



PINAL COUNTY  
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## PINAL COUNTY PLANNING AND ZONING COMMISSION

Regular Meeting

9:00 a.m.

Thursday, March 21, 2013

Emergency Operations Center (EOC) Pinal County Complex - Building F

31 N. Pinal St. Florence, Arizona

### NOTICE OF PUBLIC MEETING AND AGENDA

There may be a supplemental agenda for this hearing, please check with the Planning & Development Department at 520-866-6447.

#### CALL TO ORDER:

- |                            |                            |
|----------------------------|----------------------------|
| ( ) HARTMAN, Chairman      | ( ) RIGGINS, Vice-Chairman |
| ( ) AGUIRRE-VOGLER, Member | ( ) SALAS, Member          |
| ( ) BROWN, Member          | ( ) MORITZ, Member         |
| ( ) GUTIERREZ, Member      | ( ) DEL COTTO, Member      |
| ( ) ANDERSON, Member       | ( ) SMYERS, Member         |
| ( ) DEPUTY COUNTY ATTORNEY |                            |

**SCHEDULE OF AGENDA:** ACTION MEANS DISCUSSION/ RECOMMENDATION FOR APPROVAL OR DENIAL TO THE BOARD OF SUPERVISORS ON THE FOLLOWING PLANNING CASES. (Numbers are shown for administrative convenience only. All interested persons should be aware that the cases may be heard in an order different than that shown on the agenda).

A work session is not a public hearing. For matters that are not listed as "public hearings" the public may attend and listen to the proceedings, but may only address the Commission with its permission.

#### 1. DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES:

- February 21, 2013

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

- February 27, 2013
- March 13, 2013

#### 3. PLANNING DIRECTORS DISCUSSION ITEMS:

- Commissioners stating opinions on cases prior to public testimony

#### 4. Discussion with and presentation from Fritz Behring, County Manager

#### 5. Discussion with and presentation from Zoe Richmond, Union Pacific Railroad; Michael Kies, ADOT; and a Staff representative from the City of Maricopa, to discuss planning and transportation improvement efforts in the Maricopa & western Casa Grande area with the Planning Commission. (This discussion will be held at 1 p.m.)

PLANNING & DEVELOPMENT

**CONTINUED CASES:**

6. **SUP-005-12 – PUBLIC HEARING/ACTION:** Avra Valley Fire District, applicant/landowner, Transworld Network, agent requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and wi-fi internet service on a 4.06± acre parcel in the (GR) General Rural zone; situated in a portion of the SE¼ of Section 18, T10S, R11E G&SRB&M, Tax parcel 410-22-008B (legal on file) (located at the NWC of Amber Sunrise Dr and Estancia Dr).(Continued from the January 17, 2013 Planning Commission meeting)

**NEW CASES:**

7. **SUP-001-13 – PUBLIC HEARING/ACTION:** Clary Childers, applicant, Papago Properties, LLC, landowner requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone (**PZ-430-74**); situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file) (located on the south side of Papago Rd, east of White Rd in the Maricopa area)

**WORK SESSION:**

8. Discussion on a potential Major Comprehensive Plan Amendment to allow green, utility scale electricity production applications to be processed as Non-major Comprehensive Plan Amendments

The Planning Commission may go into executive session for purposes of obtaining legal advice from the County's attorney(s) on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).

**ADJOURNMENT**



PINAL COUNTY  
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**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
DRAFT MINUTES OF February 21, 2013**

**PRESENT:** Mr. Hartman, Chairman  
Ms. Aguirre-Vogler, Member  
Mr. Gutierrez, Member  
Mr. Del Cotto, Member  
Mr. Riggins, Vice-Chairman  
Mr. Brown, Member  
Ms. Moritz, Member

**ABSENT:** Mr. Ellis, Member  
Mr. Salas, Member  
Mr. Tameron, Member

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

**PLANNING STAFF PRESENT:**  
Mr. Stabley, Director  
Ms. MacDonald, Planner II  
Ms. Cortez, Administrative Secretary  
Mr. Abraham, Planning Manager  
Mr. Ashbaugh, Planner I

**PUBLIC WORKS STAFF PRESENT:**  
Mr. Chow, Development Section Chief

The meeting was called to order at 9:06 a.m., this date by Chairman Hartman in the Emergency Operations Center (EOC) Hearing Room, Building F, Florence, Arizona.

Chairman Hartman introduced Mr. Rand Del Cotto the new Planning and Zoning Commission Member representing District 4.

**DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: January 17, 2013**

Commissioner Aguirre-Vogler stated on page two (2) third to the last paragraph needs clarification, regarding the question asked by Chairman Hartman and the response by the applicant.

Chairman Hartman stated also on page two (2) second to the last paragraph also needs clarification.

**MOTION**

Commissioner Aguirre-Vogler made a motion to approve the minutes of January 17, 2013, with the clarifications. Commissioner Moritz seconded the motion. Motion passed unanimously.

Mr. Stabley stated representatives from The Department of Transportation and Union Pacific Railroad will be attending the March 21, 2013 meeting to address any questions or concerns the Planning Commission may have.

Mr. Fritz Behring County Manager will also be making a presentation for the Commission on March 21, 2013.

Chairman Hartman stated City of Maricopa and the City of Casa Grande, conducted a joint meeting to provide an update on the study on a new east-west transportation corridor through western Pinal

County. Chairman Hartman suggested having Pinal County Public Works and Planning staff members present.

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

Mr. Stabley gave an update from the January 30, 2013 meeting; case PZ-008-12: Elba Bonfiglio landowner/applicant, the Board of Supervisors approved the zone change.

No cases on February 13, 2013 presented to the Board of Supervisors.

Chairman Hartman requested the members of the Planning Commission to introduce themselves, and the district they represent.

Commissioner Del Cotto recused himself from case SUP-010-12 due to conflict of interest. Commissioner Del Cotto exited the room at 9:19 a.m.

### NEW CASES

**SUP-010-12 – PUBLIC HEARING/ACTION:** Paul Shaub, applicant, Glenn Wilt Jr., agent requesting a Special Use Permit to operate the Pinal County Wellness Center medical marijuana dispensary on a 1.59± acre parcel in the CB-2 zone (**PZ-518-77**); situated in a portion of the NW¼ of Section 8, T6S, R16E G&SRB&M, tax parcel 300-20-007B (legal on file) (located on the west side of Highway 77, south of Valentine Road in the Dudleyville area).

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

Chairman Hartman called the applicant forward.

Commissioner Aguirre-Vogler asked Ms. MacDonald why the case needs a SUP if it is under the CB-2 zoning. Ms. MacDonald responded the zoning ordinance requires that medical marijuana dispensaries be located in a CB-2 zone and must receive a SUP.

David Dow, 3104 E. Camelback Road #281, Phoenix, Arizona, came forward to address the Commission. Mr. Dow gave a brief presentation of the project, and stated that the marijuana would be purchased from another dispensary.

Chairman Hartman asked Mr. Dow where the majority of the clients would be coming from. Mr. Dow responded he believes there will become clients that are embarrassed about using a local dispensary who will travel to this dispensary. He added there are seventy-five (75) people in the specific area that are approved cardholders.

Chairman Hartman asked what are the laws regarding driving and transporting marijuana for approved cardholders? Mr. Dow responded under current law, qualified patients may purchase 2.5 ounces of marijuana every two weeks. However, despite the fact that a person may be a qualified as an approved cardholder possession of a legal card will not prevent a motorist from getting a DUI. The effects of marijuana can stay in a person's system for days, weeks, and even months depending on how much and often they use it.

Commissioner Brown asked Mr. Dow if there were specific factors in picking the location for the dispensary. Mr. Dow responded the area was picked because it is relevantly vacant; there are no schools nearby or public buildings.

Commissioner Moritz asked Mr. Dow who will be operating the dispensary. Mr. Dow responded that Mr. Shaub and Dr. Wilt would be in the location on a day-to-day basis. Commissioner Moritz stated she is opposed to the concept but the presentation by the applicant and the choice of location by the applicant;

make her feel more comfortable with the dispensary. Commissioner Moritz stated there are many people who are opposing the dispensary and perhaps they are only opposed to the concept, since it is still new. Commissioner Moritz stated she does not see any major concerns approving the case, since the applicant seems to be following all the regulations.

Chairman Hartman spoke regarding an article the Chandler Republic published speaking regarding the pro's and con's on consuming medical marijuana.

Commissioner Gutierrez asked Mr. Dow if there would be onsite prescriptions given, now or in the future. Mr. Dow responded no, and clarified that it isn't considered a prescription, rather the doctors recommend. Mr. Dow stated by law the medical director cannot recommend medical marijuana. Commissioner Gutierrez asked what background research is done on the cardholders. Mr. Dow responded once the identification has been issued by the State of Arizona the Department of Health Services (DHS) requires the dispensary to scan the identification card into the DHS database for confirmation of card approval. Once the identification is scanned and sent to the DHS database, it will also tell the dispensary how much medical marijuana that client can receive on that specific visit.

Commissioner Gutierrez asked about the stipulation regarding off-site delivery of medical marijuana by the dispensary being prohibited. Mr. Dow stated that is a stipulation that they would like to remove since DHS has specific rules that need to be followed to deliver the marijuana. DHS does not prohibit deliveries. Mr. Dow also stated the applicant would like to modify stipulation one (1), the SUP only being good for two (2) years. The applicant would like to increase it to three (3) years due to DHS having three (3) years for their review, and this way it would line up with the State's requirements.

Commissioner Gutierrez asked Mr. Dow if comments were sought from the tribal area while the community meetings were being held. Mr. Dow responded he had not personally spoken to the Indian reservation, but Dr. Hartman had and he had not received any negative input from them. Commissioner Gutierrez asked Mr. Dow where the product would be delivered from, since it will not be grown on site. Mr. Dow stated it would be initially purchased from another dispensary, and in time, Dr. Hartman plans to grow in his own facility.

Commissioner Gutierrez asked Mr. Dow if the law was to change, does the dispensary have a plan to change with the law. Mr. Dow responded the business plan would not be changed, but the bylaws would be amended to conform to the DHS requirements. Commissioner Gutierrez asked Mr. Dow if the wellness center and or other facilities in Globe area would be advertising the dispensary. Mr. Dow responded it would be very rare to do so, but information about the dispensary will be available online.

Dr. Glenn Wilt Jr., no address provided, came forward to address the Commission. Dr. Wilt stated Dr. Hartman would have seminars from time to time for massage therapists, yoga instructors, and other professionals that could add to the dispensary business. Mr. Dow stated that Dr. Hartman has been trying to perfect the methods used in California with the dispensaries to make sure none of the problems that have occurred there occur here.

Commissioner Brown stated the best advertisement would be to advertise to the medical profession, not online. Advertising online would meet a younger demographic. Mr. Dow stated advertising online is not just for the younger demographic. Direct contact with health professionals would be a helpful way. Commissioner Brown stated advertising is normally when a business is in competition and asked if the dispensary is in competition. Mr. Dow responded there would be some competition, and you would hope the business succeeds and advertising is more about introducing to the public what is available.

Commissioner Moritz stated the Commission is not here to establish what the marketing plan is, but to decide if the dispensary meets the comprehensive plan of the County and if it meets the health and

welfare of the citizens of the County. Commissioner Moritz asked if the doctors are medical or academic. Mr. Dow responded Dr. Hartman is medical, and Dr. Wilt is not.

Vice Chairman Riggins asked Mr. Dow to describe why he believes the landowners around the dispensary are in opposition. All of the correspondence received by staff has been in opposition; no one is in support of the dispensary. Mr. Dow responded he does not have an explanation why they are opposing the dispensary.

Chairman Hartman stated during the public meeting there were only three (3) members of the public present, and the meeting only lasted 10-20 minutes. In the packet presented by staff there were approximately 100 (one hundred) letters opposing the dispensary. Commissioner Brown stated he believes if it would have been advertised in the medical field there would have been more public turn out. Commissioner Gutierrez agreed with Commissioner Brown. Vice Chairman Riggins stated that it does not matter what the business is or how the marketing is conducted; what needs to remain in focus is that this is an SUP and it needs to be treated as any other SUP would be treated.

Paul Shaub, P.O. Box 723, Winkelman, Arizona, came forward to address the Commission. Mr. Shaub stated there were three (3) members of the community who attended the public meeting.

Commissioner Moritz stated on the application, there is a fee that covers advertising. There is no reason to have the applicant pay for that fee again to hold another public meeting. If the residents of the area were opposed to the dispensary, they would have been present for the first meeting. It is much easier for someone to sign a petition than to actually show up to a meeting.

Chairman Hartman opened the meeting to the public. Hearing none, Chairman Hartman closed the public portion of the meeting.

Vice Chairman Riggins stated there have been SUP's with a lot of public support; there have been other cases when there is great opposition. It is clear that the people in the proximity of this dispensary are not in favor, there were 105 people opposed and none in favor. Furthermore, a SUP needs to have access and this case clearly states, "The subject property does not have legal access through state land, or approved access from the highway," that should be clarified before coming to the Commission. It is a public business and it needs to have access.

Commissioner Brown stated the access to this site has always been illegally used. Granting access to the site will not change the outcome from the public. The neighboring residents are opposed, and what needs to be understood is that the dispensaries are going to be done and what is best for everyone is to have them administered by someone who knows what they are doing, and be done the right legal way.

Commissioner Gutierrez asked Ms. MacDonald if the County would not issue the permit until legal access to the site has been obtained. Ms. MacDonald responded one of the stipulations states they have to receive site plan approval before they begin operating, and staff will not approve the site plan until the applicant provides proof of legal access.

Commissioner Moritz stated there are many people in opposition in this case, but none are present at this Planning and Zoning public hearing. Vice Chairman Riggins agrees with Commissioner Moritz, if there is great disagreement, there should be physical presence but there is not and we only have numerous letters in opposition and no letters in support.

Ms. MacDonald reviewed the stipulations for the Commission. Mr. Dow would like to change stipulation one (1), to renewing the SUP in three (3) years instead of two (2). Ms. MacDonald explained the two (2) years are a requirement from the Zoning Ordinance, and it cannot be extended to three (3) years. Ms. MacDonald also suggested modifying the wording on stipulation eleven (11), to clarify that off-site

delivery of medical marijuana to a patient is prohibited. Ms. MacDonald suggested adding stipulation eighteen (18) to clarify there will not be any on site cultivation based on the applicant's presentation.

Chairman Hartman asked if the SUP was issued to the land or to the applicant. Ms. MacDonald stated it is issued to the land. When the Zoning Ordinance was updated, the language was changed in the SUP section to have them issued to the land rather than the applicants.

Commissioner Brown agreed with the applicant regarding changing stipulation one, regarding the renewal of the permits being every three (3) years instead of two (2) years.

Mr. Dow stated they do not have a problem with the stipulation stating no cultivation, but would like to have the off-site deliveries stipulation removed. The dispensary has older patients that would need deliveries made to their homes. Ms. MacDonald stated the Zoning Ordinance prohibits the deliveries. Commissioner Brown stated the people that would best benefit are the ones that can at least drive out to the dispensary to pick it up.

Ms. Grieb stated this is all new to everyone; we do need to follow the Zoning Ordinance. If we find out that this does not work for dispensaries, we can always do a Zoning Ordinance Amendment in the future.

Mr. Stabley stated it was going to be difficult to prove to the delivery person that the person receiving the medical marijuana was really an authorized cardholder.

#### **MOTION**

Vice Chairman Riggins made a motion to forward case SUP-010-12 to the Board of Supervisors with a recommendation of denial. There was no second on the motion.

Vice Chairman Riggins stated that when we are reviewing a SUP application we need to consider the feelings of the people that have to live around it.

#### **MOTION**

Commissioner Moritz made a motion to forward case SUP-010-12 to the Board of Supervisors with a favorable recommendation, with changes to stipulation eleven (11) to read "off-site delivery of medical marijuana from the dispensary to a patient is prohibited;" and adding stipulation eighteen (18) "there shall be no cultivation of marijuana at the dispensary, as stated by the applicant;". Commissioner Brown seconded the motion.

Chairman Hartman requested a roll call vote.

Commissioner Aguirre-Vogler Yes, it is the wave of the future and was approved by the voters.

Commissioner Brown Yes, it is the law, and if someone is going to do it, it should be a responsible party and the applicant seems to be the right candidate.

Commissioner Gutierrez Yes, the applicant gave a good presentation and they are in compliance with the state law, as well as with Pinal County.

Commissioner Moritz Yes, and agrees with the other Commissioners.

Vice-Chairman Riggins No, it is not a discussion about medical marijuana it is really about zoning, and the many citizens whom opposed the case.

Chairman Hartman No, because of the public safety and welfare.

Motion passed, four (4) in favor and two (2) opposed.

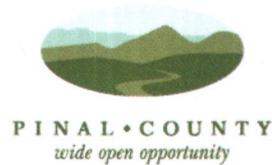
**ADJOURNMENT**

Commissioner Moritz made a motion to adjourn. Commissioner Aguirre-Vogler seconded the motion. Chairman Hartman accepted the motion. Meeting adjourned at 10:52 a.m.

RESPECTFULLY submitted March 21, 2013

\_\_\_\_\_  
Jerry Stabley, Planning Director

DRAFT



## MEMORANDUM

TO: Pinal County Planning and Zoning Commission

FROM: Arline Studley, Drafting Specialist  
Planning & Development

DATE: February 21, 2013

SUBJECT: **BOARD OF SUPERVISORS (BOS) ACTION ON P&Z CASES**

### **BOS HEARING OF FEBRUARY 27, 2013 P&Z Cases**

**SUP-009-12** - Paul Shaub, applicant, Glenn Wilt Jr., agent requesting a Special Use Permit to operate the Pinal County Wellness Center medical marijuana dispensary on a 1.59± acre parcel in the CB-2 zone.

**P&Z voted four (4) in favor and two (2) opposed to recommend approval**  
**BOS Action: Approved**

### **BOS HEARING OF MARCH 13, 2013 P&Z Cases**

**No Cases**

**SUP-005-12**

**SUP-005-12**



PINAL COUNTY  
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MEETING DATE: March 21, 2013 (***Continued from the January 17, 2013 meeting***)

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **SUP-005-12 (Avra Valley Wireless Communication Facility)**

CASE COORDINATOR: Ashlee MacDonald

LEGAL DESCRIPTION: a 4.06± acre parcel situated in a portion of the SE¼ of Section 18,  
T10S, R11E G&SRB&M, Tax parcel 410-22-008B (legal on file)

TAX PARCEL: 410-22-008B

LANDOWNER/APPLICANT: Avra Valley Fire District, 15790 W. Silverbell, Marana, AZ 85653

AGENT: Transworld Network, 8600 W Tangerine Rd, Marana, AZ 85653

REQUESTED ACTION & PURPOSE: Avra Valley Fire District, applicant/landowner, Transworld Network, agent requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and wi-fi internet service on a 4.06± acre parcel in the (GR) General Rural zone

LOCATION: Located at the NWC of Amber Sunrise Dr and Estancia Dr

SIZE: 4.06± acres.

COMPREHENSIVE PLAN: The site is designated as Very Low Density Residential (VLDR). The surrounding properties are also designated VLDR.

EXISTING ZONING AND LAND USE: The subject property is zoned General Rural. The Avra Valley Fire District is currently operating at this site.

**SURROUNDING ZONING AND LAND USE:**

North: GR - Residential  
East: GR - Vacant  
South: SR (PZ-063-65) - Residential  
West: GR - Residential

**FINDINGS:**

Site data:

Flood zone: "x" an area that is determined to be outside the 100 year floodplain.

Access: The property is accessed from Amber Sunrise Dr.

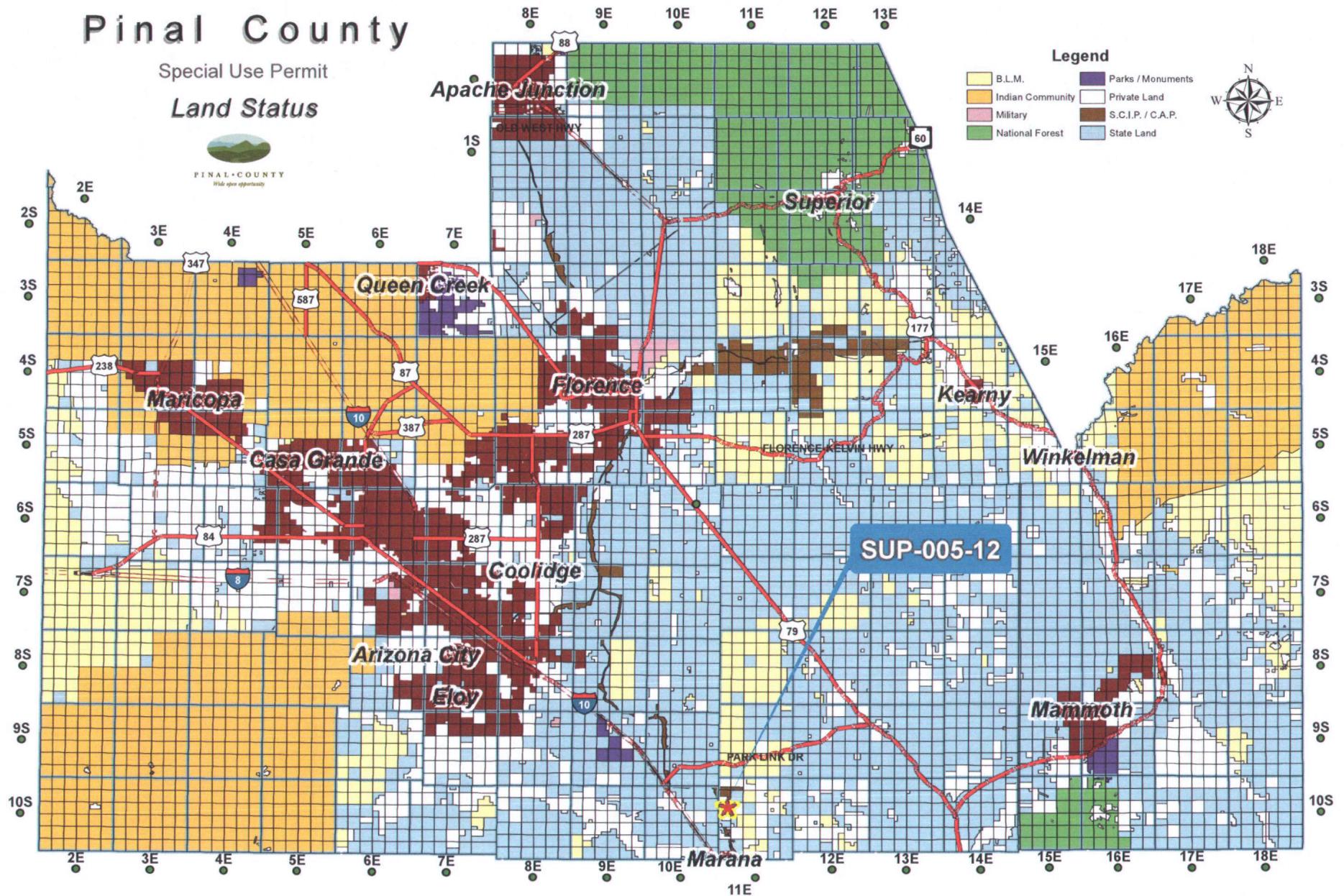
**PUBLIC PARTICIPATION:**

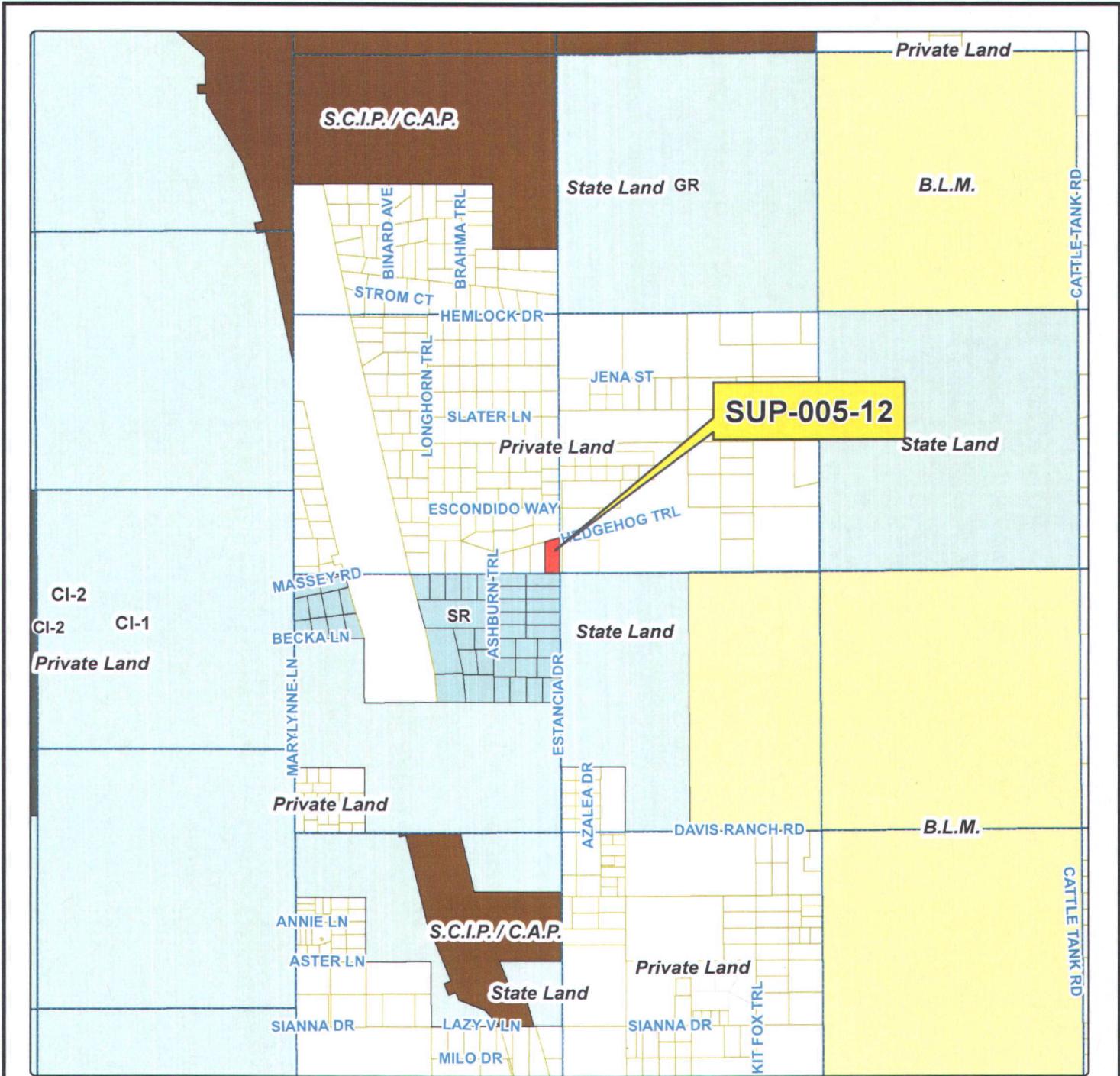
Neighborhood Meeting: November 28, 2012  
Neighborhood and agency mail out: December 12, 2012  
News paper Advertising: Week of December 24, 2012  
Site posting: Applicant: December 17, 2012  
Site posting: County: December 28, 2012

PLANNING & DEVELOPMENT

# Pinal County

Special Use Permit  
Land Status





## Special Use Permit

Planning & Development Services



PINAL COUNTY

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AVRA VALLEY  
VOLUNTEER FIRE DISTRICT

**Legal Description:**

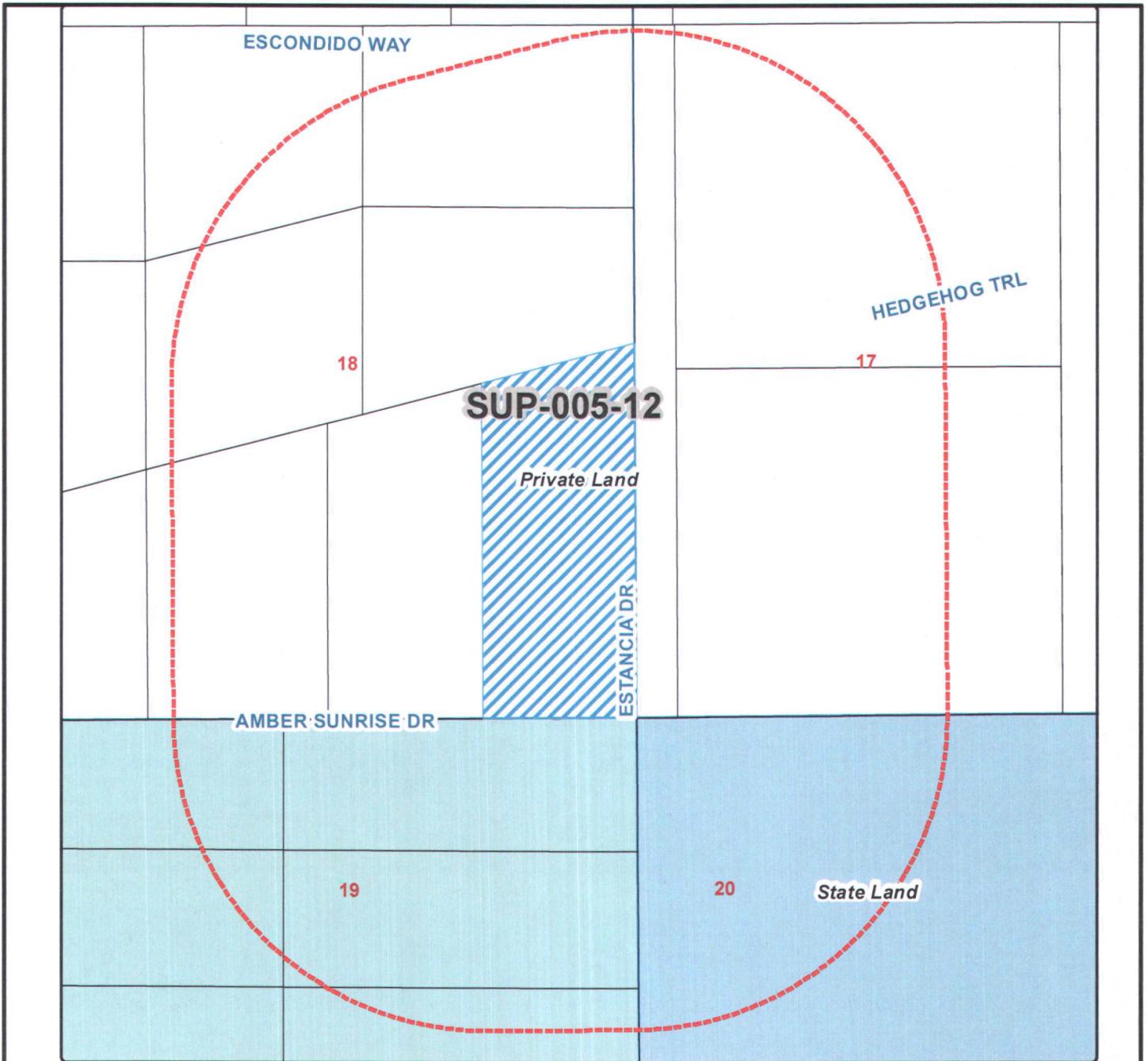
Situated in a portion of the Section 18, T10S,R11E, G&SRB&M, Parcel 410-22-008B (legal on file) (MARANA area).

T10S-R11E Sec 18



Sheet No.  
1 of 1

AVRA VALLEY VOLUNTEER FIRE DISTRICT			
Drawn By:	GIS / JT / LJT	Date:	06/28/2012
Section:	18	Township:	10S
Range:	11E	Case Number:	SUP-005-12



**Special Use Permit**

SUP-005-12 – PUBLIC HEARING/ACTION: Avra Valley Fire District, applicant/landowner, Transworld Network, agent requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and wi-fi internet service on a 4.06± acre parcel in the (GR) General Rural zone; situated in a portion of the SE¼ of Section 18, T10S, R11E G&SRB&M, Tax parcel 410-22-008B (legal on file) (located at the NWC of Amber Sunrise Dr and Estancia Dr).

Current Zoning: GR  
 Request Zoning: Special Use Permit  
 Current Land Use: VLDR



**Legal Description:**  
 Situated in a portion of the Section 18, T10S, R11E, G&SRB&M Parcel 410-22-008B (legal on file) (MARANA area).

T10S-R11E Sec 18

	Avra Valley Volunteer Fire District		
	Drawn By: GIS / JT / LJT	Date: 12/19/2012	
Sheet No. 1 of 1	Section 18	Township 10S	Range 11E
Case Number: SUP-005-12			

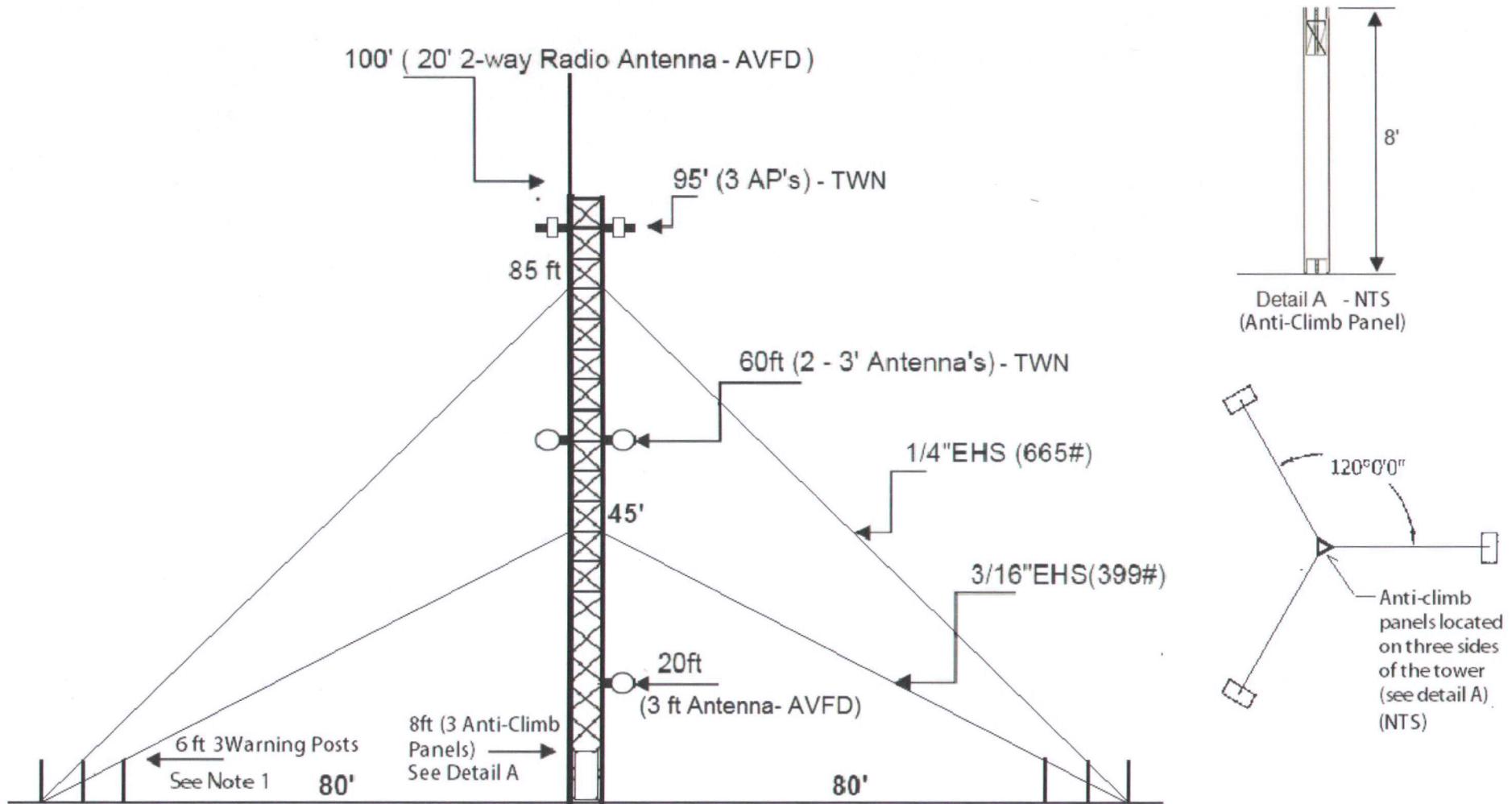


**Special Use Permit**



**PINAL COUNTY**  
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**SUP-005-12**



**Note 1:**  
 6' tall, 3" diameter steel pipe ground mounted warning posts(3)  
 placed at the three anchor points of the tower and concreted  
 12"-18" in the ground.  
 Visible reflective marking will be placed on the posts.

TransWorld Network Corp.	Avra Valley Fire Department - Cattletank Site
Prepared by J.R. Collins	Rohn 45G-100' Guyed Tower scale: 1 inch = 25 ft

February 22, 2013

**HISTORY:** The subject property has the General Rural zoning classification and has never been rezoned. It has been developed as the Avra Valley Fire District station.

**ANALYSIS:** The applicant is requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and wi-fi internet service on a 4.06± acre parcel in the (GR) General Rural zone. The Subject property is located within the Very Low Density Residential land use designation of the Comprehensive Plan. The proposed use and existing use appear to meet the requirements of this designation. Given the requested height of the tower a stealth design is not practical at this location. The tower is designed to accommodate a two way radio antenna on the top of the tower for fire district use as well as antennas for wi-fi internet service for area residents. The tower is not designed to accommodate additional antennas.

The applicant is not proposing to include a wall around the tower. If the Commission would like a wall around the tower, a stipulation will need to be added.

To date, one letter in support has been received from a property owner outside of the notification area. No letters in opposition have been received by surrounding property owners.

Lastly, the SUP the Commission is considering is for a wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and wi-fi internet service. Staff would ask the Commission to focus on and weigh the merits of the tower using criteria such as (but not limited to): the Commission being satisfied of the applicants' pursuit of alternate locations, existing coverage, use of stealth, collocation opportunities either on other towers or sites in the vicinity or the provision of opportunities on this site. If the Commission deems there is sufficient evidence to grant this SUP staff has included stipulations relating to the operation and permitting of the facility.

The **Pinal County Department of Public Works** reviewed the proposal but had no comments to forward to the Commission

The **Pinal County Air Quality Control District** provided the comment that an air quality industrial permit may be required if any generators are installed.

The **Pinal County Flood Control Section** reviewed the proposal and had no other comments other than it is in a Flood zone "X"

Since the January 17, 2013 Commission hearing the applicant has held a new neighborhood meeting advertizing the correct tower height. The applicant has also submitted an updated site plan and narrative showing that there is little remaining capacity for other carriers on the tower. The narrative indicates no additional carriers will be locating on the tower and a stipulation has been added reflecting this.

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted by this SUP under Planning Case **SUP-005-12**. Furthermore, the Commission must determine that this SUP will promote the orderly growth and development of the County, at this

location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan.

**THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:**

- A) LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING**
- B) PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE**
- C) NEIGHBORHOOD IMPACT**
- D) FLOOD CONTROL**
- E) TRAFFIC IMPACT**
- F) COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN**
- G) BENEFITS/DETRIMENTS TO PINAL COUNTY**

**STAFF SUMMARY:** The applicant, Avra Valley Fire District, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

- 1. This land use request is for approval of an SUP.
- 2. To date, one letter in favor and no letters in opposition of the proposal have been received.
- 3. The property is accessed from Amber Sunrise Dr.
- 4. The subject property is located within the "Very Low Density Residential" designation of the Pinal County Comprehensive Plan.
- 5. Granting of the SUP will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

**STAFF RECOMMENDATION:** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this SUP request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-005-12** to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- 1) The layout, design and set up of a 100 foot tall guyed lattice tower wireless communication facility shall be as shown and set forth on the applicant's submittal documents and site plan and shall be an unmanned facility;
- 2) any generator or equipment shelter shall be painted to match the surrounding desert;

- 3) all Federal (FCC), State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building permits, fencing and security lighting;
- 4) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 5) the applicant agrees to supply, at the time of building permit submittal, an R. F. Engineer's certification that radiation meets FCC requirements;
- 6) the applicant shall keep the property free of trash, litter and debris;
- 7) all fugitive light shall be confined to the interior boundaries of the property;
- 8) no additional antennas, beyond those shown on the tower elevation drawing dated February 22, 2013, are permitted;
- 9) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department; and
- 10) The Pinal County Planning & Development Services Department may invoke revocation proceedings should the wireless communication facility not be constructed within 18 months form Board of Supervisors approval.

Date Prepared: 01/10/2013 - arm  
Revised: 3/13/2013 – arm



PINAL COUNTY  
*wide open opportunity*

**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MINUTES OF January 17, 2013**

**PRESENT:** Mr. Hartman, Chairman Mr. Riggins, Vice-Chairman  
Ms. Aguirre-Vogler, Member Mr. Salas, Member  
Mr. Brown, Member Mr. Tameron, Member  
Mr. Gutierrez, Member Ms. Moritz, Member

**ABSENT:** Mr. Ellis, Member

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

**PLANNING STAFF PRESENT:**  
Mr. Stabley, Director Mr. Abraham, Planning Manager  
Mr. Denton, Planner II Ms. MacDonald, Planner II  
Mr. Ashbaugh, Planner I Ms. Cortez, Administrative Secretary

**PUBLIC WORKS STAFF PRESENT:**  
Mr. Chow, Development Section Chief

The meeting was called to order at 9:06 a.m., this date by Chairman Hartman in the Emergency Operations Center (EOC) Hearing Room, Building F, Florence, Arizona.

**DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: December 20, 2012**

Commissioner Tameron arrived at 9:07 a.m.

**MOTION**

Commissioner Aguirre-Vogler made a motion to approve the minutes of December 20, 2012. Vice Chairman Riggins seconded the motion. Motion passed unanimously.

Commissioner Salas arrived at 9:08 a.m.

Mr. Stabley introduced Mr. Travis Ashbaugh as the new Planner for Planning and Development and gave a brief description of Mr. Ashbaugh's background.

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

There were no cases presented to Board of Supervisors on December 19, 2012 or January 9, 2013.

**NEW CASES**

**SUP-005-12 – PUBLIC HEARING/ACTION:** Avra Valley Fire District, applicant/landowner, Transworld Network, agent requesting a Special Use Permit to construct and operate a 100 foot tall wireless communication facility (guyed lattice tower) for 2-way radio signal coverage and Wi-Fi internet service on a 4.06± acre parcel in the (GR) General Rural zone; situated in a portion of the SE¼ of Section 18, T10S, R11E G&SRB&M, Tax parcel 410-22-008B (legal on file) (located at the NWC of Amber Sunrise Dr and Estancia Dr).

Commissioner Brown arrived at 9:10 am

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

Chairman Hartman called the applicant forward.

Ray Klein, Assistant Fire Chief, Avra Valley Fire District, 15790 W. Silverbell Rd. Marana, AZ 85653. Mr. Klein came forward to address the Commission.

Milt Jenson, no address provided. Mr. Jenson came forward to address the Commission.

Michaela Caproni, 8600 W. Tangerine Rd. Marana, AZ 85653. Ms. Caproni came forward to address the Commission.

Mr. Klein gave a brief description of his request.

Commissioner Aguirre-Vogler stated she has been part of the Board of Avra Valley and recently resigned.

Commissioner Aguirre-Vogler stated during the community meeting the tower was described as being an 80-foot tall tower, and asked why the height had changed? Commissioner Aguirre-Vogler asked if the tower could be a monopole, and be surrounded by a fence. Mr. Klein responded all the documents that had been provided showed a 100-foot tower. Commissioner Aguirre-Vogler stated she believes there was a precedent of 80 feet, and it was advertised during the community meeting as being 80 feet and it should remain that height. Mr. Stabley stated he does not recall a precedent of 80 feet on a tower, and staff relies on the applicant to provide the reasoning of the height. Mr. Jensen stated the reason the height was increased was for better coverage for the fire department. The higher the tower the better signal and coverage.

Commissioner Moritz asked Mr. Jensen if the public was aware of the height of the tower. Mr. Jensen responded yes, the application has a photograph and the information shows the tower being between 80-100 feet.

Commissioner Aguirre-Vogler asked if the tower will require strobing and if it is going to be collapsible. Mr. Jensen responded it will not be collapsible, and it does not require strobing. The FAA does not require painting, lighting and strobing, unless it is located within twenty-thousand feet of the nearest registered airport and regarding the fencing, anti-climbing shields will be placed surrounding the tower for security.

Chairman Hartman asked Mr. Jensen if there would be a chance that someone could strike the guy wires with a vehicle. Mr. Jensen responded that the tower will be placed behind the current facility where there is no traffic, and there is no traffic anticipated for the future.

Chairman Hartman asked Mr. Klein what type of vegetation is in the area. Mr. Klein responded most of the vegetation is shrubs and medium size trees, mostly desert vegetation.

Chairman Hartman asked Mr. Klein if there would be a generator used. Mr. Klein responded the station has a generator, and the tower will be tied into the existing generator. The generator is locked outside the station with a key.

Chairman Hartman asked Mr. Klein what the security would be like. Mr. Klein stated the station is secured; the doors have automatic locks with a restricted key code for entry to the facility.

Chairman Hartman stated there had been a discussion that a portion of the tower would be leased to compensate the cost of the construction. Mr. Klein agreed, stating Transworld will develop the tower

and deed it to the Avra Valley Fire District. Transworld will also place two-way radio equipment on the top of the tower, with no cost to the Fire District. Once the tower is running, Transworld will pay a small monthly fee for the equipment rental to the Avra Valley Fire District.

Commissioner Brown asked Mr. Klein how many users could actually use the tower. Mr. Klein responded he does not believe there is a limit to the users who can use the tower.

Commissioner Brown stated the County encourages co-location. The County does not want to see an overwhelming number of towers.

Ms. MacDonald stated the application submitted by the applicant states the tower is not designed to accommodate additional users. Mr. Jensen stated the tower is not designed to accommodate additional subscribers but the agreement was it would be allowed if certain criteria would be met in the future.

Mr. Stabley stated it does not matter what other criteria is met, if the applicant submitted an application stating it cannot accommodate additional users that is the way it will remain.

Commissioner Brown stated the information provided by the applicant is not consistent and it is confusing. Commissioner Aguirre-Vogler agreed.

Chairman Hartman asked Mr. Stabley if the Planning Commission could add a stipulation to allow multiple users. Mr. Stabley responded a stipulation could not be added for more users. Mr. Stabley suggested continuing the case, to have the applicant amend the application to what they actually want to accomplish. Commissioner Brown agreed with Mr. Stabley.

Chairman Hartman asked Mr. Stabley if it would be difficult for the applicant to change the application and will they need to have another public meeting. Mr. Stabley stated amending the application is not a difficult task, but regarding the public meeting it would have to be up to the Commission if they require the applicant to hold another public meeting.

Commissioner Moritz suggested continuing the case for 60 days, to have another public meeting and return all the information back to staff. Commissioner Salas stated the intent of the application needs to be clarified for the public as well as for staff. Vice Chairman Riggins stated the records provided are inconsistent, and what is on the application is what will be on the SUP and it needs to be consistent.

Commissioner Gutierrez stated if there is, going to be leasing involved and have multiple users, it is critical to state it on the application. Commissioner Gutierrez spoke about his concerns regarding the safety and security.

Chairman Hartman asked Mr. Stabley if in the future the applicant could return to the Planning Commission to amend the SUP if they had decided they could support other users. Mr. Stabley responded an applicant always has the right to amend a SUP.

Ms. Grieb read a portion of the minutes from the public hearing held by Avra Valley Fire District. The vote during the meeting was 4-0 with a passing decision for an 80-foot tower. The minutes do not mention anything about a 100-foot tower.

Chairman Hartman asked Mr. Klein how much time would he need to hold another public meeting, make the changes to the application, and meet with staff. Mr. Klein responded he was not aware of what the period would be to give notice for the public meeting, and was not sure how much time they would need.

Chairman Hartman opened the meeting to the public. Hearing None, Chairman Hartman closed the public portion of the meeting.

**MOTION**

Vice Chairman Riggins made a motion to continue case SUP-005-12 to the Planning and Zoning regularly scheduled meeting of March 21, 2013 at 9:00 a.m. Commissioner Salas seconded the motion. Motion passed unanimously.

**SUP-009-12- PUBLIC HEARING/ACTION:** Eric & Marcelline Nelson, landowners, Verizon Wireless, applicant, Campbell A&Z, LLC, agent, requesting approval of a Special Use Permit to construct and operate a 90 foot tall monopole wireless communication facility on 1,188 square foot lease area of a 43± acre parcel in the (MHP) Manufactured Home Park Zone; situated in a portion of the east half of Section 29, T05S, R10E G&SRB&M, Tax parcel 206-16-002H (legal on file) (located approximately 1½ miles southeast of the Town of Florence and west of State Route 79).

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

Chairman Hartman called the applicant forward.

Mike Campbell, 6880 W. Antelope Dr. Peoria AZ, 85383. Mr. Campbell came forward to address the Commission. Mr. Campbell gave a brief description of his request.

Commissioner Brown asked Mr. Campbell how high the climbing pegs would be installed. Mr. Campbell responded that there would not be any climbing pegs on the monopole, and the ordinance requires a screen wall surrounding the monopole. Verizon would like to have a secured work environment for their employees, and they are installing a secured door for access.

Commissioner Aguirre-Vogler asked Mr. Campbell if the road to the site is a dirt road, and how far is the site from State Route 79. Mr. Campbell responded it is located about 200 feet away, and it is a dirt road.

Chairman Hartman opened the meeting to the public. Hearing none, Chairman Hartman closed the public portion of the meeting.

Mr. Abraham stated when the Air Quality Department reviews the plans as part of the building permit; they will require the applicant to acquire a dust registration and Air Quality will let them know what they need to put down on the ground for dust control.

**MOTION**

Vice Chairman Riggins made a motion to forward case SUP-009-12 with a favorable recommendation along with the attached ten (10) stipulations to the Board of Supervisors. Deleting stipulation number one (1), making it nine (9) stipulations total. Commissioner Salas seconded the motion. Motion passed unanimously.

**PLANNING DIRECTORS DISCUSSION ITEMS**

Mr. Stabley provided the Zoning Commission an email from Ms. Zoe Richmond, from the Union Pacific Railroad (UPRR). Mr. Stabley gave a brief overview of the email.

Chairman Hartman asked Mr. Stabley if he or the County had been invited to the meeting held by UPRR. Mr. Stabley responded that he was not aware of the County being invited since it was being held by the City of Maricopa. Chairman Hartman stated he would like the County to be involved during the meetings

Mr. Stabley asked the Commission if they would like to have a presentation from Ms. Richmond regarding John Wayne Parkway during the March 21<sup>st</sup> Planning Commission hearing.

# **PINAL COUNTY, ARIZONA**

## **Special Use Permit Narrative**

**Department:** Planning & Development Services

**Project Location:** 30300 E. Amber Sunrise Dr.

**Proposed Project:** 100' Communication Tower

February 18, 2013

TransWorld Network Corp. (TWN) is a fixed wireless internet service provider (WISP) operating in Arizona, New Mexico, Texas and Indiana.

On the 1<sup>st</sup> of October, 2011, TWN entered into a Real Estate Lease Agreement with Avra Valley Fire District (AVFD) to design, purchase and install a 100' tall guyed tower, with a 20 ft 2-way radio antenna mounted on the top of the tower. The installation of the 100' tall, guyed, lattice tower will provide better 2-Way signal coverage for AVFD and allow TWN to provide fixed wireless internet service to the residents of this area.

Since there are no communication structures (monopoles or towers) within two miles of the proposed site, a map of such is not included. A scale elevation drawing which shows the height and configuration of the tower has been completed and submitted. Further, a scale site plan which shows the structure and antennas, access to the site and parking has been completed and submitted.

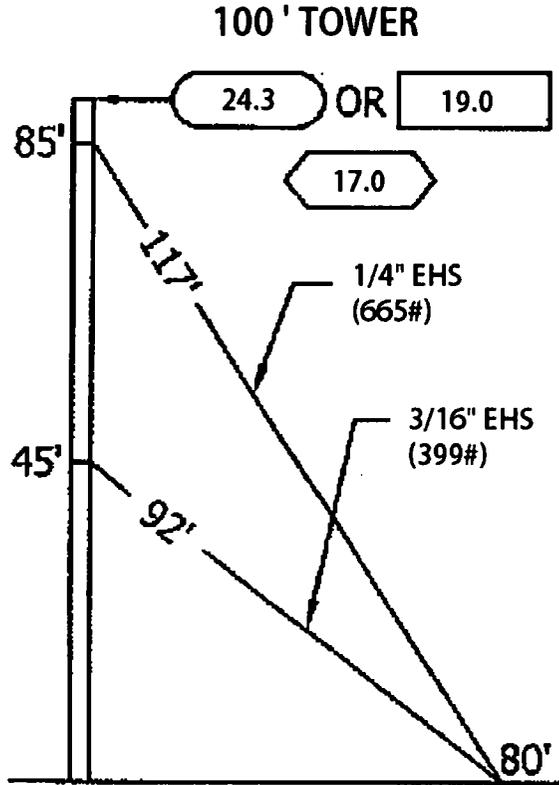
The proposed color for the tower and antennas is galvanized grey. Further, no camouflage is required as the small lattice tower will be nearly invisible against the sky from a distance of a few hundred feet or more.

Because the tower needs to be located on the site of the AVFD, no alternative sites are suitable as the primary use of the tower by the AVFD is for base station 2-way radio use. The AVFD requires an on site tower to increase its internal communications capability. It would not be suitable to co-locate on existing monopoles, towers, or electrical poles if they were available.

The tower was designed and is capable of supporting both the AVFD radio antennas and that of TransWorld Network Corp. Additional antennas cannot be supported by this relatively light duty tower. The tower was not intended to support additional carriers.

The AVFD has 'gaps' in the coverage of its existing 2-way radio service. This tower will fill those gaps and improve greatly the emergency service capability provided by the AVFD. The tower proposed for installation is an industry accepted Rohn 45G with part number 45G90D100. Drawing-0105-1 per ANSI/TIA-222-G has been certified by Rohn Engineers and is compliant with the IBC.

## TOWER CAPABILITY CALCULATION



**KEY:**

24.3	Rev G, Cat B
19.0	Rev G, Cat C
17.0	Rev F

Attachment Loading (including feed lines)

(3) 3' Antenna with radome cover	8.91 sq ft
(3) APs	2.52 sq ft
(1) 20' 2-way antenna	6.67 sq ft
	18.10 sq ft

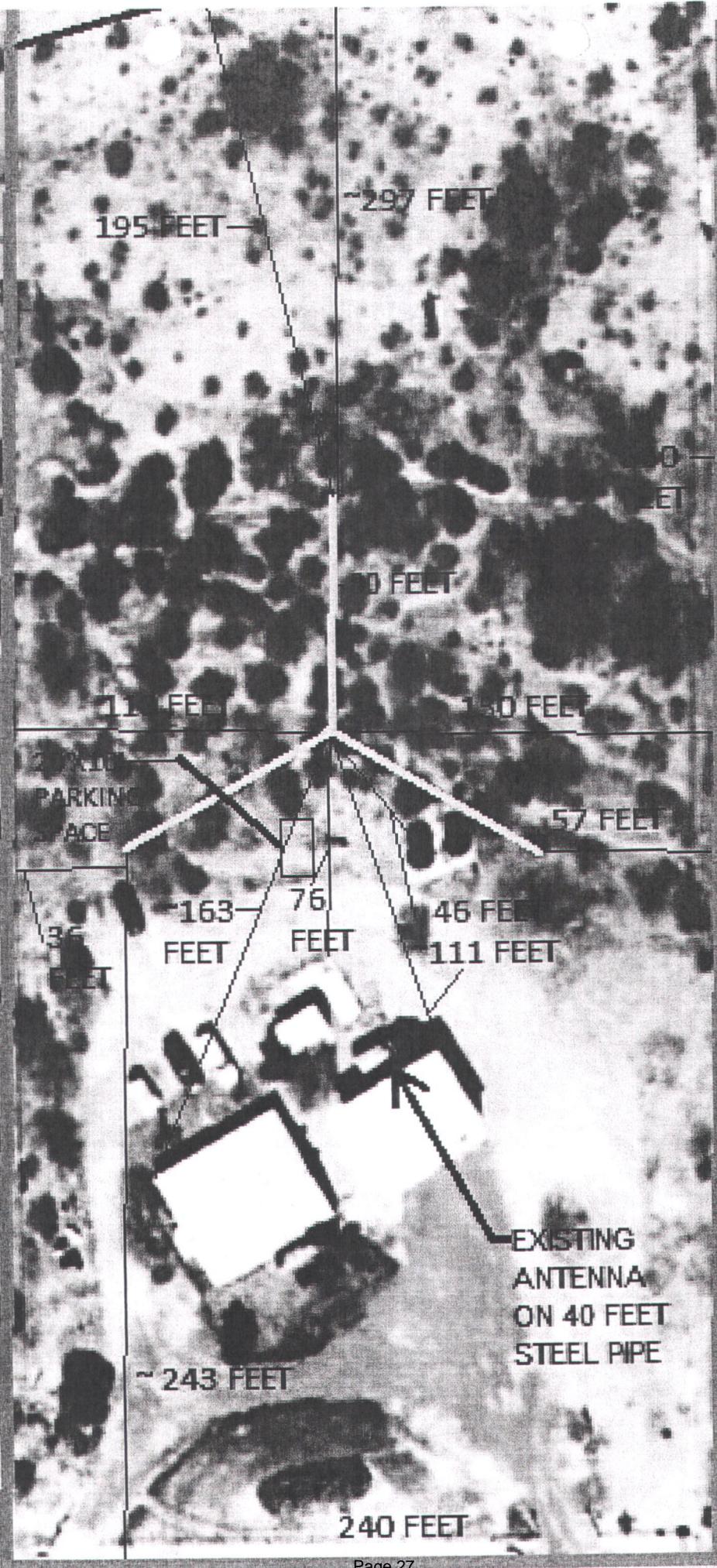
The total tower capability is (Rev G, Cat C)  
 The tower capability that will be used by  
 by the AVFD antenna and feed line, and  
 the initial TWN antennas and feed lines is

19.0 sq ft.

18.1 / 19 = 95.26 %

TransWorld Network Corp. Avra Valley Fire Department - Cattletank Site

Prepared by J.R. Collins Tower Capability Calculation



Estancia Dr

## From the FEDERAL COMMUNICATIONS COMMISSION Website

TransWorld Network Corp determination of non-requirement of registration of AVFD tower with the FAA. The tower is also less than 200' in height and is of less height than stipulated by the FAA 100:1 glide path ratio calculation requiring strobing, lighting and painting.

### **TOWAIR Determination Results**

#### **DETERMINATION Results**

**Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.**

#### **Your Specifications**

##### **NAD83 Coordinates**

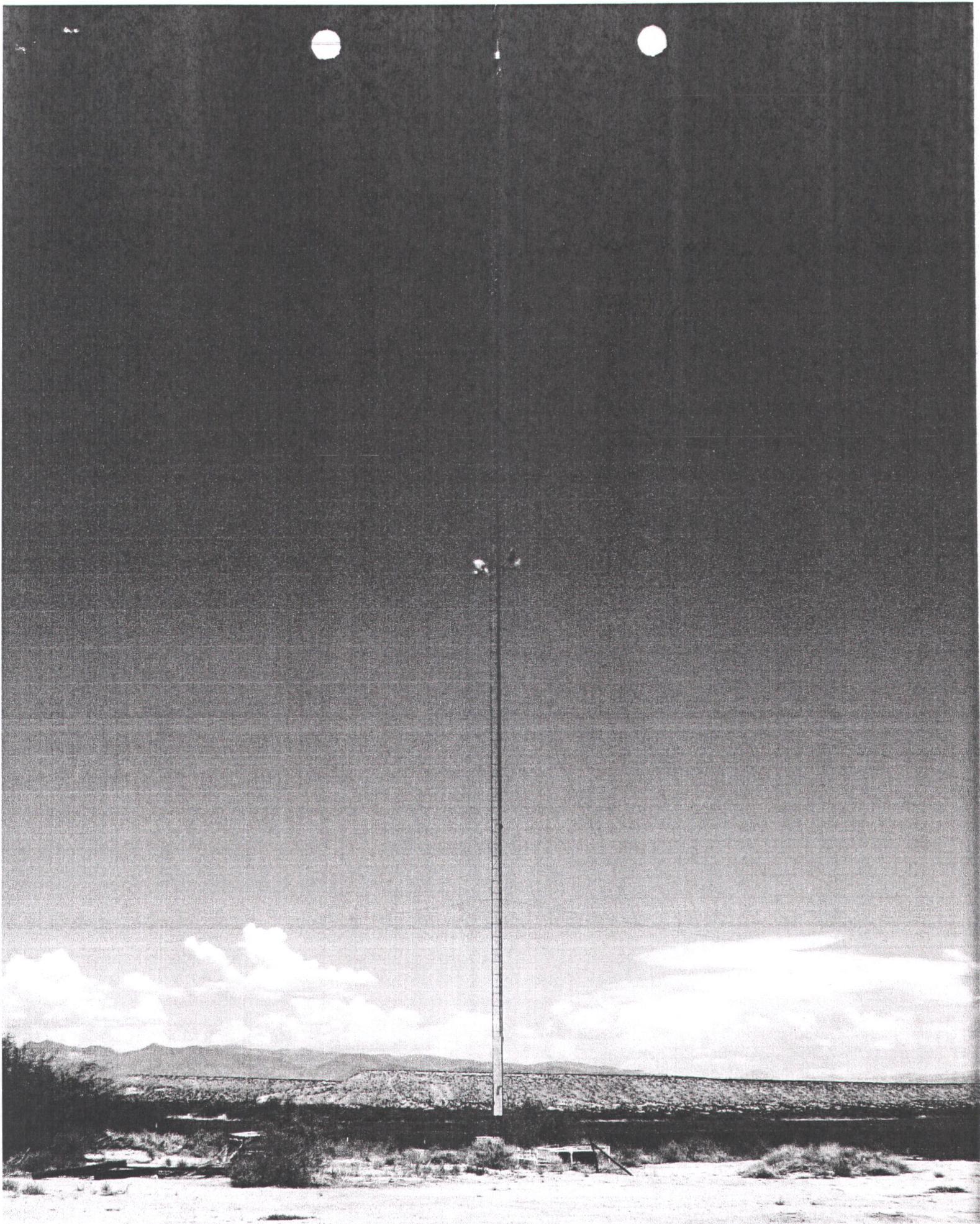
Latitude 32-33-20.7 north  
Longitude 111-14-38.0 west

##### **Measurements (Meters)**

Overall Structure Height (AGL) 36.6  
Support Structure Height (AGL) 30.5  
Site Elevation (AMSL) 640.1

##### **Structure Type**

**TOWER - Free standing or Guyed Structure used for Communications Purposes**





**MEMORANDUM FROM AIR QUALITY**

**Date:** November 1, 2012  
**To:** Ashlee MacDonald  
**Cc:** P & Z Review Committee  
**From:** Anu Jain - Permit Engineer  
**Re:** Planning & Zoning Cases

I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
11/15/12	SUP-007-12	Fran Evans	Dog Grooming	See comments 1 & 2
11/15/12	SUP-008-12	Carlo Karim	Secondhand Goods Store	See comments 1 & 2
11/15/12	SUP-005-12	AVRA Valley Fire	Lattice Tower	See comment 3

**\*Comments:**

1. The above proposed Planning and Zoning cases should have a paved road arterial access to the project, paved road access within the project and paved parking lots.
2. Dust registration is required if 0.1 acres or more land is disturbed.
3. An air quality industrial permit is required if any new or existing generators on the site have a capacity of more than 325 HP and run more than 72 hours per year.

**Note:**

All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District.

**Ashlee MacDonald - SUP-005-12 Avra Valley Fire Dist. & Trans World Network Tower**

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**From:** [REDACTED]  
**To:** <ashlee.macdonald@pinalcountyaz.gov>  
**Date:** 1/11/2013 12:06 AM  
**Subject:** SUP-005-12 Avra Valley Fire Dist. & Trans World Network Tower

---

Attn: Steve Abraham, Planning Manager

We would like to submit our voice of support for this tower as our Internet service would be improved & the communications of our emergency response people would also be improved.

Sincerely,

Doug & Terry Janka  
37465 S Jacy Trail  
Marana, AZ 85658

Tax Parcel #410-24-013D

APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF  
PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. Pinal County Staff Coordinator: STEVE ABRAHAM
2. Date of Concept Review: 11/15/11 Concept Review Number: CR-066-11
3. The legal description of the property: POB @ SE COR OF SEC 18 T2S-27R389W-1016.15 N-77 DEG 14' 04" E-280.84 S-678.46 POB SEC 18-10S-11E 176850.52 FT 4.06 AC
4. Tax Assessor Parcel Number: 410-22-0088
5. Current Zoning: R2
6. Parcel size: 4.06
7. The existing use of the property is as follows: RYRA VALLEY FIRE DISTRICT, STATION #193
8. The exact use proposed under this request: INSTALLATION OF 100' TALL, GUYED, LATTICE TOWER, SUPPORTING ANTENNA TO PROVIDE BETTER AFD 2-WAY RADIO SIGNAL COVERAGE & WI-FI INTERNET SERVICE (PROVIDER - TARRANTS NETWORK CORP) TO THE RESIDENTS OF THIS AREA.
9. Is the property located within three (3) miles of an incorporated community?  
YES  NO
10. Is an annexation into a municipality currently in progress?  
YES  NO
11. Is there a zoning violation on the property for which the owner has been cited?  
YES  NO  If yes, Zoning Violation Number: \_\_\_\_\_
12. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted Comprehensive/Area Plan(s) or similar changes.  
SEE ATTACHMENT
13. Explain why the proposed development is needed and necessary at this time. CURRENTLY THE AFD HAS A 40' TALL STEEL PIPE FOR SUPPORT OF ITS 2-WAY RADIO ANTENNA AT STATION #193. ADDITIONAL HEIGHT ABOVE GROUND LEVEL IS REQUIRED TO ACHIEVE BETTER RADIO SIGNAL COVERAGE IN THE NORTHERN PORTION OF THE FIRE DISTRICT. TOWER WOULD ALSO BE USED TO PROVIDE BETTER INTERNET SERVICE IN THE SAME AREA.

RECEIPT #: \_\_\_\_\_ AMT: \_\_\_\_\_ DATE: 7/31/12 CASE: SUP-005-12

12. The Avra Valley Fire District received notice this month that their certificate of necessity for ambulance service has been expanded by the Arizona Department of Health Services. More than one half of the Missile Base area was previously not included within their official ambulance response area. They must now provide response in all areas between I-10 and Owl Head Ranch Road. They currently have significant difficulties with interoperability and radio communication in the Missile Base and Red Rock areas. This tower will enable the fire district to install radio links that will effectively broaden their ability to communicate with all of the various agencies that are responsible for public safety throughout the entire region.

SUPPORTING INFORMATION

1. Which category applies to this application? N
2. If item (N) above, provide information as to the use and evidence that it is in accordance with the intent of Section 2.150.020 A WIRELESS COMMUNICATION TOWER FOR AVRA VALLEY FIRE DEPARTMENT STATION #193 & COMMERCIAL INTERNET SERVICES
3. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public. NONE
4. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Show ingress/egress on the site plan. NONE
5. How many parking spaces are to be provided (employees and customers). Indicate these parking spaces on the site plan. ONE PARKING SPACE FOR MAINTENANCE VEHICLE - SEE SITE PLAN
6. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors? No
7. What type of landscaping are you proposing to screen this use from your neighbors? NONE - SEE EXPLANATION IN ITEM 10 BELOW
8. What type of signage are you proposing for the activity? Where will the signs be located? NONE
9. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative. N/A
10. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested THE PROPOSED TOWER WILL BE MUCH LESS VISIBLE THAN THE EXISTING ELECTRIC POWER TRANSMISSION LINE POLES IN THE NEIGHBORHOOD. THE SMALL CROSS SECTION SIZE OF THE TOWER, COUPLED WITH THE LATTICE
11. Have you discussed possible conditions that may be placed on the permit with the Planning Department? YES NO
12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void? YES NO

The proposed tower is located on the premises of the station, and its construction is proposed to be completed by the end of the year. The tower is to be constructed in a manner which will not be visible from the street, and the character of the zone will not be compromised by the addition of the tower to the premises of the station.

The tower is to be constructed in a manner which will not be visible from the street, and the character of the zone will not be compromised by the addition of the tower to the premises of the station. The tower is to be constructed in a manner which will not be visible from the street, and the character of the zone will not be compromised by the addition of the tower to the premises of the station.

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CONSTRUCTION, MAKE IT NEARLY INVISIBLE BEYOND A FEW HUNDRED FEET FROM THE TOWER. THE INTEGRITY AND CHARACTER OF THE ZONE WILL NOT BE COMPROMISED BY THE ADDITION OF THE TOWER TO THE PREMISES OF APTD STATION # 193.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

AURA VALLEY FIRE DISTRICT 15790 W. SILVERBELL 520-682-3255  
Name of Applicant Address MARANA Phone Number  
85653

James Deef (Fire Chief) bd115@AVFIRE.ORG  
Signature of Applicant E-Mail Address

MICHELIA CAPRONI 8000 W TANGERINE RD MARANA AZ 520-678-3008  
Name of Agent/Representative Address Phone Number

ME mcaproni@twnoncorp.com  
Signature of Agent/Representative E-Mail Address

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

AURA VALLEY FIRE DISTRICT 15790 W. SILVERBELL 520-682-3255  
Name of Landowner Address MARANA, AZ 85653 Phone Number

James Deef bd115@AVFIRE.ORG  
Signature of Landowner E-Mail Address

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

**TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES.** *Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.*  
**AGENCY AUTHORIZATION**

TO: Pinal County Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85132

AURA VALLEY FIELDS DISTRICT, ARIZONA  
*[Insert Name-- If a Corporation, Partnership or Association, Include State of Incorporation]*  
hereinafter referred to as "Owner," is/are the owner(s) of 4.6 acres located  
at 30700 E. Amber Sunrise, MARANA, AZ, 85653  
*[Insert Address of Property]*  
and further identified as assessor parcel number 410-22-0086 and legally  
*[Insert Parcel Number]*

described as follows:

**Legal Description is attached hereto as Exhibit A**

Said property is hereinafter referred to as the "Property."

Owner hereby appoints

MICHAEL CARONI, FOR TRANSDORIN NETWORK CORP  
*[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]*

hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

**~~Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]~~**

~~\_\_\_\_\_  
*[Signature]*  
Dated: \_\_\_\_\_ *[Signature]*  
Dated: \_\_\_\_\_~~

~~STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.~~

~~The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
By \_\_\_\_\_  
*[Insert Name of Signor(s)]*~~

~~My commission expires \_\_\_\_\_ Notary Public~~



[Corporate PROPERTY OWNER signature block and acknowledgment. The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

AVRA VALLEY FIRE DISTRICT  
[Insert Company or Trustee's Name]

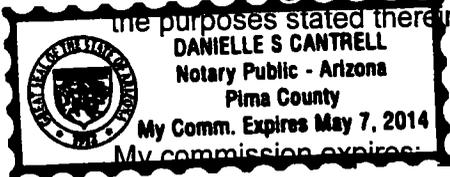
By: [Signature]  
[Signature of Authorized Officer or Trustee]

Its: Fire Chief  
[Insert Title]

Dated: 7-25-12

STATE OF Arizona )  
COUNTY OF Pima ) ss.

The foregoing instrument was acknowledged before me, this 25 day of July, by Brian Delfs, Fire Chief of Avra Valley Fire District, an Government Entity and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.



[Signature]  
Notary Public

5-7-2014

**ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_ Who acknowledged himself/herself to be

\_\_\_\_\_ of \_\_\_\_\_  
[Insert Signor's Name] [Title]  
[of Office Held] [Second Company]

As \_\_\_\_\_ for \_\_\_\_\_, and who being  
[i.e., member, manager, etc.] [Owner's Name]

authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Hi Ashlee,

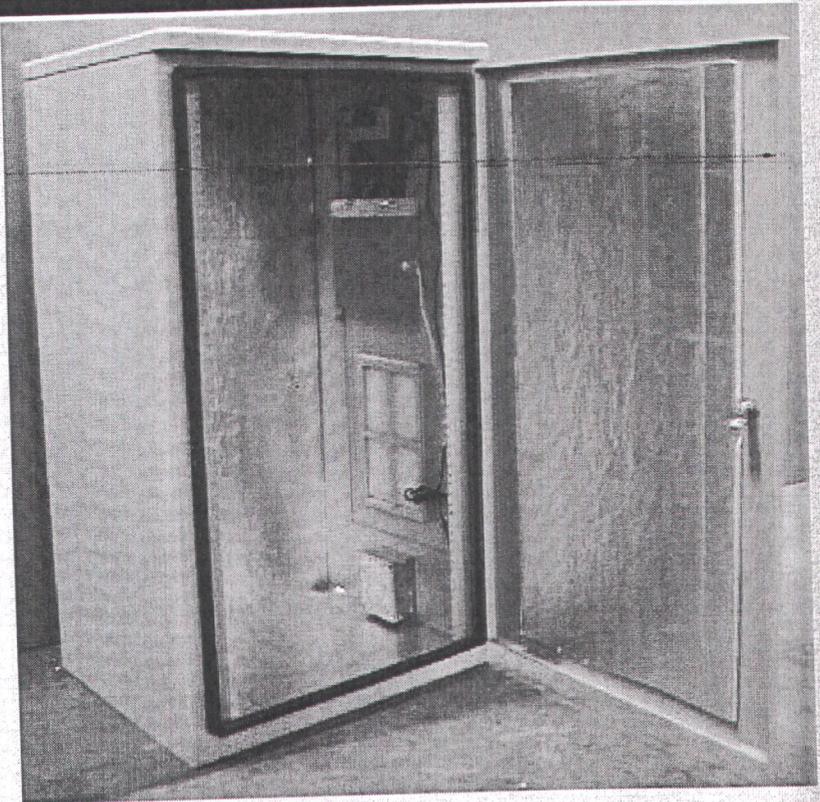
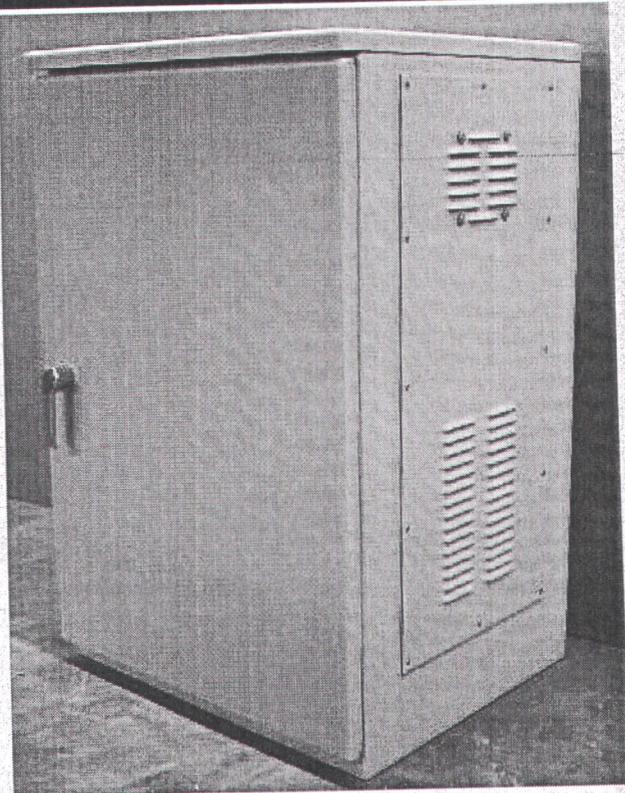
Attached you will find the elevation drawing drawn to scale as requested. You will also find the DDB Cabinet specs. We will install a 4 inch pipe with C-channel and mount the cabinet to the pipe. It is still off the ground and would be positioned right next to the tower.

Please let me know if you have any other questions.

**Michela Caproni**

Field Service Support  
TWN  
520-678-3028  
[mcaproni@twncorp.com](mailto:mcaproni@twncorp.com)

**37"H X 24"W X 20"D** (19" Racking)  
110V Fan w/ Thermostat  
4 Square 110V Single Gain Outlet Box  
**Optional = (HT-100) 100 W Heater**



## SOD-372420FT

37" OUTDOOR WIRELESS ENCLOSURE

LIGHTWEIGHT ALUMINUM

35" X 22" X 18" USABLE SPACE

### Physical

Exterior Dimensions 37"H x 24"W x 20"D

Interior Dimensions 35"H x 22"W x 18"D

Weight 63 Lbs

Construction

Material 0.125" Alumiflex (non-corrosive)

Powder-Coat Paint 3 step tiger drylac

Door

Louvered 7.5 " x 10" 5 micron nylon filter

Pad Locking Handle

Gasket filled rubber

---

Equipment Mounting

EIA Std 19" Racking Rails 18U (31.5") of rack space

---

Environmental Options

Air Cond. (AC-2000I) 2000 BTU A/C 110 or 220 Volts AC

Heating (HT-100) 100 watt with tempstat (on 45deg, off 55)

---

Features Standard

**Cooling Fan (F-15-115T) 110 cfm Adjustable Thermostat**

**Electrical 4" sq gangbox with 4 outlets (4SQ)**

**Four RF knockouts .065" dia. (for type N RF con) on floor of unit**

**Four Power knockouts 3/4" dia. on floor of unit**

**Ground stud on floor of unit**

**Warranty 7 years unconditional**



1 Fairholm Avenue  
 Peoria, IL 61603 USA  
 Phone 309-566-3000  
 FAX 309-566-3079

**PURCHASER:** TRANSWORLD NEWWORK  
**PRODUCT NAME:** 100 FT 90 MPH MODEL 45G GUYED TOWER  
 45G90R100  
**DRAWING NUMBER:** DWG-0105-1R2

I CERTIFY THAT THE DESIGN OF THE REFERENCED ROHN STANDARD PRODUCT HAS BEEN REVIEWED UNDER MY SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF ARIZONA. THE DESIGN IS IN ACCORDANCE WITH THE PURCHASER'S SPECIFIED REQUIREMENTS OF ANSI/TIA-222-G, 90 MPH 3-SEC GUST WIND SPEED, NO RADIAL ICE LOAD. THE FOUNDATIONS ARE STANDARD FOUNDATIONS DESIGNED IN ACCORDANCE WITH ANSI/TIA-222-G PRESUMPTIVE CLAY SOIL PARAMETERS. THE DESIGN REVIEW DOES NOT VERIFY THE SUITABILITY OF THE REFERENCED PRODUCT OR THE STANDARD FOUNDATIONS FOR A SPECIFIC SITE OR APPLICATION.

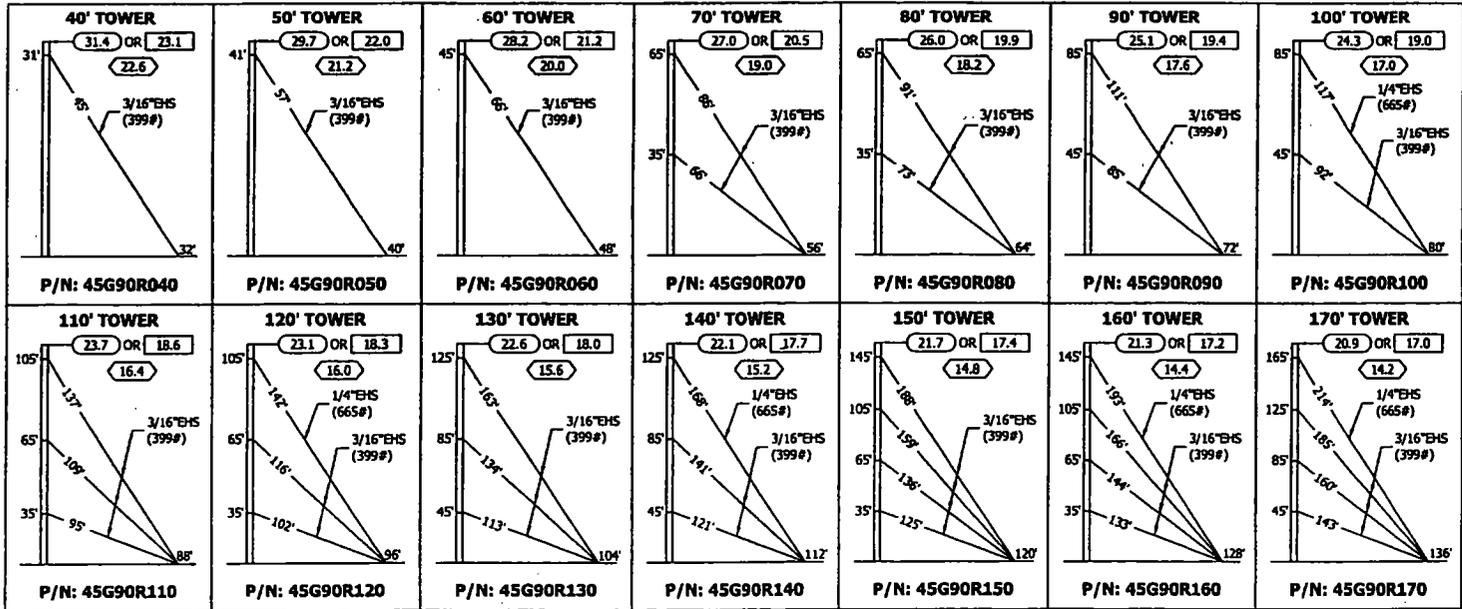
THE T.I.A. STANDARDS REPRESENT THE ACCEPTED INDUSTRY MINIMUM STANDARDS AND PRACTICES FOR THE DESIGN OF STEEL ANTENNA SUPPORTING STRUCTURES AND MAY OR MAY NOT EQUAL OR EXCEED LOCAL, STATE OR FEDERAL REQUIREMENTS FOR A SPECIFIC APPLICATION. THE T.I.A. STANDARDS, AS WITH MANY BUILDING CODES, ARE NOT INTENDED TO COVER ALL LOCAL CONDITIONS WHICH MAY EXIST AT A SPECIFIC LOCATION AND THEREFORE SHOULD NOT BE RELIED UPON FOR A SPECIFIC SITE OR APPLICATION WITHOUT COMPETENT PROFESSIONAL EXAMINATION AND VERIFICATION OF ITS ACCURACY AND SUITABILITY.

CERTIFIED BY: \_\_\_\_\_

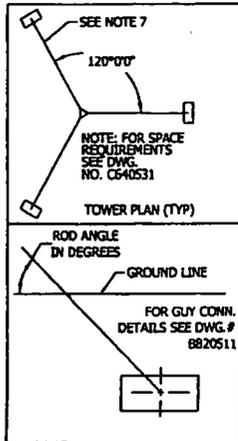
DATE: \_\_\_\_\_

*[Handwritten Signature]*  
 3/1/12

*Expires 6/30/2013*



**45G TOWER GUYING DETAILS**  
**40' - 170'**  
**90MPH 3-SECOND GUST WIND SPEED**  
**NO ICE (REV G)**  
**70 MPH FASTEST MILE WIND SPEED**  
**NO ICE (REV F)**



TOWER HT.	BASE PIER (DWG: B090549)		ANCHOR DATA (DWG: B090550)		
	NO.	BLOCK NO.	ROD NO.	ROD ANGLE	
40'	CB1G	AB2	GAC345STOP	45	
50'	CB1G	AB2	GAC345STOP	46	
60'	CB1G	AB2	GAC345STOP	43	
70'	CB1G	AB2	GAC345STOP	43	
80'	CB1G	AB2	GAC345STOP	41	
90'	CB1G	AB2	GAC345STOP	42	
100'	CB1G	AB2	GAC345STOP	42	
110'	CB1G	AB2	GAC345STOP	40	
120'	CB1G	AB2	GAC345STOP	39	
130'	CB1G	AB2	GAC345STOP	40	
140'	CB1G	AB2	GAC345STOP	39	
150'	CB1G	AB2	GAC345STOP	38	
160'	CB1G	AB2	GAC345STOP	37	
170'	CB1G	AB2	GAC345STOP	38	

**GENERAL NOTES:**

- TOWER DESIGNS ARE IN ACCORDANCE WITH ANSI/TIA-222-F & ANSI/TIA-222-G, CLASS I STRUCTURES.
- ALLOWABLE PROJ. AREA (SQ. FT.) FOR EXPOSURE B - (REV G).
- ALLOWABLE PROJ. AREA (SQ. FT.) FOR EXPOSURE C - (REV G).
- ALLOWABLE PROJ. AREA (SQ. FT.) - (REV F).
- EFFECTIVE PROJ. AREAS MUST NOT EXCEED THE AREAS SHOWN.
- ANTENNAS AND MOUNTS ARE ASSUMED SYMMETRICALLY PLACED AT THE TOWER TOP.
- DESIGNS ASSUME TWO 1/2" DIA. LINES ON EACH TOWER FACE.
- FOR GUY HARDWARE INSTALLATION DETAILS, SEE DWG. A871382.
- ANCHOR RADIUS IS FROM TOWER BASE TO INTERSECTION OF ROD WITH GROUND.
- TOWER DESIGNS AND GUY CHORD LENGTHS SHOWN ARE BASED ON LEVEL GROUND. ADD 6 PERCENT TO CHORD LENGTHS (FOR SAG AND CONNECTIONS) FOR FINAL CUT LENGTHS. ( ) INDICATES INITIAL TENSION FOR GUY WIRES IN POUNDS AT 60 DEGREES FAHRENHEIT.
- DO NOT INSTALL OR DISMANTLE TOWERS WITHIN FALLING DISTANCE OF ELECTRICAL AND/OR TELEPHONE LINES.
- TOWER ERECTION AND DISMANTLING MUST BE DONE BY QUALIFIED AND EXPERIENCED PERSONNEL.
- TEMPORARY STEEL GUYS, WHEN REQUIRED DURING ERECTION OR DISMANTLING, MUST BE SUPPLIED AND INSTALLED BY THE ERECTOR.
- INSTALL WARNING PLATE (P/N: ACV5) IN A HIGHLY VISIBLE LOCATION.
- ALL ANTENNA INSTALLATIONS MUST BE GROUNDED IN ACCORDANCE WITH LOCAL AND NATIONAL CODES.
- EXTRA CABLE CLAMPS HAVE BEEN PROVIDED FOR TURNBUCKLE SAFETY REQUIREMENTS. FOR DETAILS SEE DWG. B680324 LATEST REVISION.
- PURCHASER SHALL VERIFY THE INSTALLATION IS IN CONFORMANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS FOR OBSTRUCTION MARKING AND LIGHTING.
- TOLERANCE ON TOWER STEEL IS EQUAL TO PLUS 1% AND MINUS 1/2%.
- DESIGNS ASSUME THAT, AS A MINIMUM, MAINTENANCE AND INSPECTION WILL BE PERFORMED OVER THE LIFE OF THE STRUCTURE IN ACCORDANCE WITH ANSI/TIA-EIA-222-G.
- ANCHOR RODS CORROSION PROTECTION METHODS TO BE PROVIDED BY OTHERS.

Standard-45G				
REVISIONS				
REV	DESCRIPTION	OWN	CHK	APP
1	REVISED NOTE #3 FROM 1/2" DIA. CHORDLINE TO 1/2" DIA. LINE	JWS	KTL	HA
1	REVISED ANCHOR BLOCK # FOR 40-37.5 DIAMETERS FROM AB2 TO AB2	JWS	KTL	HA

DWG REFERENCE



PO BOX 5999  
 PEORIA, IL 61601-5999  
 TOLL FREE 800-727-ROHN

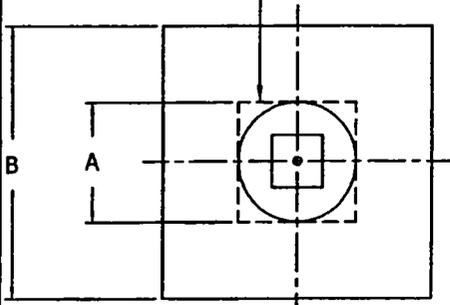
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**SECTION ASSEMBLY**  
**45G/90MPH 3-SECOND GUST/NO ICE**

DWR:	JWS	CHKD:	KTL	DATE:	Feb/09/2010
ENGR:	HA				
DRAWING NO:	DWG-0105-1			REV:	2

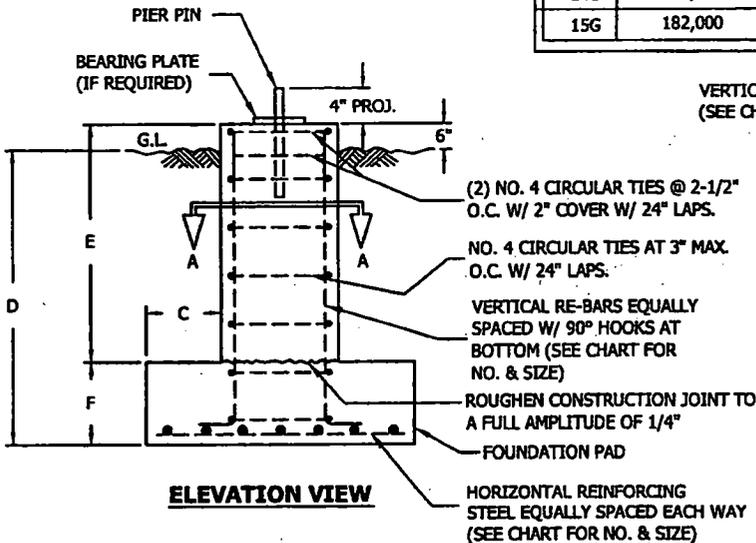


ALTERNATE SQUARE PIER  
(SEE NOTE 3)



**PLAN VIEW**

CB NO.	TOWER BASE REACTION (LBS)	DIMENSIONS						BEARING PLATE	CONC. (CU. YDS RD PIER)	VERTICAL BARS (NO. & SIZE)	HORIZ. BARS IN PAD (NO. & SIZE)
		* A	B	C	D	E	F				
1G	12,000	2'-6"	2'-6"	0	4'-0"	0	0	BP6	0.80	8 NO. 7	NONE
2G	17,000	3'-0"	3'-0"	0	4'-0"	0	0	BP6	1.20	10 NO. 7	NONE
3G	23,000	3'-6"	3'-6"	0	4'-0"	0	0	BP6	1.60	12 NO. 7	NONE
4G	30,000	4'-0"	4'-0"	0	4'-0"	0	0	BP6	2.10	12 NO. 8	NONE
5G	38,000	2'-0"	4'-0"	1'-0"	4'-0"	3'-3"	1'-3"	BP6	1.10	8 NO. 6	5 NO. 5
6G	48,000	2'-0"	4'-6"	1'-3"	4'-0"	3'-3"	1'-3"	BP6	1.30	8 NO. 6	6 NO. 5
7G	58,000	2'-0"	5'-0"	1'-6"	4'-6"	3'-9"	1'-3"	BP10	1.60	8 NO. 6	6 NO. 5
8G	71,000	2'-0"	5'-6"	1'-9"	4'-6"	3'-9"	1'-3"	BP10	1.80	8 NO. 6	7 NO. 5
9G	84,000	2'-0"	6'-0"	2'-0"	4'-6"	3'-6"	1'-6"	BP10	2.40	8 NO. 6	7 NO. 6
10G	99,000	2'-0"	6'-6"	2'-3"	4'-6"	3'-6"	1'-6"	BP10	2.80	8 NO. 6	8 NO. 5
11G	111,000	2'-6"	7'-0"	2'-3"	5'-0"	3'-9"	1'-9"	BP15	3.90	8 NO. 7	8 NO. 6
12G	127,000	2'-6"	7'-6"	2'-6"	5'-0"	3'-9"	1'-9"	BP15	4.30	8 NO. 7	9 NO. 6
13G	145,000	2'-6"	8'-0"	2'-9"	5'-0"	3'-9"	1'-9"	BP15	4.80	8 NO. 7	9 NO. 6
14G	162,000	3'-0"	8'-6"	2'-9"	5'-0"	3'-6"	2'-0"	BP15	6.30	12 NO. 7	9 NO. 7
15G	182,000	3'-0"	9'-0"	3'-0"	5'-0"	3'-6"	2'-0"	BP15	6.90	12 NO. 7	10 NO. 7



**ELEVATION VIEW**

VERTICAL BARS EQUALLY SPACED  
(SEE CHART FOR NO. & SIZE)

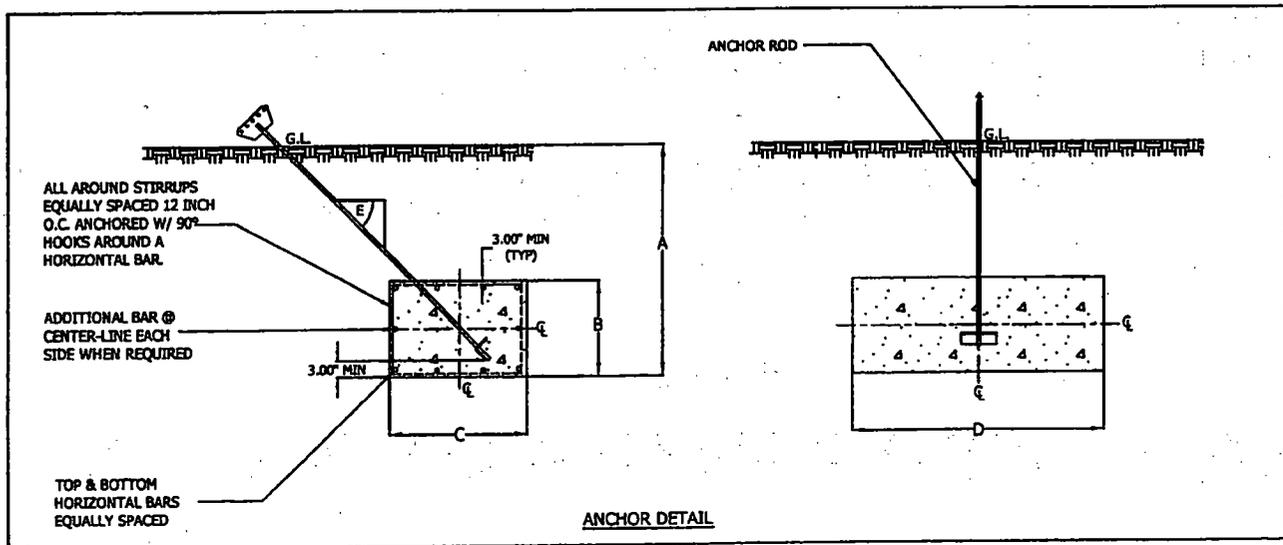
ALTERNATE SQUARE PIER  
#4 CIRCULAR TIES 3" ON CENTERS  
W/ 24" LAPS

**SECTION A-A**

**NOTES:**

1. SEE TOWER ASSEMBLY DRAWING FOR FOUNDATION LAYOUT AND PART NUMBERS FOR BEARING PLATE & PIER PIN.
2. SEE DRAWING NUMBER B090548 FOR STANDARD FOUNDATION NOTES.
- \*3. USE MIN. 2'-6" SQ. OR 3'-0" DIA. ROUND PIER WHEN BPC45G OR BPC55G IS USED.
4. VERTICAL REINFORCING STEEL SHALL BE REPLACED WITH STRAIGHT BARS WHEN NO PAD IS REQUIRED.
5. HORIZ. BARS IN CHART REFER ONLY TO THE BARS IN THE FOUNDATION PAD.

FILE NO.			
STDPUBLIC			
REVISIONS			
REV.	DESCRIPTION	DWN	CHK APP
DWG REFERENCE			
6718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN			
<small>THIS DRAWING IS THE PROPERTY OF ROHN, ET IS NOT TO BE REPRODUCED, COPIED OR TANGED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>			
FOUNDATION BASE PIER FOR REV. G PRESUMPTIVE CLAY			
DWR:	FAD	CHKD:	HA
ENG:			
DRAWING NO.	B090549		REV:
			0



FILE NO. STDPUBLIC				
REVISIONS				
REV.	DESCRIPTION	DRAWN	CHK	APP
1	ADD ANCHOR	FAD	HA	HA
2	DATE: 08/21/2009 SLOPE 'E' NOTES CHANGED	HA	HA	HA
3	DATE: 3/20/2010 UPDATED LAYOUT	FAD	HA	HA
4	DATE: 10/23/2010			

DWG REFERENCE

CONCRETE ANCHOR BLOCK DATA FOR ANSI/TIA-222-G PRESUMPTIVE CLAY SOIL									
BLOCK	ANCHOR DIMENSIONS (IN.)				HORIZONTAL BARS QTY./SIZE	STIRRUPS SIZE & SPACING	CONCRETE VOL. (CU. YDS.)	UPLIFT CAPACITY(LBS)	LATERAL CAPACITY(LBS)
	A	B	C	D					
AB1	3'-0"	1'-0"	3'-0"	4'-0"	(8) #5 BARS TOTAL (4) #5 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	0.44 PER BLOCK 1.3 TOTAL FOR 3	4,800	2,150
AB2	4'-0"	1'-6"	4'-0"	6'-0"	(10) #6 BARS TOTAL (5) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	1.33 PER BLOCK 4.0 TOTAL FOR 3	12,600	6,480
AB3	6'-0"	1'-6"	3'-0"	6'-0"	(8) #6 BARS TOTAL (4) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	1.0 PER BLOCK 3.0 TOTAL FOR 3	18,700	10,500
AB4	6'-0"	1'-6"	4'-0"	9'-0"	(10) #6 BARS TOTAL (5) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.0 PER BLOCK 6.0 TOTAL FOR 3	32,500	15,800
AB5	8'-0"	2'-0"	3'-0"	10'-0"	(10) #7 BARS TOTAL (4) #7 BARS TOP AND BOTTOM LAYERS (1) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.22 PER BLOCK 6.7 TOTAL FOR 3	43,000	21,000
AB6	8'-0"	2'-0"	4'-0"	10'-0"	(12) #7 BARS TOTAL (5) #7 BARS TOP AND BOTTOM LAYERS (1) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.96 PER BLOCK 8.9 TOTAL FOR 3	52,000	26,500

- GENERAL NOTES**
- SEE DRAWING NUMBER B090548 FOR STANDARD FOUNDATION NOTES.
  - ALL HORIZONTAL BARS MUST BE CONTINUOUS.
  - DUE TO VARIABLES INVOLVED DURING INSTALLATION, IT SHALL BE THE CUSTOMER'S OR INSTALLER'S RESPONSIBILITY TO PROVIDE STRUCTURALLY ADEQUATE SUPPORTS FOR BASE AND ANCHOR CONNECTIONS. IT MAY ALSO BE NECESSARY FOR THE CUSTOMER OR INSTALLER TO SECURE THE SERVICE OF A LOCAL ENGINEER TO DETERMINE THAT INSTALLATION COMPLIES WITH LOCAL BUILDING CODES.
  - ADDITIONAL CORROSION PROTECTION MAY BE REQUIRED FOR STEEL GUY ANCHORS IN DIRECT CONTACT WITH SOIL.

  
**ROHN**  
 PRODUCTS  
 6718 WEST PLANK ROAD  
 PEORIA, IL 61604  
 TOLL FREE 800-727-ROHN

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FOUNDATION ANCHOR BLOCK REV. G PRESUMPTIVE CLAY			
DRAWN: FAD	CHKD: HA	DATE: Nov/24/2009	
ENGR: HA			
DRAWING NO: B090550		REV: 3	

(SEE TOWER ASSEMBLY DRAWING FOR ANCHOR ROD SLOPE 'E'.)



MINUTES  
PUBLIC HEARING AND REGULAR MEETING  
BOARD OF DIRECTORS  
AVRA VALLEY FIRE DISTRICT

**Meeting Date:** Wednesday, February 27, 2013

**Meeting Time:** 10:00 AM

**Location:** Station 193 Located at 30300 E. Amber Sunrise, Marana, AZ 85653

AGENDA

1) **CALL TO ORDER**

CHAIRMAN CASTANEDA, JR. CALLED THE MEETING TO ORDER AT 10:10 AM.

2) **CHAIRMAN CASTANEDA, JR. LED THE PLEDGE OF ALLEGIANCE.**

3) **ASSISTANT CHIEF KLEIN CALLED ROLL**

BOARD

Chairman Castaneda, Jr  
Vice-Chairman Lassen  
Clerk Bauer  
Director Neilson  
DIRECTOR HORCH

STAFF

Asst Chief Klein  
Secretary Palmquist

ATTORNEY

Attorney Wencker present by phone

OTHERS IN ATTENDANCE:

MR. FRED ROSENFELD, DISTRICT BOND ATTORNEY  
MR. VICTOR CARTER, RESIDENT OF THE DISTRICT  
MS. GAIL MCGRAW, RESIDENT OF THE DISTRICT

4) **Public Hearing**

PUBLIC HEARING REGARDING THE PROPOSED ERECTION OF A 100 FOOT TALL COMMUNICATIONS TOWER AT FIRE STATION #193, 30300 E. AMBER SUNRISE, MARANA, AZ 85653. THE BOARD HAS PREVIOUSLY ACTED ON THIS ITEM AND ZONING AND BUILDING PERMITS HAVE BEEN SUBMITTED TO THE PINAL COUNTY DEVELOPMENT SERVICES DEPARTMENT. PINAL COUNTY REQUIRES THIS ADDITIONAL PUBLIC HEARING SO THAT RESIDENTS HAVE ANOTHER OPPORTUNITY TO MAY MAKE THEIR WISHES KNOWN PRIOR TO FINAL CONSIDERATION BY THE BOARD OF SUPERVISORS.

Vice-Chairman Lassen moved to open the Public Hearing. Chairman Castaneda, Jr. seconded the motion. Motion carried unanimously. The Public Hearing was opened.

ASSISTANT CHIEF KLEIN OFFERED A BRIEF DESCRIPTION OF THE PROPOSED RADIO TOWER. HE STATED THAT THE TOWER WILL HOUSE RADIO EQUIPMENT WHICH WILL CORRECT CURRENT RECEPTION PROBLEMS. THE RADIO EQUIPMENT WILL INTERFACE WITH OTHER NETWORKS, THEREBY INCREASING COVERAGE. IT WILL CONTAIN A MICROWAVE LINK TO THE STATION INTERNET SERVER FOR DAILY BUSINESS BETWEEN STATIONS. FINALLY, THERE WILL BE AN OPPORTUNITY TO HAVE OTHER VENDORS COME IN AND RENT SPACE FOR WIRELESS AND OTHER SERVICES FOR COMMUNITY.

RESIDENT GAIL MCGRAW EXPRESSED HER CONCERN ABOUT HEALTH ISSUES RELATED TO THE MICROWAVE EMISSIONS OF THE PROPOSED TOWER. SHE STATED HER CONCERN THAT OTHER VENDORS COMING IN COULD CAUSE MULTIPLE DISHES TO BE INSTALLED, THEREBY INCREASING THE MICROWAVE EMISSIONS. ASSISTANT CHIEF KLEIN RESPONDED THAT ALL EMISSIONS WILL BE LOW GRADE.

RESIDENT VICTOR CARTER INQUIRED IF OTHER WI-FI VENDORS WOULD BE ABLE TO LINK TO THE TOWER. ASSISTANT CHIEF KLEIN RESPONDED THAT ANY VENDOR COULD LINK TO THE TOWER AS LONG AS THEY WERE NOT IN DIRECT COMPETITION WITH TRANSWORLD. MR. CARTER ALSO EXPRESSED HIS CONCERN THAT THREE WIRES MAY NOT BE SUFFICIENT TO HOLD UP THE TOWER IF MANY VENDORS DO, IN FACT, LINK UP.

ASSISTANT CHIEF KLEIN FURTHER COMMENTED THAT TRANSWORLD WILL EVENTUALLY TURN OWNERSHIP OVER TO THE DISTRICT AT NO COST AND WILL CONTINUE TO PAY A SMALL RENTAL FEE EACH MONTH. THEREFORE, THE TOWER IS NO COST TO DISTRICT.

CHAIRMAN CASTANEDA, JR. CALLED FOR OTHER QUESTIONS. THERE WERE NONE. THE CHAIRMAN THANKED THE RESIDENTS FOR THEIR ATTENDANCE AND INPUT. THE RESIDENTS LEFT THE MEETING.

VICE-CHAIRMAN LASSEN MOTIONED TO CLOSE THE PUBLIC HEARING. CLERK BAUER SECONDED. HAVING NO FURTHER DISCUSSION, A VOTE WAS TAKEN AND THE MOTION CARRIED UNANIMOUSLY 5/0. THE CHAIRMAN CLOSED THE PUBLIC MEETING.

**5) PURSUANT TO A.R.S. SECTION 38-431.05(B), RATIFICATION OF ACTION TAKEN AT THE SPECIAL MEETING HELD ON FEBRUARY 15, 2013; REGARDING: FILLING ADMINISTRATIVE POSITION(S) IN THE AVRA VALLEY FIRE DISTRICT ADMINISTRATIVE OFFICE.**

ASSISTANT CHIEF KLEIN CLARIFIED THAT THE BOARD NEEDS TO RATIFY THE MEETING HELD ON FEBRUARY 15, 2013. CHAIRMAN CASTANEDA, JR. ASKED ATTORNEY WENCKER FOR FURTHER CLARIFICATION. ATTORNEY WENCKER STATED THAT THE NOTICE OF THAT SPECIAL MEETING WAS LISTED AS MEETING AT THE HALBERG CENTER AND THAT SINCE THE ACTUAL MEETING WAS HELD IN THE ADMINISTRATIVE OFFICE, THE BOARD NEEDS TO RATIFY WHAT HAPPENED AT THAT MEETING. THE ATTORNEY STATED THAT THIS IS NOT A MAJOR PROBLEM, SIMPLY A COVERING OF ALL BASES. CHAIRMAN CASTANEDA, JR. CALLED FOR FURTHER DISCUSSION. BEING NONE, THE CHAIRMAN MOVED TO RATIFY THE SPECIAL MEETING HELD FEBRUARY 15, 2013. VICE-CHAIRMAN LASSEN SECONDED. THE MOTION CARRIED UNANIMOUSLY 5/0.

**6) APPROVAL OF MINUTES FROM SPECIAL MEETING HELD ON FEBRUARY 15, 2013.**

AFTER NO DISCUSSION, CLERK BAUER MOVED TO APPROVE THE MINUTES FROM THE SPECIAL MEETING. CHAIRMAN CASTANEDA, JR. SECONDED AND THE MOTION CARRIED UNANIMOUSLY 5/0.



**MINUTES OF THE**  
**PUBLIC HEARING**  
**OF THE**  
**BOARD OF DIRECTORS**  
**AVRA VALLEY FIRE DISTRICT**

Meeting Date: Wednesday, February 27, 2013

Meeting Time: 5:00 PM

Location: Station 193 Located at **30300 E. Amber Sunrise, Marana, AZ 85653**

*The Avra Valley Fire District Governing Board may vote to go into Executive Session on any agenda item pursuant to A.R.S. section 38-431.03 (A) (3) for consultation and legal advice with the attorney for the District. Pursuant to A.R.S. section 38-431.03, executive sessions are confidential.*

*The order of the Agenda may be altered or changed by the Avra Valley Fire District Governing Board. Copies of the Agenda are available at the district's administrative office located at 15790 W. Silverbell Rd., Marana, AZ 85653.*

*MEMBERS OF THE AVRA VALLEY FIRE DISTRICT WILL ATTEND EITHER IN PERSON OR BY TELEPHONE CONFERENCE CALL.*

*If you require an accommodation or materials in accessible format for this event, please call the Avra Valley Fire District Administration Office at 520-682-3255, at least five business days in advance.*

**AGENDA FOR THIS MEETING IS AS FOLLOWS:**

**1) CALL TO ORDER**

**MEETING CALLED TO ORDER BY CHAIRMAN CASTANEDA JR AT 17:05**

**2) ROLL CALL**

**COMPLETED BY ASSISTANT CHIEF KLEIN, PRESENT WERE:**

- CHAIRMAN CASTANEDA JR
- VICE-CHAIR LASSEN
- BOARD CLERK BAUER
- DISTRICT ATTORNEY WENCKER BY PHONE
- ASSISTANT CHIEF KLEIN
- BOARD MEMBER HORCH NOT PRESENT
- BOARD MEMBER NEILSON NOT PRESENT

**QUORUM ESTABLISHED**

**3) PLEDGE OF ALLEGIANCE**

- 4) CALL TO THE PUBLIC;** - Pursuant to the Arizona Open Meeting Laws, the Fire Board may only discuss matters listed on the agenda. At the conclusion of the call to the public, the Fire Board may respond to criticism made by an individual who has addressed the Fire Board, may ask the Fire Chief to review the matter or to follow up on a matter, or may ask that a matter be placed on a future agenda. However, the Fire Board will not discuss or take action on any matter raised during a call to the public unless the matter is on the agenda.

*If you wish to address the Fire Board, please complete a speaker card (located on table by entrance door) and give it to the Chairperson. Please indicate on the speaker card which agenda item you wish to speak on or what you wish to speak on during the call to the public. The Fire Board may limit the time allocated for each speaker. The Fire Board may decide to hear all speakers during the call to the public or may hear those desiring to speak regarding a specific agenda at a time to coincide with an agenda item.*

**When called to speak, please do the following:**

- State your name and address for the record.
- If speaking on a specific agenda item, limit your discussion to that agenda item.
- Limit your comments to the amount of time allocated by the Fire Board.
- Conduct yourself in a courteous and respectful manner.

- 5) PUBLIC HEARING REGARDING THE PROPOSED ERECTION OF A 100 FOOT TALL COMMUNICATIONS TOWER AT FIRE STATION #193, 30300 E. AMBER SUNRISE, MARANA, AZ 85653**

**THIS ITEM MAY BE TAKEN OUT OF ORDER**

**10:00 PUBLIC HEARING REGARDING THE PROPOSED ERECTION OF A 100 FOOT TALL COMMUNICATIONS TOWER AT FIRE STATION #193, 30300 E. AMBER SUNRISE - THE BOARD HAS PREVIOUSLY ACTED ON THIS ITEM AND ZONING AND BUILDING PERMITS HAVE BEEN SUBMITTED TO THE PINAL COUNTY DEVELOPMENT SERVICES DEPARTMENT. PINAL COUNTY REQUIRES THIS ADDITIONAL PUBLIC HEARING SO THAT RESIDENTS HAVE ANOTHER OPPORTUNITY TO MAY MAKE THEIR WISHES KNOWN PRIOR TO FINAL CONSIDERATION BY THE BOARD OF SUPERVISORS. THE AVRA VALLEY FIRE DISTRICT DIRECTORS MAY DIRECT STAFF TO TAKE ADDITIONAL OR ALTERNATIVE ACTION BASED UPON INPUT THAT IS RECEIVED FROM THE MEMBERS OF THE PUBLIC.**

**5. A OPEN PUBLIC HEARING**

**MOTION TO OPEN PUBLIC MEETING BY CHAIRMAN CASTANEDA JR AND SECONDED BY VICE CHAIR LASSEN. ALL VOTED YES, NO OPPOSITION**

**5. B PUBLIC COMMENT**

**ONE MEMBER FROM THE PUBLIC PRESENT; THOMAS ARMENDANEZ ASKED IF THE PARTY; TRANSWORLD, WOULD HAVE EXCLUSIVE RIGHTS TO USE OF**

THE TOWER. CHIEF KLEIN EXPLAINED THAT TRANSWORLD WOULD BE PROVIDING THE DISTRICT THE TOWER, PUTTING IT UP, AND TURNING OWNERSHIP OF THE TOWER OVER TO THE DISTRICT AND PAYING THE DISTRICT A MONTHLY. DISTRICT ATTORNEY WENCKER CLARIFIED FOR MR. ARMENDANEZ THAT TRANSWORLD WOULD HAVE A LEASE AGREEMENT WITH THE DISTRICT. THAT TRANSWORLD CAME TO THE DISTRICT AND THAT WE DID NOT SEEK TRANSWORLD OUT FOR THE ERECTION OF A TOWER. DISTRICT ATTORNEY WENCKER ALSO EXPLAINED THAT THE AGREEMENT WITH TRANSWORLD IS INDEFINITE, HOWEVER, THERE IS AN OUT CLAUSE FOR BOTH THE DISTRICT AND TRANSWORLD AND THAT THE DISTRICT COULD RENEGOTIATE THE TERMS OF THE AGREEMENT OR TERMINATE THE AGREEMENT WITH PROPER NOTICE TO TRANSWORLD. IF THE DISTRICT TERMINATED THE AGREEMENT, THE DISTRICT WOULD STILL OWN THE TOWER.

MR. ARMENDANEZ HAD NO FURTHER QUESTIONS.

NO ONE ELSE WAS PRESENT FROM THE PUBLIC AND NO OTHER COMMENTS AND OR QUESTIONS WERE RECEIVED FOR THE BOARD.

#### 5. C CLOSE PUBLIC HEARING

MOTION TO CLOSE THE PUBLIC HEARING WAS MADE BY VICE CHAIR LASSEN AND SECONDED BY CLERK BAUER. ALL VOTED YES, NO OPPOSITION

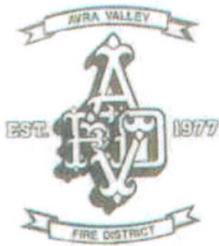
#### Adjournment

Motion was made by Vice Chair Lassen to Adjourn and seconded by Clerk Bauer. All voted yes, no opposition. Meeting was adjourned at 17:14

Minutes taken by Assistant Chief Ray Klein and completed at 11:28 on 2/28/13

In accordance with the Federal law and the U.S. Department of Agriculture policy, Avra Valley Fire District is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD).



# AVRA VALLEY FIRE DISTRICT

## REQUEST TO SPEAK

DATE OF THE MEETING FEB 27, 2013

Name (Please Print)

Thomas C. Amendsner

Address

35770 S. Ashburn Trl

Please check one: Resident  Taxpayer  Fee Payer

I wish to speak to the Board on the following issue(s):

TOWNSHIP ISSUE -

Signature: [Signature]

Date: 2-27-13

- ◆ This form must be delivered to the Board Chairman prior to the meeting. This item may be honored at the time of "Call to the Audience" or when a specific agenda item is open for discussion.
- ◆ Complaints about individuals and other matters not suitable for a public forum will be referred to appropriate personnel and not heard at a board meeting.
- ◆ The Board chairman will stop any speaker who does not follow the guidelines or use good taste or judgment.
- ◆ In most cases, the Board will not respond to your remarks during the meeting.
- ◆ **THE BOARD, AT ITS DESCRETION CAN RESTRICT TIME FOR ALL SPEAKERS.**



AVRA VALLEY FIRE DISTRICT  
Board of Directors  
Guest Sign-in Sheet

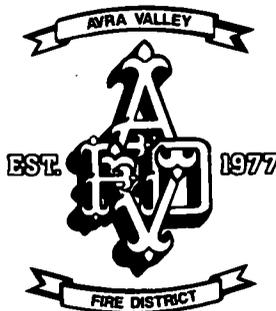
February 27, 2013  
Public Hearing

THIS FORM IS A PUBLIC RECORD

NAME	ADDRESS	PHONE	EMAIL ADDRESS*
<i>Thomas C Armendarez</i>	<i>35790 S. Ash Avenue TRU</i>	[REDACTED]	[REDACTED]

# Avra Valley

15790 W. Silverbell Road  
Marana, AZ 85653-9577



# Fire District

Phone (520) 682-3255  
Fax (520) 682-5458

## NOTICE

**AN ADDITIONAL PUBLIC HEARING REGARDING THE ERECTION OF A COMMUNICATIONS TOWER AT FIRE STATION #193 WILL BE HELD AT 30300 E. AMBER SUNRISE, ON FEBRUARY 27, 2013, BEGINNING AT 10:00 A.M. & 5:00 P.M.**

Dear Resident,

The Board of Directors of the Avra Valley Fire District (AVFD) highly values your input on a proposal that we have received from the Transworld Network Corporation (TWN). Three public hearings were previously held to gauge your interest and your concerns regarding the proposal. Pinal County is requiring that we have another public hearing on the proposal before the item is placed on the Board of Supervisor's agenda for final approval. **We are asking for further input due to the tower being previously stated to be "80 feet to 100 feet tall."** The formal application states that the tower will be 100 feet in height and we are requesting approval as such. Pinal County has also asked that we specify more clearly the capacity remaining on the tower to allow us to lease space to other vendors in the future.

TWN is a provider of Broadband Internet services via wireless delivery. In the Marana area, TWN partners with Trico Electric Cooperative who provides marketing support to the Trico members and the general public. TWN has established a number of wireless Internet delivery points (Access Points) throughout Pima County.

TWN is proposing that AVFD and TWN enter into an agreement whereby TWN would erect a guyed tower at the AVFD Missile Base Fire Station #193. The tower itself would be a triangular shaped lattice guyed tower that they describe as "aesthetically acceptable." The height of the tower will be one-hundred feet tall.

The advantages might be:

- Availability of Broadband Internet and other wireless services to the residents of the Missile Base community.
- Greatly enhanced emergency radio communications throughout the entire area.
- The likelihood that the taxpayers of the AVFD would benefit from the cost savings and the revenues that the fire district could earn by renting space on the tower to other users with communications needs.

A disadvantage might be:

- Unsightliness of the tower.

**Please plan to attend the public hearing on this matter so that informed decisions can be made:**

**February 27, 2013, 10:00 A.M. & 5:00 P.M.  
Fire Station #193, 30300 E. Amber Sunrise**

*"Our Family Helping Your Family"*



**MINUTES OF THE PUBLIC HEARING AND THE REGULAR**  
**MEETING OF THE**  
**BOARD OF DIRECTORS**  
**AVRA VALLEY FIRE DISTRICT**

Meeting Date: Wednesday, November 28, 2012

Meeting Time: 6:00 PM

Location: Station 193 Located at 30300 E. Amber Sunrise , Marana, AZ 85653

*If you require materials in accessible format for this event, please call the Avra Valley Fire District Administration Office at 520-682-3255, at least five business days in advance.*

1) Call to Order – 6:03 PM by Chairman Castaneda, Jr.

2) Roll Call – Present were: Mr. Castaneda, Jr., Mrs. Aleya Lassen, Ms. Sara Bauer, Mr. Eric Neilson. Also present were Mr. Wencker, Chief Delfs, Chief Klein and Ms. Cantrell.

3) PLEDGE OF ALLEGIANCE

4) CALL TO THE PUBLIC – No members of the public spoke at this time.

5) APPROVAL OF MINUTES FROM REGULAR SESSION OCTOBER 24, 2012.

After review of the minutes from October 24, 2012:

ALEYNA LASSEN MADE THE MOTION TO APPROVE THE MINUTES FROM OCTOBER 24, 2012 AS PRESENTED. SARA BAUER MADE THE SECOND. VOTE WAS TAKEN 4-0, MOTION CARRIED

9) THIS ITEM TAKEN OUT OF ORDER – REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF NEW DIRECTOR. –

Chairman Castaneda, Jr. noted that a letter of interest from Mr. Brian Horch had been forwarded to the Board by Chief Delfs. No other letters of interest had been received.

Chairman Castaneda offered a MOTION to appoint Mr. Horch to the vacant seat on the Board of Directors for the remainder of Ms. Aguirre-Vogler's term of office and that he should be appointed by acclamation. SECOND by Mrs. Lassen. VOTE passed 4/0.

Mr. Castaneda, Jr. thanked Mr. Horch for his willingness to serve and administered the oath of office.

6) HALBERG CENTER REPORT BY DANIELLE CANTRELL

- DATES/TIMES OF HALBERG CENTER USAGE
- COMMUNITY EVENTS HELD
- UPCOMING EVENTS

No new information was presented.

7) FINANCIAL REPORT BY CHIEF DELFS

- REVENUES & EXPENDITURES
- BUDGET PERFORMANCE
- MONTHLY, BUDGET AND QUARTERLY REVIEWS

Chief Delfs explained that the financial information from Pima County had been delayed due to the election season and demands placed upon Pima County's staff. Chief Delfs presented the following budget highlights:

- Total tax collections for the fiscal year are: \$424,575.
- Tax collections for October 2012 are \$314,830 which is \$112,915 more than October 2011.
- Ambulance revenue for October 2012 \$63,909 which is \$1,157 more than the first quarter monthly average and \$3,650 more than September 2012.
- We received another \$10,700 in State Land Dept. payments for wildland.
- October's expenses were lower than the first three months of the fiscal year at \$245,779

**8) CHIEF'S REPORT/OPERATIONS REPORT BY CHIEF BRIAN DELFS/ASSISTANT CHIEF KLEIN**

TRAINING  
 RESPONSE TIMES  
 VEHICLE MAINTENANCE  
 LABOR RELATIONS AND PERSONNEL  
 STATIONS  
 FINANCE & BUDGET  
 COMMUNICATIONS

Chief Delfs and Chief Klein collaborated on the written reports included in the meeting materials. Chief Delfs added that he had represented the District at the memorial services held by the Professional Firefighters of Arizona and the Greater Tucson Fire Foundation.

**9) BOARD MEMBER REPORTS**

- I. LUIS CASTANEDA JR.-BOARD CHAIRMAN
- II. ALEYNA LASSEN-VICE CHAIRMAN
- III. SARA BAUER-BOARD CLERK

The December Chamber of Commerce Luncheon will be held on the 20<sup>th</sup> of December and she asked if the Chief could arrange to send representatives.

- IV. ERIC NEILSON-BOARD MEMBER
- V. VACANT-BOARD MEMBER

**10) ANNOUNCEMENTS, CURRENT EVENTS & CORRESPONDENCE**

*A brief summary of announcements of future meeting dates, current events, correspondence, and other information concerning AVFD. The Governing Board is prohibited from proposing, discussing, deliberating, and/or taking legal action on any matters under this agenda item, unless specifically listed as an agenda item elsewhere on this agenda.*

Discussion regarding the next meeting date as it would ordinarily fall the day after Christmas. It was proposed that the next meeting be tentatively set for December 19, 2012 at 10:00 AM.

MOTION by Mrs. Lassen to set the next meeting date for December 19, 2012, SECOND by Ms. Bauer. VOTE taken passed 4/0.

Chairman Castaneda reported that the AFDA conference will be held January 17 – 19, 2013. More information will be forthcoming.

Captain Lassen reported on the Adopt-a-Family fundraising efforts and the food boxes that had been given out for Thanksgiving.

#### **11) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING CANVASS OF ELECTION FROM OFFICIAL RESULTS OF PIMA AND PINAL COUNTIES ON PROPOSITION 411 AVRA VALLEY FIRE DIST. 8.**

Mr. Wencker had provided a draft resolution for the Board's use. Although it is not required by law, Mr. Wencker proposed that it would be best practice for the board to canvass the election results as a source of information for the public. He also suggested that since Pima County was unable to provide the information in section two regarding the number of provisional ballots that were disqualified, that the section be stricken from the resolution. Mr. Castaneda read aloud the election results: Pima County: 1145 yes. 771 no. Pinal County: 541 yes, 222 no.

Mrs. Lassen made a MOTION that the election results be filed with Pima County and Pinal County and that section two be stricken. SECOND was made by Ms. Bauer. VOTE taken passed 4/0 with Mr. Horch abstaining on the advice of Mr. Wencker.

## **PUBLIC HEARING**

#### **12) PUBLIC HEARING REGARDING THE PROPOSED ERECTION OF AN EIGHTY FOOT TALL COMMUNICATIONS TOWER AT FIRE STATION #193, 30300 E. AMBER SUNRISE-**

##### **12. A OPEN PUBLIC HEARING –**

Chairman Castaneda Announced the item and made a MOTION to open the public hearing. Mrs. Lassen SECONDED the motion and a VOTE passed 4/0

##### **12. B PUBLIC COMMENT**

Chairman Castaneda opened the floor for members of the public who were in attendance to ask questions or provide comment on the proposed tower. Mr. Eduardo Rojas, a District resident, asked if the tower would be used strictly for fire department communications. Chief Delfs explained that the tower would be an approximately eighty foot tall lattice tower with guy wires. It would be erected by TransWorld and deeded to the District. The area fire districts would benefit from the radio antenna that TransWorld would affix to the tower to bolster emergency communications. Area residents would have access to a subscription service that would enable them to have wireless internet service in the area. Mr. Rojas then asked if the District's tax payers would be paying for the tower or if funding was to come from TransWorld. Chief Delfs and Mr. Wencker explained that TransWorld would deed the tower to the District after it was installed and that it would not be built at tax-payer expense. Furthermore, TransWorld will then pay nominal fees to the District for their use of the tower space. Another resident, Mr. Thomas Armendarez asked if other private companies could rent space on the tower as a way for the District to offset taxes. Chief Delfs said that other companies who are not in competition with TransWorld could potentially rent space in the future.

Chief Delfs noted that this is the second hearing the Board has held on this issue. The first meeting was held so that the Board could measure any interest or opposition to the tower before beginning the process.

The public was overwhelmingly supportive of the idea at that time. Since then, the engineering for the tower has been completed and submitted to Pinal County for permitting. Pinal County required that this second public hearing be held after certain residents were notified of the hearing by mail. The minutes and sign-in sheet from this meeting will be forwarded to Pinal County to advance the process. Members of the public were reminded to sign the sign-in sheet if they had not already done so. Chairman Castaneda asked if there were any other members of the public who wished to be heard. Hearing none, he indicated that the hearing could be closed.

## 12. C CLOSE OF THE PUBLIC HEARING

MOTION by Mrs. Lassen, SECONDED by Ms. Bauer to close the public hearing and to forward the appropriate documentation to Pinal County. VOTE passed 4/0.

**13) MISNUMBERED - REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING BOND- AN ONGOING AGENDA ITEM TO UPDATE THE BOARD AND THE RESIDENTS ON THE SALE OF THE BONDS THAT WERE APPROVED BY THE VOTERS IN NOVEMBER 2012, AND DISCUSSION REGARDING THE PROCESSES AND PROCEDURES THAT WILL BE EMPLOYED TO EXPEND THE MONIES ON CERTAIN FACILITIES AND APPARATUS AND ASSOCIATED EQUIPMENT. THE BOARD MAY TAKE ACTION TO DIRECT STAFF IN THIS REGARD.**

Chief Delfs explained that this will be an ongoing item as the bond and capital improvements will be continuing processes over the next several months. The Chief reported that Mr. Michael LaVallee of Stone & Youngberg will be setting up a bond sale calendar. The Chief also met with Pulte Homes regarding the construction of the new station facilities. At this point, the Chief has high hopes, but we will move forward with an abundance of caution so that the bond money will be expended wisely. The Board will have an opportunity to give input on any drawings and plans before they are presented to the residents. Pulte would like to have plans and presentation materials prepared for their January 31, 2013 HOA meeting.

## 15) Future Agenda Items –

The previous item regarding the bond and capital improvements will be an ongoing agenda item.

## Adjournment –

Meeting adjourned by Chairman Castaneda, Jr. at 6:42 PM.

Minutes submitted by Chief Brian Delfs

In accordance with the Federal law and the U.S. Department of Agriculture policy, Avra Valley Fire District is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD).



AVRA VALLEY FIRE DISTRICT  
Board of Directors  
Guest Sign-in Sheet

November 28, 2012  
Regular Meeting

THIS FORM IS A PUBLIC RECORD

NAME	ADDRESS	PHONE NO.	EMAIL ADDRESS*
ROJAS, EDUARDO ROJAS CANDICE	21275 E VOLUNTARI RD RED ROCK	[REDACTED]	[REDACTED]
William L. Cato	12#29 N MUSKEY RD		
THOMAS & ANITA ARMENDAREZ	35770 S ASHBURN TRL		
Antuan Beaden Leach	30012 E Amber Sunrise At Marana.		



# AVRA VALLEY FIRE DISTRICT

## REQUEST TO SPEAK

DATE OF THE MEETING 11/28/2012, 2012

Name (Please Print) ROJAS, EDUARDO

Address 21275 E VOLUNTEER DR.

Please check one: Resident  Taxpayer  Fee Payer

I wish to speak to the Board on the following issue(s):  
the communication tower

Signature: [Signature] Date: 11/28/2012

- ◆ This form must be delivered to the Board Chairman prior to the meeting. This item may be honored at the time of "Call to the Audience" or when a specific agenda item is open for discussion.
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- ◆ **THE BOARD, AT ITS DESCRETION CAN RESTRICT TIME FOR ALL SPEAKERS.**



# AVRA VALLEY FIRE DISTRICT

## REQUEST TO SPEAK

DATE OF THE MEETING November 28, 2012

Name (Please Print)

Thomas C. Amundson

Address

35770 S. Ashburn TRL.

Please check one: Resident  Taxpayer  Fee Payer

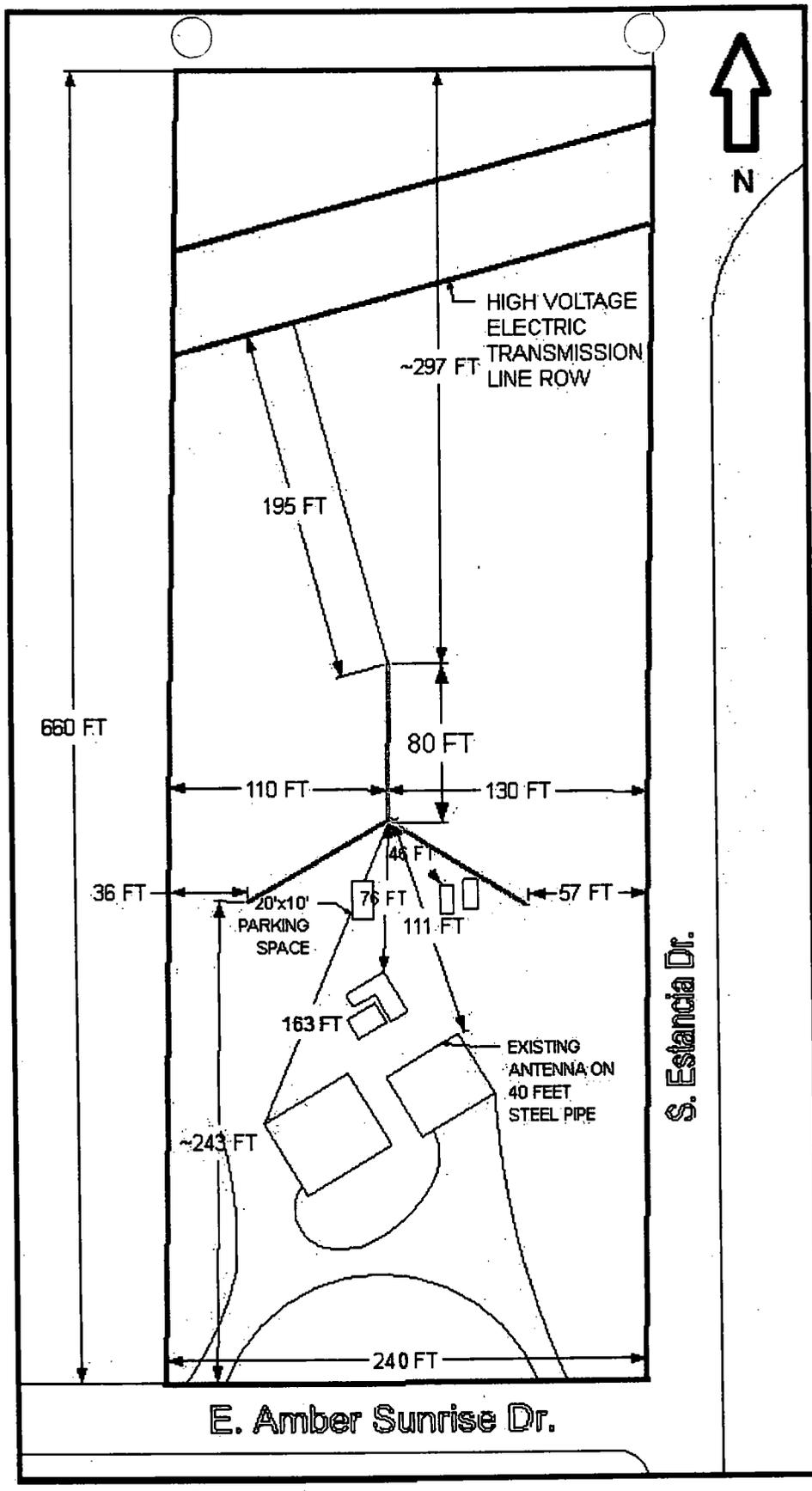
I wish to speak to the Board on the following issue(s):

Questions Regarding POSSIBLE CUSTOMERS FOR TOWER  
& NO COMPLETE USE OF TOWER

Signature: [Signature]

Date: 11-28-12

- ◆ This form must be delivered to the Board Chairman prior to the meeting. This item may be honored at the time of "Call to the Audience" or when a specific agenda item is open for discussion.
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- ◆ The Board chairman will stop any speaker who does not follow the guidelines or use good taste or judgment.
- ◆ In most cases, the Board will not respond to your remarks during the meeting.
- ◆ **THE BOARD, AT ITS DISCRETION CAN RESTRICT TIME FOR ALL SPEAKERS.**



**SITE PLAN**  
**AVFD Fire Station #3**  
 30300 E. Amber Sunrise Dr.  
 100' Communications Tower  
 32°33'20.74"N, 111°14'38.01"W

# Avra Valley

15790 W. Silverbell Road  
Marana, AZ 85653-9577



# Fire District

Phone (520) 682-3255  
Fax (520) 682-5458

## NOTICE

**A PUBLIC HEARING REGARDING THE ERECTION OF A COMMUNICATIONS TOWER AT FIRE STATION #193 WILL BE HELD AT 30300 E. AMBER SUNRISE, ON NOVEMBER 28, 2012, BEGINNING AT 6:00 P.M.**

Dear Resident,

The Board of Directors of the Avra Valley Fire District (AVFD) highly values your input on a proposal that we have received from the Transworld Network Corporation (TWN). Two public hearings were previously held to gauge your interest and your concerns regarding the proposal. Pinal County is requiring that we have another public hearing on the proposal before the item is placed on the Board of Supervisor's agenda for final approval.

TWN is a provider of Broadband Internet services via wireless delivery. In the Marana area, TWN partners with Trico Electric Cooperative who provides marketing support to the Trico members and the general public. TWN has established a number of wireless Internet delivery points (Access Points) throughout Pima County.

TWN is proposing that AVFD and TWN enter into an agreement whereby TWN would erect a guyed tower at the AVFD Missile Base Fire Station #193. The tower itself would be an approximately fourteen inch square lattice tower that they describe as "aesthetically acceptable." The height of the tower is estimated to be eighty to one-hundred feet tall.

The advantages might be:

- Availability of Broadband Internet and other wireless services to the residents of the Missile Base community.
- Greatly enhanced emergency radio communications throughout the entire area through a microwave link that would also be mounted on the tower.
- The likelihood that the taxpayers of the AVFD would benefit from the cost savings and the revenues that the fire district could earn by leasing space for the tower itself, and renting space on the tower to other users with communications needs.

A disadvantage might be:

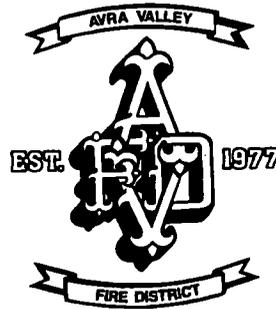
- Unsightliness of the tower.

**Please plan to attend the public hearing on this matter so that informed decisions can be made:**

**November 28, 2012, 6:00 P.M.  
Fire Station #193  
30300 E. Amber Sunrise**

*"Our Family Helping Your Family"*

# Avra Valley



# Fire District

15790 W. Silverbell Road  
Marana, AZ 85653-9577

Phone (520) 682-3255  
Fax (520)-682-5458

August 1, 2011

To: Residents of the Avra Valley Fire District  
From: The Fire District Board of Directors

Dear Resident,

The Board of Directors of the Avra Valley Fire District (AVFD) highly values your input on a proposal that we have received from the Transworld Network Corporation (TWN). Two public hearings have been scheduled to gauge your interest and your concerns regarding the proposal.

TWN is a provider of Broadband Internet services via wireless delivery. In the Marana area, TWN partners with Trico Electric Cooperative who provides marketing support to the Trico members and the general public. TWN has established a number of wireless Internet delivery points (Access Points) throughout Pima County.

TWN is proposing that AVFD and TWN enter into an agreement whereby TWN would erect a guyed tower at the AVFD Missile Base Fire Station #193. The tower itself would be an approximately fourteen inch square lattice tower that they describe as "aesthetically acceptable." The height of the tower is estimated to be eighty to one-hundred feet tall.

The advantages might be:

- Availability of Broadband Internet and other wireless services to the residents of the Missile Base community.
- Greatly enhanced emergency radio communications throughout the entire area through a microwave link that would also be mounted on the tower.
- The likelihood that the taxpayers of the AVFD would benefit from the cost savings and the revenues that the fire district could earn by leasing space for the tower itself, and renting space on the tower to other users with communications needs.

A disadvantage might be:

- Unsightliness of the tower.

Please attend one or both of the public hearings on this matter so that an informed decision can be made:

**August 24, 2011**  
The Halberg Center  
15790 W. Silverbell, Rd.  
10:00 A.M.

**August 30, 2011**  
Fire Station #193  
30300 E. Amber Sunrise  
6:00 P.M.

Sincerely,

Luis Castaneda, Jr.  
Chairman

*"Our Family Helping Your Family"*



**NOTICE OF REGULAR MEETING OF THE**  
**BOARD OF DIRECTORS**  
**AVRA VALLEY FIRE DISTRICT**

Meeting Date: Wednesday, August 10<sup>th</sup>, 2011

Meeting Time: 10:00 AM

Location: **Halberg Center**, 15790 W. Silverbell Road, Marana, AZ 85653

*The Avra Valley Fire District Governing Board may vote to go into Executive Session on any agenda item pursuant to A.R.S. section 38-431.03 (A) (3) for consultation and legal advice with the attorney for the District. Pursuant to A.R.S. section 38-431.03, executive sessions are confidential.*

*The order of the Agenda may be altered or changed by the Avra Valley Fire District Governing Board. Copies of the Agenda are available at the district's administrative office located at 15790 W. Silverbell Rd., Marana, AZ 85653.*

*MEMBERS OF THE AVRA VALLEY FIRE DISTRICT WILL ATTEND EITHER IN PERSON OR BY TELEPHONE CONFERENCE CALL.*

*If you require an accommodation or materials in accessible format for this event, please call the Avra Valley Fire District Administration Office at 520-682-3255, at least five business days in advance.*

**AGENDA FOR THIS MEETING IS AS FOLLOWS:**

- 1) CALL TO ORDER**
- 2) PLEDGE OF ALLEGIANCE**
- 3) ROLL CALL**
- 4) CALL TO THE PUBLIC;** - Pursuant to the Arizona Open Meeting Laws, the fire board may only discuss matters listed on the agenda. At the conclusion of the call to the public, the fire Board may respond to criticism made by an individual who has addressed the Fire Board, may ask the Fire Chief to review the matter or to follow up on a matter, or may ask that a matter be placed on a future agenda. However, the Fire Board will not discuss or take action on any matter raised during a call to the public unless the matter is on the agenda.

*If you wish to address the Fire Board, please complete a speaker card (located on table by entrance door) and give it to the Chairperson. Please indicate on the speaker card which agenda item you wish to speak on or what you wish to speak on during the call to the public. The Fire Board may limit the time allocated for each speaker. The Fire Board may decide to hear all speakers during the call to the public or may hear those desiring to speak regarding a specific agenda at a time to coincide with an agenda item.*

***When called to speak, please do the following:***

- *State your name and address for the record.*
- *If speaking on a specific agenda item, limit your discussion to that agenda item.*
- *Limit your comments to the amount of time allocated by the Fire Board.*
- *Conduct yourself in a courteous and respectful manner.*

- 5) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LETTER ANNOUNCING PUBLIC HEARINGS ON TRANSWORLD NETWORK PROPOSAL.**
- 6) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTING AN INTERIM MEMBER TO THE DISTRICT FIRE BOARD DUE TO RESIGNATION OF BILLIE VILLA PURSUANT TO A.R.S. 48-803 (B).**

**Adjournment**

Posted By: \_\_\_\_\_ Date: \_\_\_\_\_ @ \_\_\_\_\_

**AVFD IS AN EEO EMPLOYER – AVFD SUPPORTS A DRUG-FREE WORKPLACE**

These minutes have been approved by the Board on August 24, 2011.

**Avra Valley Fire District  
Special Board Meeting  
August 10, 2011**

**The Board Meeting of the Avra Valley Fire District was called to order at 10:10 AM.**

- 1) **Call to Order:** Chairman Castaneda, Jr.
- 2) **Pledge of Allegiance/Moment of Silence** –Led by Sara Bauer
- 3) **Roll Call taken by Danielle Cantrell:**

**Present:**

Chairman Mr. Luis Castaneda Jr.	X
Vice-Chairman, Mrs. Aleyna Lassen	X
Clerk of the Board, Ms. Sara Bauer	X
Board Member Eric Neilson	X
Chief Brian Delfs	X
District Secretary, Danielle Cantrell	X
Counsel, Chris Wencker	Absent

**Audience:**

2 people in the audience.

- 4) **CALL TO THE PUBLIC-None**

**CHAIRMAN CASTANEDA CALLED FOR THE AGENDA TO BE TAKEN OUT OF ORDER**

- 5) **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LETTER ANNOUNCING PUBLIC HEARINGS ON TRANSWORLD NETWORK PROPOSAL.**

Chief Delfs reminded the Board that this letter was per their direction from the previous meeting and the intent was to only gauge the interest of the residents in the Missile Base area and does not take place of the official Pinal County Hearings that will be required as part of the permitting process. Chief Delfs explained that TransWorld will be participating in the public meetings we have coming up, and asked that if the letter presented was approved by the Board today that the letter be hand delivered to the residents in that area.

Board Member Eric Neilson asked if there would be a conflict with him approaching TransWorld in regards to setting a tower on his property so that he may acquire internet services he desires. Chief Delfs felt that there would be a potential conflict and asked Mr. Neilson to hold off on those thoughts just yet, as TransWorld has expressed interest in placing an additional tower at our proposed location in the southern area of the district.

Mary Aguirre-Vogler asked if we were prepared for the questions that may come up from the public hearings, and wanted to know if we "googled" cell sites to get some background information on this type of ordeal.

*These minutes have been approved by the Board on August 24, 2011.*

Chief Delfs feels that if the residents are opposed, we do not have to pursue this and mainly this letter is to gauge the resident's interest in this endeavor and what services this could bring to that rural area.

Eric Neilson mentioned the towers that are camouflaged like in Phoenix and Scottsdale if residents objected to the aesthetics of the cell tower. Cost may be prohibitive.

Chief Delfs felt these were all good ideas, and wanted to remind everyone this is basically to gauge interest.

Luis Castaneda asked if the Public Hearings for the permitting process and ours could be held together or what possible options we have. Chief Delfs explained that per his phone call to Pinal County Zoning Director, permitting this project will have separate public hearings that are different than this one designed to generate interest.

Luis wanted to know timelines, and Chief Delfs explained in short that this could take 2-3 months or even possibly up to year should problems arise.

Aleyna Lassen asked how these letters should be delivered. Chief Delfs explained that he felt being hand delivered would be best.

Luis Castaneda inquired about appointing members of the Board or staff to deliver these, but felt staff would be burdened with their schedules already. Sara Bauer felt that the Board would be appropriate to do so and suggested that two members get together and this could be knocked out in a 2 - 3 hours session.

Mary Aguirre-Vogler would like to post this letter at the Red Rock Post Office and volunteered to do so.

ALEYNA LASSEN MOVED TO ACCEPT THE LETTER AS IS. SARA BAUER MADE THE SECOND. VOTE TAKEN 4-0, MOTION CARRIED.

**6) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTING AN INTERIM MEMBER TO THE DISTRICT FIRE BOARD DUE TO RESIGNATION OF BILLIE VILLA PURSUANT TO A.R.S. 48-803 (B).**

Mary Aguirre-Vogler's Application and Letter of Interest was presented to the Board and no other applications or persons came before this Board expressing interest in the position of Board member. Luis Castaneda introduced Mrs. Aguirre-Vogler to the Board, and inquired if any members had any questions of Mrs. Aguirre-Vogler. No further questions were asked.

Aleyna Lassen moved to appoint Mary Aguirre-Vogler to the vacant position of Board Member. Sara Bauer made the second. Vote taken 4-0, motion carried.

*These minutes have been approved by the Board on August 24, 2011.*

Mrs. Aguirre-Vogler was sworn in.

No further business before the Board, meeting stands adjourned at 10:34 am.

Respectfully Submitted by Danielle Cantrell.

DRAFT



# NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS AVRA VALLEY FIRE DISTRICT

Meeting Date: Wednesday, August 24, 2011

Meeting Time: 10:00 AM

Location: Halberg Center, 15790 W. Silverbell Road, Marana, AZ 85653

*The Avra Valley Fire District Governing Board may vote to go into Executive Session on any agenda item pursuant to A.R.S. section 38-431.03 (A) (3) for consultation and legal advice with the attorney for the District. Pursuant to A.R.S. section 38-431.03, executive sessions are confidential.*

*The order of the Agenda may be altered or changed by the Avra Valley Fire District Governing Board. Copies of the Agenda are available at the district's administrative office located at 15790 W. Silverbell Rd., Marana, AZ 85653.*

*MEMBERS OF THE AVRA VALLEY FIRE DISTRICT WILL ATTEND EITHER IN PERSON OR BY TELEPHONE CONFERENCE CALL.*

*If you require an accommodation or materials in accessible format for this event, please call the Avra Valley Fire District Administration Office at 520-682-3255, at least five business days in advance.*

## AGENDA FOR THIS MEETING IS AS FOLLOWS:

- 1) **CALL TO ORDER**
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **ROLL CALL**
- 4) **CALL TO THE PUBLIC;** - Pursuant to the Arizona Open Meeting Laws, the fire board may only discuss matters listed on the agenda. At the conclusion of the call to the public, the fire Board may respond to criticism made by an individual who has addressed the Fire Board, may ask the Fire Chief to review the matter or to follow up on a matter, or may ask that a matter be placed on a future agenda. However, the Fire Board will not discuss or take action on any matter raised during a call to the public unless the matter is on the agenda.

*If you wish to address the Fire Board, please complete a speaker card (located on table by entrance door) and give it to the Chairperson. Please indicate on the speaker card which agenda item you wish to speak on or what you wish to speak on during the call to the public. The Fire Board may limit the time allocated for each speaker. The Fire Board may decide to hear all speakers during the call to the public or may hear those desiring to speak regarding a specific agenda at a time to coincide with an agenda item.*

### **When called to speak, please do the following:**

- State your name and address for the record.
- If speaking on a specific agenda item, limit your discussion to that agenda item.
- Limit your comments to the amount of time allocated by the Fire Board.
- Conduct yourself in a courteous and respectful manner.

- 5) **APPROVAL OF MINUTES FROM REGULAR SESSION MEETING JULY 27, 2011.**
- 6) **APPROVAL OF MINUTES FROM SPECIAL SESSION AUGUST 10, 2011.**

- 7) **HALBERG CENTER REPORT BY DANIELLE CANTRELL**
  - DATES/TIMES OF HALBERG CENTER USAGE
  - COMMUNITY EVENTS HELD

**8) FINANCIAL REPORT BY DANIELLE CANTRELL**

- REVENUES & EXPENDITURES
- BUDGET PERFORMANCE
- MONTHLY NUMBERS

**9) CHIEF'S REPORT/OPERATIONS REPORT BY CHIEF BRIAN DELFS/ASSISTANT CHIEF KLEIN**

- TRAINING
- RESPONSE TIMES
- VEHICLE MAINTENANCE
- LABOR RELATIONS AND PERSONNEL

**10) ANNOUNCEMENTS, CURRENT EVENTS & CORRESPONDENCE**

*A brief summary of announcements of future meeting dates, current events, correspondence, and other information concerning AVFD. The Governing Board is prohibited from proposing, discussing, deliberating, and/or taking legal action on any matters under this agenda item, unless specifically listed as an agenda item elsewhere on this agenda.*

Annual Audit is scheduled September 14<sup>th</sup> & 15<sup>th</sup>.

**11) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC COMMENTS AND INPUT ON THE TRANSWORLD PROPOSAL FOR PLACING A COMMUNICATIONS TOWER AT STATION 193.**

**12) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SETTING DATES FOR FUTURE BOARD MEETING IN THE RED ROCK AREA. (Aleyna Lassen)**

**13) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SPONSORING THE MARANA CHAMBER OF COMMERCE MONTHLY MIXER. (Sara Bauer)**

**14) REVIEW, DISCUSSION AND POSSIBLE ACTION ON HIRING JIM GRISHAM AS A GRANT WRITER FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AND TO ALLOW THE FIRE CHIEF TO NEGOTIATE APPROPRIATE COMPENSATION TO BE AWARDED TO JIM GRISHAM FOR HIS GRANT WRITING SERVICES.**

**15) REVIEW, DISCUSSION AND POSSIBLE ACTION ON ADOPTING THE AVFD STANDARDS OF RESPONSE COVERAGE (SORC).**

**16) POSSIBLE MOTION TO CONVENE IN EXECUTIVE SESSION, PURSUANT TO A.R.S. § 38-431.03(A)(7), FOR DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE DISTRICT IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

**17) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

**18) FUTURE AGENDA ITEMS**

**Adjournment**

Posted By: \_\_\_\_\_ Date: \_\_\_\_\_ @ \_\_\_\_\_

**AVFD IS AN EEO EMPLOYER – AVFD SUPPORTS A DRUG-FREE WORKPLACE**

*These minutes have NOT been approved by the Board.*

**Avra Valley Fire District  
Regular Board Meeting  
August 24, 2011**

**The Board Meeting of the Avra Valley Fire District was called to order at 10:03 AM.**

- 1) **Call to Order:** Chairman Castaneda, Jr.
- 2) **Pledge of Allegiance/Moment of Silence** –Led by Mary Agurrie-Vogler.
- 3) **Roll Call taken by Danielle Cantrell:**

**Present:**

Chairman Mr. Luis Castaneda Jr.	X
Vice-Chairman, Mrs. Aleyna Lassen	X
Clerk of the Board, Ms. Sara Bauer	X
Board Member Mrs. Mary Agurrie-Vogler	X
Board Member Eric Neilson	X
Chief Brian Delfs	X
District Secretary, Danielle Cantrell	X
Counsel, Chris Wencker	X

**Audience:**

7 people in the audience.

- 4) **CALL TO THE PUBLIC**-None

- 5) **APPROVAL OF MINUTES FROM REGULAR SESSION MEETING JULY 27, 2011.**

Aleyna Lassen made the motion to approve the Minutes from the Regular Session Meeting on July 27, 2011 as presented. Sara Bauer made the second. Vote was taken 5-0, motion carried.

- 6) **APPROVAL OF MINUTES FROM SPECIAL SESSION AUGUST 10, 2011.**

Aleyna Lassen made the motion to approve the Minutes from the Special Session August 10, 2011 as presented. Sara Bauer made the second. Vote was taken 5-0, motion carried.

- 7) **HALBERG CENTER REPORT**

See attached report.

- 8) **FINANCIAL REPORT BY DANIELLE CANTRELL**

- REVENUES & EXPENDITURES
- BUDGET PERFORMANCE

Report was given by Danielle Cantrell. See attached report.

- 9) **CHIEF'S REPORT/OPERATIONS REPORT BY CHIEF BRIAN DELFS**

- TRAINING
- RESPONSE TIMES

*These minutes have NOT been approved by the Board.*

- VEHICLE MAINTENANCE
- GRANT PROGRESS
- LABOR RELATIONS & PERSONNEL ISSUES
- BUDGET

Report was given by Chief Delfs-see attached report.

**10) ANNOUNCEMENTS, CURRENT EVENTS, & CORRESPONDENCE**

**11) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC COMMENTS AND INPUT ON THE TRANSWORLD PROPOSAL FOR PLACING A COMMUNICATIONS TOWER AT STATION 193.**

Public Hearing on the pros and cons of the district placing a tower at Station 193.  
No public present.

**12) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SETTING DATES FOR FUTURE BOARD MEETING IN THE RED ROCK AREA. (Aleyna Lassen).**

Discussion ensued regarding making our public meetings available to the entire District. To do so, Board felt it necessary to have some meeting in the Red Rock area.

Sara Bauer made the motion to accept the three dates October 26, 2011, January 25, 2012 and April 25, 2012 at 6:00 pm in Red Rock. Second made by Mary Aguirre-Vogler. Vote Taken 5-0, motion carried.

**13) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SPONSORING THE MARANA CHAMBER OF COMMERCE MONTHLY MIXER. (Sara Bauer)**

Discussion of public entities sponsoring events, and the benefits of getting our name out to our residents and more literature available. Advertisement in the event in exchange for the sponsoring fee.

Aleyna Lassen made the motion to sponsor the Marana Chamber of Commerce Monthly Mixer on October 20, 2011, second by Mary Agurrie-Vogler. Vote 5/0, motion carried.

**14) REVIEW, DISCUSSION AND POSSIBLE ACTION ON HIRING JIM GRASHAM AS A GRANT WRITER FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AND TO ALLOW THE FIRE CHIEF TO NEGOTIATE APPROPRIATE COMPENSATION TO BE AWARDED TO JIM GRASHAM FOR HIS GRANT WRITING SERVICES.**

Aleyna Lassen made the motion to hire Jim Grasham as a grant writer for the Assistance to Firefighters Grant (AFG) and to allow the Fire Chief to negotiate appropriate compensation to be awarded to Jim Grasham for his grant writing services. Sara Bauer made the second. Vote taken 5-0, motion carried.

*These minutes have NOT been approved by the Board.*

**15) REVIEW, DISCUSSION AND POSSIBLE ACTION ON ADOPTING THE AVFD STANDARDS OF RESPONSE COVERAGE (SORC).**

Aleyna Lassen made the Motion to adopt the SORC and the recommendations contained therein, Mary Agurrie-Vogler made the second. Vote taken 5-0, motion carried.

**16) POSSIBLE MOTION TO CONVENE IN EXECUTIVE SESSION, PURSUANT TO A.R.S. § 38-431.03(A)(7), FOR DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE DISTRICT IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

Luis Castaneda made the motion to convene in Executive Session with the following persons: Chris Wencker, District Attorney, Chief Delfs, Chief Klein, Danielle Cantrell, District Secretary, Eric Neilson, Mary Agurrie-Vogler, Sara Bauer, Aleyna Lassen and Luis Castaneda Jr. Aleyna Lassen made the second, vote taken 5-0.

Convened into Executives Session at 11:40 am.

Executives Session Minutes are confidential and retained under separate cover.

Reconvened into Regular Session at 12:19 am.

**17) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

No Action Taken on this agenda item

**18) FUTURE AGENDA ITEMS**  
AHA Agreement by Chief Klein

No further business before the Board, meeting stands adjourned at 12:19 pm.

Respectfully Submitted by Danielle Cantrell.



**NOTICE OF SPECIAL MEETING OF THE**  
**BOARD OF DIRECTORS**  
**AVRA VALLEY FIRE DISTRICT**

Meeting Date: Tuesday, August 30th, 2011

Meeting Time: 6:00 PM

Location: **Station 193**, 30300 E. Amber Sunrise Dr., Marana, AZ 85658

*The Avra Valley Fire District Governing Board may vote to go into Executive Session on any agenda item pursuant to A.R.S. section 38-431.03 (A) (3) for consultation and legal advice with the attorney for the District. Pursuant to A.R.S. section 38-431.03, executive sessions are confidential.*

*The order of the Agenda may be altered or changed by the Avra Valley Fire District Governing Board. Copies of the Agenda are available at the district's administrative office located at 15790 W. Silverbell Rd., Marana, AZ 85653.*

*MEMBERS OF THE AVRA VALLEY FIRE DISTRICT WILL ATTEND EITHER IN PERSON OR BY TELEPHONE CONFERENCE CALL.*

*If you require an accommodation or materials in accessible format for this event, please call the Avra Valley Fire District Administration Office at 520-682-3255, at least five business days in advance.*

**AGENDA FOR THIS MEETING IS AS FOLLOWS:**

- 1) CALL TO ORDER**
- 2) PLEDGE OF ALLEGIANCE**
- 3) ROLL CALL**
- 4) CALL TO THE PUBLIC;** - Pursuant to the Arizona Open Meeting Laws, the fire board may only discuss matters listed on the agenda. At the conclusion of the call to the public, the fire Board may respond to criticism made by an individual who has addressed the Fire Board, may ask the Fire Chief to review the matter or to follow up on a matter, or may ask that a matter be placed on a future agenda. However, the Fire Board will not discuss or take action on any matter raised during a call to the public unless the matter is on the agenda.

*If you wish to address the Fire Board, please complete a speaker card (located on table by entrance door) and give it to the Chairperson. Please indicate on the speaker card which agenda item you wish to speak on or what you wish to speak on during the call to the public. The Fire Board may limit the time allocated for each speaker. The Fire Board may decide to hear all speakers during the call to the public or may hear those desiring to speak regarding a specific agenda at a time to coincide with an agenda item.*

***When called to speak, please do the following:***

- *State your name and address for the record.*
- *If speaking on a specific agenda item, limit your discussion to that agenda item.*
- *Limit your comments to the amount of time allocated by the Fire Board.*
- *Conduct yourself in a courteous and respectful manner.*

- 5) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC COMMENTS AND INPUT ON THE TRANSWORLD PROPOSAL FOR PLACING A COMMUNICATIONS TOWER AT STATION 193.**
- 6) POSSIBLE MOTION TO CONVENE IN EXECUTIVE SESSION, PURSUANT TO A.R.S. § 38-431.03(A)(7), FOR DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE DISTRICT IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

7) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.

**Adjournment**

Posted By: \_\_\_\_\_ Date: \_\_\_\_\_ @ \_\_\_\_\_

**AVFD IS AN EEO EMPLOYER – AVFD SUPPORTS A DRUG-FREE WORKPLACE**

*Note: These minutes have been approved by the Board on September 28, 2011.*

**Avra Valley Fire District  
Special Board Meeting  
August 30, 2011**

**The Board Meeting of the Avra Valley Fire District was called to order at 6:08 PM.**

- 1. Call to Order:** Chairman Castaneda, Jr.
- 2. The Pledge of Allegiance:** Led by Board Member Eric Nielson
- 3. Roll Call:** Clerk of the Board Sara Bauer:

**Present:**

Chairman Mr. Luis Castaneda Jr.	_____X_____
Vice-Chairman, Mrs. Aleyna Lassen	_____X_____
Clerk of the Board, Ms. Sara Bauer	_____X_____
Board Member, Mrs. Mary Aguirre-Vogler	_____X_____
Board Member, Mr. Eric Nielson	_____X_____
Chief Brian Delfs	_____X_____
District Attorney, Mr. Chris Wencker	_____X_____

**Audience:**

There were 11 persons in the audience including Mr. Milt Jensen of TransWorld Network Corporation.

**4. CALL TO THE PUBLIC: NONE**

**5. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC COMMENTS AND INPUT ON THE TRANSWORLD PROPOSAL FOR PLACING A COMMUNICATIONS TOWER AT STATION 193:**

Mr. Milt Jensen of TransWorld Network Corporation (TWN) rose to present information regarding the proposed tower to the members of the board of directors and the public members in the audience. Mr. Jensen explained that TWN had approached the board due to the optimal location of station 193 for a communications tower. He described a triangular lattice tower approximately 16" per side and approximately 80 – 100 feet tall. The three guy wires used to stabilize the tower would be 3/16" metal wire cables. Mr. Jensen answered questions from the audience regarding the advantages and disadvantages of having such a communications tower in the area. The members of the public who were in attendance voiced their general approval of such a tower citing the advantages of improved internet and telephone service as well as enhanced mobile-to-mobile communicability for the fire district. No one voiced opposition to the proposed tower.

*Note: These minutes have been approved by the Board on September 28, 2011.*

**Motion by Ms. Aguirre-Vogler to move forward with the negotiations and processes toward the construction of a communications tower at station 193. Ms. Lassen seconded the motion. Vote taken 5-0. Motion carried.**

**6. POSSIBLE MOTION TO CONVENE IN EXECUTIVE SESSION, PURSUANT TO A.R.S. 38-431.03(A)(7), FOR DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE DISTRICT IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

No Executive Session was convened.

**7. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE, SALE OR LEASE OF REAL PROPERTY FOR THE PLANNED FIRE STATION 192.**

Ms. Lassen presented the status of negotiations and an overview of the property and improvements. She reported that after several offers and counter-offers had been passed between the sellers and the district's representatives that the negotiated price stands at \$172,000. Also included in the negotiated terms are stipulations that the district will pay the closing and escrow fees as well as the inspection fees for the pending inspections. The proposed closing date is set for September 14, 2011.

**MOTION by Ms. Bauer to accept the terms of the contract and the purchase price of \$172,000 as outlined by the Vice-Chairman. Mr. Castaneda, Jr. offered a friendly amendment to also include escrow fees, closing costs, and inspection fees. The amendment being accepted by the maker of the motion, Ms. Aguirre-Vogler seconded the motion. A vote was taken. The motion passed 5-0.**

There being no further business to come before the Board the meeting was adjourned by Chairman Castaneda, Jr. at 6:53 P.M.

Minutes submitted by Chief Brian Delfs

300'

**PROPERTY OWNERSHIP LIST**  
(required for filing all applications)

**Instructions:** Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 300 feet of the subject parcel boundary.

Parcel No.: 410161090  
Name: LEIBER EVAN H  
Address: 30179 E AMBER SURPRISE  
City/ST/Zip: MARANA AZ 85658

Parcel No.: 410210200  
Name: BARNETT JAMES R & DEBORAH J  
Address: 5436 E CALLE BOSQUE  
City/ST/Zip: TUCSON AZ 85718

Parcel No.: 41022008F  
Name: BENIS MICHAEL W JR & DENIS ROBERT G  
Address: 1503 N LOUIS AVE  
City/ST/Zip: TUCSON AZ 85712

Parcel No.: 410210210  
Name: BARNETT JAMES R & DEBORAH J  
Address: 5436 E CALLE BOSQUE  
City/ST/Zip: TUCSON AZ 85718

Parcel No.: 41021008B  
Name: BARNETT JAMES R & DEBORAH J  
Address: 5436 E CALLE BOSQUE  
City/ST/Zip: TUCSON AZ 85718

Parcel No.: 41022008G  
Name: PEARCE BENJAMIN & LARAE  
Address: 35414 S ESTANCA DR  
City/ST/Zip: MARANA AZ 85658

Parcel No.: 41022009A  
Name: MILLER LARRY J & LORENE E  
Address: 30220 E AMBER SURPRISE DR  
City/ST/Zip: MARANA AZ 85653

Parcel No.: \_\_\_\_\_  
Name: N/A  
Address: /A  
City/ST/Zip: \_\_\_\_\_

Parcel No.: 41022008B  
Name: AVRA VALLEY VOLUNTEER FIRE DISTRICT  
Address: 15790 W SILVERBELL RD  
City/ST/Zip: MARANA AZ 85653

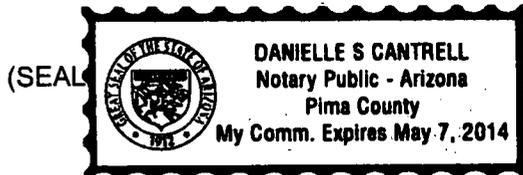
Parcel No.: \_\_\_\_\_  
Name: N/A  
Address: /A  
City/ST/Zip: \_\_\_\_\_

I hereby verify that the name list above was obtained on the 25 day of July, 2012 at the office of ARFA and is accurate and complete to the best of my knowledge.

[Signature]  
Signature

7/25/12  
Date

Acknowledged before me by Michela Caproni on this 25<sup>th</sup> day of July, 2012.



[Signature]  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

Print



INDIGO WAY

410210200

410220086

410230086

410240086

410250086

410260086

410210210

E AMBER SOUTHWAY

410161090

S WACHSURN TR

410163040

E LITTLE CROW RD

S HANLEY PL

S ESTANCA DR

ACALEA CR

E DAVIS RANCH TR

Scale 1: 11150

Jump to Extent: City of Maricopa



**SUP-001-13**

**SUP-001-13**



MEETING DATE: March 21, 2013

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **SUP-001-13 (Ponderosa Botanical Care Medical Marijuana Dispensary)**

CASE COORDINATOR: Ashlee MacDonald

LEGAL DESCRIPTION: a 3.3± acre parcel situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file)

TAX PARCEL: 510-64-005

LANDOWNER: Papago Properties, LLC 49237 W Papago Rd., Maricopa, AZ 85139

APPLICANT: Clary Childers, 2480 E Stephens Rd, Gilbert, AZ 85296

REQUESTED ACTION & PURPOSE: Clary Childers, applicant, Papago Properties, LLC, landowner requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone **(PZ-430-74)**

LOCATION: Located on the south side of Papago Rd, east of White Rd in the Maricopa area

SIZE: 3.3± acres.

COMPREHENSIVE PLAN: The site is designated as Moderate Low Density Residential. The surrounding properties are also designated Moderate Low Density Residential. Commercial uses are allowed up to 20 acres within this designation.

EXISTING ZONING AND LAND USE: The subject property is zoned CB-2. The site is currently developed with various commercial uses.

**SURROUNDING ZONING AND LAND USE:**

North: CR-2/PAD and CR-3/PAD (PZ-PD-028-02) - Vacant  
East: CB-2 (PZ-430-74) - Residential  
South: SR (PZ-367-73) - Residential/vacant  
West: CB-2 (PZ-430-74) – Restaurant and Convenience Store

**FINDINGS:**

Site data:

Flood zone: "x" an area that is determined to be outside the 100 year floodplain.

Access: The site is accessed from Papago Rd.

**PUBLIC PARTICIPATION:**

Neighborhood Meeting: January 28, 2013  
Neighborhood and agency mail out: February 19, 2013  
News paper Advertising: Week of February 25, 2013  
Site posting: Applicant: February 14, 2013  
Site posting: County: February 14, 2013

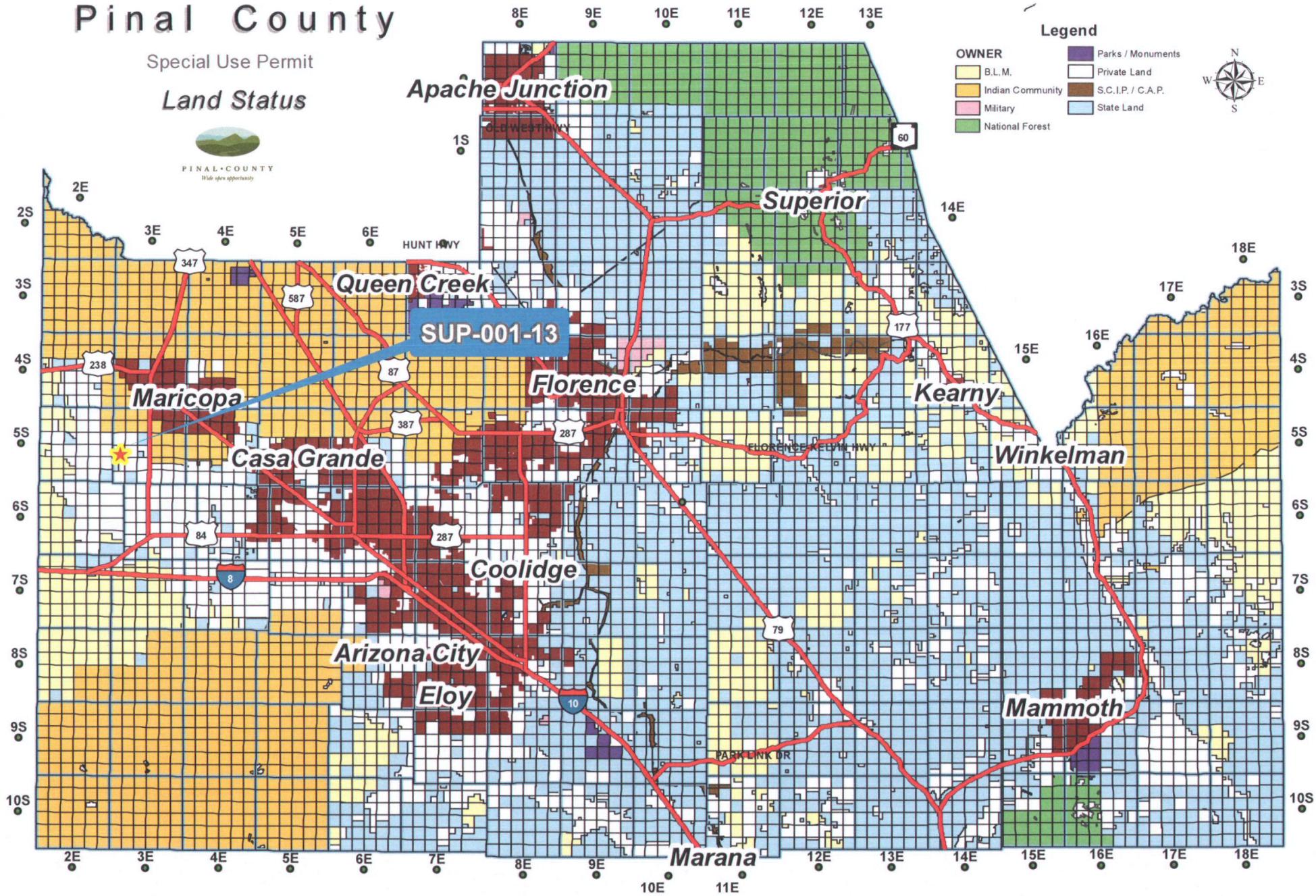
# Pinal County

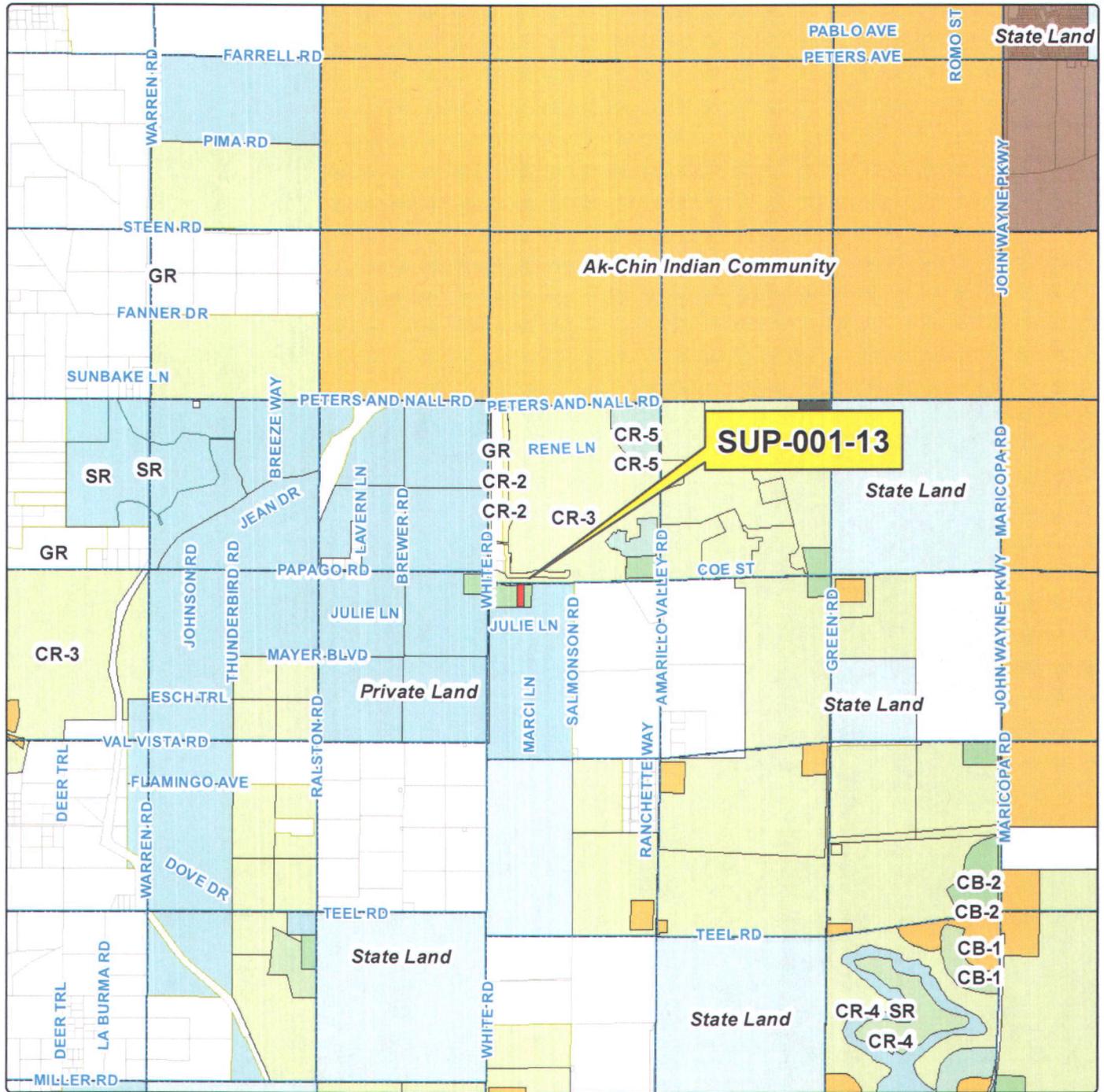
Special Use Permit

Land Status



PINAL COUNTY  
State opens opportunity





## Special Use Permit

Planning & Development Services



PINAL COUNTY  
Wide open opportunity

PAPAGO PROPERTIES LLC

**Legal Description:**  
Sited in a portion of the Section 19, T05S,R03E, G&SRB&M, Parcel 510-64-005.  
(legal on file) (Maricopa area).

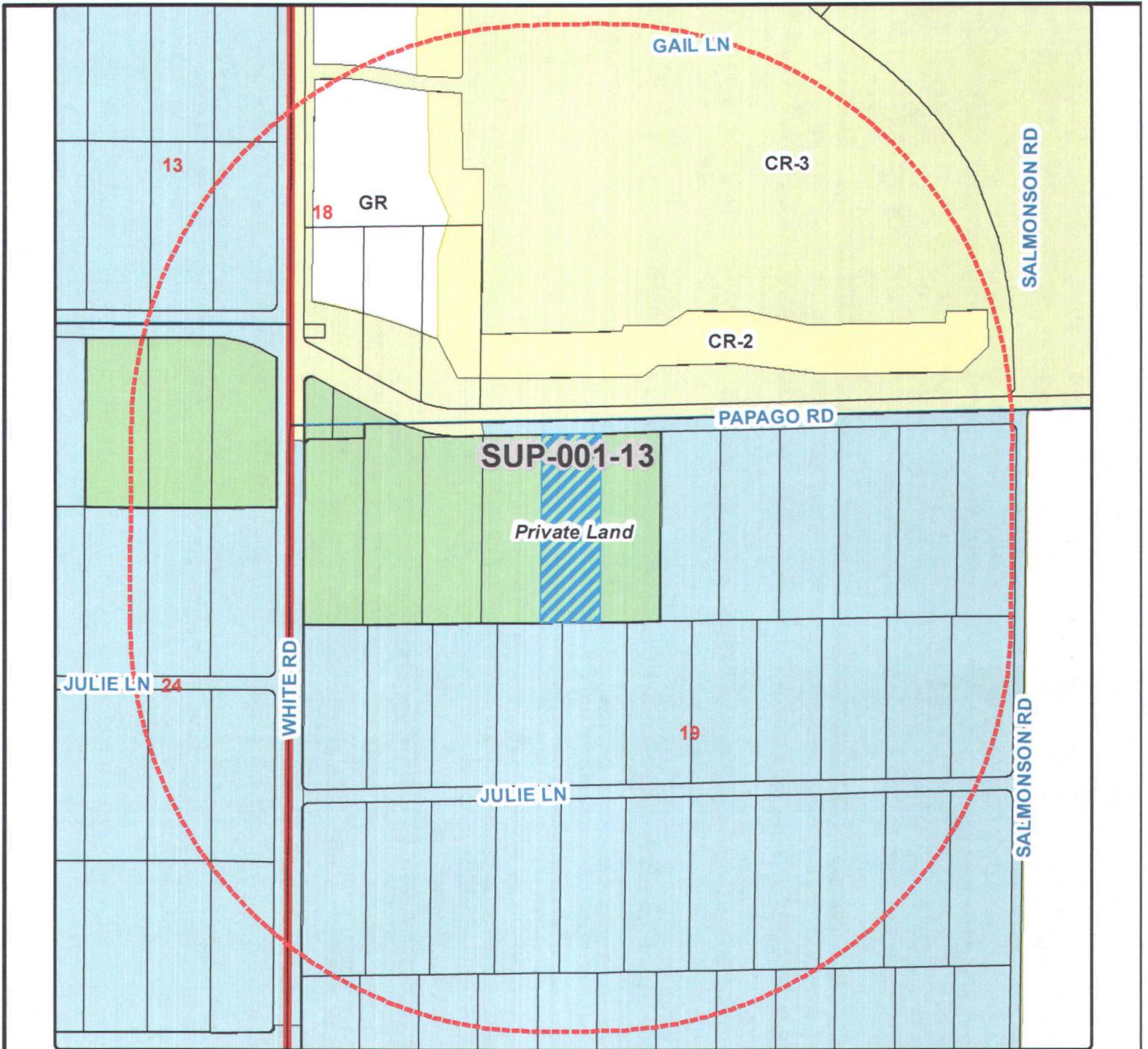
T05S-R03E Sec 19



PAPAGO PROPERTIES LLC

Drawn By:	GIS JTT / LJT	Date:	02/07/2013
Section No.	19	Township	05S
Range		Block	03E
Case Number:	SUP-001-13		

1 of 1



### Special Use Permit

SUP-001-13 – PUBLIC HEARING/ACTION: Clary Childers, applicant, Papago Properties, LLC, landowner requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone (PZ-430-74); situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file) (located on the south side of Papago Rd, east of White Rd in the Maricopa area).

Current Zoning: CB-2  
 Request Zoning: Special Use Permit  
 Current Land Use: General Commercial



<b>Legal Description:</b> <small>Situated in a portion of Section 19, T05S, R03E, G&amp;SRB&amp;M; Parcel 510-64-005. (legal on file) (Maricopa area).</small>		<b>Owner/Applicant:</b> PAPAGO PROPERTIES LLC	
T05S-R03E Sec 19		<b>Drawn By:</b> GIS / IT / LJT	<b>Date:</b> 02/07/2013
<b>Sheet No.</b> 1 of 1	<b>Sections:</b> 19	<b>Township:</b> 05S	<b>Range:</b> 03E
<b>Case Number:</b> SUP-001-13			



**SUP-001-13**

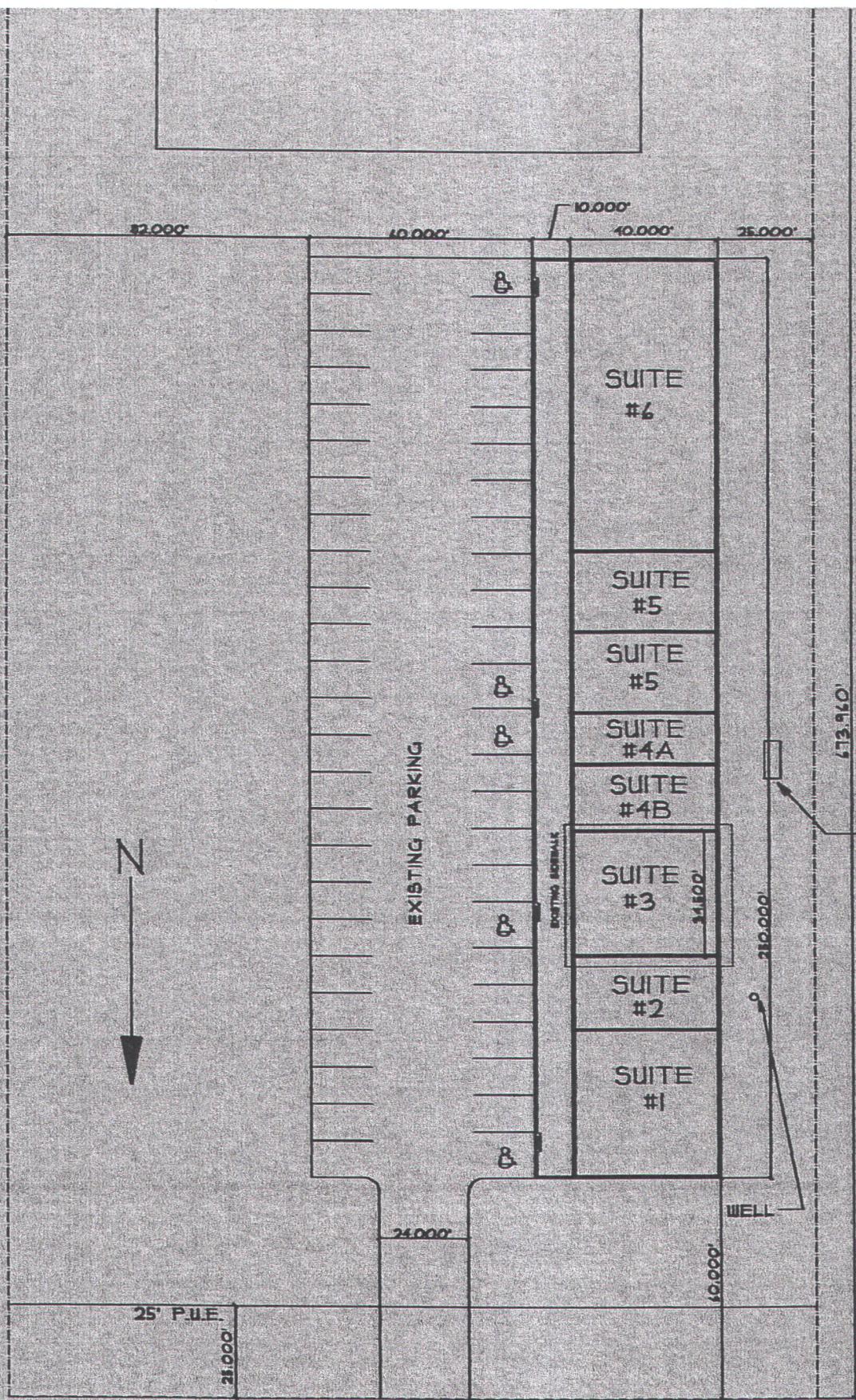
***Special Use Permit***



**PINAL COUNTY**  
*Wide open opportunity*



**SUP-001-13**



W. PAPAGO RD.  
 scale 1" = 40.00'

**HISTORY:** The subject property was rezoned from GR to CB-2 under planning case number PZ-430-74. The site has been developed with commercial suites and has various commercial uses.

**ANALYSIS:** The applicant is requesting a Special Use Permit to operate a medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone.

The Subject property is located within the Moderate Low Density Residential land use designation of the Comprehensive Plan. The Comprehensive Plan allows for the location of neighborhood commercial under 20 acres in any land use category provided the land use and property meet the planning guidelines. Planning guidelines for Neighborhood commercial include adequate access, buffers and compatibility with surrounding land uses, location in close proximity to residential, and location on collector or arterial streets.

The applicant is not proposing cultivation at this dispensary. A stipulation has been added to reflect this.

The SUP the Commission is considering is for a medical marijuana dispensary. The zoning ordinance identifies factors for consideration when reviewing special use permit requests under section 2.151.010(N). These factors include, but are not limited to:

- **traffic conditions;**
- **provision of services and utilities to the site;**
- **the relationship of the proposed special use and surrounding uses;**
- **whether the proposed use is beneficial to the public health, safety and general welfare of the community;**
- **access to streets that are adequately designed and constructed to handle the volume generated by the use;**
- **does not result in the use of a residential street for non residential through traffic;**
- **whether adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights or storm water runoff;**
- **the need for the proposed special use in the neighborhood/community;**
- **public input.**

If the Commission deems there is sufficient evidence to grant this SUP staff has included stipulations relating to the operation and permitting of the facility.

To date, a total of 3 letters, have been received in opposition from property owners within 300' of the subject property. No letters in support have been received.

**The Pinal County Department of Public Works** had no comments.

**The Pinal County Air Quality Control District** provided comments which are included within the correspondence section of this staff report.

**The Pinal County Flood Control Section** reviewed the proposal and had no other comments other than it is in a Flood zone "X"

The **City of Maricopa** provided comments which are included in the correspondence section of this staff report.

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted by this SUP under Planning Case **SUP-001-13**. Furthermore, the Commission must determine that this SUP will promote the orderly growth and development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan.

**THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:**

- A) LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING**
- B) PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE**
- C) NEIGHBORHOOD IMPACT**
- D) FLOOD CONTROL**
- E) TRAFFIC IMPACT**
- F) COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN**
- G) BENEFITS/DETRIMENTS TO PINAL COUNTY**

**STAFF SUMMARY:** The applicant, Clary Childers, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of an SUP.
2. To date, a total of 3 letters have been received in opposition from property owners within 300ft of the subject property. No letters in support have been received.
3. The site is accessed from Papago Rd.
4. The subject property is located within the "Moderate Low Density Residential" designation of the Pinal County Comprehensive Plan.
5. Granting of the SUP will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

**STAFF RECOMMENDATION:** Should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this SUP request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-001-13** to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- 1) The special use permit for the Ponderosa Botanical Care medical marijuana dispensary is issued for two (2) years from the date of the Board of Supervisors approval;
- 2) the layout, design and set up of a Pinal County Wellness Center Medical Marijuana Dispensary shall be as shown and set forth on the applicant's submittal documents and site plan;
- 3) all State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, landscaping, signage, etc.;
- 4) applicant/owner/developer/operator shall attend a site plan pre-application meeting with staff. If staff determines that a formal site plan review is required, the applicant/owner/developer/operator shall receive site plan approval prior to operation in accordance with Chapter 2.200 of the Pinal County Development Services Code;
- 5) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 6) the applicant shall keep the property free of trash, litter and debris;
- 7) off-site delivery of medical marijuana from the dispensary to a patient is prohibited;
- 8) outdoor seating is prohibited;
- 9) hours of operation shall be limited to between the hours of 9:00 a.m. and 7:00 p.m.;
- 10) there shall be no cultivation of marijuana at the dispensary;
- 11) the applicant/owner/operator shall not permit the consumption of marijuana on the premises;
- 12) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department;
- 13) applicant/owner/developer/operator shall submit proof of an approval to operate the dispensary by AZDHS by December 31, 2013; and
- 14) the Pinal County Planning & Development Services Department may invoke revocation proceedings should the medical marijuana dispensary not be in operation by December 31, 2013.

## **Ponderosa Botanical Care Purpose Statement**

The purpose of this application is to receive a Special Use Permit (SUP) to operate a Medical Marijuana Dispensary in an unincorporated area of Pinal County. If granted the applicants would operate a non-profit dispensary for patients of the State of Arizona's program set forth in Arizona Revised Statutes (A.R.S.).

Ponderosa Botanical Care will be a patient-centric wellness center with an off-site cultivation facility. (TBD) If granted the SUP PBC will infuse horticultural innovation and sympathetic treatment into the Arizona medical marijuana industry. PBC is committed to combining mental and physical health into a format previously inaccessible to terminally ill and other patients. PBC plans to bring this concept to fruition using the experience and techniques developed by the applicant(s) to create an affordable medical marijuana product to qualifying patients in a safe, concerned, and compassionate setting.

The effects on the following are as follows:

**Traffic:** Since the business will be considered moderate to low density the overall impact on traffic will be low due to the fact that the "strip mall" feel and frequency of visitors will remain similar.

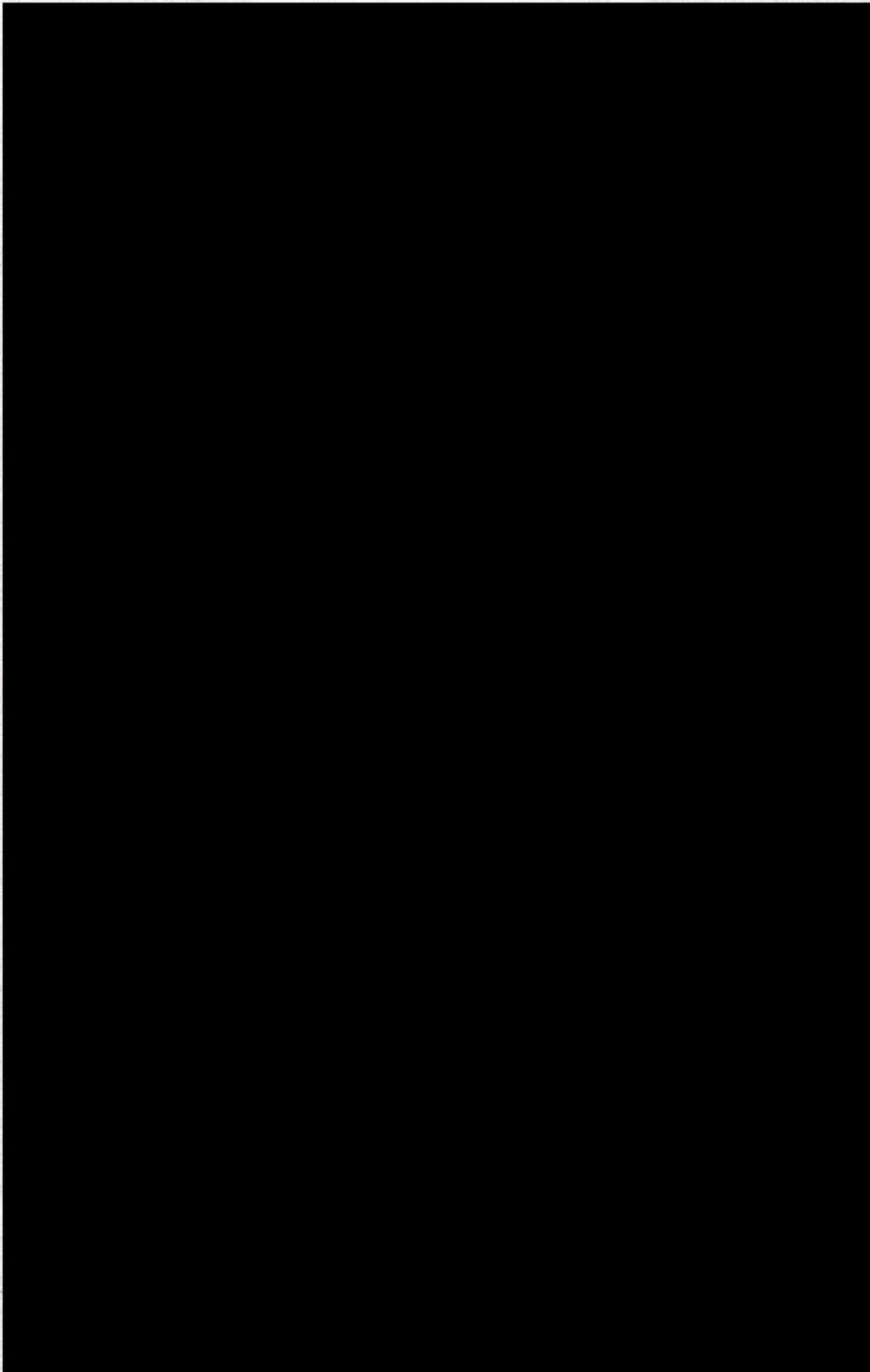
**Noise:** The business does not anticipate any impact to the noise levels associated to the existing strip mall as it does not produce noise as a bi-product of its operation, which are conducted indoors.

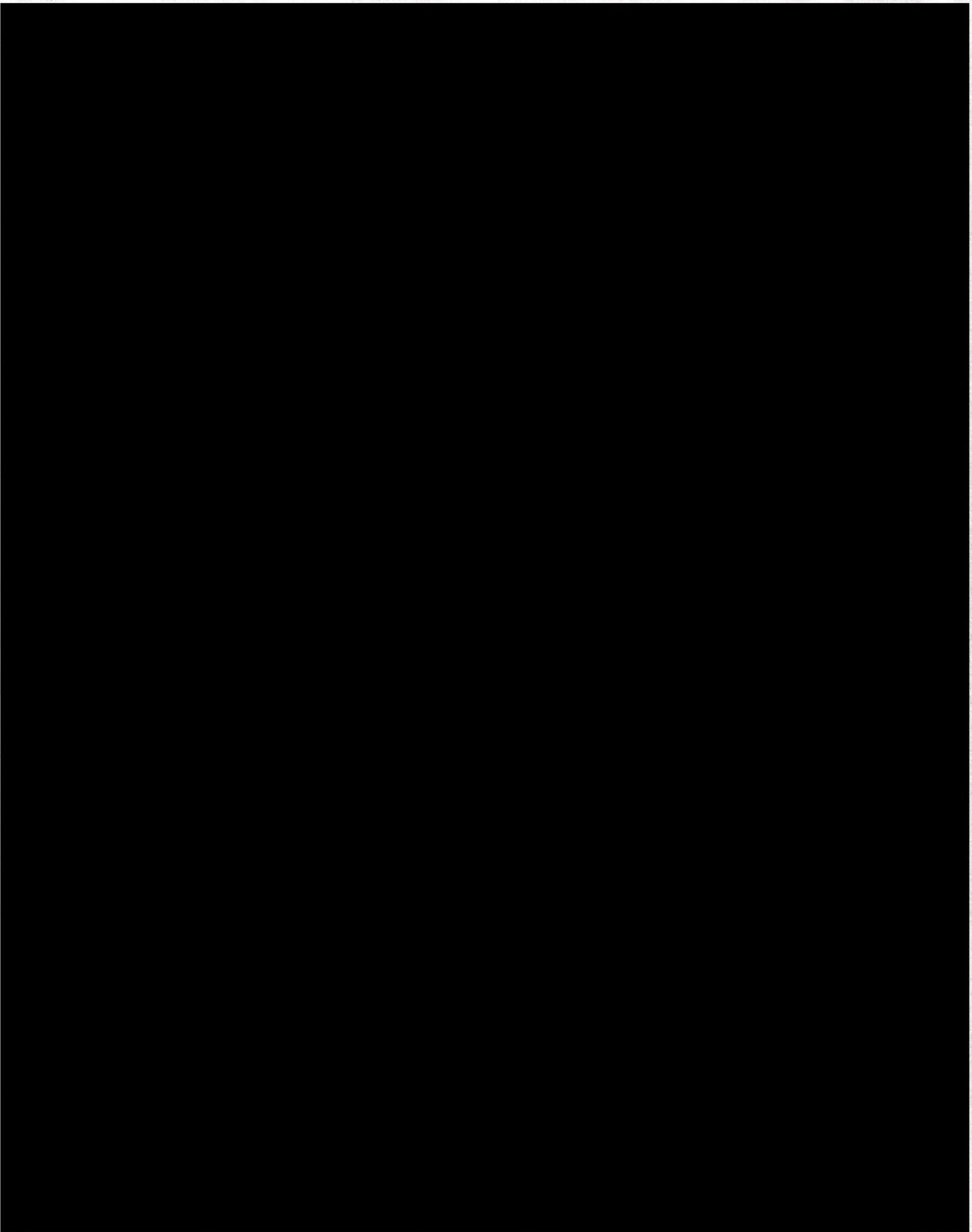
**Parking:** The location contains ample parking for this suite and others. It affords employee and customer parking as well as delivery spaces. The existing strip mall is zoned/designed for low density traffic and parking.

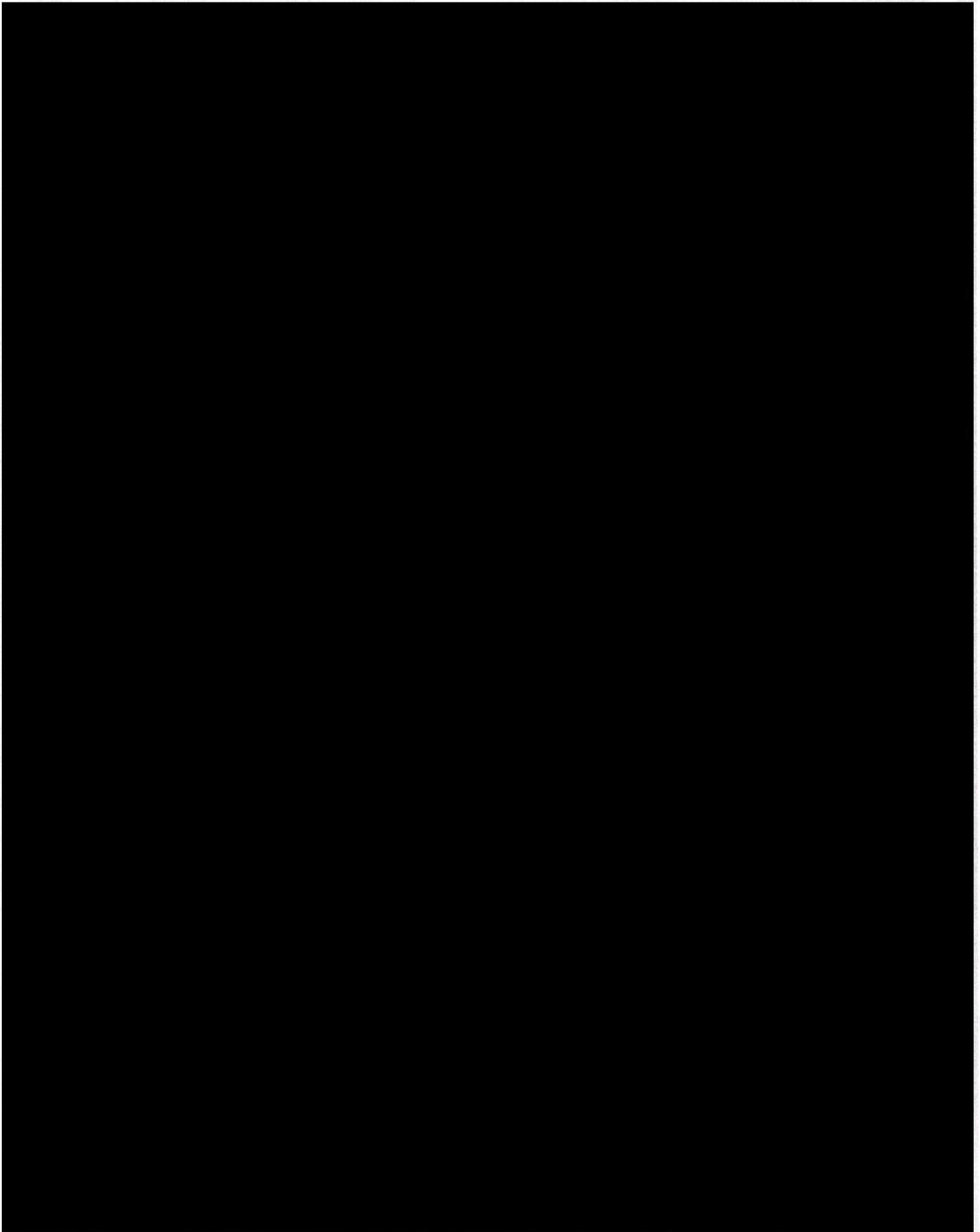
**Lighting:** Adequate lighting for business already exists, but additional outside lighting will be added as needed or required by the AHJ (Authority Having Jurisdiction)

**Landscaping:** There will be no overall effect on the current and existing landscape.

Based upon the following application and supporting documentation we feel that the SUP is a reasonable request that should be granted based upon the applicant(s), location, and Arizona Health Dept. licensing of the applicant.









**MEMORANDUM FROM AIR QUALITY**

**Date:** March 1, 2013  
**To:** Ashlee MacDonald  
**Cc:** P & Z Review Committee  
**From:** Anu Jain - Permit Engineer  
**Re:** Planning & Zoning Cases

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I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
3/21/13	SUP-001-13	Clary Childers	MM Dispensary	See Comments 1 & 2
3/28/13	BA-001-13	Brian Tulk	Decrease setback distance	See Comments 1 & 2

**\*Comments:**

1. The above proposed Planning and Zoning cases should have a paved road arterial access to the project, paved road access within the project and paved parking lots.
2. Dust registration is required if 0.1 acres or more land is disturbed.

**Note:**

All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District.

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March 11, 2013

Mr. Steve Abraham  
Planning Manager  
Planning and Development Department  
Pinal County  
31 N. Pinal Street  
Florence, AZ 85232

Re: **Case: SUP-001-13**

Dear Mr. Abraham:

The proposed medical marijuana dispensary to be located in the CB-2 (General Business Zone) within the Papago Butte Ranchos Unit 2: Lot 93 off Papago Road in the unincorporated Pinal County, and which is within the Planning Area of the City of Maricopa General Plan. The site is designated as Low Density Residential (1-2 du/ac) zone. However, the City of Maricopa Ordinance 11-05 permits medical marijuana dispensary with an approved conditional use permit, which is consistent with the County's regulations. According to the County Assessor's parcel map, this site is identified as APN 510-64-005.

To ensure the City of Maricopa is kept informed relating to A.R.S. § 36- Chapter 28.1 Arizona Medical Marijuana Act, the proposed medical marijuana dispensary facility shall comply with all the restrictions and requirements of the Arizona Medical Marijuana Act, A.R.S. § 36-2801 through 2818, together with compliance with any regulations adopted by the Arizona Department of Health Services pursuant to same.

The City would appreciate if the Pinal County Planning and Development Department provides the City with the results and final decision made by the Board of Supervisors.

If you need further clarification, please contact me at the number below.

Sincerely,

  
Kazi Haque, Planning Manager

Cc: Bob Goodhue, Interim Development Services Director.  
Jerold Stabley, Director, Planning and Development Department.  
Danielle Casey, Assistant City Manager.  
Greg Stanley, Assistant County Manager.

**From:** [REDACTED]  
**To:** Ashlee.MacDonald@pinalcountyz.gov  
**Date:** 3/7/2013 10:15 AM  
**Subject:** SUP-001-13. Public hearing for tax parcel 510-64-005

WITHIN 300' OF SUBJECT PROPERTY

We are against the proposal for special use to operate as a marijuana dispensary at this or any other location.

Evelyn Barrett and Debra Chitwood  
Sent from my iPad

**Ashlee MacDonald - SUP-001-13**

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**From:** [REDACTED]  
**To:** <ashlee.macdonald@pinalcountyaz.gov>  
**Date:** 3/8/2013 2:42 PM  
**Subject:** SUP-001-13

---

WITHIN 300' OF SUBJECT PROPERTY

Pinal County Planning and Development Dept.

Re: Sip-001-13

Carlos and Celeste Mendez  
305 w. Crofton St. Chandler AZ. 85225

[REDACTED]  
Tax parcel #510-640-1903

We very strongly oppose the applicants request for special use permit to operate a medical MARIJUANA Dispensary at said area.

I have 3 other brothers around my lot who also are vehemently oposed to the idea. We have children starting their families and planning in the near future to establish residences there.

We will out of town the week of March 11th for a family reunion.

I would have wanted to attend the hearing but we will be out of town for a family reunion. We hope our request will be granted !

Carlos and Celeste Mendez

WITHIN 300' OF SUBJECT PROPERTY

**From:** [REDACTED]  
**To:** csabal@cox.net; Ashlee.MacDonald@pinalcountyz.gov  
**Date:** 3/12/2013 9:53 PM  
**Subject:** pondarosa botanical marijuana dispensary

MS ASHLEE MACDONALD

PINAL COUNTY PLANNER 11

TO WHOM IT MAY CONCERN:

WE ARE NOT IN FAVOR OF THE MARIJUANA DISPENSARY WITHIN OUR NEIGHBORHOOD.

WE SUGGEST A LOCATION THAT IS NOT PROXIMATE TO THE RESIDENTIAL ENVIRONMENT.

PLEASE CONVEY OUR MESSAGE TO THE BOARD OF SUPERVISOR OF PINAL COUNTY THAT

WE ARE AGAINST THE ISSUEING A SPECIAL PERMIT TO OPERATOR THE MARIJUANA DISPENSARY

IN THE LOCATION APPLIED FOR.

CLAUDIO C. SABAL

MARIEPET G. SABAL

PARCEL NUMBER---510-64-018

49144 JULIE LN.

MARICOPA,AZ 85239

January 20, 2013

**Pinal County Concept Review: #CR-072-12**

Dear Property Owner,

**WHY:** We would like to give notice and invite you to attend a Community/Neighborhood meeting.

**LOCATION:** 49237 W. Papago Rd. suite #3, Maricopa Az. 85139.

**TIME:** 5pm (mst).

**DATE:** Monday, January 28, 2013.

**PURPOSE:** The purpose of this meeting is to discuss the Special Use Permit for Ponderosa Botanical Care's medical marijuana dispensary in an unincorporated area of Pinal County, Arizona . The meeting will be held in suite #3 of the Papago Plaza just North of the Raceway bar and grille. There will be a short presentation with the remainder of the time for questions and discussion.

Thank-You,

Ponderosa Botanical Care

**List of Notified Property Owners 1200'**

1. Amir Sulaiman, 49301 W. Papago Rd., Maricopa, Az. 85139
2. Rainier Capital Group LLC., 11221 Pacific Hwy SW, Lakewood, WA. 98499
3. Evelyn Barrett, P.O. Box 695 Maricopa, Az. 85139
4. Lauro R & Edith Godinez Vasquez, 6418 W. Earll Dr., Phoenix, Az.85033
5. Mary K. Bowland, 2212 Cottontail Dr., Leander, Tx. 78641
6. Ronald Brock c/o Brock Family Trust, P.O. Box 8267, Surprise, Az.85374
7. Clifford A. & Lisa L. Garner, 49494 W. Julie Ln., Maricopa, Az. 85139
8. Micheal & Veronica Sarver, 49038 W. Julie Ln., Maricopa, Az. 85139
9. Carrilee Arizona LLC. , P.O.Box 17503, Fountain Hills, Az. 85269
10. Claudio C. & Maripet Sabal, 89 Biltmore Est., Phoenix,Az. 85016
11. Carlos & Celeste Mendez, 305 W. Crofton St., Chandler, Az. 85225
12. Gerardo C. Jr. Sabal, 317 W. Crofton St., Chandler, Az. 85225
13. Antonio C. & Elda M. Sabal, 4068 E. Oakland St., Gilbert, Az. 85295
14. Alcomendas Froilan E. & Rosita S. Rev. Tr., 6104 Costa Del Rey, Long Beach, Ca. 90803
15. David R. & Angela C. Ellis, 49495 W. Julie Ln. Maricopa, Az. 85139
16. Maria Butterfield, RR2 St.14 Box 6, Ponoka, Ab. T4J1R2
17. Melchor Farias Miranda, 49375 W. Julie Ln., Maricopa, Az. 85139
18. Arturo O. & Adela O. Lerma, 49285 W. Julie Ln., Maricopa, Az. 85139
19. Thad A. & Pauline F. Miller, 49215 W. Julie Ln., Maricopa, Az. 85139
20. Sandra S. Yarga, 49095 W. Julie Ln., Maricopa, Az. 85139
21. Jerry L. & Judith S. Walp, 49005 W. Julie Ln., Maricopa, Az. 85139
22. Angela R. & Gina D. Abella, 5619 S. Spyglass Rd., Tempe, Az. 85283
23. Kelly L. Ferguson, 48839 W. Papago Rd., Maricopa, Az. 85139
24. George Edward & Tina Marie Rock, 48864 W. Julie Ln., Maricopa, Az. 85139
25. Michael P. & Sharon R. Case, 48865 W. Julie Ln., Maricopa, Az. 85139
26. Papago Butte Donestic Water Improvement, P.O Box 630, Maricopa, Az. 85139
27. Le Coure Properties LLC., 51556 W. Deer Run Rd., Maricopa, Az. 85139
28. JR. Richardson Property Group LLC., P.O. Box 1111, Moab , Ut. 84532
29. Palomino Ranch Partners LLC., 11624 SE 5<sup>th</sup> St. suite #200, Bellevue, Wa. 98005
30. Frank West Capital LLC., 2812 N. Norwalk suite. # 101, Mesa, Az. 85215
31. Graham Armstrong, 4539 N. 22<sup>nd</sup> St. Ste.#210, Phoenix, Az. 85016
32. Muyasser Gnannam, 233 W. Mahogany Pl., Chandler , Az. 85248
33. Jack & Cheryl Lloyd, -- No address available
34. Harold Clifford Thompson, 6532 W. Van Buren St. Lot 84, Phoenix, Az. 85043
35. Mario & Marta Quinones, 11700 N. White Rd., Maricopa, Az. 85139
36. Martin & Lourdes C. Mendez, 49646 W. Papago Rd., Maricopa, Az. 85139
37. Ricard Scott & Jerri M. Early, 11821 N. Brewer Rd., Maricopa, Az. 85139
38. Superior Dirt LLC., 4245 E. Superior Ave., Phoenix, Az. 85040

## **Ponderosa Botanical Care's Neighborhood Meeting Minutes**

- Applicants arrived at 4:44pm for the scheduled 5pm meeting at the proposed location in Maricopa, AZ.
- Provided sign-in sheets and with identifying info.
- Called the Meeting called to order at 5:15pm.
- Clary gave a brief overview of the intended use for SUP, a brief history of the applicants and other operating info: times of operation, floor-plan, and reasoning for the need to approve a necessary medical marijuana dispensary.
- Clary opened up the floor for questions and answers: there were no questions, comments, or concerns.
- Meeting Adjourned at 6:22pm.

NAME/PRINT	ADDRESS	PHONE	SIGNATURE
CLARY CHILDERS	2480 E. STEPHENS RD GILBERT, AZ 85296	[REDACTED]	Clary Childers
ANN Childers	2480 E Stephens RD Gilbert AZ 85296		Ann Childers
Bribe Gibson	50150 W. Esch Trl. Maricopa AZ 85139		Bribe Gibson
Nora Waibel	50222 W. Esch Trl. Maricopa, AZ 85139		N. Waibel
George Waibel	50222 W. Esch Trail Maricopa, AZ 85139		George Waibel
JEFF WORKMAN	2415 E CLOUD DR CHAUDLER, AZ 85249		Jerry Workman

**APPLICATION FOR A SPECIAL USE PERMIT FOR A MEDICAL MARIJUANA DISPENSARY IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA**  
(all applications must be typed or written in ink)

1. Pinal County Staff Coordinator: STEVE ABRAHAM

2. Date of Concept Review: 1/8/2013 Concept Review Number: 072-12

3. The legal description of the property:  
SUBDIVISION Pariajo Butte  
RANCHOS UNIT/BLOCK-2 LOT #93

4. Tax Assessor Parcel Number: 510-64-005

5. Current Zoning: CB-2

6. Parcel size: 3.3 ACRES

7. The existing use of the property is as follows: VACANT

8. The exact use proposed under this request:  
MEDICAL MARIJUANA DISPENSARY - MODERATE LOW DENSITY

9. Is the property located within three (3) miles of an incorporated community?  
YES  NO

10. Is an annexation into a municipality currently in progress?  
YES  NO

11. Is there a zoning violation on the property for which the owner has been cited?  
YES  NO  If yes, Zoning Violation Number: \_\_\_\_\_

12. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted Comprehensive/Area Plan(s) or similar changes. \_\_\_\_\_

N/A

13. Explain why the proposed development is needed and necessary at this time.  
① A MEDICAL DISPENSARY IS NEEDED TO SERVICE THE PATIENTS IN THE AREA BECAUSE THERE IS NOT ONE LOCATED IN THIS HEALTH DISTRICT OR CHA ② IT WOULD CREATE NEW JOBS & MUCH NEEDED TAX REVENUE FOR THE STATE/COUNTY.

RECEIPT #:

AMT:

DATE:

CASE:

**PRINCIPAL OFFICER, BOARD MEMBER AND DISPENSARY IDENTIFICATION LIST**  
 Please list all Principal Officers, Board Members and Dispensary Agents of the non-profit  
 medical marijuana dispensary

CLARY CHILDEES / PRINCIPAL OFFICER / 2480 E. STEPHENS RD 3/13/54  
 Name Title Address GILBERT, AZ 85296 Date of Birth

ANN MARIE CHILDEES / PRINCIPAL OFFICER / 2480 E. STEPHENS RD 11/29/55  
 Name Title Address GILBERT, AZ 85296 Date of Birth

Name Title Address Date of Birth

I hereby certify that none of the above listed principal officers or board members has served as a principal officer or board member for a registered non-profit medical marijuana dispensary that has had its registration certificate revoked or been convicted of one of the following offenses:

- i. A violent crime as defined in A.R.S. § 13-901.03(B) that was classified as a felony in the jurisdiction where the person was convicted;
- ii. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted including an offense for which the sentence, any term of probation, incarceration or supervised release, was completed within the 10 years prior to applying for the application for the dispensary or an offense involving conduct that would be immune from arrest, prosecution or penalty under A.R.S. §36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the State of Arizona.

Clary Childers  
 [Signature]

Ann Marie Childers  
 [Signature]

Dated: 1/24/13

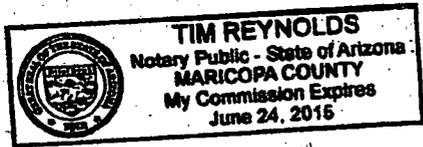
Dated: 1/24/13

STATE OF Arizona )  
 COUNTY OF Maricopa ) ss.

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 24 day of January, 2013, by Clary Childers & Ann Marie Childers  
 [Insert Name of Signor(s)]

[Signature]  
 Notary Public

My Commission Expires: June 24, 2015



I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

CLARY CHILDERS 2480 E. STEPHENS RD GILBERT AZ 95296 [Redacted]  
Name of Applicant Address Phone Number

X Clary Childers [Redacted]  
Signature of Applicant E-Mail Address

CLARY CHILDERS 2480 E STEPHENS RD GILBERT, AZ 95296 [Redacted]  
Name of Agent/Representative Address Phone Number

X Clary Childers [Redacted]  
Signature of Agent/Representative E-Mail Address

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

PAPAGO PROPERTIES LLC 44237 W PAPAGO RD 602 725 7430  
Name of Landowner Address Phone Number

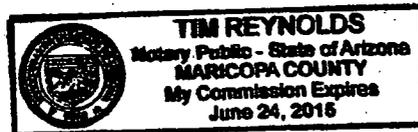
X Ganna Delotto - member [Redacted]  
Signature of Landowner E-Mail Address

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

STATE OF ARIZONA JSS  
COUNTY OF MARICOPA

This instrument was acknowledged before me this 24 day of January, 2013, by Clary Childers  
In witness whereof I hereunto set my hand and official seal.

June 24, 2015 NOTARY PUBLIC Expires



**TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.**  
**AGENCY AUTHORIZATION**

TO: Pinal County Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85132

PAPAGO PROPERTIES LLC KY

*[Insert Name – If a Corporation, Partnership or Association, Include State of Incorporation]*  
hereinafter referred to as "Owner," is/are the owner(s) of 3.3 acres located  
at 49237 W. Papago Rd. MARICOPA, AZ 85139  
*[Insert Address of Property]*  
and further identified as assessor parcel number 510-64-005 and legally  
*[Insert Parcel Number]*

described as follows:

**Legal Description is attached hereto as Exhibit A**

Said property is hereinafter referred to as the "Property."

Owner hereby appoints

CLARY CHILDERS

*[Insert Agent's Name. If the Agent is a Company, Insert Company Name Only]*  
hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

**[Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]**

*[Signature]*  
Dated: \_\_\_\_\_

*[Signature]*  
Dated: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
By \_\_\_\_\_  
*[Insert Name of Signor(s)]*

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

PAPAGO PROPERTIES LLC

[Insert Company or Trustee's Name]

By: Janna DelCotto  
[Signature of Authorized Officer or Trustee]

Its: Member  
[Insert Title]

Dated: 01/23/13

STATE OF Ar  
COUNTY OF Pinal ) ss.

The foregoing instrument was acknowledged before me, this 23 day of Jan 2013 by Janna DelCotto Member of

PAPAGO PROPERTIES LLC an Kentucky  
[Insert Name of Company or Trust] [Insert State of Incorporation, if applicable]

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for

the purposes stated therein.  
ROSE COX  
Notary Public, State of Arizona  
Pinal County  
My Commission Expires  
July 31, 2016  
My commission expires: 7/31/2016

Rose Cox  
Notary Public

ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, personally appeared

\_\_\_\_\_  
[Insert Signor's Name] Who acknowledged himself/herself to be \_\_\_\_\_ [Title]  
of \_\_\_\_\_ [Second Company]  
[of Office Held]

As \_\_\_\_\_ [i.e. member, manager, etc.] for \_\_\_\_\_ [Owner's Name], and who being authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

ACKNOWLEDGMENT OF INTENT TO USE PROPERTY AS A MEDICAL MARIJUANA DISPENSARY

TO: PINAL COUNTY  
c/o Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85232

PAPAGO PROPERTIES LLC KY

[Insert Name of owner and if a corporation, company, partnership, etc., insert State of Formation]

hereinafter referred to as "Owner," is/are the owner(s) of 3.3 acres located

at 49237 W. PAPAGO RD, MARICOPA, AZ 85139, and further  
[Insert Address of Property]

identified as tax parcel number 510-64-005 and legally described as follows:  
[Insert Parcel Number]

SUBDIVISION PAPAGO BUTTE RANCHOS UNIT/BLOCK-2 LOT #93

[Insert Legal Description]

Said property is hereinafter referred as "the Property."

Owner consents to CLARY CHILDERS's application  
[Insert Name of Applicant]

for a medical marijuana dispensary and consents to the issuance of the permit for the stated use on the Property.

[If an Individual, use the following Signature Block and Acknowledgment]

[Signature] [Signature]

Dated: Dated:

STATE OF )  
) ss.  
COUNTY OF )

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this \_\_\_ day of \_\_\_, by [Insert Name of Signor(s)]

My Commission Expires: Notary Public

[If a corporation or company, use the following signature block and acknowledgment]

PAPAGO PROPERTIES LLC  
[Insert Company Name]

By: Jana DelCotto  
[Signature of Authorized Officer]

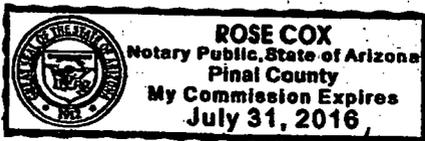
Title: member

Dated: 01/23/13

STATE OF AZ )  
COUNTY OF Pinal ) ss.

On this 23 day of Jan 2013 2013, before me, the undersigned Notary Public, personally appeared Jana DelCotto who acknowledged himself/herself to be member of PAPAGO PROPERTIES LLC of

a(n) Kentucky and being authorized to do so on behalf of said entity, executed the foregoing instrument for the purposes therein contained.



Rose Cox  
Notary Public

My Commission Expires: 7/31/2014

**SUPPORTING INFORMATION FOR A Medical Marijuana Dispensary**

1. What is the legal name of the Medical Marijuana Dispensary? PINDERSA MEDICAL CARE INC.
2. Is the proposed dispensary located on property zoned CB-2 or CB-2/PAD?  
 YES  NO
3. Is the proposed dispensary setback a minimum of 10 miles from all other medical marijuana dispensaries measured from the parcel boundaries?  YES  NO
4. Is the proposed dispensary setback a minimum of 1,500 feet from schools, community service agency, activity facility and or activity where children may be enrolled, measured from the parcel boundaries?  YES  NO
5. Is the proposed dispensary setback a minimum of 1,500 feet from a childcare center, library or public park, church, residential substance abuse diagnostic and treatment facility or other drug or alcohol rehabilitation facility measured from the parcel boundaries?  YES  NO
6. Does the proposed dispensary have a drive-thru service or outdoor seating areas?  
 YES  NO
7. Does the proposed dispensary have a floor area greater than 2,000 square feet?  
 YES  NO
8. Does the proposed dispensary have a secure storage area for the storage of medical marijuana of less than 400 square feet?  
 YES  NO
9. Have you discussed possible conditions that may be placed on the permit with the Planning Department?  YES  NO
10. Do you understand that the permitted hours of operation for a dispensary are between the hours of 9:00 a.m. and 7:00 p.m. (MST) daily?  
 YES  NO
11. Do you understand that the Pinal County Board of Supervisors may include any conditions it finds necessary to conserve and promote public health safety convenience and general welfare?  YES  NO
12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void?  
 YES  NO
13. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Show ingress/egress on the site plan. 4-6 trips daily / 12 deliveries per week
14. How many parking spaces are to be provided (employees and customers). Indicate these parking spaces on the site plan. 4 spaces for employees
15. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors? NO

16. What type of landscaping are you proposing to screen this use from your neighbors?

NA - ESTABLISHED STRIP WALL

17. What type of signage are you proposing for the activity? Where will the signs be located?

FLAT LETTER SIGN - ABOVE FRONTAGE OF SUITE / TO MATCH EXISTING

18. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative.

N/A

19. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested

LAND USE WILL REMAIN THE SAME AS CURRENTLY EXISTS  
IN A MODERATE LOW DENSITY MANNER.

**PROPERTY OWNERSHIP LIST**  
(required for filing all applications)

**Instructions:** Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary.

Parcel No.: 510-64-0190  
Name: CARLOS/DELESTE MENDOZA  
Address: 315 W CROFTON ST  
City/ST/Zip: CHANDLER, AZ 85225

Parcel No.: 510-64-0200  
Name: GERRARDO SABAL  
Address: 317 W CROFTON ST  
City/ST/Zip: CHANDLER, AZ 85225

Parcel No.: 510-64-0210  
Name: ANTONIO C/ELDA M SABAL  
Address: 1108 E OAKLAND ST  
City/ST/Zip: GILBERT, AZ 85296

Parcel No.: 510-64-0220  
Name: REV ROSALBA/ERIKAL ALONSO MENDOZA  
Address: 6104 COSTA DEL REY  
City/ST/Zip: LONG BEACH, CA 90803

Parcel No.: 510-64-0240  
Name: ANGELA C/STADIN ELIAS  
Address: 4044 E W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0250  
Name: MARIA BUTTERFIELD  
Address: RR 2 ST 14 BOX 6  
City/ST/Zip: POCONO, AR 74512

Parcel No.: 510-64-0260  
Name: FARIAS MELCHOR MIRANDA  
Address: 4935 W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0270  
Name: ADELA O S/ARTURO O LERMA  
Address: 4928 S W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0280  
Name: PAULINE/THAD MILLER  
Address: 4025 W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

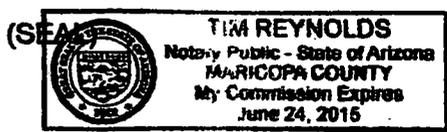
Parcel No.: 510-64-0290  
Name: LEWANN S/DEANN LEE REYNOLDS  
Address: 4015 W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

I hereby verify that the name list above was obtained on the 29 day of JANUARY 2013, at the office of PINAL COUNTY RECORDER (WEBSITE) and is accurate and complete to the best of my knowledge.

Clay Childers  
Signature

1/24/13  
Date

Acknowledged before me by Clay Childers on this 24<sup>th</sup> day of January, 2013



[Signature]  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

**PROPERTY OWNERSHIP LIST**  
(required for filing all applications)

**Instructions:** Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary.

Parcel No.: 510-92-0040  
Name: AMIR SULAIMAN  
Address: 49301 W PAPER RD  
City/ST/Zip: MARIOPA, AZ 8539

Parcel No.: 510-63-035B  
Name: MARIO & MARTA QUINONES  
Address: 11700 N WHITE RD  
City/ST/Zip: MARIOPA, AZ 8539

Parcel No.: 510-63-035C  
Name: MARTIN S LOURESC MENDEZ  
Address: 49616 W PAPER RD  
City/ST/Zip: MARIOPA, AZ 8539

Parcel No.: 510-63-0330  
Name: RICHARD SCOTT TERRIM EARLY  
Address: 11821 N BREWERD  
City/ST/Zip: MARIOPA, AZ 8539

Parcel No.: 510-63-0320  
Name: SUPERIOR DIRT LLC  
Address: 11745 E SUPERIOR AVE  
City/ST/Zip: PHOENIX, AZ 85040

Parcel No.: 510-63-0560  
Name: FRANK INVESTMENT LLC  
Address: 7012 N NORTWALK STE 101  
City/ST/Zip: MESA, AZ 85215

Parcel No.: 510-63-0770  
Name: GRAHAM ARMSTRONGS  
Address: 4539 N 22ND ST STE 210  
City/ST/Zip: PHOENIX, AZ 85016

Parcel No.: 510-63-0540  
Name: MUHAMMAD CHANNAM  
Address: 233 W MAHOGANY PL  
City/ST/Zip: CHANDLER, AZ 85248

Parcel No.: 510-63-0760  
Name: CHERYL L JACKSON  
Address: NOT AVAILABLE  
City/ST/Zip: N/A

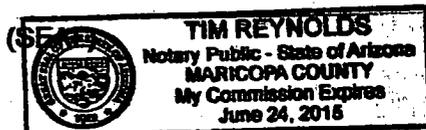
Parcel No.: 510-63-0570  
Name: CLIFFORD HAROLD THOMPSON  
Address: 6632 W VAUGHAN ST LOT B4  
City/ST/Zip: PHOENIX, AZ 85043

I hereby verify that the name list above was obtained on the 19 day of JANUARY 2013, at the office of PINAL COUNTY RECORDER (WEBSITE) and is accurate and complete to the best of my knowledge.

Signature Clary Childers

Date 1/24/13

Acknowledged before me by Clary Childers on this 24 day of January, 2013



\_\_\_\_\_  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

PROPERTY OWNERSHIP LIST  
(required for filing all applications)

**Instructions:** Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary.

Parcel No.: 510-64-0040  
Name: AMIR SYLAIMAN  
Address: 49301 W PAPAGO RD  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0100  
Name: BROCK FAMILY TRUST  
Address: PO BOX 8207  
City/ST/Zip: SURPRISE, AZ 85374

Parcel No.: 510-64-0060  
Name: PANIER CAPITAL GROUP LLC  
Address: 11221 PACIFIC HWY SW  
City/ST/Zip: LAKEMOND, WA

Parcel No.: 510-64-0230  
Name: LISAL S CLIFFORDA GARNER  
Address: 119194 W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0070  
Name: EVELYN BAGGETT  
Address: PO BOX 695  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0160  
Name: MICHAEL AERONICA SARVER  
Address: 119038 W JULIE LN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0080  
Name: LARRY VASQUEZ / EDITH GODNEZ  
Address: 6718 W EARLE DR  
City/ST/Zip: PHOENIX, AZ 85033

Parcel No.: 510-64-0170  
Name: CARRIEE ARIZONA LLC  
Address: PO BOX 17503  
City/ST/Zip: FOUNTAIN HILLS, AZ 85269

Parcel No.: 510-64-0090  
Name: MARY K BOWLAND  
Address: 2212 EDONTAIL DR  
City/ST/Zip: LEANDER, TX 78641

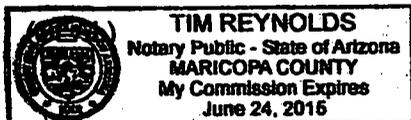
Parcel No.: 510-64-0180  
Name: CLAUDIO C S MARIPET CABAL  
Address: 89 BILTMORE EST  
City/ST/Zip: PHOENIX, AZ 85016

I hereby verify that the name list above was obtained on the 10 day of JANUARY 2013, at the office of PINAL COUNTY ACCESSOR (WEBSITE) and is accurate and complete to the best of my knowledge.

Signature Clary Childers

Date 1/24/13

Acknowledged before me by Clary Childers on this 24 day of January, 2013



[Signature]  
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

**PROPERTY OWNERSHIP LIST**  
(required for filing all applications)

**Instructions:** Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary.

Parcel No.: 510-64-0300  
Name: CANDRA S VARGA/MADELINE CASH AVE  
Address: 4905 W JULIEN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0310  
Name: JUDITH SOTT/TEREY WALP  
Address: 4905 W JULIEN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0300  
Name: TRUST GINA D SANGEL RABALA  
Address: 5619 S DUGLASS RD  
City/ST/Zip: TEMPE, AZ 85283

Parcel No.: 510-64-0110  
Name: KELLY L FERGUSON  
Address: 4889 W PAPAGORD  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0140  
Name: TINA MAKIE S EDWARD GEORGE ROCK  
Address: 4889 W JULIEN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-64-0330  
Name: SHARON R S MICHAEL P CASE  
Address: 4889 W JULIEN  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-85-0030  
Name: PALOMINO RANCH PARTNERS LLC  
Address: 11024 SE 5th ST  
City/ST/Zip: BELLEVUE, WA 98005

Parcel No.: 510-82-0010  
Name: PAPAGO RITEL WATER IMPROVEMENT  
Address: PO BOX 630  
City/ST/Zip: MARICOPA, AZ 85139

Parcel No.: 510-82-0020  
Name: LE COURE PROPERTIES LLC  
Address: 51556 W DEER RUN RD  
City/ST/Zip: MARICOPA, AZ 85139

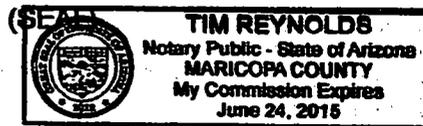
Parcel No.: 510-82-0030  
Name: TR RICHARDSON/PROPERTY PEOPLE  
Address: PO BOX 1111  
City/ST/Zip: MORAB, UT 84452

I hereby verify that the name list above was obtained on the 10 day of JANUARY 2013, at the office of PINAL COUNTY ACCESSOR (WEBSITE) and is accurate and complete to the best of my knowledge.

Signature Clay Childers

Date 1/24/13

Acknowledged before me by Clay Childers on this 24 day of January, 2013



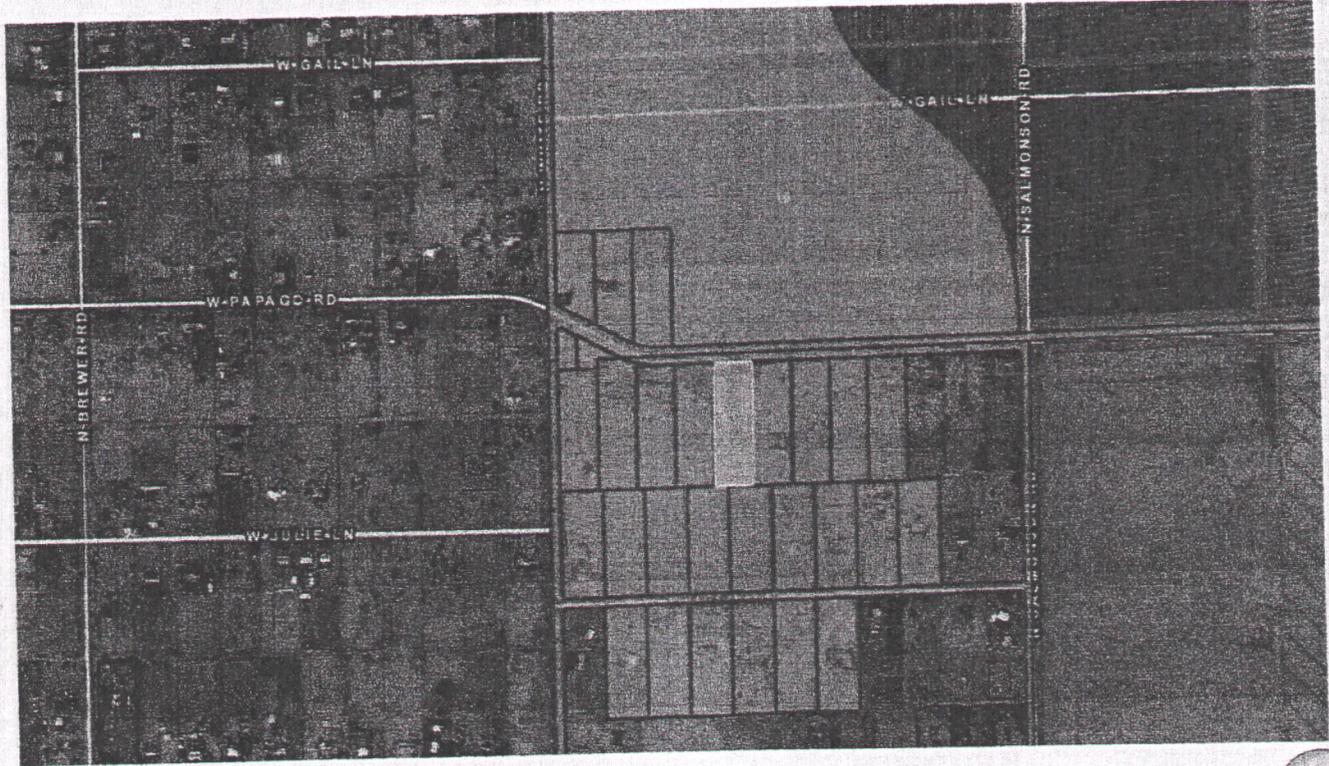
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

1/28/2013

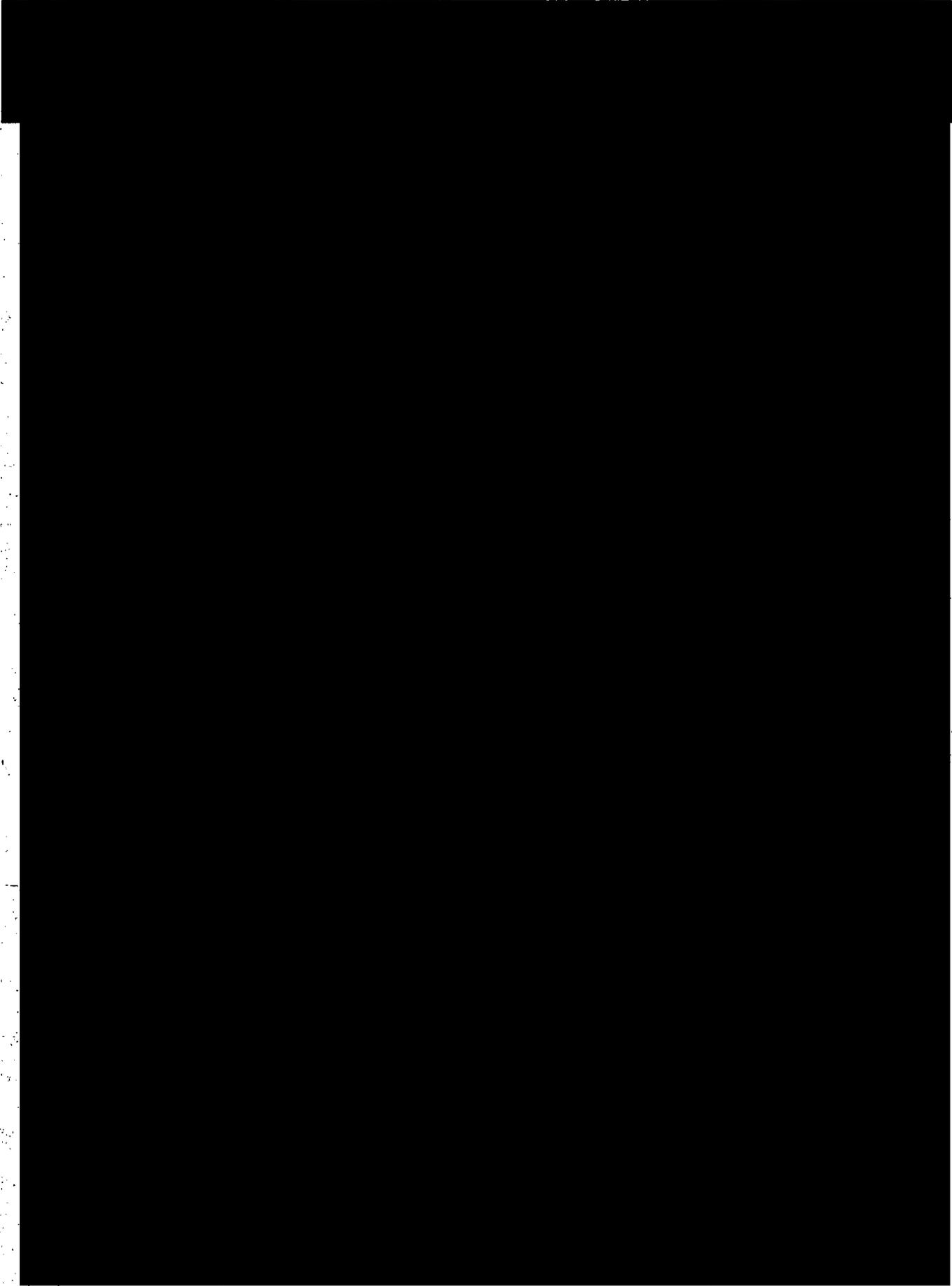


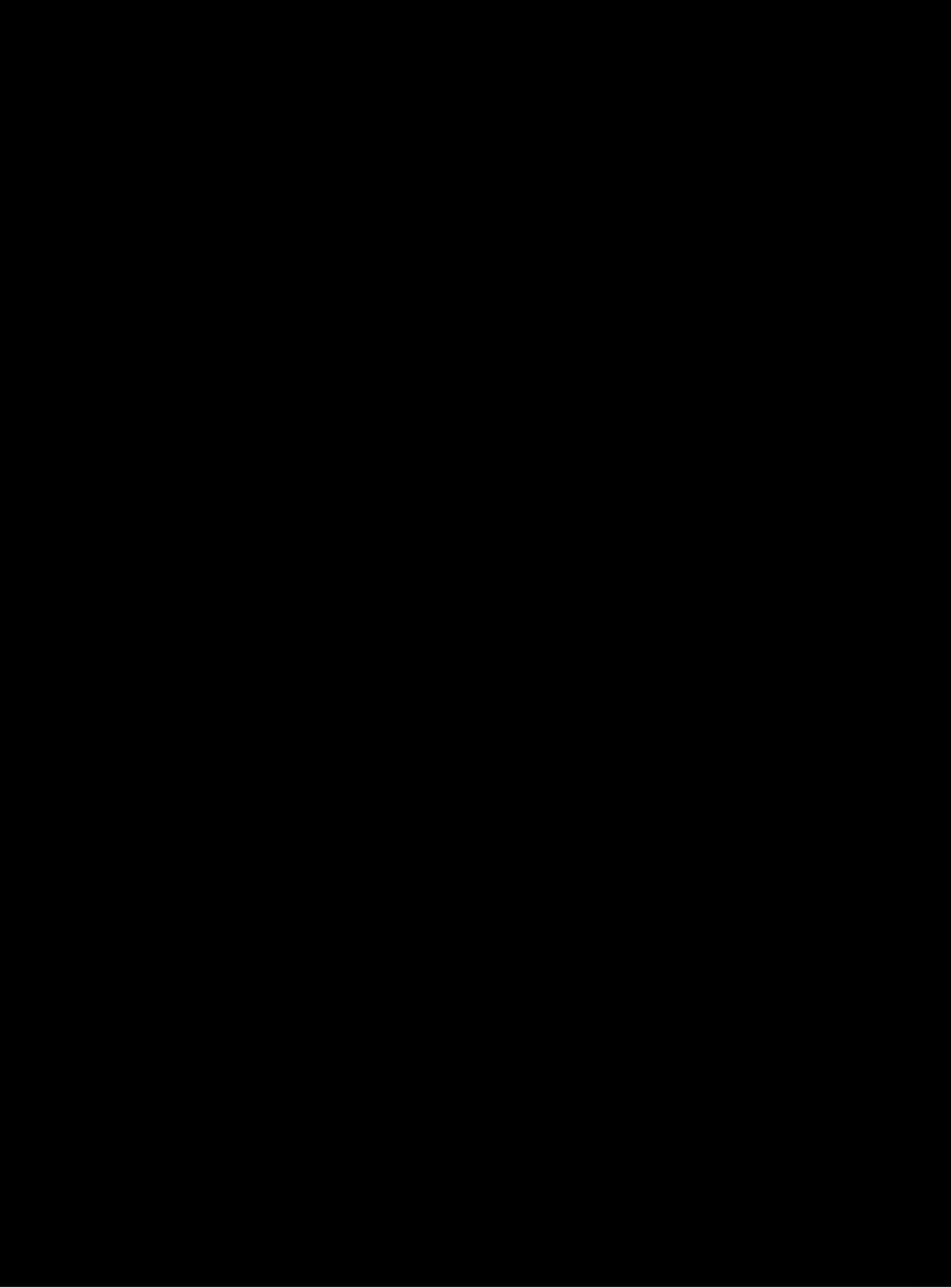
# Pinal County Web Map

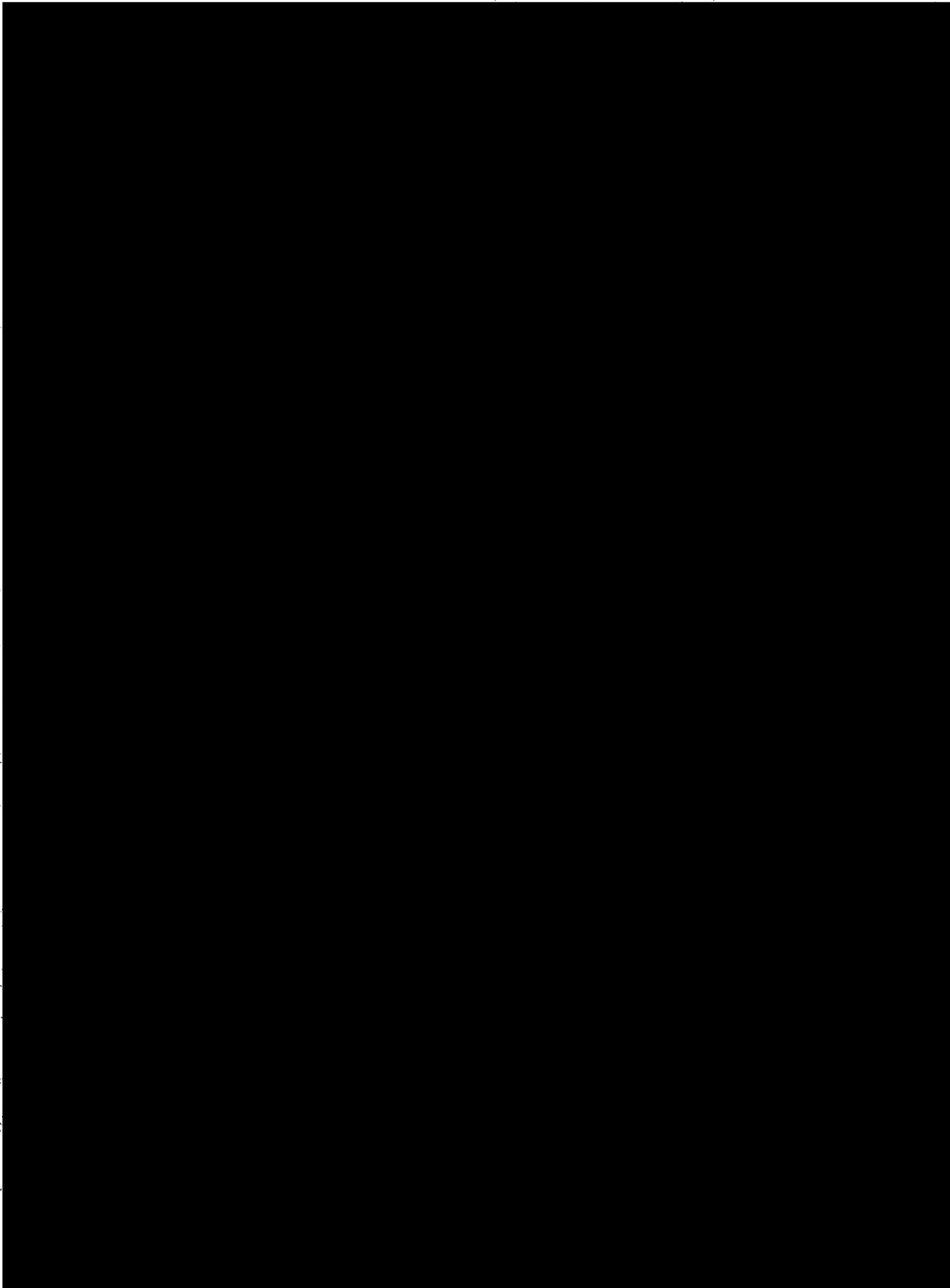


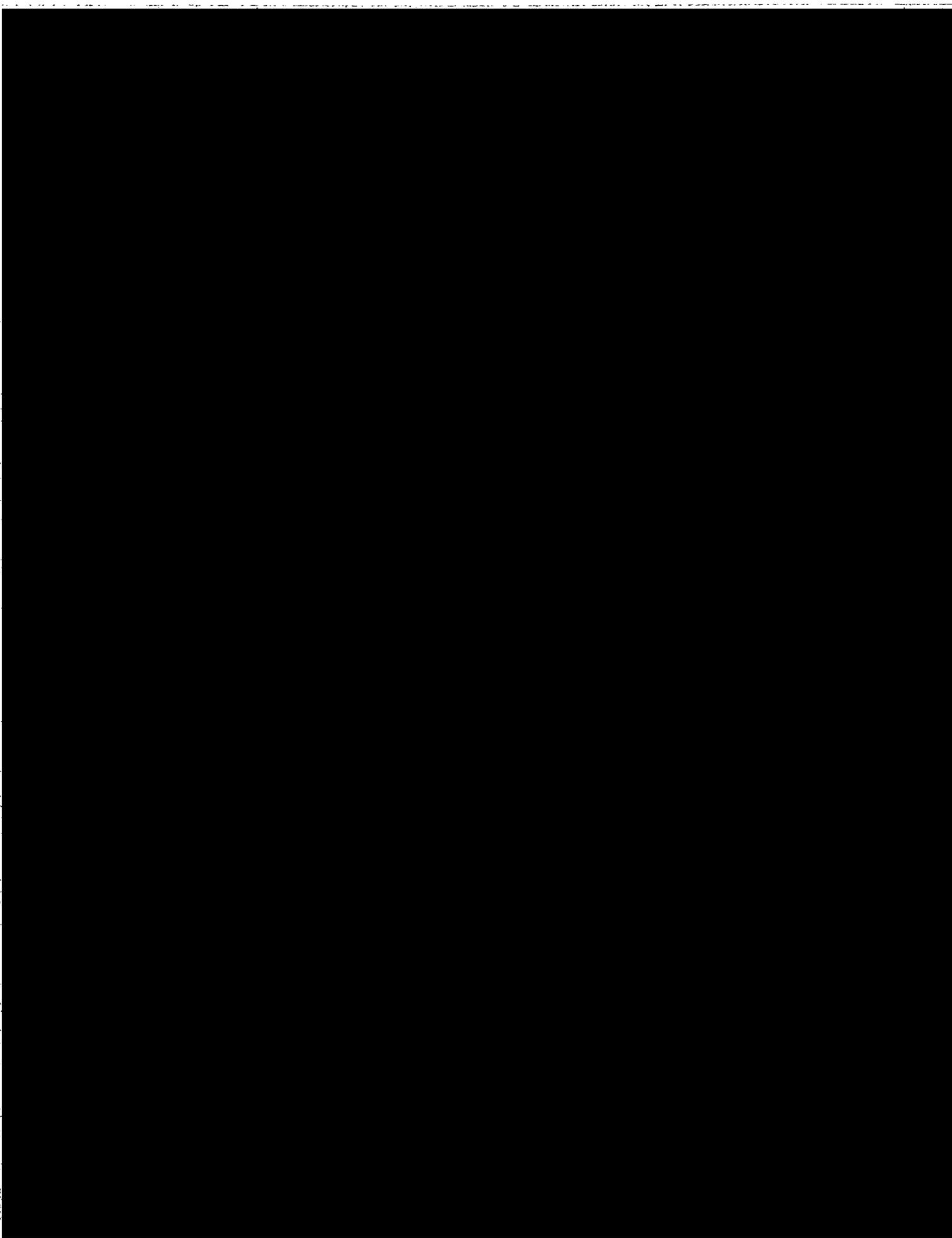
Pinal County does not guarantee the information contained in this map to be an accurate representation of actual existing conditions

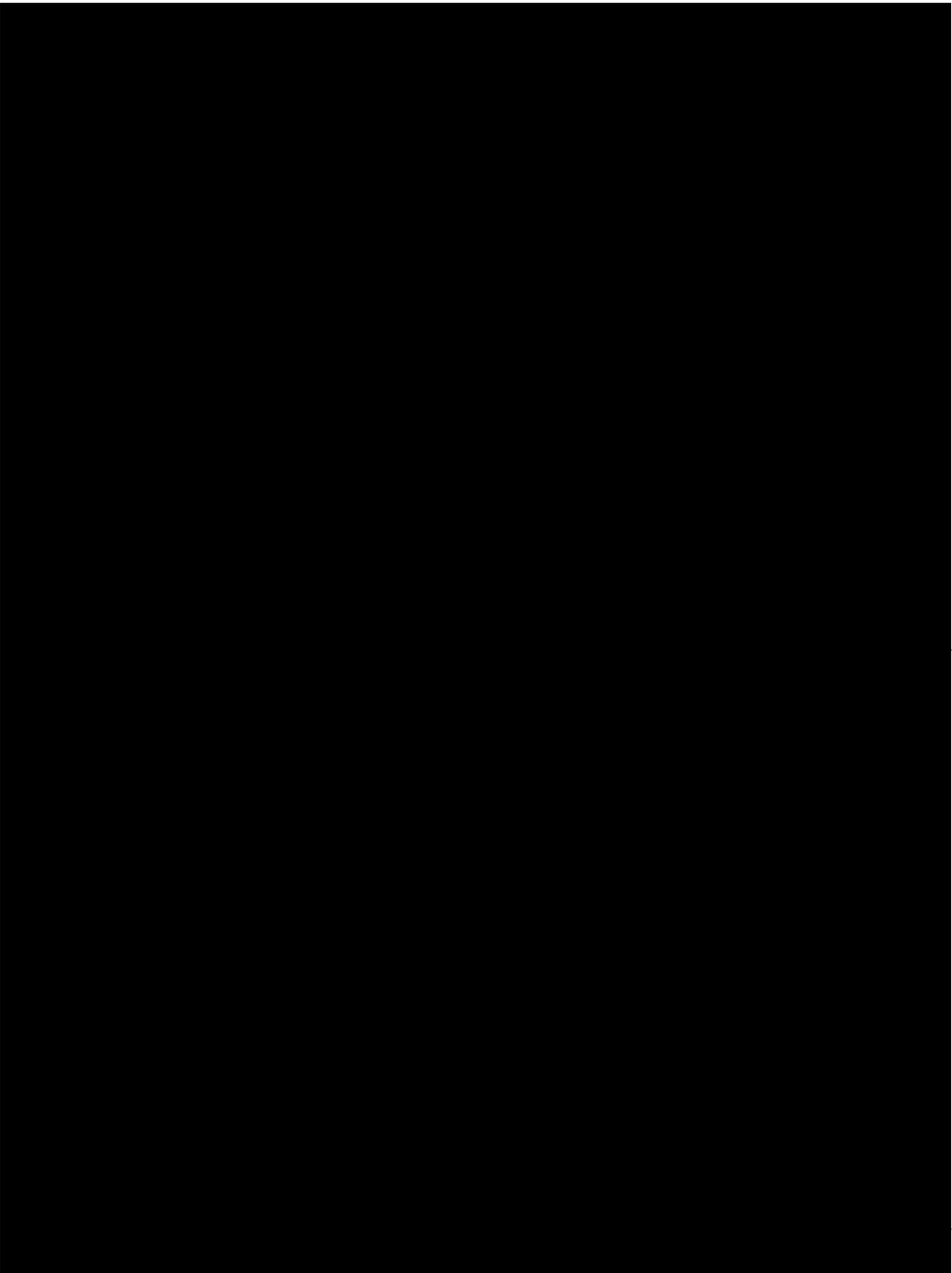


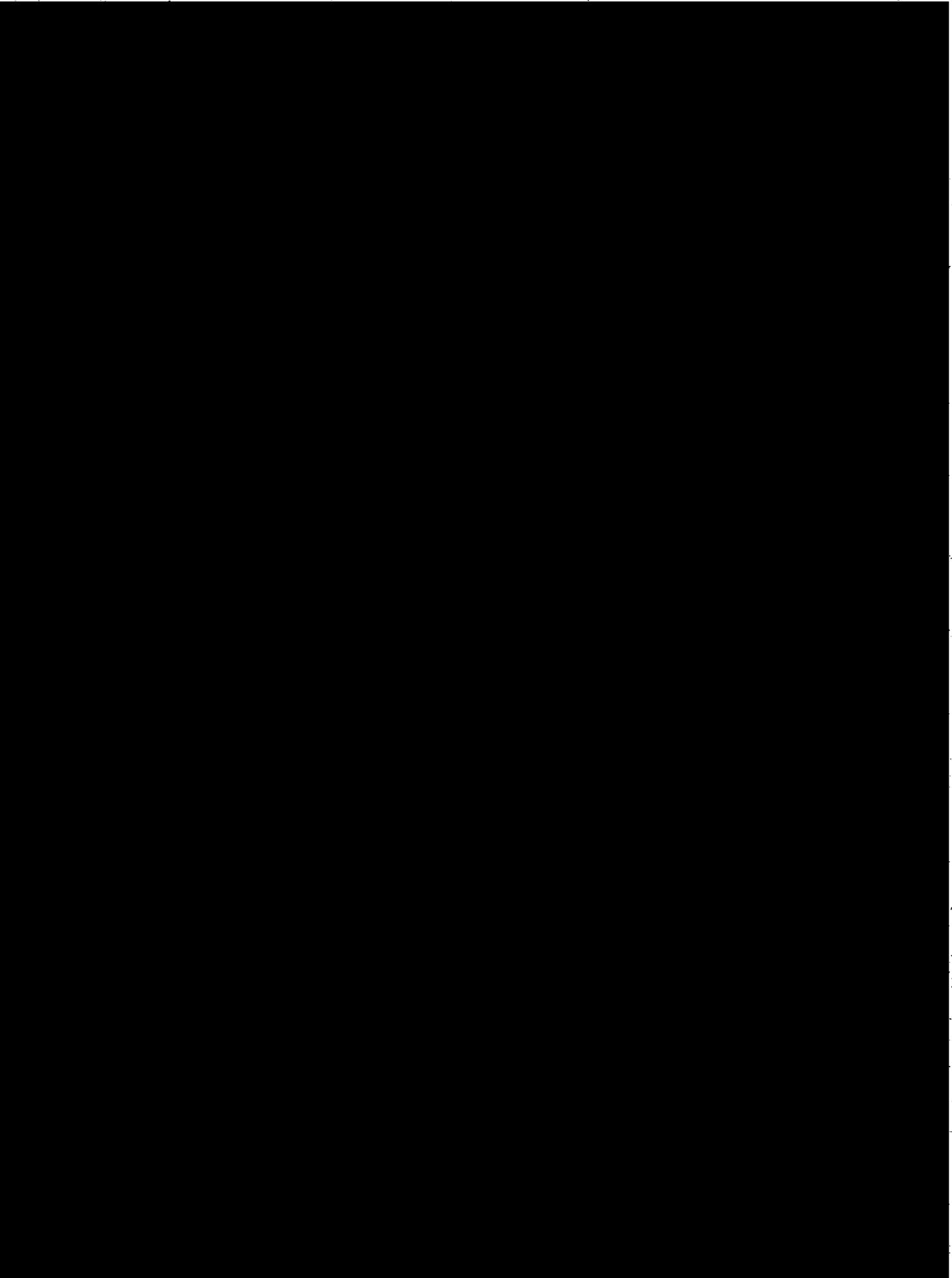


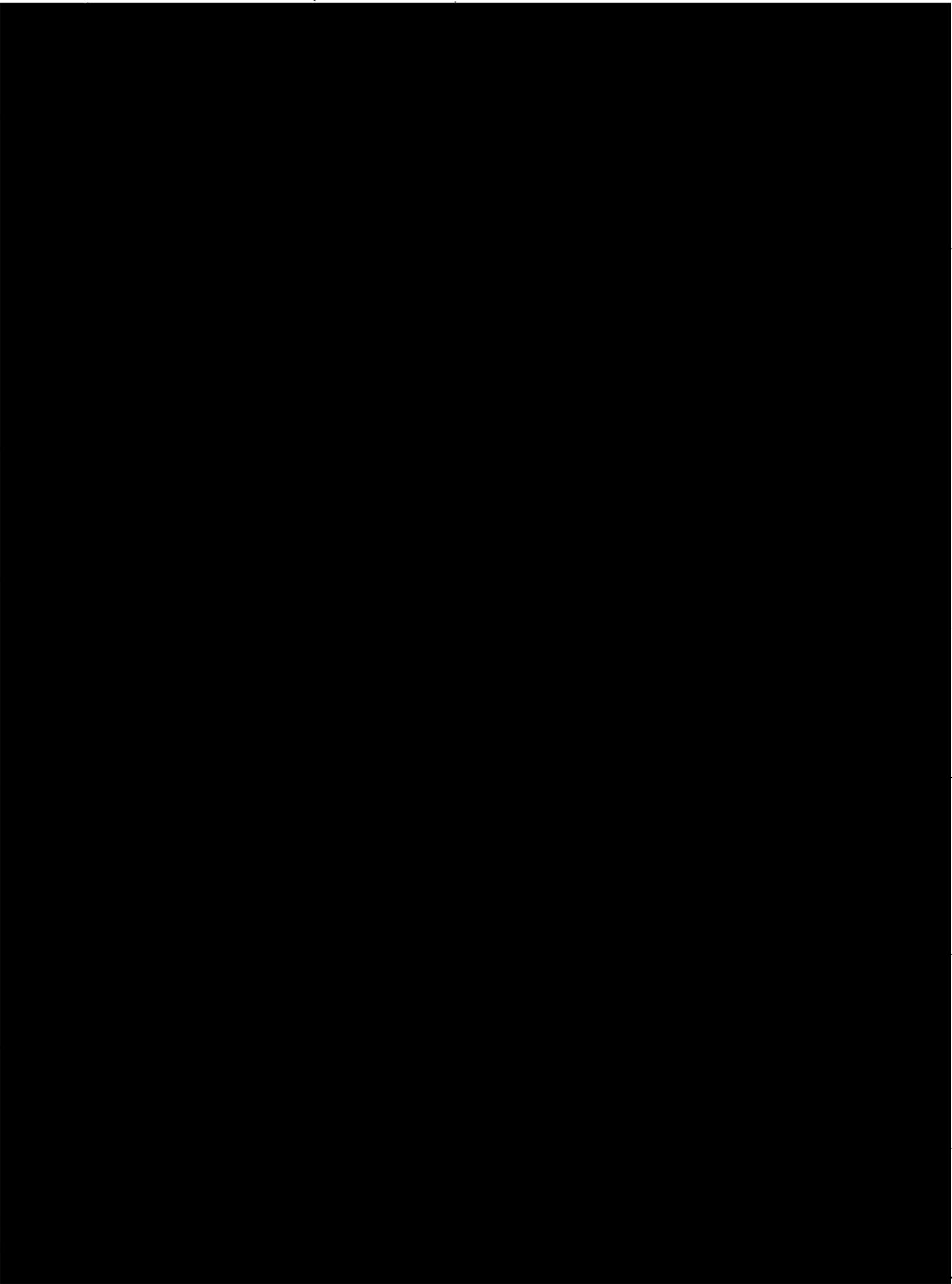


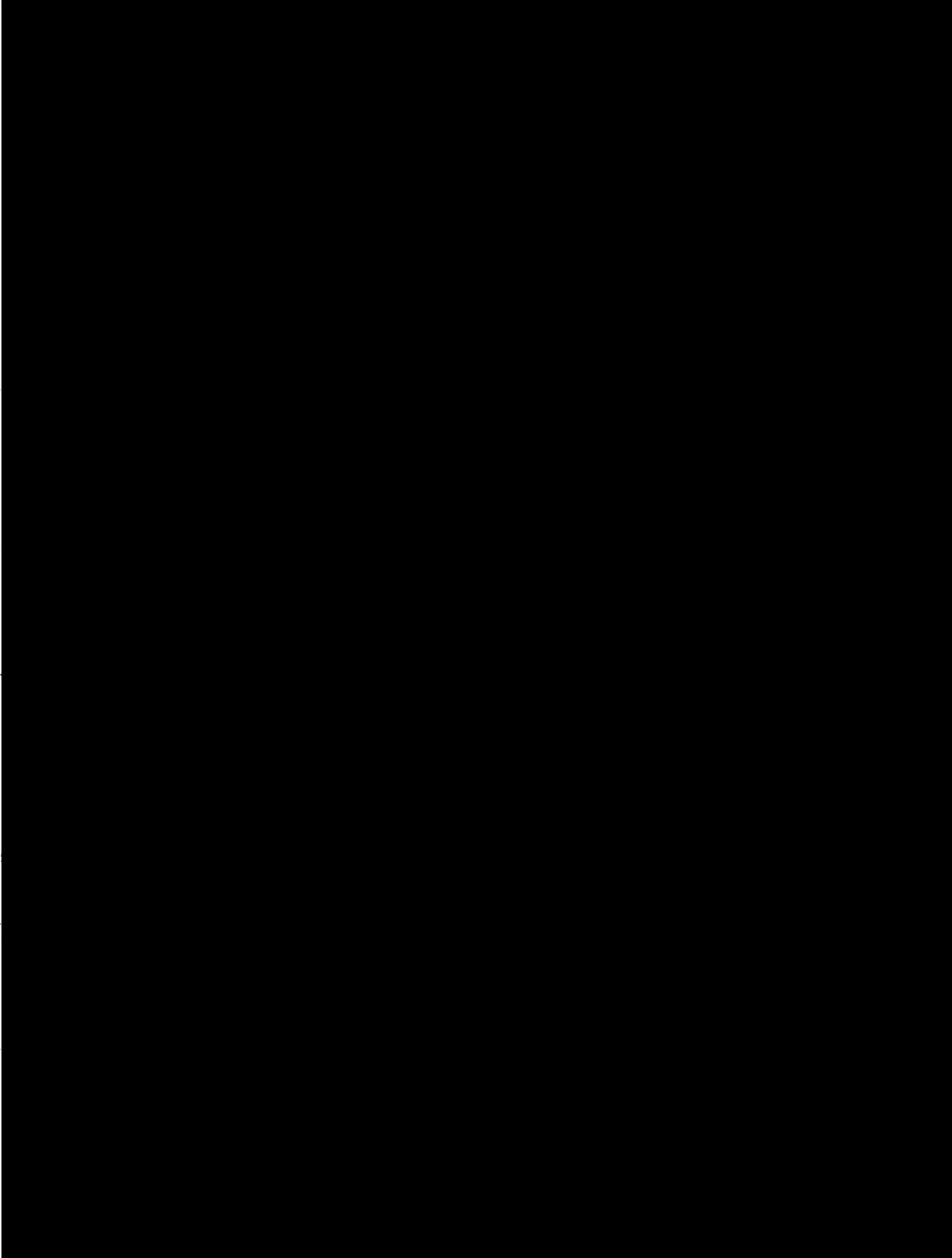


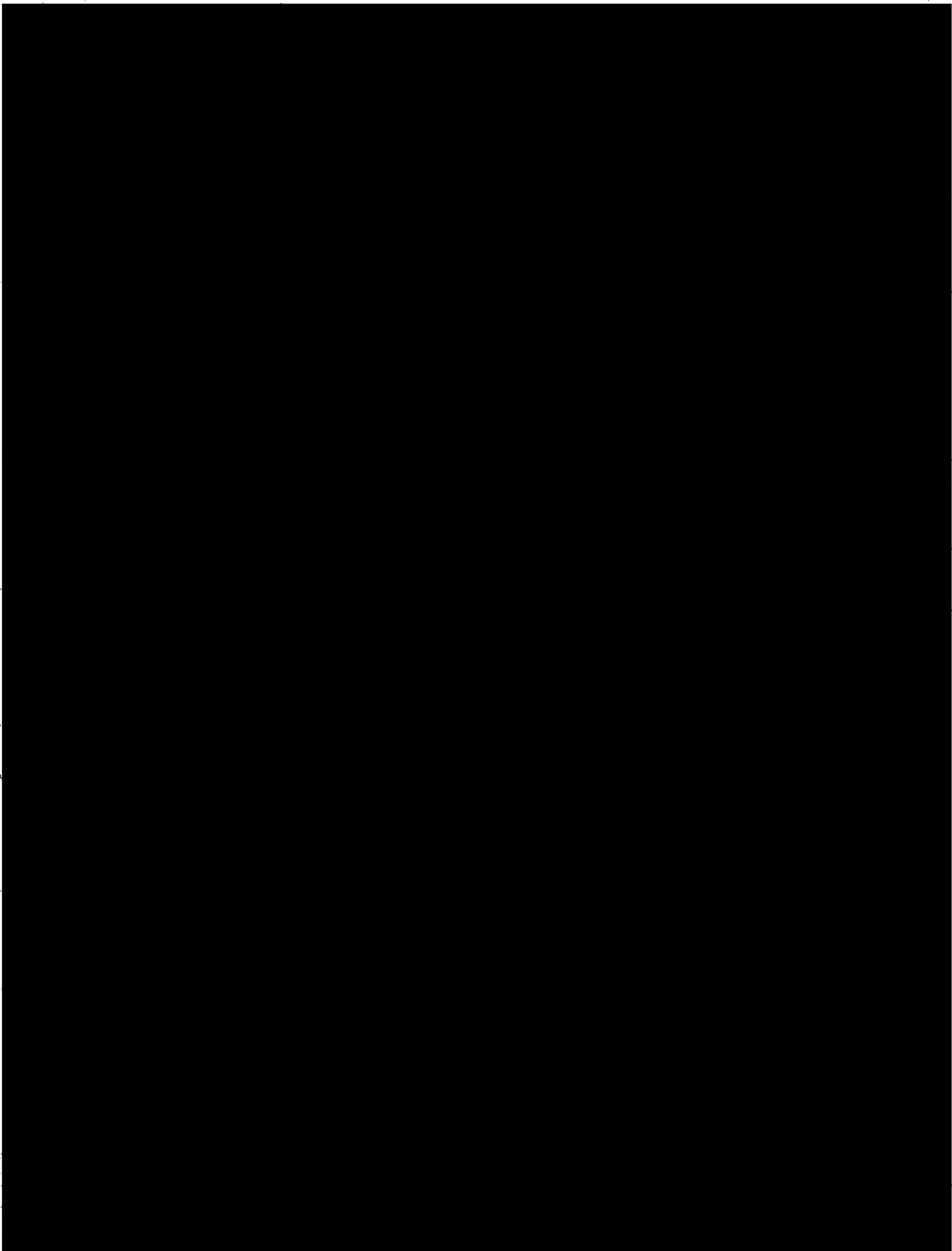


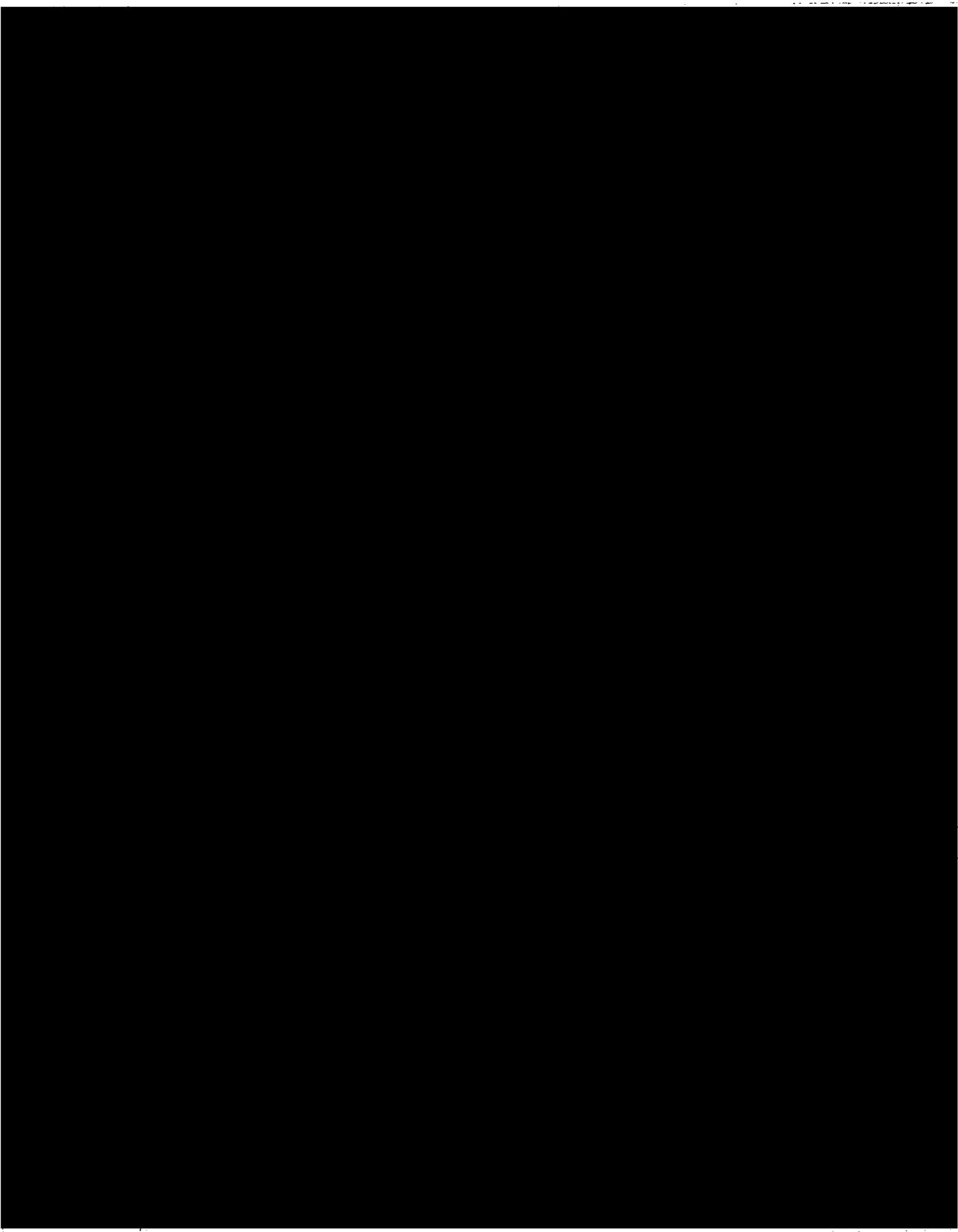


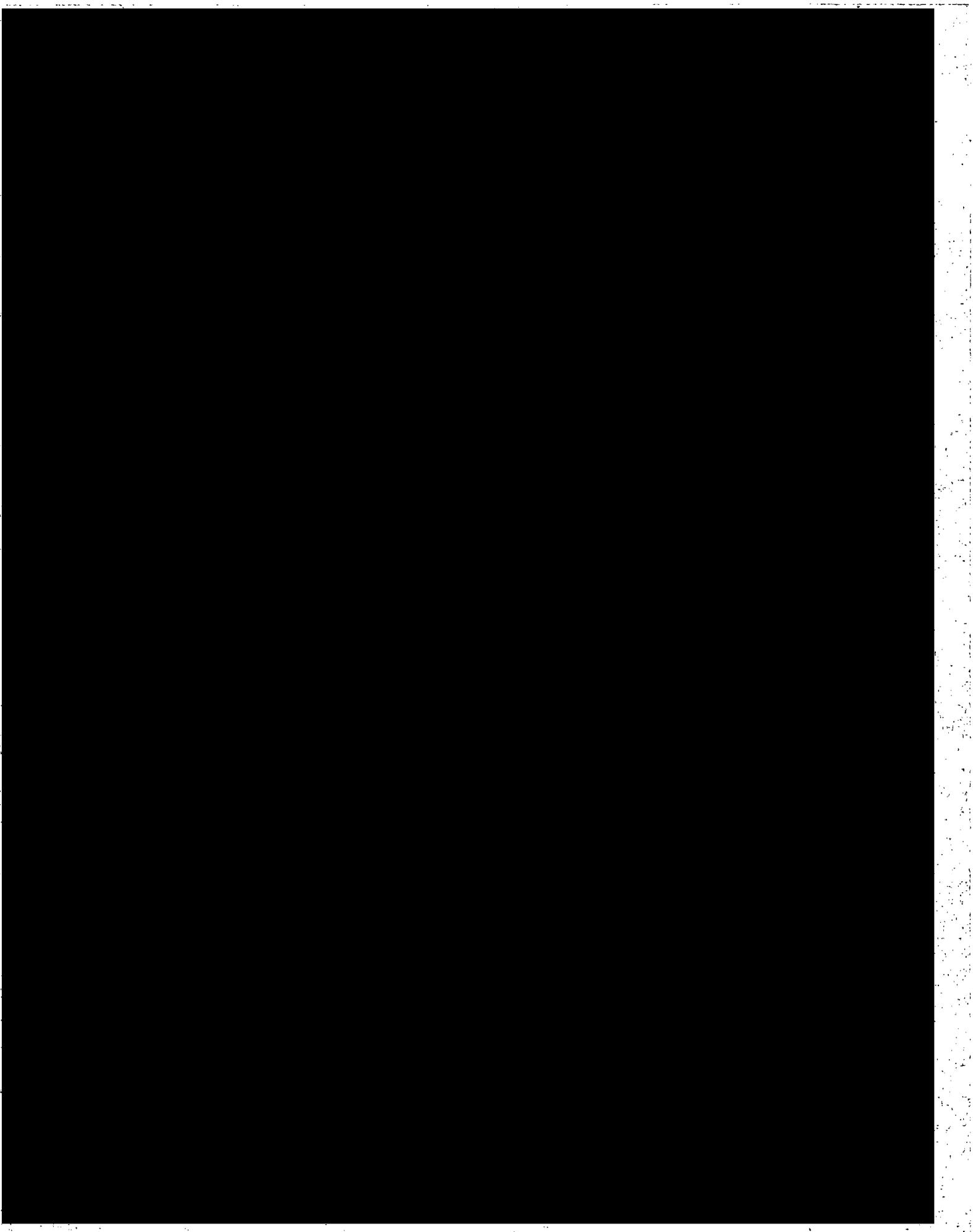




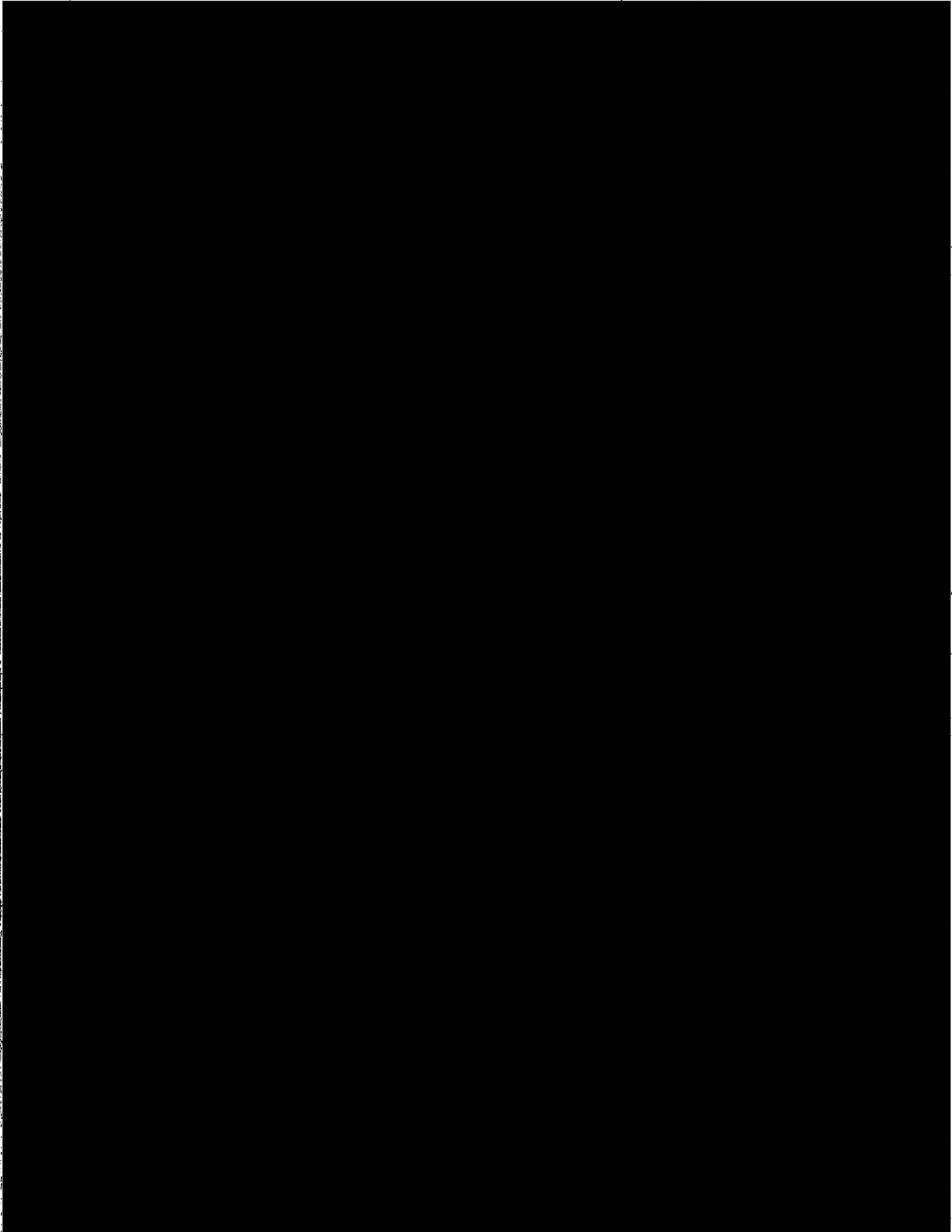


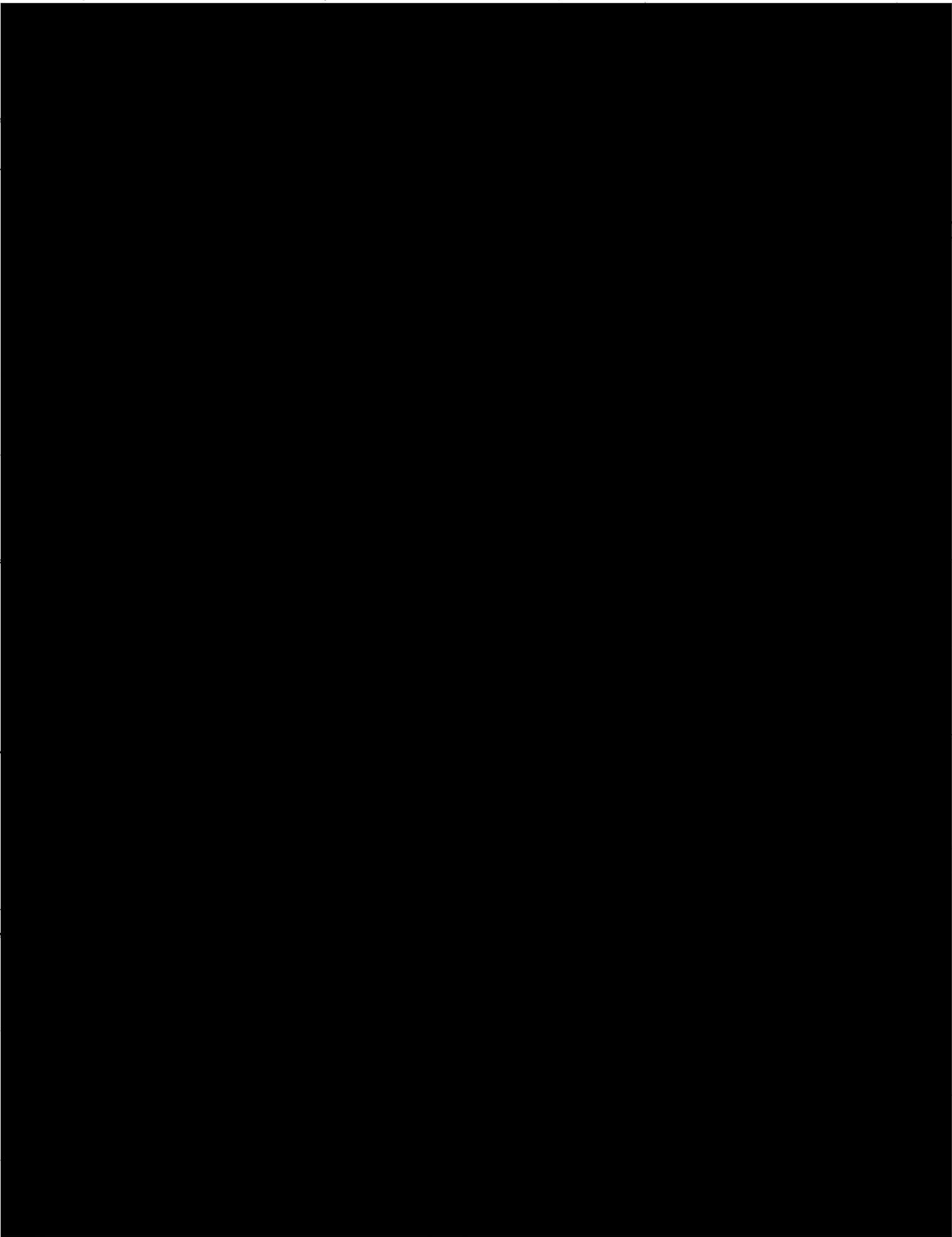


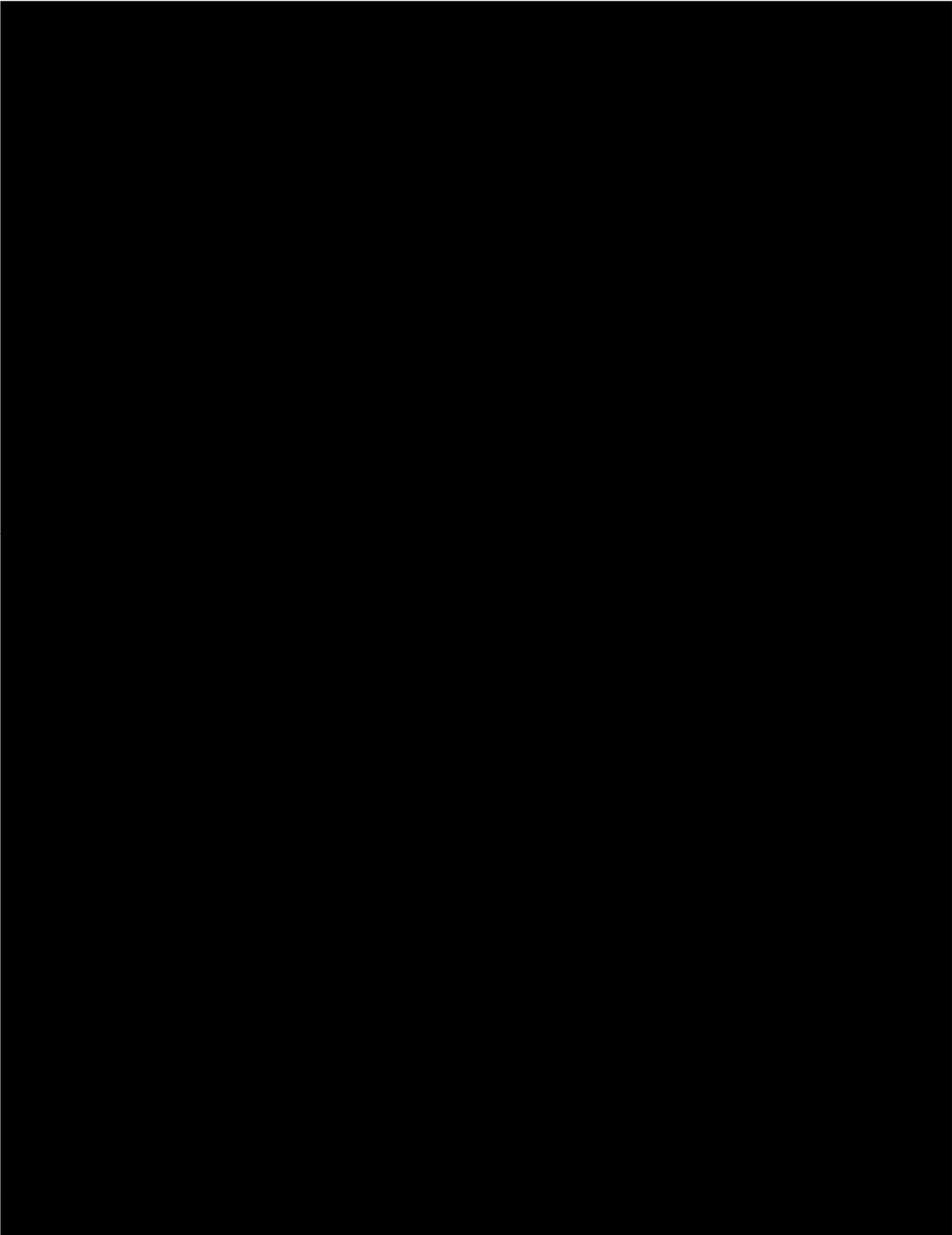


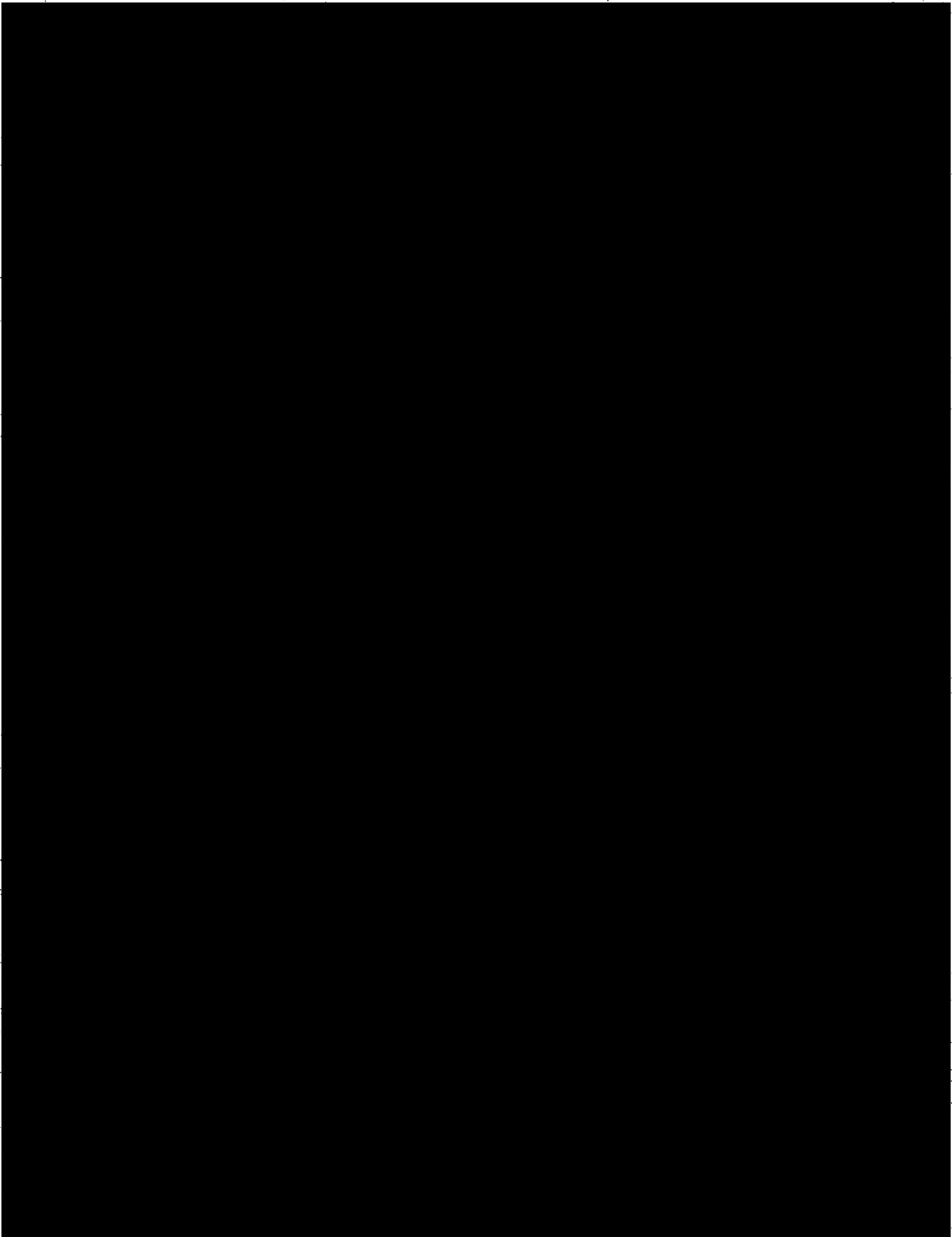


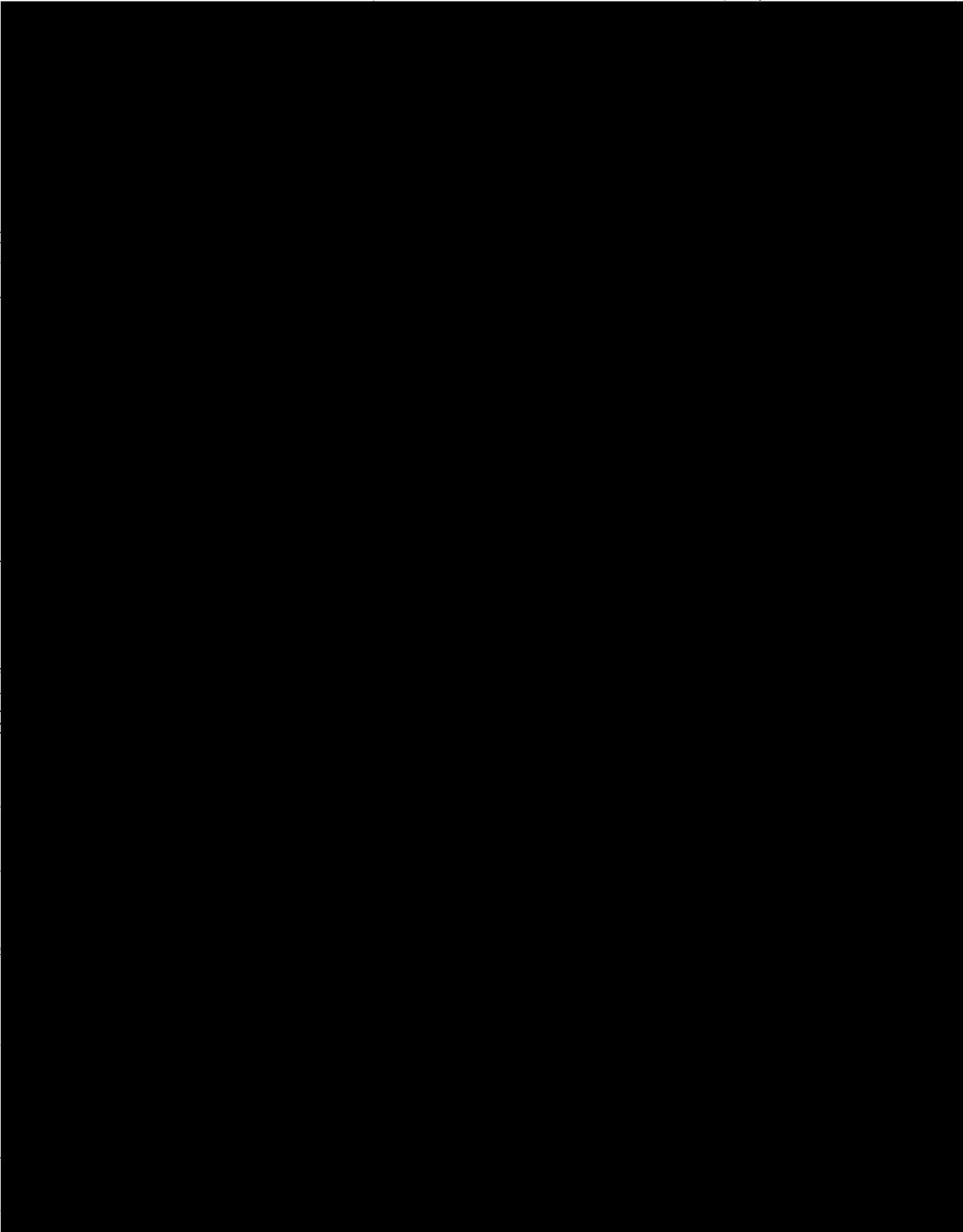


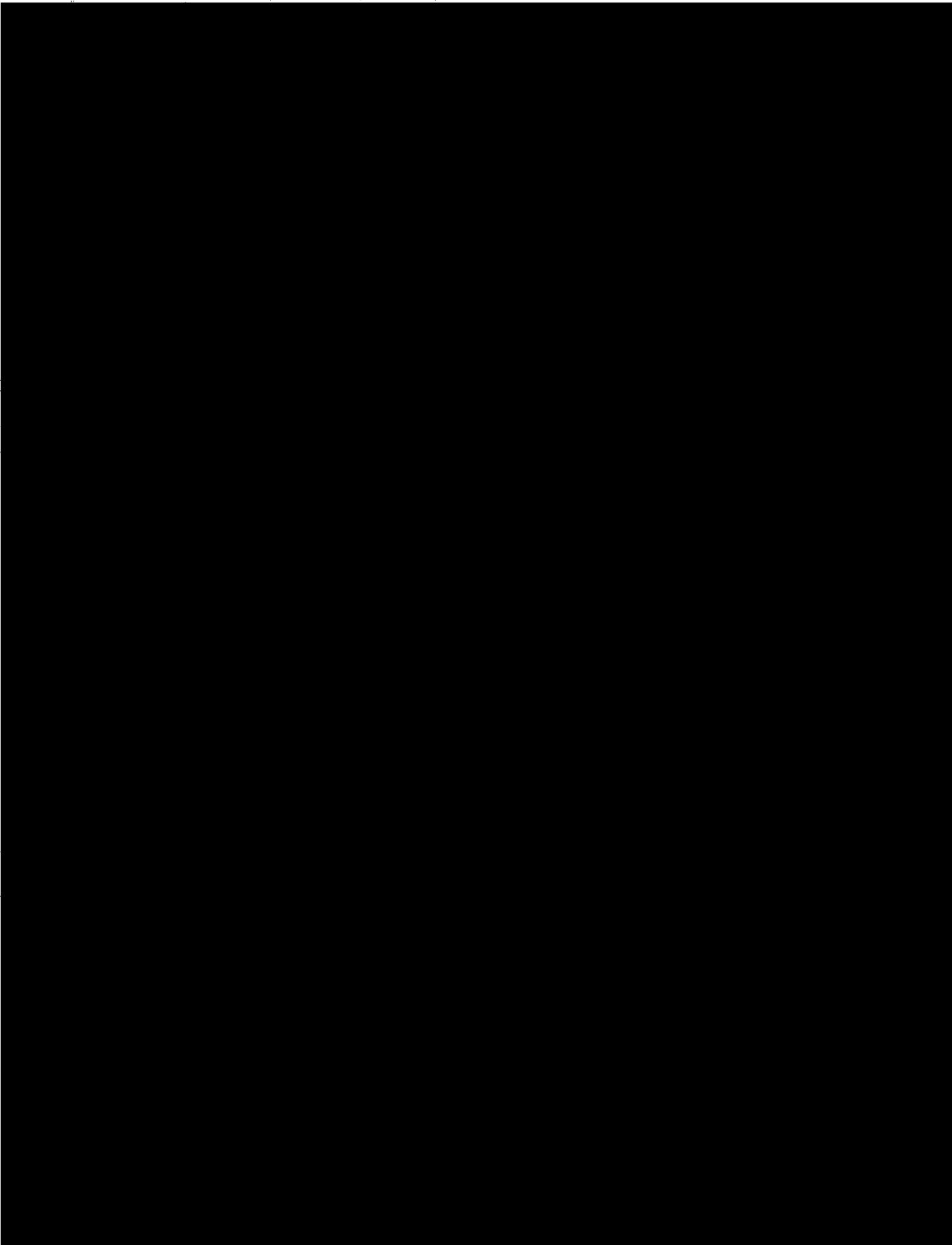




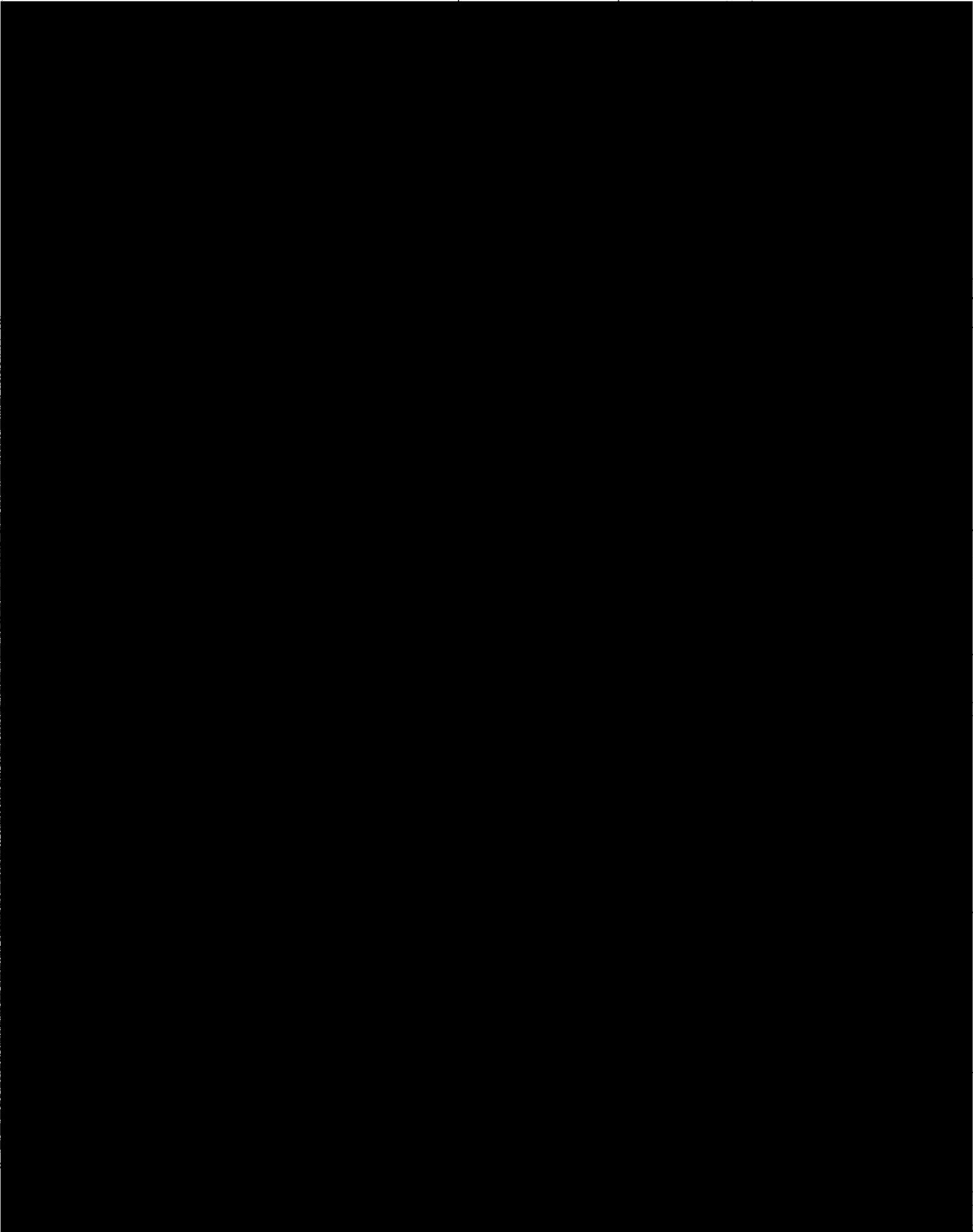




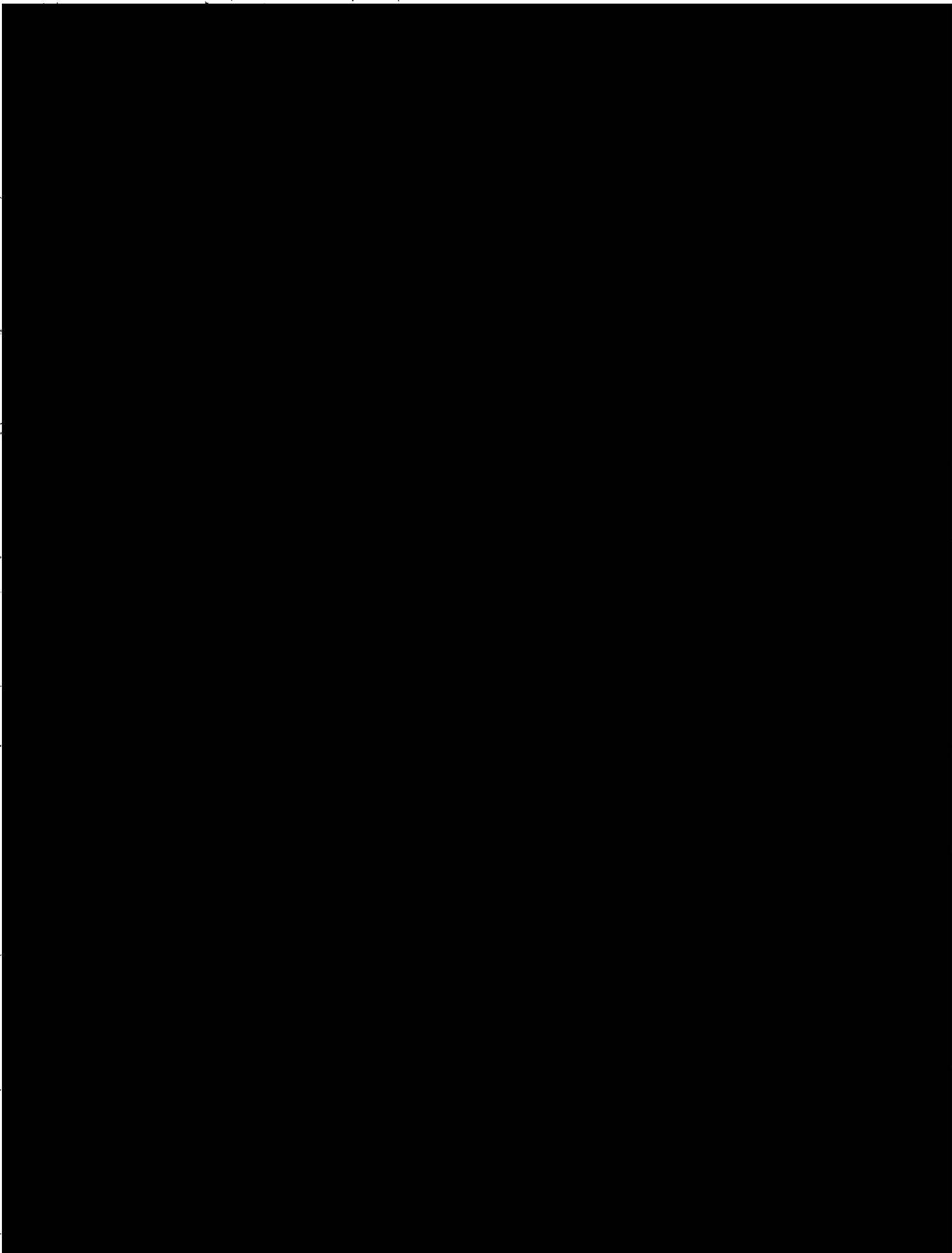


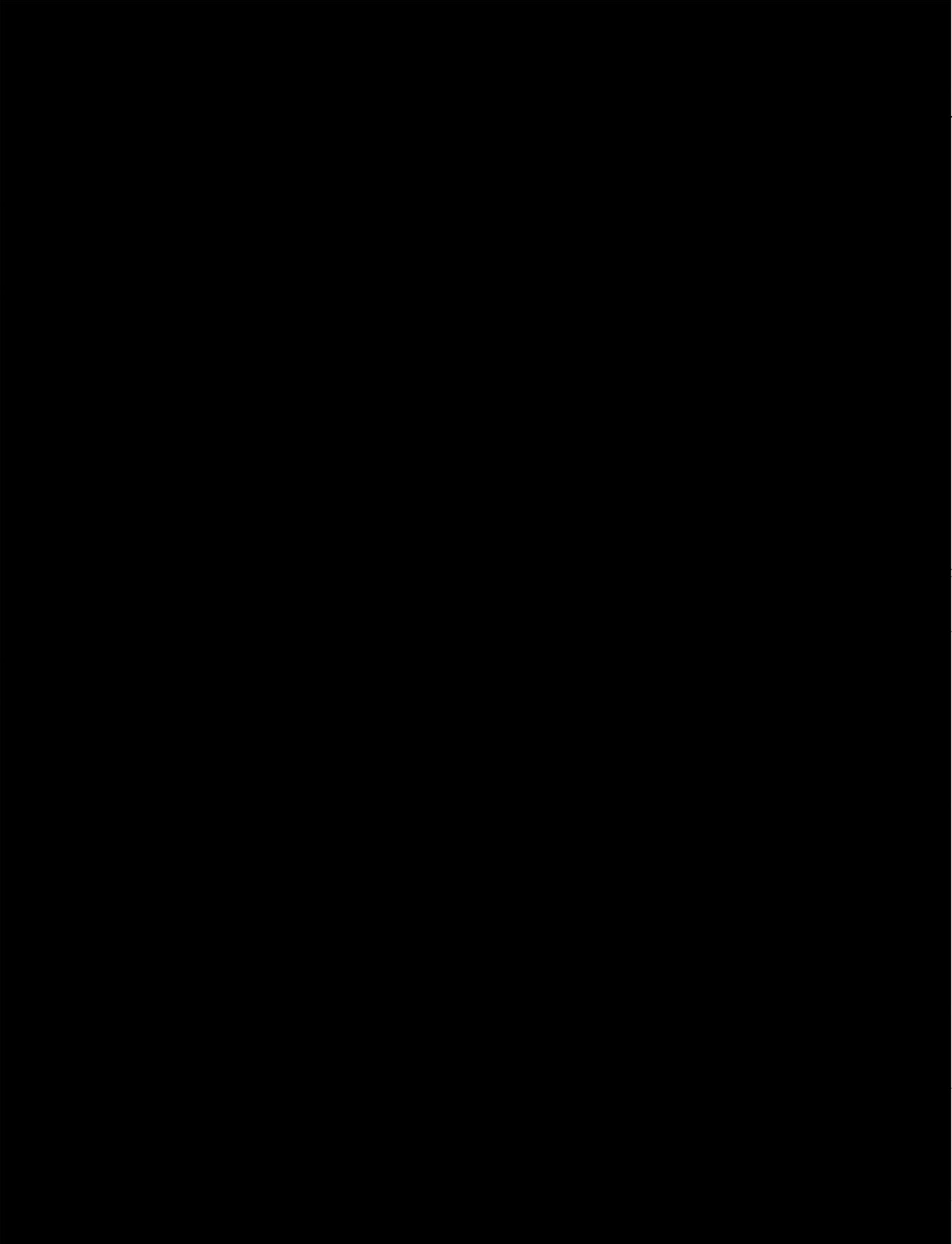


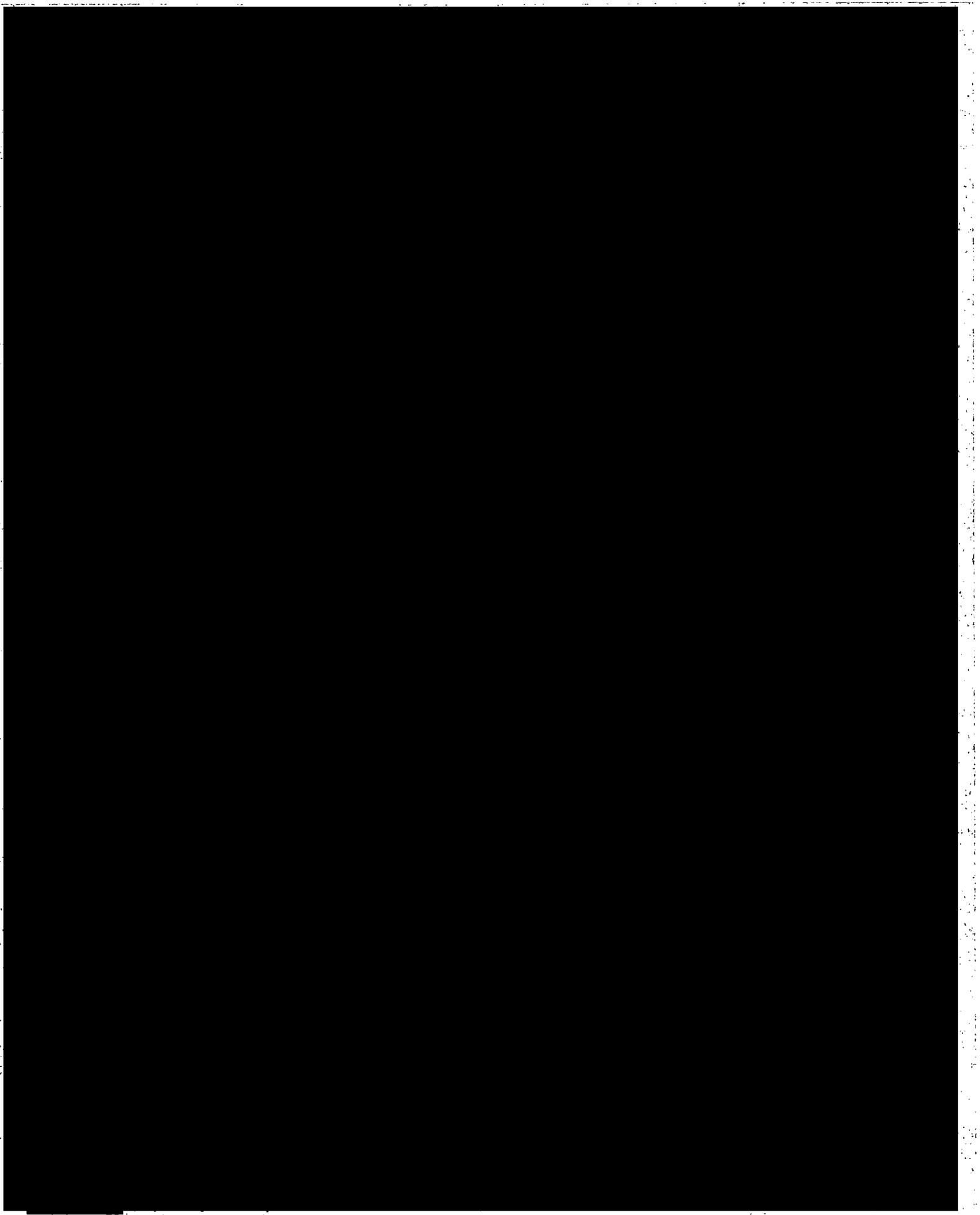




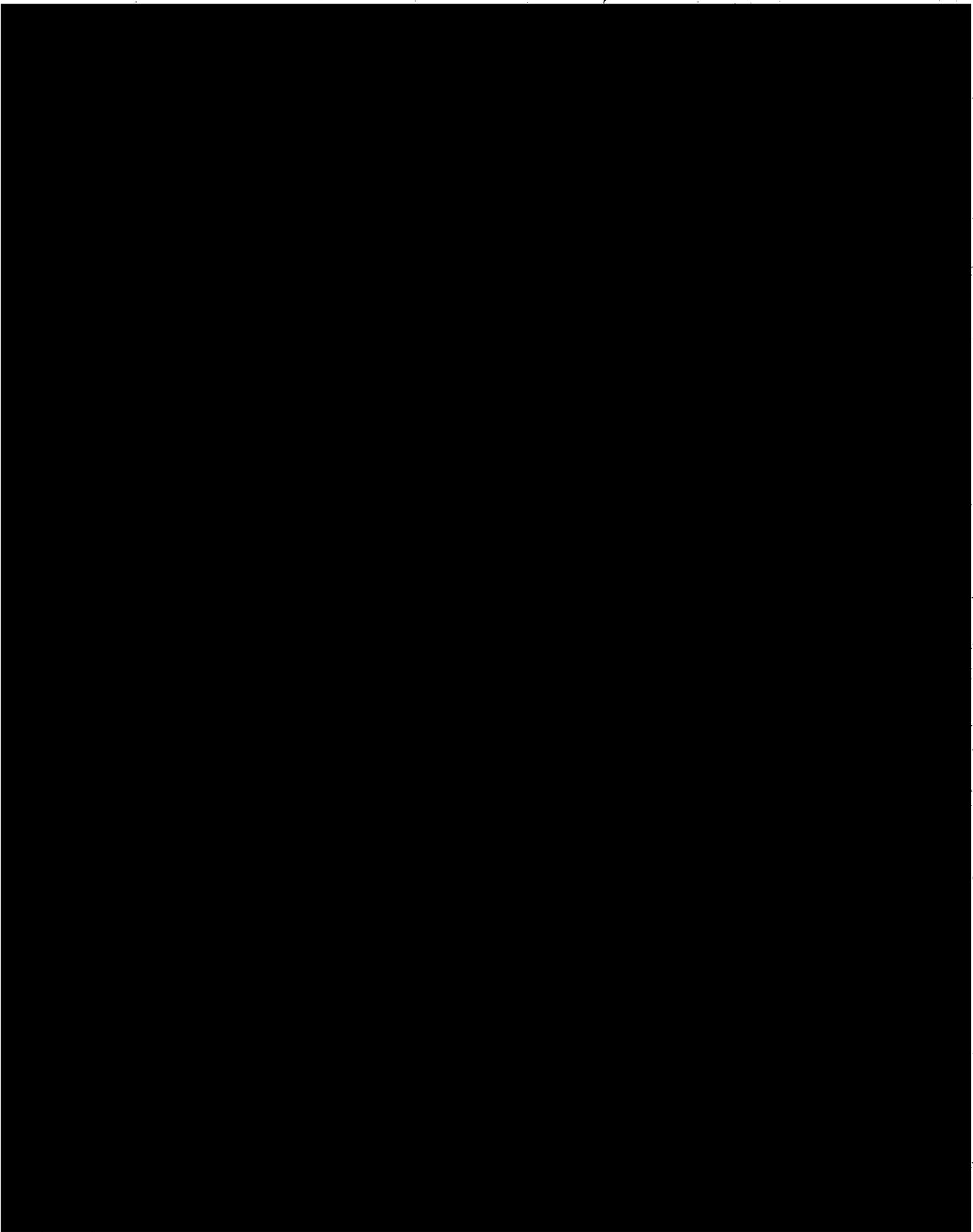




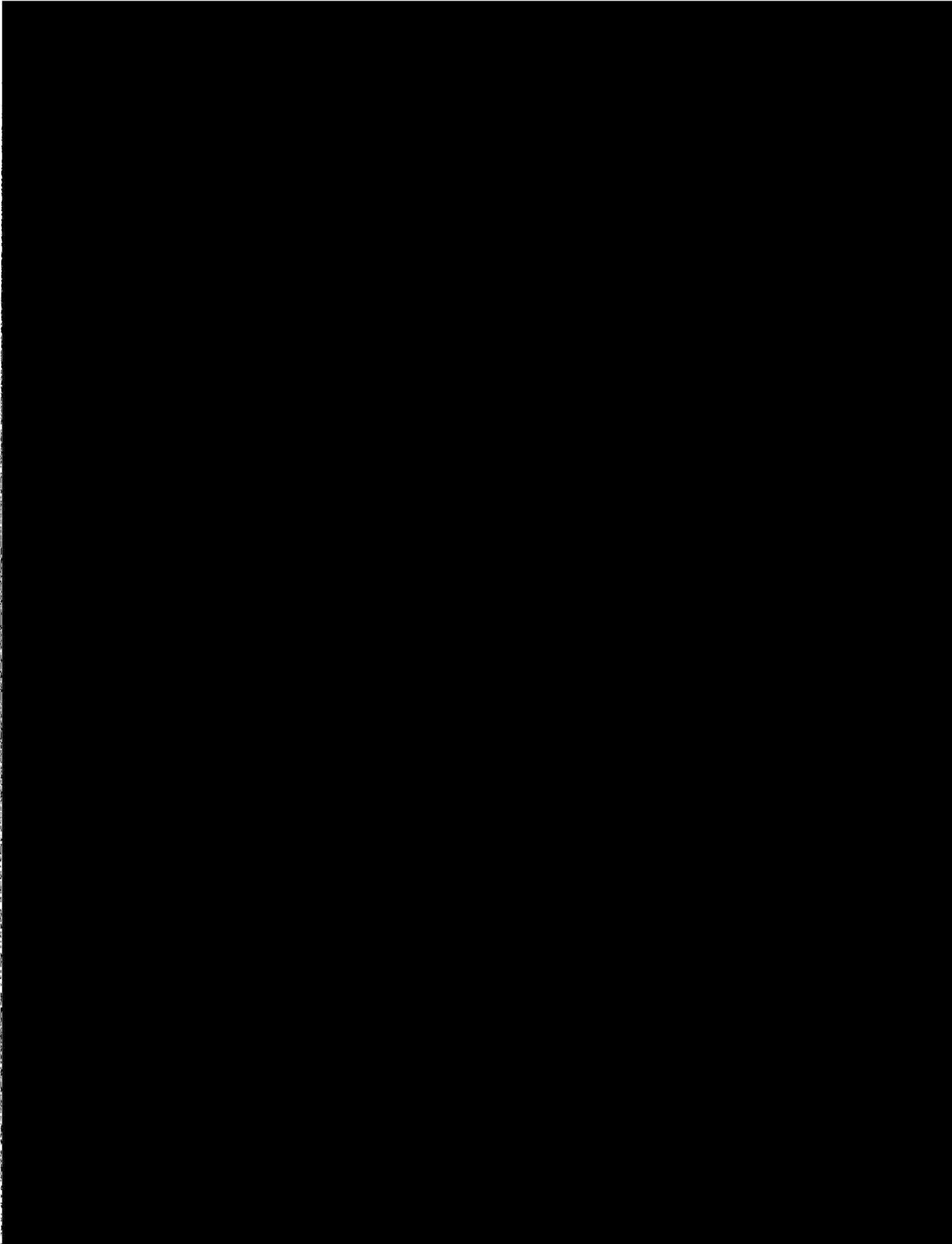














**WORK SESSION**

**WORK SESSION**



**PINAL COUNTY**  
*wide open opportunity*

## MEMORANDUM

March 14, 2013

To: Planning and Zoning Commissioners

From: Jerry Stabley, Planning and Development Director

Topic: Potential Major Comprehensive Plan Amendment for Green Electricity Production

The Sustainable Pinal Task Force met from June of 2010 until October of 2011. Since the completion of their work, staff has been bringing forward the Task Force's recommendations to the Commission and then to the Board to determine if the County wants to implement those recommendations. As part of the 2012 major Comprehensive Plan Amendment process, staff brought forward five Task Force recommendations. The Commission recommended approval of all five, and the Board approved the amendments.

This year we are bringing forward the Task Force recommendation to allow green, utility scale electricity production applications to be processed as Non-major Comprehensive Plan Amendments. The Task Force was very interested in changing both our Comprehensive Plan and our Zoning Ordinance to allow this type of generating facility to be approved quickly.

Utility scale electricity production does not include solar panels on homes or businesses, but are the larger generating facilities, typically owned and managed by utility companies. There are many configurations of utility scale solar energy facilities, and can range from photoelectric cells up to arrays of mirrors that focus the sun's energy on a single spot.

The purpose of this work session is to see what type of utility scale solar energy facilities should be included in the initiation. Staff is taking this step because of the broad range of facilities, coupled with our desire to make the most effective use of staff time in developing amendment language.