sir. It's
4 recorded as a private easement.

5 RIGGINS: I'm afraid we have a major difference of
6 opinion.

7 CORRAL: Okay. Well that's fine. I respect that
8 sir.

9 RIGGINS: (Inaudible) that. Not only the fact, you
10 know, you're speaking to a two mile long dirt road that's 100
11 percent based in silt, and absolutely comes apart and goes
12 crazy dust-wise with much traffic. I've been taking water
13 down the North Canal since 1986. I'm quite familiar with the
14 area. I think we have a major problem here. I think we have
15 a major problem as far as this easement is concerned. I've
16 seen where people have tried to claim that, the way they get
17 in and out of things is San Carlos Easements or Salt River
18 Project easements, or RWCD easements, it always ends bad.
19 It's not a good thing. And at the very most, I feel maybe a
20 continuance could be done here for more research to be done.
21 But I think we have a problem here. I don't think we can do
22 this.

23 LANGLITZ: Mr. Chair, I may need to catch up a
24 little bit here. I'm not sure what the issue is. The
25 applicant doesn't own it, but is leasing it.

1 CORRAL: We've obtained an easement from the owner.
2 The owners have an agreement that we can drive across each
3 other's properties.

4 LANGLITZ: Okay. From your property to 79, you have
5 a private easement.

6 CORRAL: Correct.

7 LANGLITZ: For that, which has been recorded.

8 CORRAL: Correct.

9 LANGLITZ: Which okay, without looking at the
10 easement to see exactly what it says, if it's a typical type
11 of easement in perpetuity, it's a permanent right of a right-
12 of-way, ingress and egress, over the land of the grantor to
13 Mr. Corral who is the grantee. Or the owner of the land is
14 the grantee, and the owner's going to let you use that.

15 CORRAL: Correct.

16 LANGLITZ: Right. So he has legal access.

17 RIGGINS: No. This easement agreement is between
18 various property owners. I don't know where this exists in
19 space. I don't know where it is. If all of them have agreed
20 to grant sections of the San Carlos maintenance easement to go
21 up and down on, a prominent signor that doesn't exist on this
22 document is the San Carlos Irrigation and Drainage District.
23 I - you cannot use as your principle easement in and out of
24 your property, the only easement you have, you cannot use a
25 maintenance easement from the Irrigation District. Now if he

1 has another easement that's somewhere up and down this, it's
2 not been improved yet, nobody's driving on it, because it's
3 not in the picture.

4 LANGLITZ: Correct. If the Irrigation District was
5 granted an easement for certain, you know, purposes, the - if
6 it was not made exclusive -

7 RIGGINS: You can see the documentation that was
8 done for placement of easements from San Carlos back in the
9 1800s, believe me. they totally control it, there's been so
10 many problems with them over the years, it's one of those
11 things that you cannot have your principle and only way in and
12 out of your property on the San Carlos irrigation canal
13 easement. You can't.

14 LANGLITZ: I do not understand. Is that the case
15 here? The applicant -

16 RIGGINS: Yes. The way he gets in and out to
17 Highway 79 is on the North Canal.

18 CORRAL: Actually the south side, but -

19 RIGGINS: Well the canal is called the North Canal.

20 LANGLITZ: Yeah, I can't say unless I look at these
21 easements, but in very general terms, if the Irrigation
22 District was granted an easement for certain uses, if that
23 easement was exclusive, then the land owner or the owner of
24 the land over which that easement goes, would not be able to
25 grant any additional rights. If the easement that was granted

1 to the Irrigation District is not exclusive, it - the land
2 owner could, but then again my guess would be there'd be
3 language that if someone else was gonna use it, they wouldn't
4 be able to interfere with the use by the Irrigation District.
5 In other words, they would have first rights.

6 RIGGINS: Irrigation District access and maintenance
7 easements are very specific things, and because of the desert
8 nature of this State, are incredibly protected in all
9 encompassing documents. If you've never really dealt with
10 one, you'd be very surprised what they do. Obviously
11 irrigation districts are incredibly concerned about liability
12 of people traveling up and down their easements. They do all
13 sorts of things all the time to stop that kind of stuff. Now,
14 if there was a document in here from San Carlos Irrigation &
15 Drainage District that said sure, you can drive up and down
16 the North Canal to your heart's content and go to your
17 property, signed San Carlos Irrigation District, that would
18 certainly change this now, wouldn't it? But the way it is now
19 through the experience I have on this very same lateral with
20 30-some years of experience legally of things that happened
21 with this, I'm telling you this is a problem. And at the
22 very, very least, this should be continued and it should be
23 investigated to make sure that this can happen at all.

24 LANGLITZ: Yeah, I can't say without looking at that
25 original easement what the rights of the Irrigation District

1 are. Whatever rights they have, would have to appear in that
2 instrument. I don't know what that is. If it is a right that
3 was granted exclusively to the Irrigation District, yeah I'd
4 say there is a good -

5 RIGGINS: (Inaudible)? They can even be moved.

6 It's amazing what they can do. It's amazing the power they
7 had when they put these in. Go right ahead.

8 PUTRICK: Just as an example. The Town of Florence,
9 building the library over here, the (inaudible) Canal goes by
10 that. Somebody called up there San Carlos and said what do we
11 need to do? And they said you need to cover it. So they said
12 oh okay. And they went out and they bought some cheap covers,
13 \$200,000 worth, to cover the canal. And San Carlos came out
14 to inspect it, they said these are no good. You have to use
15 these kind of covers over the canal to protect the canal. So
16 they ended up spending another \$600,000 to get the correct
17 covers for the canal where it goes by - through the property
18 over there at the territory square where the library is and
19 the aqua center. It comes down and then makes the head west.
20 So those last minute kind of things you could be subjected to
21 those kinds of things. Just as a precaution.

22 RIGGINS: I know beyond the shadow of a doubt, the
23 easements and the problems with easements that go on in the
24 San Carlos Irrigation and Drainage District, and I believe it
25 is totally improper to forward this on without that being

1 totally reconciled. Because we have a two mile travel
2 alongside an illegal right-of-way for public travel, to egress
3 this property. Now yes, he can get, he can get a right-of-way
4 by necessity through a court order anytime he wants to. No
5 telling where it's going to come out, but then that's, that's
6 where the easement is from that point in time. You can't
7 landlock a property, but you cannot force this to be your
8 easement. It can be stopped easily. And like I say, talk
9 about an air pollution nightmare. You put - I mean - that
10 kind - I mean that whole thing is the river bottom. It's
11 silt. You put extra traffic on that thing and it just busts
12 apart in ways you can't believe. So we have a major problem
13 with this case.

14 LANGLITZ: Mr. Chair, what it seems like then is if
15 the Commission wants to continue it to the next meeting in
16 November, and in the meantime I would ask the applicant to
17 have his attorney who helped draft these documents get in
18 touch with me and we can take a look at the history of this
19 and take a look at the actual instruments and we can figure
20 out what rights do exist or do not exist. I'm not debating
21 anything, I mean I don't know until I look at it.

22 RIGGINS: I tell you what, if all this stuff is okay
23 with San Carlos, then it should be very easy to obtain a
24 document from San Carlos that says oh sure, that's fine. Go
25 ahead.

1 LANGLITZ: San Carlos may have to be a party, may
2 have to grant its consent to this use.

3 RIGGINS: You're taking an easement over their
4 facilities, I would say there's no doubt that they would have
5 to.

6 LANGLITZ: Again, I'm just speculating without - I
7 can remove all the speculation once I take a look at the
8 instruments and see what they say, then we'll know for sure.
9 But I don't know right now.

10 RIGGINS: It would be entirely wrecked and they
11 could call up to the general manager of San Carlos, ask a
12 quick question and we'll find out (inaudible) things. So -

13 LANGLITZ: Yeah, I would ask the applicant and his
14 attorney to do that work and then just get in touch with me so
15 that I can make - get an educated opinion as to what's going
16 on here. But I think a requirement would be that he would
17 need to have legal access to the site and if it turns out the
18 Irrigation District (inaudible) not legal access, he very well
19 may have establish an easement by necessity. But then again,
20 that would be, the actual location of that, will be determined
21 and it will be in a court order, which -

22 AGUIRRE-VOGLER: So I have another question.

23 RIGGINS: Commissioner Aguirre-Vogler.

24 AGUIRRE-VOGLER: According to this addendum on the
25 real estate, you really don't own the property so when you

1 grant an SUP, how do we do that as far as if he doesn't really
2 own the property? It's being granted to the owner? Or to the
3 property or what? Why hasn't it taken place? It's supposed
4 to on or before April 15th.

5 CORRAL: It's been extended multiple times.

6 AGUIRRE-VOGLER: But that document isn't, isn't in
7 here?

8 CORRAL: I can have that for you.

9 BALMER: Mr. Chair, Commissioner Aguirre-Vogler.
10 The Special Use Permit would be granted to the property.

11 AGUIRRE-VOGLER: Well I have issues with that many
12 owners too because who controls that? Who would know how
13 actually is part of it and it's kind of a very complicated
14 case, in my opinion.

15 CORRAL: It's actually very straight-forward. To
16 access the property you would need to be an owner. Everything
17 is -

18 ABRAHAM: Mike can you get a little closer to the
19 mic, please?

20 CORRAL: Everything is going to be closed off and
21 locked.

22 AGUIRRE-VOGLER: Oh, okay.

23 CORRAL: To get into there, you need to be an owner.
24 In addition to that, we have - think club. Every vehicle
25 that's on the property is registered with the club. Every

1 motorcycle that will ride on the track is registered with the
2 club.

3 AGUIRRE-VOGLER: Okay.

4 CORRAL: And it is in my interest as a part owner of
5 this club, if I see something that's going wrong, while it's
6 my insurance policy by default, I'm going to want to know
7 what's going on.

8 AGUIRRE-VOGLER: Right.

9 CORRAL: So there will be a lot of self-policing by
10 very interested parties, which would be the owners of the
11 track.

12 RIGGINS: I'm sorry, everybody's mentioned that
13 they've seen the number, for some reason I can't find it.

14 AGUIRRE-VOGLER: It would be -

15 HARTMAN: 40.

16 RIGGINS: 40, right there, that's pretty easy to
17 find. What if over time you decide to divide that it become
18 340?

19 CORRAL: Well as the - the way I read the
20 stipulation was any modifications from what I have requested,
21 I would have to come back for - I mean right from if I wanted
22 to go beyond daylight hours. If I wanted to add any kind of
23 electricity or anything like that.

24 RIGGINS: Those are physical operating aspects that
25 are controlled by stipulations. But the number of owners

1 you're not controlled by stipulations.

2 CORRAL: Well I have no problem with that being in
3 there, because the reality is that it needs to be a balance
4 between what is safe and affordable. 300 owners, not safe.

5 RIGGINS: Okay. Any other questions for the
6 applicant? Any other questions for us?

7 CORRAL: No, it sounds like there's some more work
8 to be done.

9 RIGGINS: Okay. Thank you very much.
10 Commissioners? I'll turn it back to you with question to
11 staff. Or a motion.

12 PUTRICK: I move that we continue this case to the
13 November meeting. And I don't know what the - what's the date
14 in November?

15 ABRAHAM: November 17th.

16 PUTRICK: November 17th, in order to give the
17 applicant and the attorneys an opportunity to share
18 information and come to some kind of a conclusion that they
19 can present (inaudible).

20 AGUIRRE-VOGLER: I'll second that.

21 RIGGINS: A motion and a second for a continuation
22 to the next regular meeting. All those in favor signify by
23 saying aye.

24 COLLECTIVE: Aye.

25 RIGGINS: Opposed?

1 HARTMAN: Nay.

2 RIGGINS: We have one. Okay. Well then go ahead
3 and work with staff and try to work through some of these
4 issues, and we'll see you in a month. Okay, we'll now move
5 onto case SUP-004-16.

6 BALMER: Mr. Chair, Members of the Commission, this
7 is SUP-004-16. It's a request for a Special Use Permit to
8 increase the width of an existing wireless communication
9 antenna array on an existing stealth facility, which is a
10 ballfield light at Walker Butte School from 4'4" to 12'6" and
11 increase the length of the standoff mounting fixture from 5.5"
12 to 3'. The parcel is 21.39 acres. As I mentioned, it's
13 Walker Butte School. It's on Desert Willow, it's on the
14 Johnson Ranch PAD. The applicant is David McKinley with Crown
15 Castle. This one we did get on letter in opposition, and none
16 in support. On the County map you can see that we are in the
17 San Tan Valley area. Getting in a little closer here, the
18 subject property is in red. It's, as I mentioned, part of the
19 Johnson Ranch PAD. The blue areas surrounding it are State
20 Land. The Comprehensive Plan designation for this property is
21 Moderate Low Density Residential. The zoning is CR-5/PAD to a
22 Multi Residence Zone. Again, part of Johnson Ranch. Took an
23 aerial of the site. I have two slides for the applicant site
24 plan. The first shows its location on kind of the southwest
25 side of the ballfield, and you can see the surrounding school

1 buildings. The second part of the site plan shows what the
2 antennas would look like once they are installed on the
3 ballfield light. I did take some pictures. This is looking
4 north on Desert Willow. South. Across from the property is a
5 tract for Johnson Ranch. And then I took a few pictures of
6 the actual antenna. So there are four ballfield lights
7 surrounding the football field. The one in question is in the
8 foreground on the right side of this screen. All four of the
9 ballfield lights have existing wireless facilities. Two were
10 permitted through previous Special Use permits issued by the
11 Planning Commission. The light in the foreground is the one
12 that we're considering today for the Special Use Permit. The
13 one in the background, I know it's a little hard to make out
14 on the screen there, already has an antenna upgrade, which
15 would be very similar in scope to what the applicant is
16 proposing for the light in the foreground. Staff does
17 recommend approval of this Special Use Permit, with seven
18 stipulations and I would be more than happy to answer any
19 questions the Commission might have.

20 RIGGINS: I was just wondering how we started
21 calling it stealth to begin with. I drive by there. They
22 stick out like - no complaints, but I don't know how the heck
23 you call them stealth. They don't look like lights.

24 SALAS: They don't look like saguaros.

25 RIGGINS: Okay. Very good. Any questions for

1 staff? None, well then will the applicant please come
2 forward? Why do we call those stealth when we -

3 MCKINLEY: Well, I talk to a lot of jurisdictions
4 around the southwest and we all have our opinions of why they
5 call them stealth.

6 RIGGINS: Oh, it's a definition.

7 MCKINLEY: It's a definition, usually. We had a
8 light tower that AT&T needed to use to hang their equipment
9 on, therefore - probably because it was an existing light
10 pole. It's still the light pole with beautiful equipment that
11 keeps our world connected. My name's Dave McKinley. I work
12 for Crown Castle. Crown Castle is an owner and operator of
13 steel towers, rooftops, we're not carriers. We work with the
14 carriers, they're our customers and this specific site is an
15 existing site, and as staff has shared through the narrative I
16 provided, T-Mobile needs to upgrade their antenna, and to do
17 so they need to have a wider array with - to handle those
18 antenna. We're not changing the footprint. We're not
19 creating any more parking spaces. Kind of business as usual
20 on the ground there. It's kind of boring, but in all reality
21 it's exciting to what I think cell towers do for our
22 communities and for our world in getting connected. And at
23 this time I'd take any questions you might have.

24 RIGGINS: Commissioners, any questions?

25 AGUIRRE-VOGLER: I have a question.

1 RIGGINS: Commissioner Aguirre-Vogler.

2 AGUIRRE-VOGLER: Why is it issued for 21 acres?
3 21.39 acres for a Special Use Permit, instead of downsizing
4 that to the portion that he needs?

5 BALMER: Sure, Chairman Riggins, Commissioner
6 Aguirre-Vogler. The Special Use Permit would actually be
7 issued to the property, so that parcel is 21 acres.

8 AGUIRRE-VOGLER: I understand that. I just thought
9 it - I just thought it was strange to have an SUP blanketing
10 21 acres. Would other Commission Members agree or not?

11 RIGGINS: I think it would be controlled - it would
12 be controlled by the site plan, would it not?

13 BALMER: Exactly. And there are -

14 RIGGINS: It would be hard to - yeah.

15 AGUIRRE-VOGLER: Okay, thank you.

16 RIGGINS: That makes sense. Other Commissioners,
17 questions? Commissioner Putrick.

18 PUTRICK: Yeah, just interject a thought on stealth.
19 I was in aviation and stealth means something totally
20 different to me because if you take an F-117 as an example, it
21 has the rate or cross section of a sparrow. That's stealth.
22 So it'd be great to have another word.

23 RIGGINS: Well I like my favorite, my favorite cell
24 tower in the United States is about a 90 foot high spruce tree
25 that is just outside the right -of-way of the Blue Diamond

1 Highway between Las Vegas and Pahrump, where there isn't a
2 single plant over three feet high. Who in the heck figured
3 out to stick a 90 foot spruce tree there is beyond me, but...

4 MCKINLEY: A gigantic creosote bush would probably -

5 RIGGINS: Yeah, there you are.

6 MCKINLEY: I've seen that site.

7 RIGGINS: There you are. So, okay. Any substantive
8 questions for the applicant?

9 SALAS: Are we trying to make the - something out of
10 nothing?

11 RIGGINS: I think so. Okay then, well I think - did
12 you sign your name and -

13 MCKINLEY: I'd be happy to.

14 RIGGINS: And then put your address down and who you
15 represent and all that kind of good stuff. Vice Chair Hartman
16 reminded me that I didn't ask you to do that.

17 HARTMAN: It's good that you make that comment,
18 because attorney doesn't like us (inaudible).

19 RIGGINS: I know. I know. Okay then. If you'll
20 sit down, I'll ask the Commission what is the pleasure of the
21 Commission? Do we have a discussion?

22 SALAS: I move that we -

23 RIGGINS: Commissioner Salas.

24 ABRAHAM: (Inaudible) public hearing.

25 RIGGINS: I am sorry. You are absolutely correct.

1 We got to the end of the day here and there are so few people
2 here, I - at this point in time, we will open the public
3 hearing to see if there's any commentary or testimony that
4 wishes to be given to this case. Would anybody like to stand
5 and do so? There none being, we will close the public portion
6 of the testimony, an important technical item to do. I - my
7 fault that I forgot it. And now I will turn it back to the
8 Commission, and I think Commissioner Salas had started.

9 SALAS: Started out, yeah. I said we recommend
10 approval of the request, with the attached stipulations, and
11 that is for SUP-004-16.

12 RIGGINS: Okay, we have a motion of approval on the
13 floor, is there a second?

14 HARTMAN: Second.

15 RIGGINS: Vice Chair Hartman seconds. Would
16 everybody who wishes to vote in the affirmative on that,
17 signify by saying aye.

18 COLLECTIVE: Aye.

19 RIGGINS: Opposed? That passes unanimously. So go
20 out and be stealthy. Okay. Where are we on our agenda.

21 SALAS: Do it where nobody can see you.

22 RIGGINS: Okay, we have a tentative plat.

23 BALMER: We do have a tentative plat. Mr. Chair,
24 Members of the Commission, this is S-017-16. It is a
25 tentative plat for Saddlebrooke Ranch Unit 9. It's

1 approximately 28 acres in the CR-3/PAD zone. The tentative
2 plat is for 84 lots. It's adjacent to Robson Circle, it's one
3 mile north of State Route 77 in the southern part of the
4 County. The applicant is Brent Emerton with B&R Engineering.
5 On the County map you can see we are down in the southern part
6 of the County there. Here is an aerial map. The subject
7 property is highlighted in red. Again all the blue around it
8 is State Land. So this tentative plat has two different lot
9 sizes. They're both zoned CR-3/PAD. There's a premier series
10 lot which has a minimum lot size of 7,280 square feet, a
11 minimum lot width of 65 feet, and setbacks of 10, 5 and 8½.
12 The casita series has a minimum lot size of 4,950 square feet,
13 minimum lot width of 55 feet, and the setbacks are the same,
14 10, 5 and 8.5. Those were all approved under PZ-PD-033-2000.
15 The aerial of the site. This is a picture of the approved PAD
16 for this tentative plat. And then we have a copy of the
17 Tentative Plat. It encompasses the east and the west side of
18 Robson Circle, this being the western portion of the plat.
19 And then the larger section being on the eastern side of
20 Robson Circle. I did take some photos at the site. This is
21 still the undeveloped part of Saddlebrooke Ranch. So this is
22 north along what will be Robson Circle. And this would be
23 south. East and west. Staff recommends approval of this
24 Tentative Plat, and we do have six stipulations associated
25 with it. I would be happy to answer any questions the

1 Commission might have.

2 RIGGINS: Staff, or Commission, any questions of
3 staff? Would the applicant please come forward and let us
4 know what your thoughts are. Please sign in there, give your
5 address.

6 EMMERTON: Good afternoon, I guess it is right now,
7 Mr. Chair and fellow Commissioner. Members of the Commission.
8 My name is Brent Emmerton, and on behalf of Robson Ranch
9 Mountains LLC, B&R Engineering is requesting approval of a
10 Tentative Plat for Saddlebrooke Ranch Unit 9. This unit
11 proposes 84 units on a 28 parcel - acre parcel, resulting in a
12 density of approximately three dwelling units per acre. The
13 main access for this parcel will be from Robson Circle, which
14 is proposed to be extended as part of this plan. And I'd be
15 happy to answer any of your questions that you may have.

16 RIGGINS: Commission Members, any questions for the
17 applicant?

18 HARTMAN: Chair Riggins.

19 RIGGINS: Vice Chair Hartman.

20 HARTMAN: Thank you Chair Riggins. Brent, how close
21 is Saddle - is this saddle back - Saddlebrooke to buildout?
22 By the plat that I have, there's just one small parcel left.
23 Is that -

24 EMMERTON: We have approximately 7,000 units in the
25 PAD, and currently we're approximately 1,000 platted units.

1 So 1/7 of the way.

2 HARTMAN: Okay, that makes sense. Thank you, that's
3 good to know. We'll see you again then.

4 EMMERTON: I hope so. A lot.

5 HARTMAN: No other questions.

6 RIGGINS: Commission Members, any other questions?
7 Okay, thank you very much. Ready for further discussion or a
8 motion.

9 HARTMAN: I'd like to make a motion.

10 SALAS: I move -

11 RIGGINS: Vice Chair Hartman would like to make a
12 motion.

13 HARTMAN: I would - I move to approve findings 1
14 through 7 as set forth in the staff report, and approve the
15 Tentative Plat in planning case S-017-16 with the six
16 stipulations as presented in the staff report.

17 SALAS: Second.

18 RIGGINS: We have a motion, do we have a second?

19 SALAS: Second.

20 RIGGINS: Commissioner Salas seconds it. All those
21 in favor signify by saying aye.

22 COLLECTIVE: Aye.

23 RIGGINS: Opposed? Passes unanimously. Good luck.

24 RIGGINS: Okay, we have a final agenda item, Call to
25 the Commission. Anybody - yes?

1 ABRAHAM: I was going to say, I'm ready whenever you
2 are.

3 RIGGINS: For?

4 ABRAHAM: Call to the Commission. Let me have it.

5 RIGGINS: Oh, okay. Does any Commission Member have
6 anything they wish to insert in the Call to Commission?

7 SALAS: What's the deadline for that casino? I see
8 a lot of concrete trucks going out that way, I mean 24/7, and
9 I think I saw about six double wide that went up there, and I
10 don't know if they're gonna be part of the casino for
11 temporary purposes, I don't know.

12 ABRAHAM: It's my understanding they want to be
13 fully functional by March. Was that what they were telling me
14 the other day?

15 ??: (Inaudible).

16 ABRAHAM: Yeah, it's first quarter of 2017, and from
17 what I've heard from folks in the area it is what you're
18 saying. Their construction schedule is intense. So first
19 quarter, that's their plan, is first quarter 2017.

20 RIGGINS: Want to get up in those penny slots there,
21 Frank, or?

22 SALAS: I want to set my trailer right next to it
23 there.

24 AGUIRRE-VOGLER: I have a couple questions that I -

25 RIGGINS: Commissioner Aguirre-Vogler.

1 AGUIRRE-VOGLER: I had asked Steve prior to the
2 meeting, and that was to provide us with perhaps some
3 information if the Commissioners would see fit to find out
4 what happened at Town Hall because I got a late paper on it
5 and had a lot to do with transportation that we're always
6 interested, or at least I am. And the other thing is I didn't
7 realize Wes had retired and I wanted to know who were the
8 department heads now, and would like to have that chart.

9 ABRAHAM: Sure. The Town Hall is the annual event
10 that, I guess, we host it now, the Pinal County Town Hall,
11 where we get - it's almost like a little, a mini planning
12 conference. It's a day that what the Commissioners are used
13 to, where we have various experts come in and talk about
14 issues that are pertaining directly to Pinal County. This
15 year's focus was the linkage of how to enhance the
16 transportation system in Pinal County through a variety of
17 funding mechanisms. So a bit of a rallying cry for the RTA
18 effort that's going on, but there was a number of folks who
19 were there to support that effort and talk about how
20 transportation projects not only benefit economic development,
21 but also, you know, enhance the lives of the citizenry as
22 well. So what I can do is for the program that we got and if
23 there's any questions, I can certainly answer those for you
24 when we - when I get them to you next month. Second, Wes
25 (inaudible) did retire after 17 years of employment with the

1 County. His successor will be Paula Mullenix . She is
2 currently the code officer in your area, Frank, down there in
3 Oracle and San Manuel. She will begin her duty as official
4 Code Compliance Manager on November 7th or 8th.

5 SALAS: What's her name?

6 ABRAHAM: Paula Mullenix. She's got blonde hair, if
7 you run into her down there.

8 AGUIRRE-VOGLER: You're going to get us some charts
9 (inaudible).

10 ABRAHAM: Oh, absolutely. I'll provide an updated
11 chart that would - at least in Community Development, that'd
12 be the only name that would change. I guess in terms of other
13 resignations I'm aware of, Tom Schryer also moved onto
14 California. I don't think they've picked anyone for him yet.
15 And anybody else that's moved on or?

16 AGUIRRE-VOGLER: (Inaudible - mic not turned on).

17 ABRAHAM: Oh okay.

18 AGUIRRE-VOGLER: (Inaudible - mic not turned on).

19 ABRAHAM: Sure.

20 AGUIRRE-VOGLER: (Inaudible - mic not turned on)

21 what roads are going to be done and what you have funding for.

22 ABRAHAM: Sure. The North-South Freeway was the
23 talk of the day, basically. That was the number one, you
24 know, project.

25 RIGGINS: So you'll be breaking ground on that maybe

1 (inaudible).

2 ??: Went and just bought a shovel.

3 SALAS: What about Highway 77, Steve? That is
4 horrible from the junction all the way to Winkelman.

5 ABRAHAM: Well the RTA -

6 SALAS: Are there any plans for that?

7 ABRAHAM: Do you know if that made it out of the
8 RTA?

9 SALAS: Highway 77.

10 ABRAHAM: Yeah, I can look at the RTA project lists,
11 because that was one of the selling points was the long term,
12 but the benefits is that when the voters approve this RTA,
13 there'll be a list of approved transportation projects that
14 the monies have to absolutely go to. I haven't seen the list,
15 but I can certainly bring that in for the Commission's
16 digestion. Absolutely.

17 RIGGINS: That would be a good idea.

18 AGUIRRE-VOGLER: I don't know how difficult it would
19 be to get a five year transportation plan, but maybe that
20 would help us too.

21 RIGGINS: A binding one.

22 ABRAHAM: Yeah well you know that changes from year
23 to year. Well after the election, I guess, it's a little bit
24 more -

25 ??: Yeah, it'll be - (inaudible) settled.

1 RIGGINS: Could I ask for the next meeting, an
2 agenda item, just a brief update on the highway projects in
3 the County?

4 ABRAHAM: Sure.

5 RIGGINS: And then I just had one statement that if
6 you don't know, the Windmill Winery is open for business
7 again. Today, on Thursdays they have a food truck out there,
8 they have music, and the bar is open. So it's a nice
9 afternoon, especially this time of year.

10 ??: Are you a stockholder?

11 ABRAHAM: Are you chairman?

12 SALAS: What did they do, run out of wine for while?

13 RIGGINS: No, I don't think they run out of run.
14 But it's a pleasant place to go and -

15 AGUIRRE-VOGLER: They're open for lunch, is that
16 what you're saying?

17 RIGGINS: No, they're open about 3:00 in the
18 afternoon until 8:00.

19 ABRAHAM: You have a tab open?

20 RIGGINS: No, but all you oenophiles be very
21 careful, because it appears that the vintage of 2016 in both
22 the northern and southern hemispheres will be the worst
23 vintage in the last 25 years. And wine supplies will likely
24 diminish by as much as 20 percent.

25 ??: That's terrible.

1 RIGGINS: So drink early and drink often.

2 ABRAHAM: Was it drought or what -

3 RIGGINS: You name it.

4 AGUIRRE-VOGLER: Who's waiting for a motion to
5 adjourn?

6 SALAS: Motion for adjournment.

7 RIGGINS: We have a motion for adjournment. Do we
8 have a second.

9 HARTMAN: I'll second.

10 RIGGINS: We have a second. All those in favor.

11 COLLECTIVE: Aye.

12 RIGGINS: Okay, we're done.

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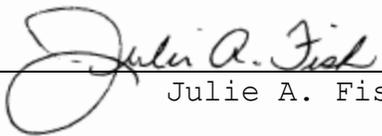
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Julie A. Fish