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PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 233382)

Regular Meeting
9:00 a.m.
Thursday, July 16, 2015
EOC Room - Building F
31 N. Pinal St., Florence, Arizona

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1 RIGGINS: ...regular meeting of Pinal County Planning
2 and Zoning Commission to order and the first member - or first
3 item on our agenda is a special action item. Thank you, I'm
4 sorry.

5 HARTMAN: Yeah, that works better.

6 RIGGINS: Well I was trying to be resonant anyway.
7 And so the Action Item Report.

8 ABRAHAM: Thank you and good morning Mr. Chair and
9 Commission Members. Your Action Item Report SUP-008-15 ended
10 up getting approved by the Board of Supervisors. The Board
11 also had their first work session on the wireless
12 communication facilities update yesterday. They - I told the
13 Board about your recommendation and they didn't have any
14 additional comments. That one's scheduled to be heard late
15 August. Other than that, that was the only two public hearing
16 items we had last month.

17 HARTMAN: You jumped ahead.

18 RIGGINS: Any questions from the Commission?

19 HARTMAN: Chair.

20 AGUIRRE-VOGLER: I have one question.

21 RIGGINS: Commissioner Aguirre-Vogler.

22 AGUIRRE-VOGLER: Are we going to share that mike or
23 do we have another mike?

24 RIGGINS: We can, we can, we can share this just as
25 easy as (inaudible).

1 AGUIRRE-VOGLER: I just wondered what would be
2 easier.

3 RIGGINS: There. We'll get it right here in the
4 middle of us.

5 AGUIRRE-VOGLER: All right.

6 RIGGINS: Are we in good shape?

7 AGUIRRE-VOGLER: We're in good shape.

8 RIGGINS: Okay, all right. Very good. The -

9 HARTMAN: Chair.

10 RIGGINS: Yes, Vice Chair Hartman.

11 HARTMAN: Chair Riggins, did we jump two things?

12 Discussion of Action Items and Planning Manager's Discussion
13 Items?

14 RIGGINS: Well we might have. The Action Item
15 Report, the Board of Supervisors.

16 ABRAHAM: Oh, no it wasn't. I was just giving you
17 an update because some things happened yesterday, or the week
18 before, so I just thought I'd merged them both together.

19 RIGGINS: Okay, so is there anything else under the
20 Action Item Report?

21 ABRAHAM: Oh, there is not.

22 HARTMAN: What about Planning Manager's -

23 RIGGINS: Well that's next.

24 HARTMAN: Okay.

25 RIGGINS: We'll get there. We'll get there. He's

1 ready to go into - okay, next on the agenda is the Planning
2 Manager's Discussion Items.

3 ABRAHAM: If it pleases the - Mr. Chair and the
4 Commissioner, I'd like to have a brief presentation about the
5 call of the Commission after our public hearing items. We
6 have a fair amount of folks in the audience today, and I think
7 it would probably be good to get - take care of those public
8 hearing items, and then we'll talk about the call to the
9 Commission after that.

10 RIGGINS: Okay, everybody satisfied with that? All
11 right. In that case, then, we go directly into our first new
12 case which is PZ-PD-016-14.

13 ABRAHAM: Mr. Chair, Evan will be taking care of
14 this one today.

15 RIGGINS: Okay.

16 BALMER: All right. Good morning, Mr. Chair,
17 Commission Members.

18 RIGGINS: Good morning.

19 BALMER: This is case PZ-PD-016-14. The proposal is
20 for approval of an amendment to the San Tan Heights PAD to
21 allow development of community facilities and recreational
22 amenities on approximately 17.5 hours in the CR-1 and CR-3 PAD
23 zones. This is a case that you heard in February. It went to
24 the Board of Supervisors in April and they remanded it back to
25 the Planning and Zoning Commission to consider traffic

1 impacts, the amenities provided, drainage and neighborhood
2 outreach. The project is located on the northeast corner of
3 Thompson Road and Roberts Road. The applicant is the San Tan
4 Valley Homeowners Association and Iplan Consulting is the
5 agent. Here's the County map. You can see we're in the San
6 Tan Valley area, next to the San Tan Mountain Regional Park.
7 Zooming in a little closer, you can see northeast corner of
8 Roberts and Thompson. The Comprehensive Plan designation on
9 this property is very low density residential. That's the
10 same designation on the south side of Roberts and then just
11 north of the subject property the Comp Plan designation is
12 moderate to low density. The existing zoning is CR-1 and CR-3
13 with a PAD overlay. This is an aerial of the site. Since you
14 heard this case the first time, the applicant has revised
15 their site plan. This is the west half of the site. There
16 were a few changes, notably they removed the amphitheater and
17 the skate park uses, and shifted the storage building a little
18 farther west. This is the east side of the site, which is
19 largely the same. The big difference is they added an access
20 onto Roberts Road, right in front of the recreational office
21 building. I did take some pictures of the site. This is
22 north into the subject property. This is east along Roberts.
23 South across Roberts, that's the Eduprize School. West. And
24 then I took some pictures around the corner on Thompson.
25 North along Thompson. East, and that's into the subject

1 property. South. And then west. So I wanted to talk about
2 the letters that we've received to date so far. It got a
3 little confusing with the original P and Z hearing, and the
4 Board and the remand. So I added everything up - well first,
5 I did get two additional letters since you received your
6 packet. One was in opposition from a Mr. Ken Moyer who had
7 concerns about traffic and flooding. The second was from
8 Jeffrey Robbins, he's the treasurer of the HOA and he just
9 wanted to clarify his original letter that he is in support of
10 the project. Both of those people had written letters before,
11 but they are new since you got your packet. So the, the total
12 number of people who have written letters or signed a petition
13 in opposition of the project, were 61. 61 people from 58
14 properties, 30 of which are within the 300 foot protest area.
15 That 30 within 300 feet does not meet the requirements for a
16 legal protest, which would require four votes at the Board.
17 This does not meet that threshold. Letters in support, I got
18 31 letters from 30 property owners, three of which were within
19 300 feet. We do have 15 stipulations associated with the
20 case. That's all I have for you. I would be happy to answer
21 any questions that you may have.

22 RIGGINS: Okay, Commissioners, any questions of
23 staff? Vice Chairman.

24 HARTMAN: Chairman Riggins. Evan, I - in looking
25 through this I - well under some of the requirements of the

1 burden of proof, the ones that bothered me the most is
2 neighborhood impact, flood control and traffic impact. I - in
3 my opinion, you have listed those and there's some, there some
4 others, land use, perimeter walls, signage and setbacks -
5 you'll take, staff will take care of that, will it not?

6 BALMER: Correct. The - if the project were to be
7 approved, the next step in the process is site plan review,
8 where we really take a look at traffic, although the applicant
9 did submit an updated traffic report. That's when we get into
10 drainage and all the, the kind of specifics of the project.

11 HARTMAN: Okay, the other one that, that I think
12 that you and staff, the rest of the staff will be able to take
13 care of is compatibility and consistency with the Pinal County
14 Comprehensive Plan, and that, and that's basically what we're,
15 we're deciding today, whether the PAD amendment to allow this
16 use would be appropriate. (Inaudible).

17 BALMER: The, the proposal is consistent the
18 Comprehensive Plan, and that's one thing staff looks at when
19 we do our review. The PAD amendment is to re-designate some
20 of those eight residential lots to open space.

21 HARTMAN: Okay, and then the last one is you have it
22 letter G, benefits to Pinal County. That, I think we all
23 agree that we're here for the public and that's Pinal County,
24 and so if it - is it beneficial to Pinal County or not, I mean
25 - so that's - that'll be decided today also. All right, thank

1 you, thank you Mr. Chairman.

2 RIGGINS: Other Commission Members? None being,
3 then we will open the case up to the public. Yes?

4 ABRAHAM: Mr. Chair, if I may, before you get to the
5 public hearing section, I just want to remind everybody that
6 today's a public hearing and that everybody will get an
7 opportunity to speak. And just to remind everyone to direct
8 your comments through the Chair, and that the Mr. Chairman has
9 the, the - basically the control of the floor at all times.
10 If you have additional comments, you can always raise your
11 hand. If you have additional time to speak. Mr. Chairman and
12 the Commissioners may impose a three minute time limit on
13 speakers, and then also if I may, Mr. Chair, if folks are
14 saying the same thing basically over again, then basically
15 combining your comments into, into one statement. But again,
16 everybody will have the opportunity to say their, their two
17 cents. Thank you, Mr. Chair.

18 GRUBB: Mr. Chair?

19 RIGGINS: Yes.

20 GRUBB: Before we start the public hearing, are we
21 going to hear from the applicant again?

22 RIGGINS: Yes, we certainly are.

23 GRUBB: And I'd like to make a statement for the
24 public's benefit on this, if it pleases the Chair.

25 RIGGINS: Yes, certainly.

1 GRUBB: Okay. I want to say good morning and thank
2 you all for being here. I know this is a very controversial
3 issue. We're aware the agenda item has generated a lot of
4 interest both for and against, and we appreciate that you take
5 the time to be here and participate in the process. Just
6 wanted to say a couple of things. I've read all the letters,
7 both for and against that we've received. I've personally
8 been to the site, or the proposed development a number of
9 times, actually most recently last week. I looked at it from
10 all sides, I drove through the development, I got out of my
11 vehicle on Gold Mine Road - Gold Mine Mountain Road - Thompson
12 and Roberts, and I also walked through the site itself, so I'm
13 well aware of the site and what is planned. I've lived and
14 worked in the San Tan area since 2000, before the first shovel
15 of dirt was moved in this subdivision. Many of the letters
16 seem to be aimed at the HOA and their actions. Everyone from
17 time to time has issues with their HOA. That being said, we
18 are not the HOA police. We are not the HOA court. If you're
19 going to speak today, I encourage you to do so, but I would
20 hope that your issues with the HOA itself will not be brought
21 to us, because there's nothing we can do about that. HOA
22 boards are elected by you, the property owners in that
23 subdivision. We're Planning and Zoning and our job - unpaid,
24 I might add - is to review items that are asked for a
25 deviation in the current Planning and Zoning regulations or

1 the Pinal County General Plan. We review the proposal, we
2 take public comment, we see if it is a a good and proper use
3 of the land and make a recommendation to the Board of
4 Supervisors for or against. We do not approve or deny, we
5 only recommend. Please be respectful of our position and of
6 each other here today. Thank you.

7 RIGGINS: Let's have the applicant come forward and
8 present his case. Give us your name and sign your address
9 down below.

10 MANGIAMELE: Morning Chair, Members of the
11 Commission. Mario Mangiamele, Iplan Consulting. I am here
12 this morning on behalf of the San Tan Heights Homeowners
13 Association with respect to the request for the San Tan
14 Heights PAD amendment. Actually I already did sign in my name
15 here so - is that me?

16 RIGGINS: Appeared to be.

17 MANGIAMELE: Again, as staff has stated, that PAD
18 amendment request is for an HOA office building and ancillary
19 recreational facilities. Just for the benefit of those that
20 may not have been in attendance at the February 9th Planning
21 Commission hearing - and I'll go through this briefly, and
22 give you some context of the property - here is Hunt Highway
23 running northwest to Southeast. Here is the adjacent Johnson
24 Ranch Community, the San Regional Park. You have Thompson
25 Road running north and south, you have Roberts Road running

1 east and west. The Eduprize School off of Roberts Road is
2 right there, and the green area is the proposed site. The
3 area identified in black is the current planned area
4 development amendment bound - or I should say the current PAD
5 boundaries, which constitutes over 3,100 - I'm sorry - 2,100
6 acres. It's about 3.4 square miles in size, and the PAD has
7 been approved for over 5,300 single family dwelling units. As
8 you can see now in this - again this area is a little outdated
9 because a lot of these homes have been built in this area -
10 but this PAD is probably a good at least two - I would say at
11 least probably three-quarters built out as it sits today.
12 Zooming in a little closer, you have Thompson Road running
13 north and south, Roberts Road running east and west. Here is
14 Occidental Road, which I'm sure you will hear about today.
15 You have the Eduprize School which sits on the south side of
16 Roberts Road. And this is the proposed approximately 17.5
17 acre site. You will see the - as we discussed at the February
18 19 - or February 19th Planning Commission hearing, the request
19 is to amend the PAD to allow the HOA office facility, as well
20 as the incidental open space recreation uses, on the CR-1
21 properties and the CR-3. As it sits today, the CR-1 and CR-3,
22 it does allow for single family homes, by right, it also does
23 allow for schools, churches and public parks, but it does not
24 allow for private parks or HOA facilities, thus the reasoning
25 to request the amendment to the PAD is to allow that as a use

1 permitted by right. This aerial shows the previous site plan
2 superimposed over the area that we presented at the February
3 19th hearing, as well as the April 8th Board of Supervisors
4 hearing. This shows one point of access coming down off
5 Occidental Road, and it has another point of access that is
6 only an emergency egress, as well as maintenance access off of
7 Roberts Road. You have the amphitheater, skate park. This is
8 a HOA maintenance facility which is basically, it's a storage
9 building with a screened yard for storage of landscape
10 implements for the overall community. You have a series of
11 open space and ramadas, tennis courts and additional ramadas.
12 And if you'll notice, with the site plan, we've concentrated
13 the - what we believe is a more intense uses towards the
14 further eastern portion of the site, where you have the HOA
15 office facility, a proposed aquatics complex for a future
16 phase, as well as a dog park. At the February 19th Planning
17 Commission hearing, you, the Planning Commission, as well as
18 us, the applicant, did hear a lot of testimony, both in
19 support and in opposition for the case. You did take
20 consideration of that testimony and then the Planning
21 Commission did recommend to the Board of Supervisors a
22 recommendation of denial with a vote of 5 to 4 to the
23 (inaudible) hearing. The main comments or concerns that we
24 heard from the Planning Commission, as we understood it at
25 that particular time, was with respect to types an amounts of

1 - type and amount to amenities that were identified on the
2 site plan at that time, drainage and flooding seemed to be a,
3 a big concern or a comment of many of the Commissioners, but
4 also there's some very - also, additionally there's some very
5 proactive comments with respect to consider reusing the
6 Mountain Vista Middle School. At that point in time there was
7 - it was noted that the Mountain Vista Middle School, which
8 does sit within the community, was slated to close, and I
9 believe it has since closed since now. I will get into some
10 more of the details of that and how we've addressed that issue
11 here briefly. Just to kind of summarize, those are the main
12 comments as we understood from the Planning Commission, that
13 was our takeaway from that February 19th hearing. Moving
14 forward to the April 8th Board of Supervisors (inaudible), they
15 as well heard much testimony on this case, both in favor and
16 in opposition to the proposed rezoning. The Board of
17 Supervisors' comments, as we understood them, appeared to
18 focus on concerns with traffic generation from the proposed
19 facility, and the impacts to the adjacent neighborhoods and
20 streets. They, as well, shared comments and concerns on
21 drainage and flooding of the property, as well as they had
22 also brought up some items that I don't believe were really a
23 common concern with the Planning Commission, but that was of
24 the buffering or transitional land use for this eight one-acre
25 lots and the surrounding open space in this area. There were

1 concerns that the initial PAD - and it was approved back in
2 2000, it's been amended subsequently many times; regardless,
3 this approximately 17.5 acres was identified as kind of a
4 buffer transitional zone, if you will, meaning that the larger
5 residential lots that were approved for this property were to
6 serve as a transition from the higher density, about three and
7 a quarter - three and a half units per acre to the north, and
8 the rural residential uses to the south. And as staff has
9 stated, the Board of Supervisors did remand their - this case
10 back to the Planning Commission to consider these items as
11 well, and to come back to the Board of Supervisors with an
12 additional recommendation. Moving forward, I briefly want to
13 identify how we, the San Tan Heights Homeowners Association
14 have, we believe, how we've addressed these comments,
15 concerns, both heard by the Planning Commission, the Board of
16 Supervisors, as well as the residents within the community.
17 There has been quite a bit of work that has transpired since
18 the February 19th Planning Commission hearing. With respect to
19 the amenities and the types and amounts of amenities, we have
20 gone back to the site plan, we've, we've talked and worked and
21 negotiated with the neighbors directly to our north of this
22 property and we have elected, due to reasons - or I should
23 concerns or perceived concerns with potential impacts of noise
24 and visual impacts, we have elimin - I should say reduced the
25 scope and eliminated the amphitheater as well as the skate

1 park from the proposed site plan, and I will show you the
2 revised site plan in just a few minutes here. The drainage -
3 with respect to the drainage and flooding, we've gone back and
4 we've reassessed the drainage for this particular site, or
5 Hubbard - or I should say our engineers - Hubbard Engineering,
6 has gone back and reassessed that and they have confirmed that
7 this site does meet and exceed all Pinal County's requirements
8 with respect to drainage; and in fact we even believe that
9 with the improvements to this site, we are, we are increasing
10 or bettering the drainage facilities on the site, and further
11 minimizing impact to any of the adjacent residents. With
12 respect to traffic, we realize and we totally understood the
13 concerns of some of the neighbors that - with - at that point
14 in time, the one point of access off of Occidental Road, there
15 might be the perception of increased traffic impacts for this
16 - for the adjacent neighborhoods as people entered to the
17 site. We've gone back and the homeowners association has
18 commissioned a traffic impact analysis per the direction of
19 the Board of Supervisors, in fact your staff has reviewed that
20 traffic impact analysis, I believe two times now overall, and
21 they are generally comfortable with the methodology used in
22 that traffic analysis. There are some concerns and comments
23 that we do need to address moving forward, should be move
24 forward to the site plan phase of this project. I think the
25 main takeaway from the traffic impact analysis, as it sits

1 today, is the findings, is that with full buildout of the HOA
2 facility, I'm talking to the first phase, as well as future
3 phases, as well as full buildout of the San Tan Heights
4 Community, the remainder of the homes that you saw within the
5 vacant areas in the aerial, the anticipated traffic generation
6 onto the adjacent roadway is most specifically Occidental
7 Road, this site is by most generate approximately five to six
8 percent add-on on to the peak (inaudible) on the adjacent
9 roadways, and overall seven percent of the overall traffic
10 volumes. We being, we being the HOA as well as your staff,
11 and our traffic engineers still believe those numbers are
12 relatively high. We are working with staff to, to identify
13 the appropriate way to analyze the traffic for this very
14 unique use, and therefore we are going to go through with
15 subsequent revisions of our traffic impact analysis to bring
16 those numbers back down to where staff and our traffic
17 engineer do believe those numbers are more realistic. But I
18 think when you look at it, five to six (inaudible) impact on
19 the adjacent roadways, I think is a, is a negligible impact to
20 the overall traffic for the neighborhood. Mountain Vista
21 Middle School reuse, that was a comment that we heard from at
22 least one, if not more, commiss - as well as some of the Board
23 of Supervisors. At that time, back in February, there was
24 discussions that, from Coolidge Unified that Mountain Vista
25 Middle School which sits somewhat centrally located within the

1 neighborhood was closing. There were some very good comments
2 as far as why don't you consider reusing Mountain Vista Middle
3 School for your HOA facility. We have gone and we have met
4 with - met and communicated on many occasions with the
5 Coolidge Unified School District, they have identified that
6 that property is not for sale, there were short term leases on
7 - very short term leases only, which really was not conducive
8 to the needs of the homeowners association. It didn't make
9 sense for them to invest a whole bunch of the community's or
10 the HOA's money into a very short term lease to do any sort of
11 improvements on that site. Most recently that has been
12 published that I believe there's going to vote in November, is
13 that the - I want to say it's the - there's going to be a - I
14 should on the November ballot, at least from my understanding,
15 there's going to be some consideration for these two schools
16 within the community, the San Tan Heights Elementary as well
17 as the Mountain Vista Middle School to merge with the Florence
18 Unified School District. So again there's still some unknowns
19 with this Mountain Vista Middle School. To take, take items
20 even further we looked at well okay, well let's take the
21 Planning Commission's direction, we even looked at the
22 adjacent San Tan Heights Elementary. Still within the
23 community. They have a relatively large vacant parcel on the
24 eastern side of their property. Our land development
25 committee has communicated with the school district on many

1 occasions and they have identified that property is not
2 available, that it's still for future expansion of that San
3 Tan Heights Elementary School. With respect to (inaudible)
4 and transitional land uses, we maintain that - or as I said,
5 we've gone back and we've reassessed but we also still
6 maintain that the HOA office building, as well as the
7 incidental recreational amenities on this approximate 17.5
8 acres, does maintain adequate, if not superior land use
9 transitioning from the higher density residential to the
10 north, to what's primarily our southern neighbor now is the
11 Eduprize School. Granted there are some other rural
12 residential properties to our south, but when you look at the
13 aerial, the primary use that is contiguous to our site is the
14 school, but regardless, we believe that we are still
15 maintaining superior land use transitioning to the rural
16 residential neighbors to the south. We've also looked at
17 trails to insure that we are not impeding any sort of regional
18 trails in the area, in fact we will still maintain a trail
19 that runs along the north side of our project boundaries. I
20 was going to do a little bit of a magic trick here, but staff
21 already kind of spoiled it for me and I know you saw it in
22 your staff report, but again, this is - this is a site plan
23 that we presented at the February 19th Planning Commission
24 hearing as well as the April 8th Board of Supervisors hearing.
25 Again, showing the limited egre - or I should say emergency

1 access egress only for the maintenance vehicles, the one point
2 of access off of Occidental. Going from west to east, you
3 have the amphitheater, the skate park, again the HOA,
4 landscape maintenance facility, which is a building and a
5 fenced storage yard, series of ramadas and parking areas, some
6 landscape, the tennis courts, additional ramadas, the HOA
7 office, aquatic complex and the dog park. What you will note
8 and what I'll show you on some additional site plans here, is
9 that there's a very large existing drainage channel here that
10 was designed and approved as part of the adjacent development
11 to convey the large amounts of water on significant storm
12 events that run down off of the, the San Tan Regional - I
13 should say the San Tan Mountains. We are not impacting these
14 drainage channels whatsoever, in fact the site has been
15 designed where the flow comes in pretty much at the
16 intersection corner, carries the flow through these drainage
17 channels which we are not impacting, we are going to have to
18 design somewhat of a, for lack of better terms, a bridge over
19 this area here. We are going to continue those flows as a
20 flow from west to east as we had discussed at the last
21 Planning Commission hearing. This site slopes from the east -
22 I'm sorry, from the west down to the east, actually almost
23 even northeast. There is a drainage channel that runs along
24 Roberts Road there. When you look at the aerial, you'll see
25 where there's the eight pad sites that were originally

1 designed for the eight one-acre residential lots along Roberts
2 Road, there are drainage channels that run perpendicular to
3 Roberts Road, but parallel to those eight lots. Those
4 drainage channels are going to be improved upon to still
5 convey the necessary drainage needs to the - or I should say
6 the drainage channel and retention needs along the north. Any
7 sort of impacts from the Occidental access point coming into
8 the property, this will impact a retention (inaudible) area.
9 This retention is being displaced into other portions of the
10 site. There is no impacts with respect to that area. Again,
11 we are - we've already gone through a preliminary design
12 analysis and we are displacing those needs. Moving forward.
13 The revised site plan as a result of going back and
14 reassessing based on what we heard from the Planning
15 Commission, the Board of Supervisors and the neighbors, and
16 although one of these amenities, that being the amphitheater
17 was one of the top three amenities identified in our - one of
18 our facility surveys that we sent out to the community a few
19 years ago, due to concerns with the residents to the north
20 with respect, primarily, to noise the homeowners association
21 board of directors has decided to go ahead and eliminate the
22 amphitheater that was previously proposed at this location
23 here. You'll also see the skate park no longer is proposed on
24 the site plan. Again, we continued to concentrate the more
25 intense uses further east. Primary reason with this

1 concentration is you have this neighborhood here, this is
2 still undeveloped. There are no homes within this area. So
3 as people move in here, they should be very well aware of what
4 the uses are when they move into this neighborhood. There's
5 some further - additional neighborhoods further northeast of
6 here which are off of this map, but it is a considerable
7 distance away. The additional changes as we've worked, we've
8 actually met out onsite with staff and had many communications
9 with staff to look at traffic impacts and to look at
10 distributing traffic a little more evenly. Staff - your
11 County staff has agreed to allow an additional full access
12 point off of Roberts Road. You'll see we have designed that
13 access point to be adjacent to the HOA office facility. I'm
14 going to show you a site plan here in a minute that shows a
15 little more detail as far as how we are restricting any sort
16 of through traffic which is also a concern previously
17 identified. And here's Occidental Road running into the
18 project. You have Thompson and Roberts Road. Actually this
19 site plan doesn't read too well on the PowerPoint, and I do
20 apologize. But the intent here is with this access point off
21 of Roberts Road, there's going to be a - what we designed, is
22 a sliding gate in that area. That sliding gate will remain
23 open during business hours and after business hours for that
24 HOA office that will close. So, anybody that wants to visit
25 the HOA office or the aquatics complex or this area and wants

1 to park in this area, they can certainly come in here.

2 However, there will be a limited access gate with a card
3 reader at this location, there will be a closed gate at this
4 location as well coming off of Occidental with a card reader
5 only. So what the means is in order to get into the site from
6 Occidental Road or to leave this portion of the site and go to
7 the remaining portion of the HOA facility or up Occidental,
8 you have to go through a series of at least one and sometimes
9 two secured gates that do have card readers that all residents
10 will be issued some sort of like a security remote card that
11 allow access through that gate. And again, this was our
12 response primarily to minimize concerns we heard with
13 potential for cut-through traffic, especially when you look at
14 the traffic that is generated - and I'm sorry, but I'm going
15 to throw Eduprize under the bus here for a minute - but that
16 traffic that is generated from the proposed Eduprize School,
17 there's a significant amount of traffic at various times
18 throughout the day, and so what we were trying to do is to
19 minimize if not negate any cut-through traffic from the
20 neighborhood to the school area, as well as the HOA facility.

21 The site continues to be entirely encompassed by a minimum of
22 an eight foot high wall. The majority of - I should stay
23 wall, it is a fence. It is the fence that you would typically
24 see around a swimming pool. It is a wrought iron, decorative
25 wrought iron type fence that is around a good portion of the

1 site. There's some areas where we will have solid walls and
2 those solid decorative walls will be around the landscape
3 maintenance storage area there screening the landscape
4 implements used throughout the community. But the intent is
5 that this will be a secure facility, so once after a certain
6 time at night, we can go ahead and lock up that facility for
7 security purposes. There still will be access allowed around
8 the site. There's the retention basin that runs along the
9 north of it that does have an existing trail. Residents,
10 community members, will still be allowed to traverse through
11 this trail area, and we will not be closing that off
12 whatsoever. The reason why I included this picture, is just
13 trying to identify, primarily due to a lot of the comments and
14 concerns we heard at the last two hearings, is that with
15 traffic coming down Occidental, I want to remind the
16 Commission, as well as the neighbors in attendance, is that
17 Occidental is an unloaded collector-level street. What that
18 means is unloaded is there are no homes fronting onto
19 Occidental. Occidental has been designed to carry traffic -
20 distribute that traffic to the adjacent neighborhoods. When
21 you look at the picture, and this again, this picture was
22 taken standing right about here looking south, this is the
23 Meritage development over here on the east side, but there are
24 significant landscape buffers, as well as a significantly
25 large right-of-way as you go down Occidental Road. This is

1 not your typical local residential street that you have homes
2 fronting it. I just wanted to make sure that everybody was
3 clear on what Occidental Road was. And for those that have
4 been out to the site, they've probably witnessed that
5 themselves. I just wanted to superimpose the new site plan
6 onto the aerial. This is the most updated aerial I could get
7 off of Google Earth, but it does show quite a bit - the
8 majority of the homes right now are actually built out. Most
9 of these vacant - or I should say all these vacant lots, I
10 believe, are gone now within this development. Meritage Homes
11 purchased the remaining lots and built out the remaining homes
12 within this neighborhood. But I wanted to show you how the
13 new site plan is superimposed onto this area, showing the two
14 points of access, Occidental, Roberts Road, the limited
15 ingress/egress across from Eduprize School. I'm not going to
16 get into the participation, I think we beat that to death, and
17 unless any of the Planning Commission does have concerns, but
18 there has been significant public outreach on this project
19 over the last four and a half, five years. There have been at
20 least two rezoning neighborhood meetings, there have been two
21 facility surveys, numerous HOA meetings, numerous land
22 development committee meetings conducted to discuss this
23 particular project. But what I did want to focus on is the
24 public participation that has taken place since the February
25 19th Planning Commission hearing. There have been five

1 homeowners association board meetings in which there is an
2 open forum segment on the end of each agenda where residents
3 are invited to show up and then discuss any particular issues
4 they have. Specifically what I think we've heard a lot about
5 lately is with respect to the site plan, obviously. There
6 have been two land development committee meetings to
7 specifically discuss this site design as well as any sort of
8 potential impacts to the neighbors, and consider the
9 modifications that you've seen here today. The land
10 development committee, which is chartered by the homeowners
11 association, they have also reached out and met with a portion
12 of the neighbors directly due north of this property. The
13 development committee has also reached out and had some
14 communications with our neighbors south of Roberts Road with
15 respect to some of the buffering and transitional uses as well
16 as the maintenance of the regional trail system. Chairman,
17 Members of the Commission, that does conclude my presentation,
18 however I would like to, as part of my presentation, would
19 like to invite Brent Steffenhagen - his name's worse with
20 mine, so I had to double-check - Brent Steffenhagen, he is the
21 civil engineer of record from Hubbard Engineering. He is the
22 one that has conducted the drainage - preliminary drainage
23 analysis for the property. I think he would like to add a
24 little bit to, to provide you with maybe a greater comfort
25 level than what we had at the last hearing, to show you that

1 we have in fact adequately addressed the drainage needs for
2 this property. Candice Steelman which is the chair of the
3 land development committee would also like to say a few words
4 as part of the presentation, and we do have a member from
5 CivTech which has prepared the traffic impact analysis. She
6 is here purely to respond to any comments or comments the
7 Planning Commission may have with respect to the traffic
8 impact analysis, or the traffic generation. But in closing, I
9 would like to say that we are in agreement with staff's
10 recommendations for the project and we, we'd - we would urge
11 you to move this project forward with a recommendation of
12 approval back to the Board of Supervisors. And I thank you
13 for your time.

14 RIGGINS: Thank you. Commission Members. Vice
15 Chair Hartman.

16 HARTMAN: Chair Riggins, thank you. Mario, I got
17 that right, didn't I?

18 MANGIAMELE: Yes sir, you did.

19 HARTMAN: Thank you. Mario, on my little plat it
20 shows the hash marks and they also go up and around and they
21 pretty much enclose the whole subdivision. You haven't
22 mentioned what are you going to do with those areas? How are
23 you going to maintain them? What's going on?

24 MANGIAMELE: Vice Chairman Hartman, through the
25 Chair, those hashed areas, what I believe and I'd have to

1 clarify with staff because that is an exhibit that staff
2 prepared, those hashed areas I believe are purely showing the
3 existing landscape and open space tracts which are already -
4 if I can back up here real quick - those areas are actually
5 already improved for drainage and landscaping throughout the
6 area. As I believe some of the adjacent development comes in,
7 further improvements may be warranted, especially along - let
8 me back up to the aerial real quick, I apologize. I'm just
9 trying to clarify, make sure I understand exactly what - if I
10 could clarify, I think what you're referencing is that exhibit
11 you're showing me is the packet, I think that's part of the
12 staff's notification. They're showing open space tracts along
13 Thompson, open space tracts along Occidental. There's a
14 significant open space tract that runs along the east portion
15 of this area, and I believe up here along Mountain Vista, I
16 believe. Those open space tracts have already been improved
17 and landscaped for the most part within the community. So
18 we're not proposing to modify those areas whatsoever, with the
19 exception of the 17.5 acres along the south.

20 HARTMAN: And that's something that we as Commission
21 Members need to know because as a PAD amendment, the hash
22 marks is all included in that PAD amendment. Steve, if you'd
23 comment on that, or Evan.

24 ABRAHAM: Evan would be the better man.

25 BALMER: Yeah, that area is hashed because the tract

1 that surrounds those eight one acre parcels is part of a
2 larger tract that you're seeing there. So one of the parcels
3 in the request is that, actually that entire tract, even
4 though they're only improving that 17 acres right along
5 Roberts. That's why it shows up a little funny on your map is
6 because it's technically part of a larger tract.

7 HARTMAN: And I was on the Commission when the San
8 Tan Heights subdivision was originally designed and I, I
9 always thought that this was all part of a buffer, the
10 drainage down below here they're wanting to put in the
11 amenities and all that. So I'm just concerned. Thank you
12 Mario.

13 RIGGINS: Commissioner Putrick.

14 PUTRICK: Yeah, I have, I have a couple of
15 questions. I'm reminded of the warden in the movie Cool Hand
16 Luke saying we have a failure to communicate. I'm thinking
17 that Commissioner Grubb spoke exactly what I'm thinking. We
18 all spent a lot of time reviewing this stuff. We read all
19 your letters, we've spent the better part of a week doing all
20 this. We visited the site. The thing that concerns me is
21 that one, a simple question, why, why is this building called
22 an HOA building? Can't it be a community center? I'm not
23 trying to tell you how to do things, but it seems to me that
24 choosing the correct words would soften some of the
25 opposition. In reference to Vice Chair Hartman's comment on

1 if we do approve this change for this PAD, it will include all
2 of that property in the dashed lines. So although we may be
3 looking specifically at this area, it also changes the zoning
4 for that whole area in the dashed areas, which means there
5 could be other changes that they could do with, without any
6 further act from the Commission. And so that to me, I just
7 wanted to express those things and I'll turn it back to you.
8 Thank you.

9 RIGGINS: Are there other Commission - yes, staff.

10 BALMER: If I could, Commissioner Putrick. The
11 request is only for that specific acreage on the bottom that
12 fronts Roberts Road. There would be no additional changes in
13 the areas of the tract that aren't directly on Roberts Road.
14 The request today is for that area specifically along Roberts.

15 PUTRICK: It's not clear from the, from the map that
16 that's the case.

17 BALMER: It is confusing. We don't often get cases
18 where there's tracts involved. The way the GIS makes the map
19 is they make it off of parcel numbers essentially, and that,
20 it is part of a larger parcel. The only proposed change is
21 that area along Roberts Road.

22 PUTRICK: If I may add on the front page of the
23 application, the legal description does reference specifically
24 the 17.6 acre parcel, is the (inaudible) parcel for this
25 application. If that clarifies anything.

1 RIGGINS: Vice Chair Hartman.

2 HARTMAN: Chair, Chair Riggins, on my other parcel,
3 it's dotted out in yellow, and so I don't - I'm not able to
4 compute the 16 acre -

5 RIGGINS: I also -

6 PUTRICK: (Inaudible) just before that.

7 RIGGINS: I also note that there are three separate
8 tax parcels that are involved in this, so I don't think we're
9 seeing the parcelization.

10 HARTMAN: Yeah, we're not.

11 BALMER: There are eight one-acre parcels which you
12 can kind of see on the map below. The ninth parcel is a
13 portion of that landscape tract.

14 RIGGINS: Okay. Any other, any other questions of
15 the applicant before the second member of the presentation
16 team comes up? Vice Chair Hartman.

17 HARTMAN: Chair Riggins, Mario, one of the things
18 that kind of bothers me is today we seem to do things that
19 aren't economically feasible and we present things so that it
20 looks like it'll be all right and everything. I, I haven't
21 heard you speak on any of the economics, and I know when you
22 come before us after it's all - after all the public
23 testimony, think, think about that, because that's going to be
24 one of the questions I'm going to ask. Thank you. Did you
25 get my economic feasibility request?

1 MANGIAMELE: I believe I understand that
2 (inaudible).

3 HARTMAN: All right, so -

4 MANGIAMELE: Vice Chairman through the Chair, I may
5 have a member of the homeowners association or land
6 development committee respond to it, because (inaudible).

7 HARTMAN: All right. Because as the testimony goes,
8 we'll surely find out something about it and I'm just kind of
9 -

10 MANGIAMELE: And again I think the main issue here
11 is this change of use to allow the community center and the
12 incidental recreational amenities appropriate for the 17.5
13 acres, versus single family homes, a public park, a church,
14 anything else that is allowed in the CR-1 or CR-3 currently.
15 It is platted as for eight one-acre lots with open space, but
16 that could change by right if, you know, if somebody were to
17 bring a church in here, or a school, or a public park,
18 whatever, but the intent is to, is to add this community
19 center for various type uses, primarily to house the, the
20 onsite management company, as well as to provide some
21 additional meeting space for the homeowners association,
22 cooking classes, yoga classes, whatever it may be, as well as
23 the incidental recreational amenities for the community
24 itself, so.

25 HARTMAN: Mario, if I might add to that, what you're

1 adding onto it, would be an income, I would see it as an
2 income to the homeowners association because you would
3 actually sell that property. And this other - the amenities
4 that you're proposing is going to be a perpetual cost, a cost
5 for perpetuity in maintaining and the whole thing. So -

6 MANGIAMELE: You're absolutely correct.

7 HARTMAN: All right.

8 MANGIAMELE: And then the HOA does own this
9 property, and they have owned it for a number of years
10 outright, so.

11 HARTMAN: Right, right, and they could choose to go
12 ahead and let residential development occur in there, under
13 the current zoning.

14 MANGIAMELE: They could, absolutely.

15 HARTMAN: All right, thank you. Mario thank -

16 RIGGINS: Commissioner Salas.

17 SALAS: Mario can you elaborate - excuse me - a
18 little bit more on, on that. Maybe it's a bridge and maybe
19 it's not, I don't know what you meant by that.

20 MANGIAMELE: Commissioner Salas, through the Chair,
21 if I may have - invite Brent up from CivTech to further
22 explain the engineering and drainage, because he could
23 probably elaborate a lot more in detail than I could as far as
24 what the current design is proposed for that area coming off
25 of Occidental, if you don't mind, sir.

1 RIGGINS: Is that satisfactory? Okay. Other
2 Commissioners? Questions. All right, let's have your second
3 person come up for discussion. And if you could give us - if
4 you could sign your name and address in, and give us your name
5 to begin your presentation.

6 STEFFENHAGEN: Good morning Mr. Chairman and
7 Committee Members, my name is Brent Steffenhagen with Hubbard
8 Engineering. We provided the initial preliminary design
9 summary that was included with the P and Z submittal. I can
10 speak briefly. Mario's already touched on it, I don't want to
11 take too much time rehashing what he had already said.

12 RIGGINS: Technological issue there?

13 STEFFENHAGEN: Yeah, I want to get to the proposed
14 site plan.

15 BALMER: Yeah, I think we're having technical issues
16 on our end.

17 RIGGINS: There you are.

18 STEFFENHAGEN: Okay, so this is the proposed site
19 plan right here. What we have is two existing channels, one
20 goes right through here, and one that runs along Thompson.
21 These both convey offsite flows from San Tan Mountain down in
22 this area. Our proposed grading plan proposes to maintain
23 these offsite drainage channels, we're not going to touch
24 anything in here or in here, besides this proposed culvert,
25 and what it'll be, specifically, is probably a box culvert

1 similar to other wash crossings within the subdivision. It'll
2 be sized to convey this flow, the open channel flow so it
3 won't be allowed to back up and there won't be any type of
4 pressure flow. So it'll be allowed to flow in the same manner
5 it does at this point in time. In regards to the onsite
6 improvements, per the Pinal County Drainage Ordinance we'll be
7 retaining all of the -

8 BALMER: Brent. I think we've got the old site plan
9 up.

10 STEFFENHAGEN: Okay. Okay, all right. It still
11 applies that we're not touching anything in this existing
12 conveyance channel, other than like I stated, that box
13 culvert. In accordance with the Pinal County Drainage
14 Ordinance, all the new improvements we will be required to
15 retain onsite for the 100 year two hour storm event. This
16 site slopes, as Mario stated, west to east, so we've got our
17 main retention facility in this area here, and we will convey
18 runoff down this excess drive and proposed swale or some type
19 of drainage conveyance facility on the north side of this -
20 the pool here to get into this area where it'll be allowed to
21 pond up and store the required volume. And in the event of a
22 storm event above and beyond the 100 year two hour design
23 event, it'll simply overflow into the conveyance channel as it
24 does maintaining historical flow patterns. That's really all
25 I had on the drainage, unless there's some specific questions.

1 I didn't want to take too much time reiterating what Mario'd
2 already said.

3 RIGGINS: Commission Members, further questions
4 concerning the drainage?

5 SALAS: I just wanted to ask you -

6 RIGGINS: Commissioner Salas.

7 SALAS: Chair. Is there going to be part of that
8 particular culver running like open up the road or along
9 Ocotillo, is that where you have it?

10 STEFFENHAGEN: On Occidental, you mean?

11 SALAS: Occidental yeah, excuse me.

12 STEFFENHAGEN: Well I don't know what you mean by -

13 SALAS: Well, either you're going to have a box
14 right there in the middle of the intersection or what?

15 STEFFENHAGEN: Oh, it'll be a box culvert underneath
16 the road, so the road will go over it. So it'll look like a
17 bridge, but it's really just a box culvert. It's not a
18 structural bridge of any kind. Similar to what - the same
19 type of culverts you see all over -

20 SALAS: So the flow the come over here from the
21 west?

22 STEFFENHAGEN: Yeah, the flow will come - what
23 happens is we get a significant amount of offsite flow coming
24 in this way and it splits. Part of it goes up north on -
25 along Thompson, and the other part comes along this way. So

1 we're capturing the same amount of flow that, that currently
2 exists there in that channel right now and will convey it
3 through - via that box culvert.

4 RIGGINS: Okay, any other questions? None being,
5 thank you very much. And we have some other presentations
6 from the applicant? And if you could sign your name and
7 address in there and give us your name.

8 STEELMAN: Okay, my name is Candice Steelman, and
9 I'm chair of the land development committee for the HOA. And
10 Mario gave quite a bit of what I was going to say, so I will
11 just hit the highlights. We paid great attention to what you
12 had to say and the Board of Supervisors had to say concerning
13 things you would like to see from us. One was this concept of
14 transitional land. After I heard about that, I'd never knew
15 about that before, I called up Evan and said why didn't staff
16 tell us we had to comply to transitional land. I was all
17 worried, and he explained it really wasn't an ordinance, it
18 was a handshake agreement between the original developer and
19 the rural community. But nonetheless we, you know, we wanted
20 to be good neighbors, so we did have face-to-face meetings
21 with some members of the rural community who reminded me
22 numerous times that they were all individuals and they didn't
23 represent anyone but themselves, but they were well connected
24 and networked. I - we listened to all their concerns, we
25 addressed them via email and phone call. I don't think I

1 convinced them, but they'll speak for themselves in a little
2 while. At least I got to meet some very nice people. The
3 school. Mario pointed out we met with Charie Wallace, the
4 Coolidge School Superintendent, had emails with her and she
5 told us we would never be able to get a lease longer than a
6 year, and at the end of our last meeting, she told myself and
7 the HOA manager, and by the way Florence may be taking over
8 the schools, so it made it pretty chancy to go that route.
9 And I did bring two news articles addressing the fact that
10 Coolidge and Florence school districts will be voting on that
11 merge just in case there was a question about that. So we did
12 try to look into that. Where are all our supporters, you
13 might ask. You see a lot from the opposition here. As people
14 were coming in, the leader of the opposing group said are you
15 for the bride or the groom, which I thought was very good as
16 far as we're seated. We seem to be split into two camps. But
17 I heard from a lot of young - we have a lot of young families
18 in our neighborhood and they want this pool complex and splash
19 pad so they can take their families there. They can't afford
20 a swimming pool on their own. I hear from retired folks all
21 the time who have smaller homes and don't want to invite
22 neighbors or strangers, rather, to their home, so they look
23 forward to a clubhouse where they can get together, play
24 cards, have reunions, do other things of that nature. So when
25 I asked a lot of the supporters would you like to come, they

1 are either working or some of the young mothers said yes and
2 can I bring my children; which I thought probably would not be
3 appropriate, so I discouraged them from that. We've had
4 numerous open meetings since we met with you last. All of
5 them had homeowners open forums, plenty of time to discuss.
6 Before I get into finances, to address your concern,
7 Commissioner Hartman, I did want to talk about just the big
8 changes we've made. You know, we listened to the rural
9 community, we listened to the opposing group, they were very
10 concerned about the noise. We took out the noisy elements.
11 We took out the skate park, to the disappointment of a few
12 others in the community who were looking for things for youth
13 to be able to do. We took out the amphitheater to the
14 disappointment of half of the board members and myself, but
15 again, we were trying to compromise, we were trying to
16 respond. The other concern was traffic. All of it before was
17 going to come down Occidental, but we were prohibited
18 previously from having a second entrance off Roberts Road.
19 But Lester Chow met with some of our board members and Mario
20 and Brent, and found a way to allow us to have another
21 entrance off Roberts, so we would greatly reduce that traffic
22 going through the opposition group neighborhood. And, the
23 other - to get into finances, is I looked at this the other
24 day and since we had - we've had many meetings on finances,
25 and last December our meeting, our land development committee

1 meeting was developed totally to that, with a PowerPoint
2 presentation on specific costs. At that time, the total cost
3 of the project was to be about 7.8 million. Since that time,
4 we've reduced costs 1.7 million, so we're now looking at about
5 6.1. Over half of that is sitting in the bank already, and
6 another 1.6 million could be added to it at the board's
7 discretion. This does not dip into our reserve funds in any
8 way. We are a very financially solid HOA. In fact other HOAs
9 are envious of our position. Our reserve fund is - and again
10 I'm not an economist or a financial advisor, I'm repeating
11 what two treasurers over the course of four years of said -
12 but our reserves are financed at 170 percent, whereas most
13 HOAs are financed at only 70 percent. That is in addition to
14 the monies set aside for this project, most of which, the
15 majority of which, came from home sale fees, not all from
16 assessments. Could, could we sell the land? Yes, I looked
17 into that too. I talked to one of the partners in Highland
18 Homes who's been building all those one acre sites all around,
19 and they said well, they'd be interested in the sites closer
20 to where they're building, but really are unsure they would
21 want the sites directly across from Enterprise School, because
22 those are driveways backing into that traffic going into the
23 school. So again, I'm concerned. Do we have that part, would
24 that be a white elephant for us? I guess if the price were
25 reduced enough, anything would sell. But, again, that has

1 been looked into. And maintenance costs. We have looked at
2 those and I've started to put together more very specific
3 ones, although over the course of the past year I've talked to
4 many, at least eight HOA managers and gotten their cost taken
5 into our treasurer who works, of course, with an accounting
6 firm and has said we are - that's feasible. We are going to
7 be able to do that in the future. So I hope that addresses
8 your financial questions. Oh, and one other thing, if we were
9 to sell it, that would mean rescinding a legal vote, not even
10 to mention all the surveys we've had - rescinding a legal vote
11 and then voting again whether to sell this, because the
12 community did vote to move forward. So that is my
13 presentation.

14 RIGGINS: Thank you very much.

15 SALAS: Mr. Chair.

16 RIGGINS: Commissioner Salas.

17 SALAS: Will you verify the use of that building
18 that you call office, because first of all, that's what we
19 heard in the beginning, and that's what Mr. Putrick over here
20 talked about the possible use is recreation building. The
21 next comments that came out were to have partial recreation in
22 that particular building. At least that's what I heard, okay?
23 So is it going to be a recreational building, including the
24 offices, or is it just going to be office space entirely?

25 STEELMAN: Well thank you for pointing out we need

1 to have a message that we're all saying. I never called it an
2 office building because it's not an office building, it's a
3 community center, and the offices for the HOA are going to
4 take up less than eight percent of the floor space. There's
5 going to be a main room and then two sliding curtains that can
6 close it off - part of it off, into smaller classrooms so
7 people can come, as I said, get together, do crafts, they can
8 have card games, and people can rent it out for private use
9 for a wedding reception or a reunion, so yes, it's not just an
10 office.

11 SALAS: You don't have any illustrations of that
12 here in our packet?

13 STEELMAN: We don't have what?

14 SALAS: Illustrations of what you're talking about?
15 Like how it's going to be designed, any of the rooms or
16 whatever?

17 STEELMAN: I'm sorry, I didn't bring it. We do have
18 that, and I can email it. It'll be a little late for today,
19 but yes, we, we do have that already. From our architect, HGA
20 Architects.

21 RIGGINS: Okay. Commissioner Putrick.

22 PUTRICK: I don't - I don't want to be a wet
23 blanket, but I would caution you about the pool. Other than
24 Anthem, I can tell you three years ago we have, on the Sun
25 City side, we have a pool that's only three and a half feet

1 deep and it costs \$18,000 a month to heat that pool in the
2 winter. That's why it's closed from the first of December to
3 the first of March. In the case of the pool, the aqua center
4 on park side, has an Olympic sized pool which they do not
5 heat, but a couple of - and they're only open three months out
6 of the year, essentially, because they can't afford to heat
7 that pool. So when you're looking at expenses, you need to
8 take a good honest look at it because it'll eat you alive.
9 And I think that, that probably Commissioner Grubb and other
10 people that know about those things, can say the same thing.
11 And that's, that's only a caution for, for you guys to
12 consider and dig a little deeper and look a little harder,
13 because you're going to be putting that burden on the people
14 in the neighborhood to support that, and it's our, our dues -
15 our HOA dues are growing faster than we care to think about at
16 Anthem. So that's my only comment. Thank you.

17 STEELMAN: If I could respond to that.

18 PUTRICK: Please, go ahead.

19 STEELMAN: Yes, I appreciate that. We have looked
20 into it. First of all, no one on the committee or board has
21 ever talked about an Olympic sized pool. We haven't
22 determined that yet. But of the HOAs I've talked to, Power
23 Ranch, (inaudible) Trails and others, the average cost of
24 maintaining a pool - and we've known this for two years - is
25 1,600, and the average cost of maintaining a building is about

1 3,200. And again, this has been brought to the treasurer and
2 they have said yes, we'll easily be able to do that. We've
3 taken into consideration months open and hours, all of that,
4 but I appreciate the caution. And again, that was asked. We
5 asked our HOA manager to provide us with average costs from
6 other facilities they operate as well. Oh, and I was going to
7 say about dues. We're one of the lowest in the area, and
8 garbage and recycling are included in our dues.

9 PUTRICK: Well we - the Town of Florence can invite
10 you over to our new aqua center, which is - the total complex
11 there is a \$13 million complex.

12 STEELMAN: Wow.

13 PUTRICK: And I'm sure that it's more - it's going
14 to be more than that before it's over.

15 RIGGINS: Other Commissioners.

16 GRUBB: Mr. Chair.

17 RIGGINS: Commissioner Grubb.

18 GRUBB: The only thing I would consider, and thank
19 you Commissioner Putrick for the point-out, I would hope that
20 you - with the 9600 or whatever it was square foot building,
21 that you would consider solar panels for your pool rather than
22 gas or electric heating. I think that the costs would be
23 significantly reduced.

24 RIGGINS: Other Commissioners? Questions? Vice
25 Chair Hartman.

1 HARTMAN: Chair, Chair Riggins, thank you. Candice?

2 STEELMAN: Mm hm.

3 HARTMAN: I got it, thank you. I repeat it because
4 I'm terrible on names and I'm trying to, as Vice Chair, I'm
5 trying to really concentrate on names. Thank you, Candice.
6 Okay, have you kind of projected what - how much the average
7 homeowner fees will go up with this new amenity?

8 STEELMAN: Zero.

9 HARTMAN: Zero?

10 STEELMAN: Zero.

11 HARTMAN: Okay, that, that's hard to believe, but if
12 you state that.

13 STEELMAN: Again, this is over four years what two
14 treasurers, one of whom is a financial advisor and we have a
15 professional accounting firm, have told us. There's no need
16 for them to go up. We're able - we have over half in the bank
17 right now, and we're able to set aside through home sales and
18 fees, as we have done over the past four years, enough to pay
19 for this. It's being developed in phases, it's not all at
20 once.

21 HARTMAN: Well that's interesting, and that's
22 important to hear you say that. Thank you. Thank you, Chair.

23 RIGGINS: Other Commissioners? Commissioner Del
24 Cotto.

25 DEL COTTO: If I could, when, when was the last vote

1 or - in regards to the people for and against. What, what do
2 the numbers look like in the past versus when was the last
3 recent vote made or tally taken?

4 STEELMAN: The last recent vote was in 2013.

5 DEL COTTO: And those numbers?

6 STEELMAN: 418 returned ballots. Of those, 66
7 percent said to move forward. So it was a 18 percent return
8 of the existing homes which is, if you look at returns on HOA
9 votes, is pretty high. I mean it's not a lot, sure, we'd love
10 for it to be 50 or 60 percent, but for an HOA vote, that was
11 considered pretty high and it was more than quorum.

12 DEL COTTO: Thank you.

13 RIGGINS: Okay, Commissioners, any other questions
14 or comments? Okay, thank you very much, and the applicant has
15 one more person for - no that was it. Okay. Very good then.
16 Well at this point in time we'll go ahead and open up the
17 public portion of the meeting for comments. And I would
18 encourage everyone to understand that it is very important
19 that you keep your comments relevant. And also I'm not going
20 to impose at this point in time a three minute limit on
21 anyone, because I'm sure there's a lot to be said, but if
22 you've heard the exact same thing said by one of the people
23 that are thinking the same way that you are, don't elaborate
24 it as much. We, we - if we get a lot of that, we might go to
25 a three limit rule sometime in this, but I don't want to do it

1 to begin with because I'm sure there's a lot of important
2 things to be said. So with that being said, make - remember
3 that when you come forward, you need to get your name and
4 address down and you need to identify yourself and where you
5 are, where you live in the project area so it helps us. So
6 please, come forward.

7 AZANGER: I already signed. We're the first ones
8 here. Address, my name is Richard Azanger. I'm the leader, I
9 guess, of the opposition group. I am speaking on behalf of
10 many of these people. I don't know if anybody else will speak
11 up. But I appreciate all you reading all our letters and
12 concerns, and Commissioner Grubb, I want you to know based on
13 your comment before about not being HOA police, I've re-
14 written my whole thing and I'm only going to focus on the
15 relevant points that you suggested. A couple of things I do
16 want to mention, your question about this last vote in 2013,
17 278 yes votes, and of those yes votes many - I don't know
18 exactly how many - were builders votes. Builders casting
19 votes, not residents. That was the last one and only vote
20 that they've ever had on this project, and since then hundreds
21 of new homeowners have moved in, especially along Occidental
22 Road through LGI, Lennar, KB and Meritage. Sorry, that's us.
23 I am, I am from the Meritage subdivision. I am one of those
24 houses that are butting up against that property. So I did
25 want to mention that to you. The other, the other thing that

1 was really important, and you guys all - sorry Commissioners,
2 it's a New Jersey thing - many of you were questioning about
3 the 17.6 acres, and I heard a couple of people here say no,
4 they only are talking about this 17 acres that's going to be
5 fixed. That's not 17 acres, that's only eight acres. This,
6 this was - as I listened to all of this stuff, the project
7 says we want to rezone 17.6 acres, but they're only going to
8 do stuff in those eight acres. It is incorrectly identified
9 before when two other people said we're only doing work in
10 those 17 acres. That's not 17 acres, that's eight. The rest
11 of the stuff is already drainage, the rest of the stuff is
12 already there. The rest of the stuff nobody's going to do
13 anything to. But in this plan they're saying like somebody
14 pointed out, they want to rezone all 17 of those acres. It's
15 not true. Very important point. So, sorry. The other
16 comment I wanted to make, the traffic study where they said
17 it's going to increase traffic five to six percent, and they
18 thought that was high, that it's going to be something
19 considerably less. Back to somebody else's point, who are we
20 building this for? Commissioner - Vice Chairman Hartman you
21 had asked the question about the benefit for Pinal County.
22 Well zero for Pinal County if you don't live in San Tan
23 Heights, and in San Tan Heights their own estimate said only
24 five to six percent more traffic is going to be used. So
25 who's going to benefit from it? That was our concern forever.

1 We've been saying they had that one vote, hundreds of new
2 families moved in, there's a whole complicated stuff going on
3 with the vote. We feel not very many people want it. I
4 understand they feel a lot of people want it. The only thing
5 we can talk about each other's feelings is, what was the vote,
6 and the vote was as I said, 278 yes votes in 2013 when the
7 majority of people that are going to be affected by it weren't
8 even here to have an opportunity to vote. It's a very
9 important point that I wanted to make to you all. And I just
10 have a couple of, couple of more than I'm out of here. The
11 board meetings that people have people referenced tons of
12 them, please understand, just like here today, we could be
13 limited by three minutes. At those board meetings, we are
14 limited to one minute input, all of us. It was yes, okay,
15 thanks, next. Yes, okay, thanks. So don't take this stuff
16 that we had all kinds of opportunity to say what we wanted to,
17 whenever we wanted to, because it's not true. And then to
18 that, all these other meetings they're telling you that
19 happened, these open things, the tons of surveys, the tons of
20 wish list meetings where people talked, there was never a plan
21 presented to us like somebody else up here - I was so for your
22 comments today, which is what's the final plan where you
23 people can make an educated judgment? What's the, what's the
24 cost to build. You gotta understand that to have some
25 estimates. What's the on costs. You know, to say it's not

1 going to cost anything, just hiring a person full time to
2 stand in that building for eight to ten hours a day, which
3 they've told us they're going to do, that's \$5,000 for just an
4 extra person right there. So there's a whole bunch of stuff
5 that we're very, very concerned and suspicious about, plus the
6 fact that as everybody mentions, everybody's proud of the fact
7 we have \$5-6 million sitting around for this project. That's
8 unheard of. I think possibly - well again, I'm not a tax
9 expert and the tax experts that gave them the advice,
10 apparently it's okay. Our current treasurer's concerned that
11 if you guys don't - sorry about you guys - Commissioners don't
12 approve this thing, his recommendation in his letter was
13 please don't drag it out anymore, just deny it. Because we
14 gotta take those funds and allocate them somewhere else. We
15 can't keep rolling over as we've done for years and years.
16 The IRS regulation allows an HOA to do that, but it's an
17 accidental overage. When income goes over expenses, they're
18 allowed to take that accidental income and roll it over to the
19 next year. We've been doing it for years, and now we've got
20 \$5-6 million. This is unheard of and we may - I don't know
21 what kind of issues there may be associated with that. So I
22 am done. I do have one other suggestion that I wanted to
23 make. And that is with regard to this specific plan, finally
24 last month the group reached to us homeowners that are living
25 here - I know they reached out to the rural neighbors - but

1 finally last month we got together after all these years and
2 kind of said hey, what would it take? What - you know, dah,
3 dah dah. So we sat down and suggested that we take that plan
4 and flip it by - if you look at that plan and you flip it over
5 this way, so that road that's going to be right behind our
6 homes there where the cars are going to drive by and their
7 headlights are going to shine into our homes, that internal
8 road, we suggested be flipped and moved over to the Roberts
9 side, and the buffer that they had between Roberts and the
10 complex, see all that nice green stuff over there? Flip that
11 over so that's behind our houses, instead of the road with the
12 cars going down. That was our suggestion that we had made to
13 them. Basically that's kind of what we asked for, and due to
14 time, redoing plan, we've heard excuses, well then the fire
15 engines won't be - I've done this kind of work before, every
16 excuse I heard, I'm sorry, wasn't accurate or relevant or
17 truthful in my opinion. I think the true issue for them is
18 this \$5 million that's sitting there. They need to get you
19 guys to say yes and they need to start doing something quickly
20 before they get into troubles with the IRS with this money.
21 So I think I've said just about everything people want to say,
22 so I might have gone over a little bit. But thank you very
23 much for your attention.

24 RIGGINS: Thank you very much sir. Are there any
25 comments from the - or questions from the Commission? Vice

1 Chair Hartman.

2 HARTMAN: Chair, Chair Riggins.

3 AZANGER: Richard.

4 HARTMAN: Richard, now when we look at the benefits
5 and - disadvantages, benefits, whatever, my gosh you're just
6 one, one street away from being able to have access to these
7 new amenities, where some of the homeowners are way far away.
8 That's gotta be a benefit.

9 AZANGER: It is actually not a benefit, because all
10 those people that are far away that have to come down our
11 streets - I know they said houses aren't on Occidental, but
12 the fact is everybody that lives - all 614 houses that are
13 going to eventually build, they're all gonna have to dump out
14 onto Occidental to go. So in terms of us - by the way, we
15 have also - we're not all just old retired seniors that are
16 objecting because it's in our backyard, we also have issues -
17 we have people with children, people with jobs, that couldn't
18 be here today just as much as the opposition. We can go back
19 and forth about are there more people that want it, more
20 people that don't want it. The only hard fact is the 278
21 votes in 2013, they refused to allow us to go out and revote
22 again and ask those hundreds of new families. So for me to
23 answer your question, sorry, it's not, it's not a benefit to
24 us because we see all those other issues, which I didn't bring
25 up because they were in the letters about traffic, noise,

1 lights and blah blah blah. You've read all that, I didn't
2 bring that up again. Those are our concerns.

3 HARTMAN: All right. Homeowners fees?

4 AZANGER: HOA fees, it's incredible. I mean right
5 now, that was our point about, you know, if - we think it's
6 going to go up. There's no question, it has to be. We have
7 never been presented a comprehensive plan, as I mentioned
8 before, that said this is what it's going to cost. There's no
9 deep analysis done on the on-cost to everything. They had
10 they're - they have \$5 million and they think they're going to
11 do a whole bunch with this \$5 million. We don't believe the
12 HOA dues are not going to go up. We believe that we should
13 take that \$5 million, take it and spend a million improving
14 existing things that we have, take the other \$4 million and
15 give it back to us in the form of reduced fees. That's what
16 we feel. That's our, that's our position.

17 RIGGINS: Okay. Other Commissioner Members?
18 Questions?

19 GUTIERREZ: Mr. Chair?

20 RIGGINS: Commissioner Gutierrez.

21 GUTIERREZ: Richard, you mentioned when you were
22 talking, the fact that lights were going to be hitting your
23 homes and stuff with cars coming in and that. You talked
24 about reversing that road that you had talked to somebody
25 about doing, where did you - who was that discussion with on

1 the rezoning?

2 AZANGER: Candice, Candice Steelman, the chairman of
3 the LDC.

4 GUTIERREZ: Okay, and what kind of responses did you
5 get to that (inaudible)?

6 AZANGER: A that time, you know, we both - Candice
7 and one of the other board members were there with us, and
8 again, by the way, we get along great. We're on opposing
9 viewpoints, but we are friendly disagreements, we don't hate
10 each other, so it's a very positive thing. But, you know,
11 they came over and they said first of all, Barb Tiller who
12 couldn't make it here today, she made the comment I just want
13 to make sure if and when we build this that we have the best
14 plan. And that was our thing to them, is we think this is a
15 better plan than what you have. At that point they agreed. I
16 think she'll come up and say at that point when we left the
17 meeting, they said hey that sounds like a really good idea, I
18 don't know why we didn't think of it, I don't know dah, dah,
19 dah, dah. And then they went out - and I got give them a lot
20 of credit, it was on a Friday and they had a lot of stuff to
21 do on Saturday and Monday and preparing for this meeting, and
22 doing a whole bunch of stuff, and all of a sudden Monday or
23 Tuesday of the following week we get an email that says the
24 engineers said the fire department couldn't go in if they had
25 to off the access road if you flipped it, the utilities

1 wouldn't - there would be a problem with the sewer and stuff,
2 and I'm going how could it be - the sewer's along the road,
3 not - I mean everything that we heard and I don't remember
4 exactly, but they came back basically, I think - my feeling
5 was because they ran out of time, they needed to present this
6 thing, and although we think it's a better plan, you know, the
7 road that they're talking about building behind our houses,
8 they have to have a bridge over every one of those - I call
9 them washes - that currently dump the water to our houses. If
10 they build a road over that, they gotta put these culverts
11 that are going to force the water to come at us now with
12 whatever the size of that culvert's going to be. Today it
13 just dissipates like this. If that road is flipped over to
14 the other side, there's no need to have those culverts there.
15 There's no need to have a road right behind our houses.
16 There's no need to have headlights shining into our houses.
17 So, we were told it was a good idea and after some quick
18 investigations that they did, they came back and said no - I
19 think they called it an inferior solution, was just a general
20 term that we were told.

21 RIGGINS: Okay.

22 GRUBB: Mr. Chair?

23 RIGGINS: Commissioner Grubb.

24 GRUBB: Richard, how long have you lived there?

25 AZANGER: Since 2009. I was one of the first two

1 houses - I could see all the way out to Thompson.

2 GRUBB: And, and in that time, how many meetings
3 have you gone to of the HOA?

4 AZANGER: The board meetings, when we first moved
5 here we went to a lot of them. But I have to tell you, as
6 many of us, we stopped going. Prior to this board, it was a
7 totally dysfunctional organization. I think people here will
8 tell you there's arguments, there's conflicts, there were
9 people that just really hated each other. This board, I think
10 is doing a fine job. They looked at all the issues that we've
11 had, including millions of dollars uncollected debts, security
12 firms we're paying to do nothing. This board has done a lot
13 of good things and they have a lot of work to do, so I give
14 them a lot of credit for that. But to answer your question,
15 we stopped going.

16 GRUBB: Okay. When was the last time you voted for
17 the people on the board?

18 AZANGER: We voted in February.

19 GRUBB: Okay. And if a new vote was held, would
20 that be fair to the rest of the subdivision that hasn't been
21 built yet? You're claiming it's unfair now that that vote was
22 held, and if you would hold another vote, and then another
23 thousand people move in, are we going to have somebody in
24 front of us standing, making the same claim? You know, I just
25 have a hard time with that. I just have a hard time with that

1 - and that's why I said, we're not the HOA police. You know,
2 we can't, we can't fix that. That's between you and your HOA.

3 AZANGER: Right.

4 GRUBB: Our job is to decide whether it's a good use
5 of the property.

6 AZANGER: Right, understand.

7 GRUBB: And would you rather have eight two story
8 homes behind you?

9 AZANGER: We definitely would. That's what we moved
10 in here for. That's all - that's what we thought - we moved
11 here because we're going to have houses backing right up to
12 us. We're going to have eight one-acre homes back there.
13 Just like, just like Highland is building, just like Highland
14 is building over there.

15 RIGGINS: Okay, Commissioner Aguirre-Vogler.

16 AGUIRRE-VOGLER: I have a question for staff
17 regarding the acreage that he alluded to. Could you explain
18 that 17.6 versus eight?

19 BALMER: Sure, Commissioner Aguirre-Vogler. There
20 are eight one-acre parcels, the former home sites that we have
21 been discussing. The additional acreage is the landscape
22 tract that kinds of surrounds those eight one-acre parcels.

23 AGUIRRE-VOGLER: Okay.

24 RIGGINS: All right. Vice Chair Hartman.

25 HARTMAN: Chair Riggins. Richard, will you please

1 come back up to the podium? One question. Okay, from, from
2 what I heard you say, if they flip this plan, you would go
3 along with it. Did you not say that?

4 AZANGER: We walked out of a meeting - you know
5 what, I am going to say yes. We would have - I wouldn't be
6 standing up here, despite all those other concerns that we
7 have, because they have already done some compromises, which
8 they said they took the skate park out, they did a bunch of
9 stuff, and then that first outreach program when they asked us
10 to do this, you know, we kept saying - we got together - I'm
11 sorry, five seconds. After the last - when the Board of
12 Supervisors said bring it back to here, everything went silent
13 for a long time. We didn't know what they were doing. We
14 didn't know if they were coming up with another plan, we
15 didn't - you know, everybody just went silent. I guess they
16 did stuff in the background. Then we had an HOA meeting and
17 they came back and said we did this, that and the other thing,
18 we're recommending the HOA board give us the authority to move
19 forward with planning this. And we were all at this meeting
20 going oh, so they are still going through with this despite
21 the denial, the recommendation for denial here back in
22 February, then the April meeting at the Board of Supervisors.
23 So then we're going oh my gosh, what are they going to do now?
24 Are they going to do the traffic study? Are they going to do
25 this - what should we do? We had some meetings, we got

1 together, and then at one point we had a meeting and we said
2 well look, what if this thing were to happen? If they came
3 back here and this thing were to happen, you know as much as
4 we object for all those other reasons, what would it take for
5 us, and that's when we said flip it. So that's probably as -
6 that's probably a yes to your question. That's probably a yes
7 to your question.

8 DEL COTTO: Commissioner?

9 RIGGINS: Commissioner Del Cotto.

10 DEL COTTO: And then if I could then, then it sounds
11 like you would be more up for there to be less of a buffer
12 between you and what they propose to build, because their
13 proposed site for all of their activities would flip over into
14 the retention area, or into the flood, into the flood - into
15 the floodplain or to the water retention area, versus being
16 farther away from you.

17 AZANGER: No, it's the exact opposite. It's farther
18 away from us. If you just take that plan as I'm looking at it
19 this way, and go like this. It takes those amen -

20 DEL COTTO: You're talking about putting the green
21 where the brown is, and the brown where the green is?

22 AZANGER: Yeah, but not just moving, actually taking
23 the plan as it is - I sent in my letter I actually hand drew
24 something - it's actually taking that plan as it is and just
25 flip it this way, and then amenities are farther away from us

1 -

2 RIGGINS: Richard, Richard, could you come back to
3 the mike please?

4 AZANGER: Oh, I'm sorry. I get a little excited.

5 RIGGINS: Did that answer your question?

6 AZANGER: Many people had misunderstood and they
7 came back and they told me no, now you're proposing the
8 amenities are going to be closer to you than what the HO -
9 it's not true. It's not true. Because honestly, if you take
10 that plan and - not flip it this way, it's just take it and go
11 like this. Do you see what I mean? So all that buffer you
12 see along Roberts will now be behind our houses. All those
13 amenities you see behind our houses, now will be - will be
14 along Roberts, with an entrance on the road that is along - is
15 parallel with Roberts instead of being behind our homes.

16 ???: I think they're saying the (inaudible).

17 RIGGINS: We need to keep things -

18 GRUBB: From the podium please. Mr. Chair.

19 RIGGINS: Commissioner Grubb.

20 GRUBB: A question for staff. Evan, what he's
21 discussing, is it going to have a significant difference in
22 where the actual buildings and parking lots sit if that road
23 was moved? Are we talking 50 feet, 20 feet? To go through
24 the expense of having this thing redrawn, I can't see the
25 benefit.

1 BALMER: Commissioner Grubb, I'm not sure of exactly
2 how many feet it would change everything, but it's going to
3 push things closer to the homes. The access road and all of
4 the parking infrastructure, things like that, will be closer
5 to Roberts, which was going to move the amenities farther
6 north. And then you would get into issues, drainage would
7 have to be re-examined, traffic, all of those type of things.

8 GRUBB: And that was my point, is now there's a huge
9 expense to redraw the program and I understand the sewer
10 issue. The sewer issue is that the sewer's inside the
11 community, and so moving the, the sewer collector further away
12 is just going to add - again you're adding expense is what it
13 looks like to me. So I didn't see a benefit from that. I
14 heard about your proposal, I did hear about it through the
15 rumor mill, and I didn't see a benefit from it when I went
16 back out and walked the land. Those lots are not that deep,
17 so I don't see a significant change on whether the road's in
18 the back or the front as to where the actual buildings and
19 activity will take place. The road may change, but the
20 activities aren't.

21 AZANGER: If I just may, I still don't understand
22 why the amenities, why people are considering the amenities
23 would then be closer to our homes. That just makes me believe
24 people aren't really understanding what I'm talking about
25 flipping. And that's why I provided that chart in the - in my

1 email to you all that took this, and then I cut and paste it,
2 which I haven't done in a long time, and flipped everything
3 over to show you exactly - for me, I've done this kind of work
4 before, there's really minimal impact to doing that. And for
5 the cost. The impact to us is not having the road behind us
6 and not having those amenities as close to our house as they
7 would be if we flipped them over to the other side. So that's
8 all I'm - I hope there's no confusion, because it is not going
9 to be closer to our house with my suggestion.

10 RIGGINS: Vice Chair Hartman.

11 HARTMAN: Okay.

12 RIGGINS: And let's probably try to keep a -

13 HARTMAN: Chair, Chair Riggins. If I may, I'd like
14 to ask Public Works person Lester Chow of what, what his
15 thoughts are on this flipping. Is it going to be impractical
16 (inaudible)?

17 CHOW: Well Chair, Chairman Riggins, Vice Chair
18 Hartman. First of all, let's talk about the drainage. That's
19 an existing drainage channel that they have there now to the
20 back side of those eight lots. More than likely - and I
21 haven't looked at the plat that created those lots - there was
22 a drainage easement that covers that channel. You will not be
23 able to - it'll be a long process to extinguish that easement
24 and reestablish another drainage easement, because that
25 drainage easement is more than likely to the public. So you

1 have to extinguish that easement and get another drainage
2 easement if you relocate that channel. So that's, that's one
3 item.

4 AZANGER: So, we're not asking for that. This is
5 what -

6 RIGGINS: Please, please.

7 CHOW: If you - what you're saying is you're
8 flipping the road. When you flip the road, the road has to be
9 - that interior road has to be a certain distance away from
10 Roberts Road because you've got vehicles having to turn,
11 you've got emergency vehicles having to make that turn coming
12 off of Roberts. They can't just turn onto a driveway and
13 automatically make a quick right turn or a quick left turn.
14 The road has to be set back so far for turning movements of
15 vehicles. So because of that, you'll be cutting into where
16 (inaudible), so it will have to push some of the proposed
17 green area, which is their parks, closer to where - and you're
18 going to have to move that whole drainage channel, so
19 everything that you see in brown is going to move - you're not
20 going to move that - everything will be impacted.

21 AZANGER: Nobody's - the drainage channel stays the
22 same.

23 CHOW: No, but what I'm saying is that the road is
24 not going to be right adjacent to Roberts Road. The road is
25 pretty much - it may end up - it will have to be end up pretty

1 much towards the middle of where you see the green area. The
2 road cannot be directly adjacent to Roberts Road.

3 RIGGINS: And thank you very much for that, and I
4 think I need to remind everybody that the case at hand today
5 is the site plan that we're looking at, and to redesign that
6 site plan today is not something that is within our purview or
7 would even desire to do. So if there's any more questions
8 that don't concern redesigning this site plan, I'll accept
9 them now. And if not, I would say it's time to move onto the
10 next speaker. Okay. Please come forward.

11 VANDIVER: I'm Joanne Vandiver, I live at 3519 West
12 Goldmine Mountain Cove. Not the Drive - Cove.

13 RIGGINS: And did you sign in?

14 VANDIVER: I'm going to right now. Just so you
15 know, with adding the entrance from Roberts Road into this,
16 most of the traffic will be coming down Prospector. I live 83
17 feet from that road. I get to listen to the crunch of morning
18 traffic going to Eduprize, crash of cars having my coffee in
19 the morning. You're adding more traffic onto Prospector.
20 There are close to 300 homes on the west side of Prospector
21 that their only way in and out is on Prospector to get out of
22 San Tan Heights. I luckily can still go to San Tan Heights
23 Blvd. I'm not a public speaker. I have lived there since
24 2005. I'll answer your questions that you asked Richard. I
25 have been involved since the transition committee of taking

1 over from the (inaudible). I have chaired numerous
2 committees, I have served on other committees. I have even
3 spent five years - excuse me, five months of my life sitting
4 on that board which I will never get back. Just saying. Now,
5 I've looked at the traffic study. It's amazing to me on one
6 of the graphs that it shows that we only have traffic from 7
7 to 9 a.m. and from 4 to 7 p.m. So we get to drop our children
8 off. When do we pick them up from school? And I know about
9 the traffic at Eduprize, I have to pick up my nine and a half
10 year old grand daughter there everyday at 3 p.m. It is a
11 nightmare. And now you want to add more traffic onto that
12 road and onto Prospector, which again, I live 83 feet. I do
13 not have any green space from that road. There is one house,
14 then my house. Now, I've heard that they've reached out to
15 the group over off of Occidental to the people out into the
16 desert. This came up two months ago. Yeah, land development
17 has yet to be over to my area to tell these poor people what
18 they're going to have to deal with. It's not my job to do it.
19 That's all I have to say.

20 RIGGINS: Thank you very much. Any questions or
21 comments from the Commission? There none being, than you very
22 much.

23 VANDIVER: I'm neither part of the bride of the
24 groom side.

25 RIGGINS: And if you could please give us your name

1 and sign in and write your address down.

2 BROTHERTON: My name is Sherry Brotherton. I live
3 at 2087 West Mineral Butte Drive. That is on the east side of
4 the subdivision. I can see Wal-Mart's lights from my house.
5 My house backs up to San Tan Heights Blvd., and I do oppose
6 the rezoning of this area. But to start my statement, is the
7 current board wants the Commission to believe that they have a
8 mandate to get this community center and other amenities built
9 based on the five people that were elected on March 3rd.
10 Getting an additional 400 votes above and beyond any other
11 annual meeting is not a mandate. If all eligible homeowners
12 had voted for all five of the new board members, that is a
13 mandate. Getting 700-and some votes is still a drop in the
14 bucket as to how many were eligible. And as admitted by the
15 current president, someone went out and solicited votes to get
16 these five people elected. Anything can be written, spoken,
17 can be skewed to make it look like this is the way it needs to
18 be done, this is good, let's get it done. The vote that was
19 taken in 2013, none of the home - none of the builders voted
20 at that timeframe, it was strictly homeowners. And I agree,
21 we do have a lot of money in our coffers. It does to be used
22 primarily to solve some of the issues that are ongoing in the
23 community instead of this being built. I want to speak
24 directly about minutes of the land development committee dated
25 April 20th. I went off without all of my notes, so I have to

1 kind of wing it. But anyway, in the minutes of that meeting
2 from the land development committee, it was stated that they
3 ruled out the middle school as an option due to one, the
4 district's unwillingness to sell. So I contacted the
5 superintendent of Coolidge Schools, Charie Wallace and her and
6 I have been going back and forth since February on quite a few
7 things. It's died down, we've picked it back up, and I asked
8 her that about the district's unwillingness to sell, and she
9 said the district is not unwilling to sell, the district
10 cannot sell without a vote of the people. We would have to
11 have a special election like they are going to have to have
12 for the consolidation with Florence School District, then we
13 would not receive the money. The majority of the schools in
14 San Tan Valley were built with school facility board funds and
15 a small portion was done with bond money. The bond money goes
16 back to the taxpayer and the rest would go to the school
17 facility board, which would love to get the middle school sold
18 because they're broke. The school facility board. And then
19 in the minutes it talked about the short lease length, and Ms.
20 Wallace stated they have no choice in this. The law says we
21 can only do leases for one year. However, we have
22 organizations that have leased our building (inaudible) rooms
23 for years. We would not kick out anyone that was following
24 the lease. And to go further on that, she said the County is
25 leasing all of Building A which was the administrative

1 buildings of the middle school; Building B is being rented by
2 a therapy group and daycare, and the person that's renting
3 most of the building is putting \$100,000 in improvements in
4 that area. So more than likely they are not going to kick
5 that person out of that building if it's ever needed again.
6 Let's see. Okay, ques - they talked about the possibility of
7 the school district might merge with the Florence School
8 District, it's a - Ms. Wallace said it's a very real
9 possibility. We were asking the voters - we are asking the
10 voters of Florence Unified, Coolidge Unified and the voters of
11 the San Tan Valley portion of Coolidge Unified if they wish to
12 consolidate with Florence Unified. If they vote yes, then
13 Florence would take over the three school sites, that's it, on
14 July 1st. It's not all of Coolidge School District from what I
15 understand in our communications, just the three schools, San
16 Tan Foothills, San Tan Elementary School and Mountain Vista
17 Middle School, and then which could result in the middle
18 school needed to be used again. That's a possibility. But
19 again, Ms. Wallace said that they have to have a great influx
20 of students in order to take that school back. They closed
21 down - in February they voted to close down the middle school
22 because they do not have enough students. They have the San
23 Tan Foothills High School is built out to accommodate roughly
24 1200 students. They only have 500 high school students there.
25 So they moved the 7th and 8th graders from the middle school to

1 the high school, starting this coming school year. The 6th
2 graders are going back to the elementary school, so they right
3 now don't have enough students to accommodate all three
4 schools. More than likely Florence may never have that many
5 students either. I've heard pros and cons that yes it's going
6 to get passed, no it's not going to get passed. It's up to
7 the voters whether or not it gets passed. Just like it's up
8 to the homeowners whether or not this gets passed. What you
9 asked, sir, about the vote. We have - previous board members
10 had suggested that we do another vote. The president and
11 executive officers up until March 2nd did not want to do
12 another vote because they might be afraid of what the vote was
13 going to be, and I don't see this - the current board doing
14 another vote either. They don't want to have the current
15 homeowners say no. They've invested too much time and money.
16 Like I said, anything can be skewed to make it look like this
17 is the way we need to do things. This is the best thing for
18 the office. This is the best thing for the community.

19 LANGLITZ: Mr. Chair. Mark Langlitz, Deputy County
20 Attorney. Just an observation. We're beginning to really
21 kind of get off track and I know the Commission was hoping not
22 to do that. I'm not sure that these comments about the HOA
23 and that is really relevant for your purposes, or would assist
24 you in making a decision. But I'm just making that
25 observation because I thought I had heard the - some of the

1 Commission Members make that comment before. Thank you, Mr.
2 Chair. That's all I want to say.

3 RIGGINS: I thank you for that comment, and I was
4 going to wait until your presentation was over. I do believe
5 a statement has been made by a couple of the Commissioners
6 here. We indeed are not your HOA police and indeed your HOA
7 is the representative body that's been duly elected by law to
8 represent your interests, and your problems with that HOA
9 really have nothing to do with us at all. And I will urge the
10 rest of the people that want to come up and give comments,
11 please don't tell us about your internal problems in your HOA,
12 and don't tell us about the percentage votes. You know, in
13 this country we have a problem with votes, how many people
14 vote for anything. We all recognize this, but what you have
15 is what you have and we cannot control that. We're a zoning
16 commission. We're looking at an appropriate change to a
17 parcel of land and we do need to stay on that. And I
18 appreciate the Deputy County Attorney bringing that up because
19 it's very germane and we really don't need to continue with
20 that particular line of comment. But if you'd like to finish
21 up, please go ahead.

22 BROTHERTON: I will. I will. Commissioner Putrick
23 had mentioned whether or not they had done a study, a cost
24 analysis. I've never seen something written down as to what -
25 they have said the building itself would be about \$800,000 to

1 build. They haven't provided in writing any statements as to
2 what it would build this pool. At one meeting Candice said
3 about \$200,000 to build the pool, but like you said, it's
4 expensive to heat during the winter. They, they have been
5 asked to give us a breakdown. They have not given a breakdown
6 in writing as to what part of each of the amenities were going
7 to cost. They need to do that. They should have done that
8 from the very beginning.

9 RIGGINS: And again, I'm sorry, I'm going to
10 interrupt you, I please, I please urge yourself and all the
11 other people that wanted to speak, because I am getting to the
12 point where I am contemplating time limits now. We really
13 need to consider the issues of this zoning case. Your HOA,
14 its fiscal responsibilities to you, its ability to draw fees,
15 are not issues of this Commission. The financial
16 applicability of this project is not our purview. It's yours.

17 BROTHERTON: I understand that.

18 RIGGINS: And so what we're doing is we're
19 discussing things that are not under our jurisdiction, and
20 it's muddying the waters and we need to go ahead and move
21 forward with this zoning case. Not with any disagreement that
22 you have with your own HOA.

23 BROTHERTON: I just don't, again, there - the idea
24 that it is widely accepted and wanted by the homeowners is a
25 fallacy.

1 RIGGINS: Thank you very much. Any questions from
2 the Commissioners? Okay, thank you. Our next applicant - or
3 next person with comments. Could you give us your name and
4 address and sign all that in.

5 TOMKLEWITZ: Good morning Mr. Chairman and Members
6 of the Commission. My name is Stan Tomklewitz, and I live in
7 the rural community to the south, and I am going to discuss
8 the HOA's financial situation, but try and take a different
9 tact. I'm just going to sign in here quickly.

10 RIGGINS: Thank you.

11 TOMKLEWITZ: Okay. As I said, my name is Stan
12 Tomklewitz. I live about two and a half miles west of the
13 proposed San Tan Heights community center. My neighbors in
14 the San Tan Foothills rural area see an uptick in building,
15 and I'm sure there are going to be many cases that are going
16 to peak our interest and our concerns brought before the
17 Planning and Zoning Commission as more of this development
18 occurs. There's been a history, I think, for folks in the
19 rural community to get involved in these discussions and be
20 concerned about maintaining their lifestyles, their rural
21 lifestyle. That's what they want to do. We're not a formal
22 organization, but we are a bunch of concerned neighbors and
23 we're citizens, and so we often have comments and although
24 today we didn't come down en masse, we've been discussing this
25 issue since the first proposal came around. Unfortunately we

1 didn't get - we weren't able to comment to the Planning and
2 Zoning Commission on the first proposal, just because we
3 didn't - hadn't see it in time. But we did make lots of
4 comments to the Board of Supervisors when they considered
5 their proposal, and we did have some meetings with Candice and
6 the land development committee along the way. The rural
7 community really felt that the first proposal was
8 unacceptable. It was very, very crowded and we had some
9 discussions about that proposal and what the concerns were to
10 the rural community, and how it presented itself in the
11 transition zone between San Tan Heights and the rural
12 community. That's what the transition zone really is. If
13 it's a buffer, I think it - my understanding is it's a buffer
14 that exists between higher density and lower density. It
15 allows two commun - two areas to coexist and that's what it
16 accomplishes, or is intended to accomplish. That's the
17 important part so that we get the benefits from those types of
18 development, that which is San Tan Heights, that which is the
19 Rural Community. We can kind of live together, because we had
20 this little buffer in between us. And we've come together on
21 this issue a number of times in the rural community, and on a
22 number of different proposals that it talked about altering
23 the transition zone. It's a been a little bit difficult with
24 people's schedules today to get everybody as involved that
25 we'd like in the rural community, but we have had quite a bit

1 of feedback and I was still getting feedback slowly trickling
2 in to some emails that we had been written - or that we had
3 written, and that thread has been acted on and we've gotten
4 responses, but they were coming in very slowly and they didn't
5 all - I was still getting them on the 14th of July, so I didn't
6 get a written letter here to the Commission and I appreciate
7 having an opportunity to talk to to the Commission today and
8 express the views that we have based on as many comments as we
9 got. I'm trying to skip through some of the things that have
10 already been addressed and keep this as short as possible.
11 When we had these discussions with Candice and the land
12 development group and Barbara from the HOA, I think that the
13 starting point for this discussion was, you know, is it
14 possible to modify that area to still accomplish the
15 transition zone function between the two communities. I think
16 that some years ago, I think the HOA when they purchased that
17 particular community, maybe they didn't get the full story
18 about the transition zone, or didn't understand it or
19 appreciate it as much as they should have, or maybe the
20 developers who sold the property to the HOA didn't explain it
21 as clearly as I think they should have, that this area was
22 really intended to be a rural area, a transition area with
23 homes on one acre lots. It sort of has a certain resemblance
24 to San Tan Heights and it sort of has a certain resemblance to
25 the horse properties and so forth that are to the south.

1 Excuse me to the - yes, to the south. And so there - that's
2 what it was really intended to do, and I think it's
3 unfortunate that it went forward like this and ended up now in
4 a discussion about a community center at this particular site.
5 And so we tried to ask people in our - our neighbors, who've
6 been involved in these discussions, does it serve the purpose
7 that it was intended. If it's a community center, how would
8 you feel about it? Well, the greatest impact, obviously, is
9 to the people that are sort of right there across the street
10 to the south on Roberts. They will feel the impact the most,
11 and I think one of the folks did write to you directly and
12 lives right across the street from it, indicated that they had
13 purchased the property like so many others in the community,
14 they purchased that property because they wanted to have
15 horses and have that rural lifestyle. They will be right
16 across from the pool and the dog park, and they have lots of
17 concerns about how noisy it might be, how much traffic might
18 be involved, especially now with the entrance on Roberts as
19 well. So there are, there are these concerns on the part of
20 the community and they're saying, you know, we can't do
21 anything about Eduprize. We understand, schools go where they
22 go, and you know, you can't really protest that. But it's -
23 their question comes down to how many times do we have to
24 defend these areas, you know? These were - this was an issue
25 that should have been settled some time ago. It was one acre

1 sites that everybody was happy with and now, you know, all of
2 a sudden that use has changed and I think the, the response
3 that has come back from the rural community is it doesn't
4 serve the purpose of the transition zone to be a community
5 area with a lot of traffic and people, and hustle and bustle,
6 in the same way or as well as if it were one acre home sites
7 and yes, there's a few cars that back out onto Roberts and so
8 forth, but eight acre homes - eight one acre home sites is a
9 better transition to the rural community, than would be this
10 community center. And we've had some good discussions with
11 the San Tan Heights folks and again, like others had
12 expressed, we don't want to look at this as being enemies, but
13 we want to express what we're concerned about. And so that
14 site, we feel, would be better placed somewhere else, and it's
15 not for us to decide that. I mean we don't want to deny San
16 Tan Heights a community center; we don't like the location of
17 the community center. We want to see it retained the same way
18 it has been. And I think the other thing that's really
19 important to the people in my area is that we do feel that
20 that transition zone and the PAD is a bit more than a
21 handshake agreement. It's something that tells people what
22 they can expect when development occurs around them. They buy
23 their properties on that basis, they live on those properties
24 and invest on upgrading them and working to make them better,
25 based on what they think the plan is and then we end up coming

1 back and saying well we're going to reorganize the plan again.
2 And I just see the frustration come across in emails when we
3 discuss this, that why are we doing this again? So I think
4 all in all that's the feeling that I'm able to get from the
5 rural community, even though everybody didn't get to come down
6 today, and we think that they zoning and PAD should remain the
7 same. This proposal should not go forward.

8 RIGGINS: Thank you very much.

9 TOMKLEWITZ: Thank you.

10 RIGGINS: And do we have any questions or comments
11 from the Commission Members? Commissioner Salas.

12 SALAS: I would just like to comment to the audience
13 that in short, we're not referees and this would probably be
14 the worst place to come in with some of the arguments that
15 they're making. And as like our Chair stated earlier, you
16 would have to have other results with somebody else listening
17 to what is pertinent in this particular request for change.
18 Thank you.

19 RIGGINS: Commissioner Del Cotto.

20 DEL COTTO: If I could, and maybe I'm just not
21 looking at it or seeing it here, but do we have, do we have
22 any kind park area? Do we have an area to walk dogs? And we
23 have - and nobody's interested, nobody's concerned about any
24 facilities for future programs, any facilities for whether
25 it's outreach, whether it's activities, whether it's like we

1 talked about. I, I - so we do have parks. We - I just - I
2 guess don't see them in the plan here.

3 RIGGINS: Yeah, it's a big community.

4 DEL COTTO: Yeah, so there's certainly none real
5 close to this area.

6 RIGGINS: Any, any other questions or comments from
7 the Commission?

8 GRUBB: Mr. Chair.

9 RIGGINS: Commissioner Grubb.

10 GRUBB: I appreciate the position of the Foothills
11 group. You know, I've met with the Foothills group, I've been
12 around you guys for a long time, and you have a wonderful
13 lifestyle living in the foothills. But when, when Ron Smith
14 and Omega developed this property back in 2000, the, the idea
15 was, as you said, to have some kind of a transition. They
16 agreed, I was in the room here when they agreed to do one acre
17 parcels along the road back in 2000-2001, whenever it was.
18 But that was 15 years ago. The world has changed. You know,
19 if you look at what's going on and 15 years ago who thought
20 100,000 people would live there in the San Tan Valley? People
21 said who in their right mind would move out there? Well
22 apparently, apparently 100,000 of us right-minded people moved
23 out there. Or left-minded people, I guess. The world has
24 changed. This is one of the first subdivisions, you know,
25 after Johnson Ranch, pretty much San Tan Heights and Copper

1 Basin were the next two major subdivisions. And, and the
2 needs of the community change. The needs of the community
3 change. Maybe - I know that when they built this they didn't
4 plan a community center. The developers didn't plan one,
5 because they thought oh people put pools in their backyard.
6 Well who can afford to put a pool in now? The economic
7 situation has changed, the world has changed, so you know, I
8 appreciate your objection, but it's really hard objecting to
9 your neighbor's property. It's not your property to - and I
10 appreciate that you have a, you know, you have a position on
11 this, but it's not your property. So it has to be the people
12 who are affected by this is the people that ask about this.
13 You know, if this doesn't happen, they could sell it to
14 Leadership Academy and you could have another monstrosity like
15 they're building up on, on Combs Road right now that, I mean
16 it takes up this much land and more and the traffic situation
17 is going to be brutal. This is not going to have as much
18 traffic as Leadership Academy - and I have nothing against
19 them, they're an awesome school program, they're building a
20 lot of facilities around the Valley and they're doing an
21 excellent job in education, but if Leadership - you can't stop
22 Leadership Academy from building. That's an allowed use on
23 that property, and you would be talking hundreds of cars.
24 This one's talking about, you know, 10 or 15 more cars a day
25 going to the HOA office or going over to go to the pool. So I

1 don't see what that objection leads to, you know? This is,
2 this is taking this out of the land pool that could be
3 something more extraordinary than what it is.

4 TOMKLEWITZ: May I answer the question?

5 GRUBB: I don't believe so.

6 TOMKLEWITZ: Okay.

7 RIGGINS: I don't believe so. Commissioners, do we
8 have any more questions of this - I'd like to see a show of
9 hands of the people that remain who wish to give some
10 comments. We have three, four. Okay, what I'm going to do
11 right now is I'm going to call for a ten minute recess because
12 everybody's been up here for a couple hours, and also when we
13 get back, I'm going to go ahead and impose a three minute
14 limit on things so we can keep things concise and go forward.
15 And at that, we will be back at 11:15. [Break.] And I will
16 remind everybody that we're now on the three minute limit.
17 And we already have our first speaker up here. If you, just
18 for the sake formality, can identify yourself and tell us
19 where you live.

20 BROWN: Good morning. My name is Gordon Brown and I
21 live in the rural community and I had no inclination of
22 testifying today up until a couple minutes ago because Stan
23 had taken the pulse in the community and he had it. That's
24 all we wanted to say. Until we had speakers on the
25 Commission. I would point out to the Commission that what is

1 - reason it's in front of you is they're asking for a change,
2 you know, and you don't have a right to a change and you don't
3 have a right to say well you don't understand, things are
4 different than they were when we made that agreement with
5 people. Besides that was just a handshake agreement. I'm
6 from Nevada. There is no law that allows for a collection of
7 gambling debts, but Nevada's never found that to be a problem.
8 You know, a handshake is a commitment, you know, and everybody
9 - I think another speaker said people that stake their futures
10 on that handshake agreement being honored, that that is in
11 place. And what was presented to the rural community is this
12 is not - even though it's not acre homes, does it accomplish
13 what was really wanted, which is a transitional area. And
14 Stan related accurately, we've gotten really to be close to
15 the people in San Tan Heights. That's the plus of it, to
16 where we see ourselves as facets of one community. Different
17 lifestyles, but we're all one community. But then you have
18 somebody come in and say I've decided things, change. I've
19 decided you'll be better off with this than you would with a
20 two story house. Another gentleman here says I don't feel
21 that way, I'm the one that lives there. You know, it's - you
22 don't get the say - and I heard a variation of the old hog
23 farm argument, what we used to run in all the time when we
24 were first getting organized out there. If you don't allow
25 this, they could put in a hog farm. Now you've got if you

1 don't allow this, they could put in a more obnoxious thing,
2 like another school or something. You know, that's, that's
3 just a variation of the old hog farm argument. Give me what I
4 want or it'll get worse. You know, it's like - I would ask
5 the Commission recognize what's being asked here is a change.
6 This is not a war between -

7 ABRAHAM: 30 seconds.

8 BROWN: It's not a war between the rural folks and
9 these people, this is whether or not the County's integrity is
10 in place. Do they honor something? Do they recognize that
11 this is asking for a change, not - there's not an entitlement
12 of a change just because a Commissioner thinks there should
13 be. You know, that's, that's basically what I've got to say.

14 RIGGINS: Please stay up, because there might be
15 some questions.

16 BROWN: Good.

17 RIGGINS: Commissioners, any questions or comments?
18 Vice Chair Hartman.

19 HARTMAN: Gordon, I didn't really get what your
20 point was. Are you for or against the change?

21 BROWN: What I'm definitely against is Commission
22 Members saying we're going to decide what the people want.
23 That's what I'm against. What - as far as what is for or
24 against, that was really adequately presented by Stan. There
25 are mixed feelings in the rural community, but the predominant

1 view is that this does not suffice as a transitional area,
2 which was agreed to, and people in San Tan Heights stake their
3 future on it, people in the rural community stake their future
4 on it, and nobody is willing to accept that you don't
5 understand, this is later and things have changed and so
6 you're going to vote the way I choose. You know, that's,
7 that's where I stand.

8 RIGGINS: Any other questions or comments? I do
9 have, I do have a comment and I would like to state
10 emphatically that a transition zone was established as a
11 buffer in a PAD and approved, is certainly not a handshake,
12 and nobody on this Commission thinks it is.

13 BROWN: That was stated.

14 RIGGINS: No, I was just making a comment, comment
15 of fact, which I think is in agreement with you.

16 BROWN: More than that, I really appreciate it.

17 RIGGINS: Thank you very much. Okay, our next
18 commentator - commenter. If you could give us your name and
19 give us -

20 WILCOX: I already signed in. Vincent Wilcox and I
21 live in San Tan Heights over by the Walmart and I just wanted
22 to make some comments here, is that there is 3500 homes in the
23 San Tan Heights and since this rezone began there's a group
24 that's been opposing this HOA park. A lot of the new
25 homeowners did not contact the HOA office regarding this

1 vacant land to check out what was planned for this property
2 before they bought their homes and it boils down to this: A
3 community park versus two story homes with garages behind
4 their properties, and so I just thought I'd mention that.

5 RIGGINS: Thank you very much. Any questions or
6 comments. Thank you. Our next person who wants to speak?

7 MOONEY: Hi, my name's Karen Mooney and I live at
8 3483 West Mineral Butte. Sorry, I can't (inaudible) at the
9 same time. I am going on my sixth year sitting on the board
10 of directors. We've been working on this project for about
11 five and a half years, and I don't want to get into the HOA
12 stuff, but there's just been some bumps in the road so the
13 project hasn't always been forward. But once the vote did go
14 out to the homeowners in August of 2013, a land development
15 committee was formed and started working on this project.
16 Mario was back in touch with the County and has been working
17 on it ever since. I guess some statements were made that we
18 weren't willing to send out a revote. It isn't that we're not
19 willing, we've started the process, the vote took place and
20 we've just been following the process. And it takes time to
21 go through the County to get all of the proper things that
22 need to be done and now we're back here seeing you again after
23 the Board of Supervisors recommend we come back. So that is
24 from a board member's perspective as to why once we started
25 moving forward, we've just been moving forward with the

1 project.

2 RIGGINS: Commission Members, any questions? Okay.
3 Our next person who wants to speak to this case? All right.
4 In that case then, we'll close the public testimony portion of
5 the meeting and we'll ask the applicant to step back forward
6 for any questions or comments that they may have.

7 MANGIAMELE: And thank you again, Chair, Members of
8 the Commission. I just wanted to make a few points of
9 clarification. I'm having technical difficulties now. To
10 clarify a comment I heard earlier about the acreage, and I
11 don't know why that is such an issue, but regardless, the
12 request for the PAD amendment, and this is identified in the
13 legal description that has been submitted as part of the
14 zoning, that is for the 17.5 acres which includes the eight
15 one acre lots that are currently graded, and they've been
16 graded out there for many years, as well as some of the HO -
17 or HOA owned and maintained open space around the eight acres,
18 because there'll be some improvements that are encroaching
19 into that, such as some of the drainage work that needs to
20 occur, some of the roadways proposing to connect Occidental,
21 so therefore in working with staff on this starting almost
22 five years ago, it was decided that we need to request for
23 that specific tract surrounding the eight one-acre lots, as
24 well as the eight lots. And Commissioners, at this point in
25 time I believe that we, being we the HOA, do maintain that

1 this is an adequate and if not superior transitional land use
2 and buffer to the area to the south. Again, what I remind you
3 is yes we do have rural residents all to our south, we do have
4 a school that has changed the dynamics of this area, whether
5 you like to think they have or not, but this area is still is
6 predominantly rural to the south. We believe that open space
7 is an adequate transitional land use between three and a half
8 to one units per acre, and one and greater dwelling units per
9 acre to the south of Roberts Road. We do believe that this
10 proposed rezoning request, this PAD amendment, does further
11 the vision of the Pinal County Comprehensive Plan and that
12 Commissioners, that is - thus conclude my (inaudible) rebuttal
13 I do have, but I'm available for questions.

14 RIGGINS: Thank you very much, Commissioners do we
15 have questions or comments for the applicant? Commissioner
16 Gutierrez.

17 GUTIERREZ: When I was going through the packet
18 provided, and the pictures I'm looking at are the flooding
19 pictures and stuff, the seasonal flooding pictures, and we
20 were talking about drainage and flooding, have there been
21 documented instances - and I'm looking at this picture here -
22 documented instances of houses that were damaged due to the
23 flooding in prior years in that area off Roberts?

24 MANGIAMELE: Commissioner Gutierrez, through the
25 Chair, to the best of my knowledge no, there is no

1 documentation of any damage to residential structures. I
2 think what we've experienced with recent - relatively recent
3 storms out there, which have been, you know, probably
4 classified as 100 year-plus storms out there, is that the
5 drainage channels are doing what they've been designed to do,
6 and they are conveying the water as it runs off the
7 (inaudible) there from the San Tan Regional Park - or San Tan
8 Mountains, and it's flowing down through the channels and then
9 draining. Yes, there has been some minor damage to roadways
10 and curbs, but not to the actual structures that I'm aware of,
11 myself, as a result of these - the drainage - the photos that
12 you were illustrating, at least.

13 GUTIERREZ: Okay, yeah these are earlier photos, you
14 know, but they're, they're - I mean there's pretty significant
15 water that flows through there and stuff and the, the other
16 issue I was wondering about, the flooding off Roberts Road
17 that was all taken into consideration as well, right, in the,-
18 in the plans?

19 MANGIAMELE: Commissioner Gutierrez, through the
20 Chair, absolutely correct. We have looked at that extensively
21 and will continue to look at the drainage for the property
22 should we move forward to the next step of the process, which
23 his the specific site plan after the rezoning. And we have
24 conducted extensive drainage analysis, hydrology analysis of
25 that area and continue to do so.

1 GUTIERREZ: Okay, and then the last of question I've
2 got, we talked significantly about public input into the, into
3 the situation and one doubt that was brought up there at the
4 end, I mean it is - we're looking at the planning and zoning
5 part of it, you know, is it legal, is it not, is it viable, is
6 it good. Are there more - is there more public input that's
7 being sought currently than we've received so far, or is, or
8 is the public input on this proposal, has it ended at this
9 stage of the game?

10 MANGIAMELE: Commissioner Gutierrez, through the
11 Chair, the way I see this is that - I think the public
12 dialogue will be open throughout the entire process on this
13 project. I mean there has been extensive public outreach as
14 I've identified up on the screen there to date, but the way I
15 see it, with the homeowners association, the current direction
16 this is going, is that the public outreach will continue
17 throughout the life of this project.

18 GUTIERREZ: Thank you.

19 RIGGINS: Commissioners? Okay. Thank you very
20 much. I will turn the case back to the Commissioners for
21 discussion at this point, and a motion if that's appropriate,
22 or when it's appropriate.

23 PUTRICK: Mr. Chair.

24 RIGGINS: Commissioner Putrick.

25 PUTRICK: I just want to mention when you talk about

1 - we've heard discussion about change here. There is a
2 document that was put out a number of years ago by Brookings
3 Institute that talked about the Sun Corridor and if you -
4 although it's been delayed, if you would like to know what's
5 coming, you need to look that up and have a little review of
6 the Sun Corridor as proposed and forecasted by the Brookings
7 Institute, and you will see that this area is eventually - and
8 I can't tell you how many years, I don't think they can either
9 - but eventually it's going to be solid homes and businesses
10 from Tucson all the way to Las Vegas. There's already a
11 freeway set aside as I-11 which will run between those two
12 cities coming through Phoenix and down in this area, and so
13 the fact that this is a growth area, that things are going to
14 change, things are going to grow, there are going to be a lot
15 of more people; we're up to what, 410,000 people in Pinal
16 County now, and it continues to grow, and as, as we progress
17 over the next five years or so, it's going to grow even more.
18 So this, this is, this is like a big stone rolling down the
19 hill. It's coming and there's, there's not much you can do to
20 change any of that. So the only thing you can count on is
21 change, and the only thing you can count is growth. And
22 that's all I wanted to comment.

23 RIGGINS: Commissioners, any others?

24 GRUBB: Mr. Chair?

25 RIGGINS: Yes sir.

1 GRUBB: One of the things that we - that came up in
2 the break is that the general plan for Pinal County has
3 changed from 2000 to today, and will change again. And
4 Commissioner Putrick points that out, and that the growth is
5 going to happen. I can tell you that - and you can go over to
6 the one stop shop and find out about this - that of the
7 approved PADs that currently sit, there's 350,000 homes that
8 are going to be built out there in this area. So to try and
9 say, you know, we want to stop the growth or we want to stop
10 and we need the buffers, you know, I - again, you know, I know
11 that Mr. Brown didn't like the comment, but things are going
12 to change and, and we're trying to look at this one small
13 change in the larger view of what's coming. This is a
14 community that took a vote to build this facility and started
15 building it. You know, they've started with the project and
16 they want to move forward with it. So it fits the
17 requirements, they've followed all the rules, and with that if
18 you're ready for a motion, I'll make one.

19 RIGGINS: I'll just ask if there's any more comments
20 from the Commission. There doesn't appear to be, so please.

21 GRUBB: I would make a motion that PZ-PD-016-14 be
22 forwarded to the Board of Supervisors with a favorable
23 recommendation with the attached stipulations.

24 RIGGINS: How many stipulations would that be?

25 GRUBB: That would be 15, I believe. 15 it is.

1 RIGGINS: Do I have a second to that motion?

2 PUTRICK: I'll second it.

3 RIGGINS: Commissioner Putrick. By voice vote, all
4 those in favor, signify by saying aye.

5 COLLECTIVE: Aye.

6 RIGGINS: All those opposed?

7 SALAS: Nay.

8 HARTMAN: Nay.

9 RIGGINS: Okay. I think that passes. And this will
10 move down the process and continue on for many more decision-
11 making things over time. I'm sure. And it is - okay, on our
12 agenda.

13 ???: Don't we have like one other case?

14 RIGGINS: Okay, our next thing on the agenda is PZ-
15 C-002 which is a Pinal County initiated case. Do we want to
16 break for lunch or do we want to go into it?

17 ABRAHAM: Did we get the, the food? Or did we go
18 make the trip yet? Mr. Chair, it looks like we still have to
19 go, or you guys coordinate amongst yourselves how you want to
20 do your lunch, it's up to you. We have an initiation. I
21 think that this might have some discussion associated with it.
22 It's up to you, sir.

23 RIGGINS: Well if, if - they haven't called the
24 lunch in yet. By the way, just while we're absolutely still
25 in formal discussions, this is what I said was going to start

1 happening with lunches, difficulties and problems, but I guess
2 we all know that already. We haven't called it in yet, what's
3 the pleasure of the Commission?

4 HARTMAN: Continue.

5 RIGGINS: Continue. Well we should - do we wish to,
6 do we wish to take a ten minute recess to allow the order to
7 be taken in?

8 HARTMAN: We don't want to eat right yet, we want to
9 continue.

10 RIGGINS: I understand that, but she hasn't - the
11 person who's making the order is transcribing the meeting.

12 HARTMAN: That's right, but while we're doing this
13 case, this tentative plat -

14 RIGGINS: She has to be here to, she has to be here
15 to transcribe.

16 ABRAHAM: Mr. Chair, Mr. Chair, I will do the
17 minutes while she orders it in if you want to move forward.

18 RIGGINS: Okay. That would be fine. Just trying to
19 facilitate the organizational order there. Going this way was
20 - we'll eventually get you back the other way.

21 ABRAHAM: Now, Mr. Chair, before we move forward
22 with the initiation, just wanted to remind the Commission that
23 it is an initiation, so we did provide ordinance content of
24 what our first draft would be, but it's really just sort of a
25 50,000 foot level discussion of concepts of whether or not you

1 want to move forward with the concept of the different
2 ordinance changes. So, just going to come out and say it.
3 Any specific direction to change anything, any wording in the
4 ordinance would kind of be inappropriate at this point, but if
5 there are concepts that you don't like, or ideas that are in
6 the code that are - or you do like - that would be the time to
7 do it right now. And Ashlee's going to go ahead and handle
8 this one.

9 MACDONALD: This is PZ-C-002-15. You have seen it a
10 number of times over the past couple of years through work
11 sessions. Back in January we started to initiate it and then
12 pulled back, so today we are here to asking you to initiate
13 this ordinance amendment for RVs as temporary guest housing.
14 And where this came from, kind of the issues that spurred this
15 ordinance amendment is the existing ordinance is outdated in
16 some of the definitions, particularly the RV definition limits
17 the size of an RV, whereas we know RVs today to be much larger
18 than 8 by 40. The ordinance also only allows vehicles owned
19 by the property owner or resident to be parked on a
20 residential lot, so the ordinance today does not allow any
21 guest parking. It also does not allow for any hookups, so RVs
22 owned by the property owner can't be plugged in to trickle
23 charge the battery. It doesn't allow for occupied RVs on
24 residential lots, so those are kind of the issues in the
25 ordinance today that we're seeking to address. The staff

1 approach in the, you know, rural areas, we are having some
2 complaints come in that properties are having RVs occupied on
3 them for months out of the year. So staff's approach in
4 dealing with that at this point has been friendly enforcement.
5 There's a seven day grace period before we go out and take any
6 action on those occupied RVs on a lot. However, our
7 urbanizing population and abuse of this has forced staff to
8 reexamine our approach in how we handle RVs on residential
9 lots, and in 2013 we began exploring an ordinance amendment to
10 allow temporary guest housing within RVs. The ordinance
11 concepts that staff is bringing forward is to redefine RV to
12 get rid of that antiquated definition that has a, has a small
13 size for RVs and allow residents to leave RVs plugged into
14 trickle charge the battery. Additionally, we are considering
15 allowing RVs for temporary visitor housing. The ordinance
16 would outline guidelines for these as well as regulations and
17 a permit. What we have been thinking about is that these RVs
18 would be allowed on a property for no more than six months, no
19 more than one RV per lot. This would mirror language in the
20 adopted health code, and then we would limit these RVs on
21 rural lots only. So our general rural, suburban ranch and
22 those zones not within a community, a PAD, that's zone CR-3
23 for example, that would not be allowed. We would also propose
24 that the RVs meet the minimum side and rear setbacks of a
25 detached accessory building of the zone, and they would be

1 required to meet the front setbacks of the main structure so
2 that we wouldn't see RVs parking in front lots of these
3 properties. And in order for somebody to have a temporary
4 guest on their property, they would have to obtain a temporary
5 RV permit. So those are the concepts that staff is
6 considering as we move forward, and we're looking for the
7 Commission to initiate today. And then the final item is
8 reducing the minimum size requirements of an RV park. The
9 code currently allows an RV park as long as a property is a
10 minimum of ten acres, so we would propose reducing that to
11 five acres, so long as the property again is in compliance
12 with the Comprehensive Plan, and then they could come into the
13 Commission and request a rezone. This, this slide is really
14 just to illustrate a typical single family residential
15 development and in our proposal to limit RVs to the rural
16 lots. I just wanted to show this typical single family
17 residential is kind of the reason that we didn't want it in
18 residential lots, even the largest lots that you can see kind
19 of on the corners of this development couldn't accommodate an
20 RV being parked there for potentially up to six months, so
21 that's where staff's coming from in the proposal to, you know,
22 eliminate that as an allowed use within the residential zones.
23 So again, as Steve mentioned, today we're just asking the
24 Commission to allow staff to proceed with the ordinance
25 amendment and, you know, further, further discuss the concepts

1 that I've brought up today. We would then move forward with
2 public meetings, with our Planning Commission, the Board of
3 Supervisors and, you know, any public meetings. So if you
4 have any questions, I would be happy to answer them at this
5 time.

6 RIGGINS: Commissioner Aguirre-Vogler.

7 AGUIRRE-VOGLER: You mentioned - well first of all,
8 this is just proposed under RV zones, are, are we talking
9 about GRs and suburban ranch?

10 MACDONALD: Yeah, we would be proposing that
11 somebody could temporarily have a guest stay in an RV in those
12 rural zones.

13 AGUIRRE-VOGLER: Okay, so - but not in subdivisions.

14 MACDONALD: Correct.

15 RIGGINS: One, one question I had, and it's just to
16 keep it in my mind. I'm not making any statement by asking
17 the question, but somebody in general rural with a ten acre
18 parcel, if they owned eight trailers, they could have them
19 parked there.

20 MACDONALD: Correct. This is solely for occupied
21 RVs.

22 RIGGINS: All right, the only reason I bring that up
23 is because the obvious enforcement difficulties. And I'm not
24 saying this because this isn't the direction to go, but it's
25 just one of the things I see in it is that, you know, before

1 you couldn't even plug your RV in, which of course everybody
2 did anyway, but I do believe - personally I believe it's a
3 step in the right direction because I think it does need to be
4 legitimized to a certain extent. But it'll, it'll still be
5 interesting to enforce it and keep it all correct. Not that I
6 want to change a thing that's here, but I think something
7 needed to be done to address it because before there was
8 nothing being done at all and it was people just did whatever
9 they wanted to. So I only had one comment. Vice Chair
10 Hartman.

11 HARTMAN: Chair Riggins, thank you. I'll turn my
12 mike on. Okay, Ashlee, question. Under definitions 2.10,
13 recreational vehicles, means the vehicular-type and unit and
14 the struck out, and then that's my question on the strikeout.
15 Not exceeding eight feet wide, nor more than 40 feet in
16 length. Why did you strike that out?

17 MACDONALD: That's the definition that exists today
18 and we understand that RVs today can exceed 40 foot in length.
19 So this definition is just outdated for the types of RVs that,
20 you know, we see on the market today.

21 RIGGINS: My I, Vice Chair, one statement I'd like
22 to make back to that.

23 HARTMAN: All right, if you will. Because answer my
24 question.

25 RIGGINS: But I am. I do concur with you about the

1 40 feet in length, but the eight foot in width keeps it from
2 being a park model. I mean it can't be - if it's something
3 you drive on the road, it can't be over eight foot in width.

4 HARTMAN: Well they have pullouts today.

5 RIGGINS: Well, correct you'd have to address the
6 concept. And maybe that does. I'm sorry. You're very
7 correct. I didn't consider because once you said (inaudible)
8 then it is more than eighth foot in length - in width.

9 HARTMAN: All right, Ashlee. Under chapter 2.185
10 outside storage and parking. If you go to the last sentence
11 there, are not in use for sleeping or living purpose. That
12 doesn't - and not connected to any utility source. Okay,
13 that's a scratch out. Are not used for sleeping or living
14 purpose. Well they will be temporarily. Is that, is that the
15 right way to put that statement?

16 MACDONALD: This, this section of the ordinance is
17 relating to RVs that are stored on a property. So that, that
18 is still correct because this is where we're allowing vehicles
19 stored on a property to be plugged in so the battery can be
20 trickle charged. Allowing them to be temporarily occupied is
21 going to be in the general provision section of the ordinance.

22 HARTMAN: All right, thank you Ashlee. Thank you
23 Mr. Chair.

24 RIGGINS: Commissioner Salas.

25 SALAS: I'm concerned with the way our homes are

1 being built nowadays, they're about a foot apart and about ten
2 or 20 feet in the back, you know, how are they going to park
3 at some of these residence and these new development areas?
4 On the street? That would not be a good idea.

5 MACDONALD: This ordinance is not addressing RV
6 parking within residential communities, this is only in rural
7 areas where they can meet prescribed setbacks.

8 HARTMAN: General rural.

9 MACDONALD: General rural, suburban ranch, suburban
10 homestead.

11 RIGGINS: The setbacks are on the back page.

12 DEL COTTO: Mr. Chairman.

13 RIGGINS: Commissioner Del Cotto.

14 DEL COTTO: Then Ashlee, if I understand, if I
15 understand this correctly, at some point you're wanting to
16 entertain the idea that there can be multiple RVs on a piece
17 of property that is larger than, or at least five acres?

18 MACDONALD: It would be permitted then to rezone, or
19 at least go through the rezoning process, for an RV park. So
20 we're reducing the acreage requirement - or we're proposing to
21 reduce the acreage requirement for a, for the RV park zone.
22 So if somebody wanted to do that, that's - an application
23 would have to be made, and then they would still go to the
24 Planning Commission and the Board of Supervisors for approval
25 of that. It would not be something allowed by right.

1 DEL COTTO: I think what, what I see in our
2 neighborhood and it's certainly been a driving force, and I
3 think that if, if it ever came to this being discussed in
4 winter time, and there be multiple people here from my
5 neighborhood which the majority of them live on 3.3 acres, you
6 would find that there would be multiple RVs on 3.3 acre lots,
7 which wouldn't be the five acre lot, I would think that you
8 would - I would think some of those people would be more than
9 willing to pay a fee to have the multiple RVs, but on the
10 other hand it seems like it has spiraled out of control a
11 little bit, so it certainly isn't a perfect fit for our
12 neighborhood or District 4 out there in the suburban ranch
13 zone, simply because there's already multiple or more RVs on -
14 and the majority of our neighborhood is 3.3 acre lots, so I
15 like the idea in regards to the permit or the fee for the
16 people that want to engage in this because they have - I have
17 heard multiple people ask for that - can't there be a fee, and
18 can't we have the RV in the backyard. Unfortunately for the
19 majority of those people, I think we're going to find that
20 they are only on 3.3 acres, so they may be limited is the way
21 I understand it?

22 MACDONALD: They would be allowed to have the one
23 RV. What we ran into as we did our research on this and
24 worked with other departments in the County, is that the
25 public health section has a health code that has language in

1 it saying that when you exceed one RV on a property, it
2 becomes an RV park. And so we wanted to kind of mirror our
3 language to what the health code says, that way we're not
4 giving the impression, you know, through our code that
5 somebody would be permitted to have multiple RVs when then
6 they're going to have to go to public health and have
7 different requirements that may not make it feasible. So we
8 just wanted to make sure that across the County and our codes
9 that we enforce, that we're consistent. So that's where that,
10 that limitation came from.

11 RIGGINS: And if I may, I think they're - and I
12 could be incorrect - but I think there was a confusion there.
13 The change from 10 acres to five acres doesn't affect suburban
14 ranch lots at all, because this is for the designation of a
15 parcel into a formal RV park. You could have a 20 acre
16 parcel, a single 20 acre parcel, you would still only be
17 allowed to have one occupied RV on it. So a suburban ranch
18 3.3 still is only allowed to have one. The ten to five only
19 applies that if you were actually wanting to make a park out
20 of it. Did I -

21 MACDONALD: That is correct, thank you Chairman.

22 RIGGINS: So any other questions or comments? Vice
23 Chair Hartman.

24 HARTMAN: Chair Riggins. Ashlee, this was kind of
25 held back by some state legislation that on septic systems, so

1 what, what is - how does this affect the septic problem that
2 the state had that we recognized?

3 MACDONALD: Well, what delayed this project was, was
4 us working with our public health section on the, the issue
5 that I just talked about with the one RV park - or one RV
6 becoming an RV park from their standards. So they will review
7 - when one comes in for a temporary RV permit, how we envision
8 it working is that it would still be routed through our septic
9 section and he would review it if it's on septic and make sure
10 that they have adequate provisions, or if it's sewer, you
11 know, we can, we can look into that. So that'll be kind of an
12 application requirement that they provide us information on
13 how that's going to be handled.

14 HARTMAN: So Ashlee, will they actually need a pad
15 like we normally have, where they have a pad with electrical
16 hookup and all that kind of stuff, or are they just going to
17 be a trailer sitting there with a little drainage portion and
18 an extension cord running over to keep the battery charged?
19 What -

20 MACDONALD: We won't require a pad. It - you know,
21 it'll depend on the application as that comes in as well.
22 We've got some, some properties in the County that are set up
23 now to host guests, if you will, and so if that exists and,
24 you know, if that infrastructure exists on a property that now
25 has to obtain one of these RV permits, you know, then that's

1 obviously something that, that we'll consider, but ideally
2 we're not going to make them do improvements to allow an RV on
3 their property.

4 HARTMAN: All right.

5 RIGGINS: A comment, comment concerning this that I
6 see, as far as septic capacity is concerned, if you had a
7 house built at a certain square footage and it had a minimum
8 septic tank design that was incorporated on it, that would
9 almost preclude that they couldn't be issued a permit to put
10 further uses in that septic tank, and you, and you see that
11 being an issue.

12 MACDONALD: We have, we have had discussions with
13 Atul who reviews these and he would simply require that they
14 submit proof to us either that they have capacity or they'll
15 have to, you know, explain to us if they're going to be
16 dumping, so it'll, I'll be, you know, up to the applicant to
17 explain that.

18 RIGGINS: And the other, the other question I have
19 for you, I don't see anything in here about the concept of
20 running a generator.

21 MACDONALD: That is, yeah that is a good point and
22 something that, that staff had discussed, and the reason that
23 we didn't include it is if it meets the noise ordinance, we
24 didn't feel the need to add anything additional to the code
25 since there is an existing noise ordinance.

1 RIGGINS: Okay, would that, would that not be - and
2 again, I'm not - I think this is good direction, I'm just
3 trying to analyze the potential pitfalls - would it not
4 potentially be a good idea to at least address the fact that
5 the permit issued to have this would need to conform with
6 noise ordinances so a agreed neighboring landowner would have
7 a method of checking for compliance?

8 MACDONALD: We could certainly look at adding some
9 language into our ordinance. Alternatively, we could also
10 include that in the application or information on our website,
11 but that's certainly something that I will take back and look
12 at.

13 RIGGINS: Okay. Commissioner Aguirre-Vogler.

14 AGUIRRE-VOGLER: So what I'm understanding is this
15 is becoming a policing effort out, let's just take Thunderbird
16 Farms out there at - on Papago where he's saying that there's
17 a lot of winter visitors that come in - is this County
18 prepared to go out there and police that area and - I mean
19 it's going to be completely - a complete disaster out there
20 and I don't understand how you're going to do this. Not
21 everybody's going to come in and get a permit.

22 ABRAHAM: Right, and at the end of the day the
23 health department's probably going to be the one who's going
24 to have to carry the load on this issue. They're part of
25 these discussions, we referred the code to them. You know,

1 they have an opportunity to voice their concerns about these
2 things. I understand that, that we may be considering a new
3 enforcement method to be able to write a ticket on some - in
4 some circumstances, but that's, that's so preliminary at this
5 point, it's almost worth not even bringing up.

6 AGUIRRE-VOGLER: So how we're going to be viewed is
7 basically you're going to run off everybody, they're going to
8 go somewhere else, and so, you know, like the Market Place is
9 going to lose money, and - that's what happened when Pima
10 County tried to impose a 50 cent tax on RVs, they all ended up
11 going to Yuma, I guess, but you know, it sounds to me like
12 it's a little harsh to me. I don't know, there's two sides to
13 the story as far as do we want the people or do we not want
14 the people, and I just don't understand how you're going to
15 take care of all this.

16 DEL COTTO: Mr. Chairman.

17 RIGGINS: And I would - and I'll recognize you in
18 just a second. I would like to make one comment on this. The
19 regulations as they exist and would need to be enforced is
20 that none of this is allowed.

21 AGUIRRE-VOGLER: Yeah, I understand.

22 RIGGINS: So, so what this is doing, it's allowing a
23 step for those people that say you know what, I'm going to do
24 this one guy and to heck with them, and allowing them to be
25 legitimate and legal and have enforcement mechanisms for the

1 people that greatly, you know, go past what they should do.

2 AGUIRRE-VOGLER: No, I understand.

3 RIGGINS: And so I, in my own - that's why I talk
4 about it so hesitatingly because I see all sorts of up
5 Pandora's box issue here, but I do also think it's a good
6 step. I think it, I think for those people that want to put
7 one RV with a buddy that comes in for two weeks to have it
8 just absolutely be illegal is kind of crazy on a 10 acre lot
9 that's out in the middle of nowhere-zona.

10 AGUIRRE-VOGLER: Yeah, it's not only Thunderbird,
11 it's around Eloy there too. I don't know if that area there
12 with kind of horse farms, a lot of people come in and do their
13 ropings and things like that, don't know if that's in the City
14 of Eloy or that's the County, I don't remember. But anyway,
15 it's -

16 DEL COTTO: If I could, Chairman.

17 RIGGINS: Commissioner Del Cotto.

18 DEL COTTO: What, what I could, what I could add is,
19 is that you'll see in our neighborhood in District 4 that the
20 norm is going to be that the lot is 3.3 acres, that there may
21 be three, four, or five RVs in the backyard. There obviously
22 is some, there obviously is some money attached to what is
23 going on there, as well as it helps our neighborhood, it
24 certainly helps our neighborhood, it certainly brings people
25 in, it certainly dominoes in regards to people enjoying the

1 environment and then, and then in a lot of cases purchasing
2 their own place, ultimately, I mean I think you'll - once you
3 get into this you'll hear that from multiple people; the only
4 reason we're here is because our neighbor, or our friend from
5 British Columbia allowed us to stay in their backyard and once
6 we stayed in their backyard we fell in love with this
7 neighborhood, therefore we bought a piece of property. So
8 that's a big issue out there by us, but I do understand the
9 other side of it in regards to the people that want their SR
10 zone and they want to be left alone. I mean there's just
11 really left and right and left and right and left and right,
12 and I also understand the side in regards to, you know,
13 commercial zone and somebody wanting to do an RV Park and
14 wanting to provide that environment for people. So it's
15 really in our neighborhood, it is, it all, it all revolves and
16 it all goes right back to the fact that we really haven't had
17 much code compliance or enforcement ever. And you're going to
18 find that you have a very difficult task at hand in regards
19 to, to creating a sense of normal, what's normal or what's
20 normal, and so originally I never knew what you guys were
21 going to come up with and then I heard the thing about the
22 state and the state has the regulations and I certainly
23 understand that you have to, at some point, conform to
24 something, right, and that probably is the easiest, the
25 easiest route to go. But, but, but, also I think by allowing

1 it to go from 10 acres to 5 acres, maybe people will put their
2 3.3 acre lot up for first sale, go find 5 acres and then have
3 a little park in their backyard if that's what they'd like to
4 do. So, at least they have an option at this point.

5 RIGGINS: Other Commissioners, any other comments or
6 questions? Commissioner Putrick?

7 PUTRICK: I just, I just have a concern about
8 wastewater disposal. I'm assuming an RV fifth wheel is self-
9 contained in that state requires you, or federal government
10 requires you to dump that only in an approved site, but now
11 you're talking about allowing them to dump it into an on-site
12 septic system?

13 RIGGINS: One. Just one. And only if the on-site
14 septic system is sized enough to allow the new use. Which is
15 why, which is why I brought up the concept that there are some
16 people that to bring in another bedroom and kitchen, their
17 system wouldn't be big enough to allow it. Now, is it hard to
18 police that?

19 PUTRICK: Yes.

20 RIGGINS: It is? But is it going on anyway today?

21 PUTRICK: Yes.

22 RIGGINS: Yeah it is. And I'll guarantee you, most
23 people don't haul all that stuff away, because it's a pain.

24 PUTRICK: Yep. Okay, well I just wanted to bring
25 that up because I think we we should probably have - the

1 County should probably have something in hand so that if there
2 is a violation that it can be enforced.

3 RIGGINS: Of course the worse, the worse scenario
4 that can happen in a situation like this if you have a
5 community well and all of a sudden you have for six months of
6 the year triple the amount of people putting things into the
7 soil, you could lead to a coliform problem. You could, I mean
8 you necessarily do that? Not necessarily, but you sure as
9 heck could, and that's what the whole concept between spacing
10 of leach fields and everything is about. So - but again, I
11 believe it's a good thing to start.

12 PUTRICK: I do too.

13 RIGGINS: Because now it's just done with, you know,
14 none of it's legitimate, but just everybody goes and does it
15 because we don't look at it.

16 DEL COTTO: Mr. Chairman.

17 RIGGINS: Yes sir.

18 DEL COTTO: If I could. You've got two sides.
19 You've got, you've got the winter visitor that's here from
20 October to April, which is, you know, which is a six month
21 period not a 12 month period, but he's dumping three or four
22 times the amount into his system than, than would normally be,
23 but we've also not even addressed the fact in regards to just
24 the Average Joe that's been living out there in the middle of
25 nowhere for the last 30 or 40 years that got a septic tank,

1 that put a single wide trailer in and now there's two or three
2 more shacks in the backyard that lead to his septic system, so
3 once again I think it goes right back to the enforcement of
4 the code and/or in what's good for the goose, right? I mean
5 what's good for, what's good for the winter visitors ought to
6 - the local people ought to, out to make sure and follow the
7 rules too, so there's quite a bit to do there.

8 RIGGINS: Okay. Any other questions or comments?
9 Vice Chair Hartman.

10 HARTMAN: Chair Riggins. Ashlee, when this came up
11 before, I remember Thunderbird Farms water, the water service
12 company was really upset with the additional people that might
13 be using water from their system, so that might have - that
14 might have some repercussions there. I don't know. They,
15 they were worried about the number of families that they would
16 serve and people that they would serve with their water
17 company, and with today's water situation, I - that would be
18 totally relevant I think. So I mean I'm for it too, I'm -
19 we're looking at trying to figure out how to have a little bit
20 better control of the RV storage, but there's going to be -
21 you're going to see a lot of things come up. And on the, on
22 the use of the, the facilities, the restroom facilities and
23 the RVs, they'll - some of the people will tell you well you
24 want me to dump into that septic or go into the house, the
25 resident and use that septic, which is the same thing, so you

1 know - like our Chair said, the capacity is going to - the
2 septic tank capacity's going to have to be looked at to.
3 Health, health department will get that, I'm sure, you know?

4 SALAS: Well how about going out to some wash and
5 dumping it out and that's about it. (Inaudible) when you live
6 in a rural area like -

7 ??: (Inaudible).

8 SALAS: I do, you know, that you park out in the
9 sticks (inaudible) with three or four families around the area
10 and you're visiting somebody, there's no facilities anyplace
11 else to dump your -

12 HARTMAN: You're grandfathered in, you can do that.

13 RIGGINS: And again ,just as a comment -

14 SALAS: It may sound funny but -

15 RIGGINS: When we talk about the things that can
16 happen, we're going from an environment that nobody's been
17 watching it at all because we all know it's going on and
18 nobody wants to say you can't do this because it's kind of
19 common sense you should be able to, but nothing's legitimate.
20 By making the di minimis side totally legitimate, I think it
21 make the more - various problems be a little bit more
22 illustrated. So that's, that's my thought on it.

23 HARTMAN: Motion.

24 RIGGINS: I'll call, but if there's no further
25 discussion, I'll call for a motion.

1 GUTIERREZ: I'd like to make one quick comment.

2 RIGGINS: Okay, comment.

3 GUTIERREZ: I think this is a, this is a step in the
4 right direction, but I think we do have some white water ahead
5 that we're going to be facing and obviously a lot of questions
6 that are gonna pop up from this, but I think it is a right
7 step in the right direction.

8 RIGGINS: And, and recall that all we're voting on
9 today is voting for an initiation.

10 HARTMAN: Exactly.

11 RIGGINS: There'll be many more times to visit this
12 before it becomes code. Okay, Vice Chair Hartman.

13 HARTMAN: Okay, thank you Chair Riggins. I would
14 like to make a motion to allow staff to - well let me restate,
15 staff will move forward with the Commission's suggestion,
16 motion for case PZ-C-002-15 to initiate the ordinance
17 amendment and allow staff to proceed with the zoning ordinance
18 amendment process to amend Title 2, Section 2.10.10
19 definitions, adding sections 2.150.271 recreational vehicles
20 as short term guest housing, amending section - housing -
21 amending Section 2.185.060 recreational vehicle storage and
22 amending Chapter 2.355 park model recreational vehicle park
23 zoning definitions. District -

24 RIGGINS: That was a mouth full. Do we have a
25 second?

1 SALAS: Second.

2 RIGGINS: I have a second from Commissioner Salas.

3 HARTMAN: I read it in the entirety so it wouldn't
4 be -

5 RIGGINS: Well no, that's the way you had to do it.
6 We have a motion and a second. All those in favor signify by
7 saying aye.

8 COLLECTIVELY: Aye.

9 RIGGINS: Opposed? Passes unanimously.

10 HARTMAN: Ashlee, we're going to see you a lot.

11 RIGGINS: All righty. Okay. What is our lunch
12 situation? It's here. So if that's the case, yes?

13 AGUIRRE-VOGLER: Can we just -

14 HARTMAN: We only have the tentative plat. Yes,
15 let's do it. Tentative plats, easy.

16 RIGGINS: Okay. If that's the case, I was going to
17 ask the Commission what their thoughts were. If that's the
18 case and the Commission decides that we want to go ahead and
19 hear this tentative plat and I'm sure these gentleman say
20 thank you.

21 HARTMAN: Yeah, right.

22 RIGGINS: So let's go ahead and do so.

23 HARTMAN: All right.

24 RIGGINS: So we'll - who on - who has this case?

25 BALMER: That's mine.

1 RIGGINS: Okay. So we'll begin the tentative plat
2 case number S-007-15.

3 SALAS: Circle Cross Ranch.

4 AGUIRRE-VOGLER: Yeah, this doesn't open to the
5 public or anything.

6 RIGGINS: No, no, I think it's a good idea. Just I
7 wanted everybody to say whether they wanted to do it or not.

8 HARTMAN: We just have a cold sandwich to wait for
9 anyway.

10 RIGGINS: I was about to say, nothing gonna happen
11 to it.

12 BALMER: Okay, Mr. Chair, Members of the Commission,
13 this is case S-007-15. The request is approval of the Circle
14 Cross Ranch North tentative plat. It's roughly 88 acres in
15 the R-7/PAD zone. The proposal is 290 lots. It's located on
16 the east side of Gary Road, north of Charbray Drive. The
17 applicant is Westcor Queen Creek LLC and Greg Davis from Iplan
18 Consulting is the agent. Here's the County map. You can see
19 we're kind of on the north side of San Tan Valley. Getting in
20 a little closer, the subject property is in red there.
21 Zooming in even closer, our GIS map has not updated yet. The
22 subject property is actually R-7 even though it shows its
23 previous designation as - of GR, and CR-1A on the map. It is
24 R-7/PAD. The development standards are 6,000 square foot
25 minimum lot size, 50 foot minimum lot width, and setbacks are

1 20 in the front, five and eight on the side, and 20 in the
2 rear. Here is an aerial of the site. This is the approved
3 PAD that came before the Planning and Zoning Commission in
4 February. I have two slides of the tentative plat. This is
5 the north section. And then we have the south section off of
6 Charbray. I did take some photos at the site off of Charbray
7 Drive. This is north into the subject property. East along
8 Charbray. And then south into the existing Circle Cross Ranch
9 Subdivision. And then west. I have 15 stipulations with the
10 tentative plat. Our applicant is present, but I would be
11 happy to answer any questions the Commission may have.

12 RIGGINS: Commissioners? Any questions at all?
13 Then can the applicant come forward and state your case.

14 DAVIS: Thank you Mr. Chairman, Members of the
15 Commission. My name is Greg Davis with Iplan Consulting here
16 on behalf of Westcor Queen Creek, LLC, and for the record I
17 reside in the Town of Queen Creek. We are coming forward with
18 a tentative plat that is 99 percent identical to the PAD that
19 we presented to you back in February and I'd be glad to go
20 over any part of that with you, but given the time and the
21 wafting smell of food, I would just open myself to any
22 questions you might have and be glad to answer them for you.

23 RIGGINS: Very good. Commissioners, questions to
24 the applicant? Vice Chair Hartman.

25 HARTMAN: Chair, Chair Riggins, Greg, you're zoned

1 R-7, I see in there a 20 - front yard 30 foot setback, I just
2 want to reconfirm that from the face of the driveway - well
3 from the drive - the front of the driveway to the curb will be
4 a minimum of 20 feet for vehicular parking.

5 DAVIS: Mr. Chairman and Vice Chairman, that is
6 correct. We have a minimum setback of 20 feet from either a
7 sidewalk or curb to the garage face, front facing garage face.
8 Where there's a side turn garage, it may not be 20 feet, but
9 for a car to park in a driveway, there is a full 20 feet.

10 HARTMAN: All right. The reason we did that is in
11 some of our previous zoning years ago, they got in problems
12 with 18 foot. The trucks and stuff were sticking - sitting
13 right out in your walkways.

14 DAVIS: Yes sir, we did that where I live too and
15 it's not good for pedestrians. So we will make sure we
16 maintain that.

17 HARTMAN: Thank you.

18 DAVIS: You're welcome.

19 RIGGINS: Other, other questions Commissioners?
20 Commissioner Gutierrez.

21 GUTIERREZ: The side yard setbacks, they're - just
22 for clarification - they're five foot or eight foot?

23 DAVIS: Mr. Chairman, Commissioner Gutierrez, they
24 are five foot and eight foot combined. So one side will be
25 five foot, the other side will be a minimum of eight feet, so

1 every lot will have a total of 13 feet of setbacks per lot.
2 So lots are designed that they'd be like 63 feet wide, a lot,
3 and the product that would be build would be a 55 foot wide
4 product, or 50 food wide product, there'll be 13 feet of total
5 setback. And the existing PAD for Circle Cross was approved
6 with five and five. We understand that's not a setback that
7 the County likes to see anymore, and so we worked with staff
8 to increase it to five and eight, which was ultimately
9 approved by the Board of Supervisors.

10 GUTIERREZ: That's what I'm - thank you.

11 DAVIS: Yep.

12 RIGGINS: Commissioners, any other comments or
13 questions? Commissioner Salas.

14 SALAS: I (inaudible) ask staff, Mr. Chairman.

15 RIGGINS: Commissioner Salas.

16 SALAS: About our ten foot setbacks. When do we
17 have those coming into effect after we made those changes in
18 the Comprehensive Plan? Mr. Steve.

19 ABRAHAM: The larger setbacks are provided for in
20 the rezoning districts. The way the Commission would see
21 those realized would be if a development proposal come in that
22 off - that doesn't meet those, you would recommend denial of
23 that proposal, and that proposal would then go to the Board of
24 Supervisors and they would then have to deny that request, or
25 tell the developers to enhance those setbacks. A lot of times

1 you'll see in your PAD proposals they're requesting waivers
2 from development standards, a frequent development standard to
3 request a waiver from is the side yard setback. The Board
4 would then have - the Board of Supervisors would then have to
5 basically say we're done with the, with the smaller setbacks.

6 SALAS: So what good did our planning do, our
7 recommendations of the ten feet that was adopted and with the
8 Board of Supervisors being there, when we proposed that?

9 ABRAHAM: I think it turns into a powerful
10 bargaining chip where you can say well if you would like to
11 see these lesser setbacks, then we're going to need open space
12 enhancements, or you're going to need quality and design,
13 we're going to need to see trails. We're going to need to see
14 something that is not typical and I always look at the PAD
15 process as sort of like balancing of the scales. If the
16 developer wants to request changes in certain areas, then they
17 need to show how they're enhancing others.

18 SALAS: Well I look at the PAD of when we had these
19 requirements that that's what they are, you know, not a
20 bargaining chip, but what we want the State to look like. You
21 know? That's, that's the way I look at it. You know, we're
22 building a bunch of developments, but still got spaces from
23 here to here. You know, that's five feet right there just
24 about, and that's, that's why that particular problem came up
25 and when we were discussing the comprehensive plan, that we

1 should have something better than that because one, safety. A
2 fire, that'll burn two or three homes maybe. At five feet.
3 And I recall that we discussed this during our comprehensive
4 plan proposals. Secondly, we said okay, you know, we need
5 some more open space, so - well between the buildings, I don't
6 mean open space out here, so that we could have developments
7 looking that there was that particular space between the
8 homes.

9 ABRAHAM: Me and my staff can certainly transmit
10 those feelings and thoughts to applicants when they come
11 through the development process, at concept review.

12 RIGGINS: And if I man, Frank. Certainly because of
13 the setbacks we established, if somebody comes in with
14 straight zoning, we would have to approve a waiver. We would
15 - if we decide not to approve it, then it's not going to
16 happen. And similarly with a PAD. If we decide not to let
17 the tradeoffs happen, if they'll - you know, then, then it
18 won't. The problem of it is there's so many hundreds of
19 thousands of developments that are already on the books that
20 don't have those. That's just the way it is.

21 ABRAHAM: And to that point, Commissioners, we
22 haven't had a new PAD come in that's on like unzoned land in a
23 long time. We've been seeing a lot of tweaks, a lot of
24 modifications where the underlying zoning, at least in staff's
25 opinion, the proposal that they're giving you right now is an

1 enhancement of what's already been approved. It's been a long
2 time since we've had like a piece of GR land come in where
3 that's the first zoning we've seen. It's been many years
4 since we've had one of those.

5 RIGGINS: Okay. Are there any other questions or
6 comments.

7 GRUBB: Yeah, Mr. Chair.

8 RIGGINS: Commissioner Grubb.

9 GRUBB: This USA easement that runs through the
10 property, what's that for?

11 DAVIS: Chairman, Commissioner Grubb, there is a
12 irrigation canal.

13 GRUBB: Irrigation ditch?

14 DAVIS: Yes, and that runs through in that easement
15 that we're going to be having to relocate as part of the
16 development of the site.

17 GRUBB: Well it says it's going to remain. 70 foot
18 easement to remain and it runs underneath the houses.

19 DAVIS: Correct. The easement will remain, but it
20 will be relocated from that configuration. We cannot change
21 the plats to show the new location until we get their approval
22 for it, and that's why the plan's still showing as an existing
23 location.

24 GRUBB: Okay.

25 DAVIS: Just because of their policies, but it will

1 be recollected into the open space areas, and not beyond
2 someone's private property.

3 GRUBB: Is it going to be buried underground?

4 DAVIS: Yes sir.

5 GRUBB: Okay, thanks.

6 RIGGINS: Vice Chair Hartman?

7 HARTMAN: Are you ready for a motion?

8 RIGGINS: I'm ready as soon as someone wishes to
9 make one.

10 HARTMAN: I would like to make a motion.

11 RIGGINS: Please go forward.

12 HARTMAN: I will move to approve findings one
13 through seven as set forth in the staff report and approve the
14 tentative plat in planning case S-007-15 with 15 stipulations
15 as presented in the staff report.

16 RIGGINS: Thank you, do I have a second to that
17 motion?

18 GRUBB: Second.

19 RIGGINS: Second from Commissioner Grubb. All those
20 in favor, signify aye.

21 COLLECTIVE: Aye.

22 RIGGINS: Opposed? That passes unanimously.

23 DAVIS: Thank you very much.

24 RIGGINS: Thank you. Okay. We have one last, one
25 last issue here. Call to the Commission. Do we want to come

1 back for that? Do we want to handle it now?

2 HARTMAN: Handle it now.

3 RIGGINS: Okay. All righty. In that case, we
4 handle it now. So let's go ahead and go to the last issue on
5 the agenda today, which is discussion on Call to the
6 Commission, such an incredibly easy thing, it was discussed
7 last time we talked about it. Yes?

8 HARTMAN: Chair Riggins. Okay, Commission Members,
9 I have a publication that was - it's from the - it's put out
10 by people in Maricopa, Maricopa, Arizona, and it talks about
11 riding - prepping land for a motocross complex and I've heard
12 one of our supervisors talk about this and I thought that
13 didn't go before Planning and Zoning Commission, what are
14 these guys doing? They're going out there and they're
15 prepping land and they're - so I talked to Steve about it, and
16 I'll let Steve carry it from there. But it's interesting. I
17 see things going on that doesn't - hasn't even come before the
18 Board. I've been on Planning and Zoning long enough to know
19 that some of these things need to go before Planning and
20 Zoning before you just go out and start breaking ground. But
21 we're fairly lax. I mean that's why we have regulations that
22 we have. Steve, if you would.

23 ABRAHAM: Those folks have approached the County in
24 a very preliminary sense of what they would have to do to open
25 up a professional style race track. There are jumps, obstacle

1 courses, things along those lines, so their intent at this
2 point is to meet all of our requirements and open in that
3 location that the article talks about. But right now it's not
4 approved, but they look like they're, they're gunning for
5 maybe an October or November opening date.

6 AGUIRRE-VOGLER: It's not coming to us?

7 RIGGINS: If they -

8 AGUIRRE-VOGLER: It's not going to come?

9 RIGGINS: Wanted to grade and make a private
10 motocross track for themselves and not charge any money for
11 it, they would not be required to come before us, would they?

12 ABRAHAM: Not in front of this body, no. They would
13 still need to get some grading permits and some air quality
14 permits, though.

15 RIGGINS: But, but obviously to run a business
16 there, they're absolutely going to have to come before us.

17 ABRAHAM: Correct, they would have to rezone the
18 property, actually.

19 RIGGINS: And they would be - get a noncompliance
20 notice and all cease and desist and everything else without
21 it.

22 ABRAHAM: The whole nine yards, yeah.

23 SALAS: We have one of those, don't we?

24 RIGGINS: What's that?

25 SALAS: Apache Junction, one of these -

1 RIGGINS: Yeah, they have one out there. And
2 they've gone through extensive zoning work.

3 HARTMAN: Steve, is there a date set for that to
4 come before Planning and Zoning?

5 ABRAHAM: They actually haven't submitted yet, so
6 no.

7 RIGGINS: Okay. All right. Under call to the
8 Commission, any other?

9 GUTIERREZ: Yeah, I have a question.

10 RIGGINS: Yes.

11 GUTIERREZ: Last time we talked a lot, extensively,
12 about open meeting laws and stuff, is this the verbiage that's
13 needed in order to not violate the open meeting laws? I mean
14 it's a discussion-type thing, so we can discuss anything?

15 ABRAHAM: That's correct, yeah. I put the language
16 on the agenda, and I had a presentation spooled up to really
17 talk about that, that concept about what you can and cannot
18 talk about. I think we're moving along in the right
19 direction, though, because we're not talking about things
20 you're not supposed to talk about. I know that you're looking
21 to get, to get lunch but what I can - why don't I do this?
22 I'll print out my presentation and it provides some examples
23 of how you can use the Call to the Commission more effectively
24 and really get where you need to - where I think the
25 Commission wants to go using that. And you guys can look at

1 that at your leisure rather than that. But yeah, you're
2 absolutely right. That language talks about we can't do
3 polling, we can't achieve consensus through Call to the
4 Commission. It's basically Steve or any of the staff members,
5 we'd like to talk about this and my response would be I'll
6 schedule this for discussion at a few - at the next agenda.

7 GUTIERREZ: Okay, what I'd like to mention, if
8 anybody hadn't seen it, the Casa Grande Dispatch ran a big
9 article on a dis - on an issue we talked about - or we've
10 talked about extensively over time, which is the open air
11 growth of medical substances. So there was a big article on
12 it where it went to the Commission, it was turned down, it was
13 more progress - more discussions being held on that thing on
14 whether or not it's going to be approved or not, open air, you
15 know, and I think that's something that's going to continue to
16 come back to us and I think there's - and I know there was
17 concern that I've been looking into a little bit - certain
18 liabilities that states and everything else are going to have
19 if, you know, depending on the way the elections go. So I
20 mean you know some discussion on that issue sometime down the
21 line might be a, might be something that could be warranted.

22 RIGGINS: And if I - just to discuss that. What I
23 believe I saw in that article is what happened is after it
24 came through us and went to the Board, then there became a
25 issue concerning its compliance in the general plan, and so,

1 so actually there was a little cart in front of the horse
2 there that happened, and but then then there was recognition
3 that the general plan would actually have to be changed to
4 make all that happen, so since it was such a new thing, I, you
5 know, we're finding venues and avenues to go with it as we go.

6 GUTIERREZ: Yeah, and the, and the - another thing
7 in the article, you know, I might have misread it or something
8 or read into it, but it sounded like there wasn't going to be
9 a - it was to grow the medical substances along with other
10 crops, which means that it didn't seem like there'd be the
11 security measures that had been previously talked about, you
12 know, walled in areas, etc., etc., it'd be out - grown out in
13 the field, you know? I don't know, I mean and that's where I
14 think the little further discussion might be good prior to
15 making recommendations.

16 RIGGINS: I believe they're going to be coming back
17 before this Commission, are they not?

18 LANGLITZ: Mr. Chair, Commissioner Gutierrez, yeah.
19 What happened was the Sidewinder Dairy submitted an
20 application for an SUP and they were informed by the Community
21 Development Department that before they could get an SUP, they
22 would need to do a comprehensive plan amendment. Now separate
23 from that, the Board had also given Community Development
24 Department directions to come up with some options or
25 proposals to change the Comprehensive Plan to actually address

1 medical marijuana, which it currently doesn't expressly
2 address it because the Comp Plan in 2009 predated the medical
3 marijuana. That was really the issue last Wednesday.
4 However, the representative for Sidewinder Dairy addressed the
5 Board and things more or less kind of got refocused to the
6 Sidewinder Dairy, and the opinion was expressed that well no,
7 a Comprehensive Plan amendment is, isn't necessary prior to an
8 SUP, so why can't we just go ahead and we'll process the SUP
9 and then let each side make their respective legal arguments,
10 which I suspect will happen in front of you and I think
11 they're - it potentially looking toward maybe September?

12 ABRAHAM: Mm hm, yep.

13 LANGLITZ: Yeah, September on that. So you know,
14 who, who knows what's, what's gonna happen with that, but
15 that's basically what happened last Wednesday. And the
16 newspaper report, you know, you probably already know this, if
17 they got ten percent of the information correct, they've done
18 a pretty good job. I mean just notoriously you can't trust
19 what they put in the newspaper, but what it had written was
20 yeah, there was some discussion and some disagreement and the
21 bottom line of all of that was instead of requiring the Comp
22 Plan amendment first, they're gonna go ahead and apply for the
23 SUP and then we'll make the argument that it can't be approved
24 because you gotta do a Comp Plan amendment and the
25 representative for Sidewinder Dairy will say no and, you know,

1 we'll, we'll see what happens there. I hope that was -
2 provided a little more information on that. So it'll be very
3 exciting, I anticipate, in September.

4 RIGGINS: Okay. Any other - Commissioner Putrick.

5 PUTRICK: Just a couple things that are going on in
6 town so that - because it does impact us with this lunch
7 thing. You know we have a Taco Bell going in. We approved
8 that and it's going to be right next to the Chevron station
9 where the old Happy Adobe used to be. And then across the
10 street an East Coast company coming in called Taco Time. They
11 were told about Taco Bell and they said that's okay, our tacos
12 are way better. The strip - the little strip mall across the
13 way, fella's coming in there to do a breakfast/lunch diner,
14 he's taking over two of the suites and so I'm not sure, we
15 haven't seen that yet, but we know it's coming. And then
16 finally Puro, who is the son of the family that owns A&M down
17 on the south end of town, purchased the house here on 1st and
18 79 where the chiropractor is; chiropractor will stay in the
19 front, but he's going to do a little coffee/sandwich shop in
20 the back of that. They purchased the lot behind it. We
21 rezoned it so they could do parking. So Puro's going to open
22 a little coffee shop back there and it's just going to be a
23 simple kind of a thing that you can run in and out. The other
24 thing that I would suggest if you're - if you got a few
25 minutes, is go by and look at our fantastic complex over here.

1 The aqua center opened on July 4th and the library will open on
2 about the first of August. I'm more interested in the library
3 because it's a, it's a pretty large complex, it's 28,000
4 square feet, and it could be a nice place to spend an hour
5 respite or a cup of coffee, or reading or something. But
6 anyway - and go try the new road. It's really exciting trying
7 to make a left turn off the 79 out of there. Other than that,
8 I would like to request future agenda item - two agenda items.
9 Can we get an update from Public Works on road improvements,
10 and can we get an update from Mr. Kanavel on current projects
11 and where they are? Thank you. That's all I have. Thank
12 you.

13 DEL COTTO: Chairman, if I could

14 RIGGINS: Yes, Commissioner Del Cotto.

15 DEL COTTO: And I've heard some news in regards to
16 our individual districts and in regards to like business
17 moving forward or community development happening, and the way
18 I understood it was that, that our County would be working on
19 one district at a time, and I just kind of feel like being in
20 a district like mine that seems to have almost absolutely
21 nothing going on, if there were any way that we could
22 facilitate, or if there were any way that we could just look
23 at our County as a whole and maybe try to move forward, even
24 if it's just little steps within each district, maybe try to
25 move forward and realize that we - that we're, you know, that

1 we're working on it, that we're working on them all, it - the
2 way I understood it is that we look at one district one year,
3 and try to make it work and then the next year we're going to
4 take another district and see if we can't make something work
5 there, and I just wondered if we couldn't come up with a
6 better solution in regards to the whole County moving forward
7 like you, like you mentioned. What's going on with the
8 economic development, or, or another, another thing that I
9 just don't see much rhyme or reason with Public Works, we've
10 got areas in Hidden Valley that the same people have owned the
11 property for 10, 20, 30 years and they literally have no
12 access to a road grader. To me, to me, I made the suggestion
13 that whoever's in charge of the road grader keeps an eye
14 moving forward and, and realizes possibly that they graded a
15 particular road in October, and here comes November and that
16 particular road looks like it could possibly go another 30
17 days without any maintenance, and be able to reach out to that
18 next road that's a shambles. I just don't understand why we
19 can't kind of proactively try to look at these issues instead
20 of leaving people with horrible road conditions. I've heard
21 some - whether it be my supervisor or someone at the Public
22 Works Department insinuate maybe that there's some type of
23 coercion or some kind of illegal activity going on in regards
24 to the fact that we think we need this particular road graded,
25 that we can't go around and grade a road for this person when,

1 when, when they ask for that particular road to be graded. I
2 can tell you that there are roads out there that get no
3 maintenance and if those people are paying taxes like the
4 people that are paying taxes on the road next door, I just
5 don't see why we can't change the route up a little bit, clean
6 the neighbor - it'll certainly help enhance and/or clean the
7 neighborhood up, or you can't, you can't imagine, but if I
8 took you down some of these roads and you knew there was a 3.3
9 acre lot there for sale, you'd look at somebody like they were
10 crazy if - well why would we buy that? Or why would we hang
11 our hat there? Because that particular road continues to be
12 neglected. And I don't know why we can't, as a, as a Public
13 Works Department, or whatever the case may be, why we can't
14 have somebody looking at these particular problems and making
15 a determination that a possible route that's being graded, not
16 be graded and you move onto the next one, and move onto the
17 next one. So I - I'm not sure if I can get any help with
18 that, but we've cert - we've certainly got some messes on our
19 hands out there, especially in Hidden Valley, especially where
20 there's water running from rain and so on and so forth, and,
21 and if those people are paying taxes like the people on the
22 street next door, I think that they should get some attention,
23 and not just be left out there, so.

24 SALAS: Several years ago Rand, I made the same
25 request in my neck of the woods and the answer was because

1 liability. You know, it's a private road, not County road,
2 (inaudible) liability of going into private lands (Inaudible),
3 whatever the (inaudible).

4 DEL COTTO: I'm talking about roads that have street
5 signs on them, and I was always, I was always under the
6 impression that the color of the street sign may indicate -

7 RIGGINS: (Inaudible).

8 DEL COTTO: Well, if you look at Hidden - maybe we
9 can take a look at Hidden Valley Estates Unit 1, and Hidden
10 Valley Unit 2 and determine what roads are private versus
11 public, and if there are public roads that aren't being
12 maintained, I would suggest that we -

13 RIGGINS: That would certainly be a worthwhile thing
14 to do.

15 DEL COTTO: that would be something maybe we could
16 look at.

17 RIGGINS: There used to be, there used to be a
18 concept called courtesy grading and it was, it was on private
19 roads, and there's people been there for a long time and all
20 that, and they did do away with it because of liability.

21 DEL COTTO: I can certainly understand that. But
22 I'm talking more about roads that are in subdivisions -

23 RIGGINS: They're public roads, but you know, not
24 all roads (inaudible). So if they're public roads, there's
25 something to talk about for sure.

1 DEL COTTO: Thank you.

2 RIGGINS: Okay. (Inaudible) questions or comments?

3 GRUBB: Just one more.

4 RIGGINS: Commissioner Grubb.

5 GRUBB: I would like to see if it's possible - Mr.
6 Chair, thank you. There's a lot of activity going on and I
7 know stuff that comes through the Community Development that
8 doesn't have to come to us, but it would be nice to see
9 because, you know, people ask me well what are they building
10 over there? Well I don't know, it didn't come past us, so I
11 don't know. Is there a way we can get a monthly update on
12 what permits have been issued and what's, what's breaking
13 ground in our individual districts or County-wide for that
14 matter, just a list of those things that are processed so we
15 know that what's happening in our area.

16 DEL COTTO: And if I could, Steve, did you
17 understand that request as well from me in regards to the
18 community development side of, of working our individual
19 districts one district at a time, versus, versus - I mean if
20 I'm, if I'm at the end of the road, if my district's going to
21 be last, I don't want to be last. I'd rather be first. So I
22 don't know how you determine where that takes, or when that
23 takes place, but I just think that as a whole, you know, as a
24 County moving forward, I think it's kind of a hard thing to
25 stomach the fact that you may realize that you're at the end

1 of the - you know, you're at the end of the, end of the road
2 in regards to development stuff going on. So I, I don't know
3 how you guys determine that or if we're, if we're privy to
4 that and we know when our district's going to be moving
5 forward with, with development or business, you know, like the
6 business district if it doesn't have one, so on and so forth.

7 ABRAHAM: Let me get back to you on all that. You
8 have a lot of issues that kind of cross different departments,
9 different functions. I'll see if I can come up with a way to
10 address your concerns, because I don't - if you're looking at
11 it from like a code compliance angle or road improvement angle
12 -

13 DEL COTTO: That I was referring more to just basic
14 development, or just - you know, in our neighborhood - excuse
15 me for one second - our neighborhood for instance, we've got a
16 lot of GR and we've got a lot of SR zone, and we don't have a
17 whole lot of business development type land available, if you
18 will. So that was kind of where I was going with that
19 question, not, not on the code compliance side, not on the
20 road, not on the road grading side, more of a development
21 initiative or something of that nature. So.

22 HARTMAN: Mr. Chairman.

23 RIGGINS: Yes, Vice Chair Hartman.

24 HARTMAN: (Inaudible) motion to adjourn. I'm
25 (inaudible).

1 RIGGINS: (Inaudible).

2 SALAS: Mr. Chairman (inaudible). I just want to
3 bring up a subject about identification as Commissioners. I
4 don't know what you guys have, I don't have any card or
5 anything stating that I'm a Commissioner. When I go on a
6 particular property, a number of times I've been asked well
7 who are you, you know, and I said well I'm a Commissioner, I'm
8 Planning and Zoning Commissioner. So I don't have anything
9 other than my driver's license, you know, that identifies me
10 and I made a request of my Supervisor that if the Commission
11 could come up with - or staff or whomever does it, with a
12 laminated little card that looks like an ID or saying that you
13 are, you know, a Planning and Zoning Commissioner, or the
14 County, so that when you do go on a particular property and
15 somebody decides that they want to know who the hell you are,
16 you know, you can say hey look, I'm a selected or elected
17 official of this County, I belong to the Planning and Zoning
18 Commission. You know?

19 ABRAHAM: We're still looking at the business card.
20 I think the Commission had asked me to take a look at that a
21 couple months ago and we're still looking at -

22 SALAS: (Inaudible) particularly want a business
23 card, you know. I just want something that looks like a
24 driver's license.

25 GRUBB: Maybe a lanyard with an ID card like Mark's

1 showing us.

2 SALAS: Something that I can pack into my wallet,
3 though, you know. (Inaudible). Something like a driver's
4 license, you know.

5 ??: I agree.

6 SALAS: You know, we look like we're in some
7 official capacity, you know. Other than somebody, a stranger
8 just walking up on the property. And maybe it would work to
9 help in the future see if some of these things that we call
10 stipulations are being followed. We don't have any
11 enforcement in this County, that takes a look at these
12 stipulations and goes out to some property to see (inaudible)
13 to see what they are following, or if they're in compliance
14 with all these stipulations that we have.

15 ABRAHAM: We'll look at that.

16 RIGGINS: We have a motion on the floor.
17 (Inaudible) motion for adjournment. Do we have a second?

18 AGUIRRE-VOGLER: I'll second.

19 RIGGINS: We have a second. All in favor?

20 COLLECTIVE: Aye.

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Julie A. Fish