

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

PINAL COUNTY PLANNING AND ZONING COMMISSION  
(PO NUMBER 230372)

Regular Meeting  
9:00 a.m.  
Thursday, September 18, 2014  
EOC Room - Building F  
31 N. Pinal St., Florence, Arizona

**INDEX:**

**PUBLIC HEARING/DISCUSSION ON MAJOR AMENDMENTS:**

PZ-PA-004-14 & PZ-PZ-005-14 - pp. 6-88

**AGENDA ITEMS (6 & 7 discussed together):**

PZ-PA-006-14 & PZ-008-14 - pp. 88-118

**AGENDA ITEMS (8 & 9 discussed together):**

PZ-PA-007-14 & PZ-010-14 - pp. 118-138

**AGENDA ITEMS (10 & 11 discussed together):**

IUP-001-013 & PZ-PD-011-13 - pp. 139-160

**TENTATIVE PLATS:**

- S-021-03 - pp. 170-173
- S-032-03A - pp. 173-174
- S-030-14 - pp. 175-182
- S-032-14 - pp. 182-190

**WORK SESSION:**

None

TRANSCRIPTION PROVIDED BY

Julie A. Fish  
Quick Response Transcription Services  
829 East Windsor Avenue  
Phoenix, Arizona 85006  
602-296-5178

ORIGINAL PREPARED FOR:

PINAL COUNTY, ARIZONA

1           HARTMAN: All right, thank you, public. Staff,  
2 Commission Members. Commissions Members, thank you for being  
3 her today. I am Vice-Chair, acting as Chair today. So, with  
4 that, we'll get on with our regular meeting of September 18<sup>th</sup>  
5 here in the EOC room, Building F. Commission Members, you saw  
6 on here, in our materials, that we have a draft of an action  
7 report and so normally I'd call for a motion to either amend  
8 or approve the minutes, but today nothing. We just have an  
9 action report. Okay, for the public, Steve, would you please  
10 just basically tell us - tell the public what's going on with  
11 the minutes?

12           ABRAHAM: Sure. Folks, the minutes - in the  
13 Commission packet today there's an action report which  
14 basically discusses what happened last month and the results  
15 of the cases. Detailed minutes are available - verbatim  
16 minutes - are available up to 20 days after the Commission  
17 meeting on our website. So if you want to take a look at what  
18 everyone said, everything that was gone on, they're available  
19 - last month's meeting's are up now. So in lieu of them being  
20 - the full minutes being in your report, they're on the  
21 website.

22           HARTMAN: All right, thank you Steve. Now, before  
23 we get into that, Mark, didn't we have a new attorney that's  
24 going to be representing P&Z, is that what you're telling me?

25           LANGLITZ: Yes, thank you Mr. Vice-Chair. And

1 Commissioner Members, actually I wanted to introduce a new  
2 Deputy County Attorney, Cedric Hay. Cedric, if you'd just  
3 like to stand up so they can see you. And -

4 HARTMAN: Welcome.

5 LANGLITZ: Cedrick will be working with me, we're  
6 going to tag team, providing representation to Community  
7 Development and Public Works, and eventually we may alternate  
8 Commission, Commission meetings, but for right now I just  
9 wanted to introduce him to you. Thank you Mr. Vice-Chair.

10 HARTMAN: Thank you, appreciate it. Okay, with  
11 that, we'll go into the item number two, the Directors  
12 Discussion items.

13 ABRAHAM: Just one today, Mr. Chairman, that when we  
14 had our community plan meeting the other day, about a couple  
15 weeks ago, the Commissioners had a number of questions about  
16 projects - ongoing projects, what's going on with other County  
17 departments, so what I'm going to do is have - on a monthly  
18 basis, of course - have folks from other departments come in  
19 and give updates on some of these long range macro projects  
20 that the County's working on. It could include folks from  
21 Public Works, air quality, maybe someone from the towns and  
22 cities, and in lieu of actually someone come up and discussing  
23 long-term projects with you, maybe something in your packets  
24 to give an update on where these things are going, so - and  
25 then of course, obviously, if there's any questions about some

1 things about operating rules or what's the Planning Department  
2 doing, feel free to call me on stuff like that as well.

3 HARTMAN: All right, Steve, I've got several  
4 questions but I'm, I'm not going to mention them right now,  
5 but Commission Members, your thoughts? Mary Aguirre-Vogler.

6 AGIRRE-VOGLER: Can you bring us up to date on the  
7 airpark, what the County intends to do eventually?

8 ABRAHAM: Down there by Marana?

9 AGIRRE-VOGLER: Down by Red Rock.

10 ABRAHAM: Red Rock, excuse me. Well, I -

11 AGIRRE-VOGLER: Well, I mean you can bring Jim Petty  
12 in or something.

13 ABRAHAM: Yeah, that would be, that would be one  
14 primary one. Yeah, definitely like Louis from Public Works  
15 and Jim to talk about the airpark and that would be definitely  
16 one we'd have come in.

17 AGIRRE-VOGLER: Great, thank you.

18 ABRAHAM: Sure.

19 HARTMAN: And (inaudible) Steve, there is an area  
20 out there on the east side of Maricopa that we probably need  
21 to put on the agenda to bring the Commission members up to  
22 speed on that, on the zonings and different County codes and  
23 requirements and whatever. You know where I mean?

24 ABRAHAM: Sure, in like the Hidden Valley area?

25 HARTMAN: No, no, not, not that. That's on the west

1 side, this is on the east side. Over, over along the Russell  
2 Road area.

3 ABRAHAM: Oh, right, right, yeah. It'd - yeah, that  
4 would be, that would be something as well. Not getting too  
5 much into a case that we're discussing today, but issues like  
6 long-term planning of airports or long-term planning of  
7 roadway corridors, things along those lines would be something  
8 - that would be part of those information sessions as well.

9 HARTMAN: If we said much about it, Mark would jump  
10 all over me on that, or something like that.

11 ABRAHAM: And we can talk about that later in the  
12 break.

13 HARTMAN: All right. Let's see, I had one other  
14 thought, but it passed me, but anyway, we'll catch it at a  
15 later - oh yes, tell us about how the meeting went and how  
16 many - I was not in attendance to the last session that we  
17 had, although I talked to a person - a lead person that was  
18 organizing it, and so I did get my input in that way, but tell  
19 us, the Commission - I assume most of the Commission was  
20 there.

21 ABRAHAM: You're referring to the Urban Land?

22 HARTMAN: Yes.

23 ABRAHAM: I thought it went great. I think the  
24 presentation was well done. I think it had a variety of  
25 topics.

1           AGIRRE-VOGLER: Did they leave any extra leaflets or  
2 booklets?

3           ABRAHAM: Yeah, I have a couple of those I could  
4 give out.

5           AGIRRE-VOGLER: Yeah, it was really great. Sorry  
6 they missed it.

7           ABRAHAM: Yeah, it was good.

8           HARTMAN: Good, okay, that's what I wanted to hear.  
9 Thank you, Steve. Now - okay, while we already basically  
10 discussed the meeting minutes, do you have anything further to  
11 say about that?

12          ABRHAM: No, just if you have any questions about  
13 the meeting minutes or the Board of Supervisors cases, I'd be  
14 happy to answer them.

15          HARTMAN: All right, the report on the Board of  
16 Supervisors action on PZ cases? I did, I did bring an article  
17 on the case that was - that parachute landing special use  
18 permit, and it's here. The Commission members can take a look  
19 at it to get further informed, but the, the special use permit  
20 was approved. I gotta watch what I say on that because the  
21 special use permit was approved to enable to parachute  
22 landings, and it was a 4-1 vote?

23          ABRAHAM: That is correct.

24          HARTMAN: All right, so with that one we know about.  
25 Commission Members, any other comments on Supervisor cases?

1 If not, it's time to move onto new cases. This, this will  
2 actually involve the public on these new cases that we have.  
3 Steve, or - if you would. The case - first you'll tell us  
4 about it. The PZ-PA-004-14. And are we going to take PZ-PA-  
5 005-14 at the same time?

6 ABRAHAM: Yeah, good point of order. The comp plans  
7 are handled as one case. There will be two votes on each one,  
8 so what you'll do is you'll hear us talk about them, you'll go  
9 through your normal process, you don't actually close the  
10 public hearing, and then vote on them individually.

11 HARTMAN: All right, Steve, if you would proceed.

12 ABRAHAM: Sure, sure. And just to let everybody  
13 know in the audience, that Major Comprehensive Plan Amendments  
14 occur once a year. They are considered substantial changes to  
15 our comprehensive plan, which is our land use policy document  
16 that the County has, and we have two cases today for Major  
17 Comprehensive Plan Amendments, and the first one - if I can  
18 get it going - there we go, okay - is going to be PZ-PA-004-  
19 14. It's 405 acres. The applicant today is MLC Farms & the  
20 Clark Family Trust, and Mr. Drew Gibbons from SunPower is  
21 going to be the representative today. The request is from  
22 Very Low Density Residential to General Public Facilities and  
23 Services. The proposal located east of town here, as  
24 indicated by the blue star on the map. Basically to get there  
25 you go about three miles, take a right at the McDonalds and

1 head about three miles on Diversion Dam Road. Zooming in on  
2 the subject site, the red rusty color there hashed is the town  
3 of Florence City Limits. It has a variety of designations and  
4 our area we're talking about today is highlighted in yellow  
5 there. The area surrounding it is Very Low Density  
6 Residential, then you get to the Gila River to the north, and  
7 then north of that is the - is some restricted use open space,  
8 military residential - military reservation, excuse me -  
9 Moderate Low Density Residential, and the - to the east is  
10 property owned by the prison. Zooming in further on the  
11 subject site, the purple there is the Town of Florence, and  
12 that's - you can see that the property directly abuts the CAP  
13 Canal. This is what the comp plan on the left looks like  
14 today with our project proposal area highlighted there, and  
15 that would be what it looked like if the proposal was  
16 approved. Basically the area to the south back in 2009 was  
17 specifically designated purple, which is Employment and blue,  
18 which is our Public Services and Facilities. To encourage and  
19 protect what I call the corrections campus that is outside of  
20 town, which is a variety of prison uses and the idea being  
21 that the prison support services could also be located there  
22 for, for service to the three or four different prisons that  
23 are located there. This proposal would be on the north side  
24 of that, extending north, also being a non-residential use  
25 designation. Some photos of the subject property, this is

1 looking west down Diversion Dam Road. Northeast. Northwest  
2 into the property. A couple discussion points, throughout the  
3 processing of this and some things staff would like the  
4 Commission to consider, 50 megawatts solar photovoltaic, as I  
5 stated early. It appears to be, you know, at least  
6 designation-wise, an extension of that corrections campus,  
7 employment and public facilities. In our comprehensive plan,  
8 chapter 7 in particular, there's a clear statement that  
9 supports both utility grade and single user systems in terms  
10 of solar. Further, that the comp plan makes the bold and  
11 respectable statement that solar and wind energy generation  
12 are compatible with our farming heritage. In terms of where  
13 these facilities should be located is - staff is, and the  
14 Board - has said that we'd like to see these things close to  
15 existing infrastructure, that - so the erection of new power  
16 lines and switching stations and things, you know, siting  
17 selection and preference should be based on the proximity to  
18 those existing facilities. Important point to note is that  
19 there are two trail alignments that go through the area. The  
20 one that directly affects this property is a multi-use - I'm  
21 sorry, it's an OHV corridor that as this project moves along,  
22 this, this will have to reflect that and they will have to  
23 (inaudible) that, so this designation change does not remove  
24 that corridor through this area. The net effect, and this is  
25 nearing an oversimplification, but you could expect 405 homes

1 and approximately 19 acres in commercial there, if the  
2 designation wasn't changed. So in lieu of a solar plant,  
3 you'd be getting 405 houses and 19 acres of commercial  
4 (inaudible), under the current designation. Now the Citizens  
5 Advisory Committee, they take a look at all your comp plan  
6 amendments and make a recommendation. They voted 5 to 4 to  
7 recommend approval of the case. That did come after a  
8 unsuccessful denial recommendation. There are nine members on  
9 the Citizens Advisory Committee, so it was a close vote. Some  
10 of the concerns voiced by the Citizens Advisory Committee  
11 included taxes, future water use, the comp plan change being  
12 permanent, in some of the members' opinions allow some  
13 undesirable uses - job, issues of job creation and then  
14 further no info on the connection agreement or how - who's  
15 going to buy the power once it is built. Now since the CAC,  
16 there have been no proposed changes to the proposal and there  
17 has been one extra letter in support that I received after  
18 your packets were done, and that was submitted by the folks  
19 from (inaudible) Plumbing who have worked with SunPower in the  
20 past and advised that this appears to be a good project, so  
21 they were in favor of it. I'd be happy to answer any  
22 questions based on the materials you have or my presentation  
23 at this time.

24 HARTMAN: Steve, in our packet is the floodplain  
25 map. You want to, you want to pull that and show that

1 floodplain map because there is some acreage that is to the  
2 north of this - let's see, I - wait a minute. Yeah. The map  
3 is turned sideways, but anyway, to the north of this  
4 properties that we're talking about, the Sunnybrooke Solar  
5 Project, is the Gila and River and I guess the floodplain.

6 ABRAHAM: Well, it looks like it neglected to put  
7 that map in the PowerPoint, but for folks in the audience, it  
8 basically looks like this, and then the applicants will have  
9 their presentation, they have the slide actually. That blue  
10 swath on the property - on - to the north of the box there is  
11 the floodplain. Basically the Gila River floodplain somewhat  
12 unruly in times of flooding. It doesn't hit this site,  
13 however, they have been in discussions with our flood and  
14 drainage people that if an engineering study comes back they  
15 would have to insulate the property from flooding.

16 HARTMAN: Thank you, Steve, because that's always  
17 important to us, especially in times like we've had with a  
18 monsoon and whatever. We never know what will be flooded.  
19 All right. With that, I would like to call the applicant,  
20 Drew Gibson, I guess, to come forward if you will. State your  
21 name and your address for the record. Okay. Before you get  
22 started, I have a Commission Member. Smyres, Commission  
23 Member Smyres.

24 SMYRES: I wanted to ask Steve a question.

25 HARTMAN: Oh, go ahead, right ahead, excuse me for -

1           SMYRES: Steve, the - to do the solar project, what  
2 specific zoning is required?

3           ABRAHAM: If this proposal were approved, it would  
4 require I-3 zoning.

5           SMYRES: Do we have property now that is zoned for  
6 that, and in an industrial area.

7           ABRAHAM: We have - well, we have a lot of, a lot of  
8 CI-2 zoning, which was the old heavy industrial. Right now I  
9 believe there's very few acreage that's actually zone I-3  
10 under the new category. We just adopted the I-3 category  
11 about two years ago, so not too much has come through the door  
12 at this point.

13           SMYRES: Well on the comprehensive plan we do have  
14 areas set aside for industrial - light industrial use, is that  
15 correct?

16           ABRAHAM: Oh, absolutely. Basically anything that's  
17 purple on the comp plan would be industrial zoned. We would  
18 look favorably upon an industrial zoning.

19           SMYRES: Any of the purple area on these maps.

20           ABRAHAM: Yeah. Well here, let me go back to that  
21 one. Let me bring that up right here real quick. So, well  
22 that's a good picture. So on a macro level, this is our  
23 County map, so all those purple colors would be favorable to  
24 industrial re-zonings, and then getting closer to our property  
25 here, not that one, but his one - all that purple there would

1 favor an industrial rezoning, employment designation.

2 SMYRES: Thank you.

3 HARTMAN: Steve that -

4 SMYRES: I apologize.

5 HARTMAN: That's not - that was my fault, I'm trying  
6 to move on, but Steve I do have one little comment that I wish  
7 you would make for me - for us, the Commission Members - I  
8 called Steve yesterday and asked him about the tax base from  
9 AG to Public, and what - and Commission Smyres reminded me of  
10 that.

11 ABRAHAM: Okay.

12 HARTMAN: Tell us what your findings were.

13 ABRAHAM: Sure, sure. We talked to the assessor and  
14 under their current system now, AG land is taxed at  
15 approximately - there's some differences there - at \$436 an  
16 acre, and that's with an AG exemption and functioning farm. I  
17 was unable to find a comparable solar site because the other  
18 one's owned by SRP and they're taxed at a very different rate.  
19 Their valuation for their solar facility up there on Quail Run  
20 was - the entire property, which was about 400 acres, was only  
21 valued about \$36,000, so there's clearly some sort of  
22 different methodology there. I think it's safe to assume that  
23 the tax, taxes if this remains privately held, would be  
24 substantially more than the agricultural rate. I couldn't  
25 nail down a number for you.

1           HARTMAN: And it would be higher because the  
2 personal property that - improvements that they would have to  
3 do to the land?

4           ABRAHAM: That's right, thank you very much. The,  
5 the assessor would talk to the Arizona Department of Revenue  
6 and get them involved, talking about the amount of investment  
7 that was put into the property in terms of physical  
8 infrastructure, and then base their rate off of that.

9           HARTMAN: Okay. Commission Members, any, any  
10 further questions of Steve before we move on to Drew? All  
11 right. Drew, we open the floor to you. Maybe that gave you a  
12 chance to relax at the podi - at your -

13           GIBBONS: (inaudible) I take a long time to write.

14           ABRAHAM: Mr. Chair and Drew, I have to go back and  
15 get the pointer for you (inaudible). So can you give me a  
16 couple of minutes? I'll be right back.

17           GIBBONS: Well -

18           HARTMAN: Okay, if you would. Go ahead with your  
19 presentation.

20           GIBBONS: Sure. Let me make sure - can you hear me  
21 okay?

22           HARTMAN: Yes.

23           GIBBONS: All right, I'll wait for Steve to get the  
24 presentation up before I get really started, but I'm Drew  
25 Gibbons, I'm with SunPower, we're developing this project. Do

1 you need my address as well, do I state that for the record?

2 HARTMAN: Yes.

3 GIBBONS: Yeah, I'm at 2927 Harrison Street, in  
4 Oakland, California, 94611. Really appreciate the opportunity  
5 to speak to you today about this project. As you'll see in  
6 the presentation, we think the project is a great fit for the  
7 surrounding uses, and good timing for approval for this plan  
8 amendment. And Steve, the pointer's the red line in the  
9 middle. All right, I don't want to push the wrong one. And  
10 will it be more helpful for me to point over here or here?  
11 Either?

12 HARTMAN: At that screen.

13 GIBBONS: Commissioner Grubb is pointing to this  
14 one, so I'll - he looks emphatic, so I'll here. Okay. Yeah,  
15 no, no, no. Understood. Understood. Move forward with the  
16 presentation. Oh yeah, that's my job isn't it? All right.  
17 There we go. All right, so the agenda today, I'm going to be  
18 giving a brief introduction to SunPower and who we are, talk  
19 about why we chose this site specifically; why now is the time  
20 we're here and why it makes sense to be asking for the plan  
21 amendment now; then get into project benefits, both economic  
22 and environmental, and we have some updates since our CAC  
23 hearing, and then talk next steps. So I'm going to try and go  
24 through this as quickly as I can so there's time for  
25 questions. All right, SunPower, we are a global publicly

1 traded company. We have - we are - been around a long time,  
2 almost 30 years, founded in 1985. We're headquartered on the  
3 west coast in Northern California. We have over 1500  
4 megawatts of these power plants in the ground and in  
5 operation, and that doesn't take into account projects that  
6 we're developing or building right now, which we have several  
7 hundred megawatts as well. And it doesn't take into account  
8 either or residential and commercial markets, so it's just  
9 power plants, and we play in all three. Important to note  
10 that we do have a proven track record in this County. We  
11 built Copper Crossing Solar Ranch, about ten miles north of  
12 Florence. It's a 20 megawatt facility, it was completed at  
13 the end of 2011, in August 2011. That project as you can see  
14 from the picture, is adjacent to agricultural use, similar to  
15 this project we're developing now, the Bonnybrooke Solar  
16 Project, and that project contributed jobs and tax revenue to  
17 locate communities just like this one will, and it's  
18 delivering clean energy today.

19           Now I'm going to get into why we've chosen this site  
20 specifically. So the next slide after this actually shows - I  
21 think you guys have a packet of this actual presentation - but  
22 the next slide shows an actual map and shows the surrounding  
23 area, but I kind of wanted to get down into some key points  
24 before I get there. So you'll see on the side is pictures of  
25 the actual site. So the site is - as Steve was referring to -

1 is consistent with the comp plan designations surrounding the  
2 project. Around the project and you'll - you saw on Steve's  
3 slides there's public facilities and services, there's  
4 employment designation, and there's Very Low Density  
5 Residential, which as Steve said, that's one dwelling per  
6 every acre. Another really important point that Steve pointed  
7 out, and the comp plan calls for this, is to source projects  
8 like this close to existing infrastructure, transmission  
9 infrastructure. This site is immediately adjacent to the  
10 northern side of the property to existing transmission line.  
11 It's a 115 kV line right to the north of the property that we  
12 will be connecting into. This land, it's flat land, it's  
13 agricultural land, it's free of vegetation which is great for  
14 solar, and it's a limited productivity. It's - again, we've  
15 already talked about the neighboring uses. We pointed out the  
16 state prison complex is nearby and you'll see that on the map  
17 next. There's land adjacent to the property that's farmed by  
18 the inmates, so that's on the west side. And then about a  
19 mile to the west of the project is the Fisher Asphalt and  
20 Aggregate Plant. So if I can flip to the next slide. I'll  
21 try and go through this quickly, but I'll definitely use the  
22 pointer. But here's our project here, here's the Bonnybrooke  
23 Solar Project, and this circle is about a four mile radius, so  
24 you can see that the downtown Florence is about three or four  
25 miles away from the project. Here you see the state prison

1 complex. Right here is the land farmed by the inmates. Here  
2 are the low density residential; there's a handful of houses  
3 right here along the street and we'll be talking about that a  
4 little bit later. Also you see right here, it's hard to see,  
5 but there's the asphalt and aggregate plant right here about a  
6 mile to the west, and then I've shown this view so you can see  
7 a little bit more around the surrounding area. Here's this  
8 Copper Crossing Project that we have, and then you see these  
9 are master planned communities that are planned. There's  
10 about 100,000 permitted homes in this area, and less than ten  
11 percent of them built. As you see, those are all virtually  
12 west of '79, where the existing infrastructure is, so that  
13 makes sense, and to the south of our project here, there's  
14 nothing out by the Bonnybrooke Solar Project. And also as you  
15 were mentioning earlier, calling out the Gila River floodplain  
16 that runs just north of our site, and you'll see that these  
17 master planned communities are largely avoiding that  
18 floodplain for obvious reasons, so we think that that, you  
19 know, doesn't make this a great area for residential  
20 development down the road either. Or at least higher than the  
21 low density. All right? I'll move forward here. This really  
22 tells the same story, so I won't spend too much time here, but  
23 this is directly from the comp plan, and this just shows  
24 growth and development areas that the comp plan is targeting.  
25 And again, these are all west of 79 or south of the project,

1 significantly south. Right here - and I tried to do an arrow,  
2 it's hard to see - here's the approximate site. So again,  
3 this is, this is consistent with the comp plan and the growth  
4 areas, and it maximizes the existing infrastructure here, and  
5 these growth plans are actually where I should say the  
6 existing infrastructure is for growth. It's not located out  
7 here, so it makes sense to develop to the west.

8           This is, you know, a quick point to bring home, but,  
9 you know, solar is compatible with the agricultural uses next  
10 to this property. We site projects much like the Copper  
11 Crossing Project purposely next to agricultural use. For that  
12 reason, the comprehensive plan itself states, as Steve  
13 mentioned, that solar is compatible with the country's farming  
14 - the County's farming heritage. The majority of our projects  
15 are located and operate next to agricultural use. We do that  
16 all over the world - Japan, Germany. In the U.S. we do it in  
17 Colorado and California and Arizona as well, so - and we can  
18 get into details on why that is compatible but (inaudible) we  
19 look for. And you're talking about, as far as, you know,  
20 locating next to agricultural productions, we're actually  
21 going to be, you know, less impact. You know, once this thing  
22 is up and operating, you're talking about basically a  
23 noiseless, odorless solar facility, you know, with minimal  
24 traffic. So it's going to actually have less impact than the  
25 agricultural production next to it.

1           Just want to talk about this a little bit. Steve  
2 said there has been, I think you've seen, there's some support  
3 of the project so far. The Town of Florence has actually  
4 written a letter of support and it highlights here the thing,  
5 there's little to minimal impact surrounding the property  
6 owners, and it's consistent with their set guidelines. The  
7 Town of Eloy also wrote a letter. T.J. Shope, a state rep for  
8 this District, wrote a letter in support. And we've had  
9 several contractors, some of which who worked on the Copper  
10 Crossing Project, write in a letter of support, and we have  
11 some of those folks here to talk today, and also some  
12 suppliers in the Greater Phoenix Area.

13           I think - I can't see the highlight very well, I  
14 think we're at the Why Now portion of the presentation. So  
15 this is just one slide and there's a lot here, so I'll take a  
16 little bit of time to walk through it. But again, you see the  
17 graphic up here, the cart before the horse. What that  
18 represents is a current solar market demands that projects to  
19 be substantially (inaudible) before you execute contracts. So  
20 it's projects with permits that are given contracts. Further,  
21 there's a federal - some of you may be aware, there's a  
22 federal tax credit for solar projects that expires at the end  
23 of 2016, so we need to begin construction on this project to  
24 get it built in mid- to late 2015. So that's why we're here  
25 now, instead of next year's cycle. We need to get this

1 project approved during this, this permitting cycle because  
2 this is an annual process, obviously. As far as where we are  
3 and Steve had mentioned contract negotiations, we've been  
4 given permission today, and we weren't previous - at the  
5 previous CAC hearing, but we've been given permission today to  
6 say that we're in late stage negotiations with a Fortune 100  
7 company, with a strong presence in this region. We expect to  
8 be executing that agreement by the end of the year, but  
9 obviously, as I said, develop - excuse me - developing this  
10 project and continuing a permitting process is going to be a  
11 key part of that and that company's going to be monitoring  
12 this process (inaudible) so. You know this, so the comp plan  
13 is a living document, it's been revised, it's likely to be  
14 revised again and there have been several amendments approved,  
15 so we don't think we're, you know, (inaudible) the wheel here.  
16 And this point is I think important to talk about, and I think  
17 if you have a lot - you know, I think County planning can  
18 speak a little bit more in detail, but just want to point out  
19 that both this CPA process and the subsequent rezoning process  
20 are potentially reversible if the project is not built. Now I  
21 want to be clear, that this CPA, as you know, would be a  
22 permanent change to the comp plan, so to revert it, there  
23 would have to be a second application to revert the project.  
24 SunPower, we're willing to commit today to fund that  
25 application if the project didn't go forward for any reason.

1 Secondly, rezoning is a little bit more straightforward. That  
2 would be specific to this project. Sure, it would be rezoned  
3 I-3, but that would be specific for solar, specific to this  
4 project - all right, didn't like me there - specific to this  
5 project and subject to specific milestones laid out by the  
6 County. If those milestones weren't met and the project  
7 wasn't going forward, my understanding and County Planning  
8 could, could speak to it a little further, is that this would  
9 automatically come back to this Commission for a vote to  
10 revert back to the original zoning designation. So, we feel  
11 that the application timing is appropriate and we'd like a  
12 decision today so we continue to move forward with the  
13 project.

14 Now I'm going to end by talking about some of the  
15 project benefits. So since the CAC meeting, we actually have  
16 engaged a local well-respected economic consulting firm,  
17 Elliott Pollack & Company, to do an economic benefit, or  
18 economic impact study. Here are the summary results and we  
19 have a representative of Elliott Pollack & Company today that  
20 can speak to it in more detail, but at an overview, we're  
21 looking at an overall economic benefit over the project's 35  
22 year life of almost \$70 million, and you see that breakdown  
23 here between the 28 million during construction, and the 40  
24 during the 35 year economic - the 35 year operation period.  
25 Separately, the fiscal benefit, the tax revenue to the County,

1 would be almost 18 million. A lot of that is property tax  
2 which you were talking about earlier, and again we speak to  
3 that in more detail. And you'll see the jobs here is really  
4 focused on construction, so we want to be very clear about  
5 that. That's going to be 150 jobs onsite at peak  
6 construction, and you'll see here the - during operation this  
7 is a very, like I said, there's not a lot going on onsite.  
8 It's a very quiet facility, we're just harvesting the sun. so  
9 we're going to have one full-time worker there, a plant  
10 manager, but we're going to be subcontracting a lot of work  
11 for regular maintenance, whether that's electrical service to  
12 test and maintain the equipment onsite, stuff like pest  
13 control, weed abatement, occasionally to rent construction  
14 equipment, that kind of thing, and we source that locally  
15 whenever possible, when available. Same, same with these  
16 construction jobs, so I mean when I'm talking about 150 jobs  
17 at peak construction, those jobs are construction laborers and  
18 electricians largely. And when I say construction laborers,  
19 I'm saying someone with minimal construction experience can do  
20 these jobs and be trained to do these jobs. I mean it's not  
21 complicated process. We're driving piles, we're connecting  
22 our tubes that our panels rotate on to it, and then we're  
23 assembling the panels. I mean it's fairly straightforward  
24 work. When we do this at other projects, we hold local job  
25 fairs, we recruit folks and we can train them to do these jobs

1 fairly easily, so we think those, there's folks looking for  
2 that kind of work in Pinal County, and same with electricians.  
3 I mean we think that there's an available workforce that we  
4 can draw from.

5           Getting to environmental benefits, and this actually  
6 my last slide to really go through, so I promise I'm done  
7 soon. I told myself I wouldn't ramble on, but I think first I  
8 want to point out that the comp plan policy which you know  
9 supports renewable development and it talks about reducing  
10 carbon emissions, so this project falls in line with that.  
11 This project, we haven't said yet, would dramatically reduce  
12 the water use on this land. The current agricultural use uses  
13 about 1,000 acre feet a year, our plant, once in operation,  
14 would you use two acre feet a year, and that's mostly for  
15 panel washing that we need as dust builds up from time to  
16 time. You know, you know, I've already - I'll skip over that  
17 to save you time. Something that's come up as we've been  
18 talking to neighbors about, you know, wanted to hear their  
19 concerns, especially those folks along Padilla Road that own  
20 houses, is that there's an existing problem with dust on North  
21 Padilla Road. It's not a paved road, and the folks from the  
22 prison complex are driving inmates up and down that road all  
23 day to farm that land just adjacent to the site and just north  
24 of those houses. So, I mean, they, they have a real problem  
25 now and we've been talking to them about first of all avoiding

1 that road. We're not going to be using that road for primary  
2 access, we're going to be using Diversion Dam Road, which is  
3 paved, and then Quail Run Road, which is to the east of the  
4 project, and then coming around on Bonnybrooke Road to the  
5 north, if needed. But we also have - will commit today, and  
6 we told this to the neighbors, to paving part of Padi - North  
7 Padilla Road, to reduce that (inaudible) dust problem just to  
8 where the houses, up to where the warehouses are. We won't go  
9 onto the prison section. We've also talked to them about  
10 providing a vegetative screening and we'll commit to that as  
11 well along the fence of the project that'll be facing their  
12 houses. And the last point I make is that, you know, there  
13 will be a community involvement aspect of this project. This  
14 is something very common that we do with the products we  
15 develop, is we make it available to community and school  
16 tours, and education. It's something we're very good at and  
17 the plant manager who runs it will be used to doing very  
18 quickly, because folks, you know, seem to like to go out there  
19 and see what - see how the operation (inaudible).

20           So now we're on the next steps. And really the most  
21 important next step is to address any questions the Commission  
22 may have for me right now. Next there'll be a vote on today,  
23 and we'll go to the Board of Supervisors for approval there.  
24 The rezoning process, we'll be submitting that application  
25 shortly and then we'll go through the same process there, and

1 we expect to complete construction, obviously, by the end of  
2 2014 to take advantage of that tax incentive that we mentioned  
3 earlier. So I have a lot of appendix slides that you guys can  
4 look at if you'd like, and I may reference depending on the  
5 question, but for now, that's all I have.

6 HARTMAN: Thank you, Drew. And Drew, I want to  
7 compliment you on the fact that you passed out all this  
8 materials that we didn't - some of it we had already anyway,  
9 but before - a lot of times applicants will come up and  
10 they'll say well I would like to pass this material out to you  
11 right now, you know, and how in the world are you going to  
12 stop and read everything? You know, you can't. So, but I  
13 appreciate it and I will compliment you on that fact.

14 GIBBONS: Thank you.

15 HARTMAN: Commission Members, questions of Drew.  
16 Commissioner Smyres.

17 SMYRES: If I understand it correctly, at this point  
18 tax credits go away in 2016, is that correct?

19 GIBBONS: Right. So if the project is not  
20 completely completed by December 31, 2016, then those tax  
21 credits would not apply.

22 SMYRES: And at this point you do not have a  
23 contract with SRP or whoever to buy the power, is that true?

24 GIBBONS: As I said yes, we're - we are negotiate -  
25 we are late stage negotiations with a Fortune 100 company who

1 has a strong presence in this region, they would be buying all  
2 the power that would be generated from this facility, so it'd  
3 stay in Arizona, and we do expect to execute that contract by  
4 the end of the year. And again, like I said, cart before  
5 horse, this project needs to continue along this development  
6 path and permitting path to make that happen. They're  
7 watching this closely. We're talking to them on a daily  
8 basis.

9           SMYRES: Is there other facilities or other areas  
10 that you are considering for this project?

11           GIBBONS: Absolutely. When we picked this site, we  
12 did it very thoughtfully, and we looked at the region, looked  
13 at the area. We talked to lots of landowners and when we,  
14 when we decided on this site, most - one of the main things  
15 was it is adjacent to that existing transmission, we feel it's  
16 compatible with the surrounding uses. When we had our pre-  
17 application meeting with County planning, we actually asked  
18 that specific question. We said, you know, we think this is a  
19 great site for a lot of the reasons I outlined today, but we  
20 said we want to hear if there's anywhere else we should be  
21 looking. Like is there any - because we want to, you know,  
22 put this in the right spot and we were told, you know, this  
23 is, this is actually perfect - the word perfect was used  
24 because I wrote it down because I was excited about it - this  
25 is a perfect spot for a solar plant, it's adjacent to existing

1 transmissions, so we don't have to build any extra - or any  
2 additional structures. It's not where we're planning for  
3 growth. We're not looking to build a lot of infrastructure  
4 for high density residential, so we were confident that we'd  
5 chosen a good site.

6 SMYRES: Thank you.

7 HARTMAN: Thank you Commissioner Smyres. Okay,  
8 Commissioner Members. Commissioner Moritz.

9 MORITZ: Mr. Vice-Chair.

10 HARTMAN: Yes, Commissioner Moritz.

11 MORITZ: We made a comparison of agricultural taxes  
12 versus the solar, the City of Florence, of course, has  
13 indicated that they're not in favor of this because they're  
14 relying on the comprehensive plan designation for residential.  
15 How would that tax base compare to the solar?

16 GIBBONS: Okay. So I'm going to bring up Elliott  
17 Pollack & Company, we have the representative here, so I'll  
18 bring him up to talk those details, because I'm not the  
19 economist. But I will say, just for a clarifying point, the  
20 Town of Florence has supported this project, they wrote a  
21 letter of support. Now, the Vice Mayor of Florence, on his  
22 own personal behalf, wrote a letter in opposition. So okay.  
23 Danny, Danny Court's here today, he can speak to your second  
24 question.

25 HARTMAN: Would you state your name for the record?

1           COURT: Yes, my name is Danny Court, I'm an  
2 economist with Elliott Pollack & Company. If I understand  
3 your question, your question is what is the tax difference  
4 between a solar plant versus continuing on as a residential  
5 project? Okay. That is not something that we have completed  
6 to date. We've completed what the impact of taking it from  
7 agriculture to, to a solar project, so one thing to keep in  
8 mind would be the, the timing of that, though. If you're  
9 going to consider an alternate use to residential, is the  
10 solar will be built in a year or two years, when would  
11 commercial or residential come to that site, to the point  
12 where you would start benefiting from them.

13           HARTMAN: Thank you. I have a question also on that  
14 and it's an economic question. How many - if there were homes  
15 built around you, how many homes would this 50 megawatt  
16 support?

17           COURT: That'd be a question for Drew.

18           GIBBONS: So I'm going to defer to Steve, actually.  
19 I mean the current zoning - the current use is for one  
20 dwelling per acre, so I think that's where he came up with  
21 that 400 homes. Now I'm not a residential developer, so I  
22 don't know if that actually makes sense as far as  
23 infrastructure and roads and that kind of thing, so I don't -  
24 but I mean as far as that would be the limitation. So am I  
25 saying that right, Steve? The 400 homes?

1 ABRAHAM: Approximately, yeah.

2 HARTMAN: Okay, how many megawatts does - would 400  
3 homes use?

4 GIBBONS: So this plant will generate enough power  
5 to supply power (inaudible) the equivalent of 11,000 homes,  
6 but as I said, all of this power would be purchased by the  
7 Fortune 100 company we're talking to. So that would be going  
8 to their operations.

9 HARTMAN: So the 50 megawatt would be way excess of  
10 the homes that would be built around the area currently.

11 GIBBONS: I want to make sure I understand the  
12 nature of the question, sir. Are you getting to this is more  
13 than - more power than the surrounding houses would use?

14 HARTMAN: Yes, that's my question.

15 GIBBONS: So I mean I think the intention here  
16 again, is that this would go to the operations of this  
17 company, specifically, this power. What it would do by  
18 generating solar power on that transmission line is that some  
19 brown power, whether it be coal or natural gas, would not need  
20 to be dispatched because we are supplying clean, solar energy,  
21 but as far as - I'm not sure that - if the question's relevant  
22 when it comes to residential, because this power would not be  
23 going to those houses, specifically.

24 HARTMAN: Well, what my concern is is I'm thinking  
25 about future power usage, and we're talking about future - 50-

1 100 years from now.

2 GIBBONS: Right.

3 HARTMAN: Same as water, and you know, it's an  
4 essential that we have to have and I'm just trying to make  
5 sure that if this is built, it will provide for the future of  
6 the future homes.

7 GIBBONS: So Vice Chairman, you know again, I'm not  
8 the developer that's thinking that, you know, 20 years from  
9 now there could be high density residential and the comp plan  
10 could change, so that's - what I can say is that the  
11 transmission line has a limited capacity, we chose this site  
12 because it will afford for this site's project, but not much  
13 more. So the existing transmission is close to maxed out in  
14 that area, so I - I would think that additional infrastructure  
15 would need to be built to support high density residential  
16 electricity in that area, and I would also think that that's  
17 why those - that's not a planned growth area and others are to  
18 the west.

19 LANGLITZ: Mr. Vice Chair, Mark Langlitz, Deputy  
20 County Attorney. I'm beginning to get concerned that the  
21 Commission is really getting away from what the purpose of  
22 this matter is, which is a land use determination, a change to  
23 the - a major change to the comprehensive plan. The  
24 Commission really doesn't - there's nothing in the  
25 comprehensive plan to permit the Commission to look at

1 economics of a particular project, energy mix, how energy is  
2 going to be provided, we're getting a little bit off base  
3 here. I think what the, what the role of the Commission is at  
4 this point is to look at the application, determine if it is a  
5 land use consistent with the surrounding areas, and are the  
6 criteria set forth in the comprehensive plan, would some of  
7 that criteria be met. For instance, the applicant has  
8 indicated, has indicated points that this use would be  
9 compatible with the County comprehensive plan which supports  
10 development of renewable energy resources, expansion of  
11 renewable energy and so forth. The Commission shouldn't be  
12 looking at this project. There's nothing about tax base  
13 considerations for the Commission on a comprehensive plan  
14 change. So I just - I don't want the Commission to go down  
15 the aisle where it's looking at factors that really aren't  
16 relevant and should not be considered. Thank you, Mr. Vice  
17 Chair.

18 HARTMAN: Thank you, Mark. I, I kind of disagree  
19 with you. You're the legal person and you have your legal  
20 comments, but as a Commission Member, health, safety and  
21 public welfare of Pinal County, natural resources and benefits  
22 to the public of Pinal County are a concern of this  
23 Commission, and when you do have a comprehensive plan, it's a  
24 roadmap for the future, and we need to decide as a Commission  
25 whether we're going to go and change the comprehensive plan,

1 because this is a major amendment, and there's certain things  
2 that I think as a Commission Member that we have to kind of  
3 rely upon to make this decision.

4           LANGLITZ: Yes, Mr. Vice Chair. I won't disagree  
5 with you, but, but there are factors that are proper to  
6 consider in this matter, such as land use - the comprehensive  
7 plan is an aspirational plan. It doesn't allow any particular  
8 use, that would come in the zoning. What the role of the  
9 Commission is here is to look at this application and see if  
10 it is compatible with the County's comprehensive plan. And  
11 this is a change in use, so you need to take a look at is it  
12 consistent with what's around in the area, and look at what is  
13 listed as criteria in the comprehensive plan. It's not the  
14 Commission, it's the County itself. The County is, is by  
15 statute permitted to take a look at certain factors. As a  
16 branch of the County, you are bound to those same factors as  
17 the County is. You can't go beyond what the County could do.  
18 The County or the Board of Supervisors could not base a  
19 decision whether to approve or disapprove a change, a major  
20 change to a comprehensive plan based on factors that aren't  
21 permitted, and you're beginning to go into factors that really  
22 aren't relevant.

23           HARTMAN: Thank you, Mark. And Commission Members,  
24 remember, we're only a recommending body and we recommend to  
25 the Board of Supervisors, and the Supervisors are the ones

1 that make the final decision. So, with that, Drew, I'll turn  
2 it back to the Commission for further questions. Commissioner  
3 Grubb.

4 GRUBB: Chair, thank you. I think it's important  
5 that we look at the benefits that a project like this may  
6 bring to our County. Dependency on foreign oil, dependency on  
7 coal, dependency on nonrenewable resources, we all know is a  
8 cause for major concern throughout the country and throughout  
9 the world. I was speaking with the economic development  
10 director on the way in and the sun is an abundant supply. It  
11 doesn't run out. It continues to produce everyday,  
12 particularly in this state, you know, we get 360 days of  
13 sunshine; and I think that looking at this project, and other  
14 projects that are gonna harness this energy and do it in areas  
15 that are pretty much distant from the public eye, is something  
16 that we need to consider as a, as a good amendment to our  
17 plan. Putting this in agricultural areas or low density  
18 areas, putting it at - you know, not putting it right next to  
19 a subdivision that has 4500 homes in it, it probably makes  
20 more sense than doing that, so I just wanted to make that  
21 comment, that this is important. I'm a supporter of solar, I  
22 had solar roll on my house in the 1970s in Pennsylvania,  
23 providing hot water to my house. And so I think that the  
24 future of being able to live the lifestyle that we all like to  
25 live and use up the electricity that we use, we have to

1 support something that drives that electricity for us, that  
2 doesn't at the same time destroy the environment for our  
3 children and grandchildren.

4 GIBBONS: Thank you.

5 HARTMAN: All right, Commission Members, any further  
6 comments? Drew, I have one question. Solar is solar. It's  
7 produced during the daytime. Off peak power, what, what are  
8 you doing for the future, how will this benefit the users? I  
9 won't say Pinal County anymore because this is the users. How  
10 would it benefit them at nighttime if - do you got anything in  
11 the design that's coming up that will -

12 GIBBONS: Sorry, I didn't want to -

13 HARTMAN: Go ahead.

14 GIBBONS: Vice Chairman, so I'm not going to speak  
15 to future technical innovations that are coming with  
16 batteries, and that's the big thing. This product  
17 specifically won't have storage, but what it will be doing -

18 HARTMAN: Storage is what I'm after.

19 GIBBONS: Right, what it will be doing is during  
20 peak load during the day, that's when the sun's shining  
21 brightest, will be taking capacity off the line. So instead  
22 of dispatching, like I said before, coal, natural gas  
23 (inaudible), this facility will be producing that energy and  
24 taking that stress off the transmission line.

25 HARTMAN: Okay. Commission Members? Looking both

1 ways, no comments from the Commissioner Members, at this time,  
2 Drew I will open it to the public and allow you to come back  
3 to make some comments if you so choose.

4 GIBBONS: All right, thank you for the opportunity.

5 HARTMAN: Thank you, Drew. Okay, at this time we'll  
6 open it up to the public for anyone that would like to come  
7 before us and speak either for or against this comprehensive  
8 plan amendment, and remember, the general public - it's the  
9 general - it's a change from Very Low Residential to General  
10 Public Service Facilities. With that, I call to the public.

11 SOMERVILLE: (Inaudible).

12 HARTMAN: Yes sir, if you would.

13 SOMERVILLE: You said for or against, correct? You  
14 said for or against.

15 HARTMAN: Yes, for or against, exactly.

16 SOMERVILLE: My name is Kevin Somerville, I'm with  
17 Buesing Corporation, we're a civil contractor in Phoenix,  
18 Arizona and I am - we are located 3045 South 7<sup>th</sup> Street,  
19 Phoenix, 85040. I'm the Vice President of Estimating and  
20 Business Development and Buesing Corp was involved in the  
21 Copper Crossing Project that SunPower referenced and was  
22 completed in 2011, which is a 20 megawatt project in northwest  
23 Pinal County. And being a civil contractor, we performed the  
24 civil site prep report and the pile or foundation installation  
25 for this Copper Crossing project. This project was executed

1 relatively smoothly and positive collaboration was evident  
2 between SunPower, the general contractor and the  
3 subcontractor, which was our role. Buesing also completed a  
4 one megawatt project directly with SunPower in northern Tucson  
5 for the water services district there, and we also performed  
6 the civil site prep work and the pile or foundation  
7 installation on that project. We've also installed a large  
8 project in San Luis, Colorado on a SunPower project, and we've  
9 been involved on two or three others throughout the southwest,  
10 all in a subcontractor role. And Buesing was recently hired  
11 by (inaudible) technical firm and recently completed  
12 preliminary evaluation-type work on the proposed site for the  
13 proposed project to help SunPower in their planning efforts.  
14 That was just completed just a handful of days ago. We are  
15 obviously very active in the solar industry and have completed  
16 over 60 projects with multiple developers and EPC contractors.  
17 (Inaudible) similar to the ones previously mentioned, we  
18 believe can benefit the community with local jobs. As was  
19 mentioned earlier, we would bring some of our technical  
20 expertise and experience, but we would also hire the local to  
21 supplement or support, and of course we would be relying upon  
22 local goods and services to support our, our work here.  
23 Although Buesing is subject to a bidding process and we have  
24 no assurances of performing work on this job or winning this  
25 work on this job, we would like to see this project go

1 forward, you know, in the interest of clean renewable energy  
2 and we believe that SunPower is a good steward in the  
3 development of this type of a project and this scale of a  
4 project, And I would like to personally add that I'm a, a  
5 native Arizonan. I'm kind of rare these days, I think, but I  
6 have grown in the Superior-Globe area, my dad grew up here in  
7 Florence, so I think that this speaks to the fact that, you  
8 know, I'm sensitive to the small town community concerns for  
9 growth and development and I still stand behind my support in,  
10 in this project. Thank you.

11 HARTMAN: Okay Kevin. Would the next person come  
12 forward? If you'll identify yourself and also write down,  
13 Jordan.

14 ROSE: Thank you, Chairman Hartman, members of the  
15 Commission. For your records, I'm Jordan Rose with Rose Law  
16 Group, and today I'm here on behalf of Arcus Capital. There's  
17 several members of Arcus in the audience. And I wanted to let  
18 you know, we don't come to this opposition of this project  
19 lightly and without a lot of thought. And Arcus was in fact  
20 approached by SunPower early on to just ask if they would be  
21 interested in selling some of their property for the solar  
22 facility, and Arcus didn't even take that as a serious  
23 conversation because they knew, they had purchased this  
24 property, it was called the Lewis Farms - Dale Lewis had owned  
25 it for years - and they purchased this 4,000 or so acres

1 because they wanted to farm it and then develop it into a  
2 master planned community at some point as your comprehensive  
3 plan was going through the process. And so when, I assume  
4 when they didn't discuss the idea of selling with SunPower,  
5 then they went to the neighbor, which is totally fine. But  
6 the reason they didn't discuss it or didn't want to go forward  
7 with it is because they knew that that would change the  
8 character of that 5,000 acres, and that area forever, and so  
9 this - you take your job serious, it's a very serious  
10 conversation. So this - they're changing the public  
11 facilities. It's an industrial use, and it's just not  
12 compatible with the area. So we have historic Florence, we've  
13 got Anthem, we've got the growth area there, and I know that  
14 the gentleman from SunPower showed you the growth nodes, but I  
15 think you remember going through the comp plan, those growth  
16 nodes were the places where the cities might never annex,  
17 right? And Florence is right here, so the growth nodes were  
18 places where there was lots and lots of growth, and this is  
19 about 5,000 acres of growth, but those were, you know, tens of  
20 thousands or whatever it was. So here we have the land use  
21 plan and the site, and - oh, there we go. Oh, hold it. Oh,  
22 thank you. Okay, I'm not - I never can quite figure this out,  
23 right? Oh right, because I don't want to beam Commissioner  
24 Grubb, yes. Okay, sorry. All right, I apologize. So you can  
25 see the blue hatched area is the Arcus development right here,

1 and it surrounds the red area, which is the SunPower  
2 application. And we have several issues with this. First of  
3 all, today, they did give us some new information. They said  
4 they were in final stage negotiations or some, further on with  
5 a Fortune 100 company. There are no power companies in the  
6 state of Arizona that are Fortune 100, and so we were thinking  
7 that maybe they were looking to serve SRP, but they don't  
8 qualify as a Fortune 100 company, so I assume - and again, I  
9 have no reason to know either way or whatever - that this  
10 power will be sold out of state. Their panels are made out of  
11 the country in the Philippines and China, and so the 150 jobs  
12 that - or the 100 - there were 100 jobs that the, that the -  
13 when we were at the advisory committee, and now I think  
14 there's 150, but in any case there's construction jobs. There  
15 absolutely are. And in other solar facilities across the  
16 country there's some traveling folks that come with those  
17 construction jobs, and then there's some locals that are  
18 hired, and that's great. (Inaudible) a year and then there's  
19 two or three folks at the plant. So, this is a speculative  
20 application because the company - SunPower doesn't have any  
21 contract with the utility. And these things don't get built  
22 unless they have the power purchase agreement or the - with  
23 the utility. So no firm site has been chosen - okay, what am  
24 I doing wrong - and in fact, interestingly enough, you have -  
25 I mean I heard you have like a 700 page packet today, and four

1 of those cases are solar facilities - items 6 through 9 - and  
2 they're actually being proposed in a place that's more  
3 conducive to employment. It is in fact not in the path of  
4 growth, it's in State Land area. Only one of these - if  
5 they're going for an RFP that's out, if it's an SRP deal,  
6 which now I think it may not be because it's Fortune 100  
7 company - but only one of these is going to get built and the  
8 others are going to change your comprehensive plan, and in  
9 this case, they're asking for something that's really going to  
10 dramatically change everything. So if they don't get the deal  
11 with the power company, then this doesn't get built and only  
12 one, one site's going to win, right? And we're going to have  
13 this site, so totally change. So they also at the citizens  
14 committee talked about the importance of an interconnect  
15 study, and that is before you go to the power company and the  
16 power company says we want your site as our solar facility,  
17 you have to do a pretty expensive and extensive study on how  
18 the solar facility's going to interconnect into the power  
19 lines, and if it can handle it. They said that they hadn't  
20 done that yet, so it's speculative because they don't have a  
21 contract with a company, but then it's further speculation  
22 because they don't, they don't even have the interconnect  
23 study saying that these 115 kV lines that are right there can  
24 work for this power provider. So usually that's done before,  
25 before you come to the zoning - and we do a lot of solar work

1 - so they don't have a deal yet. And then not to belabor the  
2 point, but one other part of this is the power company then  
3 gets all these applications for this RFP, right, that they've  
4 put out, and they start negotiations., and they may say I want  
5 SunPower because they're a great company, but you know what, I  
6 don't want that location. I want a different location. I  
7 think one of the Commissioners asked, are you looking at some  
8 other locations, I think they said yes. It may be in our  
9 state, it may be Nevada, it may be, it may be somewhere else.  
10 And that - so you could change your carefully thought out comp  
11 plan for a solar facility that may never even be sited her.  
12 Right? And so when we say cart before the horse, I mean we  
13 mean it. Get the contract, come back, or choose and I think  
14 it was Commissioner Smyres or Chairman Hartman who said don't  
15 we have a bunch of these sites that are, that are designated  
16 as industrial in Pinal County already, and you do. You have  
17 huge conversations. We are involved in those conversation  
18 about solar facilities, right? So it - during your comp plan,  
19 so this - the entire area's changed forever, and I'll just  
20 show you - and this is not, you know, this is not by any means  
21 what Arcus plans to do to their, to their property, but I show  
22 you just it's such an extensive area, and you can see the  
23 hashed portion is the, is the, the solar proposed facility and  
24 then what Arcus can do around it is just extensive from an  
25 economic development perspective, and what, what has been

1 planned for the site. So this would change this into a heavy  
2 industry area, which was never intended. And I tell you that  
3 because when you change this, when you make this change, if  
4 you make this change, we're putting the cart before the horse.  
5 In the other changes that you'll see today, there were non-  
6 major amendments to employment, not public facilities.  
7 Employment can let you have offices, it can you let have all  
8 sorts of things, but not public facilities. Public facilities  
9 is very specific. You can go to a wastewater treatment  
10 facility, a solar plant, a public power - industrial power  
11 plant facility. You can go to a landfill. You can be a waste  
12 transfer facility. Those are the things that you can do under  
13 the public facilities. You can't put up office buildings, so  
14 it's not - this is not a flexible designation, whereas the  
15 other ones later - and we don't represent the other ones later  
16 - but I just say that at least they're going for a non-major  
17 amendment in an area that makes some sense. Residential  
18 communities just don't get built near any of those uses, or  
19 near solar facilities. You can look at Gila Bend, they  
20 committed to solar at the expense of residential, and that's  
21 not a bad thing, that's a good thing, that's what they  
22 committed to, but the Town of Florence, which is not in  
23 support - I talked to the planning director and he said  
24 they're neutral, so they didn't take the position. The vice  
25 mayor is against it, but they did not take a position. But

1 the, but here why would you choose to put a master planned  
2 community next to the solar facility? It doesn't make any  
3 sense. And it's going to be there for 30 years. So it's  
4 difficult to maintain with farming, with the crop-dusting, and  
5 that's an issue that is just incompatible but the - at times.  
6 They said the majority of their sites are located next to  
7 farms and I - I mean I don't know their business, we just  
8 checked their website, and it looks to us like most of their  
9 facilities are located in the desert, away from everything.  
10 So - and again, I don't know their business, but that's just  
11 from their own website. So nearly 2,000 people participate in  
12 your comp plan, 46 events, hundreds of workers, hundreds of  
13 hours, your hours. I know you, you plowed through that and  
14 you're supposed to change it when the circumstances in the  
15 area suggest it, or when there's a great economic development  
16 potential, right? And here it just doesn't (inaudible)  
17 speculative project that's drastically going to alter the  
18 plans for the entire area, when there's areas just south of it  
19 that are perfectly designated makes much sense. And south of  
20 the canal. You're considering more appropriate locations for  
21 solar, and I just put up there on the little blue dots are all  
22 sorts of areas that are already designated for industrial  
23 under your comp plan. They're right near - they're on power  
24 lines, many of them are on power lines. So we're all for  
25 solar, and I mean that, but just in appropriate locations.

1 Like Commissioner Grubb, we like solar, we've had solar, but  
2 here, this solar's not going to serve the people in Pinal  
3 County. The land will be taken, but the benefit will not be  
4 there in Pinal County, and the economic impact is not so  
5 great. In fact just one other thing on the economic impact,  
6 is the assessed value for these solar facilities, usually is  
7 less than farming. Just like that SRP plant, because it is  
8 owned by the power company and generally the assessments go to  
9 the State. It's a State assessment and the County sees  
10 nothing from a solar facility. So we just think this puts the  
11 cart before the horse where - I mean they're asking you for a  
12 designation that doesn't give you much flexibility if this  
13 doesn't happen. It's a wastewater facility, a power plant,  
14 landfill, solid waste. They didn't go to employment, I don't  
15 know why, but that's, that's their business. And you can't  
16 stipulate in the comp plan any of those things that they  
17 mentioned. You just can't, that's not legal, you know that.  
18 You can't revert the comp plan back. You can't have the guys  
19 who don't, who don't own the property say they're going to  
20 stipulate to go pay for a reversion, just go find - that  
21 doesn't make any sense. That's next year. That doesn't - and  
22 why would that, why would that be the case? So, so the  
23 (inaudible), and we're done. Yeah.

24 HARTMAN: All right. Stay there a second.

25 ROSE: Okay. I appreciate your time.

1 HARTMAN: Commission Members, questions of Jordan?  
2 If not, you're excused.

3 GRUBB: Mr. Chair?

4 HARTMAN: Yes, Commissioner Grubb.

5 GRUBB: Does the Arcus Group have plans to purchase  
6 this piece of property that we're talking about today? As  
7 part of their subdivision? It looks like it butts in there -  
8 I mean the design that was given looks like, you know, it  
9 would incorporate very well into it is - is it something that  
10 they were trying to purchase?

11 ROSE: Chair and Commissioner Grubb, no, they were  
12 not. Thank you for the question.

13 HARTMAN: All right, Commission Members? Thank you  
14 Jordan.

15 ROSE: Thank you.

16 HARTMAN: I call to the public. Anyone else that  
17 would to either speak for or against this comprehensive plan  
18 amendment? If not, yes sir, if you would. Come forward,  
19 state your name and write down your address and everything on  
20 the pad there.

21 PRUDERA: Hello, I'm Juan Prudera. I'm the director  
22 of business administration of (inaudible) Steel, a company in  
23 the Greater Phoenix Area. Good morning everyone. As I've  
24 said, I am one of the main companies that works with SunPower.  
25 We are a corporation that works all over the world and we're

1 stated here in Arizona as steel manufacturer supplier for, for  
2 SunPower. We have worked with them over the last years in  
3 many, on many projects, and we have to say that the business  
4 with them and sustainability that they have proven is  
5 actually, it's actually be sustainable over the years in  
6 Arizona. We are bringing more than 100 jobs in the Greater  
7 Phoenix Area, just that in our plant, our (inaudible) jobs,  
8 another I'm going to say 100 in direct jobs over supply chain  
9 that we also have in Arizona. So I am here to state that we  
10 feel confident that any solar development in Arizona will  
11 develop further this job creation in our plant. We have  
12 worked with them in projects for TEP, for ASU, here in the  
13 State, and further other projects over, over in the southwest,  
14 bringing millions of dollars in terms of job creation for the  
15 past three or four years, and we understand this is a very  
16 good opportunity for us to further develop our, our  
17 sustainable growth in the Greater Phoenix Area. And finally I  
18 would just like to mention that one of the companies  
19 (inaudible) that we work with, is actually ACI. ACI has been,  
20 has been for us a partner in the, in the last three years. We  
21 have worked with them in developing the low, low level  
22 convicts into developing them as certified welders, for  
23 reinserting them into society, bringing our trainers to, to  
24 their facilities, working, working along with them and they've  
25 been actually performing over the last, the last months some

1 of this works for SunPower. So these products have been  
2 delivered and, and I think it's sustainable growth that we  
3 want to, to further come along. So I am here to, to go  
4 forward for this, for this project and in supporting SunPower  
5 in further development.

6 HARTMAN: All right. Commission Members? No  
7 questions. Thank you. Is there anyone else in the public?  
8 Yes sir.

9 HEDRICK: My name is David Hedrick. I am with  
10 Dalson Industries. I am a plant manager. We are located at  
11 121 South 39<sup>th</sup> Avenue in Phoenix Arizona. Dalson Industries is  
12 a component supplier for SunPower. We are based in  
13 Minneapolis, Minnesota. It's a family-owned company. We have  
14 a board. Tat family owned - the family and the board decided  
15 to migrate to the Greater Phoenix Area to supply these  
16 components for SunPower. At my facility we have over 95  
17 employees. Something typical of this 50 megawatt project  
18 could increase that by almost 20 to 30 percent. We have  
19 employees from the Maricopa County and Pinal County. We also  
20 - we sub out all of component work that we can't do in-house  
21 to the Greater Phoenix Area as well, so not only do these jobs  
22 get contained inside, but then we also have local vendors.  
23 The family and the board is very instrumental in that and  
24 holds that very close. They use vendors in their immediate  
25 area because we obviously see the economical impacts of all

1 them. Our relationship with SunPower is going on three years  
2 - over three years now, just in the Phoenix area. They've  
3 been an incredible partner for us. They've given a tremendous  
4 amount of opportunity to our local economy, just from the  
5 standpoint of they bring jobs here that are not just moderate  
6 skill or low skill level, they bring - we bring in highly  
7 skilled welders, material handlers, that sort of thing. We  
8 bring them in, we train them, we have them certified. We're  
9 an AWS certified member. We give them training, we give them  
10 certification that not only helps them in our facility, but  
11 then also helps them branch out and what I tell them and what  
12 I drive home is that it not only builds a job, it's a career.  
13 So we have significant opportunity with this project, coupled  
14 with, you know, more and more projects that lean towards clean  
15 energy, just to help us grow that business, not only for the  
16 Greater Phoenix Area, but for all of Arizona.

17 HARTMAN: Thank you, David. David, I just want to  
18 kind of make a comment, you would actually be for any solar  
19 facility in Pinal County or in the State of Arizona, is that  
20 not true?

21 HEDRICK: It would be - 95 percent of my business  
22 that comes out of my facility is all directly related to  
23 SunPower, so I would support only SunPower at this point.

24 HARTMAN: So, so this particular comprehensive plan  
25 amendment would be a benefit to your industry, is what you're

1 basically telling us.

2 HEDRICK: It would be a benefit to my industry,  
3 obviously, but also to my company and to SunPower and to Pinal  
4 County, as well.

5 HARTMAN: All right, thank you David. Commission  
6 Members, questions of David? Thank you. Anyone else who'd  
7 like to come forward and speak, either for or against? Yes  
8 sir, on the end. We can stand in line up here.

9 NEVITT: Sorry.

10 HARTMAN: All right, if you would, sign in, state  
11 your name and address for the Commission, and then write it  
12 down too.

13 NEVITT: Enter and sign in, please. My name is  
14 Monte Nevitt.

15 HARTMAN: First name?

16 NEBIT: Monte.

17 HARTMAN: Monte, okay.

18 NEVITT: I was actually born and raised in the farm  
19 yard that was shown on the slide that was displaced by  
20 SunPower over at the Copper Crossings Project and I'm not sure  
21 - there's been a good positive spin put on everything that's  
22 been spoken today. Who doesn't love the concept of solar? I  
23 also serve on the SRP's residential advisory committee and so  
24 I've watched Copper Crossings go up from the perspective of  
25 the family that used to farm the place and from the SRP side,

1 as far as their purchasing the power. And I'd like to clarify  
2 just a couple of things. AG is not entirely compatible with a  
3 solar facility. Cattle, for example, they don't want cattle  
4 anywhere near it, so if there is any pasture, and I don't  
5 believe there is any here, they don't want cattle anywhere  
6 close to those solar fields. Maybe alfalfa works, but what  
7 ended up happening on that particular property was that the  
8 farmer who lives there now has to farm without any lease  
9 whatsoever. He's at risk of being kicked off at any moment.  
10 He doesn't have the benefit of the protection of a lease. And  
11 so there is a disruption to farming operations. I don't - I'm  
12 not in a position that I can benefit financially from this  
13 being put in. It appears that there are a lot of people in  
14 favor of this that are coming in from out of town that have a  
15 contract of some kind with it. My experience has been that  
16 there were about four employees or farmhands that were  
17 displaced at Copper Crossings anyway, in exchange for the one  
18 security guard that wanders back and forth to keep an eye on  
19 the place. My experience has been I haven't seen any of these  
20 jobs that have really substantially benefited the local  
21 community. That said, I don't want to give the appearance  
22 that I'm against solar. It makes a great deal of sense, and  
23 even though the fact is, according to the SRP folks that have  
24 instructed us, for every solar field that goes up, you have to  
25 build the mirror, natural gas, or diesel or coal facility, to

1 pick up the demand between 7 p.m. and midnight before the  
2 power demand starts to decline. I don't want to say that  
3 solar is a boondoggle, but thanks to some generous subsidies,  
4 it makes sense for us to go ahead and put them in, because  
5 during the day, at least we're not burning fuel, and so solar  
6 does feed into the grid and help out in that sense. But I'm  
7 not entirely sold on the concept of solar on this site, is the  
8 point that I'm wanting to make here today. Thank you.

9 HARTMAN: Thank you, Mark. Monte. Monte. Thank  
10 you, Monte.

11 NEVITT: You bet.

12 HARTMAN: Commissioner Moritz. I'm going to take a  
13 break in ten minutes, no? Go ahead. Monte, Monte. Monte,  
14 if you'll come -

15 MORITZ: Mr. Vice Chairman.

16 HARTMAN: Yes.

17 MORTIZ: Could I just ask one question? When you  
18 ended your talk, you said that you're not in favor of it on  
19 this site, did I miss why?

20 NEVITT: It's not compatible with the area or with  
21 agriculture in the area.

22 MORITZ: Okay, not -

23 NEVITT: Even though we're not farming over here on  
24 this site, we still own and farm 3,000 acres downstream and  
25 over in the Coolidge area still today.

1 MORITZ: Okay, so this piece of property that's  
2 under discussion is not compatible because of agriculture?

3 NEVITT: From the agricultural perspective.

4 MORITZ: Okay, thanks.

5 HARTMAN: Thank you. Anyone else like to come before  
6 us? Yes sir, if you would. Same thing, state your name and  
7 address and write it down too.

8 BRIMHALL: My name's Stacy Brimhall, I'm at 2845  
9 East Guadalupe Road in Gilbert, Arizona. I come before you as  
10 somewhat of a hypocrite because I'm in favor of solar  
11 renewable and we have some land in various locations in  
12 Arizona that actually have some of those windmills on it and  
13 solar. But in light of that hypocrisy, we - as I look at this  
14 site, and mind you I need to just pose, we're small partners  
15 with Arcus in this barn, and - but I look at it and one of our  
16 reasons for wanting to be partners and buy this, buy this with  
17 Arcus was its location to the proximity of Florence. When you  
18 take a municipality that we believed in, we like to locate our  
19 farms and ranches in close proximity around those, those  
20 towns. So - and then as the town grows, obviously with  
21 utility, that we can play a part in helping create a great  
22 community. Now solar and wind and all that has a great part  
23 to do with that, but it's my belief that that should be out  
24 further away from the nucleus of that growth. And so, you  
25 know, and Monte, the man that was up here before me, quite

1 humble, but where the Copper - what do you guys call that?  
2 The facility, Copper - Copper Crossings Facility, I'm sorry -  
3 that's his family's farm and they farmed that for years and  
4 years and years, so if someone would know that farming's not  
5 conducive with solar, it's that family. So, you know, I heard  
6 the applicant talk about paving the road for dust issues, well  
7 that's nothing compared to when our (inaudible) are out there.  
8 So, so we have property to the north of Florence and to the  
9 south of Florence the east of Florence and the west of  
10 Florence, and all of it is close in for the most part, and we  
11 really wouldn't like to see those types of uses inside of  
12 that. There's plenty of land as everybody knows further east,  
13 further north, further south, that I think is far better  
14 served, especially if it's desert where there's not disking  
15 and planting and irrigating going on all around it, so anyway,  
16 I appreciate your time in hearing my hypocrisy. Thank you.

17 HARTMAN: Thank you Stacy. Commission Members?  
18 Questions of Stacy, Mr. Brimhall? If not, call to the public.  
19 Yes sir. If you would, yeah.

20 WRIGHT: Sorry, I'm hurrying.

21 HARTMAN: I like to see the guy when people come and  
22 write and talk at the same time.

23 WRIGHT: I am not that skilled. Commission, thank  
24 you for your time. My name is Tyler Wright. I'm with the  
25 Landmark Companies. We provide consulting and development

1 services to Arcus. Address is 4915 East Baseline Road. We're  
2 here today to oppose this application for various reasons,  
3 both short-term and long-term. I think you recently heard  
4 from, from some who are involved in farming and agriculture  
5 operations on the short-term and while we do have those  
6 concerns how that farm operates out there today. I talk a  
7 little bit more, as Jordan Rose touched on, this is a Major  
8 Comprehensive Plan Amendment that affects not just this 400  
9 acres, but really will be a springboard that could affect the  
10 entire area, and so as we looked at that and as we considered  
11 not even for a second the thought of solar on our property,  
12 just because it didn't feel like it would be conducive to what  
13 our master plan will be for this Lewis Farm for many years  
14 down the road, it's for that very purpose that to us this is,  
15 this is spot zoning. We've got a Very Low Density Residential  
16 use all around this and while they talked a lot about what's  
17 located immediately adjacent to them, to the west and to the  
18 south, they kind of ignored the 4,000 acres that surrounds  
19 them on the north, north and west sides with the Lewis Farm,  
20 the property that we own and control, and that we have very  
21 big plans for. So if you want to talk about potential jobs  
22 and tax revenue opportunities that can come to this Florence  
23 area, let's look beyond this little 400 acre piece of a solar  
24 farm to what could we - we envision could be developed here in  
25 this area and we'd hate to sell that out for, for a solar farm

1 that may or may not ever happen, and I thank you for your  
2 time.

3 HARTMAN: Thank you, Tyler. Commission Members,  
4 questions of Tyler? Thank you. Anyone else. Yes, yes ma'am.

5 CAMPBELL: My name is Melissa Campbell. I was born  
6 and raised here in Florence and I currently work in the  
7 agricultural industry in Coolidge, Arizona. I don't have  
8 financial gain for this either, and you have heard a lot of  
9 opposition from people that are involved in development, but I  
10 do think that just because this plan doesn't fit in with their  
11 master planned idea, it doesn't necessarily mean it's bad. I,  
12 like Monte, do know what it's like to grow up on a farm and  
13 then have it completely changed. It's not something that  
14 makes you happy. I just wanted to make two, two comments.  
15 One being that they said that they would never want to put  
16 houses next to a solar plant, well I would rather live next to  
17 solar plant than a prison, so I don't really know if a master  
18 planned community next to a prison, in a floodplain, that  
19 seems like a bigger issue to me than solar panels. Also, I  
20 know that you guys spend a lot of time on this - the plan for  
21 the County, and it's probably countless hours and it's very,  
22 very appreciated, but just because it was - took a long time  
23 to develop, that I don't think that that means it should never  
24 be changed. I think that there's always room for change and  
25 that you should consider it. And so I am in support of the

1 solar project.

2 HARTMAN: Thank you Martha. Commission Members,  
3 questions from Martha. Anyone else? Yes. Sir. Ma'am,  
4 you'll be next.

5 KLINER: Vice Chairman Hartman, Commission Members,  
6 thank you for some time. My name is Kent Kliner and I'm with  
7 the ownership group of this property, Arcus. I'll let you  
8 know that I am a personal property rights advocate. I think  
9 that an individual should be able to envision and develop his  
10 property, obviously within the guidelines that are there,  
11 right up to the point that they infringe on their neighbors,  
12 and I think that's an important consideration here. This  
13 infringes on the neighbor, and they conveniently left that out  
14 of their presentation. Arcus is a significant neighbor there.  
15 This is the wrong location for this. There are so many other  
16 places that would not be impactful like this to us. Short-  
17 term, long-term. This is also a firm that, if you look on  
18 their website, ask them, they don't own these facilities.  
19 They build them and operate them for others. Someone else is  
20 going to be the decision maker here on where this power goes,  
21 and how impactful. All the people that have supported, from  
22 the construction side of this, are from somewhere else;  
23 they're not from this area. They have a vested interest  
24 because they want to build it, and frankly if it's built here  
25 or it's built somewhere else, if SunPower builds it somewhere

1 else, they're going to profit by that. We would love to see  
2 solar in the right location, and I think that's an important  
3 distinction. The buffer that they talk about, you can't  
4 buffer for crop dusting, you can't. And you can't buffer for  
5 dust. As Tracy mentioned, Stacy mentions, when we get into  
6 that season, if they would file an injunction against us, we  
7 could lose an entire season of planting. Or if we have crops  
8 up and they file an injunction, we don't get to put our  
9 pesticides on it, we lose our crops. Our productivity just  
10 goes down, it - and they can do that at any point long the  
11 way. The fact that they said oh we would agree to, well they  
12 can't make a commitment for another property owner. It's  
13 impossible. That other property owner may say you know what,  
14 we really see a landfill here. There's a great opportunity -  
15 or a transfer station, and they can do it. We've been  
16 approached by landfill, transfer station, solar, and we've  
17 said no because it is not the right impact in this little  
18 area. I guess the, the final thing that I would offer to you  
19 is that we have a significant investment here and we would -  
20 we're obviously trying to protect that investment, like  
21 everybody else in the community is, they're trying to see the  
22 community grow. The - I appreciate the comment that the  
23 county attorney made, I believe he made it, that the comp plan  
24 is a recommendation, it's a vision, an aspiration, and I think  
25 with that in mind that is the basis of how you're making your

1 decision today. It is, is this compatible with our vision, or  
2 are we going to be shortsighted to say we're going to do a one  
3 and done, and now what have we just done to all of our  
4 planning and all of our efforts. I would ask you to carefully  
5 consider how this impacts - particularly us - but also this  
6 general area. Thank you. If you have questions, I'd be happy  
7 to respond to those.

8 HARTMAN: Commission Members? Mary Aguirre-Vogler.

9 AGUIRRE-VOGLER: You're farming how many acres?

10 KLINER: We have about 4,000 acres total on the farm  
11 here in the Florence area.

12 AGUIRRE-VOGLER: Are you creating a PAD at this  
13 time?

14 KLINER: At this point we are - on our side of  
15 things, it takes a lot of planning for us to be able to bring  
16 something forward, so we haven't submitted anything at this  
17 point, no.

18 AGUIRRE-VOGLER: Something was flashed up earlier  
19 about a PAD.

20 KLINER: Jordan just said when - in her remarks, you  
21 may not have - it was real quick, but she said this is not -  
22 she didn't know what they were - we were planning -

23 AGUIRRE-VOGLER: How many houses would go on 4,000  
24 acres?

25 KLINER: Well the current density will allow up to

1 one unit per acre, so approximately 4,000 homes.

2 AGUIRRE-VOGLER: But on a PAD you can go to three  
3 and a half, is that right?

4 KLINER: I believe so.

5 AGUIRRE-VOGLER: My problem is there's not enough  
6 water for all the houses (inaudible) being created, or all the  
7 entitlements that we have.

8 KLINER: You bring up a great point. If you look at  
9 the studies, it ac - they actually show that per acre,  
10 residential home use takes less than farming, and if we look  
11 at the AG use of the property -

12 AGUIRRE-VOGLER: Right, electric solar power, solar  
13 power, evidently, he flashed something up it takes a lot less  
14 water as well, and I guess you've been reading the paper about  
15 Lake Mead not having the water and we need the electricity.

16 KLINER: Yeah, so -

17 AGUIRRE-VOGLER: We need solar, we do need more  
18 power, I mean because we have - the water is -

19 HARTMAN: Mary, we're kind of getting off -

20 AGUIRRE-VOGLER: Right. So I just wanted to make  
21 that point.

22 KLINER: Well let's get back, address your water  
23 comment. The property is currently in fallow. It hasn't been  
24 farmed, just recently, and so their use actually is going to  
25 use more water than what has just been used.

1 AGUIRRE-VOGLER: Thank you.

2 HARTMAN: All right. Thank you. Commissioner  
3 Members, any further questions?

4 GRUBB: Mr. Chairman.

5 HARTMAN: Commissioner Grubb.

6 GRUBB: I don't think we got an answer, and is it  
7 your intent to come back in front of this Commission and ask  
8 for different zoning on that property than what currently  
9 exists?

10 KLINER: No. We would keep with the current plan, I  
11 believe, right now. It seems to be compatible with the area.

12 GRUBB: Okay.

13 HARTMAN: Kent, I totally agree with that. All farm  
14 land's up for sale if we get the right price. All -  
15 everything's up for sale, not just farmland, everything.  
16 Well, and the comprehensive plan will limit a lot of - it's  
17 uses too. Kent, thank you.

18 KLINER: Thank you.

19 HARTMAN: All right, anyone else. Yes ma'am.

20 BAGNALL: My name is Deborah Bagnall and I am with  
21 Desert Boring and Excavation. We have a local business that  
22 we work mostly with Solar City, but we do work with any solar  
23 company that's around. Sorry, I'm not multitalented here. I  
24 am in support of this, the solar plant. I would like to point  
25 out a couple of things. One, the -

1 HARTMAN: When you say support the solar plant, you  
2 support the comprehensive plan amendment.

3 BAGNALL: Correct.

4 HARTMAN: Which could allow -

5 BAGNALL: Correct.

6 HARTMAN: Okay.

7 BAGNALL: I want to point out that although they say  
8 that they can put 4,000 houses, if you looked at their map  
9 when they put the housing development that they were saying  
10 that they could put in, they built to the bottom of the river  
11 and they - you know, there's obviously not going to be the  
12 same plan that they have there. And if they do put in that  
13 many houses, they can't pump their solid wastewater up to the  
14 treatment plant, uphill, that's going to be really tough too.  
15 So when they say the water treatment plant is bad, they're  
16 going got have to make adjustments for that themselves and  
17 their own presentation. I also would like to point out that I  
18 am a third generation Florence resident. Not one of these  
19 people that have opposed this amendment, including Arcus,  
20 live, work, have anything to do with Pinal County, other than  
21 investing in a piece of property, and they are here to protect  
22 their investment. Do you listen to the residents of Pinal  
23 County and what's best for us, or do you listen to the  
24 attorneys and the investors from another county? Are you  
25 listening to what we need, or what's best for someone who

1 lives somewhere else? I would suggest that solar is a good -  
2 it's a good plan for our area. It's good for our community,  
3 and it's good for Arizona in general, overall. Now whether -  
4 I mean you all know if you live in Arizona - in Pinal County -  
5 that even during the boom years, when everything was going  
6 into houses, not one house was built on Diversion Dam Road.  
7 There's not one new house out there. That's not the desirable  
8 area, and the wonderful plan that they're presenting to you,  
9 if it didn't happen during the boom, why? Why are there no  
10 new houses out there? Is this really the wonderful plan that  
11 they're presenting, or is this just a, a scheme to protect  
12 their investment? So as a resident, I am giving you my  
13 feelings, and I am all for this amendment. Thank you.

14 HARTMAN: Thank you, Deborah. Commission Members?  
15 No questions. All right. Anyone else? Yes sir. Standing  
16 up. Gentleman with the nice tie on.

17 GIBBONS: I want to make sure everyone's got a  
18 chance to speak.

19 ABRAHAM: He's the applicant, Mr. Chair.

20 GIBBONS: If there's anyone else left, I'm sorry. I  
21 do want to speak, but if there's anyone else in the public, I  
22 obviously -

23 ABRAHAM: With all due respect, that's up to the  
24 Chairman.

25 HARTMAN: Yeah, I haven't closed it - I haven't

1 closed it to the public yet. Yes ma'am, if you would.

2 HALL: Chairman and Commissioners. I'm Jennifer  
3 Hall with Rose Law Group, and I just wanted to, again, just  
4 point out that there are two other solar facility sites on  
5 your agenda, and they do not require a major comp plan  
6 amendment. You know, they're basically in appropriate  
7 locations. I just think it's very interesting that there is  
8 so many solar sites that are before you today, and I just  
9 wanted to, again, just reinforce that. Thank you.

10 HARTMAN: And you're in favor or not in favor?

11 HALL: I am not in favor of this location. It is  
12 not an appropriate location. You're being asked to change the  
13 comprehensive plan amendment, and there's other sites, other  
14 locations that are on your agenda that are come before you  
15 that are more appropriate for this type of use. You've got  
16 4,000 plus acres of residential land that has been very  
17 thought out, you know, bought, it was - with an idea of, you  
18 know, enhancing the community and to have this sort of use  
19 next to it, is just a detriment. So I am not in favor of this  
20 location.

21 HARTMAN: All right, thank you.

22 LANGLITZ: Mr. Vice Chair, Mark Langlitz, Deputy  
23 County Attorney. Just to clarify the record, the current  
24 speaker is an associate of Jordan Rose, she's an attorney with  
25 The Rose Group. So her comments should be taken as if Jordan

1 Rose was standing there. Coming up to the podium again and  
2 making those statements, she's not a, you know, a member of  
3 the public. I just want to clarify the record on that.

4 HARTMAN: All right. I'm going, I'm going to take a  
5 recess, but -

6 SALAS: I have a question for the staff before you  
7 do.

8 HARTMAN: Okay. Go ahead, Commissioner Salas.

9 SALAS: Obviously there's a conflict on the story of  
10 whether Florence supports this or not, so I think that we need  
11 to clarify that.

12 ABRAHAM: Mr. Chair and Mr. Salas, the Town of  
13 Florence Planning Department wrote that they are in favor, and  
14 then we got another letter from Vice Mayor Tom Smith, who is  
15 representing himself, not the council. We did not get  
16 anything from the council, so as far as we're concerned, the  
17 Planning Department and the Town administration is in support  
18 of the project.

19 SALAS: Okay, thank you.

20 HARTMAN: All right.

21 AGUIRRE-VOGLER: I have one more question of staff.

22 HARTMAN: Yes. Commissioner Mary Aguirre-Vogler.

23 AGUIRRE-VOGLER: Is this in Florence planning area?

24 ABRAHAM: It is.

25 HARTMAN: All right, Drew. I'm going to have you

1 come up and speak to us. I'm going to clear the - I think  
2 we've got enough comment from the audience that I'm going to  
3 go ahead and call you back up to make any comments, and then  
4 I'm going to call for a ten minute recess. If you would.

5           LANGLITZ: Mr. Vice Chair, if I may, I'm sorry. Let  
6 me - it's Mark Langlitz, Deputy County Attorney. I think it's  
7 probably better procedure, just to confirm that there's no  
8 other member of the public who wishes to address the  
9 Commission at this time, rather than, rather than - no - well,  
10 just before you close the public hearing, make sure that no  
11 one else wants to address the Commission, rather than just  
12 close it.

13           HARTMAN: All right. Is there anyone else that  
14 would like to come before us? Thank you. All right, Drew,  
15 you have the podium.

16           AGUIRRE-VOGLER: Can I ask him a question, please?  
17 Can I ask you a question?

18           HARTMAN: Mary Aguirre-Vogler. Do you want to ask  
19 Drew a question?

20           AGUIRRE-VOGLER: I just want you to talk about the  
21 location again, because that seems to be what everybody was  
22 bringing up, why you selected.

23           GIBBONS: Yeah Steve, would you mind bringing up our  
24 presentation? It would make it a little easier to speak to  
25 it, and then when I make up some of the other points and maybe

1 get a reference. But what Steve's going to bring up here -  
2 let me see if I can get there quickly - again, you know, what  
3 we're talking about, what's there now and what's the  
4 surrounding designations now, and what the County and the Town  
5 of Florence, which you brought up, sees for this area, is you  
6 know, we have the project here, we have the prison complex,  
7 surrounding area, the designations that Steve Abraham showed  
8 earlier, there's employment, public facilities and services,  
9 and the Very Low Density Residential, one home per, per acre.  
10 So that's what's there now. As far as planning for things  
11 like, you know, Jordan Rose showed this, you know, a lot of  
12 houses, you know, some of them in the floodplain, that's not  
13 in anyone's plans. At this point they would have to bring  
14 forward a Major Comprehensive Plan Amendment, which they said  
15 they're not going to do at this time, and this is where the  
16 County and the Town of Florence is saying they want  
17 development, and this is not even close to fully developed at  
18 this point. That's our - that's why we chose the site. And  
19 another point I should bring up, this is adjacent to existing  
20 transmission, that is - that's huge. We're not building  
21 additional transmission lines going through people's property,  
22 we're going to hook in right next to our site. Okay, so, so I  
23 can freelance now? Okay. I'll try and be efficient. I know  
24 you've had to listen to a lot here, so - but I, you know, I  
25 did make a lot of notes and I will try not to address all of

1 them, because you know, I did get some adrenaline going, so  
2 there's a few that I do need to clarify.

3           The first point I do want to clarify, and this  
4 actually isn't relevant to this proceeding, but it was brought  
5 up, so I think it's important; Jordan said that her client did  
6 not take an offer from us. We did speak to their  
7 representative on this land, we did look into buying it. They  
8 did - and we have an email record of this - present terms to  
9 us that we did not find favorable; one financially, and two  
10 because the property we would have to do, a significant  
11 portion might have been in the floodplain, it was very fuzzy  
12 what we would have been able to purchase, so it just wasn't,  
13 it wasn't as good as this site frankly. So I don't know if  
14 she's been improperly informed, but that's - you know, we have  
15 the emails to show that. But again, that's not what this is  
16 about and I don't - I shouldn't go down that road honestly,  
17 but it's just one of those things that I, I just wanted to  
18 clarify.

19           As far as, you know, their repeated claim that this  
20 is, this is speculative, I think there's a misunderstanding,  
21 and I hope I was clear when I was talking about the  
22 negotiations we're in; again, this Fortune 100 company has  
23 given us permission today to speak to you. They do want to  
24 remain - you know, part of this confidential, they don't want  
25 their name out there until it's finalized, but they have said

1 we can tell you we're in late stage negotiations on this  
2 project to sign a contract to buy this project. They would  
3 buy the project, none of this energy would go out of state, it  
4 would all go to their facilities, that is a fact. We're not  
5 selling this project to a utility. A utility wouldn't own the  
6 project. So this is, you know, folks are familiar with  
7 selling a project to a utility, that makes sense. In this  
8 case we're talking about a Fortune 100 company that would own  
9 the facility and route all that power to their Arizona  
10 manufacturing and employment facilities. And then the point  
11 about, you know, only one of these is going to be built, and  
12 we're comparing it to projects that will come up later.  
13 That's not true. I mean I'm not privy to what these other  
14 processes, other projects may be in. Maybe they are in  
15 negotiations with SRP, but we have been told that our project  
16 has been shortlisted, along with other projects that are also  
17 planned to be built. So we're not competing at this point.  
18 This is a specific project, they know where the location is,  
19 they are in favor of it for the same reasons we are, but  
20 again, this process needs to keep moving forward for this to  
21 be a real project. And again, I don't think we should be  
22 comparing projects either. You know, I looked very briefly at  
23 where this next project you're going to be looking at, where  
24 it's located, it's in the San Tan Valley. You know, that's  
25 going to have its own discussion. This again, we're out to

1 the east, we're out to the east near the prison facility away  
2 from all this growth, so I think it should be considered  
3 independently. Because it's not one or the other, both of  
4 these projects could be built.

5 All right, I promised to be efficiency. I think,  
6 you know, I'm not going to get into the assessed value of the  
7 land, the farming. I think that was inaccurate. If you'd  
8 like, we could bring up our consultant again to talk about  
9 that, about assessed value versus farming, but I don't think  
10 that that's necessary. I mean I think it is important. When  
11 we talk about the slide, where I said, you know, why now, why  
12 does this make sense, and we're talking here about what  
13 SunPower's proposing, it's absolutely right, and I think I was  
14 clear on this, that you cannot - the CPA amendment would be  
15 permanent. It would take a second amendment to be submitted  
16 to revert it. Again, I've SunPower is willing to agree to do  
17 that. Jordan, The Rose Law Group is correct that we've been  
18 informed by planning that that's not something we could attach  
19 to this approval, but our understanding from our land use  
20 attorney is we could have a side agreement with the landowner  
21 agreeing to do this if the project didn't go forward. So that  
22 would be independent and we'd be willing to sign and share,  
23 but that is something we're committed to do. So it wouldn't  
24 be - it would be, you know, something special that SunPower  
25 would have to do with the landowner. So that, that is true.

1 Rezoning again, that - I think what needs to be clarified  
2 here, again it's specific to solar, it's specific to this  
3 project, it would go back to this council with a milestone if  
4 the project weren't met, and you know, saying that a landfill  
5 could be built is just simply not true. That's not correct.  
6 And I mean if you'd like planning to clarify further, I'm sure  
7 that they'd, they'd be happy to do that.

8           As far as compatibility with AG and where we site  
9 our projects, agricultural production, I think I was clear on  
10 this, we seek out land adjacent to agricultural production.  
11 And I heard, you know, claims that it's not compatible, but I  
12 didn't hear any reason why, and I didn't hear how we impose on  
13 this agricultural production next door. I mean we use less  
14 water, create less dust, I mean any, you know - the point was  
15 brought up that there's crop dusting and dust created by these  
16 adjacent facilities, this is something we're used to. This is  
17 our business, this is what we do. Any dust created by these  
18 facilities, we factor into our economics. We wash our panels  
19 periodically. Now, if a neighbor's doing something way  
20 outside the lines, I mean that's, that's an issue between that  
21 owner and the County. I mean that's not for us to step in  
22 and, you know, make a decision there. But again, compatible  
23 with agriculture. And again, I haven't heard anything - I  
24 mean this isn't - you know, sorry I'll cede that conversation.  
25 Quick point, it is not true that you would have to build a

1 coal or gas plant to support this project at night. It simply  
2 doesn't make sense. What this is doing is displacing that  
3 coal and gas during the day, and then that coal and gas plant  
4 would supply that energy at night. You're not having - you're  
5 doing nothing except making sure that gas plant or coal plant  
6 isn't firing up in the peak of the day. So that's, that's the  
7 facts.

8           So as far as, you know, when Tyler and Kent came up  
9 here and they're, you know, they're with Arcus Capital,  
10 Landmark Companies, they've made, you know, a speculative bet  
11 that this is going to be 15-20 years from now, hide and seek  
12 residential. They showed you pictures of houses, they showed  
13 some pictures in the floodplain, so I'm not sure how that  
14 would work. But this infrastructure doesn't support it,  
15 planning doesn't support it at this point, development out in  
16 that area, so to us that is the speculative investment. This  
17 is the right location. I mean we hear a lot - we do a lot of  
18 these projects and we hear a lot, we love solar, just not  
19 right there. You know, just not next door to me. And  
20 something we take very seriously. We don't want to put it  
21 next to incompatible uses, that's why we did spend a lot of  
22 time looking at this area, looking at this site, looking at  
23 the planning for this area, and that's - you know, it's  
24 (inaudible), it's away from planned growth, it's next to the  
25 prison complex. It just, to us, made sense and we talked to

1 planning, it made sense.

2           And on the issue of water, this is something - this  
3 is my last point, I promise, and I'll leave you. But on the  
4 issue of water, this is something that actually came up a  
5 little more at the CAC meeting, but I think it's worth  
6 addressing. So, you know, when you're talking about water for  
7 residential using less than AG, I think that's probably fair.  
8 Agricultural production uses a lot of water, you know,  
9 surrounding farms are using a lot of water. Our current  
10 (inaudible) water. But, you know, once you convert it to  
11 residential use, you can't turn off people's taps. You can  
12 regulate agricultural water use. And, you know, we do have  
13 water onsite for this facility, we have enough and I can go  
14 into the plan. I don't know, I'm not going to go to the  
15 (inaudible) slide, but it's available to you in your packet  
16 about what wells we have and what the, you know, uses would  
17 be. We have enough onsite for operations. We have options  
18 available for construction, but we're also, you know, willing  
19 - we want to be a good neighbor, we want to do what's really  
20 right for the community, and if there is some suggestions out  
21 there to retire (inaudible) part or some of these rights in  
22 order to create - increase the water table for surrounding  
23 properties, that's something we're open to discussing. We're  
24 not going to need all the water rights we have. I mean we'd  
25 like to - so that's my last point, and I hope I didn't get too

1 tangential there, but I just wanted to make those follow-up  
2 points. Thank you.

3 HARTMAN: Thank you, Drew. Let me, let me ask  
4 Commission, any questions of Drew? Yes, Commissioner Salas.

5 SALAS: Are you (inaudible) is that once you're in  
6 production, Florence is not going to the direct recipient of  
7 that production, right?

8 GIBBONS: That's correct. Yes, this will all go to  
9 a-

10 SALAS: It will go into whatever system is going to  
11 be purchased, they will disburse that power to wherever.

12 GIBBONS: It's going to be specifically - oh I'm  
13 sorry, I'm interrupting. I apologize, Commissioner.

14 SALAS: (Inaudible) go to whatever area they chose,  
15 right? Not (inaudible).

16 GIBBONS: Right. Their facilities are in the  
17 Greater Phoenix Area, not Florence specifically. This power  
18 that's generated would be routed directly to those facilities  
19 by the distribution (inaudible), correct.

20 SALAS: Thank you.

21 HARTMAN: Commissioner Mary Aguirre-Vogler.

22 AGUIRRE-VOGLER: It still goes into a grid wherever  
23 it's necessary, right?

24 GIBBONS: Yes, it would go into the Arizona -

25 AGUIRRE-VOGLER: I mean it's still power.

1           GIBBONS: Thank you, Commissioner. That's true and  
2 like I've said a couple times, that would take the strain off  
3 (inaudible). So otherwise coal power, it would be generated  
4 properly to be dispatched to Florence, would not. It would  
5 take the load off.

6           AGUIRRE-VOGLER: Thank you.

7           GIBBONS: Thank you.

8           PUTRICK: I have a couple questions.

9           HARTMAN: Go ahead. (Inaudible) Commissioner  
10 Putnick.

11          PUTRICK: I've, I've attended the APA meetings, at  
12 conferences every year. The first one I went to was in  
13 Phoenix and there was a discussion and a presentation by the  
14 Brookings Institute about the growth in this area, the sun  
15 corridor, and what it says is we're going to need lots of  
16 water and we're going to need lots of power as we go along.  
17 Now, I understand solar, I understand electronics. I do not  
18 understand why having solar generating plant next to a  
19 residential area is detrimental to that, because I would think  
20 that is the best situation. When you build a residential  
21 community to have a solar plant in that area to handle the  
22 power for that, for that plant. Now the grid is already  
23 supplied by coal power and gas power generating plants.  
24 That's already there, that's in existence. And so as you say,  
25 when you're using solar, those will - the output of those will

1 be much reduced. I like solar better than wind power. Wind  
2 power is a blight on the area. All you gotta do is drive  
3 Interstate 10 through the Banning Pass, that's the ugliest,  
4 ugliest thing anybody could ever come up with. So I think  
5 solar is okay. Anything that you generate, that solar does  
6 not radiate, there's no coupling of energy into an adjacent  
7 home. It's very low, very low energy to speak of. We're  
8 talking about converting from the DC converter to AC is only  
9 12,000 volts. It's not a big deal. Now the one concern I  
10 have is that this is all focused on your deal with this  
11 Fortune 100 company, and you're going to supply - all the  
12 power from here will go to that Fortune 100 company, which  
13 tells me that this is not just energy you can't load in a  
14 truck, it's got to be - there's got to be transmission line  
15 from that facility to the facility that's going to be using  
16 the energy. So there's a, there's a piece of this puzzle  
17 that's missing. And then finally, I believe that we as  
18 Commissioners have the right to make contingencies on this  
19 approval, and I, I would like to say that we need to make  
20 contingencies based on this being - this plant being developed  
21 as stated and for the stated purpose, and however we get to  
22 reverting that, that major amendment back to its original  
23 content, I don't care how we do it, but I believe we should  
24 make it contingent. And, and that's my piece. Thank you.

25 HARTMAN: Thank you Commissioner Putrick. Okay.

1 GIBBONS: Vice Chairman, can I speak to that,  
2 shortly?

3 HARTMAN: Yes, go ahead.

4 GIBBONS: Sorry for interrupting. So, I think  
5 County counsel would say that, you know, this, the CPA, you  
6 cannot attach the contingency to revert it, but SunPower will  
7 commit and go on the record that we would sign a side  
8 agreement to bring a second application. So I, you know, I  
9 leave that for the attorneys to figure out where that falls in  
10 this process, but that's, I think, how it needs to work. And  
11 then as far as distribution to this Fortune 100 company, yes  
12 that is, that is something there, the distribution lines to go  
13 to their facilities would be a part of this, correct,  
14 obviously, and that's a separate agreement.

15 HARTMAN: All right, Commissioner Members, any  
16 further comments?

17 MORITZ: Are you ready for a motion?

18 HARTMAN: No, not yet. Thank you Drew. Thank you  
19 for your presentation. Okay, it's obvious you want a motion  
20 before we go (inaudible).

21 MORTIZ: I had questions of Drew.

22 HARTMAN: Oh, you did? I thought you were ready to  
23 make a motion.

24 MORITZ: (Inaudible). My first request is a  
25 microphone next month.

1 HARTMAN: (Inaudible) doesn't work very good.

2 MORITZ: I'm going to go over there.

3 HARTMAN: Yeah, sit in the chairs.

4 AGUIRRE-VOGLER: You could either bring that  
5 microphone over to her that's not in use.

6 MORITZ: Yeah. Okay, first of all I want to make it  
7 known that I personally don't have a problem with making  
8 decisions, changing the comprehensive plan. I also believe  
9 that a 200-some odd year U.S. Constitution should be changed  
10 on occasion. So that's not an issue for me, but again I do  
11 take that seriously and I also am much in favor of solar.  
12 Again, our two major issues in this state and in this County  
13 are water and power, and I also agree that you - it's hard to  
14 sell something if you don't have it in place to sell, okay?

15 HARTMAN: Commissioner Moritz, do you have a  
16 question.

17 MORITZ: I do, thanks for asking. I would like to  
18 know from staff if it's necessary that SunPower take the  
19 initiative to reverse the application request to Very Low  
20 Density Residential.

21 ABRAHAM: The comp plan - Mr. Chairman, Member  
22 Moritz - the comp plan - the County has never initiated a  
23 major comp plan amendment change, other than the one that we  
24 did for the 2009 comp plan. So, that would be brand new  
25 territory. Would we accept an application to go back to low

1 density residential? Of course. Fill the form out, pay the  
2 fee, sure. As far as the commitment that SunPower would make  
3 to us as form of an agreement, I don't really want to get into  
4 that today. I mean that's something we - that would take a -

5 MORTIZ: Okay. Then you have other spots that  
6 you've - because that's been asked - you have other locations  
7 you're considering, seriously?

8 GIBBONS: We did have other locations we considered  
9 seriously, and we spent a lot of time doing a lot of due  
10 diligence and focused on this site for a lot of different  
11 reasons we've kind of gone into, and then when we went to  
12 County Planning, confirmed that we made the right decision and  
13 that's what we were told.

14 MORITZ: Okay, so there are no other pending  
15 properties on your agenda.

16 GIBBONS: No, we spent hundreds of thousand dollars  
17 developing this project and we're very serious about making it  
18 happen.

19 MORITZ: Okay. And then would aerial spraying of  
20 agricultural land interfere with your operation?

21 GIBBONS: Again, no. We're located next to, again,  
22 agricultural facilities. All right, let me clarify, sure,  
23 some of that's going to get on our panels. That's something  
24 we factor into our economics, right? So soil gets on our  
25 panels, sun still shines through that. So that's factored

1 into production being lowered by soiling, and then also we do  
2 periodic cleaning, strategically, to reduce that. So, you  
3 know, as long as everyone's, you know, playing within the  
4 rules more or less, we don't have an issue. That's not  
5 something we run into.

6 MORITZ: And then my last question is, it is true  
7 then from what I've heard, that you do construct the facility  
8 and then you sell that to the - yes. Okay.

9 GIBBONS: That is correct.

10 MORITZ: Thanks.

11 GIBBONS: That's not as a rule, but we do that the  
12 majority of the time.

13 MORITZ: And in this case would that be the -

14 GIBBONS: Absolutely. The Fortune 100 company would  
15 own and operate.

16 MORITZ: Right. Okay, thanks.

17 HARTMAN: Thank you Commissioner Moritz. Commission  
18 Members, any further questions? All right. Thank you Drew  
19 Gibson for your presentation. All right, with this - at this  
20 time, we will turn it back to the Commission for further  
21 discussion and a motion.

22 AGUIRRE-VOGLER: I make a motion.

23 HARTMAN: Mary Aguirre-Vogler.

24 AGUIRRE-VOGLER: I recommend the Planning Commission  
25 forward PZ-PA-004-14 to the Board of Supervisors with a

1 favorable recommendation.

2 HARTMAN: We have a motion, do I have a second?

3 GRUBB: I'll second that, Mr. Chair.

4 HARTMAN: Who seconds it? Okay, Commissioner Grubb.

5 Thank you Commissioner Grubb. Okay, with that, if there's -

6 is there any other - any further discussion on the motion?

7 With that, let's, let's have a (inaudible) roll call vote,

8 please.

9 ABRAHAM: This is for a motion to recommend approval  
10 of case PZ-PA-004-14 to the Board of Supervisors. Member  
11 Putrick.

12 PUTRICK: Aye.

13 ABRAHAM: Member Grubb.

14 GRUBB: Aye.

15 ABRAHAM: Member Smyres.

16 SMYRES: No.

17 ABRAHAM: Member Del Cotto.

18 DEL COTTO: Aye.

19 ABRAHAM: Member Moritz.

20 MORITZ: Can I abstain?

21 HARTMAN: You can.

22 ABRAHAM: You certainly can.

23 HARTMAN: That's your right. Abstention.

24 LANGLITZ: Mr. Vice Chairman, could the Commission  
25 Member state a reason for the abstention?

1 MORITZ: I don't have to? Is that mandatory? I  
2 don't know that I am as well versed as I need to be to make  
3 that decision.

4 ABRAHAM: Member Salas.

5 SALAS: Aye.

6 ABRAHAM: Member Aguirre-Vogler.

7 AGUIRRE-VOGLER: Aye.

8 ABRAHAM: Vice Chairman Hartman.

9 HARTMAN: No.

10 ABRAHAM: One, two, three, four -

11 HARTMAN: And I, I will state why I'm voting no. I  
12 think that a comprehensive amendment should have a definite  
13 zoning request going along with it. It doesn't have to, I  
14 know legally it doesn't have to, but in my own mind, I think  
15 that it is better to have a zoning request along with it,  
16 because we kept referring to power, power, power, but anyway,  
17 we're making a comprehensive plan amendment, no.

18 ABRAHAM: Motion carries five to two, to one for  
19 approval.

20 HARTMAN: All right. Mr. Gibson, you heard the  
21 Commission's vote, it's a favorable vote with - I think you  
22 said two and one abstained, so with that, you will go onto the  
23 Board of Supervisors, you'll be notified by the staff when  
24 you're to appear at the Supervisor's hearing. Good luck.  
25 Thank you. Let's take a ten minute recess and we'll be back

1 for the next case at about 15 after. [Break.] Make our way  
2 back to our seats if you will. Evan are we ready? You're  
3 ready.

4 BALMER: Yeah, ready when you are.

5 HARTMAN: Okay, I'll call the session back to order.  
6 Our next case is PZ-PA-005-14. And Evan Balmer is our  
7 presenter. Evan if you would.

8 PALMER: Sure. So our second major comp plan  
9 amendment is PZ-PA-005-14. It's on 339 acres. The applicant  
10 is Integrity Land & Cattle. The agent for this case is Rose  
11 Law Group. The request is to go from Moderate Low Density  
12 Residential to Employment. Here's a map showing the subject  
13 property. We're a ways north of the Town of Florence, east of  
14 San Tan Valley. The applicant's proposal is to change -  
15 there's actually two areas. There's the one just above the  
16 current Employment designation, and then a small parcel below.  
17 The request to is to change both of those to Employment also.  
18 Here's an aerial that shows it in a little more detail.  
19 Here's a - the current designation is on the left where it  
20 shows Moderate Low Density Residential to the north. The  
21 image on the right is what the applicant is proposing. I took  
22 photos of the site. They're not going to be super helpful.  
23 There's a gate on the road about a mile and a half west of the  
24 site, and it's State Land, so the State put up a gate. It's  
25 pretty similar to the terrain that's out there. So the

1 proposal is Resolution Copper, it's a copper transfer facility  
2 on that site adjacent to the e-rail lines. A few discussion  
3 points is the fit within the Employment designation.  
4 Obviously this proposal would bring new jobs to the County,  
5 which supports the economic sustainability vision set forth in  
6 the comprehensive plan. The impact on surrounding  
7 development, as the project goes forward in the (inaudible)  
8 zoning approval, there will be an industrial buffer  
9 requirement along the property. One other point is the change  
10 from Moderate Low Density Residential to Employment, may  
11 result in a potential loss of just over 1100 dwelling units.  
12 The proposal is also adjacent to the existing rail lines,  
13 which the project would utilize for the transfer facility.  
14 The Citizen Advisory Committee heard this case at the same  
15 time that they heard the last case. The vote was unanimous,  
16 nine to zero to recommend approval. Since the time of that  
17 meeting, there have been no changes to the proposal and no  
18 comments have been received. I'd be happy to answer  
19 questions.

20 HARTMAN: All right, Commission Members, any  
21 questions of Evan? Not at this time, Evan. We'll reserve the  
22 right to come back.

23 BALMER: Sounds good.

24 HARTMAN: All right. Okay, at this time we'll call  
25 the applicant to come forward. Ma'am, if you would, give us

1 your name and address and as usual sign in.

2 ROSE: Thank you. Chairman and Members of the  
3 Commission, I'm Jordan Rose with Rose Law Group and with me is  
4 Jennifer Hall, a senior planner in my office, and we represent  
5 Resolution Copper on this proposal. And I know this  
6 presentation will be a lot shorter and less contentious than  
7 your last one, and we really appreciate Steve and Evan's help  
8 over the past, gosh, year that we've been developing this.  
9 Thank you for all of that. So, this really is a change for  
10 economic development, and I want to show you how this works  
11 with the Resolution Copper Mine. It's consistent with the  
12 vision in the surrounding area, and it's a cleanup amendment  
13 from - and I think some of you were on the Commission or were  
14 involved with the comprehensive plan last time, or when the  
15 major comprehensive plan went through, and this just cleans up  
16 this property that - see how it's oddly shaped, or oddly cut  
17 off, with Employment being the purple, and it just fills in  
18 the yellow part as purple so it can work together as one  
19 cohesive site. And it was even discussed at the Board of  
20 Supervisors the last - years ago when we did the comp plan is  
21 what's Resolution Copper going to do at this particular  
22 facility, so we just want to turn that site from that to  
23 Employment. So, right now it's just an undevelopable shape.  
24 And so let me show you how this works, but first mention that  
25 it is surrounded by vacant desert land, it's mostly the State

1 Land Department land. They chose this site specifically  
2 because it was disturbed, it's not farm land, it's not in the  
3 middle of anywhere. The nearest neighbor's over a mile and a  
4 half away to the west, and we haven't had any neighborhood  
5 comment at all and we've done a lot of outreach, or we've  
6 tried to. So let me talk to you about the overall mine  
7 operation, and you can see right here that's the, the  
8 Resolution Copper Mine in Superior and when they mine the  
9 copper, they liquefy it and put it into the pipeline that  
10 would come down to this site - this is our site that we're  
11 talking about - and at that point you can see this is, at this  
12 - this is called - well let me just, because I can't see that  
13 far away, which is not good - but basically at this site you  
14 can see the copper slurry solution is piped up and then  
15 there's two fully-enclosed buildings, and you'll have a PAD  
16 that's coming forward to you to see this, and you'll have to  
17 approve this obviously - but two fully-enclosed buildings  
18 where the copper is transferred and loaded. It's called the  
19 load out facility, it's basically the strain it so that it's  
20 more of a solid substance rather than the liquid that was  
21 piped over, and they put it on trains and transfer it out and  
22 this particular site is very good for this because it's on the  
23 track, and then it'll be transferred to the Union Pacific  
24 Line, and to the smelter plants that are - there's two of  
25 them, one is here in Arizona, and one's in, I believe, Utah.

1 So this is essential for Resolution Copper's facility that  
2 they're developing and without this site it's - it would be  
3 real problematic to their operation. They're obviously going  
4 to provide thousands and thousands of jobs and a really, a  
5 great economic development. They've been a good partner in  
6 Pinal County for years, so I would answer any questions that  
7 you have.

8 HARTMAN: Commission Members, questions of Jordan.

9 PUTRICK: Commissioner Putrick.

10 HARTMAN: Yes.

11 PUTRICK: Just a quick one. Slurry, what, what is  
12 the liquid in the slurry?

13 ROSE: Commiss - Chairman and Commissioner, I am not  
14 an engineer to speak to the slurry, but as I understand it,  
15 it's when they heat up the copper to liquefy it and they -  
16 it's not a chem - there's no, there's no polluting chemical  
17 substance that comes off of it.

18 PUTRICK: That answers my questions. Thank you.

19 ROSE: Yeah, thanks for, thanks for the question.

20 HARTMAN: Jordan, going further with that, they will  
21 have to have some kind of a milling process up at the mine or  
22 whatever to break that particle size down so that they can  
23 (inaudible) it to the -

24 ROSE: Sharon and Commissioners, in fact, when we  
25 come in with our zoning request, we'll give you a detail of

1 exactly what happens and the process of how that becomes  
2 liquid. I, like I said, I'm not an engineer and able to tell  
3 you that, but yes, this is - this process will occur up at the  
4 mine.

5 HARTMAN: But do you have any idea on the number of  
6 employment that will, this will create, the processing - well  
7 not the total, but just at this location that we're talking  
8 about today?

9 ROSE: Chair and Commissioners, the direct and  
10 indirect employment from the potential for this mine operation  
11 is, is, I mean, 4,000, five. I mean it's a lot. It's a big,  
12 big number. From this particular location on this site, I  
13 don't have that number, but I will at the PAD level.

14 HARTMAN: Okay. Thank you. Commission Members,  
15 further questions of Jordan? You got off easy so far. So  
16 far.

17 ROSE: Great. Because I didn't last time. This is  
18 payback.

19 HARTMAN: Right, okay. And I'll give you the right  
20 to come back.

21 ROSE: Thank you, I appreciate it.

22 HARTMAN: At this time we'll call to the public  
23 anyone that would like to speak for or against this project.  
24 PZ-PA-005-14, Resolution Copper. Seeing no one or hearing no  
25 one, I will close it to the public and turn back to

1 Commission. Commission Members, discussion? No discussion,  
2 call for a motion.

3 SALAS: Mr. Chairman?

4 HARTMAN: Commissioner Salas.

5 SALAS: I move that PZ-PA-005-14 be forwarded to the  
6 Supervisors with a vote of recommendation.

7 AGUIRRE-VOGLER: I'll second that.

8 HARTMAN: Commissioner Salas makes a motion and Mary  
9 Aguirre-Vogler seconds the motion. Is there any discussion on  
10 the motion? If not I'll call for a voice vote, all those in  
11 favor say aye.

12 COLLECTIVE: Aye.

13 HARTMAN: Opposed? Hearing none, motion carried.  
14 Jordan you have a yes vote from this Commission to the  
15 Supervisors. All right, next case. Next case is PZ-PA-005-  
16 14. Excuse me, 006, thank you Mary Aguirre-Vogler. I guess,  
17 I guess we are going to do those together. The next case too,  
18 PZ-PA-008-14 also?

19 BALMER: That is correct, Mr. Vice Chairman. We'll  
20 hear the plan amendment PZ-PA-006-14 and the zone change PZ-  
21 008-14 together.

22 HARTMAN: All right, if you will.

23 BALMER: Okay, so this project is located north of  
24 Skyline Drive, just west of Felix Road in the Florence area.  
25 There are two requests that we're hearing. One is for a zone

1 - excuse me - a comprehensive plan change from Moderate Low  
2 Density Residential to Employment on 103 acres. The second is  
3 for a rezone from GR to I-3, 480 acres. It's a plan to  
4 develop a photovoltaic solar facility. The applicant is Mesa  
5 Solar LLC. Here's the county map. Then again, it's north of  
6 Florence and just east of the San Tan Valley area. Here's the  
7 area map showing just north of Skyline and east of Felix Road.  
8 The comprehensive plan designation is - it's similar to the  
9 last case we heard whereas part of the property is already  
10 designated Employment, the rest is Moderate Low Density  
11 Residential. The existing zoning on the property is GR as is  
12 the majority of the land surrounding it. There is a, a few, a  
13 small number of homes located on the south side of Skyline  
14 Drive. I have actually two aerial maps. The first one is for  
15 the comp plan which shows the areas that will be changing -  
16 that the applicant has requested to change from Moderate Low  
17 Density to Employment. They are the, the kind of funny shapes  
18 on the, the north there, and then a small triangle on the  
19 south. The zoning case would actually go on the entire 480  
20 acres to I-3. The applicant site plan. Photos were taken at  
21 the location on Skyline Drive. This is north, actually, into  
22 the subject property. East along Skyline. South, you can see  
23 some of the residential development. This is west along  
24 Skyline. The stipulations, there are no stipulations for PZ-  
25 PA-006-14. The zoning case, PZ-008-14 has 15 stipulations.

1 And I would be happy to answer any questions you may have.

2 HARTMAN: Commission Members? Thank you, Evan. At  
3 this time I'll call the applicant to come forward, if you  
4 will. State your name and address for the record and also  
5 write it down on that tablet there.

6 BAKKER: Good morning. My name is Max Bakker.

7 HARTMAN: Is it Mac?

8 BAKKER: Max.

9 HARTMAN: Max.

10 BAKKER: M-A-X.

11 HARTMAN: Got you. Okay.

12 BAKKER: I have been retained by First Solar to lead  
13 the project developments of the Mesa Solar Project. The  
14 address is 350 West Washington Street, Suite 600, in Tempe,  
15 Arizona. It's 85281. Thank you.

16 ABRAHAM: And Max, don't forget to sign in, please.

17 HARTMAN: Max, what we're going to do is we're going  
18 to let you make your presentation as if it's one, and then we  
19 will have a motion on each one.

20 BAKKER: Great. That sounds good. And should we  
21 say for some space to presenting Mini Mesa in between my  
22 presentation?

23 ABRAHAM: That will be the next case that we hear  
24 after this, so you'll go through Mesa.

25 BAKKER: Okay, great. So, let's get organized here.

1 All right.

2 HARTMAN: Max, point it at that, that screen. There  
3 you go.

4 BAKKER: There we go. Okay, starting with First  
5 Solar again, everybody, and a little bit of background on who  
6 we are. We are a publicly traded company headquartered in  
7 Tempe, not too far from here. We first and foremost  
8 manufacture solar panels, thin film solar panels, but we also  
9 have a vertically integrated utility scale solar kind of  
10 product line that'll I'll talk to a little bit more here  
11 momentarily. We have about eight gigawatts of our product  
12 deployed throughout the world. In terms of our vertically  
13 integrated supply chain, we make the module, we do project  
14 development, which is a group that I'm part of, and we also do  
15 the engineering procurement and construction for the project,  
16 and we do the long-term operations and maintenance for the  
17 projects. Look at that. Here we are. Eight gigawatts of  
18 utility scale solar installations throughout the world, so  
19 we're very active on a global level, as well as right here in  
20 Arizona. Here's our U.S. pipeline overview. There's two  
21 projects that I'd like to highlight that we self-developed  
22 here in Arizona, which include the 290 megawatt Agua Caliente  
23 Project which is located in Dateland, Arizona, in Yuma County.  
24 For a longtime this was our flagship project, it was at the  
25 time when it was constructed one of the largest solar projects

1 in the world. There's several projects that have superseded  
2 that at this point, unfortunately. We've also done the Paloma  
3 Project which is located in Gila Bend, Arizona, much smaller  
4 in size, but much more comparable to our Mini Mesa Project  
5 that we'll be talking about here momentarily, just 17  
6 megawatts. About the Mesa Solar Project in particular. Let  
7 me just get my notes updated here as well. So, as for the  
8 location, we are on North Skyline Drive and we're just east of  
9 the Central Arizona Project. So the project size is 480 acres  
10 in total, and it's located on Arizona State Land, so we've  
11 been working very closely with the State Land Departments,  
12 including staff and the Commissioner Vanessa Hickman, to get a  
13 lease in place. We've done all the necessarily required  
14 studies to get a lease in place and we're looking forward to,  
15 to closing at least in the next month or so. As for the  
16 interconnection, initially we propose to build a three and a  
17 half mile long gen-tie that is depicted right there. Let's  
18 see, on these two. Flipping back to the prior slides. The  
19 blue line here is the originally-proposed gen-tie. When we  
20 proposed this project and we felt an interconnection request  
21 with SRP who will be absorbing the electricity from the  
22 project, we applied for two different interconnection  
23 locations, and we asked them to study these two different  
24 interconnection locations. The second interconnection  
25 location that I haven't mentioned yet is the Quail Florence

1 Line that runs adjacent to our site, and so we can work with  
2 SRP, and based on the study results that we received back from  
3 SRP, we decided to move forward with the Quail Florence Line.  
4 So the blue line that you see depicted here in this, this  
5 little map is no longer needed - excuse me, no longer needed  
6 and we will be tapping right into the orange line that runs  
7 adjacent to our site. So there's no new transmission  
8 necessary for this project. It needs no new offsite  
9 transmission. In terms of the selection of the site, we have  
10 been working with the State Land Department to pick a suitable  
11 site based on several different criteria. One of the first  
12 criteria is water usage. This particular property doesn't  
13 have any water rights associated with it and our plants, your  
14 construction, uses quite a bit of water to keep the dust out,  
15 but once it's in operation, we actually don't wash the panels,  
16 and so the only water needed on our properties is for  
17 sanitation purposes. It's a very, very low and we're planning  
18 to truck that in. Okay?

19 HARTMAN: Can I interrupt you?

20 BAKKER: Yeah, please do.

21 HARTMAN: Why do you not need to wash the panels?

22 BAKKER: So there's quite a bit of thinking that has  
23 gone into that and one advantage that First Solar has is that  
24 it doesn't have a metal frame around the solar panel, so  
25 without the metal frame, the water can run off and the dust

1 can run off more efficiently. And we've done some  
2 calculations on how to best optimize the electricity produced  
3 by the solar power plants, and we believe that the, the cost  
4 for the water and the cost to, you know, have folks out there  
5 cleaning the panel is actually not worth the benefit of the  
6 increased generation associated with cleaning the panels, so  
7 that's where we land. Okay?

8 HARTMAN: Thank you.

9 BAKKER: So - yes please?

10 SALAS: Are your panels - are they treated with some  
11 type of fluid or something? (Inaudible).

12 BAKKER: No, it's just a glass, yeah. They're made  
13 out of a glass outer layer. Okay? So, so second to that, I  
14 wanted to point out that this project is already designated  
15 Employment on most of the site, and let me just flip over to  
16 the next slide here where you can see in pink that's the area  
17 that's already designated Employment, and we're really only  
18 asking to change the, the two yellow corners and change those  
19 from Moderate Low Density Residential to Employment as well.  
20 As for the rezoning, we are requesting this to be rezoned from  
21 general rural to industrial. Okay? Next slide. So this is  
22 our preliminary site plan. As you can see the entrance will  
23 be on Skyline Drive, we're talking 50 megawatts in size, 480  
24 acres. PD Technology. We are requesting approval to build  
25 both - either a fix stilt or single access tracker

1 configuration, so we haven't really decided which one of these  
2 two different foundations for panels will be, will be best for  
3 the project. So, we'll also be using power conversion  
4 stations where the power will be converted from DC to AC.  
5 We'll have an electrical collection system and we'll step up  
6 the power from 345 kV to 69 kV at our onsite's double  
7 transformer, which will be located right next to the Quail  
8 Florence Line that runs just adjacent to our site where we'll  
9 tap into the system. Again, we will have no need for any  
10 permanent water or sewer infrastructure, and we won't be  
11 washing the panels, it's one of the highlights that we had.  
12 As for the interconnection, I just gave you a little bit of an  
13 introduction to the interconnection request that's been filed  
14 with SRP and based on the results, we were able to choose the  
15 ultimate interconnection point, which will be the Quail  
16 Florence line and eliminate the three and a half mile gen-tie.  
17 Okay?

18           The existing and nearby land uses. The site is  
19 currently vacant, with vacant State lands to the northeast and  
20 west, and some of it to the south. There is also a  
21 residential community, low density residential community  
22 across the street from Skyline Drive. We tried to keep that -  
23 take that into account and I've actually worked with Evan.  
24 Originally this was intended to be 640 acres, a kind of a  
25 square area, and we decided to reduce the project footprints

1 and take out a quarter of a section to create a little of a  
2 buffer between the existing neighborhood and our project.  
3 Okay? The, the potential nearby land uses are - it could be a  
4 residential and towards the southwest, and there's really no  
5 planned development in the near future here, so there's no  
6 PADs that have been prepared or filed or anything like that.  
7 Okay?

8           So just a little bit about the construction period.  
9 During the construction period, we expect obviously  
10 construction traffic and some normal levels of construction  
11 noise. The project should be built in about a eight to 12  
12 month period, and, you know, based on the surveys that we  
13 performed both biological and cultural, there'll be very  
14 little impact on, on native animals and some on the  
15 vegetation, obviously and we will comply with the Pinal County  
16 dust control requirements during construction.

17           Moving onto the operations of the project. We  
18 design these projects for - to be a very passive project,  
19 really just collecting the sun and generating electricity that  
20 is the main concept. We have about two vehicles per day  
21 arriving for ample use. Several deliveries per week, UPS,  
22 FedEx, etc., and perhaps once or twice a year a large  
23 equipment, kind of heavy truck delivery. So the idea is to  
24 have a very low profile project sitting out there, has a very  
25 low visual impact and has really no - very little traffic, no

1 noise, etc. Next slide. So as part of the comprehensive plan  
2 amendment application, we had a neighborhood meeting. We had  
3 that at the, at the Daily Bread and had several of the  
4 neighborhood members attend the meeting. I believe 12 folks  
5 showed up to meet with us. We've also had a toll free hotline  
6 for folks to ask questions about the project, about the  
7 company, and we obviously posted the sign that this meeting  
8 would be occurring today at the site.

9           So based on the, on the conversions with that we had  
10 with the neighbors, there's, there's been some concerns about  
11 the visual impact of the project, whether this project was  
12 going to, you know, block the view from the Superstition  
13 Mountains. It's really a beautiful area out there, so we  
14 decided to do a visual simulation and I'd just like to show  
15 you, give you a little bit of any idea what the change would  
16 look like, you know, based on this observation point here on  
17 Skyline Drive, facing to the northeast. Okay? And so this is  
18 what it looks like there today and, you know, based on the  
19 current design of site plan, this is what it would look like,  
20 the project is up and (inaudible). So as you can see, you can  
21 see the panels off in the distance, the security fence  
22 surrounding the site, so it's a very low visual impact and  
23 from our perspective we want it to be very clear that we're in  
24 no way intending to block the view, again, of the  
25 Superstitions and trying to blend into the general area as

1 good as possible. In terms of the benefits, we want to  
2 obviously provide construction jobs. Here in Pinal County  
3 we'll have a local job fair for folks to attend. We, you  
4 know, we will meet the County's environmental stewardship and  
5 renewable energy goals for renewable generation. The actual  
6 project will provide power equivalent to about 13,000 homes.  
7 Okay? One thing that I want to highlight is the fact that  
8 this is on Arizona State Land, and the main beneficiary of  
9 Arizona State Lands are K-12 schools, so the revenues from our  
10 lease will - 90 percent at least - of the revenues on our  
11 lease will go to schools in Arizona, some of which are  
12 located, obviously, here in Pinal County. There'll be state  
13 and local tax revenues, and benefits to local businesses. And  
14 the displacement of Co2 will be equivalent to about, think  
15 about 4200 cars being taken off the road, so it's a good  
16 chunk. In terms of the stipulation considerations, we have  
17 reviewed these and are generally okay with the stipulations.  
18 There's one particular stipulation that we want to address  
19 that we have a concern about, which is the request to build a  
20 masonry wall on the southern boundary of our site, and from  
21 our perspective this, this ultimately comes down to a security  
22 and public safety issue. So there'll be electrical equipment  
23 on our sites and obviously we don't want anybody to go out  
24 there and hurt themselves, but moreover, the - we believe that  
25 a masonry wall will, will kind of block of the view and this

1 is intended to be a largely unmanned facility. We don't want  
2 folks dumping trash on the other side of the masonry wall, we  
3 don't want vandalism out there, and we certainly don't want  
4 the copper of the components to be stolen from our property.  
5 So building a masonry wall will really block the view from the  
6 outside for people who will drive by, or folks of - you know,  
7 our local police enforcement and - so we really want to keep  
8 it open to our neighbors to see what's going on on the site.  
9 Okay? So, in addition to that, I want to make a couple more  
10 points as to the general post-development of - on the, on the  
11 long side of Skyline Blvd. We think that the main driver for  
12 the masonry wall is driven by the RSR standard that's in the  
13 County plan, but you know, just based on a general assessment,  
14 we don't really see any progress in upgrading Skyline Drive to  
15 that RSR standard, and really don't see that happening for,  
16 for many years. I want to highlight that this project will be  
17 generating electricity between 25 and 30 years, so after that  
18 there's still a chance to develop it for residential real  
19 estate, other projects, but right now there's, there's really  
20 - there's not a real trigger to build the wall out there. So  
21 that's our main concern with stipulations, I'd like you to  
22 consider that and please feel free to ask me any questions  
23 that you may have.

24 HARTMAN: Thank you, Max. Turning to Commission,  
25 Commission Members, questions? (Inaudible) go ahead.

1           ???: Your PV technology, is that - does that require  
2 a chemical inside those panels or is that something else I'm  
3 thinking of?

4           BAKKER: I think that you are referring to our  
5 semiconductor, is that correct? Whereas crystalline panels we  
6 use, use a polycrystalline material and we use a cadmium  
7 telluride material to - as our - a conductor. That'll be  
8 enclosed in the panel and is one of the materials that we use  
9 in our solar panel. The same material that we used in our  
10 Agua Caliente panel, as well as the Paloma Project that we did  
11 for APS.

12           ???: With all the monsoons we've been having, you  
13 can (inaudible) around, has anything damaged the - any of the  
14 panels like down at (inaudible) to cause any of that to leak  
15 out onto the ground or anything?

16           BAKKER: No. Cadmium telluride (inaudible) is a  
17 solid compound. Once it's treated to have that structure,  
18 there's really no way to break it apart, unless you apply  
19 extreme, extreme forms of heat to it. Okay?

20           ???: Last question. How tall are your panels from  
21 the ground?

22           BAKKER: So, so when we use - look at our tracker  
23 configurations, and the panel can be either in stow mode,  
24 right? So - or it can be in its most tilted position. In the  
25 most tilted position, which will be both in the mornings and

1 late afternoon, it'll be about 14 feet high.

2           ??: Thank you.

3           HARTMAN: What's the - I didn't get the number?

4           BAKKER: 14. 1-4.

5           HARTMAN: 14.

6           BAKKER: Yep.

7           HARTMAN: All right, Commission Members?

8           PUTRICK: I like PD guess, they're boom, boom, boom  
9 and there it is. I have a question about this contingency. I  
10 would, I would tend to agree with you on a cinderblock wall.  
11 I think I'd rather look at the chain-link with, with some  
12 shrubbery, than a cinderblock wall. But - and I'll take this  
13 one offline, I'd be interested in hearing why you don't need  
14 to wash the panels, because I know that dirt and dust ruins  
15 the efficiency of these (inaudible).

16           BAKKER: We - I have a little bit of a team with me  
17 with some technical experts, if you feel like to talking to us  
18 after the meeting, feel free.

19           PUTRICK: Okay, it's just for my own edification.

20 Thank you.

21           HARTMAN: All right, and Max on my - that's the same  
22 question I have. You don't have, like on the race cars, the,  
23 the operators have a little film that they just grab and pull  
24 off when it gets covered with mud and whatever, and then they  
25 just keep doing that, you're -

1           BAKKER: None of that sir. No.

2           HARTMAN: It's going to be like a house that never  
3 has the windows washed, in other words.

4           BAKKER: Essentially, yeah. But, you know, remember  
5 that instead of the windows being vertical, our windows are  
6 horizontal, so when the rain does hit it, we feel very  
7 comfortable that the panels get as clean as they need to be.

8           HARTMAN: All right, you're the operators.  
9 Commission Members?

10          MORITZ: Vice Chair?

11          HARTMAN: Yes, Commissioner Moritz.

12          MORITZ: Do you have another installation that you  
13 don't wash?

14          BAKKER: Yeah, we, we wash none of our  
15 installations.

16          MORITZ: Thanks.

17          HARTMAN: Okay, Commission Members, if no further  
18 questions, Max, we'll reserve the right to call you back at  
19 the end of public testimony.

20          BAKKER: Okay.

21          HARTMAN: Thank you. All right, we'll turn to the  
22 public. Will one - anyone from the audience that would like  
23 to come speak for or against this project PZ-PA-006-14 is the  
24 first - actually we speak with both of them at the same time,  
25 if you would, PZ-PA-006-14, PZ-008-14. Is there anyone that

1 would like to come speak? Yes sir.

2 SEIFERT: Okay, well the reason that I'm here - oh,  
3 wait a second. My name is Don Seifert, I'm the rancher in the  
4 area. I represent myself, I also represent Ellsworth Land &  
5 Livestock. I'm not here to oppose the solar deal, but some of  
6 the things they didn't address on here was where they're going  
7 to put that 480 acre one there, it is directly (inaudible)  
8 obstruction of our shipping corrals and holding pastures  
9 there, and there is plans underway on the north end to leave a  
10 corridor to allow us to get to there because our range out  
11 there runs from Skyline Road all the way to Florence Junction  
12 to Arizona Farms Road on the north, that's bordered by Queen  
13 Creek, and there wasn't anything mentioned of that in this -  
14 Max's presentation here, and stuff, so that's one of the  
15 things I just wanted to bring up and make sure that you were  
16 aware of that in there, and the other thing is there's a lot  
17 of drainage in there and as to how they're gonna deal with the  
18 drainage and where they're going to put that water to, because  
19 on the west side over there where my holding pasture is and my  
20 tank in there and stuff, there - part of that drainage goes  
21 into that, and I need to keep that there so I can have water  
22 for my cattle when I do have cattle out there and stuff, and  
23 those are my main concerns on the thing. The State Land,  
24 there is a deal with State Land that they're working with, I  
25 know, to keep a corridor on the north end so that I can get to

1 my corrals and stuff.

2 HARTMAN: All right, John. Thank you for bringing  
3 that up. Commission Members, questions of John?

4 SEIFERT: Do I need to write my name and stuff down?

5 HARTMAN: Yes, yes you do, because that gives you  
6 correspondence with the staff.

7 SEIFERT: Okay.

8 HARTMAN: And any further hearings or anything else  
9 that comes up, you will be first to be notified. That's very  
10 important. John, I appreciate you bringing that information  
11 to us. I - the water rights is they can't retain any water,  
12 so that's, that's normally what happens -

13 SEIFERT: Okay.

14 HARTMAN: It might -

15 SEIFERT: One of the things when you go in, because  
16 this has happened so much out there, and those people that  
17 live over there, you can ask any of them there, after this  
18 last rain we had last week, they just get drowned, and if  
19 they just take this and clear this land, which when you do  
20 that, that releases a lot of water and you just push it  
21 further downstream, it just - it's just going to drown them  
22 people down there. And if they take it from me up on the  
23 northwest corner there and stuff, it'll take water out of my  
24 holding pasture tank. The other day when the gentleman there  
25 from First Solar came out and we met with him and talked to

1 him, that tank was dry and I'm sure he has pictures of it.  
2 Today it's plumb full. So it's very important that we keep  
3 that water drainage there for this. Those are things that  
4 need to be done here before, you know, stuff, beforehand,  
5 before everything proceeds.

6 HARTMAN: Evan, how will that be handled? Public  
7 Works will do it on the drainage report, won't they?

8 BALMER: That's correct. Drainage issues are  
9 addressed when we go through site plan review. That's one of  
10 the things that we look at. A drainage report would be  
11 required.

12 HARTMAN: Exactly. Thank you for bringing that  
13 information. Okay, anyone else? Yes sir. Just state your  
14 name and address.

15 MONTGOMERY: John Montgomery, I'm at 10296 East  
16 Prairie Hawk Lane, San Tan Valley. I'd like to say, I don't  
17 have a problem with solar electricity, I'm all for it. Don't  
18 have a problem with the project being there, I do have some  
19 concerns as to how it's going to affect us out there. When we  
20 moved out there in 2008, the first night that we was there -  
21 we spent two weeks in a 5<sup>th</sup> wheel getting our place painted and  
22 cleaned out and ready to go and all this stuff - first night  
23 we was there, we had one of these rains don't happen out  
24 there, and we had four inches of water in our house, and four  
25 foot of water outside the house. I would - don't think a

1 block wall on the south side of that property's going to be  
2 beneficial. I think it's going to hold water back, because it  
3 comes from the northeast up there, and heads to Yuma. I also  
4 had an A-frame on a - that was built out of 4x4s that I built  
5 a swing for that I hadn't had a chance to put it up yet.  
6 After that rain, I found that halfway to Yuma out there in the  
7 middle of the desert, on the other side of Felix. So when  
8 that water comes through there, it's moving on. It's not,  
9 it's not a sprinkle when it comes. The rain we had the other  
10 day wasn't quite as bad as the one we had in 2008, but it was  
11 a good one. It flooded the roads out there. And also we get  
12 water from the mountains out there. We had water - full  
13 ditches of water out there two weeks ago and never got a drop  
14 of rain. That's how much water comes down through there.  
15 They started the project down there next to the railroad on  
16 Skyline and of course it went belly-up, but when they did  
17 that, they took the wash that runs through there and filled it  
18 in and put some concrete culvert pipes in there that blocks  
19 the flow of that water now to where now it comes to us. If it  
20 comes to us now, it's going to come to that solar plant as  
21 well. There's gonna have to be some flood control or  
22 something done out there if they put that in there. I don't  
23 have a problem with putting it in there, it just needs to be  
24 done right.

25 HARTMAN: Exactly.

1 MONTGOMERY: I thank you.

2 HARTMAN: Thank you, John. Any questions of John?  
3 Thank you. Anyone else? Second call, anyone else before I  
4 close it to the public? All right, with that, I will allow  
5 the applicant to come back and maybe make some comments. Max,  
6 if you would.

7 BAKKER: Thank you. I brought some water with me  
8 this time, I've got a little bit of a dry throat. I just  
9 wanted to thank you for speaking up for the project and  
10 especially around the issue of drainage. This was an issue  
11 that was brought to our attention during the stakeholder  
12 meeting, the neighborhood meeting as well, and so we were  
13 advised relatively early on that that could be an issue, so,  
14 you know, we started to look ahead and start some of the  
15 drainage studies, and you know, we intend to comply in every  
16 way with the site plan parameters of the County and so  
17 ultimately I think we think that the way that we deal with the  
18 drainage will be dealt with during time of the site plan  
19 approval, but we're already kind of thinking ahead and, you  
20 know, pricing some of the, the mitigation techniques that  
21 we'll have to get into; and at the end of the day we have, we  
22 have no intention to increase any downstream flows, you know,  
23 first and foremost, and we'll be building retention basins on  
24 certain part of sites and channels to control the water flow  
25 so that there's no additional water coming off of our site.

1 Okay? But I want to get highlight that we'll finalize those  
2 plans during the time of the site plan approval.

3 HARTMAN: And Max, what about the access to the  
4 rancher?

5 BAKKER: Yeah, so we're working with the State Land  
6 on this lease, and so we're also working with the State Land  
7 on providing access to Mr. Ellsworth. We are intending to  
8 maintain a corridor through which he can walk his cattle to  
9 his, his kind of loading area. So that'll all be part of our  
10 site plan, ultimate approval of the lease parameters with the,  
11 with the State Land Office. So all of the lands that are  
12 controlled by Mr. Ellsworth, I believe, as the leaseholder,  
13 are on State Land, so I think it's about 26,000 acres, so  
14 there's quite a bit of flexibility of how we'll deal with the  
15 corridor. Okay?

16 HARTMAN: All right. Any questions Commission  
17 Members? Thank you, Max.

18 BAKKER: Absolutely. Thank you.

19 HARTMAN: All right, at this time I'll turn it back  
20 to the Commission for further discussion and -

21 AGUIRRE-VOGLER: I'll make a motion.

22 HARTMAN: Mary Aguirre-Vogler.

23 MORITZ: Mr. Vice Chairman.

24 HARTMAN: Okay.

25 MORITZ: Never mind, thank you. I just thought of

1 something.

2 HARTMAN: Your second (inaudible)

3 MORITZ: I rescind that. Okay.

4 AGUIRRE-VOGLER: Oh, thank you. Make a motion that  
5 the - to recommend - I recommend the Planning and Zoning  
6 Commission forward PZ-PA-006-14 to the Board of Supervisors  
7 with a favorable recommendation.

8 MORITZ: I second it.

9 HARTMAN: Commissioner Moritz seconds the motion.

10 AGUIRRE-VOGLER: I'll also make another motion -

11 HARTMAN: No, let's take one at a time.

12 AGUIRRE-VOGLER: Sorry.

13 HARTMAN: Okay. Any discussion on the motion? If  
14 not, call for a voice vote, all those in favor say aye.

15 COLLECTIVE: Aye.

16 HARTMAN: Opposed? Motion carried unanimously. All  
17 right. Second motion for PZ-008-14?

18 MORITZ: Mr. Vice Chairman.

19 HARTMAN: Yes, Commissioner Moritz.

20 MORITZ: This is the one I had the question on  
21 regarding the request by the applicant for a stipulation 14.

22 HARTMAN: Okay, could the applicant come back? Max?  
23 There's stipulations on this motion and Commissioner Member  
24 Moritz has a question on -

25 MORITZ: No, I don't have a question, the applicant

1 requested that he not be required to put in a masonry wall on  
2 Skyline Drive.

3           BAKKER: Yeah, we request the stipulation be  
4 removed.

5           MORITZ: Mm hm.

6           AGUIRRE-VOGLER: And when I make the motion, if I'm  
7 allowed to make the motion, I'll remove it.

8           MORITZ: But is that okay?

9           ABRAHAM: Let me try and chime in here, where that  
10 stip came from. A coup - Evan, can you put the comp plan back  
11 on there. A couple things, one is that this piece of property  
12 is located within Superstition Vistas. It's owned by State  
13 Land and back when some of the Commission Members were here,  
14 this - Superstition Vistas was going to be a centerpiece of  
15 State Land for the next 50 years. This was going to be the  
16 place where the most world class development would occur and  
17 they had a parade of folks from the State Land Department and  
18 local folks come around saying this is, this is where it's  
19 going to be. I find it kind of interesting and strange. To  
20 me this is more staff's issue with State Land Department  
21 rather than First Solar that the State Land Department has  
22 basically authorized - and the reason for this - go to the  
23 comp plan - that one, yeah - the reasoning for this - and we  
24 lovingly call that purple area the fishhook is that it was  
25 the, it was the high capacity corridor for the north/south

1 freeway; and then when they came - the State Land Department  
2 came in, they took that Employment designation that followed  
3 the tracks all the way up to Florence Junction and I think  
4 it's interesting that State Land Department has now basically  
5 said we're going to go ahead and lease this property to a,  
6 what we consider a permanent land use to a private solar  
7 provider. So that really kind of sets the table that this,  
8 this corridor may, in their view, may or may not be necessary  
9 or it's going to have to be moved. So what that tells me and  
10 tells our staff is that they may be looking at possibly  
11 developing other areas in the future, not collectively but  
12 individually as they come in. What we could expect with the  
13 densities and the comp plan there is kind of 3.5 dwelling use  
14 to the acre, you know, subdivision where you have your street,  
15 your landscaping, your wall and there's a treatment to the  
16 street. What we could see was that we're driving down  
17 Skyline, you've got your regular subdivision treatment and  
18 then all of a sudden you get to the industrial-looking  
19 facility, barbed wire fence, and I think that that would be  
20 long-term and I don't know when the State Land Department's  
21 going to come in or when they're going to actually develop, I  
22 think that's the, the greatest mystery with the State Land  
23 Department, nobody really knows when they're going to pull the  
24 trigger on things; so that I think it's First Solar's  
25 responsibility to continue that or give us a development

1 standard to enhance that, that drive as you move down. Now,  
2 Evan and I were talking with our boss about we'd be willing to  
3 look at maybe wrought iron, wall, a combination of  
4 landscaping, the problem being is that we don't have a  
5 landscape code to say, you know, you're going to go ahead and  
6 do that as we, you know, as the code says. So it'd have to be  
7 something custom to this development. Evan prepared a stip  
8 that basically says wall, wrought iron, with some landscaping  
9 requirements that we would like to see that as I think a fair  
10 compromise between the block wall that we initially proposed  
11 and nothing that - or excuse me, the fence and barbed wire  
12 that the applicant is. And that's basically where that came  
13 from.

14 HARTMAN: So you're saying in place of a block wall,  
15 you could have barbed wire fencing?

16 ABRAHAM: Oh no, no, no. No, no. Basically what  
17 we're suggesting is that maybe a middle ground could be  
18 reached with sections of block wall that would be decorative,  
19 you know, covered with some stucco treatment, not just  
20 cinderblock, and then have large sections of that consisting of  
21 wrought iron, and then landscaping interspersed between that  
22 as well.

23 HARTMAN: Steve, this is pretty vague though. The  
24 applicant/property owner shall provide a masonry wall along  
25 Skyline. Masonry wall, two feet, four feet, five feet.

1           ABRAHAM: Yeah, it's kind of, it's kind of in the  
2 middle there, but we noodled it and we have a stipulation  
3 prepared of - that basically is a lot more detailed than what  
4 one would be. Or if that's something - and of course if the  
5 Commission is perfectly okay with the treatment that the  
6 applicant is proposing, then we certainly can get rid of that  
7 stipulation.

8           HARTMAN: And, considering the fact that this is -  
9 we are a recommending body, when this goes to the Supervisors,  
10 if you work out more details on this wall, it could be put -  
11 placed back in in front of the Supervisors.

12           ABRAHAM: That's a great point too. And that's -  
13 thank you for bringing that, because I'd ask that be part of  
14 your motion that the applicant adjust their narrative to  
15 reflect the fact that that power corridor is no longer going  
16 to be needed. That was also a concern of staff's as this  
17 thing was going as well, so yeah, that's certainly okay. Well  
18 - and I see some of the looks on your faces - we advise solar  
19 facilities to be close to existing infrastructure, they were  
20 proposing a mile of extra power line along the north/south  
21 edge of that property, the blue line; Max just basically said  
22 that that is now going away, so we would like their  
23 application to reflect that as well. So yes, back to your  
24 original question, the discussion's certainly not over at this  
25 point and we can certainly work out a stip that has more

1 detail between now and the Board meeting.

2 AGUIRRE-VOGLER: I have a question.

3 HARTMAN: Go ahead Mary Aguirre-Vogler.

4 AGUIRRE-VOGLER: But it's still rather vague, number  
5 14. You said a wall around - along Skyline, aren't you  
6 requiring some sort of fencing all around the property?

7 ABRAHAM: That would be part of the - what the  
8 applicant would want to do for security purposes. I think  
9 they're going to fence it no matter what, I think -

10 AGUIRRE-VOGLER: Chain-link, would that be -

11 ABRAHAM: Yeah, they felt a chain-link fence with  
12 some barbed wire on it. We have an alternate stip that I  
13 think is, you know, you know, I think is written a little bit  
14 more detailed, and Mark's looking at it right now to make sure  
15 it passes legal muster. It is that the owner/applicant shall  
16 provide at the time of site plan review a masonry wall along  
17 the eastern - or not really -

18 AGUIRRE-VOGLER: Partial.

19 ABRAHAM: So that's not for this one.

20 AGUIRRE-VOGLER: Aren't you saying partial, you  
21 said? Decorative?

22 ABRAHAM: Hold on a second. I'm trying to make it  
23 project-specific on the fly here. So the wall shall consist  
24 of 100 feet of masonry wall, six feet in height, followed by  
25 50 feet of wrought iron fence six feet in height, then the

1 applicant shall provide at the time of site plan review a  
2 landscape plan consisting of one tree every 30 feet, and one  
3 shrub every ten feet, along the property boundary.

4 HARTMAN: So that motion 14's supposed to include  
5 that?

6 MORITZ: Mr. Vice Chairman?

7 HARTMAN: Yes, Commissioner Moritz.

8 MORITZ: Two people, one including the applicant,  
9 have indicated that a masonry wall will not be appropriate  
10 because it would hide part of the project and may allow  
11 vandals and that type of thing to come in, plus the water  
12 flow, so I don't know that that rating would capture the  
13 essence of what they're really looking for. Maybe we need a  
14 better defined comment from the applicant.

15 LANGLITZ: Mr. Vice Chair, Mark Langlitz.

16 HARTMAN: Yes, Mark.

17 LANGLITZ: Deputy County Attorney. It sounds like  
18 there's not a consensus or agreement as to what the nature of  
19 a wall should be along Skyline Drive and the Vice Chair  
20 brought a great point, this will be going to the Board of  
21 Supervisors and by that time, hopefully things can be worked  
22 out. I've seen stipulations that basically provide, for  
23 example, the applicant/property owner shall work with the  
24 Community Development Department to come to an agreement  
25 regarding an appropriate fencing or wall along Skyline Drive.

1 And then that indicates that you've made the suggestion to  
2 them that they work with Community Development, come to an  
3 agreement, and then hopefully they can have reached that  
4 agreement by the time it goes to the Board of Supervisors.  
5 This is a thought that I had.

6 HARTMAN: And that's a good thought. And then, then  
7 the engineering on the drainage will be worked out too, so  
8 that they'll - Supervisors will know more how the drainage  
9 will be affected. I heard, I heard a  
10 retention/detention/retention ponds and (inaudible). I know  
11 one neighbor wants water and one neighbor doesn't want water,  
12 so you know, that's - engineering's going to have to work on  
13 that.

14 BALMER: Mr. Vice Chair, and that would be when we  
15 get to the site plan review, when we go through drainage or  
16 Public Works, and that would actually be after the Board  
17 meeting.

18 HARTMAN: Okay.

19 BALMER: That's the next step is to get site plan  
20 review.

21 HARTMAN: All right. As long as it's addressed and  
22 it's on the record.

23 BALMER: Yes, yes it is.

24 HARTMAN: Thank you. Okay, back to, back to  
25 Commissioner Aguirre-Vogler.

1 AGUIRRE-VOGLER: Are we ready for a motion?

2 HARTMAN: Yes we are.

3 AGUIRRE-VOGLER: I'd like to have - I recommend that  
4 the Commission forward PZ-008-14 to the Board of Supervisors  
5 with a favorable recommendation, with the attached 15  
6 stipulations, and modifying number 14 to have the appropriate  
7 fencing decided at site review, or how do you want me to word  
8 that?

9 HARTMAN: Mark, if you would.

10 LANGLITZ: Yeah, I would say the stipulation 14  
11 would be amended to read the applicant/property owner shall  
12 work in cooperation with the Community Development Department  
13 regarding an appropriate fence and/or wall along Skyline  
14 Drive. This is not part of the stipulation, I'm just thinking  
15 out loud now, if we need to put a timeframe up? Do we say  
16 before this matter is brought to the Board of Supervisors?

17 AGUIRRE-VOGLER: Right.

18 LANGLITZ: And then that -

19 AGUIRRE-VOGLER: I don't want to just say Skyline  
20 Drive, I think we need to say it all, all needs to be fenced,  
21 right? The boundary.

22 LANGLITZ: Yeah, yes. I understood that the  
23 applicant was probably going to do that, but yeah, we can -  
24 the stipulation can read the applicant/property owner shall  
25 work in cooperation with Community Development -

1 AGUIRRE-VOGLER: (Inaudible) fencing.

2 LANGLITZ: Regarding boundary fencing prior to this  
3 matter being heard by the Board of Supervisors.

4 AGUIRRE-VOGLER: Good. Thank you.

5 LANGLITZ: Well you made some excellent suggest -  
6 better revisions than me.

7 HARTMAN: All right, do I have a second?

8 SALAS: Second.

9 HARTMAN: Commissioner Salas seconds the motion.  
10 With that, Commission Members, any further discussion? If  
11 not, I'll call for a voice vote, all those in favor, say aye.

12 COLLECTIVE: Aye.

13 HARTMAN: Opposed? There none, motion carried.  
14 Max, you have two cases to work on before going to the Board  
15 of Supervisors. You will be notified. You have the backing  
16 of Planning - Pinal County Planning and Zoning. With that, we  
17 will recess for lunch and will be back at 1:15. Thank you.  
18 [Lunch break.] At this time I'd like to get Evan to go ahead  
19 and present these next two cases for us.

20 BALMER: Thank you, Vice Chair, the next two cases  
21 will be heard together. It's PZ-PA-007-14 and PZ-010-14. The  
22 proposal is located on the east side of Quail Run Lane, north  
23 of Roberts Road in the Florence area. The request is for a  
24 non-Major Comprehensive Plan Amendment for moderate low  
25 density to employment, and it rezoned from G- - excuse me,

1 from GR to I-3 on approximately 153 acres. Again, to plan and  
2 develop a photovoltaic solar facility. The applicant is Mini  
3 Mesa Solar LLC. This is the County map. We're just  
4 (inaudible) east of San Tan Valley. Here we - it shows the  
5 proposal just east of Quail Run. You can see some of the  
6 surrounding zonings. There's some residential in the area.  
7 The comprehensive plan designation currently on the site is  
8 Moderate Low Density Residential. It allows one to three and  
9 a half dwelling units per acre. The existing zoning is GR.  
10 This is an aerial. The applicant site plan. Photos were  
11 taken at the site along Quail Run. North. East across Quail  
12 Run. South. And then west into the subject property. With  
13 this case PZ-PA-007-14, has no stipulations. The zoning case,  
14 PZ-010-14 has 16 stipulations. And I would be happy to answer  
15 any questions.

16 HARTMAN: Thank you, Evan. Commission Members,  
17 questions of Evan? If not, we'll call the applicant to come  
18 forward if you will. If you'll introduce yourself to the  
19 Commission.

20 BAKKER: My name is Max Bakker, I've been retained  
21 by First Solar to lead the development on the Mini Mesa Solar  
22 Project. We are located at 350 West Washington Street, Suite  
23 600 in Tempe, Arizona, 85281.

24 HARTMAN: Thank you, Max. If you would, go ahead  
25 and give your presentation to us. We'll be hearing both of

1 these cases together, so you can probably work on both of them  
2 at the same time.

3           BAKKER: Great. So hence the name, the Mini Mesa  
4 Solar Project is a tiny version, a smaller version, of the  
5 Mesa Solar Project that I just had the pleasure talking to you  
6 about prior to having lunch. Okay? I will skip the First  
7 Solar introduction. If you have any questions about First  
8 Solar, please feel free to ask those of me. And I'll jump  
9 right into the public details. Okay, starting on slide number  
10 three of the presentation, the project is located in Pinal  
11 County at the intersection of North Quail Run and East Roberts  
12 Road. The project consists of 153.8 acres, so below the  
13 cutoff of a Major Comprehensive Plan Amendment, so again  
14 highlighting that this is a minor comprehensive plan  
15 amendment. We will be interconnecting to the Quail  
16 Substation, which is located at one mile south of our site,  
17 and one of the highlight that we have been working with the  
18 Arizona State Lands Department as we did on the Mesa Project  
19 to identify this particular location, and it does have a  
20 little bit of history. Look to the right side here. There we  
21 go. Initially, we had hoped to secure these 160 acres  
22 adjacent to the Quail Substation that's currently an AG and,  
23 you know, based on feedback from the State Land Department and  
24 the AG lessee, we decided to move the land one mile north to a  
25 lot that again doesn't have any water rights associated with

1 it, so it has very low other uses, other than our solar  
2 project that, again, doesn't use any water during the  
3 operational period. Other considerations that went into the  
4 site location include the existing infrastructure of both the  
5 **Iberdrola** Project, that's wrong - that's located right there.  
6 It's about a mile and half from our site, so very close by.  
7 Also the Quail Substation is located right there, and the Abel  
8 Substation is located in close vicinity that is an  
9 interconnection point in SRP's territory where many large  
10 transmission lines come together. So there's quite a bit of  
11 electrical infrastructure in this particular area. We are -  
12 we filed an interconnection request with SRP, we've received  
13 some preliminary studies there as well, so we do interconnect  
14 through the SRP transmissions system. Again, we are applying  
15 here for a minor land use amendment, Moderate Low Density  
16 Residential to Employment, and a rezoning from general rural  
17 to industrial, 153.8 acres.

18 Terms of the site plan overview. The project will  
19 be 20 megawatts in size, so a little less than half of the  
20 Mesa Solar Project. We are - we will be using First Solar's  
21 thin film technology and also proposing either a fix tilt or a  
22 tracker foundation for the panels. There again will be DC to  
23 AC conversion stations and electrical collection system. And  
24 we're actually collecting the power here at 1247 kV which is a  
25 distribution level voltage, if you're familiar with that, so

1 we won't be stepping up the power to high voltage category.  
2 So we'll tap in directly into the Quail distribution side of  
3 the substation. We intend to build a one mile gen-tie. It  
4 will be a double circuit 12 kV gen-tie, so a very, very small  
5 pole compared to many of the other poles that are in the near  
6 vicinity, much lower than the Quail to Florence line that we  
7 discussed earlier today, much lower than the 230 kV line that  
8 runs, I think, just slightly out from Quail Run that  
9 interconnects at the Abel Substation. And even lower than the  
10 existing transmission line that runs up Quail Run; that's 69  
11 kV, so we'll have a relatively small transmission line that  
12 we're interconnecting the project at, at the Quail. Okay? We  
13 - the site access is at the plant on Quail Run Lane and we,  
14 again, have no intention of any permanent water or sewer  
15 infrastructure out there, won't be washing our panels. The  
16 next slide is an existing view of the site. As you can see,  
17 this is an existing 69 kV line that's built out there already.  
18 We'll be building a smaller line to the inside of this  
19 existing line that's 1247 kV. Okay? And this is the view  
20 facing north. Okay. On the existing and potential land uses,  
21 this site is currently vacant. The, the land adjacent to the  
22 northeast and west are all State Land, and, and there's some  
23 agriculture just to the south of it. There have been - some  
24 plats have been filed in the vicinity. Want to highlight  
25 tentative plan that's been filed just north of our property.

1 Current existing residential is about half a mile north and .4  
2 miles to the northwest, and again there's a significant amount  
3 of electrical infrastructure out there, transmission lines,  
4 the **Iberdrola** Project, the Quail Substation, the Abel  
5 Substation. And, speaking of which, all of which have a  
6 chain-link fence. Okay? The next slide here highlights the  
7 potential future uses. Again, there has been some residential  
8 development interest in this area, but I believe that the  
9 interest has significantly slowed down. On the neighborhood  
10 impact, this project, it's a little bit smaller in size, it'll  
11 take between six and ten months to construct. Typical  
12 construction noise, again no close residents within a half  
13 mile radius. And we've also done a cultural and biological  
14 survey indicating that no endangered species will be affected  
15 here. There'll be obviously some plants that will be  
16 affected. And I want to highlight again the one mile gen-tie.  
17 We intend to comply with all Pinal County dust control  
18 requirements. On the neighborhood impact (inaudible)  
19 operations, very similar profile as the Mesa Solar Project.  
20 There's be two vehicles possibly per day for workers, some  
21 FedEx deliveries, large equipment and heavy trucks between two  
22 and four times per year. Okay? So again we design these  
23 projects as a very passive project that you should be largely  
24 undisturbed, really just collect sunshine, no noise, no odor,  
25 etc. I can barely keep up with myself. There we go.

1           Project benefits. Construction jobs in the County.  
2 And again we'll have a lot - a local job fair and this project  
3 is a little smaller than the Mesa Project, it'll produce about  
4 half the - sorry, less than half the amount of energy than the  
5 Mesa Solar Project, or enough for about 5,500 homes. And this  
6 also is in State Land, and I want to highlight again that all  
7 the benefits of the lease will go to K-12. I think that  
8 covers the benefits, largely. In terms of the public  
9 outreach, we organized a neighborhood meeting, again at the  
10 Daily Bread and intended those close to us to come talk about  
11 the project, ask questions, and nobody attended that meeting  
12 during that time. We have a toll-free hotline and of course  
13 posted the sign on the site indicating that the Planning and  
14 Zoning meeting will be held today.

15           Now back to the stipulations. We're in the same  
16 boat here. We really agree with all of the stipulations that  
17 are being proposed, but want to again highlight the masonry  
18 wall and want to, I want to just approach the stipulation with  
19 a lot of careful, you know, kind of a patient attitude. We  
20 got really concerned when we started drafting things in real  
21 time because, you know, one of the main benefits, one of the  
22 main characteristics of this projects is that it will be  
23 constructed on land that doesn't have any, any water rights.  
24 We don't use any water for the operations of the project, and  
25 so for instance, having to do landscaping, having to water

1 trees every few feet is a real concern for us. It would  
2 really change the characteristics of the project. So that's a  
3 very big deal. And then I also want to focus on the other  
4 infrastructure that's in that area, again the **Iberdrola**  
5 SunPower Project, chain-link fence, the (inaudible)  
6 Substation, the Abel Substation, and from our perspective,  
7 again, I want to highlight that this is an issue as much  
8 around safety as, as security. Okay? And that's pretty much  
9 all I have. I have a feeling that we won't resolve this  
10 stipulation today, but I just wanted to be clear what our  
11 perspective is and, you know, I really want us to keep the  
12 practicality of these projects in mind. I do have one other  
13 comment to potential residential developments in the near  
14 vicinity, and again in the context of this masonry wall. You  
15 know, looking at most residential plats, each proposes their  
16 own masonry wall around their project, so just please note  
17 that and know we'll continue to work with the County staff on  
18 a, on a good resolution. Okay? Do you have any other  
19 questions for us?

20 HARTMAN: All right, I have a question to start out  
21 with. I have a letter in front of us and in this letter,  
22 Shane Hamill, he stated that - suggested the Commission  
23 inquire the Mini Mesa Solar Facility to provide a landscaping  
24 with watering system. So many times when - I totally agree  
25 with him, with watering system, because so many times if you

1 plant desert landscape, it just doesn't really take off. I  
2 mean it's taken years for it to get into the desert and for us  
3 to just transplant it, it takes some water and care. So - but  
4 your thoughts on that are you don't have water rights on the  
5 property?

6           BAKKER: I mean this, this project is being very  
7 carefully planned without impacting Arizona and Pinal County  
8 water supply, and we don't want to change that. I think  
9 that's a very important benefit for this project.

10           HARTMAN: So that brings our number 14 into value  
11 even more, is to make some kind of a physical buffer between  
12 the neighbors, because there is what, on two, two different  
13 corners there is subdivisions down below on the -

14           BAKKER: Yeah. Yeah, and I'm fully aware of that  
15 and again want to highlight that those subdivisions will have  
16 a masonry wall around their own property. I believe that the  
17 solar project really fits a different category. Nobody will  
18 be living there, it'll be a very quiet 160 acres sitting out  
19 there. We think that the wall will separate the project from  
20 a, you know, a certain openness and could be an invitation to,  
21 again, dump trash, vandalism, theft, and those are all  
22 concerns for us.

23           HARTMAN: So - but you are susceptible or acceptable  
24 to number 14 if we word it properly, like we did the other -  
25 on the other case.

1           BAKKER: Well the proper wording, I believe, that we  
2 just agreed upon was that we'll continue to work with the  
3 County on the best resolution possible, and I think that from  
4 our perspective we have certain criteria what that resolution  
5 looks like and we'd like to continue to work with the County  
6 to fine-tune that. I think anything that's been discussed  
7 thus far that's currently on the table, does not meet our  
8 criterial.

9           HARTMAN: All right, but in that previous case it  
10 wasn't mentioned, but open - we're in a state of - in our  
11 state it's open range unless you fence the property out. In  
12 other words, to keep livestock or maybe persons coming in,  
13 you're going to need some type of physical barrier.

14           BAKKER: Absolutely, and I want to highlight that  
15 we, we are proposing our safety fence, our chain-link fence on  
16 both properties, surrounding the entire perimeter of the  
17 project, so nobody will be able to get inside of the project,  
18 and nobody will be able to get outside of the project.

19           HARTMAN: And no slats on the chain-link fence.

20           BAKKER: We don't think the slats are the right  
21 solution, not here. It just gets too hot and the get messy.

22           MORITZ: Mr. Vice Chairman?

23           HARTMAN: Yes, Commissioner?

24           MORITZ: Could I just ask one question?

25           HARTMAN: You may.

1 MORITZ: I think in this letter from Sean Hamill, it  
2 indicated that it would have barbed wire on it, were you  
3 really intending that?

4 BAKKER: Yeah, absolutely. Yeah.

5 MORITZ: Okay, thanks.

6 HARTMAN: Commission Members, more questions? Max.  
7 Thank you Max -

8 GRUBB: Mr. Vice Chair.

9 HARTMAN: Yes, go ahead Commissioner Grubb.

10 GRUBB: You brought this as a non-major, but there's  
11 a similar size piece of property to the west, is there any  
12 movement by First Solar to go after to that property, or to  
13 the east? Are you planning additional sites around this site?

14 BAKKER: So it's hard to say. Today the answer is  
15 definitely no. We don't see a market for the projects beyond  
16 those that we have - that we're developing right now, but you  
17 know, the need for power in Arizona and Pinal County and in  
18 SRP's territory in particular is going to grow over the years,  
19 and so, so we would consider something along that - along the  
20 lines.

21 GRUBB: Okay, and do you have an agreement with SRP  
22 for this power?

23 BAKKER: No, we don't have an agreement with SRP for  
24 this power, we are working with SRP to interconnect the  
25 project. They will be responsible for getting the electricity

1 from Point A to Point B, inside of their territory. The buyer  
2 of the power will be a third party. Okay? And as with the  
3 project that was discussed this morning, we are very closely  
4 working with them and are in advanced stage of the  
5 negotiations. What will firm up the negotiations for us is to  
6 be able to provide price certainty, and price certainty we can  
7 provide once we have approvals in place, interconnection  
8 agreements, permits, planning and zoning approval, agreement  
9 on stipulations, etc.

10 GRUBB: Well both of these projects are going to a  
11 third party.

12 BAKKER: That's correct.

13 GRUBB: Like we talked about this morning?

14 BAKKER: And I want to highlight that, you know,  
15 although the third party will be buying the projects, the  
16 electricity will be going into SRP's system, and so together  
17 with all of the other electricity that's being generated into  
18 SRP's system, this will be dispatched proportionately to  
19 (inaudible) power. You know, neighborhoods, new  
20 neighborhoods, industrial manufacturers, gas stations, city  
21 lights, whatever it may be. I would look at SRP's  
22 transmission system as a sink where we're adding electricity  
23 to, where you know, various parties in SRP system can tap into  
24 to use that electricity. Okay? So whoever buys that power is  
25 really insignificant to where the power's going. Okay? Was

1 that confusing?

2 GRUBB: Well -

3 BAKKER: I'm happy to clarify that further if you  
4 would like me to.

5 GRUBB: No.

6 BAKKER: Okay.

7 HARTMAN: All right, Commission Members. No further  
8 questions? All right, Max, thank you. I'll call to the  
9 public and then you'll have the right to come back.

10 BAKKER: Great, thank you.

11 HARTMAN: All right, at this time I'll call to the  
12 public. Anyone that would like to come and speak before us on  
13 both - either one of these cases? PZ-PA-007-14 or PZ-010-14?  
14 Yes sir, come forward and state your name and address and  
15 write it all down.

16 HAMILL: Yes. My name is Sean Hamill, I'm here with  
17 United Engineering Group, 3205 West Ray Road, Suite 1. Thank  
18 you Vice Chairman and members for allowing me to speak. I  
19 here represent the property to the north of the Mesa Mini  
20 Solar. The property is known as Skyline Estates, it has an  
21 approved PAD in the County, as well as an approved pre-plat  
22 for 1,017 lots. We are currently moving forward on a final  
23 plat of a portion of that, that subdivision. It'll be brought  
24 to staff here in the coming weeks to months. We are not here  
25 to oppose the project, we just want to remind council, staff,

1 that this is planned as the overall, for a residential  
2 community as identified by the comprehensive plan and so  
3 forth. Staff stated it well earlier, that these roads  
4 surrounding the Mesa Mini Solar and ours, Jennings Street and  
5 Skyline, if Mesa Solar wasn't to be there, they would  
6 otherwise be planned to have block walls and landscaping and  
7 so forth, having the residential feel. This industrial feel  
8 with, with chain-link fencing and barbed wire will take away  
9 from that, and we feel that could hurt our subdivision, future  
10 homebuilders wanting to buy the property, and ultimately  
11 homeowners wanting to move into the neighborhood. So that's,  
12 that's the gist of it. Just wanted to get on record, bring  
13 those to your attention. Yeah, I think that was it. So thank  
14 you.

15 HARTMAN: Tom, you -

16 HAMILL: Sean.

17 HARTMAN: You were the one that wrote the letter.

18 HAMILL: That was my letter, correct.

19 HARTMAN: That was good that you mentioned

20 (inaudible).

21 HAMILL: Yeah, the watering, because like you stated  
22 vice chair, you know, you can put the landscaping in, about a  
23 year later it's dead and what's the point of putting it in the  
24 first place.

25 HARTMAN: That's exactly right, and so many times

1 when you farm, you got - you have to be a farmer and a good  
2 farmer to make something grow in Arizona.

3 HAMILL: Exactly.

4 HARTMAN: And it needs water. Exactly.

5 HAMILL: And just, just - I guess Max's statement to  
6 saying the - our subdivision will be bordered on all sides  
7 upon ultimate build out, with residential walls. But, you  
8 know, that's a wall and then there'll be our landscaping, and  
9 then a road, and then all the traffic coming through, to and  
10 from, both Skyline and Jennings, will have to look at, you  
11 know, a solar industrial field. So we're not concerned so  
12 much about security, you know, a wall, a fence, someone wants  
13 in, they're going to get in. You know, they'll cut a fence,  
14 they'll hop a wall. We're just more - excuse me, I turned  
15 your TV off - we're just more concerned about, you know,  
16 keeping it a neighborhood feel. So thank you.

17 HARTMAN: Let me ask Evan a question, Evan, in one  
18 of these cases I saw a buffer around the property, is there -  
19 are we going to consider any kind of a buffer?

20 BALMER: That's correct, Vice Chairman. Part of the  
21 requirements for the I-3 zoning is a 50 feet industrial buffer  
22 around the property. And yes, that would, would - goes along  
23 with the I-3 zoning.

24 HARTMAN: So, so what goes in that industrial - in  
25 that buffer?

1           BALMER: there's a number of things that are  
2 options. In this case it would be a landscaping buffer. The  
3 other options are parking, recreation for employees of the  
4 site, things along those lines, as well as landscaping is an  
5 option.

6           HARTMAN: Who's, who's the water provider in that  
7 area?

8           BALMER: Diversified Water.

9           HARTMAN: And our applicant could buy water from  
10 them for irrigation pur - of the vegetation purposes.

11          BALMER: That is correct.

12          HARTMAN: Okay.

13          BALMER: Thank you.

14          HARTMAN: Let the Commission ask you any questions  
15 if they would like. Commission Members, no? Commissioner  
16 Moritz.

17          MORITZ: Mr. Vice Chairman. Would you think that  
18 the block wall the applicant mentioned on their property would  
19 be attractive enough to take away from the starkness of their  
20 project?

21          HAMILL: You know, I think it would help. Just the  
22 chain-link and the - especially the barbed wire -

23          MORITZ: Right.

24          HAMILL: It leads to an industrial feel, and this is  
25 not an industrial area, this is planned for residential

1 communities. So whether that'd be a block wall or like staff  
2 was suggesting, some (inaudible) between block, wrought iron,  
3 something, you know, just to take away that industrial -

4 MORITZ: The aesthetics of it. And that could  
5 happen and maybe not have any greenery or foliage or  
6 plantings.

7 HAMILL: Its possible, sure.

8 MORITZ: Okay, thanks.

9 HARTMAN: Okay, this is Employment, which to me -  
10 Evan isn't employment industrial?

11 BALMER: The employment comprehensive plan  
12 designation supports industrial zoning, yes.

13 HARTMAN: So we are talking basically industrial.  
14 Okay. Well perimeter of fencing or design, whatever, seems to  
15 be kind of the problem that we have. I think we'll probably  
16 let staff work that out. Okay. Thank you, Tom.

17 HAMILL: Sean, thank you.

18 HARTMAN: Oh excuse me. For some reason I wrote  
19 down Tom. Okay.

20 LANGLITZ: Mr. Vice Chair.

21 SALAS: Did you start it with an S?

22 HARTMAN: No.

23 LANGLITZ: Mr. Vice Chair?

24 HARTMAN: I'm known for messing up names anyway.

25 Yes?

1           LANGLITZ: Mr. Vice Chair, Mark Langlitz, Deputy  
2 County Attorney. If the Commission decides to amend the  
3 stipulations, I guess in this case it's 14 and 15, in the last  
4 case we had some language to the effect that the  
5 applicant/property owner will work in cooperation with the  
6 Community Development Department. I think there may have been  
7 some statements made that the applicant believes - still  
8 believes that barbed wire may be appropriate, which I don't  
9 believe Community Development Department is going to approve  
10 at all. This is a rezoning case and stipulations are  
11 appropriate, since they have no right to a rezoning, but  
12 rather than try to fix the nature of the wall and landscaping  
13 now, is to tweak that stipulation that they'll work in  
14 cooperation with the Community Development Department for an  
15 appropriate - what did we say, wall, fence around the project  
16 boundary? But an appropriate wall/fence acceptable to the  
17 Community Development Department, I think that will strengthen  
18 that up and probably give the applicant, you know, the right  
19 message to, to do the right thing with respect to that  
20 (inaudible) fence in consideration to the neighbors.

21           HARTMAN: And Mark, what about if you take the word  
22 wall out and put in boundary fencing?

23           LANGLITZ: I think that's much better.

24           HARTMAN: Yeah, I do too. That could be other than  
25 - it could be metal, wrought iron or whatever.

1           LANGLITZ: And from what I understand, I think in  
2 the I-3 zone, correct me if I'm wrong, that a buffer is  
3 required for that. I don't think - it doesn't need to be a  
4 stipulation to that effect, that's - yeah, that would be part  
5 of the rezoning. Yeah, okay, okay.

6           AGUIRRE-VOGLER: I just would like to make a  
7 comment.

8           HARTMAN: Okay, go ahead Mary Aguirre-Vogler.

9           AGUIRRE-VOGLER: Heavy-duty landscaping, I'm totally  
10 opposed to having foliage. A cactus type of landscaping is  
11 fine, but I do think the developers go too far with all their  
12 landscaping. We are in a water crisis, so if there is any  
13 landscaping required, I'd go with a desert landscaping or  
14 cactus or ocotillos or something.

15          BALMER: We'll definitely keep that in mind as part  
16 of the negotiations.

17          HARTMAN: Okay, we're still - I'm still calling to  
18 the public. Is there anyone else that would like to come and  
19 speak either for or against? If not, seeing none or hearing  
20 none, I am going to close it and come back to the Commission  
21 for further discussion and a motion.

22          AGUIRRE-VOGLER: I'll make a motion.

23          HARTMAN: Mary Aguirre-Vogler.

24          AGUIRRE-VOGLER: I recommend the Planning and Zoning  
25 Commission forward PZ-PA-007-14 to the Board of Supervisors

1 with a favorable recommendation. There are no stipulations on  
2 this.

3 HARTMAN: Do I have a second?

4 SALAS: Yes.

5 HARTMAN: Frank Salas seconds the motion. Any  
6 further discussion? If not, please vote all in favor say aye.

7 COLLECTIVE: Aye.

8 HARTMAN: Opposed? Hearing none, motion carried  
9 unanimously. Mark? Okay, now we have another motion to make  
10 on PZ-010-14.

11 AGUIRRE-VOGLER: Recommending that the Commission  
12 forward PZ-010-14 to the Board of Supervisors with a favorable  
13 recommendation with the attached 15 - no 16 - stipulations  
14 modifying 14 and 15 to basically have boundary fencing.

15 SALAS: Second.

16 AGUIRRE-VOGLER: As discussed.

17 LANGLITZ: Mr. Vice Chair, one minor modification,  
18 to provide for boundary fencing acceptable to the Community  
19 Development Department.

20 HARTMAN: Exactly.

21 AGUIRRE-VOGLER: Thank you.

22 HARTMAN: Mark, that is new to us, Community  
23 Development Department? That's one of (inaudible) new  
24 departments. (Inaudible) Planning and Zoning.

25 LANGLITZ: Steve may be better at explaining this,

1 but a while back the Planning and Development Services  
2 Department was renamed Community Development Department, and  
3 some of the functions that were in Public Works regarding site  
4 plan approval was moved into the Community Development  
5 Department, so it's my understanding right now the proper  
6 title is Community Development Department, and are there  
7 divisions within Community Development Department? And do you  
8 want to explain that better? Do you need more information,  
9 because if so, I'm going to hand the microphone over to Steve.

10 HARTMAN: All right. With that, do we have a  
11 second.

12 SALAS: Yes.

13 HARTMAN: Frank Salas seconds the motion. Okay.  
14 Commission Members, I'll call for a voice vote, all those in  
15 favor say aye.

16 COLLECTIVE: Aye.

17 HARTMAN: Opposed? Hearing none, motion carried.  
18 Mark? You understand on 14-15, you're going to work with the  
19 Community Development Department.

20 SALAS: (Inaudible) working with Sean (inaudible).

21 HARTMAN: All right. With that, our next case is -  
22 if I can find my materials - Evan, do you have the next case?  
23 Okay, Steve if you would. I lost my place here. Now I found  
24 it, item 10 and 11.

25 SALAS: 11?

1 HARTMAN: Yeah.

2 ABRAHAM: Okay, thank you Mr. Chairman. This next  
3 case - cases - will be heard as one item and, you know, have  
4 one public hearing but then two votes. The cases are a PAD  
5 overlay request, case PZ-PD-011-13, and an IUP request, -001-  
6 13. Both proposals are located on the southwest corner of Nam  
7 Vo and Russell Roads in the Maricopa area on 2.6 acres, and  
8 the applicant is Mr. Carl Reed who runs a place called AZ  
9 Castings, and he's not here today but his associate Ron is  
10 here today to answer any questions about the facility.  
11 Located here in the east Maricopa area, as indicated by the  
12 red star. Zooming in on the subject site, it's on the far  
13 eastern edge of a large - well the entire section is zoned CI-  
14 2, which was rezoned way back in the 1960s. In fact it's -  
15 interestingly enough it was the 7<sup>th</sup> rezoning the County did  
16 under the new zoning ordinance at the time, back in 1962. So  
17 going through that old case was actually quite interesting,  
18 but I thought that was definitely unique. So I'll show the  
19 picture later, but zonings in the area are - there's a mix bag  
20 and the light coffee color on the map there is, on the left of  
21 the map is the City of Maricopa, on the right is the City of  
22 Casa Grande. A variety of land ownerships; there's some BLM,  
23 some State Land, the Gila River Indian Community is up on the  
24 upper right-hand part of the map, while the Ak-Chin Indian  
25 Community is on the left of the map. Also some privately held

1 property that's zoned SR, some privately owned property that's  
2 zoned GR as well. Now the comp plan in the area is activity -  
3 high intensity activity center. The purple on the map is  
4 employment designation, and our property is right there where  
5 the arrow is pointing. And I'll talk more about activity  
6 centers a little bit here. As stated earlier, the existing  
7 zoning's CI-2. It's immediately zoned to GR State land and  
8 BLM land that is currently undeveloped. Zooming in on the  
9 subject site now, the GI system when it lays an aerial photo  
10 over a set grid, sometimes the lines don't line up exactly as  
11 we intended, so although the box is well into the Nam Vo  
12 right-of-way to the north, it actually includes the entire  
13 industrial site there. So as you can tell, it's a little  
14 different than some of the proposals you get. This property's  
15 already been substantially developed. And this is a certified  
16 and engineered plan of how the site looks today. So the main  
17 central building is located in the, in the middle there,  
18 there's some parking on the east side, and then a row of  
19 buildings on the left-hand side. Some photos of the subject  
20 site. This is looking south on Russell. North on Russell.  
21 Looking west into the site. And then this picture's taken on  
22 Nam Vo and you can see off in the distance there that there  
23 are some pockets of development in the immediate area, but not  
24 much. Now there are seven stips on the IUP, and there are  
25 eight stips in the IUP. Now one of the - there's a lot of

1 discussion points for this case; number one being that  
2 economic development is a great thing. We, we think jobs are  
3 needed, they're appreciated and basic employment opportunities  
4 like the one Mr. Wheat is proposing here are really essential  
5 to the health of a vibrant community. However, we are also in  
6 favor of development standards and making sure that properties  
7 are constructed in a manner that are aesthetically pleasing,  
8 they allow for the integration of new land uses, and  
9 protection of property rights, and encourage better  
10 development in an immediate area. And really at the base of  
11 today's discussion is that you're - the PAD, the really only  
12 reason to - that they're asking for it is to wave the  
13 industrial buffer, which is what we were talking about earlier  
14 with the solar facilities, and there's a map in your packet  
15 there and I put some red lines on that would basically  
16 indicate where that - normally that industrial buffer would  
17 go. Further, the request for the PAD is to ask for a relief  
18 on our setback requirements on the western side of the  
19 property. So normally - I'll go jump ahead here - normally  
20 those red boxes there would be free of development in a normal  
21 development site, if it were to be developed normally. Now  
22 it's not unheard of to - in order to encourage development in  
23 areas that are relatively vacant to provide some relief on  
24 development standards in order to spurn development and the  
25 idea that, you know, this development goes in, it's highly

1 successful, hopefully some industries that support this crop  
2 up nearby it and really starts as an incubator to the  
3 development process and really helps certain areas take off.  
4 However, as I mentioned in the staff report, in some cases  
5 getting too lax of development starts to encourage the broken  
6 window theory, where you start to receive requests over and  
7 over again for similar types of development patterns. So I'd  
8 like the Commission and respectively ask that, you know,  
9 consider that when making your decision about encouraging good  
10 development and thinking long-term about how areas of the  
11 County should develop. Now, interestingly enough, this area  
12 is part, or nearby the Phoenix Regional Airport. Large  
13 portions of that - portions of that airport are owned by the  
14 Ak-Chin Indian Community. They've since installed an airport  
15 master plan. Looking through it, there's - and that map is  
16 also in your packets as well, that this area that we're  
17 talking about today is not part of master plan, but most of  
18 the property in the airport is covered under that master plan  
19 and there isn't a lot of guidance about how ancillary  
20 properties to the airport should develop. Obviously you could  
21 look at employment uses that typically sprout up around  
22 airports as sort of a guiding focus, but when I was analyzing  
23 this case, really the guiding document that we looked at the  
24 most was our current comp plan which has the - most of the  
25 area as high intensity activity center and employment

1 surrounding it. The high intensity activity centers are meant  
2 to be, are downtowns, high - urban activity zones, mixed  
3 residential, employment, basic employment, non-basic, and  
4 that's really where we want focused energy to go. I think the  
5 big part of this is that this sort of development pattern  
6 doesn't necessarily - this is of course my opinion - doesn't  
7 necessarily lend itself to that integrated sort of urban  
8 downtown area that we were looking for. The point being that  
9 activity centers certainly can withstand subtractions of land  
10 area out of them before they lose their valid - viability, you  
11 know, you could pick one, pick a couple, but long-term if  
12 similar requests start to prop up like this, that that  
13 activity center concept starts to fail and you can't really  
14 collect it again. So again, another point for the Commission  
15 to debate is, is one okay? Multiple requests, probably not  
16 without any sort of long-term planning with the Ak-Chin  
17 Community and really kind of understanding what needs to  
18 happen at this airport. So you have a couple different policy  
19 documents that, that really start to mesh, but you know, I  
20 think at the end of the day it's really this is a very unique  
21 proposal, I think it's very different than what I think modern  
22 development standards would necessarily be okay with, but that  
23 may be what this area needs to help spurn it on, get it moving  
24 and get some future development in the area. So, with that  
25 being said, the - and that basically covered all the

1 discussion points there. Just some additional discussion  
2 points of order, you can approve the IUP without the PAD, but  
3 which means that the use is okay, but then the applicant would  
4 then have to basically reconfigure the site, cut off the side  
5 of the building that's encroaching and the side yard setback  
6 on the west side, reconfigure parking areas, bring all those  
7 structures on the north side of the property back in possibly,  
8 but you don't necessarily have to approve all those  
9 development standard waivers, and then install the industrial  
10 buffer. This is a code compliance case. I respectfully ask  
11 that you consider the land use, that it wasn't there, like t  
12 his is a brand new case. Think about how does this work with  
13 our comp plan, how does it add value to the area, and then  
14 also respectfully remind you not to be punitive, that we have  
15 a separate process for that, that the property owner can go  
16 through where fines for zoning violations and building code  
17 violations can be assessed. Also, as part of any code  
18 compliance case, I always as you to please try to render a  
19 decision today. If you need additional information from me,  
20 call timeout, I'll run back to my office and get it. If you  
21 need any information from Ron, he can do his best to try to  
22 get it for me today as well. And there will be an additional  
23 opportunity for the Board of Supervisors to weigh in on it as  
24 well, so any concerns that you have can be encapsulated in  
25 your recommendation and move forward. In the IUP

1 documentation there's a full background on how the industrial  
2 processes work. The applicant will still be required to go  
3 through our site plan review process, which means they have to  
4 submit grading and drainage plans, additional site improvement  
5 plans, talk to our air quality folks. I think also of note  
6 neither the Ak-Chin, Gila River, City of Maricopa or the City  
7 of Casa Grande commented on the case as well, so as of the  
8 writing of the report. The City of Casa Grande had several  
9 questions regarding the proposal, but didn't offer anything  
10 formal in response. So in the staff report I asked if the  
11 Commission could go out, because it's one of the few times we  
12 actually see exactly what you're approving, so this was a  
13 great opportunity to go take a look at what - how the place  
14 works. In addition to that, about the code compliance  
15 information, this - approval of this case would take care of  
16 about four out of the seven zoning violations on the property,  
17 and a separate process would have to be gone through to  
18 rectify the building code violation. So this is major step  
19 forward for the applicant if it did go through, and the  
20 applicant has signed up for site plan review, so they've  
21 already paid their pre-app fee, they're moving forward with  
22 that process and I'd be happy to answer any questions you may  
23 have about the proposal.

24 HARTMAN: Steve, I'd like to commend you on your  
25 presentation. This is in my area and it's not far from me,

1 and I've seen this site for years and I remember the original  
2 developer wasn't too closely tied with Pinal County and he  
3 kind of did what he wanted to do when he wanted to do it, and  
4 he eventually got into problems and sold to Ak-Chin the other  
5 non-deeded properties, so this has been ongoing for years,  
6 I've seen it, we know it's there. I have a problem with the  
7 PAD, the fact that there's several other businesses there that  
8 should be included in that area and I think you're going to  
9 have to address that so - but I wonder why we want to just  
10 spot this one particular industrial use permit as a PAD.

11 ABRAHAM: Well, after talking with the applicant for  
12 a - me and Carl, I call him by his first name, Carl - we've  
13 been talking for nearly a year and a half on this, and his,  
14 his approach was, you know, I want to be able to do exactly  
15 what I built out here, so my thought was let's just put the  
16 proposal in front of the Commission, in front of the Board of  
17 Supervisors, and have him argue the merits of the proposal. I  
18 felt that, you know, there are some, some cases that I'm  
19 familiar with, not just in Pinal County, but abroad - I know  
20 that's not the right word - but where, you know, you take a  
21 look at industrial properties and go well maybe if (inaudible)  
22 and kind of like use it like a scale. Well they're not  
23 providing the industrial buffer, but are they providing  
24 economic development. Well they're not providing setbacks,  
25 but are the providing something else. And that's really the

1 applicant's job to try and balance that scale. If those  
2 scales don't get balanced at the end of the day, then he'll  
3 have to build a place like we would normally require.

4 HARTMAN: Okay. Mary Aguirre-Vogler.

5 AGUIRRE-VOGLER: So, I'm a little confused. So this  
6 whole parcel, if you want to bring up that map again, it's not  
7 just a foundry, it's other? You're saying there's other  
8 businesses there?

9 HARTMAN: To the south, yes there is.

10 AGUIRRE-VOGLER: But all in the same plat.

11 ABRAHAM: Well, the area -

12 HARTMAN: (Inaudible) same section.

13 AGUIRRE-VOGLER: First of all, that yellow around it  
14 is off, right?

15 ABRAHAM: That's right, yes. Our GIS system, it's  
16 when you put the lines over the photo it gets a little hinky  
17 sometimes. But -

18 AGUIRRE-VOGLER: So but are we doing something  
19 within that boundary.

20 ABRAHAM: That's right.

21 AGUIRRE-VOGLER: There's other businesses. But you  
22 hadn't -

23 HARTMAN: They're to the south.

24 AGUIRRE-VOGLER: Oh.

25 HARTMAN: There are businesses to the south.

1 ABRAHAM: Yeah, this is just to this parcel.

2 AGUIRRE-VOGLER: I thought you said there were other  
3 businesses and why didn't they come in -

4 HARTMAN: (Inaudible) there's other businesses to  
5 the south.

6 AGUIRRE-VOGLER: Okay. So this is just a foundry  
7 here. All of this is the foundry.

8 ABRAHAM: That's correct, yes. And the Commission  
9 never sees a PAD this small. In fact we've got some language  
10 in our code that says that you have to find that there are  
11 some exceptional circumstances for something this small, so  
12 it's very site-specific, it's very use specific, just to the  
13 situation.

14 AGUIRRE-VOGLER: He's been in business a long time  
15 and we kind of need to support it, don't we?

16 ABRAHAM: Well, he has been business, but he didn't  
17 get his entitlement, so as far as I'm concerned -

18 HARTMAN: Steve, neither did the person that owned  
19 it before him.

20 ABRAHAM: Right, and I don't want to go back in the  
21 past about - because there may have been uses there that were  
22 allowed under a - the CI-1 zoning, but this is what we have in  
23 front of us today.

24 HARTMAN: All right.

25 AGUIRRE-VOGLER: Okay. I gotcha, thank you.

1           HARTMAN: All right, with that, we'll call the  
2 applicant to come forward, if you would. Carl, we all know  
3 your name, Carl.

4           CAMPBELL: No, Ron.

5           HARTMAN: Oh no, oh no. All right, state your name  
6 and address for the record.

7           CAMPBELL: Ron Campbell, 1753 East Boston Circle,  
8 Chandler, 85225.

9           HARTMAN: If you would, tell us what, what's going  
10 on.

11           CAMPBELL: Well, Steve actually gave you a way  
12 better overview than I was planning, so we do have some things  
13 here. So Arizona Castings has been in business for over 40-41  
14 years. They started in Tempe. About nine years ago they  
15 moved out into this location because it met the zoning and  
16 requirements, even though the property was a little bit  
17 smaller than they expected, it had everything they needed -  
18 power, gas, water, everything for them to produce their  
19 product. You know, not in a, not in a city environment where,  
20 you know, most people don't want industrial as we've seen  
21 earlier. They have anywhere from 40 to 50 people employed at  
22 the moment, which is about \$2 million worth of payroll  
23 annually. There have been more, there have been less. They  
24 were down to, during the economic times, you know, in the '07,  
25 '08, '09 area down to about 27 employees. The foundry

1 industry is basically, you know, when it goes down it's  
2 usually an indicator the market's going down, because people  
3 aren't having things manufactured, so they're - when the metal  
4 prices and stuff adjusts, so they're a good indication of  
5 what's going on with employment way ahead of everybody else.  
6 Things seem to be good, so they have - they produce aluminum,  
7 brass and bronze castings. Their main focus is on aluminum.  
8 They do a ton of brass, which is like the water meters that  
9 the cities and counties buy, water valves that big industrial  
10 plants buy, pumps, things like that. They do military  
11 contracts, so they cover a whole range of different types of  
12 products. If you're familiar with castings, almost anything  
13 that's made with a - you know, in a casting, they can produce.  
14 They're cutting back on the bronze and they're cutting back on  
15 the brass, because one of their employees that was a  
16 specialist in it has retired and another one is retiring, so  
17 all the other employees are mainly aluminum experts. So until  
18 they get people trained and learn that, they'll probably gear  
19 back up in some of the brass. This is a more of an overview  
20 of the whole site, so you're aware. Arizona Castings is that  
21 corner, but there are numerous other businesses around them.  
22 Desert Rat Engineering - or Desert Rat Aviation, S - I think  
23 it's SK Engineering, just to the south of them, so there's  
24 other manufacturing and/or, you know, industrial-type items  
25 going on there.

1 SALAS: Are they related ones?

2 CAMPBELL: I'm sorry?

3 SALAS: Any related to those others that -

4 CAMPBELL: The Arizona Casting is just that corner  
5 where the blue arrow is.

6 SALAS: That's it.

7 CAMPBELL: That's it. Everything else is other  
8 property owners, other businesses, and it actually, if I'm  
9 correct, goes a little further south and then to the other  
10 side of the runway, correct?

11 ABRAHAM: That incorrect, yes. And do you know if  
12 there's any other businesses that after Arizona Castings went  
13 in are there because of Arizona Castings?

14 CAMPBELL: I can't answer that question.

15 ABRAHAM: Okay.

16 CAMPBELL: I can tell you that, you know, most of  
17 those buildings have been there for many, many, many, many,  
18 many years. I have - you know, like Desert Rat Aviation's  
19 been there well before we ever got there. I don't know about  
20 SK Engineering. I've seen stuff change there over the years,  
21 so they might have come after the fact. I know one of the  
22 other smaller businesses, just almost directly south on the  
23 south side of Bud there, that's a new building that went in  
24 within the last couple of years. The one on Nav Mo, which is  
25 where the blue arrow is, which is a dirt road, the only person

1 that drives on that dirt road is the people at the end of  
2 there, and he used to have an auto repair maintenance  
3 facility. He was actually the only person that came to our  
4 neighborhood meeting that we held. And, you know, he's always  
5 wandering around out there, he's a great guy, he really loves  
6 us and all that stuff, so.

7 HARTMAN: Is he the Hudson man?

8 CAMPBELL: Yes sir. Yes sir. So that gives you  
9 more of an overview of what the whole area looks like. On the  
10 other side of the airport, which you really can't see, is also  
11 Mobile Mini, which is a huge manufacturing plant and storage  
12 facility out there for them, and they were there prior to  
13 Arizona Casting, as I remember. Again, the street view from  
14 Russell Road -

15 HARTMAN: What's the height of your wall?

16 CAMPBELL: The wall I think is about eight feet, and  
17 it is lined with barbed wire because again, they're trying to  
18 keep people out when no one's there, you know, because of the  
19 equipment and obviously metals, you know, products. There's  
20 probably a couple hundred thousand dollars worth of metal  
21 products in there at any given time. This is taken from the  
22 northwest property line on Nav Mo, is that how you say it?  
23 Nam Vo. It does reflect the buildings that are up against,  
24 they're about a foot off the property line, and what those  
25 buildings consist of are storage containers that are stacked

1 two high, so you have one with another one stacked on top, and  
2 then there's a roof put in between them which - one, two five  
3 - which you see on the left. You see the two containers  
4 stacked, and then about 30 feet away you see two more  
5 containers, and then what they did was they provided either a  
6 storage space or work space in between them. Obviously to,  
7 you know, everyone can't fit in that building in the, in the  
8 manufacturing process of the building out there.

9 HARTMAN: And Ryan, that is not yours is it?

10 CAMPBELL: What's not?

11 HARTMAN: Those containers stacked with a structure  
12 over it.

13 CAMPBELL: I don't know if they own those are -

14 HARTMAN: Not your property.

15 CAMPBELL: It's on our property.

16 HARTMAN: It is.

17 CAMPBELL: Yes.

18 HARTMAN: Okay.

19 CAMPBELL: All those containers hold patterns. This  
20 happens to be one of the - in between two patterns, but  
21 obviously to make castings you have a pattern, and it goes in  
22 between, you know, it goes in a form and then you compact the  
23 sand and all that stuff, and then you pour the metal in it.  
24 Patterns are all stored on site. They have a pattern shop, so  
25 if they need to be made or repaired or something like that,

1 that's all done on site. Everything basically related to the  
2 foundry's put on site. Obviously metal storage too. It's all  
3 in between a couple of those stacked containers that have -  
4 are full of patterns. And then also there's a couple of work  
5 stations where they finish up some of the castings that are  
6 made. You know, trimming old metal - excess metal off,  
7 polishing, grinding, whatever's required prior to shipping to  
8 the customer. Whatever the requirements are. Again, I'll  
9 take you through the process of manufacturing the castings  
10 just in case any of you are not aware of how it works, but it  
11 starts with a design, which then a pattern's made off it, so a  
12 blueprint of a product, and then a pattern's made off of that  
13 product. For instance, the pattern on the left there is a, is  
14 a manifold cover for a Buick automobile, and then the other  
15 one is a differential cover on the back axel of an automobile.  
16 So that's actual pattern. So the pattern is taken and then  
17 it's put in a form box and another, another box is put on top  
18 of that, and it's filled with sand and compacted down and all  
19 that stuff, and then the box is flipped over, and then they,  
20 they either switch the pattern, or if it's double-sided  
21 pattern, they do the same thing. Then it's separated and the  
22 pattern's taken out, and then indentation's obviously left in  
23 the sand. So this is them filling the pattern box up, getting  
24 it ready. You can see the two forms. The pattern's in  
25 between the two forms. They fill it up, compact it, at the

1 same time metal is being melted. They have two types of  
2 furnaces out there, they have gas furnaces and electric  
3 induction furnaces, so they basically run off electricity.  
4 They mainly use the electric induction for the brass, and then  
5 the gas is for the aluminums, and I think that has to do -  
6 again, I'm not a metal expert, so that has a lot to do with  
7 the temperatures that the metal has to be at to melt. The  
8 electric induction furnaces are way more efficient than the  
9 natural gas furnaces that they have. After the sand - after  
10 the sand is compacted, you know, it's all ready, they're on a  
11 conveyer belt, so many of these castings are all lined up,  
12 ready to pour. They have numerous lines going on, there might  
13 be eight or nine lines where these patterns are all being done  
14 at all one given time, and it could be a manifold, it could be  
15 a survey marker, it could be, you know, anything so they -  
16 they're constantly building different products all at the same  
17 time. Once the metal's to temperature they pour it. It's  
18 poured, it sits there, they just go down the line pouring it  
19 and then, you know, as much metal as is obviously they need at  
20 the time. And then after it's poured it sits and it just  
21 cools and it doesn't take long for the metal to cool to get to  
22 the temperature it needs to be at. Once it's cooled, it's  
23 shoved off the end of the conveyer belt, the sand's broken  
24 off, it cools more because it's still at that point, too hot  
25 to touch by their hands. The sand is then, you know, you can

1 see a grate (inaudible), there's actually a grate goes on the  
2 end of all those conveyor belts there, the sand is reused.  
3 Everything's recycled there as much as possible. Obviously  
4 there is some waste, but it's reused over and over and over  
5 again until the sand is either beyond cleaning or something  
6 like that. So after it goes (inaudible), it goes into - these  
7 are for the bigger pieces, but it would go into like this  
8 little area room here and they actually vibrate it and it  
9 vibrates the sand from, let's say it was a manifold or a valve  
10 casing, the sand's inside so they vibrate it to get the sand  
11 out of it. This one is just one of - this is what it looks  
12 like after it's poured. A differential cover. A differential  
13 cover, again you can see all the excess metal if you're  
14 familiar what one of those looks like, it's nice and clean  
15 looking and stuff like that. That's what it looks like after  
16 the sand's been taken off of it. Then it goes to the guys,  
17 obviously, and they cut the excess metal off, they grind it to  
18 a proper dimensions or whatever, polish it if it needs to be  
19 polished, and then after that it's pretty much often sent to  
20 the, the customer who requested it. You know, they have their  
21 own delivery truck, just small truck. They don't have huge  
22 semis in and out. I know one of the pictures Steve shows had  
23 a semi there, but that's metal delivery probably once every  
24 other week or once a month, or it depends on how much metal  
25 they're going through. The main traffic in and out of the

1 project is the employees. It's, like I said, as of the other  
2 day there was about 45 employees there. Most of them carpool.  
3 They are all from the local area, you know, Maricopa, Casa  
4 Grande. I don't know if they come in as far south - or east  
5 here as Florence, but you know, one of the owners is out of  
6 Tempe, the other one's out of Kansas, but most of them are  
7 employees in the general area. They do carpool. I've seen  
8 them when I've been there come in and the whole car's full of  
9 six guys, so they don't, you know, if they're coming from Casa  
10 Grande, they're not going to drive six vehicles, so we have  
11 had a traffic study done and the traffic, you know, it's not  
12 as much as I thought it was after it was all done. So  
13 basically that's the process for the manufacturing of the  
14 castings. Now we are aware of, as Steve said, there are some  
15 zoning issues. Obviously the buffer. We have some issues  
16 that, you know when they bought the property the two guys who  
17 own it now aren't the original owners. They picked it up as  
18 it was being moved. Some of the stuff was done, some of it  
19 wasn't. The owners sort of made a mistake on a few things and  
20 they made known they're trying to work with the County here to  
21 resolve those issues. They're concerned about some of the  
22 requirements of zoning for the reason is, you know, if you're  
23 making us do it, why aren't you making all these other places  
24 do it. They're very concerned about that because, again, it  
25 can be quite expensive to add development that's not there

1 already; widening roads, paving roads, bringing in utilities  
2 that are in excess of what they need, you know, things like  
3 that. So those are their concerns and those are things that  
4 we're working with, with the staff here.

5 HARTMAN: Okay, I'm going to probably start off with  
6 some questions. On the air quality portion, I'm a neighbor of  
7 yours and I do hear blowers going at times.

8 CAMPBELL: From their property?

9 HARTMAN: Yeah, from my - half mile away and it, it  
10 - out in the open when we have no other buildings or anything,  
11 noise does travel. I hear the trains go by also, so you don't  
12 make any more noise than they do, and then I also have Hickman  
13 Eggs down below me, and I hear the blowers from Hickman Eggs  
14 on their hen houses also too. So but -

15 CAMPBELL: I don't know about the blowers, I know  
16 there is some noises there. A lot of it sounds to me as  
17 automotive, you know, like (inaudible) hammer hitting a piece  
18 of metal, you hear a lot of that every once in a while. And  
19 then, you know, everyday, or twice a day, a couple times of  
20 day, they have a break whistle that goes off, so you hear  
21 that.

22 HARTMAN: Sand blasting?

23 CAMPBELL: They don't do a lot of sandblasting  
24 there.

25 HARTMAN: Okay.

1 CAMPBELL: They do not do that.

2 HARTMAN: Well, anyway, those are some of the things  
3 that I think probably are going to be corrected with, with the  
4 County air quality-wise, and whatever.

5 CAMPBELL: Yeah, I think that they do have air  
6 quality permits in place out there, because they're required  
7 by, you know, for the State, they do, if I'm correct.

8 ABRAHAM: They do have some air quality permits, but  
9 we're going to re-review all of that.

10 HARTMAN: Exactly. Exactly. So, so basically,  
11 Steve, with an industrial use permit, we'll just be giving  
12 them a go ahead to work with you.

13 ABRAHAM: More or less, yes.

14 HARTMAN: To operate legally where they have been  
15 cited and they're here on a citation, and so this - an  
16 industrial use permit with the seven stipulations. Have you  
17 looked at the seven stipulations?

18 CAMPBELL: Was that in that package?

19 ABRAHAM: It was.

20 CAMPBELL: Yes.

21 HARTMAN: And you agree with those?

22 CAMPBELL: I agree that those are areas that we need  
23 to address with -

24 HARTMAN: All right, all right. There's also in the  
25 PAD, there's eight stipulations on that.

1 CAMPBELL: Some of them are -

2 ABRAHAM: Yeah, most of the stips are the same from,  
3 and it basically what it's doing is freezing this development  
4 plan in place, it's allowing you to continue to operate there.  
5 There's provisions that if you change or substantially alter  
6 this plan or the uses on site, you're going to have to come  
7 back through this process.

8 CAMPBELL: I understand that.

9 ABRAHAM: Okay.

10 CAMPBELL: Or they understand that. They don't - I  
11 don't think they (inaudible) anything other than we have flood  
12 - or drainage issues they want us to address, which again we  
13 had flood drainage reports done out there.

14 ABRAHAM: Right, and Commissioners, after the  
15 studies are done, if some things needs to be moved, we can  
16 change that administratively. But if it's drastic enough,  
17 then we'll bring it back through the process.

18 HARTMAN: And as I look back through there, you've  
19 done - you've accomplished most of them like the drainage, the  
20 traffic, the layout and going on down.

21 CAMPBELL: Yeah. I came into this (inaudible) eight  
22 months ago on the request of one of the owners, Carl, partly  
23 because he's from out of state and he was just banging his  
24 head against the wall trying to get things for you guys, so I  
25 help - he asked me to jump in and help him out and immediately

1 we got a site plan updated, we got drainage report done by a,  
2 you know, drainage engineer, and then we also got the traffic  
3 study done right off the bat.

4 HARTMAN: Okay, let's move into the Commission and  
5 questions. Commissioner Smyres.

6 SMYRES: Commissioner Hartman. Are your furnaces  
7 located in your enclosed buildings or are any of them in those  
8 buildings that back up to the fence? I couldn't tell  
9 (inaudible).

10 CAMPBELL: They are in - actually, see the truck  
11 there?

12 SMYRES: Uh huh.

13 CAMPBELL: There's, the two induction furnaces are  
14 behind - not directly behind the wall where the blue bins are  
15 in front of the truck, they're about 15 feet in the building.  
16 Further down where the building - you can see it looks like it  
17 steps down, you can see there's the aluminum furnaces, those  
18 gas furnaces are down there, and I think there's three of  
19 them. And they are right on the other side of that wall.

20 SMYRES: Next question, do you normally just run an  
21 18 hour day day shift?

22 CAMPBELL: Yes.

23 SMYRES: You run any night shifts at this point or?  
24 Okay, thank you.

25 CAMPBELL: They don't work weekends unless for some

1 reason they have to, but they - you know, maybe because it  
2 rained all week and they have to make up some time on a  
3 Saturday, but very rarely has that ever happened out there.

4 SALAS: (Inaudible) operation.

5 CAMPBELL: Yes sir.

6 HARTMAN: Commissioner Moritz.

7 MORITZ: Thank you. In the paperwork we got it said  
8 that you're requesting the IUP primarily because you want to  
9 perform outdoor activities because under the zoning you're  
10 supposed to have everything enclosed in buildings. Is that  
11 activity something you're already doing outside?

12 CAMPBELL: All the activities regarding the  
13 manufacturing of the castings is done inside of one of those  
14 buildings - everything I've showed you. The only thing that's  
15 outside is some miscellaneous storage, transferring the - you  
16 know, these doors on this side of the building.

17 MORITZ: Mm hm, right.

18 CAMPBELL: They'll take the cooled castings and then  
19 take them around to the other side of the building where they  
20 (inaudible) and things up like, because there's so much  
21 equipment and stuff in the middle, you can't just go through  
22 the middle of the building with it, so.

23 MORITZ: Okay. Thank you.

24 HARTMAN: Steve. Steve Abraham.

25 ABRAHAM: Mr. Chairman. Commissioner Moritz, when

1 staff was on the site, we observed that there was  
2 manufacturing and treatment of the - like this picture here,  
3 this was - we observed that this some of this was taking place  
4 under canopies. So the processing of the - there was - I  
5 don't know the terminology, there was a device that dumps sand  
6 or remixed sand together, that was outdoors. We saw that  
7 there were grinding, shipping outdoor activities. The zone  
8 allows a foundry, but everything, like you said, would have to  
9 be enclosed. So you basically have a building and a parking  
10 lot. This site, as evidenced by the pictures, is - there's a  
11 sufficient - there's significant activities that occur  
12 outdoors.

13 CAMPBELL: The - if you back up on the -

14 MORITZ: And Steve, is that for safety or for  
15 appearance to traffic going by or?

16 ABRAHAM: Well, I think it has to do a lot with  
17 containment of the, you know, smells, noise, odor -

18 MORITZ: Okay.

19 ABRAHAM: Yeah, and aesthetics as well, yes.

20 MORITZ: Okay.

21 CAMPBELL: The silo tower that holds the sand is  
22 outdoors and right outside that silo towers is what they call  
23 a sifter or a dryer, so the sand goes up the conveyor belt  
24 after it goes on the ground there, and it goes into that  
25 sifter and it sifts, you know, any unused metals, debris,

1 things like that, and then it goes back into the, you know,  
2 hopper that puts it in, puts it in silos. That is definitely  
3 outdoors. They would love to enclose that, but it's pretty  
4 much not easy to do, plus just the space we have is impossible  
5 to pretty much (inaudible). Most of the grind - or that one -  
6 I was going to go back here and show you those buildings on  
7 the west side of the property. This work here, again, is in  
8 between these containers, which is along the west side of the  
9 property. So you have this line of buildings along the west  
10 property line. In like that doorway there is the metal  
11 storage. The one next to that 30 feet down away from us on  
12 the left there would probably be an area where they were doing  
13 some grinding work, and that's in between those containers and  
14 then there's a roof structure over the top of it. From the  
15 other side, from that one elevation, this side, this is what  
16 the back side of those areas look like, so they're screened  
17 off with a screening material. There is a roof over the top  
18 of them, so they're not out in the open air working.

19           PUTRICK: Vice Chair. Steve, I understood you to  
20 say that there are a number of code violations here that by  
21 passing this IUP/PAD we're going to take care of some of those  
22 and that you have a commitment from the owners to take care of  
23 the rest of them?

24           ABRAHAM: I do.

25           PUTRICK: Okay. I think that as I told you, I'm all

1 for manufacturing, it's real dollars and it brings assets and  
2 jobs and so I think we should just go ahead, get started.

3 HARTMAN: And for the record, that was Commissioner  
4 Patrick.

5 PUTRICK: Putrick.

6 HARTMAN: Putrick. Putrick. Okay. Commission  
7 Members.

8 CAMPBELL: Mr. Chairman if I could.

9 HARTMAN: Yes.

10 ABRAHAM: I did stop by there yesterday and I think  
11 that the young lady in the office told me that there were 55  
12 people employed, so those are local people in our neighborhood  
13 that -

14 CAMPBELL: That's five more than the owner told me  
15 the other day.

16 ABRAHAM: Well, like you said it goes up and down,  
17 but - so they seem to be quite busy when I stopped by.

18 HARTMAN: And I came by this morning, there was 22  
19 cars outside.

20 CAMPBELL: Was there?

21 HARTMAN: So, like you said, they carpool. That's  
22 quite a few employees. All right, I - as a neighbor, I have  
23 had no objection to this facility, other than the fact that  
24 you didn't have an industrial use permit, but there's no odor,  
25 there's not excessive noise, there's not a lot of dust created

1 by this industrial use that you have there and it seems to be  
2 a good neighbor. And that's, and that's what it - for the  
3 Commission, that's what an industrial use permit is all about,  
4 is to make sure that the industrial use that you do have  
5 doesn't interfere with the lives of the neighbors surrounding  
6 it. So that's it. Thank you. We'll call to the public for  
7 anyone that would like to come and speak either for or against  
8 this case. Hearing none or seeing none, I'll turn it back to  
9 the Commission for motion. First a motion on IUP-001-13.

10 SALAS: I so move.

11 HARTMAN: Come on (inaudible).

12 SALAS: I move that PZ-PD -

13 HARTMAN: No.

14 MORITZ: IUP.

15 SALAS: Oh, the IUP.

16 HARTMAN: Yes, the IUP.

17 SALAS: I move that IUP-001-13 be submitted to the  
18 Supervisors - uh oh, included with its stipulations, seven  
19 stipulations, be submitted to the Supervisors with a favorable  
20 recommendation.

21 PUTRICK: I'll second.

22 HARTMAN: Who seconded? Put - Putrick.

23 PUTRICK: Putrick.

24 HARTMAN: Putrick, Putrick, okay. Thank you

25 Commissioner Putrick. With that, Commission Members, if

1 there's no further discussion, I'll call for a voice vote.

2 All those in favor say aye.

3 COLLECTIVE: Aye.

4 HARMAN: Opposed? Hearing none. Good luck when you  
5 appear before the Supervisors. Now we have one more, as I'm  
6 being reminded, I know we do but I got to be reminded once in  
7 a while. All right. We have one more, the PAD. The PZ-PD-  
8 011-13. Now, I'm going to kind of open the discussion on this  
9 and maybe Steve will chime in and maybe I'll say more than we  
10 should say, but I'm kind of, as a pseudo-planner, I guess  
11 that's what I am, you know, a fake planner, whatever, I don't  
12 know whether this is, this is a good PAD just to do this on  
13 this one business when, like I said, to the south and through  
14 the photos that we saw there of Mr. Campbell, there's numerous  
15 businesses there that don't have industrial use permits and so  
16 I don't know, is there some way, you're going to work on that  
17 whole area, I hope, not just this one enterprise and put them  
18 into a PAD.

19 ABRAHAM: Well, each case and each property is  
20 different. Right now the, the code compliance department is  
21 not proactive, we could be perhaps, I think that's  
22 conversations we have with our director and maybe possibly the  
23 County Manager. Right now there are no other - there are no  
24 plans immediately to go out and approach other property owners  
25 about their compliance issues if they have them. I think that

1 this case is just for this one today, the other ones, they'll  
2 need to figure out their own path.

3 HARTMAN: Okay, so you're saying let's clean this up  
4 as we go along, let's don't take on a whole bunch more that we  
5 haven't even started.

6 ABRAHAM: Yeah, that's right. I would definitely  
7 look at this piece based on, and really give some serious  
8 consideration of the fact that it is an activity center that  
9 if we keep approving - I got to be real careful here - things  
10 like this, we may want to take a larger long-term look at  
11 having that activity center in that location. I think that  
12 the activity center still could be viable if you do approve  
13 this because of the large land to the west - east, excuse me,  
14 but if more places like this come through and we start  
15 approving this type of development pattern, I think we might  
16 need to look - get away from the activity center idea. I  
17 think that's, that's the long-term implications of this.  
18 Plus, I think we're also going to have to look at what's the  
19 airport master plan gonna - what does the Ak-Chin have to say  
20 about this, and, you know, do you really want vertically  
21 integrated commercial residential next to an airport. I don't  
22 know. Well that's something we might have to think about  
23 long-term. But yeah, I would say look at the merits of this  
24 proposal, you know, what's going on around it, whether it's in  
25 compliance or not, let staff figure that out.

1 HARTMAN: All right Commission Members, you heard.

2 I open it up for a motion.

3 AGUIRRE-VOGLER: I'll make a motion.

4 HARTMAN: If you would, Mary Aguirre-Vogler.

5 AGUIRRE-VOGLER: I recommend the Planning and Zoning  
6 Commission forward PZ-PD-011-13 to the Board of Supervisors  
7 with a favorable recommendation with eight stipulations.

8 SALAS: Second.

9 HARTMAN: And we have a second for that motion. And  
10 with that, we will call for a voice vote. All those in favor  
11 say aye.

12 COLLECTIVE: Aye.

13 HARTMAN: Opposed. Hearing none, motion carried.  
14 Your next trip will be to the Board of Supervisors. Good  
15 luck. You have a favorable recommendation on both cases from  
16 us.

17 CAMPBELL: Thank you.

18 HARTMAN: You're welcome. Okay. Let's go on to -  
19 we're moving right along, now we go to tentative plats. We're  
20 going to get out of here before three, I think. Okay,  
21 Dedrick. You are our presenter.

22 DENTON: I am.

23 HARTMAN: Yes sir.

24 DENTON: Give me one second.

25 HARTMAN: All right.

1           DENTON: Okay. Our next case is a tentative plat  
2 extension for Palomino Ranch, Unit 1, case number S-021-03.  
3 The subject property is located adjacent to Amarillo Valley  
4 Road, White Road and Papago Road approximately two and a half  
5 miles southwest of the City of Maricopa. The applicant is  
6 proposing a tentative plat extension for 1,801 lots. The  
7 landowner is Palomino Ranch LLC. The subject property is  
8 located in the western portion of the County, just south and  
9 west of the City of Maricopa. Zooming in, the subject  
10 property is located on the north side of Papago Road and I  
11 believe it is the east side of White Road. Staff recommends  
12 to modify the existing stipulation, number 39, to allow an  
13 additional two years which would place the date on October 21,  
14 2016, with 47 stipulations. And that concludes that  
15 presentation and I'm available for any questions that the  
16 Commission may have.

17           HARTMAN: Thank you, Dedrick. Commission Members,  
18 questions of Dedrick? If not, I will call the applicant to  
19 come forward and state your case. But before you do that,  
20 your name and your address.

21           HALL: Hello, my name is Kelly Hall and 16 Spur  
22 Circle, Scottsdale, Arizona. I'm here as the authorized agent  
23 for the property owners, and we've got two of these cases  
24 before you today. This is the first one, it's going to be the  
25 same (inaudible) both, both of these. The main reason we're

1 back with this request for another extension is just due to  
2 the lack of market demand, you know, not only in this area but  
3 in the Phoenix Metropolitan area as a whole. Just some  
4 numbers with respect to that, some recent market information  
5 indicates that the Pinal West area of the Phoenix Metropolitan  
6 Area will account for only approximately four to five percent  
7 of all new - total new permits on an annual basis, and it's  
8 expected that the number of permits will be between ten and  
9 15,000 a year for the next few years. So that only equates to  
10 about 600 new permits in the Phoenix - or sorry, in the Pinal  
11 West area, you know, on an annual basis. So it's - there's  
12 just not enough demand for this project to come out of the  
13 ground yet. And final plats and improvement plans for the  
14 project have been reviewed and approved by the County, but  
15 however they were never recorded due to the stall in the  
16 market. When it does come back, though, and we want to try to  
17 have this project, you know, as shovel ready as soon as  
18 possible, and so the desire will be to brush off those  
19 previously-approved plats and plans which are in substantial  
20 conformance with the tentative plats before you today. Of  
21 course there's been substantial investment, not only in the  
22 land by the owner, and the engineering and entitlements, but  
23 also there's infrastructure in the area that went in by Global  
24 for water/wastewater and others, including ED3 and MSIDD.  
25 Also just one last note, there's been substantial progress

1 made with respect to the grade separated crossing at 347.  
2 That was one of the issues that was brought up last time. You  
3 know, basically my understanding is that ADOT's approved it,  
4 it's in their five year plan, the City has earmarked \$10  
5 million and possibly more. They've made application for a  
6 TIGER grant, which could give them matching funds up to  
7 another \$10 million. The Ak-Chin also may be stepping up and  
8 providing some funding. So it could, you know, construction  
9 could conceivably start by 2017, which is, you know exciting  
10 to us because it would certainly generate a lot of activity in  
11 the area. That's about all I really have to say. I don't  
12 agree with all the stipulations. The staff recommendation is  
13 for two years. One of the rece - one of the projects next  
14 door, actually that we're involved with recently got approved  
15 for a three year extension, so I'd ask if, if the Commission  
16 would consider something similar to that in this case. But  
17 otherwise we're in agreement with all the stipulations and  
18 respectfully request your approval.

19 HARTMAN: All right, Kelly. Mary Aguirre-Vogler.

20 AGUIRRE-VOGLER: I noticed that you used the same  
21 letter for both projects, so I'm assuming that that's  
22 regarding both projects - the \$17 million. So - and I'm  
23 really okay with the three years because the more you can  
24 delay waiting for that grade separation to come forward, it  
25 would be in my best interest personally because there's so

1 much traffic out there now, so that's fine with me. There's  
2 an awful lot of homes that you're projecting, so the longer  
3 it's stalled the better I feel. That's my comment.

4 HARTMAN: Okay, Commission Members, any further  
5 questions? If not, Commission Members, we're ready. Kelly,  
6 thank you. With that, I'll turn it back to the Commission.

7 AGUIRRE-VOGLER: I'll make the motion.

8 HARTMAN: All right, Mary Aguirre-Vogler.

9 AGUIRRE-VOGLER: Move to approve the following  
10 stipulations for the tentative plat of Palomino Ranch Unit 1,  
11 stipulations 1 through 48, modifying stipulation 39 to extend  
12 the tentative plat to October 21, 2017?

13 DENTON: That's correct.

14 AGUIRRE-VOGLER: As set forth in the staff report.

15 SALAS: Second.

16 HARTMAN: Commissioner Salas seconds the motion. Is  
17 there any further discussion? If not, call for a voice vote.  
18 All those in favor say aye.

19 COLLECTIVE: Aye.

20 HARTMAN: Opposed? Hearing none, motion carried  
21 unanimously. Three years. Okay. Dedrick, if you would.  
22 Next case, S-032-03A.

23 DENTON: Our next case is in the same location, it's  
24 just the next phase of the case that you previously heard.  
25 The applicant is Palomino Ranch LLC and this is for Palomino

1 Ranch Units 2 and 3, and there's 1,299 lots. (Inaudible) as  
2 the previous case. Zooming in, it's just north of the case  
3 that you guys just heard. And the staff recommendation is to  
4 modify stipulation number 39 to allow, I'm going to say three  
5 years as the old case, which would be January 20, 2018, with  
6 46 stipulations, and that concludes my presentation.

7 HARTMAN: Thank you Dedrick. Call the applicant to  
8 come forward. If you would, again for the record, state your  
9 name and address.

10 HALL: Kelly Hall with Philip Miller Consulting, 16  
11 Spur Circle, Scottsdale, Arizona, 85251.

12 HARTMAN: Kelly, you hear that we've already  
13 extended, if we vote yes on it, that a three year extension.  
14 Any other comments that you might want to make?

15 HALL: No. Thank you.

16 HARTMAN: Commission Members, questions?

17 AGUIRRE-VOGLER: Make a motion?

18 HARTMAN: If not, thank you, Kelly. Ready for a  
19 motion.

20 AGUIRRE-VOGLER: I'll make the motion. I move to  
21 approve the following the stipulations for the tentative plat  
22 of Palomino Ranch Unit 2 and 3, stipulations 1 through 47,  
23 modifying stipulation 39 to extend the tentative plat to  
24 January 20, 2018 as set forth in the staff report.

25 HARTMAN: Do I have a second?

1 SALAS: Second.

2 HARTMAN: Commissioner Salas seconds the motion.

3 Any discussion on the motion? If not, call for a voice vote,  
4 all those in favor say aye.

5 COLLECTIVE: Aye.

6 HARTMAN: Opposed? Hearing no opposition, motion  
7 carried unanimously. Kelly, good luck. Keep working. Okay,  
8 let's move on to item number 14, S 030-14.

9 DENTON: This item is a semi-new tentative plat.  
10 The Planning and Zoning Commission did approve this plat last  
11 year and the tentative plat has expired, and now the applicant  
12 is in to get it reapproved by the Planning and Zoning  
13 Commission. The subject property is located approximately two  
14 miles east of State Route 77 and .3 miles north of Edwin Road.  
15 The applicant is requesting approval of a tentative plat for  
16 SaddleBrooke Unit 50A. There are 79 lots and it's on a 19.84  
17 acre parcel in the CR-3 - I mean CR-4 PAD zone, under case  
18 number PZ-PD-13-01. The landowner is SaddleBrooke Development  
19 Company. The subject property is located in the northeastern  
20 portion of the site, just north of Oracle Valley. Zooming in,  
21 it's located in the southern portion of the SaddleBrooke area.  
22 This a copy of the tentative plat which is in the Planning and  
23 Zoning Commission report. And this shows you the layout of  
24 the 79 lots and these are duplexes that's going to be placed  
25 on these lots. The photo was taken onsite, and this is

1 looking north. You can see some of the development there in  
2 the background of the SaddleBrooke area. And this is looking  
3 east towards the mountain range. And this is looking south.  
4 And looking west. Staff is also requesting that we can modify  
5 stipulation number 10 and stipulation number 11. For  
6 stipulation number 10, we would like to add - or at least  
7 correct where it says PZ-013-01 and in your staff report is  
8 says PZ-013-01 and we want to add PZ-013-01 to call out the  
9 case number for the PAD. And then for stipulation number 11,  
10 we want to add as part of the planned area development, so the  
11 stipulation reads development of the proposed subdivision,  
12 SaddleBrooke Unit 50A, as part of the planned area development  
13 shall be in conformance with the (inaudible) goals, policies  
14 and densities for Moderate Low Density Residential designation  
15 of the adopted Pinal County Comprehensive Plan. So those are  
16 the two requests that we have, that we - as far as the stip  
17 modification that we are asking the Planning and Zoning  
18 Commission. With that, there is 20 stipulations for this  
19 case. That concludes my presentation. I'm available for any  
20 questions that the Commission may have and the applicant is  
21 present.

22 HARTMAN: Dedrick, on my sheet on page five where  
23 it's highlighted, it says 21 stipulations, do you want to  
24 change that? With the 21 stipulations that's presented in the  
25 staff report. Oh, that was in the staff report, no?

1 AGUIRRE-VOGLER: No, you're right.

2 HARTMAN: No, I am right.

3 AGUIRRE-VOGLER: There are only 20 stipulations.

4 HARTMAN: 20. Come on, you wrote it.

5 DENTON: It should be 20.

6 HARTMAN: Admit it, that a boy. Admit it. All  
7 right. With that, I'll call the applicant forward.

8 MALONEY: Good afternoon, Vice Chairman Hartman,  
9 members of the Commission. My name is Mark Maloney with BNR  
10 Engineering, 966 East Riggs Road, Suite 118, representing  
11 Robson Communities. I don't know that there's a whole lot of  
12 presentation. I can answer any questions that you may have,  
13 but this case did come before you last year. Unfortunately I  
14 missed the deadline by a couple days and had to resubmit the  
15 tentative plat, and Dedrick did his job and so we're moving  
16 forward now. I think - I can't say that we're done with  
17 asking for extensions on plats in the future, but I think  
18 things have been improving quite a bit and we certainly have  
19 the final plat and the improvement plans moving forward on  
20 this unit and are looking forward to development as soon as we  
21 can. This is a new product that we've offered in a number of  
22 our developments, Casa Grande being one of them, Pebble Creek  
23 in the City of Goodyear as well. Like Dedrick mentioned, it's  
24 an attached-type product. The overall product, and in our  
25 opinion, is very attractive, it almost looks like a single

1 house with the two put together, so it kind of gives the feel  
2 of a, of a lower density feel.

3 SALAS: Like a duplex?

4 MALONEY: Technically it is a duplex. There is a  
5 common wall and a common property line, and they all are  
6 double units. There are a couple single units proposed on  
7 this, just due do kind of the spacing that was available to  
8 develop in on this property. I think we have three single  
9 units and the rest are the duplex units. Like I said, this  
10 product has been in high demand in the other communities that  
11 we've had it, and we think it's going to go as well in the  
12 SaddleBrooke area as well, so if there's any questions I can  
13 answer for you, I'd be more than happy to.

14 AGUIRRE-VOGLER: I do have some questions.

15 HARTMAN: All right, Mary Aguirre-Vogler.

16 AGUIRRE-VOGLER: Do you know how many units you have  
17 to date in the whole PAD? I can't remember.

18 MALONEY: I believe that the staff report stated I  
19 believe somewhere around 768, where I believe 800 was allowed.  
20 We're actually decreasing this subdivision from what was  
21 originally proposed - approved as 86 down to 79.

22 AGUIRRE-VOGLER: That's the total-total in  
23 SaddleBrooke?

24 MALONEY: Within this unit itself. Now, now, when  
25 you ask about this PAD itself, and as I mentioned this PAD

1 which is -

2 AGUIRRE-VOGLER: 3 or 4,000 people?

3 MALONEY: I don't have the exact number for the full  
4 development. What I do know, what's involved with this PAD,  
5 which is Units 46 through 50 located down in the southern  
6 portion, I believe there's roughly, is that correct, 768?

7 DENTON: That's correct, for this PAD.

8 MALONEY: For this PAD.

9 AGUIRRE-VOGLER: Okay, and so do you have a fire  
10 station located now within SaddleBrooke itself?

11 MALONEY: We do.

12 AGUIRRE-VOGLER: Okay. What other services are  
13 there? Restaurants? Commercial?

14 MALONEY: There is neighborhood commercial, you  
15 know, adjacent to the site, not necessarily within -

16 AGUIRRE-VOGLER: No, not in the site.

17 MALONEY: Within the SaddleBrooke Development -

18 AGUIRRE-VOGLER: (Inaudible) Oracle, you know, when  
19 they redid Oracle, did the developer have to pay anything  
20 there (inaudible) totally ADOT (inaudible).

21 MALONEY: That's an ADOT project, that is something  
22 we weren't involved in. We did have some water lines and so  
23 forth that we had to relocate on our, our dollar to, to work  
24 with the construction, or the proposed construction on.

25 AGUIRRE-VOGLER: My point is, basically, that years

1 back when we started approving SaddleBrooke, there probably  
2 wasn't as much traffic and now that you've got another  
3 SaddleBrooke over there on 79 and 77, you know, you certainly  
4 are adding to all the traffic.

5 MALONEY: Sure.

6 AGUIRRE-VOGLER: And, and I don't know if you've  
7 improved your 15 percent, which you don't have to, but I'm  
8 just wondering if by chance you're doing more in the open  
9 space. You know, when these projects come into us years back,  
10 everything was great and now everything's getting so crowded  
11 and, you know, it's really hard to say that this is so  
12 wonderful anymore.

13 MALONEY: I can appreciate your concern.

14 AGUIRRE-VOGLER: Yeah, you can't even get on Oracle  
15 anymore.

16 MALONEY: This particular PAD in itself, I believe I  
17 was reviewing some of the PAD documents last night, and I  
18 believe there's roughly 25 percent open space within unit 46  
19 through 50, which again isn't the entirety of SaddleBrooke,  
20 but it's, it's the zoning document for, for this parcel.

21 AGUIRRE-VOGLER: (Inaudible) going with this duplex,  
22 you're rally going to add to it, that's for sure. I guess  
23 you're going to have a four density now. But probably even  
24 more.

25 MALONEY: Actually we fall within the guidelines of

1 the moderate to low density as proposed in the comprehensive  
2 plan of one to 3.5 for the entire development. So we do meet  
3 those guidelines and we are in conformance with the PAD and  
4 we're in conformance with the comprehensive plan.

5 PUTRICK: Just to comment, having just been down  
6 there last month, when you talk about the Brookings Institute  
7 and the Sun Corridor, it's coming this way up 79<sup>th</sup> from Tucson,  
8 and so they're just a part of all of that growth. If you  
9 drive down 79 and that north side of Tucson - I mean 77, north  
10 side of Tucson, there's - it's growing like leaps and bounds.  
11 There are - especially on the west -

12 AGUIRRE-VOGLER: Traffic is horrible.

13 PUTRICK: Yeah, west side of 77 there are a lot of  
14 developments out there, so-

15 AGUIRRE-VOGLER: Yeah, sure scarred it up.

16 HARTMAN: Okay. Mark, thank you. I'll ask the  
17 Commission to ask you any other questions that they might  
18 have. If not, thank you Mark. Turn it back to the Commission  
19 for further discussion and a motion. Okay, I'm ready for a  
20 motion. Commissioner Moritz.

21 MORITZ: I move to approve findings one through  
22 seven as set forth in the staff report, and approve the  
23 tentative plat in planning case S-030-14 with the 20  
24 stipulations as presented in the staff report.

25 HARTMAN: Modifying 10 and 11.

1 MORITZ: Oh yes, and modifying 10 and 11.

2 AGUIRRE-VOGLER: As read by -

3 MORITZ: As read by staff.

4 HARTMAN: With that, do I have a second please?

5 PUTRICK: I'll second.

6 HARTMAN: Who over there? Okay. Putrick.

7 PUTRICK: Putrick yes.

8 HARTMAN: Putrick, okay, made the second. With that  
9 Commission Members, if no further discussion, call for a voice  
10 vote, all in favor say aye.

11 COLLECTIVE: Aye.

12 HARTMAN: With that, Commission Members, is the way  
13 I see it on my sheets, that's -

14 AGUIRRE-VOGLER: One more.

15 HARTMAN: One more?

16 ABRAHAM: Yeah, one more to go.

17 AGUIRRE-VOGLER: 032.

18 HARTMAN: Oh wow, I wanted to get out of here by  
19 three. Okay S-032-14.

20 DENTON: Our next case is Encanto Tierra, just like  
21 the Chairman said, S-032-14. This case was similar to the  
22 case that you heard before, that the Planning and Zoning  
23 Commission approved the plat back in 2012 and the tentative  
24 plat has expired, and now the applicant is here to get it  
25 reapproved. The subject property is located at approximately

1 three and a half miles south of Hunt Highway and Gary Road in  
2 the San Tan Valley area. The applicant is requesting approval  
3 of a tentative plat for Encanto Tierra, 72 lots on 86 acre  
4 parcel in the CR-1 zone. The landowner is Whitewing IV LLC  
5 and the engineer is EPS Group. The subject property is  
6 located in the northern portion of the County in the San Tan  
7 Valley area. The subject property is located south and west  
8 of Johnson Ranch, which is the community to the north and east  
9 of the subject property, and south of San Tan Heights, along  
10 Gary Road. This is a copy of the tentative plat cover sheet  
11 that the applicant has and it shows the way out of the  
12 tentative plat. The first photo was taken on (inaudible)  
13 Road, and this is looking north across from the subject  
14 property. And this looking east. And this is looking south  
15 into the subject property. And this is looking west. And  
16 with that there's 24 attached stipulations and that concludes  
17 staff presentation. I'm available for any questions that the  
18 Commission may have. And the applicant's here.

19 HARTMAN: Thank you, Dedrick. With that, I'll call  
20 the applicant to come forward. If you would, same old state  
21 your name and address for the record and write everything -  
22 write your address and stuff down.

23 HALLSTED: I've heard a few times today. Thank you.  
24 I've been here for the duration.

25 HARTMAN: All right.

1           HALLSTED: My name is Bruce Hallsted, I'm with EPS  
2 Group, here representing White Wing for Mr. Greg Banford, the  
3 landowner could not be here today. As staff indicated, this  
4 plat, tentative plat was approved in 2012. It is the same  
5 format that was presented at that time. Like the last  
6 project, we missed the cutoff date and didn't, didn't get back  
7 here in time. So we're here for re-approval. We would like  
8 to extend the approval and have the plat in good standing so  
9 that as market conditions allow, they would like to go  
10 forward. We have received the stipulations in the staff  
11 report. I believe they're the same as they were previously.  
12 There are no concerns at this time. We've discussed with  
13 staff a couple of items, particularly with regard to the  
14 development of the west roadway, Pamela Drive, it's on the  
15 west side of the property. It doesn't appear that that road  
16 is needed. On the south side of the site is the Maricopa  
17 County San Tan Park. We're not aware of any need to access  
18 the part at that location. We've discussed with staff that if  
19 that road is not needed when development occurs, if there's no  
20 need for that road, that it may not be required. However, we  
21 have allowed for provisions for right-of-way and roadway in  
22 the plat currently. We only - Mr. Banford is anxious to just  
23 bring that to your attention that that was a concern, but we  
24 have discussed with staff that -

25           HARTMAN: And I appreciate that. Would that - would

1 it be a private access if you did it?

2 HALLSTED: Currently it's shown on the tentative  
3 plat as public right-of-way. If it is not needed, if there is  
4 no need for access - and we don't believe there is - we know  
5 there isn't any need for our project, we don't believe that  
6 the property to the south needs any access, and the property  
7 to the west, we don't know what their development plan is;  
8 however, they could take access off of Ray Road and therefore  
9 we don't know the necessary - we haven't confirmed that to  
10 satisfaction at this point and we, we would just propose that  
11 we do that as we move forward with development.

12 HARTMAN: Okay.

13 SALAS: (Inaudible).

14 HARTMAN: Well -

15 HALLSTED: So we would, we would propose that the  
16 stipulations stand as stated.

17 HARTMAN: It would be staff that eventually - Mark,  
18 would it be staff that eventually determines the legality,  
19 whether that road was required or not?

20 LANGLITZ: We're - I'm sorry Mr. Vice Chair, which  
21 is the -

22 CHOW: Chairman Hartman, Commissioners, the staff  
23 that Bruce is talking about talks about (inaudible) the right-  
24 of-way, but occasion for midsection and (inaudible) and we  
25 (inaudible) County Engineer, only because it is a midsection

1 main road. There is no need for an access into the San Tan  
2 Regional Park (inaudible). I am not sure yet about the  
3 properties directly to the west. I didn't want to cut anyone  
4 off without looking into it first. I left that stipulation in  
5 there. (Inaudible) County Engineer (inaudible) if we  
6 determine it is not needed, then no (inaudible) out there will  
7 be cut off, then we can not (inaudible) requirement on the  
8 development.

9 HARTMAN: Thank you Lester. Lester, would you give  
10 us - I used to say Public Works, but what's your department  
11 now?

12 CHOW: Well, to kind of explain what Mark  
13 (inaudible) called the Community Development Department. From  
14 that department (inaudible) a division under that department  
15 (inaudible) Development Department made a (inaudible)  
16 division, they took the (inaudible), that's now a division in  
17 that department. They took my staff of Public Works, which is  
18 now the Engineering Division of Community Development, and  
19 then you have the - what used to be the (inaudible) which is  
20 now called the (inaudible) Division. So there's five  
21 (inaudible). So I am the Engineering Division of Community  
22 Development. Still doing the same functions that I did that I  
23 did when I was in Public Works, just under different  
24 department.

25 HARTMAN: Dedrick, could you take an assignment by

1 the chair to have - to draft a family tree for the Commission  
2 so we can all see that?

3 DENTON: I have to run that by Steve.

4 HARTMAN: Okay, we will. I was going to give you  
5 the responsibility.

6 CHOW: There is kind of a (inaudible) chart already  
7 that we have that -

8 HARTMAN: Is it? That we have?

9 DENTON: Yeah. Well we can get that to you.

10 HARTMAN: Yeah, I'd appreciate it. As a Commission  
11 Member, I know the rest of the Commission would too. All  
12 right.

13 LANGLITZ: Mr. Vice Chair, Mark Langlitz, Deputy  
14 County Attorney. Can we take a quick step back. What's the  
15 stipulation number that we're talking about here? I can't  
16 find it.

17 HALLSTED: 6 and 7.

18 LANGLITZ: And the question was whether the  
19 stipulation approved by the County Engineer is acceptable, or  
20 it was like going forward my understanding of that - and  
21 Lester, let me know if I'm wrong - is just that whatever will  
22 be required, will be required by the County Engineer in  
23 connection with the project as it goes forward. Is that -

24 HARTMAN: And I think the Commission agrees with  
25 that. Whatever's required.

1           LANGLITZ: Yeah, yeah, by the County Engineer, yeah.  
2 I just lost, when you asked the question, I wasn't - I wasn't  
3 sure what stipulation it was, so I may be behind.

4           HARTMAN: That's, that's good.

5           LANGLITZ: We can catch up right now.

6           HARTMAN: It's in the minutes. All right. With  
7 that -

8           HALLSTED: One other question I have, so a couple of  
9 these other projects that came forward, the ones that Kelly  
10 Hall was representing, they were approved for an extended  
11 period of time. If, if that option is available for this  
12 project, our - the landowner/applicant would appreciate that.

13           DENTON: That's not available for this project.

14           HALLSTED: Not possible?

15           DENTON: No, not possible. The ordinance, the  
16 subdivision regulations spells out what your timeframe is.  
17 They were under the old regulations, and they wasn't here for  
18 extended, so it has that availability, but you guys don't.

19           HALLSTED: And so to Mr. Banford's point, just as a  
20 follow-up to the meeting that we had in July, if staff has an  
21 opportunity to look at - I don't know if that comes before  
22 this Commission or if it comes before the Supervisors to make  
23 that point in the code more development-friendly, he would  
24 encourage that.

25           DENTON: Right. And that's what he had discussed

1 with Greg, yeah.

2 HARTMAN: Okay, does the Commission understand what  
3 the conversation?

4 SALAS: I understand that wanted extra time like the  
5 other ones, (inaudible).

6 HALLSTED: So the current code, and Dedrick, correct  
7 me if I'm wrong, but per that meeting, the discussion was the  
8 current code allows for a one year approval prior to that one  
9 year timeframe, the applicant can submit a letter requesting a  
10 one year extension, so this tentative plat has the potential  
11 to be approved for two years total.

12 DENTON: Or, you can submit a final plat prior to  
13 the expiration date.

14 HALLSTED: Correct.

15 HARTMAN: Of, if you keep coming back, we might give  
16 you a three year.

17 DENTON: He won't have that option.

18 HARTMAN: He won't?

19 DENTON: No.

20 HALLSTED: Per the code, apparently that's not an  
21 option, because the code changed a couple years ago.

22 HARTMAN: Okay, all right.

23 AGUIRRE-VOGLER: Are we ready for a motion? Ready?

24 HARTMAN: Well wait, let's see if the Commission has  
25 any further questions of Bruce. No further questions? Thank

1 you, Bruce. All right, we'll turn it back to the Commission  
2 for a motion.

3 AGUIRRE-VOGLER: I'll make the motion. I move to  
4 approve findings 1 through 7 as set forth in the staff report  
5 and approve the tentative plat in planning case S-032-14, with  
6 the 24 stipulations as presented in the staff report.

7 HARTMAN: And that was Commissioner Mary Aguirre-  
8 Vogler. And I have Commissioner Moritz seconds the motion.  
9 With that, any further discussion? If not, voice vote, all  
10 those in favor say aye.

11 COLLECTIVE: Aye.

12 HARTMAN: Opposed? Hearing none, motion carried  
13 unanimously. Bruce, you're good to go. All right. With that  
14 - now that, that concludes my agenda. What - Dedrick, do you  
15 have anything else?

16 DENTON: We don't have anything else. I'm going to  
17 talk to Steve and let him know to put an organizational chart  
18 in your packets for next month.

19 HARTMAN: Thank you very much. Okay, with that,  
20 thanks Alice. Call for a motion to -

21 SALAS: I move to adjourn.

22 GRUBB: Second.

23 HARTMAN: Frank Salas makes a motion to adjourn,  
24 Commissioner Grubb seconds it, and the Commissioner - the Chair, the  
25 Chair accepts the Commission's move to adjourn. Meeting adjourned.

1           I, Julie A. Fish, Transcriptionist, do hereby  
2 certify that the foregoing pages constitute a full, true, and  
3 accurate transcript in the foregoing matter, and that said  
4 transcription was done to the best of my skill and ability.

5           I FURTHER CERTIFY that I am not related to nor  
6 employed by any of the parties hereto, and have no interest in  
7 the outcome hereof.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



---

Julie A. Fish