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PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 233382)

Regular Meeting
9:00 a.m.
Thursday, November 19, 2015
EOC Room - Building F
31 N. Pinal St., Florence, Arizona

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ORIGINAL PREPARED FOR:
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1 RIGGINS: Okay. Let's go ahead and call the
2 November 19th regular Planning and Zoning Commission for Pinal
3 County to order, and we will begin with the Discussion of the
4 Action Item Report.

5 ABRAHAM: Thank you and good morning Mr. Chair, and
6 Commission Members. Our Action Item Report from last meeting,
7 we took - any questions on any of those things moving forward?

8 RIGGINS: Questions or comments? None being, okay.

9 SALAS: (Inaudible).

10 AGUIRRE-VOGLER: We don't have to anymore

11 RIGGINS: Yeah, we don't do that anymore.

12 ABRAHAM: Okay. Moving forward on the Board of
13 Supervisors cases that they looked at, it looks like
14 Sidewinder Dairy, which was the outdoor medical marijuana
15 facility, that got continued again, so the Board of
16 Supervisors is yet to work on that one. Well they've worked
17 on it, but they haven't voted on it, let's put it that way.
18 And then the other proposal which was the cell tower located
19 at - let's see on the - on Henness and I-10 in Casa Grande,
20 the Commission recommended denial of that, the Board ended up
21 approving that proposal. The Board also took a look at our
22 Comprehensive Plan Amendments for 2015, and the Board looked
23 like the approved the Healthy Places and Healthy Happy
24 Residence Amendment. They ended up approving the green energy
25 designation, as the Commission recommended. So basically that

1 was just to create the new designation, only not modify the
2 amendment criteria. And then lastly, the San Tan 320 which
3 was a Low Density Residential to - sorry, very Low Density
4 Residential to Low Density Residential south of San Tan
5 Heights, the Board ended up approving that one as well. There
6 were no cases on November 4th, and yesterday the only one that
7 they were looking at was the Sidewinder Dairy one, which ended
8 up getting approved. Continued, sorry, continued. Sorry,
9 Mark, Mark just a had a heart attack. Continued.

10 RIGGINS: Okay. Any questions whatsoever? All
11 right, I'm going to insert a small - what is that, Mary? Well
12 that's where I was going to do that, under the Planning
13 Manager Discussion Items, I see we have resignation of
14 Commissioner Moritz and Steve, did you wish to say something
15 on that?

16 ABRAHAM: With - I did, and with kind of great
17 sadness, I have to announce to the Commission and folks in
18 attendance today and the rest of the County staff, that Jill
19 is going to be leaving us and this will be her last meeting
20 with us.

21 RIGGINS: Gracious.

22 ABRAHAM: Speech, speech.

23 MORITZ: Let me get the mic. Yes, I'm leaving with
24 great sadness myself. I just feel it's a little family here
25 and - but I just couldn't go without lunch anymore, and I find

1 myself in a position to submit my resignation. Actually, we
2 are moving after ten years in Pinal County, and we have truly,
3 truly enjoyed it, and I have enjoyed every - almost every -
4 minute of being on this Commission and I consider everybody
5 friends. I still want to commend staff. I am so impressed
6 with what you do, and the devotion you give to it, and the
7 time that you devote to it. It just makes our job easier and
8 it's just been a very rewarding experience. Maybe Scottsdale
9 will have an opening that - (inaudible) their people would
10 suggest me for. Thank you.

11 ABRAHAM: Thank you.

12 RIGGINS: Thank you. [Applause.] And there's been
13 a request from Supervisor House to come up and speak to this
14 issue the same.

15 HOUSE: Good morning. Thanks for letting me have a
16 moment. I don't think this has been done before, and you
17 know, I'm a people person. I work well with people, I deal
18 with people on a daily basis and I think the least I can do
19 after the years of dedication to the Planning and Zoning
20 Commission that I can come down and spend a few minutes out of
21 my morning, come down and say thank you, thank you, thank you,
22 Jill Moritz for being on the Planning and Zoning Commission.
23 You have done exemplary work. I mean we put you on there
24 because you are not afraid to hold back your opinion, which is
25 great, because that's what we have to have. We enjoy a

1 different, a different outlook on things and it brings
2 diversity to the Board. And I have the utmost admiration for
3 you coming down here and - so the buffets got canceled, but
4 you know, we'll have to do. I do have an in with Maricopa
5 County, though, we can try and see if we can get you into
6 something to do in Maricopa County. But Jill, I just wanted
7 to come down and take a few seconds and say thank you very
8 much for all your years of service on Planning and Zoning, and
9 I wish you the best of luck in Scottsdale.

10 MORITZ: Thank you.

11 HOUSE: Thank you.

12 MORITZ: That was very nice. Thanks Todd.

13 RIGGINS: And I think I can speak for everybody on
14 the Commission that I didn't know that this was happening, but
15 I can truly say that you will be missed on this Commission.

16 MORITZ: Oh thanks (inaudible).

17 RIGGINS: And good luck on your future endeavors.

18 MORITZ: Thank you.

19 AGUIRRE-VOGLER: Yep, thank you.

20 RIGGINS: Okay, Steve. APA Conference.

21 ABRAHAM: Let's see, the Arizona State Planning
22 Association Conference occurred about two weeks ago and Larry
23 and Bill went to that. Both Larry and Bill had family
24 emergencies, so they won't be able to attend today, but I
25 understand that it went, it went very well. That item was

1 before I knew that they wouldn't be attending, so I was going
2 to have them say a few words about some of the things that
3 they saw and heard about. So that's all that was, that item
4 was for.

5 RIGGINS: Okay. Very good. Well in that case, not
6 any other questions or comments, and none being, we'll move
7 directly into new cases. So we will begin?

8 ABRAHAM: Yes, and one announcement for the
9 Commission and for folks in the audience, that case number 8
10 on your agenda, that's going to be SUP-010-15 will not be
11 heard today due to a notice deficiency. So if you are here
12 for that one, go ahead and get with a staff person, namely me,
13 I'll go ahead and take your comment if you have any on that
14 particular case. But that one will be rescheduled for a later
15 date.

16 RIGGINS: Okay.

17 ABRAHAM: And then otherwise the other cases on your
18 agenda will be heard as scheduled.

19 RIGGINS: Okay, very good. All right, well we will
20 begin in case PZ-005-15. She's right there. She's trying to
21 find it.

22 MACDONALD: It's here. Okay, thank you for
23 patience. This is PZ-005-15. It is request for approval of a
24 zone change from GR to - GR and CB-2 to C-1 Neighborhood
25 Commercial on .6 acres to plan and develop an office building.

1 The property is located on the north side of American Avenue,
2 east of Kimo Drive in the Oracle area. The applicant is
3 Arizona Water Company. Again, the subject property is just
4 outside of Oracle. You can see it's south of 7th - the Highway
5 77. An area map of the property, south of American Avenue.
6 The Comprehensive Plan designation onsite is Moderate Low
7 Density Residential. This proposed use is in conformance with
8 the Comprehensive Plan designation. The existing property is
9 zoned GR and CB-2. As you can see on this map, the front half
10 of the property is zoned CB-2, with the rear being general
11 rural. The reason that the entire property is being rezoned
12 is just so that the - the commercial use that the applicant is
13 proposing is allowed on the CB-2 portion today, but the
14 applicant is looking to utilize the entire parcel for their
15 development, and it just makes sense to rezone the entire
16 property the same zoning category, since the applicant can no
17 longer request to rezone to CB-2. That's why the entire
18 property is being requested under this zone change. An aerial
19 photo of the property. It is currently vacant. There is some
20 remnants of previous development onsite. I'm not sure what
21 was there, but in the photos you'll see some of that. This is
22 the applicant's development plan. An office building will be
23 located towards the rear of the site. Photos were taken from
24 American Avenue. This is looking across American Avenue, away
25 from the property. Looking west. Looking east, and then into

1 the site. You can see that wall that exists there today, but
2 it is largely undeveloped. Staff has nine stipulations of
3 understanding, if the Commission wishes to approve that. I'd
4 be happy to answer any questions that you have.

5 RIGGINS: Vice Chairman Hartman.

6 HARTMAN: Chair Riggins, thank you. Ashlee, the
7 property to the west, it looks like from the visual photo that
8 I have, it looks like they have been using this property as
9 ingress and egress, onto the American, American Avenue, onto
10 American Avenue, is that right?

11 MACDONALD: That's what it looked like when I was
12 out there as well.

13 HARTMAN: So will they continue to be able to do
14 that, or are they going to have to have another point of
15 ingress/egress to American Avenue?

16 ?? (Someone that sounds like they have a bad cold)

17 ☹: Vice Chair Hartman, the - that's a problem you have these
18 areas are - you know, that don't have any kind of curbs,
19 please just access properties just driving off the curb. When
20 this property that is being rezoned comes in with their site
21 plan, they will have to designate their actual access
22 location, and it'll be paved. As far as the neighboring
23 property using that, that would be up to the, that would be up
24 to the property owner, but it will be a designated driveway
25 that this property would be installing.

1 HARTMAN: So the County will, in one of our
2 stipulations, pave access to American Avenue?

3 ?? : Correct, that will be covered in the site plan.

4 HARTMAN: That's good, thank you. Thank you Mr.
5 Chair.

6 RIGGINS: Commissioner Members, any other -
7 Commissioner Aguirre-Vogler?

8 AGUIRRE-VOGLER: I think I might have brought this
9 up last month, but I would like to know why the staff
10 continues to - well they changed the format. You always
11 offered a choice on staff recommendation down after - or
12 before we made a recommendation, and now you're offer - you
13 know, it's like you're swaying our opinion and I want to know
14 what the other Commissioners think about how you now are
15 recommending approval or denial instead of us - allowing us to
16 make that decision entirely.

17 ABRAHAM: Mr. Chairman and Commissioner Aguirre-
18 Vogler, and I'll ask Mr. Chairman if that could be something
19 we could maybe talk about at Call to the Public rather than
20 during a public hearing case.

21 RIGGINS: I would think that would probably be
22 appropriate.

23 ABRAHAM: Thank you sir.

24 RIGGINS: Okay. Other Commission Members,
25 questions?

1 ABRAHAM: Call to the Commission, I'm sorry.

2 RIGGINS: Yes. Okay. And no other questions or
3 comments, let's have the applicant come up and explain their
4 request for rezone to us. Good morning.

5 LAURIN: Good morning.

6 RIGGINS: And if you could please enter your name
7 into the log and your address, please.

8 LAURIN: Will do. Good morning Mr. Chairman and
9 Members. My name is Eric Laurin and I am an engineer with Coe
10 & Van Loo Consultants. We're located at 4550 North 12th Street
11 in Phoenix, and we are the engineer for the applicant, Arizona
12 Water Company, and we have prepared the package which staff
13 has provided to you for your review. We have also engaged an
14 architect who is going to be assisting us in the actual design
15 of the structure. As mentioned in the staff report, this will
16 consist of a 3500 square foot building, which will be located
17 in roughly the center of the parcel. The parcel has been
18 vetted. We have done a Phase I environmental and the site is
19 clean. We have also done some soil testing for percolation
20 and found that we have approximately three inches per minute,
21 so that's a good, a good rate. Bearing in mind that the site
22 will be required to have a septic tank and leach field system,
23 since there is no sewer system in Oracle to tie into. Water
24 will be provided by Arizona American Water, of course, and
25 there's an existing six inch water line in the street in

1 American Avenue, and fire hydrants are located within a couple
2 hundred feet of the site. Access will be provided as
3 mentioned, paved, and we will have an ingress/egress
4 situation, and 12 parking stalls will be provided as well, as
5 required by your codes. The use of the site is going to be
6 for an office and a reception area for people to pay their
7 bills to the water company, so it'll be a single story
8 structure with a lobby in which people can access. The rear
9 of the building will be consisting of office space for staff,
10 for Arizona American - Arizona Water staff, excuse me - to
11 perform their duties. Let's see. Drainage will be held
12 onsite as required by the stipulation, and the 100 year two
13 hour storm will be retained. The construction will consist of
14 removing all of the existing debris and previous walls that as
15 you can see from the photograph, have been - were installed
16 some time in the past. A test was performed on the wall
17 itself for any evidence of asbestos, and there was none. And
18 we concur with staff's recommendations and stipulations, and
19 would proceed on the design of the site and the building on
20 that basis. That is all that I have at this time. I'd be
21 happy to take any questions.

22 RIGGINS: Thank you very much. Commissioner Salas.

23 SALAS: Is the office - excuse me - in San Manuel
24 going to be closed down?

25 LAURIN: Yes, my understanding that they're

1 currently leasing about an 800 square foot office in San
2 Manuel and the company is desirous of having its own building,
3 larger space, and space for some additional growth. Knowing
4 that the Robson communities, which is located probably 12
5 miles away from Oracle is a growing community and is going to
6 require some additional service, the Company chose this
7 location as being halfway between its - in its service area.

8 SALAS: Where is the water going to be supplied
9 from? Is it coming from the San Pedro water source, or is it
10 coming down from the Oracle Junction area?

11 LAURIN: Well there's - as I mentioned, there's an
12 existing six inch water line in the street, and that water
13 will be taken from the Oracle system, as it exists currently.

14 SALAS: I don't know if you can answer this, but are
15 water rates going to be going up for the people that have been
16 customers for all these years so that we can pay for whatever
17 construction is being - new construction and new services for
18 the other people in the area that they're going to - that are
19 going to be new customers, I don't think it would be fair for
20 the customers that you're servicing right now in that area of
21 San Manuel to pay any or part of those costs that are going to
22 be for services rendered to new customers.

23 LAURIN: I, I have - I cannot answer that question
24 directly, but we have representatives from the company here
25 who, who may be better able to answer your question, sir.

1 SALAS: San Manuel is (inaudible) becoming a
2 retirement community since the police shut down the mine. So
3 we have people there are living on retirement benefits and the
4 rates are already high enough as far as we're concerned down
5 there, so as I stated before, we would believe that it's not
6 fair for those of us that have been there and have been
7 customers of that particular company to pay for these services
8 that are coming in that are going to be rendered to somebody
9 else.

10 LAURIN: I understand.

11 RIGGINS: Okay Commissioners, any other questions or
12 comments to the applicant? Commissioner Gutierrez.

13 GUTIERREZ: Yes sir. Looking at the plan, there's
14 going to be curtilage, I guess trees, put up alongside the
15 borders of the boundary, correct?

16 RIGGINS: Right. That's going to give you some
17 landscaping.

18 GUTIERREZ: The landscaping. Now is that going to
19 block the drive from the business that's next to it, you know,
20 the trees that are going to be put in, is that going to be
21 serving as kind of a wall type (inaudible) cordon off the
22 property?

23 RIGGINS: No sir. Our intent is to have that
24 landscaping, of course, within the envelope of the parcel, and
25 there is going to be a block wall that will enclose the rear

1 half of the property because the applicant is going to be
2 storing equipment in the back. But access to the adjacent
3 parcel is not going to be impacted.

4 GUTIERREZ: Okay. Okay, thank you sir.

5 LAURIN: Okay, you're welcome.

6 RIGGINS: Anything else? Vice Chair Hartman.

7 HARTMAN: Chair Riggins. Chair Riggins. Eric, I, I
8 have been on this Commission a while, but I love to see
9 parcels, and this is the same parcel number, we're talking
10 about 6/10 of an acre, and it's the tax parcel number's the
11 same, and it's good planning in my sense to be able to put the
12 same zoning on the entire property, and so I think you've done
13 the right thing in making your request.

14 LAURIN: Thank you, sir.

15 HARTMAN: Thank you, Eric.

16 RIGGINS: Okay. Anything else? Thank you very
17 much.

18 LAURIN: Thank you Mr. Chair.

19 RIGGINS: Any other people come up and speak for the
20 case? There none being, we'll close the public comment
21 portion of the case and go back to the Commission. Vice Chair
22 Hartman. Oh.

23 SALAS: Are you ready for a motion?

24 HARTMAN: Yes, a motion.

25 RIGGINS: The Chair needs to fix his phone.

1 AGUIRRE-VOGLER: We need to call the public?

2 HARTMAN: Yeah he did. He called to the public,
3 nobody -

4 RIGGINS: I did.

5 HARTMAN: Nobody -

6 AGUIRRE-VOGLER: Oh, sorry.

7 RIGGINS: I'm sorry. Okay. Okay, if there's no
8 other comments or questions, is there a desire for a motion?

9 HARTMAN: There is.

10 AGUIRRE-VOGLER: I make a motion.

11 SALAS: Mr. Chairman, I move that - let's see - PZ-
12 005-15 be -

13 AGUIRRE-VOGLER: Forwarded.

14 SALAS: Forwarded to the Board of Supervisors with a
15 voice of approval.

16 AGUIRRE-VOGLER: And I'll second that.

17 RIGGINS: We have a - Commissioner Aguirre-Vogler
18 with a second. All in favor signify by saying aye.

19 COLLECTIVE: Aye.

20 RIGGINS: All opposed? It passes unanimously. Good
21 luck with your project.

22 ABRAHAM: Mr. Chair, that was with nine steps,
23 correct?

24 RIGGINS: Yes, with the nine stipulations. Okay,
25 our next case - if I can get there - is SUP-011-15. It looks

1 like Dedrick is going to handle this for us.

2 DENTON: Good morning Mr. Chairman and Members of
3 the Commission. Just give me one second to load up my
4 PowerPoint.

5 HARTMAN: Mr. Chair?

6 RIGGINS: Vice Chair Hartman.

7 HARTMAN: I have a question. I would rather address
8 it to Dedrick, but while he's looking, are you through
9 Dedrick?

10 DENTON: Ready.

11 HARTMAN: Okay, my question is before you even get
12 started, I have five stipulations in my packet. You stated
13 that there were seven stipulations. Is there five or seven?

14 DENTON: No, there should be-

15 HARTMAN: Nine?

16 DENTON: I believe.

17 HARTMAN: All right. Excuse me.

18 AGUIRRE-VOGLER: On the wrong case?

19 HARTMAN: Yeah, I'm on the wrong one. Okay, you're
20 right, it is five, it says five - with five the stipulations.

21 DENTON: I think you might be on the wrong case.

22 HARTMAN: Yeah, I was. I'm sorry. I - thank you
23 Mr. Chair.

24 RIGGINS: Actually, actually it looks like there are
25 ten.

1 DENTON: Should be like ten. Yeah, ten. Correct.

2 I think what he's looking at is probably line one of the
3 subdivision cases.

4 RIGGINS: Yeah, there's ten stipulations on that.

5 DENTON: Yes.

6 RIGGINS: (Inaudible).

7 HARTMAN: I am.

8 RIGGINS: Okay, Dedrick, please go ahead and get us
9 up to speed.

10 DENTON: All right. This is case SUP-011-15. The
11 applicant is proposing approval of a special use permit to
12 operate a 100 foot wireless communication facility, with a 21
13 foot whip antenna for public safety purposes. It is 1,416
14 square feet leased area on a 1.25 acre parcel in the General
15 Rural zone. We have not received any letters of support or
16 opposition for this case. It is located in the southeast
17 corner of Overfield Road and McCartney Road, just west of
18 Coolidge, and the applicant is Sun State Towers. The subject
19 site is located just west of Coolidge and east of Casa Grande
20 as indicated by the red star. The subject site is located in
21 the southeast corner of McCartney Road and Overfield Road.
22 The site is zoned General Rural. General Rural is also around
23 the site to the north and east and south, and there's also
24 some commercial zoning and a - some residential zoning in the
25 area. The Comprehensive Plans designate this area as Moderate

1 Low Density Residential with these types of facilities. The
2 existing zoning is GR. The site is currently being used by
3 our regional fire and rescue as a fire station, and I also
4 believe that they have their administrative building there as
5 well. The site plan shows their ingress and egress off of
6 McCartney Road. The tower itself will be located like in the
7 southeast portion of the property, and the applicant is
8 proposing an eight foot block wall around that facility. And
9 this is looking at the east and west elevation. The tower is
10 100 foot tall, and then at the top you see the 21 foot whip
11 antenna that's going to be used by the fire station, the fire
12 department. This is the coverage map. On the left-hand side,
13 that's the current coverage. The Board did approve the
14 Henness site that's just off - just east of Interstate 10.
15 And then the picture on the right is what it looks like after
16 this site would be - the tower would be installed at this
17 site. The photos were taken on Overfield Road. And this is
18 looking north towards McCartney Road. This is looking east at
19 the subject site. Just directly behind the truck there on the
20 picture I believe is their administrative building, and the
21 proposed tower would be located behind that. And this is
22 looking south down Overfield. And this is looking west, and I
23 believe the property shown in this picture is zoned
24 commercial. Staff does have some concerns with the proposal;
25 one being that there's no stealth design, and also no

1 sufficient evidence that multiple shorter towers would
2 accommodate stealth design is not possible, and no gap in
3 coverage. Staff recommendation for this case is for denial,
4 but should the Commission want to make a recommendation of
5 approval, staff has included ten stipulations. And that
6 concludes staff's presentation.

7 RIGGINS: Okay. Any questions from the Commission
8 to staff? None being, we'll go ahead -

9 SMYRES: I have a question.

10 RIGGINS: Oh, I'm sorry, I'm sorry. Commissioner
11 Smyres.

12 SMYRES: Dedrick, on your stipulation number seven,
13 you're saying at least three additional commercial wireless
14 users. When we look at this, are we looking at the tower by
15 itself with rescue as the primary user, and then Verizon would
16 be the secondary, and then two other people, possibly? Or is
17 it Verizon and fire rescue one unit?

18 DENTON: It's going to be Verizon. They're going to
19 be erecting the communication facilities, and they're going to
20 put their antennas, and then the fire department's going to
21 put up their whip antenna. And then the stip just means that
22 three other providers can collocate on that tower.

23 SMYRES: So you're saying there could be a total of
24 five then, is that -

25 DENTON: There could be a total of four, plus the

1 whip antenna.

2 SMYRES: Any stipulation or concerns that there
3 could be more than that?

4 DENTON: No, because it's limited to three.

5 SMYRES: My question is later on, somewhere in here,
6 we're saying we're trying to minimize the possibility of other
7 towers around, so could this tower accommodate more than the
8 three or four that we're looking at here, or is that a
9 structural thing that -

10 DENTON: Yeah, it would be structural, depending on
11 what load that the tower can handle.

12 SMYRES: Okay. Thank you.

13 DENTON: So we want at least like three on the site
14 if it does go forward.

15 SMYRES: Okay, thank you.

16 RIGGINS: Okay. Any other questions from the
17 Commission, to staff? None being, let's go ahead and open up
18 the public portion of the hearing and have the applicant come
19 up and explain his case to us. If you could please sign your
20 name and address.

21 WARD: Sure. Good morning Chairman, Members of the
22 Commission.

23 RIGGINS: Morning.

24 WARD: My name's Chad Ward. I represent Pinnacle
25 Consulting who represents the applicant, Sun State and

1 Verizon. (Inaudible).

2 DENTON: I'm getting there.

3 WARD: I'll give him a second to go ahead and load
4 it.

5 DENTON: It'll be one moment.

6 WARD: Oh there it goes. All right, there we go.
7 So real quick, I'll just go over the project summary real
8 quick as staff already went over. We're proposing 100 foot
9 monopole. Primary use is going to be for the initial
10 commercial carrier Verizon Wireless, and also for the fire
11 department for a 21 foot whip antenna to help with their
12 communications internally. Proposed compound will be
13 surrounded by an eight foot block wall to help screen the
14 equipment that's located on the ground. Verizon will have a
15 equipment cabinet and a backup generator. Panel array, we're
16 looking at 12 panel antennas. This proposed site will provide
17 4G LTE coverage to the area. Tower and compound space, will
18 provide structural capacity and space for future carriers as
19 provided in the stipulations which I'll address later.
20 Project location, which we already kind of looked at with
21 staff in their presentation. Blown up view. Then project
22 justification. So this project does fill a significant gap in
23 coverage. This particular area we have a - some coverage
24 problems and we also have some capacity problems. As Pinal
25 County continues to grow, there are more users using this

1 system, and this is the same type of scenario that we were
2 before you guys a couple weeks ago with the other project
3 located off of I-10. I also have a Verizon RF engineer who's
4 agreed to speak after myself to answer any questions regarding
5 coverage or the engineering and why - who, what when and why
6 we're here. We believe this proposed project is designed as
7 the least intrusive means to solve the coverage and capacity
8 problems for the immediate area. This is kind of a blend
9 between providing a solution for Verizon as a commercial
10 carrier, and also the fire department as a public safety unit.
11 This project is part of a larger investment in Verizon
12 Wireless for the Pinal County Casa Grande area. I believe you
13 guys saw in the last presentation we are looking at several
14 projects in the immediate area, several of which are approved,
15 one of which are under construction over the next 18 months or
16 so. We are looking to build four or five projects in the area
17 to help with the coverage. Just a quick note on data growth.
18 This is pulled off of recent data. Handset mobile data in the
19 U.S. is expected to grow 650 percent by 2018, so you know, by
20 the time this site's built, you know, we're looking at
21 capacity problems that are going to continue to grow. Tablet
22 growth expected to be 370 percent during the same period. So
23 as you can see, the growth and the usage is not slowing down.
24 We've seen this type of growth over the previous five years,
25 even more so, so you know, the carriers are continually trying

1 to find ways to solve the capacity and the coverage problems.
2 The benefits. Numerous benefits from approved coverage and
3 capacity for new wireless infrastructure. Emergency services.
4 Obviously this is on somebody that provides emergency services
5 to the area, so that is definitely a benefit. You've got some
6 statistics from the Federal Communications Commission. More
7 than 70 percent of 911 calls are made from cellphones, and
8 that number's just growing as people continue to unplug.
9 First responders. Many first responders now use cellphone GPS
10 in their mobile laptops or tablets to locate an address to
11 where the call originated from. This is pretty prevalent in
12 many first responders throughout the country. Law enforcement
13 and border patrol also rely heavily on wireless communications
14 to protect and serve the communities, and everyone from
15 residents, businesses and visitors benefit from improved
16 communications. You can't really see this letter too well.
17 Hopefully it's part of your packet. This letter was written
18 by the chief to Pinal County Planning and Zoning. If you
19 don't have a letter, I can make sure that the staff gets it to
20 you. This is basically going over their needs for the - their
21 improved communications which is, you know, part of this
22 project of why we're going on this property is to help them,
23 in addition to the commercial carrier. Again, if you don't
24 have that letter, please let me know or let staff know. No
25 stealth design. This area is not really conducive to stealth

1 design. There is limited vegetation, there's lack of existing
2 infrastructure, and there is requirements needed by the fire
3 department for their equipment as well, so this is kind of a
4 blend of what would work for Verizon and for the fire
5 department. That's why we came up with this current design.
6 The applicant has not provided sufficient information that
7 multiple shorter towers would accommodate stealth design is
8 not possible. The chief can also talk to you a little bit
9 about his technological needs, and I also have a Verizon
10 engineer to talk about why multiple shorter towers in this
11 particular area is not a solution. No coverage gap. I don't
12 believe that staff is able to make that determination of
13 coverage gap or lack - or capacity issue as defined as a
14 coverage gap, as well. That's why we're here. You know,
15 Verizon's not going to spend the money for this infrastructure
16 if there wasn't a real need for it. Here's a quick map on
17 some of the other locations that we are looking to install.
18 The dots in yellow, the one to the north, that was a site that
19 was approved by the Board of Supervisors recently. That site
20 should be installed and operating, we're thinking either late
21 2016 or early 2017. The one to the south is actually in Casa
22 Grande. That site is under construction right now. And then
23 you've got another site to the east and south of this
24 particular application, which is also in Casa Grande
25 jurisdiction. That site is scheduled to go to zoning in

1 January. If approved, applicant does agree with all the
2 stipulations provided in the Planning and Zoning staff report.
3 The final statements. We request that SUP-011-15 be
4 recommended for approval by the Pinal County Planning and
5 Zoning Commission because the project fills a significant gap
6 in coverage/capacity for Verizon Wireless. The design for
7 SUP-011-15 is the least intrusive means to fill the
8 significant gap in coverage and capacity, and it conforms to
9 Chapters 3, 4 and 5 of Pinal County General Plan for the
10 adequate telecommunications networks and infrastructures for
11 the area. With that, I'll wrap that up and if you guys have
12 any questions for me, happy to answer them or I can certainly,
13 if they're engineering questions, bring the Verizon engineer
14 up to answer those as well.

15 RIGGINS: Thank you very much. Commission Members.

16 SMYRES: Mr. Chair?

17 RIGGINS: Commissioner Smyres.

18 SMYRES: Of the other towers that Sun State has in
19 Pinal County, are any of them this 100 foot tower?

20 WARD: The site to the north that just went through
21 P and Z, got recommended for denial, Board of Supervisors
22 approved, is I believe, 120 feet.

23 SMYRES: Of the other towers that's under
24 construction or in process -

25 WARD: The one over in Casa Grande, I believe is 80

1 feet. So it really depends on the area, and you know, whether
2 the sites are close by there.

3 SMYRES: The other towers that are under
4 consideration, are they to be the stealth design, or are they
5 to be a monopole?

6 WARD: There' all - we're looking at monopoles right
7 now. The one to the north is a monopole as well. A lot of
8 times, you know, if you want to accommodate multiple carriers
9 on a tower, the stealth design is not really adequate. And in
10 this particular case where we had to do work with the fire
11 department to incorporate their equipment, this is definitely
12 the best solution for that. You've got a large whip antenna
13 that needs to go up above our equipment.

14 SMYRES: Thank you.

15 WARD: Yep.

16 RIGGINS: Commissioner Gutierrez.

17 GUTIERREZ: Yes sir, you're talking about the
18 coverage gap, can you explain that coverage gap and how it
19 would increase the coverage?

20 WARD: Yeah, I'll defer any coverage questions to
21 the Verizon engineer. If there's any more like why we picked
22 this site or any design stuff, I can answer those. If not, I
23 can certainly bring the engineer up here and he can answer
24 your questions.

25 GUTIERREZ: Okay, I had another one regarding the

1 design there. On the - you talked about the stealth design
2 and stuff, you're talking about - and just for clarification -
3 you're talking about like the palm tree looking thing and
4 stuff. What limits that from, from being used on something
5 like that?

6 RIGGINS: Typically 100 foot palm tree looks a
7 little bit out of place. You know, those types of facilities
8 - and I believe you do see some here in Pinal County - a lot
9 of times they're just not designed to accommodate, you know,
10 the future arrays, and that actually kind of defeats the
11 purpose. You know, if you're building a structure that you
12 want to just accommodate multiple carriers, ideally you just
13 go with a monopole which is, you know, what we've designed
14 here. If you're looking for a monopalm, that's typically a
15 single carrier project, because if you start adding additional
16 antennas, you've got them kind of going down the trunk, and it
17 defeats the purpose of it. You know, it's like why do a
18 stealth if that's what you're going to do with it.

19 GUTIERREZ: Okay. And then one other question. On
20 the design that you showed in the packet, you know, it's the
21 monopole with the antennas around it and stuff, if four other
22 carriers get contracted to use that same pole, are there going
23 to be more antennas wrapped around that?

24 WARD: Yeah, so each carrier's equipment is
25 essentially their own. It doesn't - they don't pass through

1 or share antennas, you know, necessarily frequencies. These -
2 each antenna is designed to broadcast a certain frequency,
3 which is that license is held by the FCC by that particular
4 carrier. So, you know, we will design this tower to
5 accommodate at least three additional wireless communication
6 carriers on the tower in addition to the fire station's
7 equipment, but yeah, to answer your question, there will be
8 additional antenna arrays, if they go on it.

9 GUTIERREZ: And will those antenna arrays be of
10 similar design or are they gonna, you know, in other words is
11 it going to get uglier and uglier as it - as the system grows?

12 WARD: Most of them are pretty, pretty standard in
13 what they want. You know, Verizon is running multiple
14 frequencies through each site, you know, to accommodate all
15 the users and the different technologies that we use. Every
16 carrier's got a different spectrum frequency, so you know,
17 their antennas or arrays are looking very similar. I mean
18 some of them may only put up three per sector, Verizon's
19 putting up four. I've seen some put up two, it just depends
20 on what their needs are for that particular area. I don't see
21 it getting any bigger than what Verizon's putting up, though,
22 to answer your question.

23 GUTIERREZ: Okay, but are they going to be the same,
24 the same design, same configuration, you know, where they're
25 kind of round like this, or are they going to be the -

1 WARD: Yeah, the three sector design is what we call
2 it, you know, where you've got different azimuths. Each one,
3 each sector's a different azimuth. Each sector has their two
4 to four antennas on it. That's pretty standard for each
5 carrier.

6 GUTIERREZ: Okay. Thank you.

7 RIGGINS: Steve, are you -

8 ABRAHAM: Yes, please.

9 RIGGINS: Yes.

10 ABRAHAM: Chad, could you talk to the Commission
11 about the FCC rules that allow colocations to go out? I can't
12 remember the numbers. It's 20 percent or 20 feet from - and
13 the County can't actually control that on a colocation.

14 WARD: Right. So any towers that are already up and
15 any towers that are going up, the FCC as part of, I believe
16 it's 6409, the tax relief act - I don't know why it was lumped
17 in with that - but, it allows for any commination site to be
18 expanded, I believe 20 feet.

19 ABRAHAM: I think that's what it was, yeah.

20 WARD: If needed, which that doesn't really apply in
21 this - I don't know. I've never seen it where you go out
22 farther than, you know, than they already are. But it allows
23 you to go out horizontally, and then it allows it to go up, I
24 believe it's ten percent or 20 feet, whichever is greater. So
25 these towers, you know, if they wanted to, they could come in

1 and extend them, you know, essentially, you know, and the
2 County can review the application, but it really is just an
3 engineering concern. So that goes for any tower that you guys
4 have up today, and this is nationwide. That's part of that
5 law, and I would suggest, you know, if you want more details
6 on that, you talk to your County Attorney. I can certainly
7 help them with the information.

8 RIGGINS: Just a question of mine on that concern,
9 obviously there's only so many things you can hang on a tower
10 of this sort and you - you're not going to build it originally
11 to the strength that allows anything to go up there, because
12 it would be too expensive from the beginning, so you're
13 limited to an certain extent in wind load.

14 WARD: Yeah, I mean this - the wind loading and
15 also, you know, the current IDC standards, you know, you have
16 to design to that. This was done to basically help facilitate
17 colocations that we haven't really seen it be that big of a
18 problem in Arizona jurisdictions, but in California and some
19 other jurisdictions where they've had problems even getting -
20 let's say this tower's up and you've got AT&T that wants to
21 come through; we've had jurisdictions, or, you know, there are
22 jurisdictions that have held up a simple colocation for 12
23 months, you know, trying to run them through the zoning
24 process and it's - the government's trying to facilitate the
25 broadband and 4G coverage to, you know, more people. So that

1 was the main goal of that is to basically say you can't really
2 deny it, we'll allow you to review the application, and here's
3 the criteria on it. Most of the times if you came back to try
4 and retrofit a tower that wasn't designed for a 20 foot
5 extension, you're going to spend as much as it would cost to
6 build a new site, a new tower, to try and reverse engineer it.
7 So I haven't really seen that be used too much in Arizona.
8 The thing that carriers will use is the, the, you know, to get
9 a collocation on, you can't really say anything about it. Or
10 if they come back to modify antennas or stuff like that. That
11 was a lot of the reason behind it, is you know, when they're
12 switching technologies to 4G, from 3G to 4G a couple years
13 ago, there was a lot of jurisdictions that were holding up
14 applications because the antennas were getting bigger. So
15 this was - that was the goal of that act is to basically say
16 hey, if the tower's already up, the antenna's are getting a
17 little bit bigger, we - you know, the federal government
18 doesn't see that as a real issue, local jurisdictions can't
19 really hold these applications up for that sort of thing.

20 RIGGINS: Okay. Any other Commission Members with
21 questions or comments?

22 MORITZ: Mr. Chairman?

23 RIGGINS: Commissioner Moritz.

24 MORITZ: I'm really pleased that you're thinking in
25 advance of the need, because as we do in streets and highways

1 after the demand has become so debilitating, then we try to do
2 something about it, and I'm very big on providing proper
3 coverage for emergency awareness and notification, and I -
4 it's difficult because these are necessary evils, and they
5 look terrible in the landscape, and yet they're needed. So I
6 just want to mention that I think the advanced planning is a
7 big plus, and it will keep getting taller and taller with
8 them. And I think that's part of our issue is that they do
9 get - with the 120 that we heard previously, when will that
10 stop?

11 WARD: So typically it depends on the areas. You
12 know, and I hate to bring up, you know, Phoenix Metro or
13 Tucson Metro, but I mean most of those sites are 45 to 50 feet
14 these days - any of the new ones that we're putting in. Yeah,
15 as the area gets more dense, there's more sites that are
16 needed to basically handle the coverage and provide a seamless
17 handoff from site to site. The towers, as they get closer
18 together, they get lower. So the one that we just went
19 through the Board of Supervisors on, that's a highway site.
20 You know, you're trying to bridge the gap between a site
21 that's five miles north of that and another one that's, you
22 know, four or five miles south. So this particular one, you
23 know, as you see more dense areas in Pinal County, they'll
24 start getting shorter. You know, the Pinal County growth, I
25 know, is picking up. There's some new developments and stuff

1 going on, so you'll start seeing some of that stuff get
2 shorter with the more stealth stuff. You know, we've got a
3 project that'll be coming through in a couple months out in
4 SaddleBrooke. You know, we're looking at a couple of
5 cactuses, you know, because we're in a community and we're
6 trying to cover a specific area, so it really just depends on
7 the application and the location. So you will start seeing,
8 as Pinal County continues to grow, you'll start seeing a mix
9 of them. You know, the stuff that's still kind of rural and
10 highway coverage, they are still kind of tall. But as you get
11 into more dense urban areas, you'll start to see the stuff be
12 more of a stealth, smaller design.

13 RIGGINS: Vice Chairman Hartman.

14 HARTMAN: As I'm driving from Casa Grande over
15 Signal Peak towards Florence, I noticed on the boundary line
16 of the Gila River Community and Pinal County at Blackwater,
17 south of Blackwater, a cell tower that I hadn't really noticed
18 before, and I've got cell towers on my mind so I'm looking.

19 WARD: Right.

20 HARTMAN: And this is a really a tall cell tower,
21 and as I went (inaudible).

22 WARD: Is it on Gila River property?

23 HARTMAN: Pardon?

24 WARD: Is it on Gila River property?

25 HARTMAN: It could be on Gila River property.

1 WARD: Yeah.

2 HARTMAN: My question is does Verizon - I am a
3 Verizon user, and as I went through the mountain Signal Peak,
4 the last time - normally I get cut off, but last time - last
5 month when I went that, through the pass there, I didn't get
6 cut off. So is that a Verizon tower also?

7 WARD: That could be. I actually work on some of
8 the Gila River projects. Without looking at a map, I couldn't
9 tell you off the top of my head, but Verizon is working with
10 the Gila River to provide coverage in the areas where the land
11 is primarily owned by Gila River. So that very well could be.

12 HARTMAN: What height is that tower? You - it's
13 pretty obvious.

14 WARD: I'd have to see a map to tell you on that
15 one. Is it a monopole or is it more of the lattice one?

16 HARTMAN: Monopole. Well it's a lattice, actually,
17 I think. Lattice.

18 WARD: Okay. I'd have to see a map to tell you on
19 that one.

20 HARTMAN: It's probably taller than 100 feet, I
21 would imagine.

22 WARD: That one might be 150.

23 HARTMAN: Yeah.

24 WARD: I'm not sure. You know, again, if we're
25 trying to cover, you know, kind of throw a wide net, cast a

1 wide net if you will, you know, we got to go a little bit
2 taller. Where you're just trying to cover not maybe a real
3 populated area, but maybe some highway coverage, or some
4 secondary highway coverage, you will see some taller sites.

5 HARTMAN: All right, thank you.

6 WARD: Yep.

7 RIGGINS: (Inaudible).

8 SALAS: Are you going to have any in (inaudible) by
9 those mountains that are behind the college there that
10 backdrop the hills, the mountains, whatever you want to call
11 them, in line with your pole that's supposed to be
12 constructed? There's no interference there?

13 WARD: This particular site?

14 SALAS: Yeah.

15 WARD: No, there - we won't have any interference.
16 We orientate the antennas on that sector design, like I
17 mentioned, so that, you know, we get the - you know, so that
18 they're most beneficial for what the, what the need is, so
19 there won't be any interference from that.

20 SALAS: Thank you.

21 RIGGINS: Commissioner Gutierrez.

22 GUTIERREZ: One quick question. And you might have
23 already touched on this, but how many more of these tall poles
24 are you going to be proposing?

25 WARD: If I had a crystal ball, I would love to tell

1 you. You know, it's a - I've been doing this for almost 15
2 years and, you know, ten years ago we thought it was done, and
3 then, you know, with the data explosion, you know, it's really
4 hard to say. And then if you read any of the stuff in the
5 news or anything that's coming, I mean we've got connected
6 cars, connected houses, I mean the - I hate - I'd hate to say
7 I could even tell you. You know, it really, you know, where
8 we're going to be at in five years or ten years with
9 technology, it's really anybody's guess. I mean things will
10 be definitely automated. They'll be looking for seamless
11 coverage. You know, a lot of people will be dropping their
12 landlines and stuff like that. So it's really hard to say. I
13 can ask, you know, we can bring the RF Engineer and see if
14 he's got any idea of any future plans for this particular
15 area, but other than that, I can't really advise you guys on
16 that.

17 MORITZ: Mr. Chairman?

18 RIGGINS: Commissioner Moritz.

19 MORITZ: I do have a question on the surrounding
20 area. Now, if I remember correctly in the reading, there were
21 no letters of opposition or in favor of.

22 WARD: Correct.

23 MORITZ: What are those buildings that surround that
24 property?

25 WARD: Like the east?

1 MORITZ: Well, there's three areas. They're not
2 residential. It's not zoned -

3 WARD: They don't look like it. They look like
4 maybe some storage areas. We did have a neighborhood meeting
5 and a couple people did show up. They didn't voice any
6 concerns about the property.

7 MORITZ: Okay, thanks.

8 RIGGINS: Commissioners? I would like to make a
9 comment concerning the statement of stealth designs.

10 WARD: Yeah.

11 RIGGINS: West of Las Vegas on the Blue Diamond
12 Highway, a similar demographic to this, a fairly open rural,
13 flattish area with scattered homes and couple little
14 businesses here and there, and on that highway they have it
15 very, very tall monospruce.

16 WARD: Really?

17 RIGGINS: And if somebody had tried to make
18 something stick out like a sore thumb worse, they couldn't
19 have done it.

20 WARD: Right.

21 RIGGINS: You go by and you go good - so I think
22 sometimes on these very tall designs when you try to make them
23 stealth, you make them obvious.

24 WARD: I agree.

25 RIGGINS: And I think that's - I think it's a fair

1 statement, because I've seen it done that way and it looks
2 silly.

3 WARD: I've seen, I've seen, you know, cypress trees
4 and stuff like that going into Albuquerque that blend in
5 really well. Pine trees, up in Flagstaff? Yeah, those look
6 great. You know, in this particular area and other rural
7 areas, I mean there's just not anything that you can really
8 build that's going to really look that well. I mean it's
9 like, you know, a new utility line coming in, you know, for
10 APS or whomever, I mean you've got to serve the homes, you
11 know, we need to serve the businesses and the people that are
12 using the service, and unfortunately sometimes it's a utility,
13 it's a necessary evil as you mentioned.

14 SALAS: Then the saguaro would look out of place.

15 RIGGINS: Yeah, 100 foot saguaro would be
16 (inaudible).

17 WARD: Yeah, that'd be the biggest one ever, right?

18 RIGGINS: Okay. Any other questions whatsoever?

19 Thank you very much.

20 WARD: Yeah. I'll bring Nikkil up, he's the Verizon
21 engineer and he can answer any engineering questions that you
22 or anybody else on the Commission may have.

23 RIGGINS: Okay.

24 WARD: Thanks.

25 RIGGINS: Thank you. Good morning, sir. If you

1 could please enter your name and address.

2 JADNAV: Good morning, Mr. Chairman. My name is
3 Nikkil Jadnav. I'm Verizon network representative. I work
4 out of the Tempe office at 126 West Gemini Drive in Tempe,
5 Arizona.

6 RIGGINS: Are we all waiting for technical things
7 here, is - okay. I thought maybe just everybody got frozen
8 there for a second.

9 DENTON: The computer's frozen.

10 JADNAV: Okay. Thank you, sir. So this is the
11 proposed location where Verizon needs coverage, as well as
12 capacity issues resolved, and that's where Verizon is
13 proposing the AZ5 Overfield Fire - Overfield Fire Rescue site.
14 Next slide will actually depict the exact need as to why
15 Verizon shows there is a coverage gap.

16 ???: It's working over here.

17 JADNAV: Oh, okay.

18 ???: Shut it down and reload it.

19 RIGGINS: We're back to that.

20 ABRAHAM: We're going to reboot the modem.

21 JADNAV: Okay.

22 ABRAHAM: Reload the presentation and see if that
23 works.

24 RIGGINS: We have those, but I - if - you probably
25 want your visuals while you're making -

1 JADNAV: Yes.

2 RIGGINS: If they can get it rebooted, we should -

3 ABRAHAM: Okay.

4 RIGGINS: Okay. There we are.

5 JADNAV: So the blue areas and the red areas on the
6 map basically depict - the blue areas will depict marginal to
7 none data coverage anywhere, and the red areas is marginal to
8 none data coverage in building. And that is precisely the
9 reason why Verizon wants to propose the cell tower at that
10 location. So it's not just a coverage gap, it's also a
11 capacity need. As a Board Member Moritz pointed out, that
12 planning ahead is something that Verizon has to do. We not
13 only look for our current needs for our subscribers, we have
14 to plan for two to three years out, because every time we try
15 to build a new facility, a new tower, 18 to 24 months is the
16 build cycle. So as listed here, you have about 11 sectors,
17 which is about five to six different tower locations in about
18 ten mile radius that are currently serving overall a broader
19 area and trying to satisfy the data needs of the customers.
20 They will be exhausted in terms of how much data they can
21 support by either 2016 or 2017. Most of these surrounding
22 sites have a higher center line, and next slide will basically
23 depict exactly how much high. And engineering perspective,
24 it's really impossible if I have one tower existing, right
25 there on top a 250 foot tower, and if I try to put another

1 tower next to it, a stealth design or whatever at 50 feet, I
2 would not be able to offload the traffic off of that tower.
3 So then that one tower at 250 feet or the other tower at 200
4 feet, these are old towers that have been there, they will not
5 be able to offload their traffic and they would continue to
6 get the problem day in and day out. So like what Chairman -
7 Member Moritz was supporting, or stating initially, when would
8 we go to lower center lines, is when we get more and more of
9 these towers. That's when we can control our coverage to the
10 areas where each tower only has to serve a smaller area, and
11 then the newer towers that are required. The reason we
12 require new towers is not coverage, it's more of capacity
13 because every tower can only support a certain number of
14 users, and each user demands a certain amount of data. And so
15 more and more data's being demanded, that's why we have to put
16 more towers. But the future towers - so as you can see, we
17 used to build 200 foot towers, now we're building 100 foot
18 towers. So in the future we'll be building 50 foot towers,
19 like they're doing in Tucson or Phoenix. Most of our new
20 towers are 50 foot, 40 foot, because most of the towers are
21 only a mile apart, or even less than a mile apart, and in
22 those cases, we can do stealth designs, but not in this case.
23 So in the next slide, this site basically will serve the
24 purpose of enhancing data coverage, not just to the fire
25 station, but also to the (inaudible) campus that resides just

1 to the north of the location of the site. And in addition to
2 resolving the data needs of the users now and two years down
3 the road, it will also be able to sustain the growth in
4 future. So this is part of a plan so that Verizon doesn't
5 have to come back in the area again two years down the road.
6 So this would probably be a four or five year solution for the
7 area, and that's why we're proposing that. As I stated
8 earlier, the reason for a higher center line and not going
9 with the stealth, is because of the surrounding sites and to
10 have a proper offload with the surrounding sites, and hence
11 the shorter stealth structures in this case are not possible.
12 And like Chad mentioned, when we go with stealth structures,
13 it really negates the possibility of having colocaters,
14 because even if you go with monopalms or cactuses, or
15 monopoles - sorry, monopalms and cactuses or flat poles, then
16 it limits you to just having one carrier on that stealth
17 structure. So to summarize, this is a - this is part of -
18 this is not just a single - actually the next slide, this is
19 not just a single solution for the area. As you can see, AZ5
20 Hennes, which was just approved by the Board last month, and
21 there are few other solutions that are planned in this area,
22 so we are trying to get to a point where we have more and more
23 solutions already in place, so in future, five years down the
24 road when we come back to revisit the area, we're not asking
25 for 100 foot center lines, we're probably asking for 50-60

1 foot center lines. But for now, we have proposed about four
2 or five sites in different areas to overall improve the data
3 coverage in the entire Pinal County and the surrounding areas,
4 and to support the high demand of traffic. And that's
5 basically why we are asking for a 95 foot center line here
6 that takes up the tower to be at 100 foot, and then the 21
7 foot whip antenna that has to go on the top. At this point I
8 will open it for any questions that you guys may have.

9 RIGGINS: Thank you. Commissioner Members?
10 Commissioner Gutierrez.

11 GUTIERREZ: I've got one quick one here for you.
12 You answered a lot of questions during your presentation that
13 I had.

14 JADNAV: Thank you.

15 GUTIERREZ: Regarding the coverage and stuff, and I
16 have worked in public safety, so there's nothing more
17 frustrating than having poor coverage or real weak coverage,
18 or no coverage. The question regarding the coverage, you have
19 - excuse my ignorance on this - but you have like with this
20 one big antenna, and you're going to have a certain amount of
21 coverage, at the edge of that coverage, is that where another
22 antenna would theoretically be placed in order to continue to
23 transmit out?

24 JADNAV: Theoretically, yes. So the way we design
25 sites like Chad mentioned, every provider will have like a

1 three sector array, so we kind of try to get the entire 360
2 with three different direction of antennas, and so each
3 antenna has its kind of direction of propagation, and so let's
4 say if this is one point antenna, it tries to cover close to
5 120 degrees in the horizontal plane, and right where that
6 propagation or that coverage boundary ends, the other sector's
7 antenna will start picking up. So that if let's say in theory
8 if a user wants to go in circle around the site, the user will
9 have a seamless coverage or seamless experience as anybody
10 goes around the site.

11 GUTIERREZ: Okay. So once, once - I mean it's kind
12 of talking about the future - but once you have that 360
13 degree coverage, then you would start setting up other
14 repeaters, basically, or antenna arrays (inaudible).

15 JADNAV: Yes, other sites, so right now as you saw
16 on that map, we had some existing sites, right? So there is
17 some coverage that's still getting in here in this area. It's
18 not like it's completely blank. However, the problem is the
19 coverage that gets in here, the quality of the coverage is so
20 weak that when users try to get - if you try to just get on a
21 voice call, you might be fine. But when you try to make a
22 data session, when you try to open up say a FaceTime, or go on
23 Skype, or try to, you know, browse an app over your
24 smartphone, then you might experience issues. Might be slow,
25 sometimes it may not work. And so more - because - and that's

1 because when I, when I explain a sector, a sector can only
2 support a certain amount of data. So ten years ago, there
3 were only X-number of users in the area. Now with growth,
4 there are more users and they're demanding ten times more of
5 the data, which that existing sector cannot support. So as
6 the growth keeps happening, we'll have to tackle it with more
7 and more sites around it.

8 GUTIERREZ: Okay. Thank you.

9 RIGGINS: Vice Chair Hartman.

10 HARTMAN: Chair Riggins. I - this is a question on
11 - it's simple if I knew what it meant, but the acronyms like
12 LTE, RSRP, what does that stand for?

13 JADNAV: LTE is basically what we call the 4G data
14 technology. That's - the engineering abbreviation for that is
15 LTE, long term evolution. That's the engineering standard.
16 Just like in the old days we had analog and then we had CDMA.
17 Same way we have LTE now. So that's just a technology
18 standard name that came up. RSRP is received signal strength.
19 So when a cellphone is trying to look at what signal it's
20 receiving, that's a depiction of signal - that's a depiction
21 of received power.

22 HARTMAN: All right, thank you.

23 RIGGINS: Commission Members, any -

24 SALAS: We need a glossary in here.

25 RIGGINS: Any other questions or comments? In that

1 case, thank you very much.

2 JADNAV: Thank you for the opportunity for speaking.

3 RIGGINS: Okay. Do we have any other - anybody else
4 wish to speak for this application?

5 SALAS: Mr. Chairman?

6 RIGGINS: A comment here?

7 SALAS: Staff, on the heels of denial on the
8 previous application approved by the Supervisors, now we have
9 another denial here, which I probably - you know, I feel the
10 probably the Supervisors are going to approve it anyway, I
11 would like a little more explanation from the staff to why
12 they're recommending denial on this one.

13 RIGGINS: If we could, Commissioner Salas, if we
14 could, could we do that when we close the public meeting?

15 SALAS: Sure.

16 RIGGINS: Okay, we'll come right back to that.

17 SALAS: Okay.

18 RIGGINS: We'll come right back to that, but let's -
19 would you like to come and speak? Yes, please, come up. And
20 if you could please put your name and address down?

21 PUTZ: Thank you. I'm kind of disappointed that we
22 don't have any community members. We are a rural area, but
23 we're still people there, we live there, and this is - they're
24 going to put a cell tower there. I'm not only concerned about
25 how it's going to look, I'm concerned about the property

1 (inaudible), I'm concerned about my health being right in
2 under this tower. And I - I'm not real, real knowledge about
3 this, but I can tell you I would not go and buy a home that's
4 within a few hundred feet of this - a cell tower. That would
5 not be my choice. And I'm, like I said, I'm surprised that we
6 don't have more community objection to this. I understand
7 that communication is a big thing, but I'm the person that all
8 these waves are going to go through because I live there and
9 this is a concern to me and we smile, but that's - in reality
10 that's I don't think - I think - I would like a cell tower,
11 but maybe not near my house. Not within - I'm within that
12 whip area, where the circle is and I'm really concerned about
13 this. I guess that's -

14 RIGGINS: Okay, very good. Before you step down,
15 Commission Members, any comments or questions to the speaker?
16 Okay. Thank you very much.

17 MORITZ: Oh Mr. Chairman.

18 RIGGINS: Pardon me, pardon me, Commissioner Moritz.

19 MORITZ: Hi. And I sympathize with your, your
20 situation. It is a difficult one. Progress and visions and
21 personal areas. How far are you from the proposed site?

22 PUTZ: I'm one street - I don't know how many feet,
23 but I'm on the street and over, and I'm in that circle they
24 drew on the map.

25 MORITZ: Okay. All right. Thank you.

1 ABRAHAM: Ma'am, can you sign in and give us your
2 name?

3 RIGGINS: Did you sign in on the -

4 PUTZ: (Inaudible).

5 RIGGINS: You already did, thank you. Okay, very
6 good. Thank you very much. Anybody else? Yes please, come
7 forward. And if you could likewise put your name and -

8 KERBER: Yes, it's already there, Commissioner,
9 thank you. Members of the Board, thank you very much. I
10 apologize for the length of the meeting this morning, but I
11 certainly appreciate and I'm appreciative that they answered
12 all your questions. I'm here to address, obviously, my letter
13 that I provided in the packet. Along with my letter I
14 included the TICP, or Tactical Inoperability Communications
15 Plan that was commissioned by the County. To give you a
16 little background, we've been on the property for 20 years.
17 We started without our own frequency. Within about a year or
18 so, we obtained our own frequency. In 2007, we obtained our
19 own narrow band, as everybody was required to reduce the
20 footprint of their frequencies and get a repeater. That was
21 funded through a FEMA grant. We located our repeater in
22 central Casa Grande, on top of an Arizona Water Company water
23 tank on Burgess Peak, or the Otter Slides, if anybody knew
24 there the Otter Slides - Mr. Hartman is acknowledging. But
25 that is basically Cottonwood and Thornton area, just north of

1 that. They had the water tank with a lattice tower, Arizona
2 Water Company wasn't using the tower anymore, we were able to
3 locate our antenna and add a cabinet to store our equipment
4 and establish a repeater. The repeater since 2007 has been in
5 use and we've recognized over that length of time the
6 diminished area of coverage to the east. The reason we have
7 effective area of coverage to the west is because it rises up
8 a little bit in elevation. Now we don't serve areas west of
9 Casa Grande necessarily, but we cover Highway 84 and
10 Interstate 8, all the way to the Pinal County/Maricopa County
11 line for the highway patrol. So when we're out there on the
12 highway, we actually have to turn our bodies so the antenna's
13 in the direction of Casa Grande, we get through just fine. As
14 the engineer was showing you on the coverage map where there
15 were shadow areas where there's insufficient coverage, one of
16 our primary concerns that obviously is evidenced by that map
17 and the coverage in the footprint, is that Central Arizona
18 College, it has roughly about 1200 to 1500 people there daily.
19 Again, granted they say that admissions are lower and they're
20 more distributed because of Maricopa and Signa - San Tan
21 Valley campuses, there are roughly 1200 to 1500 people there
22 daily. When in the past 20 years we responded to the college,
23 we cannot get out on a cellphone, or we have to move around
24 until we find a position where we can capture a signal to
25 contact the base hospital, Casa Grande Regional, or now Banner

1 Casa Grande. If we have an important medical emergency, we
2 need medical direction, or we need to document an informed
3 patient refusal, refusal of transport, we have to contact the
4 hospital and we often have to seek a signal. One of the other
5 disparaging situations is the police department at the
6 college. The police department relies on their own personal
7 cellphones to contact us for a fire or medical emergency.
8 They too have the same difficulty. What I mentioned in the
9 letter was that from our station, we have to use a Statue of
10 Liberty pose. And I'm sure maybe you might have heard that
11 from the County and some of the infrastructure they're working
12 on with federal grants that they're receiving in order to
13 improve their communications, but you basically have to take
14 the radio off your hip and hold it up like the Statue of
15 Liberty to try and communicate. You can hit the repeater, but
16 the modulation is very weak and scratchy and it's hard for
17 people to hear what people are saying. So again, imagine a
18 situation where you would come upon somebody unconscious and
19 you have to do CPR and nobody calls 911. Nobody can
20 communicate. That is the, you know, imperative with regard to
21 firefighter safety and safety of the public overall in having
22 this enhanced tower. So when Verizon came and knocked on our
23 door and said that they wanted to locate a cell tower on our
24 facility, based on the establishment of the Pinal County Radio
25 Communication Consortium in 2010 that we became a member of,

1 federal engineering was contracted and commissioned by the
2 County, through grant funds, in order to do a County-wide
3 communications assessment. In that assessment which our
4 excerpt was included with the letter, and I hope it was
5 included in your packet, the TICP the federal engineering did,
6 identified those weak areas we have to the east, beginning
7 with our fire station and all the way up the CAC. Because
8 from CAC line of sight to Cottonwood and Thornton, we have
9 Black Mountain. So we also cannot communicate out of our
10 portable radios from Central Arizona College. We have to
11 switch over to the Coolidge - or I'm sorry, the CAC police
12 frequency, which only in the last year and a half they added a
13 repeater. So now we have to switch over when crews respond to
14 the college so we can communicate with them, they're not on
15 our frequency. The issues to the east, again, were 7.5 miles
16 east of our repeater. We can't get out at our fire station on
17 our portable radios. We respond all the way over to south of
18 Coolidge with not only Mary C. O'Brien School, county housing,
19 the fairgrounds, Pinal County Animal Control, Tierra Grande,
20 11 Mile Corner, 287, La Palma at 87, 287, Town of Randolph, we
21 cannot get out by portable radio and they have to go back to
22 the truck and use a mobile radio that has higher wattage in
23 order to reach the repeater to communicate. So I'm hoping if
24 you have any questions, we basically obtained the equipment
25 necessary to create a weak signal receiver. So we are now

1 putting a transmitter on this monopole that is 100 feet, we
2 are putting up a 21 foot fiberglass antenna. So the
3 fiberglass antenna at the base is probably the width of my
4 wrist, and as skinny as the flagpole behind you at 21 feet.
5 They also make them in a light blue color. We had an eight
6 foot fiberglass whip on a flagpole on the north side of our
7 living quarters that actually got blown down, but in the
8 middle of the day it was actually difficult to see that
9 portion. So the only thing that's really going to stand out
10 that is a concern with the public is the exact 100 feet of the
11 monopole. The fiberglass whip of 21 feet is kind of a moot
12 point, because it's not going to be visible during the
13 daytime. Another point is it's not high enough that the FCC
14 or the FAA would even require a strobe light or a red flashing
15 light at night. So it's under that limitation. Any height
16 less than 100 feet that we have now, diminishes the gains that
17 we will receive in the weak signal receiver, to be able to
18 pull that signal, run through the electronic equipment, run
19 through a phone line paired to the Burgess Peak location, and
20 instantaneously come out on that repeater. So again, it's a
21 safety issue for our firefighters, public safety
22 communications are going to be enhanced more than tenfold.
23 But I'm sure that as soon as we get the equipment installed,
24 we're going to be going out and canvassing the area, and
25 basically assessing the improvement that we have. Another

1 thing that I haven't seen the stipulations that have come from
2 the County, but the other thing that they generally stipulate
3 in all these situations with the cell towers, public safety
4 access. So the TICP evaluation that was done in 2013, the
5 results that came in in 2013, even the sheriff's office
6 utilized that in obtaining federal funds in order to improve
7 their communications. So right now this tower is not on their
8 radar because it doesn't exist, it's proposed. But again,
9 once this tower is in place, that is another opportunity for
10 public safety, not only with other local agencies or federal
11 agencies, but also with the sheriff's office, to enhance
12 digital radio communications. That's really about all I had
13 to highlight. Does the Chairman or the Commission have any
14 questions?

15 RIGGINS: Thank you very much. Commissioner Salas.

16 SALAS: In case this request fails and it's denied,
17 what is your Plan B?

18 KERBER: Our initial plan in applying to the FEMA
19 grant to get the \$25,000 that's mentioned in the letter for
20 improved radio equipment, we were going to have to buy a
21 lattice tower and put up a 50 foot tower in order to put that
22 weak signal receiver. Honestly, maybe it would have handled
23 the college and immediate vicinity of the station, but it
24 wouldn't have improved all of those areas I just listed going
25 east.

1 SALAS: So then you would put nothing in its place
2 then at this time? You're not considering anything else?

3 KERBER: No, that's all we can afford. Our annual
4 budget is only about \$380,000 and we are struggling, as many
5 other, you know, fire departments and fire districts are since
6 the recession, and that's the limit of our financial
7 capability. So we're blessed with the opportunity by Verizon
8 and Sun State Towers in this application, indeed.

9 RIGGINS: Vice Chair Hartman.

10 HARTMAN: Chair Riggins. But you mentioned the
11 benefit to the fire department, but there's also Pinal County
12 residents that probably will benefit from this tower from what
13 the description of coverage that we heard from Verizon.

14 KERBER: That's correct, Mr. Hartman. Obviously
15 those that attend the college, those that have medical
16 emergencies at the college, motorists in the area, and one
17 other enhancement that we're working on is we switched over to
18 4G tablets in the trucks. Basically what we have is we have
19 an application on our phones which is new technology, but it
20 also relies on 4G service, and that is active 911, which is
21 similar to the CAD that the sheriff's department uses in their
22 vehicle. So what happens is our firefighters are able to
23 respond and indicate, and we see a list of who was responding,
24 and then we click on the address, and it gives us a Google map
25 routing to the location. And when you're in rural areas where

1 you can't even see a number on - let's say Autumn Wood up by
2 Cox and Waverly area, going up toward North Mountain Park,
3 you're out there in the dark, there's no street lights,
4 there's no address signs, you can't find the mailboxes, but
5 you look down at a ten inch tablet in your truck and it says
6 the address is right there, so you follow the driveway. It's
7 that exact and it's greatly appreciated. So this new
8 technology, not only in that area - we cover 100 square miles,
9 but obviously that area is lacking based on the display of the
10 shadow areas and Black Mountain not getting signals up to CAC,
11 so overall the enhancement is tenfold, obviously, just on the
12 cellular aspects and the electronics that we have today, other
13 than our own communications.

14 RIGGINS: Okay. Very good. Other - Commissioner
15 Gutierrez.

16 GUTIERREZ: Yes sir, thank you for the presentation
17 there. The question I - and fire stations, you know, are kind
18 of commercial-type things, so the antenna there, if there's
19 going to be an antenna, that's probably the place to have
20 something. My question is, and this is something a lot of
21 people that I talk to and stuff are often concerned about, is
22 the safety factor of having the radio waves, you know, firing
23 off all over the place and that type of thing, do you have any
24 concern? And that's something I'd like to ask the engineer as
25 well, but do you have any concern about the radio signals from

1 the antennas that are emanating, you know, from that tower and
2 stuff for your - the employees there at the fire station and
3 personnel at the -

4 KERBER: No. Board Member Gutierrez, to answer your
5 question, my office is right below the tower, and I'm there
6 pretty darn much seven days a week. I try and limit it to six
7 days a week and get Sunday off, but my office is immediately
8 below the tower. We have not had any concerns. As far as, I
9 think most of the electromagnetic pulse kind of thing that
10 most people have a concern about, have been from power lines,
11 high tension power lines, and I don't believe cellphone
12 technology, other than some of the myth, some might say, about
13 a cellphone being against your head causing brain cancer or
14 something, we're not concerned in the slightest with regard to
15 the tower and its location.

16 LANGLITZ: Mr. Chair, if I may, Mark Langlitz,
17 Deputy County Attorney. Federal law really prohibits local
18 government from basing a decision on a claim of a health
19 danger issue from cellphone towers. I guess, you know, it
20 doesn't hurt to inquire, but you would not be able to base a
21 decision on that, and the - from my understanding, the current
22 medical studies and that don't support any claim of health
23 issues from cell towers, and also power lines, by the way, but
24 that's a totally separate issue. I just wanted to mention
25 that. Thank you, Mr. Chair.

1 KERBER: Any other questions?

2 RIGGINS: Any other questions, Commissioners? Would
3 you bring up your - Vice Chair Hartman.

4 HARTMAN: Thank you, Chairman Riggins. In
5 additional information, and we've kicked the idea back and
6 around about two other carriers, and then our staff has
7 recommended three carriers, do you know personally will there
8 be additional three carriers or -

9 KERBER: No, I don't know anything about it, and
10 that's when we leased the land and the location to Sun State
11 Towers, that's at their discretion. And so I'm sure the
12 market will determine that, if I can opine for that.

13 RIGGINS: And actually I think I can answer that
14 also, that the two that you're enumerating there is in the
15 applicant's narrative. The stipulations require three, so I
16 would say the applicant's narrative is meaningless in this
17 point.

18 HARTMAN: Okay. Thank you.

19 KERBER: Thank you Mr. Vice Chairman.

20 RIGGINS: Any other - any other questions for this -
21 well thank you very much.

22 KERBER: Thank you, Chairman. Appreciate it. Thank
23 you.

24 RIGGINS: Anyone else wish to come up to speak to -
25 please come forward. And if you could please sign your name

1 and address into the log.

2 KMET: Certainly will. Good morning Mr. Chairman
3 and Members of the Commission. My name is Chuck Kmet and I am
4 the Emergency Manager for Pinal County. So as a County
5 employee, I'm not going to say yay or nay, expressing approval
6 or denial, but I do want to talk about a couple different
7 things. First I would say that in emergency management I am
8 definitely for increasing and improving infrastructure for
9 disaster response, for recovery, and for community resilience.
10 But gosh, I don't know why I'm so nervous, it's been a while
11 since I've done this, sorry. All right. Prior to my life
12 here, which I've been here just over a year, I was with the
13 Tohono O'odham Nation and I started off at their fire
14 department, and then their emergency manager, and I was there
15 for ten years. During that time, I was on the technical
16 committee and the user committee for the Pima County Wireless
17 Integration Network, which was called PCWIN, so I was very
18 involved with that for the whole time that they put that
19 project together. One of the issues that we had with the
20 Tribe was the architectural design for the project required a
21 large tower on top of Kitt Peak where are the observatories
22 are. That was very concerning to the Tribe, because of the
23 cultural significance to the Tribe with Kitt Peak. The
24 designers came back to tell them, and to tell the project as a
25 whole, that if they didn't have that one tower there, in order

1 to accommodate the signal coming through for the rest of the
2 County and for the Tribe, they were going to have to build 12
3 other towers along, you know, the Tribal lands. So the
4 significance of the height of a tower and the coverage that it
5 gets, it is a big deal. And I can tell you as a 20 year
6 firefighter and paramedic, and flight paramedic, I have been
7 that person that has been inside a burning building and trying
8 to get out and you can't. And there's definitely no way you
9 can stand up and try to do that, you know, when it's 600
10 degrees in a building. So I would like for you guys to
11 consider that because if they don't have this - and I don't
12 care about the commercial part of it all - if they don't have
13 this, then in order to have that same coverage for the
14 firefighters, they're going to need to ask for, like he said,
15 you know, a 50 foot tower there, maybe another 50 foot tower
16 some place else, maybe another 50 foot tower some place else,
17 so I definitely understand the concern from - excuse me - from
18 the homeowners, but you know, as long as we can have some good
19 balance is really what I'm about. So that's all I have.

20 Thank you.

21 RIGGINS: Thank you very much. Commission Members,
22 any questions of the - no? Okay. Very good. Thank you.

23 KMET: Thank you. Sorry, I have a long address.

24 RIGGINS: There's certainly time. Thank you again.

25 Are there any other speakers for this case? There none being,

1 we'll close the public comment portion of the case, and as we
2 stated earlier, Commissioner Salas, you had a - you still wish
3 to bring the question up to staff?

4 SALAS: Yes, because some explanation affects my
5 decision to vote yay or nay, and they're recommending denial
6 based on whatever they found or whatever, so I'm interested in
7 seeing why would they deny something as important that this
8 is.

9 RIGGINS: Do we have a comment?

10 DENTON: Mr. Chairman and Members of the Commission,
11 staff just had concerns with the height, aesthetics, and our
12 zoning ordinance also do regulates the location, placement of
13 these towers as well, and also in regards to setbacks when
14 they're actually put on the property. So in this particular
15 instance, staff just felt like this particular application did
16 not meet like any of the criteria that we normally see as
17 outlined in our zoning code.

18 RIGGINS: Okay.

19 SALAS: So you entered certain stipulations, if
20 these stipulations are met, then it would be all right to have
21 power - I mean the tower on?

22 DENTON: That's correct. The stipulations that
23 they're in place just in case our decision is - or our
24 recommendation is overturned, that we have something in place.

25 SALAS: Have they - maybe I should have asked - have

1 you agreed to those stipulations?

2 DENTON: I believe they said they were in favor on
3 the stips.

4 AGUIRRE-VOGLER: Except number seven.

5 SALAS: Okay, thank you.

6 RIGGINS: Okay, Commission Members, any other
7 questions among the Commission or staff? Then I suppose that
8 someone should make a motion.

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

10 RIGGINS: Okay, Commissioner Aguirre-Vogler.

11 AGUIRRE-VOGLER: I recommend the Commission forward
12 SUP-011-15 to the Board of Supervisors with a favorable
13 recommendation, with the attached stipulations, and I believe
14 I would have to withdraw that number seven.

15 RIGGINS: Is that the way you want to do it?

16 AGUIRRE-VOGLER: Well, it's saying that they have to
17 have three additional - three additional besides their own,
18 and they're saying they can't do that. Is that correct?

19 RIGGINS: Okay, some clarification then, to the
20 motion. Thank you.

21 WARD: I don't have the situation in front of me,
22 but I think it should say we will design it so that it can
23 accommodate three additional carriers, which we will.

24 AGUIRRE-VOGLER: Oh, okay. Well then that's fine.
25 It says that. I was thinking that they - that staff wanted

1 additional ones, and you didn't want those.

2 RIGGINS: Thank you very much for (inaudible). How
3 do you wish to word the motion?

4 AGUIRRE-VOGLER: So then we'll word the motion
5 saying the attached stipulations being ten stipulations.

6 RIGGINS: Okay.

7 MORITZ: I second it.

8 RIGGINS: And Commissioner Moritz seconds it. And
9 I'm going to just try this with a voice vote to begin with.
10 All those in favor signify by saying aye.

11 COLLECTIVE: Aye.

12 RIGGINS: All those opposed? So that passes
13 unanimously. Gentlemen, good luck with your project. And I
14 am going to go ahead and call for a ten minute recess and
15 we'll come back.

16 [Break.]

17 RIGGINS: We'll reconvene the meeting. Thank you
18 very much to Bridget (inaudible). And we are into tentative
19 plats, and our first case is S-006-15.

20 DENTON: Mr. Chairman and Members of the Commission,
21 this is case S-006-15. The applicant is proposing approval of
22 SaddleBrooke Ranch Unit Fourteen. It's a 26.15 acre property
23 in the MD zone, and it's a 166 lot subdivision. The property
24 is located on the north side of Robson Circle, one mile north
25 of State Route 77. The applicant is Robson Ranch Mountain

1 LLC, and the engineer is B&R Engineering. The subject site is
2 located in the southeast portion of the County, just west of
3 Oracle, as indicated by the red star. And this is an aerial
4 map. Basically this is SaddleBrooke Ranch and then the
5 surrounding areas around SaddleBrooke Ranch is State Land.
6 This property is zone for MD, however the minimum lot size is
7 from 72 - no 7,280 and also 3,500 square feet, with a minimum
8 lot width of 65 feet, and 25 feet, and then the setbacks are
9 ten feet for both the 7280 square foot lots, and the 3500
10 square foot lots. And then for the side lots, for the 7,280
11 square foot lots, it's going to be five feet, and then for the
12 3500 square foot lots, it's going to range from zero feet to -
13 or five feet. And then the rear, for the 72 - or 7,280 square
14 foot lots is going to be 8.5 feet, and then for the 3500 lots,
15 excuse me, it's going to be ten feet. This is an aerial
16 photograph of the subject property. It's currently vacant,
17 and to the west of the site is a part of the golf course, and
18 then the clubhouse and some other residential dwelling units
19 are located to the west. This is a copy of their tentative
20 plat that shows the layout of the 166 lots. They're going to
21 have ingress and egress off of Robson Circle. And the photo
22 location was taken on Robson Circle. And this is looking
23 north towards the subject property. This is looking east down
24 Robson Circle. And this is looking west on another phase
25 that's currently under construction. And this is looking

1 west, towards the clubhouse and other residential dwelling
2 units. And then with this case, staff is recommending five
3 stipulations. And that concludes my presentation and the
4 applicant is present.

5 RIGGINS: Okay very good. Can the applicant come up
6 (inaudible).

7 EMMERTON: Mr. Chair and Commissioner Members, this
8 is request for approval for a tentative plat for SaddleBrooke
9 Ranch Unit 14. It's a continuation of a zoning case approval
10 of, I believe a few weeks ago for this piece. This unit is
11 proposing a villa-type product, which is an attached resident,
12 lock and leave type product. There's also approximately 14
13 lots that are single family detached homes with this project.
14 And if you have any questions, I'm available.

15 AGUIRRE-VOGLER. I have. I have questions.

16 RIGGINS: Oh, Commissioner Aguirre-Vogler.

17 AGUIRRE-VOGLER: I see that we probably gave this
18 PAD approval in I think 2000. 15 years later, right, you're
19 doing this?

20 RIGGINS: Yes.

21 AGUIRRE-VOGLER: Could you tell me what the overall
22 density was when we approved that years back?

23 EMMERTON: I don't have the exact number, but I
24 believe it was somewhere around 2.8 dwelling units per acre.

25 AGUIRRE-VOGLER: Are you kind of sure about that?

1 EMMERTON: I believe so.

2 AGUIRRE-VOGLER: I see in all the stipulations here
3 that once -

4 RIGGINS: That was done in '15.

5 AGUIRRE-VOGLER: No, right here, see?

6 RIGGINS: I know but they did (inaudible) the also
7 did a rezone (inaudible).

8 AGUIRRE-VOGLER: I know, I know, but the original
9 PAD that we approved for - do you know, Dedrick, what the
10 density was in 2000 when the actual PAD came in?

11 DENTON: Steve was going to check really quick, but
12 offhand I was thinking for the entire SaddleBrooke Ranch it
13 was around live four units an acre.

14 AGUIRRE-VOGLER: That's what I was thinking too, and
15 that's what concerns me, that they're clustering so many in
16 one little place, and I see here that, you know, probably in
17 many years to come it'll be built out, but in your - in any
18 kind of stipulations here, I don't see what they're doing to
19 help the highways. I mean I don't know if they have to, I
20 don't think they probably do, but can you imagine the amount
21 of people that are going to be in that little subdivision?
22 It'll be jam-packed for I believe six units, six units to a
23 little spot that they're putting that in. You know, normally
24 I like Robson Communities, they do a wonderful job, but to me
25 they're just clustering this so badly and like I say, I don't

1 know what this County does maybe ten years from now when
2 nobody can get on Oracle, or 79, or 77, and I mean there's so
3 many people jammed into the Robson communities. I'm just
4 making that comment that I just, I just, I just don't like it.

5 RIGGINS: One thing. Dedrick, I see under the
6 history that there was a PZ-006-15 where they did a rezoning
7 through a MD/PAD.

8 DENTON: Correct.

9 RIGGINS: So this tentative plat totally complies
10 and conforms with their entitlements at this point in time.

11 DENTON: That's correct.

12 AGUIRRE-VOGLER: Yeah, I just wanted to be heard.

13 RIGGINS: So the arguments concerning density at
14 this time really aren't something that is germane.

15 AGUIRRE-VOGLER: I know. I just wanted to be heard.

16 RIGGINS: Okay.

17 AGUIRRE-VOGLER: Thanks.

18 RIGGINS: Okay. All righty. Any other questions or
19 comments from the Commission? I have one - oh, go ahead.

20 GUTIERREZ: Yes sir, I was looking at the map last
21 night too and where is the entry and exit on this - one is on
22 the - you have one entry and one exit, correct?

23 EMMERTON: Two ingress and egress points. One on
24 Canyon Vista Way, and one on Hoya Drive.

25 GUTIERREZ: And I apologize, I'm using the computer

1 to look at the maps and stuff, so I - on mine, and it's kind
2 of small, so - with that amount of density, I mean it - and
3 I'm going to express my concern too, you know, it's a pretty
4 dense community, you know, and I'm looking at this thing and
5 it's - if you've got, you know, fire engines or whatever
6 trying to get in there, I'm just a little concerned with, you
7 know, there's not a lot of open space, it's pretty jam packed
8 in there. I just don't -

9 AGUIRRE-VOGLER: (Inaudible) on the road.

10 GUTIERREZ: You know the streets, there's a lot of
11 right angles on the streets and stuff. Fire trucks seem to be
12 getting bigger, not smaller. I don't know if they're going to
13 be able to make the turns in there, frankly.

14 EMMERTON: All the local streets will be per local
15 design guideline standards, so.

16 GUTIERREZ: When was this previously approved?

17 AGUIRRE-VOGLER: The PAD that we let go forward was
18 in 2000. It's an original PAD. But then they came in, I
19 believe a couple months ago with this other change of zoning.
20 I think I denied - I didn't go along with it, as I recall.
21 But anyway, I just wanted to be com - I just wanted to make a
22 comment.

23 RIGGINS: Very good.

24 GUTIERREZ: Okay, thank you.

25 RIGGINS: I do have a question. I'm just curious.

1 In the design format that I see here, and with front yards of
2 ten feet, I'm sure you have this worked out, but how does
3 parking work?

4 EMMERTON: Parking will be provided in the driveway.
5 There will be a full parking space in the driveway.

6 RIGGINS: Well ten foot won't accommodate most
7 vehicles.

8 EMMERTON: Well there'd be some relief with these
9 products, so the garage typically would ill be set back, the
10 homes will be, you know, in a different relief from the
11 garage, so the front of the house -

12 RIGGINS: How much space will be provided?

13 EMMERTON: For garages?

14 RIGGINS: Is it a garage or is it an open space?

15 EMMERTON: In front of the homes, there's garage
16 proposed for these type villas.

17 RIGGINS: Oh, every one of these has a garage?

18 EMMERTON: A garage and a driveway, correct.

19 RIGGINS: Okay, so every one of these has a garage.

20 EMMERTON: Yes.

21 RIGGINS: So people's vehicles aren't going to be
22 hanging over the sidewalks.

23 EMMERTON: No.

24 RIGGINS: Okay.

25 DENTON: Mr. Chair.

1 RIGGINS: Dedrick.

2 DENTON: Just to clarify too is that in their PAD, I
3 believe it's 18 feet from the face of garage to the back of
4 curb.

5 RIGGINS: Okay. All righty.

6 EMMERTON: Yeah, full driveway and a garage.

7 RIGGINS: Okay, very good. All right. Commissioner
8 Gutierrez.

9 GUTIERREZ: Yeah, and I'm smiling a little bit
10 because - what's the length of the garage that's planned to be
11 in these things?

12 EMMERTON: The depth of garage?

13 GUTIERREZ: Yeah.

14 EMMERTON: I don't have that exact number right now,
15 but typically it's around, you know, 17 to 20 feet depth.

16 GUTIERREZ: Okay. And the reason I'm asking is a
17 friend of mine just moved into his new house and he can't
18 lower the garage door because his truck's too big.

19 EMMERTON: To high?

20 GUTIERREZ: To long. Yeah, the garage is too short,
21 so - and he didn't realize it when he moved into the place
22 that his truck was too big. I mean it, you know, I mean it's
23 certain building styles that you're going to run into this, so
24 he's got to park it in his driveway, but the homeowners
25 association says he can't park it in the driveway, so he's got

1 to leave his garage door open to park his truck. So okay,
2 thank you.

3 AGUIRRE-VOGLER: That's my point.

4 RIGGINS: Okay. Any other - Vice Chair Hartman?

5 HARTMAN: Thank you, Chair. Dedrick, is it not 20
6 feet from the face - from the door to the sidewalk?

7 DENTON: In the subdivision regulations it is, but
8 they're a PAD. It calls out exactly what the number is, and
9 it's 18 feet.

10 RIGGINS: Exactly (inaudible).

11 DENTON: Yeah. It predates what the code says.

12 HARTMAN: But I think this Commission always tries
13 to push for like 20 feet.

14 DENTON: We do. It is also actually outlined in the
15 subdivision code too, but they predate that. It's written in
16 their PAD.

17 RIGGINS: We're the ones that granted the PAD, so
18 okay. Any other questions of the applicant? Any other
19 questions of staff? Would anybody like to make a motion?

20 MORITZ: I'll make a motion, Mr. Chairman.

21 RIGGINS: Commissioner Moritz.

22 MORITZ: I make a motion that we forward S -

23 AGUIRRE-VOGLER: (Inaudible) move.

24 MORITZ: Oh, move.

25 RIGGINS: It's on page five.

1 MORITZ: Oh, I'm looking at it. That we forward S -
2 I have it right here.

3 HARTMAN: Move to approve.

4 AGUIRRE-VOGLER: That's what the recommend is done.

5 MORITZ: I move to approve findings one through
6 seven as set forth in the staff report and approve the
7 tentative plat in planning case S-006-15 with the five
8 stipulations as presented in the staff report.

9 RIGGINS: Very good. Do we have a second?

10 DEL COTTO: I'll second it.

11 RIGGINS: Commissioner Del Cotto seconds. I'll call
12 for a voice vote. All those that approve, signify by saying
13 aye.

14 COLLECTIVE: Aye.

15 RIGGINS: All those in opposition?

16 COLLECTIVE: Nay. No.

17 AGUIRRE-VOGLER: Nay.

18 RIGGINS: Okay. Do we need a voice vote on that, or
19 a roll call? Let's do a roll call. Well, we need to have a
20 number. Let's do a roll call vote. There's ramifications.

21 ABRAHAM: Commissioners, with your denial vote,
22 because this is a subdivision plat, you have to give some
23 reasons. So when we move through, you'll have to give a
24 finding of why this plat is not meeting your expectations.

25 RIGGINS: Actually they need to give a reason why

1 this plat does not conform with their entitlements.

2 ABRAHAM: Yes, that is correct as well. So if you
3 find - as part of your I recommend or I vote to deny, you have
4 to say because this doesn't meet density, lot size, lot width,
5 or some sort of core issue that's not being addressed in the
6 plat.

7 RIGGINS: Recognizing their existing entitlements.

8 ABRAHAM: Correct, yes.

9 SALAS: I have a question, Mr. Chairman.

10 RIGGINS: We have a question from Mr. Salas.

11 SALAS: Well do they comply with all these
12 requirements?

13 RIGGINS: Ask staff if they do.

14 SALAS: Staff?

15 DENTON: They do.

16 SALAS: They do?

17 DENTON: Yeah, with the stipulations, then they
18 would conform.

19 SALAS: So a denial vote would do nothing?

20 AGUIRRE-VOGLE: Probably not.

21 ABRAHAM: Well then they would have to appeal that,
22 if they want to appeal it to the Board of Supervisors, yeah.

23 RIGGINS: I'll go ahead and chance making a comment.
24 What I heard going on with the Commission during this
25 discussion is a general dislike for what this is, and we had

1 the opportunity to comment on that on two different other
2 cases where their entitlements were established. Their
3 entitlements are totally in conformation with this tentative
4 plat request, and I believe that - my opinion - that we're
5 making a very large err in judgment if we don't recognize that
6 what we're commenting on is if this complies with their
7 entitlements, not what we like or don't like. But, that
8 saying, everybody has a chance to make a discussion concerning
9 their opinions in a roll call vote.

10 ABRAHAM: With that being said, this is a motion for
11 denial. Commissioners Moritz.

12 RIGGINS: No, this is a motion for approval.

13 ABRAHAM: A motion for approval.

14 RIGGINS: Yes.

15 ABRAHAM: Okay. I'm sorry. I thought I heard
16 motion for denial there.

17 RIGGINS: This is a motion for approval. It was
18 voted down in a voice vote, we're going to do a roll call vote
19 to make sure that - yes.

20 ABRAHAM: Okay, I understand. Okay.

21 RIGGINS: Vice Chair Hartman.

22 HARTMAN: Thank you, Mr. Chair. Mark, you're
23 leaning over. Give us a comment on this, would you please? I
24 mean do we have a legal right to be able to vote no on this
25 motion for approval?

1 LANGLITZ: Mr. Chair, Mr. Vice Chair, that type of
2 advice, discussion would be best held in executive session if
3 you chose to have one. However, at this point the motion was
4 made and the vote was taken. However, Steve and Dedrick are
5 correct that for those who voted against the motion, they need
6 to give the reason why they are voting against it, so that
7 will become part of the record if it is appealed to the Board
8 of Supervisors. That's right. So at this point it's not
9 another vote. Those that voted in favor of the motion don't
10 have to give a reason why, just those who voted against it.
11 At this point, if the Commission wanted to reconsider their
12 vote, a Member of the Commission, the side - the majority side
13 that voted against it, would have to make a motion to
14 reconsider. That would then be seconded. It - typically it's
15 seconded by another member who was in the majority, then the
16 Commission could vote again. So at this point, if the members
17 who voted against the motion want to provide a explanation,
18 they could do that. Or, if instead, one of them wanted to
19 make a motion to reconsider, they can do that.

20 RIGGINS: And I will concur that indeed I do believe
21 a valid vote has been taken. I believe it's well understood
22 that it failed.

23 HARTMAN: Exactly.

24 RIGGINS: And so in that case, a roll call vote
25 would provide nothing at this point.

1 HARTMAN: Exactly.

2 RIGGINS: So unless there is a motion for
3 reconsideration, absent of that all there will be is those
4 members voting in the negative, will need to put on public
5 record their reasons for doing so.

6 LANGLITZ: Correct Mr. Chair.

7 RIGGINS: Okay, Vice Chair Hartman.

8 HARTMAN: Mr. Chairman, I'd like to make a motion
9 for reconsideration, but I would like to be - have some
10 discussion. I need a second for my motion, but a motion for
11 reconsideration and discussion.

12 RIGGINS: Okay, there's a motion on the table, is
13 there a second?

14 SMYRES: I'll second.

15 RIGGINS: Commissioner Smyres seconds it.

16 Discussion. Commissioner Salas.

17 SALAS: Mr. Chairman, the way I feel is that I took
18 a voice vote and I don't have any reason to explain why I
19 voted the way I did. I don't know what rule or what, you
20 know, we're not under Robert's Rules or what the law says. We
21 took a vote, I voted nay, I don't have to explain my vote. If
22 we would have said we're going to go through a voice vote here
23 before we even said, you know, we're going to go through
24 individual vote, then it would have been a different thing.
25 But since I've already voted, I don't believe I have to

1 explain why I voted the way I did.

2 RIGGINS: And I believe when the time to have this
3 discussion occurs, if any individual Commissioner wishes to
4 not express anything, it's certainly under their purview. But
5 Commissioner Gutierrez.

6 GUTIERREZ: Well, I'd like to just clarify what I'm
7 hearing. This was approved previously, previous Commissions
8 in the past. The PAD was.

9 RIGGINS: And indeed this particular Commission -

10 MORITZ: And us.

11 RIGGINS: Us in 2015 approved the new entitlements
12 that it possesses now.

13 GUTIERREZ: So being that it was passed at that
14 time, giving them entitlements, right, to go ahead with this
15 project, personally I don't recall what my vote was at that
16 time, but the - so a nay vote at this time is you're kind of
17 going against what they've been entitled to. So your hands
18 are basically tied once you take a vote in the past. Now what
19 we're being told is your hands are being tied to reconsider
20 whether or not it's to approve or disapprove, so I don't even
21 see a reason for somebody to come back then, being that it's
22 already been approved and our hands are tied in saying no I
23 don't like this. Personally I don't - the density, I think,
24 is not the right way for the County to go, or growth to go in
25 this County, so at this time you know, I'm not for something

1 like this, so - but we're being told it's already -

2 RIGGINS: I would like to make a clarification just
3 in as plain a language as we can get to. When this Commission
4 passed PZ-006-15 and established the MD/PAD entitlements for
5 this parcel, a legal set of entitlements were given to this
6 property holder to do what they needed to do within the
7 constraints of that zoning category. In a tentative plat, the
8 only reason we have to deny a tentative plat is if what they
9 proposed does not meet the requirements of an MD/PAD, their
10 MD/PAD. Staff reviewed it, says it does. The time to say
11 that this can't be done in this fashion has already passed and
12 they have legal entitlements. I suggest that if we - if this
13 case fails, it absolutely will be appealed and rightly so, and
14 they will prevail in my opinion. So it's not that we don't
15 have the opinion at this, or the ability at this time, but our
16 hands are tied. That's not the issue. They've already gone
17 through the process, they've achieved a certain zoning, a
18 certain set of entitlements, and they're merely executing it.

19 AGUIRRE-VOGLER: So, my question.

20 RIGGINS: Okay, Commissioner Aguirre-Vogler.

21 AGUIRRE-VOGLER: So, can staff remind us when this
22 went through, was the density brought up? Because I do
23 somewhat remember that we had a duplex or something, but was
24 the density ever brought up?

25 ABRAHAM: It was. That was a conversation that we

1 had, and the discussion at the time was that this zoning case,
2 which was a couple months ago, can't increase the overall
3 density of the PAD. The applicants were going to submit a PAD
4 amendment to move dwelling units around, which they're
5 entitled to do because this PAD was approved so long ago.
6 Furthermore, they had signed a development agreement with the
7 County that locked them into a certain procedure of how to
8 process things. It gave them some flexibility on how to do
9 things. The County entered into that agreement, that
10 agreement was approved. They have submitted that PAD
11 amendment. We have approved that PAD amendment that showed
12 that the overall dwelling unit cap for the entire subdivision
13 hasn't been increased.

14 AGUIRRE-VOGLER: And can you recall what that is?

15 ABRAHAM: Yeah, it's seven thousand twenty -

16 AGUIRRE-VOGLER: What's a DU?

17 ABRAHAM: Dwelling units, I'm sorry. It was 7,080
18 dwelling units over the entire PAD.

19 AGUIRRE-VOGLER: Yeah, right, but what is the
20 density per acre on it? Is it over four, a 3.5, or -

21 ABRAHAM: It's over the - when it was calculated at
22 - when it was approved, it was 2.8.

23 AGUIRRE-VOGLER: 2.8. Right.

24 ABRAHAM: Right. And that includes, you know, open
25 space, golf course areas, retention areas, streets. You know,

1 back under the old calculation back in 2000 which we had that
2 straight 15 percent, you know, you take that off the top for
3 open space type of deal, so yeah, that - as far as we're
4 concerned, the zoning end of it, the discussion at the
5 previous meeting was are we okay with duplexes as a dwelling
6 unit type. Are we okay with the MD in the location of this
7 larger PAD, and it was, you know, staff's responsibility to
8 make sure that the numbers worked out with the understanding
9 by the applicant that if the number didn't work out, they'd
10 have to come back through this process and get everything re-
11 approved, which I don't think they wanted to do. So yeah, as
12 far as dwelling units, that issue is covered. The density
13 hasn't gone up.

14 AGUIRRE-VOGLER: Okay, so -

15 RIGGINS: And if I may, just a historical
16 observation for this Commission. Due to changing economic
17 situations over the years, there have been other times that
18 this Commission has decided to allow some of the close end
19 development to expand its densities, with the absolute
20 understanding they would still be (inaudible) to what their
21 original PAD was when they got towards the end. And I
22 remember some quite heated meetings in here where an applicant
23 has decided that they didn't like what they were left with and
24 wanted it changed, and the Commission has been very vehement
25 about no, you got your extra density early and you're not

1 going to, you know, go ahead and get more here at this point.
2 These kind of files are very important to keep as time goes on
3 to make sure that that historical track is kept. But that has
4 happened for those who have been here for a while, I think you
5 remember them.

6 AGUIRRE-VOGLER: So, I have one more question for
7 staff.

8 RIGGINS: Commissioner Aguirre-Vogler.

9 AGUIRRE-VOGLER: I'm just curious. With 7,000 units
10 probably in the next ten years, 20 years, whatever it is, and
11 the other SaddleBrooke that's here, how does the County look
12 at the state route roads? I mean is there anything that those
13 - I know the developers have to do a certain amount in their
14 communities, but when they're putting excessive population on
15 roadways, what happens then? I guess that's an Arizona
16 highway problem, huh? ADOT problem.

17 **??:** Commissioner Aguirre-Vogler, you guys
18 (inaudible) yes or no questions for me this week. Anyway,
19 one, it's covered by development fees, the impact fees that
20 the County collects. But as far as ADOT's roads, that's
21 something that they cover with ADOT in their initial
22 application when they submitted their impacts to the ADOT's
23 right of way. ADOT puts requirements on them.

24 AGUIRRE-VOGLER: Okay, thank you.

25 RIGGINS: Also, also another observation that

1 (inaudible) question Commissar Aguirre-Vogler. The original
2 PAD that had submission to ADOT is not being changed. There
3 is a small unit within this development now that has greater
4 density, but other units are going to have to have less. So
5 the actual taxing of Highway 79 won't change.

6 AGUIRRE-VOGLER: All right.

7 RIGGINS: Vice Chair Hartman.

8 HARTMAN: Chair Riggins. I wonder why, why we even
9 bring this to a vote? We already don't do tentative plat
10 extensions, so if we've already approved this in a case, why
11 does the Commission need to even vote? I mean it's already
12 been approved by the Commission, so therefore the Commission
13 had a change of thought, and courts sometimes change their
14 verdict, and I guess we're not - we don't have the right to
15 maybe change our thoughts. And you got to remember, a lot of
16 these Commission Members weren't Commission Members in 2000.

17 LANGLITZ: Mr. Chair and Mr. Vice Chair, the issue,
18 I believe, that was decided before was the density, and that
19 was done in the rezoning. So the property owner/developer is
20 entitled to the density that they are presenting. The
21 tentative plat really looks at okay, how does that fit in now,
22 what does it look like? Just because they have the density,
23 the development in how it works is part of the tentative plat.
24 So with the tentative plat, you can't change the density. If
25 the Commission doesn't like the density, that's no longer a

1 factor they can consider. It's the configuration of how the
2 development - well not the PAD, but the plat is here's what it
3 looks like it now, here's how we're going to develop the
4 density. And the Commission needs to look at is it consistent
5 with what the requirements are in the development code. I've
6 heard that the Community Development Department has determined
7 that yes, it is consistent with the requirements for the code,
8 so now it's a question of based on that, does the Commission
9 want to approve this tentative plat, or if not, it should be -
10 doesn't have to be - but it should be indicated where and how
11 it doesn't comply with the development code, so that moving
12 forward if it is appealed to the Board of Supervisors, there's
13 a basis on which to make a determination or perhaps in a
14 certain instance the developer or homebuilder would say okay,
15 let me, let me make this change and then come back to the P&Z.

16 RIGGINS: And a statement I'd like to make also in
17 response to the question Vice Chair Hartman stated, there's a
18 great deal of difference between an extension of a tentative
19 plat and a Commission review of a new tentative plat. A
20 tentative plat needs to conform within the aspects of the
21 entitlement that it was granted. And an extra layer of review
22 passed staff to look at that is important and it's also
23 illuminative of what needs to happen in the future as other
24 tentative plats go to fill a PAD. I would suggest that if
25 there is angst to be had in this particular case, the angst

1 should be over the decision that was made in PZ-006-15.
2 That's what created this. And that wasn't done by another
3 Commission, that wasn't done by other members, it was done by
4 us. We agreed to do it, they got a property right achieved by
5 that, property right, and now they're executing on that
6 property right.

7 MORITZ: Yes.

8 RIGGINS: And there's nothing here - our hands
9 aren't tied, it's not that we are being held from doing
10 something, this is the process. This is how it works. You
11 can't go change somebody's property right after it's
12 established. So it's - I don't think we, you know, if there's
13 something to be learned from this, if there's a desire not to
14 let this happen again, let's take care of a little bit more
15 careful at the rezoning.

16 HARTMAN: Mr. Chair, are you trying to change our
17 vote?

18 RIGGINS: I am not. I'm just speaking to the
19 process. I'm just speaking to the process. I don't - and
20 just stating an opinion, a personal opinion, I don't much like
21 it either, but they have a property right, and we gave it to
22 them, and the Board of Supervisors absolutely gave it to them.

23 HARTMAN: Mr. Chair.

24 RIGGINS: Vice Chair Hartman.

25 HARTMAN: In further review of this, we come down -

1 one of our other Commission Members expressed a concern for
2 the point of ingress and egress, and that's one of my concerns
3 too. I - with today's traffic, the numbers of people and the
4 vehicular movement and everything, I don't agree with this
5 plat as so provided before us, to date, with this case.
6 That's - and that would be my reason for voting no.

7 RIGGINS: It's not a cul-de-sac.

8 HARTMAN: No, it's not a cul-de-sac. Two points of
9 ingress/egress.

10 DENTON: I also want to add too, that it's the exact
11 same plan that you guys saw in PZ-006-15.

12 HARTMAN: Yeah, but two off of the main
13 thoroughfare. Two.

14 DENTON: Yeah.

15 HARTMAN: Yeah, there's all kinds. You can count
16 them. Anyway.

17 RIGGINS: Okay. Is there anything else? Any other
18 comments or questions? All righty. In that case then, there
19 is a motion for reconsideration on the floor, with a second.

20 MORITZ: Yes.

21 RIGGINS: Discussion being completed, we will go
22 ahead and proceed with a role call vote to finalize our
23 decision on this case.

24 LANGLITZ: And Mr. Chair, Mark Langlitz again, if I
25 may add. Right now, the question is simply do you want to

1 reconsider it. If there's a majority that wants to reconsider
2 it, then you go back to the main motion again, either - okay,
3 I just wanted to clarify that. Great, thank you.

4 RIGGINS: Actually I'm glad you did do that, because
5 some people might have been (inaudible). This is simply a
6 motion to go back and vote again.

7 LANGLITZ: Right.

8 RIGGINS: So, would you proceed with a role call
9 vote, please?

10 ABRAHAM: Absolutely. Commissioner Moritz.

11 MORITZ: Aye.

12 DEL COTTO: She made the motion.

13 ABRAHAM: Oh, you did. I apologize.

14 DEL COTTO: I seconded the motion.

15 ABRAHAM: Well, it doesn't matter, we still need the
16 vote to reconsider.

17 RIGGINS: It's okay.

18 ABRAHAM: So Commissioner Moritz?

19 MORITZ: Aye.

20 ABRAHAM: Commissioner Salas.

21 SALAS: Aye.

22 ABRAHAM: Commissioner Smyres.

23 SMYRES: Aye.

24 ABRAHAM: Commissioner Del Cotto.

25 DEL COTTO: Aye.

1 ABRAHAM: Commissioner Gutierrez.

2 GUTIERREZ: Do you need a reason for a nay?

3 HARTMAN: No, this is just to reconsider.

4 SALAS: Reconsidering the vote.

5 HARTMAN: This is reconsidering the original vote.

6 GUTIERREZ: Oh, aye.

7 ABRAHAM: Commissioner Aguirre-Vogler.

8 AGUIRRE-VOGLER: So we're reconsidering the vote, I
9 mean we're taking the vote as a yay or a nay, right?

10 RIGGINS: We're reconsidering whether we're going to
11 vote again.

12 HARTMAN: Yes.

13 AGUIRRE-VOGLER: Oh. Yes, we're going to vote
14 again.

15 ABRAHAM: Vice Chair Hartman.

16 HARTMAN: Aye.

17 ABRAHAM: And Chairman Riggins.

18 RIGGINS: Aye. So I believe that passed
19 unanimously. So we're back to a clean slate.

20 HARTMAN: Exactly.

21 RIGGINS: And before - we will obviously have a role
22 call vote for the motion. Is there any other discussion that
23 the Commission would like to have on this before we begin?
24 Commissioner Del Cotto.

25 DEL COTTO: Mr. Chairman, if I could. I think I'd

1 like to save my comments for the Call to the Commission so
2 that we can get on with what we're doing and hopefully we can
3 come up with some good ideas in regards to how maybe not to
4 let this happen in the future.

5 RIGGINS: Very good. All right, any - Vice Chair
6 Hartman.

7 HARTMAN: Mr. Chairman, could we call the applicant
8 up again?

9 RIGGINS: Certainly we can. Certainly.

10 HARTMAN: For further - we need help. And the
11 current Commission Members have kind of decided that we look
12 at this and the - actually, and I'm going to speak for myself,
13 but the points of ingress and egress, now you can count every
14 lot and everything and you can say that's a point of ingress
15 and egress, but the main - on the main thoroughfare, I see two
16 points of ingress/egress. Is that right?

17 EMMERTON: Correct. Off of Robson Circle.

18 HARTMAN: Yes, absolutely, off of Robson Circle. Do
19 you - well, we have a problem with that, I think, or I have a
20 problem with that. Can you help me with my problem?

21 EMMERTON: Yeah. What specifically?

22 HARTMAN: That the traffic problem. That it's going
23 to be too congested and safety reasons, and whatever. If one
24 of them is closed by an accident, then all the traffic's got
25 to go to the other one.

1 EMMERTON: Typically that's why two points of
2 ingress/egress -

3 HARTMAN: Exactly, so -

4 EMMERTON: A minimum of two.

5 HARTMAN: Exactly, and I would - personally, I'm
6 speaking for myself - I would like to see three points of
7 ingress and egress. But anyway. Your comment, your comment.
8 Could you possibly put a third point of ingress/egress?

9 EMMERTON: I believe the standards are a minimum of
10 two points of access.

11 RIGGINS: A question concern - dovetailing on the
12 back of Vice Chair Hartman's statement, the way I see your
13 road layout, I believe it envisions another unit to the north
14 of this?

15 EMMERTON: Possibly in the future, correct.

16 RIGGINS: Well the road's about to the end, so I
17 believe that that's what that indicates.

18 EMMERTON: Correct.

19 RIGGINS: So what the Commission is having trouble
20 with as far as the amount of ingress and egress on a very
21 dense lot, actually in future actions will be made worse.

22 EMMERTON: The increase - there will be more ingress
23 and egress points in the future, as future connections and
24 future units come online. To the north, there will be more
25 ways of ingress and egress.

1 RIGGINS: To Robson Circle.

2 EMMERTON: Well as part - going towards the north of
3 the development, and eventually to main road -

4 RIGGINS: There will be another (inaudible) on the
5 north side.

6 EMMERTON: Main loop roads.

7 RIGGINS: There'll be another major collection road
8 on the north side.

9 EMMERTON: Correct. Correct.

10 RIGGINS: Okay. So that's what alleviates this
11 particular problem.

12 EMMERTON: Correct.

13 RIGGINS: And indeed makes this particular problem
14 maybe even less than it is now.

15 EMMERTON: Correct. It'll only improve as units
16 come online.

17 RIGGINS: Okay. All righty. Commission Members?
18 Commissioner Gutierrez.

19 GUTIERREZ: In looking at this, if I were to buy a
20 lot, say in the center of the development, Thanksgiving comes
21 around and I have eight people invited over and stuff, where
22 are they going to park the cars? I mean where would they
23 park?

24 EMMERTON: Just like every other subdivision,
25 they're going to park on the street or - we provide the

1 minimum requirements for each villa unit for parking.

2 GUTIERREZ: What is the, what is the minimum
3 mandated available parking per unit?

4 EMMERTON: Maybe Dedrick could answer that. I
5 believe it's -

6 DENTON: What was the question?

7 GUTIERREZ: The minimum -

8 EMMERTON: Amount of parking per unit.

9 RIGGINS: How much parking does each unit have?

10 DENTON: I believe in their - it was, I think in
11 their PADs, called for two.

12 RIGGINS: So the garage space in this 3500 square
13 foot lot will be a two car garage.

14 DENTON: I believe that's correct, yeah.

15 EMMERTON: And the driveway can count as a parking
16 space.

17 DENTON: Yeah.

18 SALAS: Your covered a portion of it, plus your -

19 EMMERTON: Plus the driveway.

20 DENTON: The PADs (inaudible) required two.

21 GUTIERREZ: And these are two car garages, or units?

22 EMMERTON: Tentatively right now, yes.

23 GUTIERREZ: And how many total units are there?

24 EMMERTON: Villa units or total units?

25 GUTIERREZ: Units.

1 RIGGINS: Just in this PAD - just in this tentative
2 plat.

3 EMMERTON: 166.

4 GUTIERREZ: So you have to provide parking for 330
5 units, approx - 330 cars, theoretically.

6 EMMERTON: Yes. Within the driveway and the garage.

7 GUTIERREZ: Okay, so there's -

8 RIGGINS: Sounds like you're not going to have a
9 problems with the eight people at Thanksgiving because you're
10 not going to be able to get that many people in the house.

11 HARTMAN: (Inaudible) per day.

12 SALAS: You don't have enough street either.

13 GUTIERREZ: I mean it's pretty congested.

14 SALAS: Very congested.

15 RIGGINS: Okay. Any other questions for the
16 applicant while he's up? Thank you sir.

17 EMMERTON: Thank you.

18 RIGGINS: Okay, any other discussion among the
19 Commission, or questions for staff?

20 SALAS: I am considering changing my vote on the
21 premise that I'm not going to try to fail somebody else's
22 mistake. Somebody approved the PAD, they gave these people
23 the rights to do whatever the hell it is that they're doing.
24 I don't agree with the density, I don't agree with the layout,
25 and whatever else I don't agree with, that has already been

1 established by some other Commission, and I am not going to
2 vote to overturn it at this point. So it's been done, so when
3 we vote I am going to change my vote.

4 RIGGINS: Okay.

5 SALAS: I think that we - I personally believe that
6 whatever was committed to these people, that we - I
7 personally, the way I think, is we should comply with it.
8 They have no fault in the fact that they were told you can go
9 ahead and do this, and then here comes a bunch of
10 Commissioners that have no part, have been part of this, and
11 try to overturn whatever was already approved. So that's the
12 way I feel about it.

13 RIGGINS: Other Commission Member discussion? Or a
14 motion?

15 AGUIRRE-VOGLER: Oh, no, no, I just - we haven't
16 taken a vote yet, is that right?

17 RIGGINS: We haven't even made a motion.

18 HARTMAN: We haven't made a motion yet.

19 RIGGINS: It's a clean slate. There's nothing - but
20 rest assured, this time it will be a roll call vote.

21 MORITZ: Mr. Chairman?

22 RIGGINS: Yes.

23 MORITZ: I'd like to make a motion.

24 RIGGINS: Okay.

25 MORITZ: I move to approve findings 1 through 7 as

1 set forth in the staff report, and approve the tentative plat
2 in planning case S-006-15 with the five stipulations as
3 presented in the staff report.

4 RIGGINS: Thank you, do we have a second for this
5 motion?

6 DEL COTTO: I'll second that.

7 RIGGINS: Commissioner Del Cotto seconds it. Could
8 we please have a roll call vote?

9 ABRAHAM: This is a roll call vote with a motion to
10 approve the tentative plat. Commissioner Smyres.

11 SMYRES: Nay.

12 ABRAHAM: Commissioner Del Cotto.

13 DEL COTTO: Aye.

14 ABRAHAM: Commissioner Gutierrez.

15 GUTIERREZ: Nay. And I'd like to justify my vote.
16 I understand that it was previously approved, I understand the
17 owner's right to continue with this. Personal belief is two
18 wrongs don't make a right. I don't recall previously voting
19 on this, however, I don't see this as a safe plat, personally.
20 I see certain problems, issues, with the way this is developed
21 from the safety standpoint, from a public safety standpoint,
22 so everything from the ingress/egress, the parking situation,
23 one match could wipe out this entire development the way it
24 stands. The public safety vehicles, I think, would have a
25 hard time getting in and out of this area. So in all

1 conscience, I vote nay.

2 ABRAHAM: Commissioner Aguirre-Vogler.

3 AGUIRRE-VOGLER: Nay. It's -

4 HARTMAN: Microphone.

5 AGUIRRE-VOGLER: I'm voting nay because I feel it's
6 too dense, too clustered, extra entrances would actually
7 probably only lose a few houses, and for safety reasons they
8 should have more circular entrances.

9 ABRAHAM: Commissioner Moritz.

10 MORITZ: Aye.

11 ABRAHAM: Commissioner Salas.

12 SALAS: Aye.

13 ABRAHAM: Vice Chair Hartman.

14 HARTMAN: Nay. I - my point is with this plat that,
15 the final plat that's before us today, without seeing what the
16 future plan will involve in the way of the traffic movement,
17 vehicular movement, I don't think this is safe or reasonable
18 for the current density that we have. I only show two points
19 of ingress/egress off of Robson Circle, so - and that's on
20 this plat that I have before me, so with this plat I vote nay.

21 ABRAHAM: And Vice - I'm sorry, Chairman Riggins.

22 RIGGINS: That would be a tie, wouldn't it? Aye.

23 ABRAHAM: Actually I'm counting right here, I've got
24 1, 2, 3, 4, 5 to 3, and the motion passes.

25 RIGGINS: Motions passes.

1 HARTMAN: Passes?

2 SALAS: Yes.

3 ABRAHAM: Thank you.

4 RIGGINS: And I would like to, I would like to tell
5 the applicant that I do believe that there's going to be
6 nearly a microscope on this the next time that you folks come
7 in, and I concur to a certain extent concerning the objections
8 to circulation in this plat. The only thing that made me
9 consider that it wasn't so deficient that it couldn't go
10 forward is I can see how it connects to the northern tier,
11 which actually makes it better. But please be advised that
12 this kind of density requires a little bit more consideration
13 of public safety.

14 HARTMAN: Commissioner Riggins?

15 RIGGINS: Vice Chair Hartman.

16 HARTMAN: I could protest the vote, but I won't.

17 But I don't think Commissioner Smyres had a chance to vote, I
18 didn't hear - did you?

19 RIGGINS: Yes he did.

20 HARTMAN: For it?

21 RIGGINS: Yeah.

22 HARTMAN: Okay. Thank you.

23 SMYRES: (Inaudible).

24 RIGGINS: Thank you sir.

25 HARTMAN: That was my missing vote.

1 RIGGINS: Okay. Might have been the longest
2 tentative plat hearing in the history of Pinal County.

3 HARTMAN: Most discussion, that's for sure.

4 RIGGINS: Do we have anybody here for S-013-115 -
5 15.

6 MORITZ: Continued.

7 RIGGINS: Oh, it's continued. I see it's continued
8 if I would have looked. I'm a little shell shocked, I just
9 didn't go down to the bottom. All right, we're about to go
10 into a work session, but the one thing that I would - I just
11 feel important to say, I don't disagree at all with anything
12 that was said here today. I just don't disagree with it a
13 bit. We just have to be very, very careful when we do
14 something to establish a public right - a private, not a
15 public right - a private property right. We did. Somebody
16 else didn't do this. It was PZ-006-15, that means it was done
17 this year. We gave this this year. We made the mistake, if
18 that's what we all feel, then, and then we would have made a
19 compound mistake if we had not acknowledged that we had given
20 that right.

21 AGUIRRE-VOGLER: Well they were still within the
22 density, though.

23 RIGGINS: We gave them -

24 AGUIRRE-VOGLER: Overall, the overall density on the
25 (inaudible) PAD.

1 RIGGINS: The important thing is that staff - and
2 Steve - the important thing in a case like this, the prior
3 case I remember that it was so very, very blatant in, was at
4 Johnson Ranch where they kept getting more density and putting
5 off future density, and more density and putting - and then
6 when it finally came to where that didn't work anymore, they
7 were just madder than heck, but we said no, that's the way it
8 is. But good records need to be kept to make that work.

9 ABRAHAM: Absolutely, and in fact, you know, since
10 my - in my time here, staff has made a, you know, a huge
11 effort to try to make sure that that chain of documents
12 carries through from - we're talking, you know, 10, 15, 20
13 years here - to make sure that everything is done and the
14 numbers the books are all updated. We've instituted policies
15 that, you know, you'll see a PAD book submitted today that has
16 the original and then amendment, and then the amendment, and
17 the amendment to try and understand how these places evolve
18 over time. And, you know, if it helps the Commission, we can
19 certainly have a work session or a discussion item about what
20 are some of the things staff is doing to insure that some of
21 these things make their way through history, helping
22 understand or making - something in the staff report, maybe
23 making it clearer so you know what we're doing and how these
24 things move forward.

25 SALAS: When did we make this stealth, you know,

1 these things in the past, or give them whatever we did. They
2 say we did it this year, when did that happen? I say stealth
3 because I don't remember, I don't remember -

4 RIGGINS: It had to be pretty early in the year,
5 because it's 006.

6 AGUIRRE-VOGLER: A couple months ago.

7 RIGGINS: No, no, it wasn't - it was 006, we're in
8 the 11th month.

9 ABRAHAM: Right, and we can go - I mean we - I can
10 talk about that, because that was my case and I brought it
11 forward to the Commission about some of the discussion topics
12 that we had, and that was a close vote. Not all of you voted
13 for that.

14 SMYRES: I was going to ask you, Steve, do you know
15 what our vote was on this thing when we approved it?

16 ABRAHAM: Yeah, it was five to four. They barely
17 made it through here.

18 SMYRES: Yeah, it seems like I - because I remember
19 that.

20 ABRAHAM: Yeah.

21 SMYRES: The thing that strikes fear in the heart
22 was the word duplex, and I thought mistake in the happening
23 right here.

24 ABRAHAM: Yeah. And then, of course, the Board
25 ended up approving it as well, so you know, it's a team

1 effort, but yeah, and you remember - I remember Commissioner
2 Aguirre-Vogler, you know, asking is the density going up? Is
3 - explaining the whole PAD component of it. So yeah, there
4 was a lot of discussion on that zoning case about this and it
5 was barely approved, in my opinion.

6 RIGGINS: And one thing that, provided the
7 Commissioner keeps its history in mind and make sure that the
8 original PAD is what controls overall density on the entire
9 development, what we get back into is a concept that was
10 fairly favorably seen at one time, and that's the concept of
11 cluster development. Where you have a few areas in a
12 development that are very dense, in exchange for other areas
13 that are very open. So provided that that gets followed
14 through, this density is not the pattern of the development.
15 All they've done is traded present densities for much less
16 future densities.

17 AGUIRRE-VOGLER: Well, and I just want to follow-up
18 with McD's point that the safety issue on the circulation
19 isn't very good. I really agree totally with that.

20 GUTIERREZ: A question I had - I mean can I go ahead
21 and ask a question? Okay, on these PADs, one gets approved,
22 regardless of when, six months prior to them coming back or 20
23 years prior to them coming back. So I kind of felt like we
24 were getting locked into something. Well times change and you
25 see, you know, I mean just like today a cell tower, you know,

1 ten years ago we wouldn't have been thinking about a cell
2 tower that big in the middle of an area. So this density
3 factor, you know, there's, there's - I mean one match will
4 bring down that entire lot. I mean this is kind of big city
5 building, you know, the compact thing.

6 RIGGINS: They have side lots of zero.

7 GUTIERREZ: Yeah, zero side lots, I mean -

8 RIGGINS: They're conjoined.

9 GUTIERREZ: Yeah, somebody talking in one house,
10 they're going to hear it in the other. You know, you can join
11 conversations from house to house on this type of thing, and
12 it's - when the safety - I mean when they're - to me there's a
13 safety consideration on this, this type of development and
14 when, when we look at it a second time and there's safety
15 concerns, it seems like there's - that's something that should
16 be considered, or reconsidered. And I'm all for property
17 owner's rights, I mean I - property owners have the right to
18 do what they want with their property to a certain degree, and
19 I'm real strong on that, but there's a public safety issue
20 involved in one like today, you know, it's -

21 RIGGINS: We'll move on. I would like to say one
22 thing to that, though. Just something to remember, absolute
23 remember. A plat, a tentative plat is expirable. If they
24 don't build on it, they've got to renew it. It's not
25 something that lasts. But a PAD or hard zoning, once it's

1 approved, it's forever. So if we don't like something that
2 somebody did 15 years ago, I'm afraid that's our tough luck,
3 because it's done. It's a private property right then, and as
4 long as they conform to the regulations, development codes, we
5 don't have a reason to be able to say we don't like what you
6 have. That's a hard pill to swallow, I understand, but it is
7 the way it is, and they'll beat us. If we turn it down,
8 they'll beat us. As simple as that.

9 GUTIERREZ: Now, if a plat is approved, or a
10 permanent PAD is approved -

11 RIGGINS: Tentative plat's approved.

12 GUTIERREZ: Tentative plat is approved, and then the
13 County codes change, doesn't that change the entire -

14 RIGGINS: No, that would -

15 GUTIERREZ: That wouldn't change -

16 RIGGINS: Now if it's approved, if it's approved and
17 they don't take it to final plat, and we refuse to extend it,
18 then it's not grandfathered. They have to get our approval to
19 extend it, and generally what the County has done when
20 development codes and situations have changed, to get that
21 extension, they add new stipulations on it.

22 LANGLITZ: Mr. Chair, Mark Langlitz. Just a couple
23 of comments. One, I think we're starting to get off the
24 agenda maybe a little bit too much, so I would caution to save
25 this discussion for another time. And secondly, for what it's

1 worth, so that the Commission doesn't beat itself up, this
2 density rezoning for this site had to go to the Board of
3 Supervisors, and it was approved, I believe it was 5-0. So it
4 was a close vote with the Commission 5-4. If it had been 5-4
5 the other way, I believe it would have been approved anyway by
6 the Board. Again, I don't know that, but I just, you know,
7 don't - I feel a lot of regret by some members and it's not,
8 it's not your fault.

9 RIGGINS: And I concur that we should go ahead and
10 drop it and move forward, but I also will state that sometimes
11 it's good to have a little discussion after a learnable moment
12 to do a little bit of consideration.

13 SALAS: You know how we feel about density.

14 RIGGINS: Yes, I think so too.

15 HARTMAN: Especially on ingress/egress.

16 RIGGINS: Yes sir, Commissioner Smyres.

17 SMYRES: Just one question for my own.

18 RIGGINS: Certainly.

19 SMYRES: Is it - can I go back and see how I voted
20 on one of these things? Is that online or? I'm thinking -
21 God help me - that I could not have voted for this.

22 RIGGINS: We couldn't find that out unless we did a
23 roll call vote. If we voted voice vote you'll never know.

24 SMYRES: Okay.

25 SALAS: He said it was five to four.

1 RIGGINS: Yeah, but we, but we probably didn't do a
2 roll call vote. Or maybe we did.

3 ABRAHAM: I could go back and look and check.

4 SMYRES: No, I just wondered if it's like oaky, can
5 I go online and go back to a meeting and say blah, that's
6 there?

7 ABRAHAM: Yeah, absolutely. It's on our website, on
8 our website. Yeah, absolutely.

9 RIGGINS: Okay, yes sir. Commissioner -

10 GUTIERREZ: I'd like to make one comment, or two
11 comments. One, you know, I actually learned a lot right now
12 discussing this whole thing. So even though it took some time
13 and stuff, it wasn't time wasted, at least not for me. And
14 then two, I think we need to really, as a Commission, we
15 really need to look at these things seriously. In the past I
16 think maybe they were kind of rubberstamped, you know, a
17 little bit, but I think these are serious considerations and
18 stuff looking down the road, so thanks.

19 RIGGINS: And Vice Chair Hartman.

20 HARTMAN: Not to belabor this, but I have been on
21 this Commission for forever, and so I do remember back in the
22 original planning outlays of Robson's properties that they
23 showed us a futuristic design of all the arterial connections
24 and everything, and so with that one plat today it doesn't
25 give the Commission a fair view of exactly what the traffic

1 patterns will be, and Robson's done a pretty good job with all
2 the highways that they've built and point, so - but the main
3 point was they used to bring in boards, big boards and show
4 you the total. And I'm sure that Public Works looked at the
5 total traffic impact and they didn't just figure one little
6 subplot - subdivision, and used that as a whole traffic access
7 to the - that. So with that Commission - Chair, if you'll go
8 ahead.

9 RIGGINS: Okay. We probably should get off of this.
10 So let's go ahead and go onto our work session.

11 ABRAHAM: Actually Mr. Chair, on number 10 we gave
12 you the option to either approve that or deny that, or
13 continue it, so we'd like - if it behooves the Commission, I'd
14 like to let Evan give his presentation.

15 RIGGINS: Okay, on number - on S-013-15?

16 ABRAHAM: That's right, yes.

17 RIGGINS: And so where is the applicant for this if

18 -

19 ABRAHAM: They're requesting continuance, but
20 knowing how we like to handle plats here, I want to give you
21 the option to deny it if you felt that it was, if it was deny-
22 worthy.

23 RIGGINS: Okay. Vice Chair Hartman.

24 HARTMAN: With not any further discussion, I'll make
25 a motion to continue this case.

1 MORITZ: I'll second.

2 RIGGINS: Okay, we have a motion for -

3 SALAS: Continuance.

4 HARTMAN: Continuance, yes.

5 RIGGINS: And we have a second. Is the - okay. Any
6 discussion from the Commission?

7 BALMER: Just for clarification, they're looking for
8 a two month continuance to the January 21, 2016 Planning and
9 Zoning Commission.

10 HARTMAN: Thank you for putting a date on my motion.

11 RIGGINS: A continuance -

12 HARTMAN: Yes.

13 RIGGINS: Is in the motion then.

14 HARTMAN: Yes.

15 RIGGINS: Okay. Okay, very good then. In that case
16 all in favor signify by saying aye.

17 COLLECTIVE: Aye.

18 HARTMAN: Unanimous.

19 RIGGINS: Opposed? It passes unanimously for
20 continuance. And a question. It is five minutes 'til noon.

21 HARTMAN: Let's keep going.

22 RIGGINS: Okay, everybody just wants to get her
23 done?

24 HARTMAN: Yes.

25 SALAS: Yes.

1 RIGGINS: Okay. We have a work session then on PZ-
2 C-002-15.

3 MACDONALD: Thank you Chairman Riggins and
4 Commission. I did not prepare a PowerPoint for today. I
5 thought we would just have kind of informal discussion about
6 some of the concerns that you had last month regarding the RV
7 ordinance amendment. In particular, the items related to
8 septic and sewage waste of these facilities, so I brought with
9 me today Atul to kind of answer any of those questions that
10 you had last month. So with that, I just again thought we
11 would kind of have an informal discussion and maybe we'll just
12 start off with Atul kind of going over the impacts that this
13 would have, how the approval process would work if somebody
14 wanted to hook up to a septic to dump the RV waste, and kind
15 of what he would be looking at in either approving or denying
16 something like that.

17 RIGGINS: Okay, so the - I remember very well the
18 discussion we had on this last month. The concept of having
19 somebody when they come in to seek their permit for this, they
20 have to have the septic hookup permit at the same time.

21 MACDONALD: Correct.

22 RIGGINS: Has anybody considered how many people in
23 Pinal County know what their septic tank volume is?

24 SMYRES: Zero.

25 RIGGINS: Yeah, very few.

1 HARTMAN: Adequate for the house.

2 RIGGINS: It's adequate for the house, and if you
3 put two or three more people on it on a separate thing, it's
4 not going to be adequate. Almost every time.

5 ??: That's right.

6 RIGGINS: So again, we're passing something that we
7 know, or we're contemplating something we know will just make
8 virtually no one be able to comply and then they'll just do it
9 the way they've done it in the past. But by the same token,
10 on the other hand, if we don't pass it in that fashion, we're
11 absolutely not following safety laws concerning the dispersal
12 of sewage and septic tanks.

13 SMYRES: Okay, and the problem we had the septic
14 tanks back in the day, three bedroom, two bath house, 1,000
15 gallon tank. Now we go by fixture count, that same three
16 bedroom, two bath house is a 1,250 gallon tank, pretty much.
17 It doesn't take into consideration how many people are using
18 that house. I live in a house two and a half bath, three
19 bedrooms, me and one long haired cat living there. I don't
20 need a 1,250 gallon tank. Now I could have a half a dozen
21 people hook up their RVs with a husband and wife living there,
22 and my septic would still work. When you look at that, then -

23 RIGGINS: So the devil's in the details.

24 SMYRES: Yeah, either way you go you're -

25 RIGGINS: Yeah, devil's in the details.

1 SMYRES: (Inaudible) can't look at today's
2 determination and say well it won't fit, but if you don't
3 consider how many people are using it and for how long.

4 RIGGINS: let's ask the question, then, of staff.
5 How do you contemplate the permit for a septic tank hookup on
6 a temporary basis will be derived? What do you - are you -
7 what - is it number of people over time? Less time, more -
8 how do you, how do you contemplate doing it?

9 SHAH: We design system for per day. So (inaudible)
10 speaking three bedroom house, we do permit for 450 gallon per
11 day, and I don't know his name, but he said that he lives by
12 himself. That's fine. We design septic for lifetime. So
13 tomorrow if he sells his house, and if he has a three bedroom,
14 means he has to sell to somebody who has only one person lives
15 in that house, not - so we are not designing for today, we are
16 designing for long-term.

17 RIGGINS: That's correct. No, that's understood,
18 but how, how are you going to word the questions for a permit
19 applicant who wants to hook a trailer onto this system that's
20 designed for that house?

21 SHAH: Right. So people who will overdesign the
22 system, they should be okay.

23 RIGGINS: Which is .04 percent.

24 SHAH: People who ask me, and I advise them to
25 design more than what you need, and people have saved \$5-6,000

1 by doing that. Because somebody designed for five bedroom
2 house, and since design for six bedroom, because you never
3 know if you want to add one extra bedroom in the future.
4 Because that time it cost only \$200 more, but in future, then
5 would say almost \$5-6,000.

6 RIGGINS: I don't disagree with you at all, and
7 that's exactly how I would do it myself, but the situation
8 extant in this County right now is very few people have an
9 oversized system.

10 SHAH: And on top of that I would add that people
11 are in sewer district, they don't have to worry about. They
12 can put this trailer for six months. This is only people who
13 are in septic area.

14 RIGGINS: And virtually the only people that are
15 going to be requesting a bunch of trailers or a number of
16 trailers to stay on their property during the winter time are
17 people that aren't on the sewer, because it takes a big lot,
18 and most of those lots aren't served by a common sewer system.
19 So again, we're back to the reality of Pinal County.

20 SHAH: Yes, you're right. I mean the majority, I
21 would say hey you don't have big enough septic system.

22 RIGGINS: And by the way, I do wish to - this is a
23 work session, so don't - just jump in. Just jump in.

24 MORITZ: So what we're saying is - and this is for
25 my information only - it's not the homeowner's responsibility

1 to deal with the septic system if it isn't adequate, because
2 they'd know pretty soon., there is a County regulation
3 dictating what they have to have for the size of the house or
4 whatever?

5 SHAH: Yes. It's a State rule, not County, and it's
6 delegated to the County.

7 RIGGINS: Yes.

8 GUTIERREZ: If something like this is approved,
9 couldn't the County require when the individual homeowner
10 comes in to request a permit, to hook up an RV to their septic
11 system, why couldn't the County require, okay, you have to
12 know the size of your septic system, how many people live in
13 your current house, how many people are going to be in the RV
14 living in it as a guest room. I mean the onus is on the owner
15 of the house.

16 SHAH: Actually we have record of that.

17 GUTIERREZ: Yeah, so why couldn't the County just
18 require all that information? Now a homeowner can say well I
19 don't know the size of my septic system, well find out. You
20 know? I mean that's - the onus is on them, not on the County
21 to come up with that information. So if the County comes up
22 with a form on the permit requiring all that information, then
23 you can say yeah it's adequate, or no it's not adequate, you
24 don't get the permit.

25 RIGGINS: Well you know, you actually have to give

1 them scenarios here what you're dealing with. One of them is
2 the microbial capacity of the septic tank. But actually the
3 larger issue here is by State law it takes an acre and a
4 quarter to deal with a leach field. That's it. So you can't
5 put, on your acre and a quarter lot, you can't put two houses
6 and have a septic tank. Because it takes an acre and a
7 quarter to deal with the subsurface flow so you don't get
8 coliform contamination to your neighbor and all these other
9 things. So a one acre lot can't have a septic tank. It
10 can't, it has to be an acre and a quarter lot to have a septic
11 tank.

12 SALAS: Is that the rule?

13 RIGGINS: That's the rule. That's the State rule.

14 GUTIERREZ: Current rule.

15 RIGGINS: Been for a long time. That's been for a
16 long time.

17 GUTIERREZ: I mean I know a lot of places that are
18 on a third acre and they've got septic.

19 RIGGINS: I know places that are on cesspools and
20 they've been illegal since the 30s, so you know it's one of
21 those things.

22 SALAS: I wonder how much compliance we'd find if we
23 went out there.

24 RIGGINS: Well, I guess the, you know, I guess the
25 thing that - you know, and Commissioner Del Cotto has been

1 very strong on the side of it that I'll enumerate, we're
2 trying to make something better, trying to acknowledge a way
3 to make certain things that are already happening, to be make
4 them legitimate, but by the same token, to keep them within
5 what the law is we're almost going to make it so nobody will
6 go through this system anyway. And that one, I'm just
7 enumerating my opinions. I don't know how to deal with that.
8 I don't know the answer to it personally.

9 MORITZ: I -

10 SALAS: Are we going to arrest them? Fine them?

11 MORITZ: I agree. A lot of people won't even come
12 in and fill out an application.

13 RIGGINS: When they know it's so hard.

14 MORITZ: (Inaudible) have to go through so much
15 stuff.

16 RIGGINS: Yeah, the first ten that come in and find
17 out that it's crazy, they'll tell the neighbors they'll say to
18 hell with it, we're just not going to do it.

19 SALAS: They're going to say this is my property,
20 I'm going to dig a hole in it and I'm going to use that hole,
21 and I'm not going to tell anybody what the hell I'm doing,
22 okay?

23 RIGGINS: Which is a cesspool.

24 MORITZ: We should leave it as it is and be done
25 with it.

1 HARTMAN: Cesspool.

2 SALAS: That's rural living, I don't care where you
3 live, whether it's in Arizona or where, in the rural area,
4 that's what you're going to do.

5 GUTIERREZ: Yeah, but then you have (inaudible).
6 Yeah, but see if the County has a rule, that's logical, and
7 relatively fair, you know, taking care of public safety and,
8 you know, (inaudible) reduce diseases and everything else, and
9 people don't - and it's there, and there's a system set up
10 that they can, they can go through the system and work with
11 it, and they choose not to, then the County has an enforcement
12 (inaudible), you know and the ability and enforce the
13 noncompliance. If the County doesn't have anything set up,
14 then what are you enforcing? You can't enforce anything.

15 RIGGINS: And I believe, I believe the same is that
16 I believe that there has to be, even if the system isn't going
17 to be widely used because it's difficult, there still needs to
18 be a system. Because there will be willing - people willing
19 to look at the code and say oh, and they'll go do what the
20 heck they have to, and they'll make it right. And then
21 they'll start complaining about people that aren't doing it
22 because they spent money, and it'll start pushing things in a
23 direction where people will make it right. But I don't think,
24 I don't think leaving it as it is in the status quo is a good
25 idea.

1 MORITZ: I was only kidding. I didn't mean it.

2 RIGGINS: Oh no, I know. Listen, there's an
3 argument to be made for that. There is, but I -

4 GUTIERREZ: Well even future building, if somebody
5 buys a five acre parcel and they turn around and put in extra
6 systems in compliance - trying to comply with future County
7 regulations that, you know, I may want to have some motorhomes
8 in the back.

9 RIGGINS: You know, we passed - I don't know if you
10 all remember it - but we passed in the County area between
11 Coolidge and Florence - it might be annexed by now - but we
12 passed a partial year smallish RV park that was associated
13 with a roping arena, and all the septics and everything were
14 sized for what that had to be. It was all done right. And
15 they did it. Obviously, they do what they wanted to do, they
16 did all those things. So if there are rules that make sense
17 and comply with health regulations, there will be people that
18 do do that. But the people that are going to not do it
19 anyway, I guess they're just not going to do it. Okay, no
20 just jump in. Go ahead, just jump -

21 HARTMAN: Okay, Ashlee. When we - are we going to
22 require them to have an - in other words what Scott's saying,
23 our Chair's saying, is RV park requirements where you have a
24 PAD, what we call a PAD for an RV, are we going to require an
25 RV PAD, or what are you planning on doing? I mean we're

1 talking now, but we're not really making much sense.

2 MACDONALD: These are two separate issues, an RV
3 park; this that we're talking about today is specific to
4 allowing RV - one RV on a rural lot for like guest housing.

5 HARTMAN: Acre-wise, rural lot. What's the acre-
6 wise?

7 MACDONALD: Acre and a quarter and larger. So our -

8 RIGGINS: On a septic system, it has to be an acre
9 and a quarter.

10 HARTMAN: Okay.

11 SALAS: So the guideline is whatever the State tells
12 us to, right, Ashlee?

13 MACDONALD: For the septic?

14 SALAS: Yes.

15 MACDONALD: Yes.

16 SALAS: So it's not like we're going to go out and
17 make new rules for this. The State has its rules. I guess
18 we, as a County, don't even know what the hell the rules are.
19 So, you know, to me it's kind of simple, is comply with what
20 the State rules provide. Instead of trying to -

21 RIGGINS: Now the one, the one thing I suppose in
22 retrospect to a comment that I (inaudible), the one thing that
23 I guess the leach field really doesn't come into aspects,
24 because if you have an acre and a quarter lot and you want to
25 build a 10,000 square foot home on it, you still can. Your

1 septic tank will have to be sized for it, but your leach field
2 doesn't. Or it'll need to be sized big enough to handle that,
3 but still as far as the spread and the coliform and all that,
4 it's not - so the leach field wouldn't be an issue in this, it
5 would strictly be the septic tank size.

6 SHAH: Both.

7 SALAS: To begin with, what is there for enforcement
8 of these rules?

9 HARTMAN: Compliance.

10 MACDONALD: Yeah, our code compliance officers would
11 be responsible for enforcement if complaints came in that, you
12 know, a neighbor had RVs on their lots, just the same as
13 today.

14 MORITZ: I think it's how you proposed the wording,
15 and the criteria is pretty good. I don't think we can find
16 better wording or for decisions. What in there don't you
17 like, Frank?

18 SALAS: No, that's what I'm saying, it's simple to
19 me. We already have rules that are set by the State. We're
20 not going to change those rules.

21 MORITZ: I think only - isn't it only the septic
22 that is a State - I mean yeah, State rule.

23 RIGGINS: Yeah, State requirement.

24 MORITZ: Yeah, that's the only piece. But the way
25 you proposed it, I like. I'm in favor of it.

1 RIGGINS: Yeah, I am too. Okay. I guess the issue
2 is just there's going to be a limitation factor with a lot of
3 people because they're not going to be able to go through the
4 septic issue.

5 MORITZ: Right.

6 RIGGINS: Simple as that.

7 HARTMAN: Not big enough.

8 SALAS: To me it would be the communications part
9 for the people to know what it is, expect it.

10 MORITZ: Yeah, yes, what are (inaudible).

11 SALAS: That's where the issue is.

12 HARTMAN: Okay, moving on Ashlee. I had a question
13 last time on permit, issuing a permit. You said six months,
14 and then I said well what about coming back for a reissuing of
15 permit, and you said well they might have to have a storage
16 permit. And then maybe there was some talk about well
17 reissuing it for another six months, because a lot of the
18 units will be there for a whole year, for sure, and so what
19 have you come up with on that?

20 MACDONALD: Well the - the way the ordinance reads
21 now, the applicant would be required to get a temporary RV
22 permit that would be - they could get one permit that would
23 last six months over a rolling 12 month period. So in 12
24 months they can have a maximum of six months of that occupied,
25 with an occupied RV. Aside from that, there is no permit

1 needed for storage of somebody's RV, so if it was their own
2 personal RV that they were just storing on a lot, there's no
3 additional permit needed for that, that's something that's
4 allowed by the code now and would continue to be allowed.

5 RIGGINS: And indeed on your lot, you are in no
6 circumstances able to build two dwellings on your lot. That
7 doesn't exit, and if you had more than a six month permit, if
8 somebody could make it for a year, then you have two dwellings
9 on your lot. So there has to be a restriction to that.

10 MORITZ: But isn't it whether it's hooked up to
11 electric and sewer?

12 RIGGINS: Well then it's storage, then it's storage
13 if it's not hooked up.

14 MORITZ: Right.

15 RIGGINS: But if it is hooked up 365 days a year,
16 it's two dwellings.

17 MORITZ: I don't think you're saying hooked up, I
18 think you're saying storage is not hooked up to sewer.

19 HARTMAN: Exactly.

20 RIGGINS: Yes, correct, correct.

21 HARTMAN: No electricity, whatever.

22 RIGGINS: No, you can store it 365.

23 MORITZ: Yeah.

24 RIGGINS: In fact the way it was before, you
25 couldn't even have a trickle charger on your battery when it

1 was under storage.

2 MORITZ: Yes. And that would still be the case.

3 MACDONALD: You can trickle charge your battery,
4 that is one change that we're making.

5 MORITZ: Okay.

6 HARTMAN: Okay, on the storage part of it. So
7 Ashlee, six months permit and then if they choose to use it
8 longer than that, it would be up to some neighbor or some
9 other individual to put a complaint in to the County that this
10 mobile home is past its six months.

11 MACDONALD: That's correct.

12 HARTMAN: All right. Okay, let's go to the battery
13 charger, because that - is that going to be the only power
14 source, or are they going to have ED3 come out in our area,
15 ED3 come out and set a meter to that for six months or
16 whatever because the electricity on the house that's adjoining
17 is not adequate to carry the load of the additional -

18 RIGGINS: ED3 won't set up a meter on a pole.

19 HARTMAN: They will if the County approves it.

20 RIGGINS: Well, the County's not going to approve a
21 meter on a pole.

22 HARTMAN: Well that's what I'm asking Ashlee.

23 RIGGINS: Well they won't. I guarantee they won't.

24 MACDONALD: That is correct, we won't.

25 HARTMAN: Because my meter's set up on a pole away

1 from my home and they want it there. They don't want to have
2 - well they don't even use it - they don't even come and read
3 the meter anymore, so it doesn't make any difference.

4 RIGGINS: You won't get a new one done that way.

5 SALAS: You're grandfathered in, that's why.

6 HARTMAN: Well I'm sure glad I'm a grandpa.

7 RIGGINS: Everybody that's going to run a great big
8 12 gauge extension cord from (inaudible).

9 SALAS: What's the outcome of our discussion here?
10 I feel like we're rambling around.

11 HARTMAN: No we're not.

12 RIGGINS: I think, I think they've given us some
13 general provisions here, and we're discussing those, and I
14 think the septic discussion needed to held, and I think we all
15 are kind of in concurrence with (inaudible).

16 HARTMAN: And the electrical hookups.

17 RIGGINS: The electrical hookups, they're going to
18 have to figure that one out themselves, because they're not
19 going to get an electrical company to come out and put a new
20 meter -

21 GUTIERREZ: (Inaudible).

22 RIGGINS: Yeah, they're not going to get
23 (inaudible). Now if they have extra capacity in their own box
24 and they want to put a 40 amp breaker and bury a line out to
25 this thing, that's not going to be something that gets

1 stopped.

2 LANGLITZ: Yeah, Mr. Chair, Mark Langlitz. Yeah,
3 for an electrical hookup, they would need a building permit, I
4 believe. Yeah, so I don't know what our building requirements
5 are, but it sounds like they wouldn't be able to do that.

6 RIGGINS: No, they -

7 GUTIERREZ: Most of these things are for lights and
8 stuff, generator if it's air conditioner.

9 RIGGINS: Well when it becomes an issue is in the
10 summertime when they're trying to run their air conditioner
11 and a microwave at the same time, because then it takes a
12 pretty good circuit.

13 GUTIERREZ: And that would be probably the internal
14 generator would have to supplement.

15 RIGGINS: Of course, now - and a perfect question,
16 what - they're not going to be able to run generators on this
17 permit. There's no - in a - for instance in a suburban ranch
18 development, all of a sudden people all started running
19 generators?

20 ABRAHAM: Yeah, that would fall under our noise
21 ordinance.

22 RIGGINS: Yes.

23 ABRAHAM: Yeah, that would become a nuisance type
24 thing that we'd have to get the noise ordinance going on that.

25 GUTIERREZ: That would be (inaudible).

1 ABRAHAM: You're right, all noise ordinance things
2 are. Correct.

3 HARTMAN: Solar panel.

4 RIGGINS: There you are. Well, I guess what we're
5 doing in this work session, staff is looking for guidance and
6 input. I believe what's been put here is a good starting
7 point, and it's - I don't see anything here that has a big
8 checkmark that it doesn't work. And does anybody else think
9 differently?

10 MORITZ: I just want to as a little clarification on
11 this number one under 2.150.271, duration not to exceed 15
12 days or up to six months with a temp - oh okay. They can stay
13 15 days without the permit.

14 RIGGINS: Right.

15 MORITZ: Okay, got it.

16 RIGGINS: What is - by the way that's a perfect - I
17 didn't think to ask that question. What is - they're going to
18 have to submit a site plan?

19 MACDONALD: They will. We'll be looking for them to
20 submit something showing us where the RV will be parked on the
21 property so that we can insure it meets setbacks.

22 RIGGINS: And how it - they'll probably have to show
23 how the septic tank is hooked up.

24 MACDONALD: Correct.

25 RIGGINS: And that kind of stuff. Well yeah, that

1 would seem to make sense. Okay, any staff have any other
2 questions of us, or anybody else have any comments?

3 MACDONALD: I don't think so. Maybe I will just
4 take a moment to talk about our process moving forward. So we
5 had the work session last month and this month just seeking
6 your input so that when we bring it to public hearing, we kind
7 of were able to address all of your concerns ahead of time.
8 So with that, I would anticipate if there's no, no more big
9 issues that the Commission wants us to address, that we'll
10 likely bring this to - has December been advertised? We'll
11 probably bring this to the Commission for a public hearing
12 here in December.

13 RIGGINS: Okay.

14 MACDONALD: Maybe January.

15 RIGGINS: Where is the, where is the part about the
16 trickle charger? Is that in here?

17 MACDONALD: It is. It is in -

18 RIGGINS: Oh, right there. I see it, I see it. I'm
19 sorry. I see it. Okay. I think we're there. Everybody
20 okay?

21 HARTMAN: Yes.

22 RIGGINS: Okay.

23 MACDONALD: Thank you.

24 RIGGINS: Very good. Thank you. Okay, and we have

25 -

1 AGUIRRE-VOGLER: Call to the Commission.

2 RIGGINS: Yes, just getting back to my agenda here.

3 Yes, Call to the Commission.

4 DEL COTTO: I just want to make a suggestion that,
5 you know, I have only been around not even for a couple of
6 years, and I think I heard that there was - I could be - I
7 could not be correct here, but I think I heard there was over
8 287,000 homes permitted or platted in our County. So that
9 obviously -

10 RIGGINS: A year ago it was kicking around, it was
11 340.

12 DEL COTTO: Okay, so do we have a number?

13 ABRAHAM: We do, I don't know it off the top of my
14 head, but MAG - no CAG, CAG did a study of our, of all of our
15 entitlements up to a certain time and they came up with a
16 solid number. It was over 300,000.

17 RIGGINS: My recollection was 347.

18 ABRAHAM: Yeah, I think that sounds about right,
19 yeah.

20 DEL COTTO: Oh, it's 347,000.

21 RIGGINS: That was a few years ago, so some of that
22 might have been built out. I don't know, but that's -

23 DEL COTTO: So maybe just a little bit of food for
24 thought, that you know, the Commission and/or the Planning
25 Department ought to be looking more at how we're going to take

1 care of those 347,000 new homes, and what needs that they may
2 have before they continue to plat more and more and more
3 housing. And I'm sure we'll run into some more of what may
4 have been approved ten or 15 years ago, that's just kind of
5 normal growing pains, I suppose, right? That, that we ran
6 into one of those today with that, with that plat there, so
7 it's, it's a lot of people. So with that comes the problems
8 with the roads and the problems with egress and so, so I just
9 - I had no idea it was even that much, so it's over 300,000.

10 RIGGINS: It's a lot.

11 AGUIRRE-VOGLER: And if I -

12 RIGGINS: Just out of kicks, you know, there were
13 times in 2004 and 5 that in a - in one single Commission
14 meeting, there was 40 or 45,000 homes approved.

15 AGUIRRE-VOGLER: But would you agree, Scott, that
16 there might not be enough water for all those entitlements?

17 RIGGINS: I believe I've stated that emphatically
18 very much -

19 AGUIRRE-VOGLER: So there used - if you're finished?
20 Staff, there used to be a staff member that would kind of keep
21 us posted by - you might go back and find it, because she used
22 - Bonnie (inaudible) used to do a, like an Excel on it. So
23 you might have that in a computer yet. But anyway, so you
24 said that we would discuss the - why you're changing the
25 format and you're doing the recommendations, and if we have

1 new Commission Members, you know, to me I'm kind - I just
2 don't think that that's necessary personally. Could you tell
3 me why you're doing that?

4 ABRAHAM: Sure. When Jerry left and Himanshu came
5 over, one of the things that he wanted to install was have
6 staff take more of an active role in the zoning process and be
7 able to, you know, enunciate an opinion, be able to back that
8 opinion up with facts and data, and have a discussion about as
9 professionals does this meet our adopted policies, what is
10 your professional opinion as a planner, and then be able to be
11 challenged on that opinion in open session and be able to
12 defend that opinion. Which I think is the responsibility of,
13 you know, our staff - Ashlee, Evan, Dedrick, me - you know, be
14 able to back that information up. And the format change,
15 because I wanted to provide like kind of a synopsis and like a
16 little bit of a sound bite right at the beginning, you know,
17 this is what this is. If you can - some of the older
18 Commissioners that have been on for a while, you can remember
19 the old recommendations where basically, you know, if you
20 can't find for all these factors, we recommend you recommend
21 denial; or if you can, we recommend you recommend approval.
22 It was very, very neutral.

23 RIGGINS: But it was already stated.

24 ABRAHAM: Yeah, absolutely.

25 RIGGINS: Your position was always stated.

1 ABRAHAM: Absolutely.

2 AGUIRRE-VOGLER: (Inaudible) staff recommendation,
3 that's what I don't understand. Like I say, when a new
4 Commission Member comes on, it's going to sway their opinion
5 to how you feel, and I don't know, I'd like to know how the
6 other Commissioners feel, but before we - you know, I don't
7 care for it personally.

8 LANGLITZ: Mr. Chair, no, the Commission cannot have
9 a discussion amongst themselves on this item, that would
10 violate the open meeting law. That's the advice, yes, because
11 it's not on the agenda. So there could - an individual
12 Commission - did I say councilmember, if I did, I apologize.
13 An individual Commission Member can say something, but there
14 can't be discussion between Commission Members.

15 RIGGINS: Okay. You know, I'm going to have - as
16 Chair, I'm going to jump into this in a second. You know,
17 we've created a, we've created a blind conundrum here. We
18 decided to bring up this concept of Call to the Commission,
19 but we have neutered it before we ever start. It makes for -
20 it definitely makes for a process of lack of discover and lack
21 of growth as a Commission to not be able to have any
22 discussion whatsoever of something even as simple as how a
23 report is prepared. Basically what we're saying at this point
24 is for us to be able to discuss this, we have to request this
25 to be an agenda item for the next meeting? Is that what we

1 need to do?

2 LANGLITZ: Mr. Chair, yes, exactly. And the
3 guidance that is received on that comes from the State open
4 meeting law enforcement team, it's acronym is OMLET, and they
5 have indicated that calls to boards or commissions or
6 committees is in violation, period, of the open meeting law.
7 So -

8 RIGGINS: You guys are the ones that wanted to put
9 it on the agenda.

10 LANGLITZ: Well, don't say you guys. It wasn't me.
11 Now, with that said though, the open - the OMLET team has said
12 well you can discuss current events. So in opening up the
13 Call to the Commission, what I've got to do is listen and if
14 it kind of falls more toward a current event or a statement
15 such as Commissioner Del Cotto made, there was no discussion
16 between Commission Members, it was a question to staff, and
17 then back, and Commissioner Aguirre-Vogler's question, you
18 know, why are you making a recommendation, the response Steve
19 gave back, I think that's fine. I don't see any problem with
20 that. But once you start to discuss something between
21 themselves, that's all I can say. I have no choice but to
22 give that advice.

23 RIGGINS: I have a solution. I think I have a
24 solution that probably - well it's awkward, but I think it can
25 work just fine. If there becomes an item that needs to be a

1 discussion item that is brought up in the Call to the
2 Commission, at the point that you hold your hand up and say
3 but Commissioners, I think what I'm going to do as the Chair
4 at this point is I'm going to say Commissioner Members, do we
5 have a consensus to put this on as an agenda item for the next
6 regular Commission meeting? And I will ask that right now, is
7 there consensus to bring Commissioner Aguirre-Vogler's finding
8 on this report up for general discussion? And I'm not going
9 to ask for a vote, I'm going to ask for a consensus.

10 LANGLITZ: Well that, yeah, Mr. Chair you can't do
11 that. That -

12 RIGGINS: We're establishing an agenda item.

13 LANGLITZ: Just tell Steve to put it on the agenda.
14 You see, you can't vote.

15 RIGGINS: I didn't say a vote, I said -

16 LANGLITZ: Consensus is a vote.

17 HARTMAN: You just ask Steve to put it on the
18 agenda.

19 LANGLITZ: Just ask him to put it on.

20 AGUIRRE-VOGLER: I haven't finished. I need to ask
21 him another question.

22 RIGGINS: Okay, all right, so none of us can comment
23 about it.

24 AGUIRRE-VOGLER: But I might be - if I ask this
25 question, it might be off of another Commissioner's thought.

1 But you know, like I say, we used to get an update on
2 entitlements and how many and everything, you might give that
3 to us, but my question is is, you know, I'm - I was basically
4 born in this County - and I don't want to say how old I am,
5 but everybody probably knows - but I don't understand, and I'd
6 like to hear form the County Manager on how come if we have
7 all these houses that we have, why do we have such a problem
8 in this County financially? I don't - that's what I don't
9 understand. So I need to hear it from somebody that must
10 understand how this County is working. I was always told the
11 jails were supposed to be bringing us in a lot of revenue, and
12 then I find out that they haven't been audited in this County
13 and we were losing money for how many years. So how many
14 other things are going wrong with this County that they can't
15 seem to do their books right? So you know, that's my take and
16 I really don't understand it, because I know a long time ago
17 it was a lot better than it is with all the people that we
18 have now.

19 RIGGINS: I don't know whether that's under the
20 purview of the Planning and Zoning Commission to (inaudible).

21 AGUIRRE-VOGLER: Well no, I'm asking, I'm asking for
22 the County Manager to come up and tell us what's wrong with
23 the budget here.

24 MORITZ: She wants a personal meeting with him.

25 ABRAHAM: What I'll do is I'll let Greg know of your

1 concerns and see if he can maybe give you a call. If that -
2 well because - well - and then I was going to say that if we
3 could link it to some sort of land use planning, sort of
4 larger discussion, Greg may want to come and talk about that.

5 RIGGINS: And we are a Commission that deals with
6 land use planning, and this particular question was entirely
7 political and I don't know whether - I don't see it's a
8 germane issue that we really have a forum here to discuss
9 that.

10 AGUIRRE-VOGLER: But if we don't have the
11 (inaudible) to give these houses, well then how can we make
12 all of the - how can we approve all of (inaudible).

13 RIGGINS: Actually if you - and this isn't a
14 discussion, this is just a statement of fact. If you all
15 remember correctly there was a great change of the way things
16 were done for road funding at a point in time where we had
17 way, way too many houses planned and nothing was being paid
18 for, and we totally changed the funding, and as people's
19 tentative plats expired, we made them go to the new system to
20 get their tentative plat re-upped. So we've dealt with that.
21 But as far as the ability of a County to pay for a bunch of
22 residences if there's not enough commercial activity, that's a
23 political concept.

24 MORITZ: And could I just make a comment to staff?
25 State funds used to be given to the County, and they have

1 retained those funds and a lot of our difficulties, from a
2 County perspective, is due to that, in terms of road building.
3 So - but I'm not having a discussion here. And I also would
4 like to make a comment to staff only, that in regard to the -
5 because I won't be able to do this next month, unless I came
6 down and you opened it to the public -

7 RIGGINS: (Inaudible) anything right now.

8 MORITZ: Yeah I can. Can I have another brownie?
9 The - in terms of you putting down what staff is recommending,
10 that is nothing more than what we do to the Board of
11 Supervisors. We say we're recommending blah blah blah, and
12 they can do whatever they want. Yeah, and they do, and most
13 times they override our decision. So I'm not intimidated by
14 that. But then I'm not a highly intimidated person. If we
15 get - surprise, surprise - and - but if we get new
16 Commissioners who are somewhat skeptical or uncertain of what
17 their role is, or just their personal level of confidence or
18 lack of intimidation, they could be swayed by that. But I see
19 it no difference than what we do to the Board of Supervisors.

20 HARTMAN: Okay, let me interrupt with a point of
21 information. This is what is really intended to do is give
22 the Commission Members information about current things that
23 are happening today. A quicker route to Interstate 10 from
24 347 to I-10. It parallels Val Vista and it runs from I-10 all
25 the way to 347. That meeting has been held already in Casa

1 Grande and it's going to be held tonight from 6 to 8 p.m. at
2 the Copper Sky facility there in Maricopa. So if anybody's
3 interested in going and seeing that, I have the article.

4 ABRAHAM: Are we putting that on, or is ADOT putting
5 that on?

6 HARTMAN: You know what, I don't know. It was in -
7 I didn't go to the one that was in Maricopa - I mean excuse
8 me, Casa Grande - but I did in 2013 go to the one in Maricopa.
9 So I don't know. It's kind of a intergovernmental, but this
10 article says from Florence, Arizona. So Steve, you should be
11 there.

12 MORITZ: Did you have dinner plans?

13 ABRAHAM: They're done now. They're over now.

14 HARTMAN: All right, so that's my point of
15 information. I have the article. And there's some things
16 that are kind of new. On of the left hand turns, they're
17 going to take you past the intersection and go back and go
18 into it. Whatever, and it's not called a freeway, it's called
19 something else. A parkway, it's called a parkway.

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

21 ABRAHAM: And to respond to that comment, staff is
22 planning to have one of our transportation guys come back in
23 and talk about transportation planning that's been happening
24 in the County up to this point. We've heard from a bunch of
25 folks from Public Works, except our transportation guys. And

1 Doug Hansen in our guy. He's actually trying to retire soon,
2 so we're going to have him talk to you guys right before you
3 leave - right before he leaves.

4 HARTMAN: Oaky. One other quick subject that I
5 thought was kind of different. The City of Maricopa Planning
6 and Zoning and the City Council had a meeting to try to
7 develop better understanding with a fast moving community.
8 Most of the people of Maricopa race out of Maricopa to go to
9 their jobs, so they don't have time to go to the Planning and
10 Zoning or the City Council meeting, so they're trying to come
11 upon different methods to be able to communicate with the
12 residents, and there's some comments in there. This one
13 person is a millennium - whatever, he's 20 or whatever - and
14 he says I can hardly wait to get out of my 3,000 square foot
15 home with my two kids so that they can have less space.
16 Whatever, something like that. Anymore -

17 SALAS: More space.

18 HARTMAN: No, less. They want to size - downsize.
19 They think that the Commission Members have made the homes too
20 big, in other words. We've heard this from the realtors.
21 It's more homes to sell and all that. Higher density and
22 whatever, so it's interesting.

23 RIGGINS: Just jump in.

24 GUTIERREZ: Yeah, I went to the meeting in Casa
25 Grande regarding the highway and stuff, and it's pretty

1 informative through the maps. So if anybody goes, it's good
2 information. Comment, not a discussion on anybody else's
3 comments, but a recommendation would be, I like the
4 recommendations coming from staff, you know, it gives me a
5 starting point. But maybe a recommendation to staff too, in
6 light of Jill passing on to bigger and better things. No, not
7 (inaudible). Going on, moving up to bigger and better things.
8 When you give the orientation maybe to the new Commissioner
9 coming in, that might be a point that you address, you know,
10 just that the staff makes a recommendation, you know, and -
11 but they still have to come up with an independent decision,
12 one way or the other. But, you know, maybe address that
13 during the orientation, because it - because I remember the
14 orientation was real helpful to me, you know, sponge trying to
15 figure it all out, so.

16 HARTMAN: You got an orientation?

17 GUTIERREZ: I did. Steve gave me one.

18 ABRAHAM: Yeah, I started giving like some - a real,
19 about an hour or two training session for new Commissioners
20 that come in.

21 RIGGINS: I didn't realize that, that's a good
22 thing.

23 GUTIERREZ: Yeah, back in the 40s when you guys
24 started on the Commission - Steve wasn't even born yet.

25 RIGGINS: And I have a comment also, it's not a

1 discussion. One of the things that is a truism of a Planning
2 and Zoning Commission, a person can have a great bunch of
3 vested knowledge in real estate, they could even have vested
4 knowledge in development, but what happens here is from the
5 other side, so by necessity whoever sits here, kind of has to
6 get in-job training while they're sitting here, and the
7 process needs to understand that. The things that staff does,
8 the interactions, the things that we do needs to help
9 facilitate some of the working knowledge of how and why we
10 made decisions. And I was very glad to hear - I didn't
11 realize that you were doing an orientation. I think that's an
12 excellent, excellent idea.

13 SALAS: Steve, in the orientation, you should
14 include a glossary of terms that we use. You know, we come in
15 here and we say well CR-1 or CR-3, whatever the hell, and you
16 wonder why, you know, they use some other terminology, you
17 know?

18 RIGGINS: They have a book for that. The problem
19 is, is we've got some of this stuff is the old, the old
20 designations, and some's the new designations.

21 GUTIERREZ: Isn't that updated on the website?

22 ABRAHAM: I was just going to say that.

23 Commissioner Salas if you'd like to go to a tablet, there's
24 all the current information you ever want is on - would be on
25 the tablet.

1 RIGGINS: I won't say what that was.

2 SALAS: I'm not going to buy a computer to keep up
3 with it.

4 ABRAHAM: They're free. I'll give one to you for
5 free. Oh yeah, I've got one.

6 SMYRES: I thought I heard the other day on the
7 news, just - they were talking about Maricopa, the bridge or
8 train trestle thing, move forward?

9 HARTMAN: It's going forward, they got more money.

10 SMYRES: I thought - I was just walking through the
11 room and I heard that, and of course they were past that, but
12 I thought they had made some progress that that thing might
13 happen in my lifetime. Is that actually moving forward?

14 GUTIERREZ: You got to make it a comment, not a
15 question.

16 SMYRES: It's a comment that I think it may happen
17 in my lifetime.

18 RIGGINS: Okay, we're getting - yes.

19 MORITZ: One thing I want to make a comment on. I
20 don't know how long I've been doing this, but I think it would
21 be five years in February. But anyway - and I have walked
22 into this building every month looking at the shabbiness that
23 we let public walk through to get in here for a meeting that's
24 open to anybody, and today I came in and it's beautifully
25 painted. We should be proud now to let the public come in.

1 AGUIRRE-VOGLER: And the parking lot stripes
2 (inaudible).

3 RIGGINS: Okay. We've probably - Mark's just going
4 when are you guys going to stop this stuff? We have a motion
5 for adjournment. Do I got a second? Got a second to that.
6 We got a second. All in favor say aye. We're adjourned.

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Julie A. Fish