



PINAL COUNTY  
wide open opportunity

Greg Stanley  
County Manager

**NOTICE OF PUBLIC MEETING AND AGENDA**  
of  
**PINAL COUNTY PLANNING AND ZONING COMMISSION**  
**Regular Meeting**

9:00 a.m.  
Thursday, December 17, 2015  
EOC Room – Building F  
31 N. Pinal St. Florence, Arizona

There may be a supplemental agenda for this hearing, please check with the Community Development Department at 520-866-6442.

Please turn off cell phones and other electronic devices or place in silent mode.

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.

**COMMISSION MEMBERS**

- |                            |                             |
|----------------------------|-----------------------------|
| ( ) RIGGINS, Chairman      | ( ) HARTMAN, Vice-Chairman  |
| ( ) AGUIRRE-VOGLER, Member | ( ) SALAS, Member           |
| ( ) GUTIERREZ, Member      | ( ) DEL COTTO, Member       |
| ( ) SMYERS, Member         | ( ) GRUBB, Member           |
| ( ) PUTRICK, Member        | ( ) MORITZ, Member (Absent) |

**AGENDA**

1. **CALL TO ORDER:**
2. **DISCUSSION OF ACTION ITEM REPORT**
  - Action Item Report
3. **REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES**
  - November 18, 2015
  - December 9, 2015
4. **REPORT ON TENTATIVE PLAT EXTENSIONS**
  - Extension Report

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

**5. PLANNING MANAGER’S DISCUSSION ITEMS:**

- Discussion/Presentation of the approved *CAP Trail* and *Peralta Park* Master plans by Kent Taylor
- Notice of attendance of the Pinal County Planning and Zoning Commission on December 17, 2015, after the regular meeting

**Discussion after Public Hearing & Work-session Cases:**

- CAG/Pinal County housing entitlement study, City of Maricopa above grade crossing
- Staff recommendations on Zoning Cases
- Handouts: Glossary(Definitions), Presentation by Leo Lew to BOS, Commercial Building report

**NEW CASES:**

6. **SUP-012-15 – PUBLIC HEARING/ACTION:** Desert Rose Baha’i Institute landowner, Virginia Healy, agent, requesting approval of a Special Use Permit to construct and operate a 100 foot’ wireless communication tower on a portion of a 10.07± acre parcel in the General Rural (GR) zone; situated in a portion of the SE¼ of Section 11, T07S, R07E G&SRB&M, tax parcels 402-12-003A (legal on file) (located at the NWC of William Sears Dr and the Ala’i Dr alignment in the Eloy area.)
7. **SUP-014-15 – PUBLIC HEARING/ACTION:** Dirt Brothers Land Management, landowner, requesting approval of a Special Use Permit to operate a motorsports park on a 46± acre parcel in the General Rural (GR) zone; situated in a portion of Section 31, T6S, R3E G&SRB&M, tax parcels 501-39-040, 041, 042, 043, & 044 (legal on file) (located approximately 7 miles southwest of the Stanfield area).

**WORK SESSION**

8. **WORK SESSION** on case **PZ-C-002-15** to discuss zoning regulation amendments to Title 2 of the Pinal County Development Services Code amending Section 2.10.010 “Definitions”; by adding a definition for “guest’ and revising the definition for “Recreational vehicle (RV)/travel trailer;” adding Section 2.150.271 “Recreational vehicles as short term guest housing” to establish criteria for using RVs as temporary guest housing; amending Section 2.185.060 “Recreational Vehicle Storage;” to allow RVs to be plugged in to keep the battery charged; and amending Chapter 2.355 “Park Model/Recreational Vehicle Park Zoning District” to reduce the minimum lot area for an RV Park.

**CALL TO THE COMMISSION:**

9. **CALL TO THE COMMISSION:** Oral comments or suggestions from individual Commission Members reading items or staff action will be allowed. This is not intended to allow discussion or action on any item, but merely to provide the Commission a chance to express its opinions regarding the need for future action by Commission or staff.

**ADJOURNMENT**

The Planning and Zoning 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).

Supporting documents for the above-listed matters are available at the Pinal County Community Development Office for public inspection at least 48 hours prior to the meeting at the Pinal County Community Development Department, Pinal County Complex, Building F, 31 N. Pinal Street, Florence, Arizona, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the internet at:

<http://pinalcountyz.gov/COMMUNITYDEVELOPMENT/PLANNING/Pages/PZCommission.aspx>

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Community Development Department at 520-866-6442 at least five business days prior to the meeting.



**PINAL COUNTY PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
ACTION REPORT OF November 19, 2015**

**PRESENT**

Mr. Riggins, Chairman	Mr. Gutierrez, Member
Mr. Hartman, Vice Chairman	Ms. Aguirre-Vogler, Member
Mr. Salas, Member	Mr. Smyers, Member
Mr. Del Cotto, Member	Ms. Moritz, Member
Mr. Grubb, Member <b>ABSENT</b>	Mr. Putrick, Member <b>ABSENT</b>

**LEGAL STAFF PRESENT** Mr. Langlitz, Deputy County Attorney

**PLANNING STAFF PRESENT**

Mr. Abraham, Planning Manager <b>ABSENT</b>	Mr. Denton, Planner II
Ms. MacDonald, Planner II	Mr. Balmer, Planner I
Ms. Fisk, Drafting Specialist	

**PUBLIC WORKS STAFF PRESENT**

Mr. Chow, Development Section Chief

The meeting was called to order at 9:04 a.m., this date by Chairman Riggins in the EOC Room Bldg F, Florence, Arizona.

**DISCUSSION OF MEETING MINUTES/ Action Item Report**  
Action Item Report

**REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES**  
October 28, 2015  
November 4, 2015 No Cases

**PLANNING MANAGER DISCUSSION ITEMS**  
APA Conference  
Resignation of Jill Moritz

**NEW CASES:**

**PZ-005-15 – PUBLIC HEARING/ACTION:** Arizona Water Company, landowner/applicant, requesting approval of a zone change from GR (General Rural) and CB-2 (General Business Zone), to C-1 (Neighborhood Commercial Zoning District) on 0.6± acres to plan and develop an office building; situated in the NW ¼ of Section 36, T09S, R15E G&SRB&M, tax parcels 308-03-053F (legal on file) (located on the north side of American Avenue, east of Kimo Drive in the Oracle area).

**MOTION:**

Commissioner Safas made a motion to forward PZ-005-15 to the Board of Supervisors with a favorable recommendation with 9 stipulations. Commissioner Aguirre-Vogler seconded. Motion passed unanimously. 8-0

**SUP-011-15 – PUBLIC HEARING/ACTION:** Regional Fire & Rescue Department, Inc., landowner, Sun State Towers, applicant, requesting a Special Use Permit to operate a 100 foot tall monopole wireless communication facility with a 21 foot whip antenna for public safety purposes for an overall height of 121' on a 1,416± sq. ft. lease area of a 1.25± acre parcel in the GR (General Rural) Zone; situated in a portion of the NW¼ of Section 5, T6S, R7E G&SRB&M, tax parcel 401-02-001 (legal on file) (located at the southeast corner of Overfield Road and McCartney Road in the Coolidge area).

#### **MOTION**

Commissioner Aguirre-Vogler made a motion to forward SUP-011-15 with a favorable recommendation to the Board of Supervisors with 10 stipulations. Commissioner Moritz seconded. Motion passed unanimously. 8-0

**SUP-010-15 – PUBLIC HEARING/ACTION:** Anjum Alimohamed, landowner, Amir Kazz, agent, requesting approval of a Special Use Permit to construct and operate a un- subdivided human cemetery on a 5.0± acre parcel in the General Rural (GR) zone; situated in a portion of G.L.O. Lot 19, in Section 18, T04S, R02E G&SRB&M, tax parcel 510-07-013A (legal on file) (located on San Rafael Rd., ¼ mile north of Hwy 238 in the western Maricopa area){Due to a notice deficiency by the Applicant this case will not be heard and will be rescheduled to a later date}

**S-006-15 - DISCUSSION/APPROVAL/DISAPPROVAL:** Robson Ranch Mountains, LLC, landowner, B&R Engineering, engineer, requesting approval of a tentative plat for **SaddleBrooke Ranch Unit Fourteen**, 166 lots on an 26.15± acre parcel in the MD/PAD zone (**PZ-006-15**); situated in a portion of NE ¼ of Section 5, and the NW ¼ of Section 4, T10S, R14E G&SRB&M, tax parcels 305-31-014A & 015N (portions thereof) (legal on file) (located adjacent to the north side of Robson Circle, 1 mile north of State Route 77 in southern Pinal County).

#### **MOTION**

Commissioner Moritz made a motion to forward S-006-15 to the Board of Supervisors with a favorable recommendation with 5 stipulations. Commissioner Smyers seconded. Motion passed 5-3

**S-013-15 - DISCUSSION/APPROVAL/DISAPPROVAL:** Beazer Homes Holdings Corp, landowner, Atwell, engineer, requesting approval of a tentative plat for **Morning Sun Farms Units 5 & 7**, 207 lots on an 60.72± acre parcel in the CR-3/PAD zone (**PZ-PD-005-10**); situated in a portion of Section 12, T3S, R7E, G&SRB&M, tax parcels 509-02-002K, 002N, 002P, 002Q (located adjacent to the south side of Skyline Drive and the west side of Gary Road in the San Tan Valley area). (Continued from October 15, 2015)

#### **MOTION**

Vice-Chairman Hartman made a motion to forward S-013-15 to the Board of Supervisors with a favorable recommendation. Commissioner Moritz seconded Motion passed 8-0

**WORK SESSION** on case **PZ-C-002-15** to discuss zoning regulation amendments to Title 2 of the Pinal County Development Services Code amending Section 2.10.010 "Definitions"; by adding a definition for "guest" and revising the definition for "Recreational vehicle (RV)/travel trailer;" adding Section 2.150.271 "Recreational vehicles as short term guest housing" to establish criteria for using RVs as temporary guest housing; amending Section 2.185.060 "Recreational Vehicle Storage;" to allow RVs to be plugged in to keep the battery charged; and amending Chapter 2.355 "Park Model/Recreational Vehicle Park Zoning District" to reduce the minimum lot area for an RV Park.

**CALL TO THE COMMISSION:** Oral comments or suggestions from individual Commission Members reading items or staff action will be allowed. This is not intended to allow discussion or action on any item, but merely to provide the Commission a chance to express its opinions regarding the need for future action by Commission or staff.

**MOTION TO ADJOURN**

Commissioner Aguirre-Vogler made a motion to adjourn. Vice-Chairman Hartman seconded.

RESPECTFULLY submitted November 19, 2015.

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Steve Abraham, Planning Manager



**MEMORANDUM**

**TO:** Pinal County Planning and Zoning Commission

**FROM:** Bridget Fisk, Drafting Specialist  
Community Development

**DATE:** December 17, 2015

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

**BOS HEARING OF November 18, 2015**

**SUP-003-15:** Sidewinder Dairy, Inc., landowner/applicant, Rose Law Group, agent, requesting approval of a Special Use Permit to plan and develop a medical marijuana off-site cultivation location on a 50.0± acre parcel in the General Rural (GR) zone; situated in a portion of the SW¼ of Section 24, T06S, R07E G&SRB&M, tax parcels 401-12-002G (legal on file) (located on the north side of Highway 287, ½ mile west of Eleven Mile Corner Rd.) Planning Commission voted 7-2 to recommend approval of SUP-003-15 with 2 stipulations.

**P&Z Recommendation: Motion passed 6-2**  
**BOS Action: Continued until December 9, 2015**

**BOS HEARING OF December 9, 2015**

**SUP-003-15:** Sidewinder Dairy, Inc., landowner/applicant, Rose Law Group, agent, requesting approval of a Special Use Permit to plan and develop a medical marijuana off-site cultivation location on a 50.0± acre parcel in the General Rural (GR) zone; situated in a portion of the SW¼ of Section 24, T06S, R07E G&SRB&M, tax parcels 401-12-002G (legal on file) (located on the north side of Highway 287, ½ mile west of Eleven Mile Corner Rd.) Planning Commission voted 7-2 to recommend approval of SUP-003-15 with 2 stipulations.

**P&Z Recommendation: Motion passed 6-2**  
**BOS Action: Continued until December 16, 2015**

**PZ-005-15:** Arizona Water Company, landowner/applicant, requesting approval of a zone change from GR (General Rural) and CB-2 (General Business Zone), to C-1 (Neighborhood Commercial Zoning District) on 0.6± acres to plan and develop an office building; situated in the NW ¼ of Section 36, T09S, R15E G&SRB&M, tax parcels 308-03-053F (legal on file) (located on the north side of American Avenue, east of Kimo Drive in the Oracle area with 9 stipulations.

**P&Z Recommendation: Motion passed unanimously 8-0**  
**BOS Action: Approved**



P I N A L • C O U N T Y  
*wide open opportunity*

MEETING DATE: December 17, 2015

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

RE: **Tentative Plat Extensions**

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*Executive Summary:*

*During the month of November the Community Development Director granted one tentative plat extension.*

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1. S-040-14: This tentative plat was granted a one year extension by the Community Development Director based on the project being actively processed and the surrounding conditions did not warrant a revision in design.

**Subdivision Name:** Sherwood Parks

**Landowner:** Everest Holdings

**Zoning:** R-7/PAD

**Size:** 128± acre parcel

**Lots:** 444

**Location:** Situated in a portion of Section 22, T3S, R8E, G&SRB&M. Located approximately .3 mile south of Bella Vista Road and .2 mile west of Sierra Vista Drive along the Union Pacific Railroad, northwest of the Town of Florence.

**Extended Date:** December 18, 2016

Date Prepared: 12/08/2015 - dld

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

**SUP-012-15**



PINAL COUNTY  
*wide open opportunity*

MEETING DATE: December 17, 2015

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: SUP-012-15 (Desert Rose Baha'i Tower)

CASE COORDINATOR: Ashlee MacDonald

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***Executive Summary:***

*This is an SUP to allow the construction and operation of a 100' wireless communication facility in the GR zone.*

**If This Request is Approved:**

This SUP will allow the construction of a 100 foot wireless communication facility in the Eloy area for radio broadcasts

**Staff Recommendation/Issues for Consideration/Concern:**

Staff recommends approval of the request with the attached stipulations

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LEGAL DESCRIPTION: situated in a on a portion of a 10.07± acre parcel in a portion of the SE¼ of Section 11, T07S, R07E G&SRB&M (legal on file)

TAX PARCEL: 402-12-003A

LANDOWNER/APPLICANT: Desert Rose Baha'i Institute

REQUESTED ACTION & PURPOSE: Desert Rose Baha'i Institute landowner, Virginia Healy, agent, requesting approval of a Special Use Permit to construct and operate a 100 foot' wireless communication tower on a portion of a 10.07± acre parcel in the General Rural (GR) zone

LOCATION: Located at the NWC of William Sears Dr and the Ala'i Dr alignment in the Eloy area  
SIZE: 7.0± acres.

COMPREHENSIVE PLAN: The site is designated as Very Low Density Residential. The surrounding properties are designated Very Low Density Residential and Medium Density Residential. The proposed use is in conformance with the comprehensive plan.

EXISTING ZONING AND LAND USE: The subject property is zoned GR and is currently developed with a church, clubhouse and cemetery. There is an existing Special Use Permit (SUP-015-02) to allow the private cemetery.

**SURROUNDING ZONING AND LAND USE:**

North: Eloy – vacant  
East: GR – Desert Rose Baha'i Institute  
South: GR - residential  
West: GR – Vacant

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

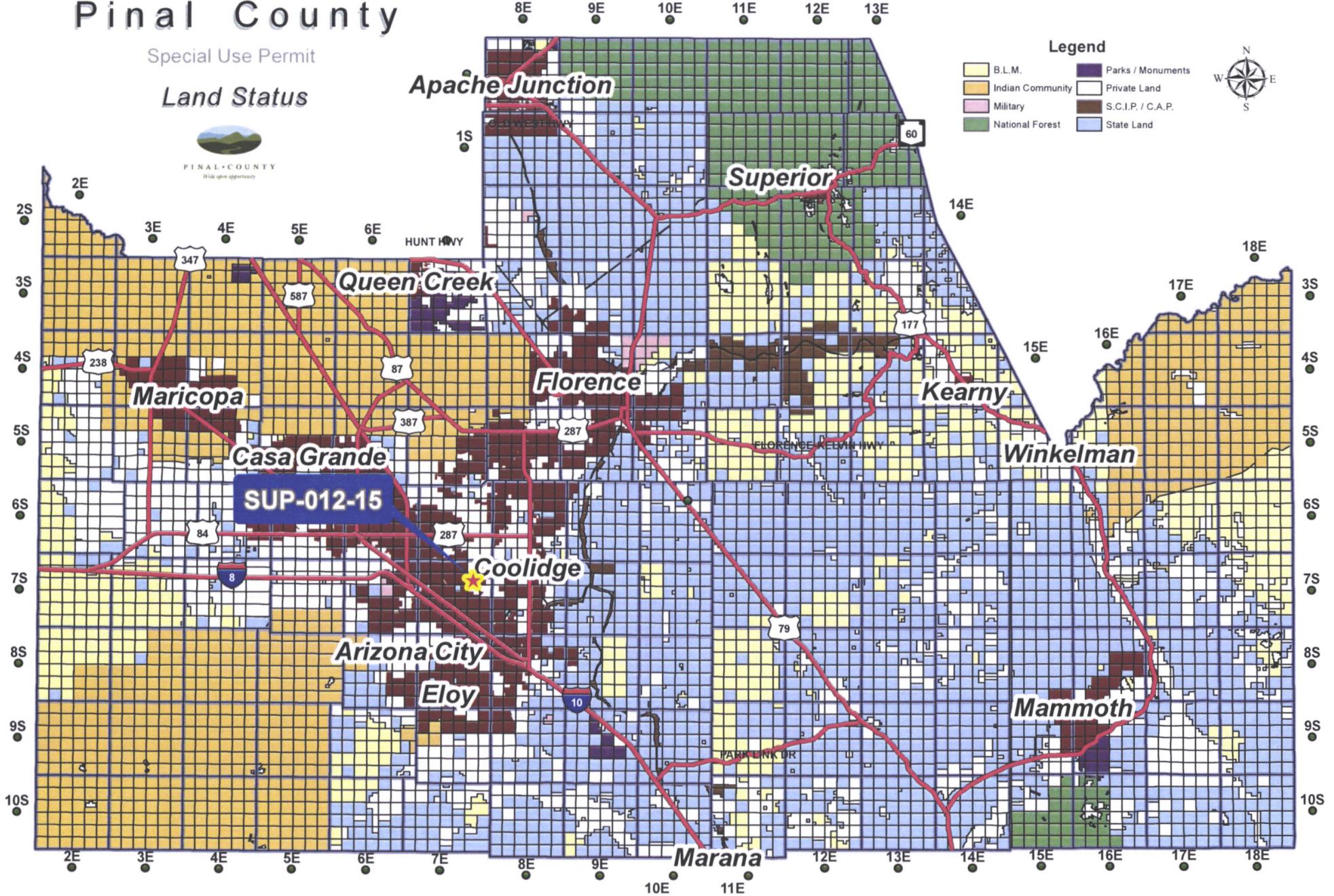
# Pinal County

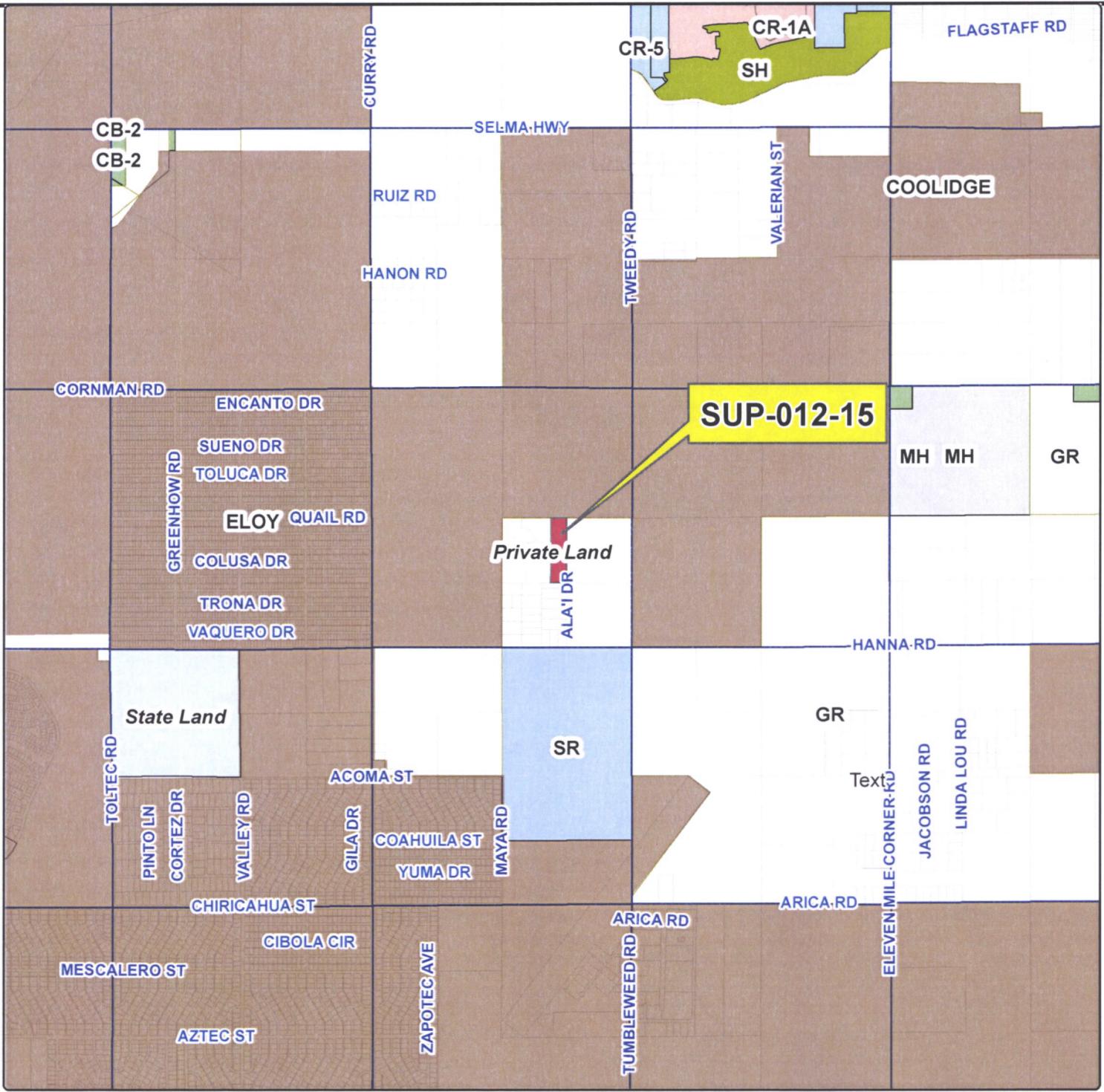
Special Use Permit

## Land Status



PINAL COUNTY  
With open opportunity





**Special Use Permit**  
**Community Development**



PINAL COUNTY  
*Wide open opportunity*

DESERT ROSA BAHAI INSTITUTE INC

**Legal Description:**

Situated in a portion of the Section 11, T07S-R07E, G4SR8&M, Parcel 402-12-003A, (legal on file) (located at the NWC of William Sears Dr and the Ala'i Dr alignment in the Eloy area.)

T07S-R07E Sec11



DESERT ROSA BAHAI INSTITUTE INC

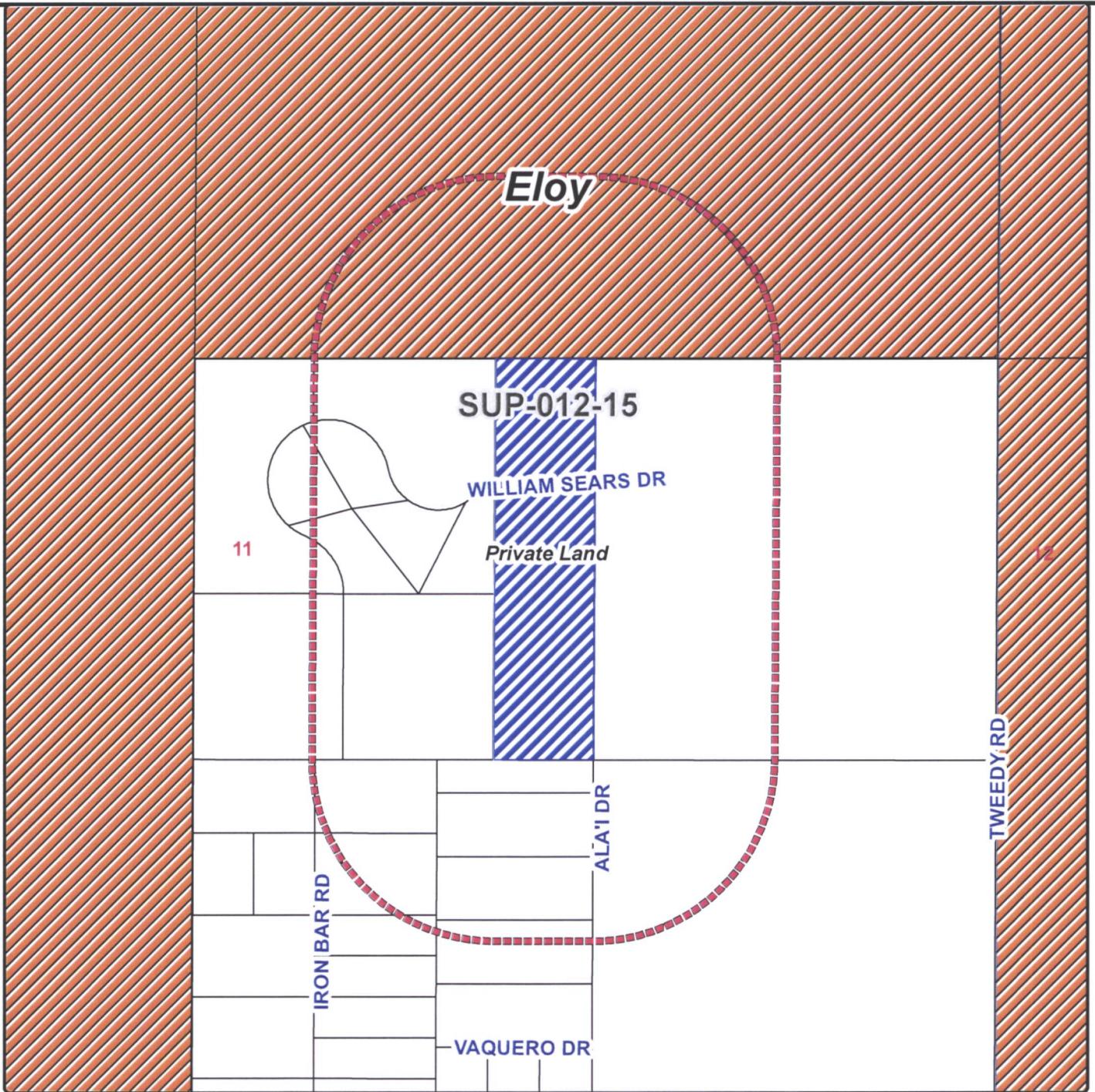
Drawn By: GIS / JT / LJT Date: 11/09/2015

Sheet No.

1 of 1

Sections 11 Township 07S Range 07E

Case Number: SUP-012-15



**Special Use Permit**

SUP-012-15 – PUBLIC HEARING/ACTION: Desert Rose Baha'i Institute landowner, Virginia Healy, agent, requesting approval of a Special Use Permit to construct and operate a 100 foot' wireless communication tower on a portion of a 10.07± acre parcel in the General Rural (GR) zone; situated in a portion of the SE¼ of Section 11, T07S, R07E G&SRB&M, tax parcels 402-12-003A (legal on file) (located at the NWC of William Sears Dr and the Ala'i Dr alignment in the Eloy area.)

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



**Legal Description:**

Situated in a portion of Section 11, T07S, R07E, G&SRB&M, Parcel 402-12-003A (legal on file) located at the NWC of William Sears Dr and the Ala'i Dr alignment in the Eloy area.

T07S-R07E Sec 11



Owner/Applicant:  
 DESERT ROSA BAHAI INSTITUTE INC

Drawn By: GB / JT / LJT Date: 11/08/2015

Sheet No.  
 1 of 1

Sections: 11 Township: 07S Range: 07E

Case Number: SUP-012-15



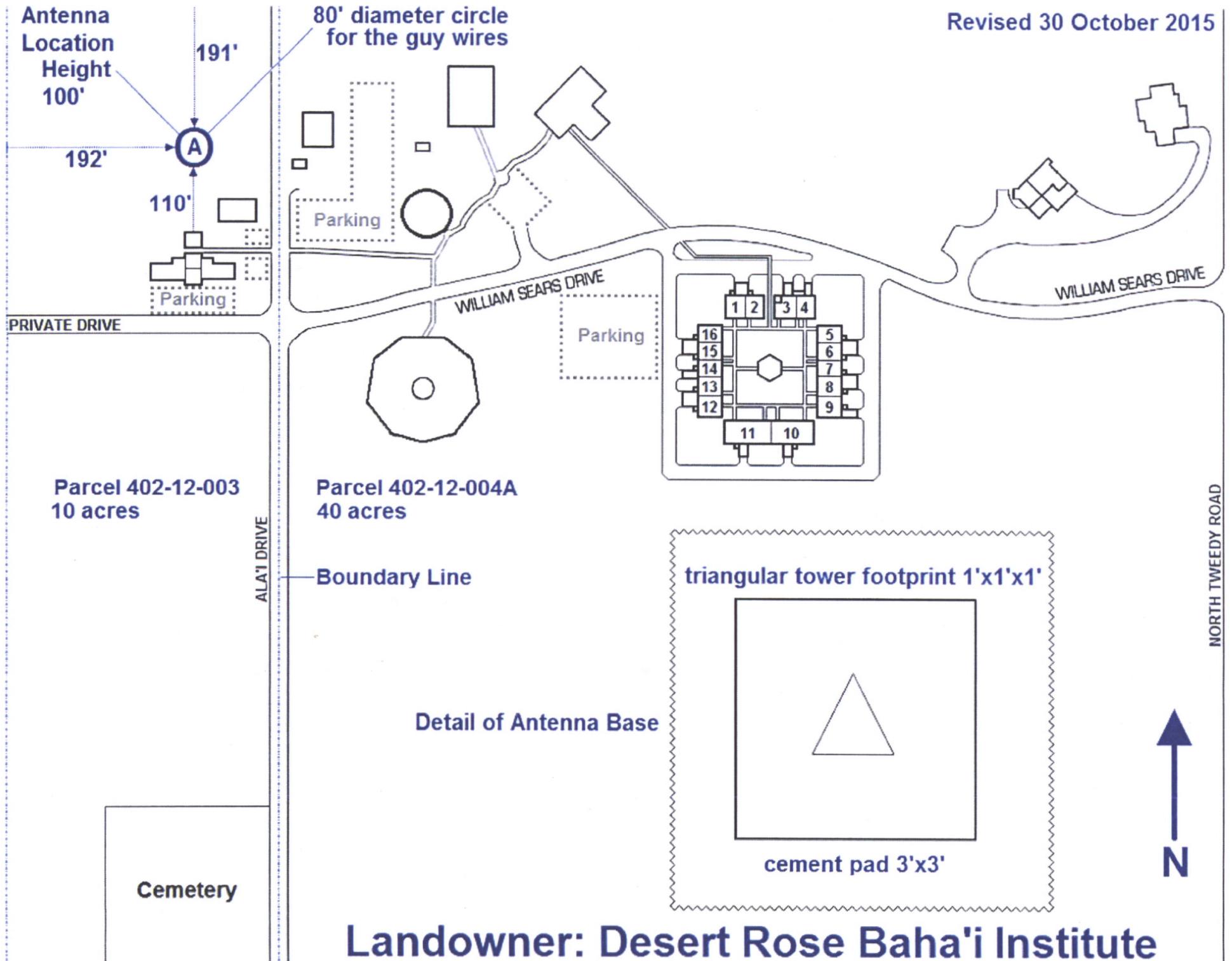
**SUP-012-15**

## *Special Use Permit*



**PINAL COUNTY**  
*Wide open opportunity*

**SUP-012-15**



Landowner: Desert Rose Baha'i Institute

## FINDINGS:

## Site data:

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

Access: The site is accessed from William Sears Dr.

## PUBLIC PARTICIPATION:

Neighborhood Meeting:	April 14, 2015
Neighborhood and agency mail out:	November 13, 2015
News paper Advertising:	Week of November 23, 2015
Site posting: Applicant:	September 10, 2015
Site posting: County:	November 30, 2015

**HISTORY:** The subject property is zoned GR and has been developed with a church and clubhouse. In 2002 a Special Use permit was granted to allow a private cemetery.

**ANALYSIS:** The applicant is requesting a Special Use Permit to construct and operate a 100 foot FM Radio tower. The subject property is located just outside of Eloy and is accessed via William Sears Drive.

The tower is designed as a 100 foot guyed lattice tower on a cement pad. Staff feels that the visual impact of the tower to the area is negligible. The tower will be set back more than 100feet from all existing structures and property boundaries.

The subject property is within the Eloy Planning Area and is designated "Estate Density Residential (0.2 to 1.0du/ac)". As of the writing of this staff report, no comments have been received from the City.

The SUP the Commission is considering is for a 100 foot wireless communication facility. 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, no letters in support or in opposition have been received regarding the requested special use permit.

The **Pinal County Department of Public Works** department reviewed the proposal and 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"

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-012-15**. 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, Desert Rose Baha'i Institute, 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, no letters in support or in opposition have been received.
3. The site is accessed from William Sears 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:**

After a detailed review of the request, Pinal County Comprehensive Plan, and the PCDCS, Staff recommends approval of this request.

However, in addition to staff recommendations, 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-012-15** 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 permit is issued to Desert Rose Baha'i Institute, not to the land;
- 2) the permit is issued for twenty (20) years from date of the Board of Supervisors approval;
- 3) the layout, design and set up of the 100 foot guyed lattice wireless communication facility shall be as shown and set forth on the applicant's submittal documents and site plan and shall be an unmanned telecommunication facility;
- 4) submit a R.F. Engineer's certification that radiation meets FCC requirements;
- 5) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 6) the applicant shall keep the area free of trash, litter and debris;
- 7) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 8) 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; and
- 9) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.

Date Prepared: 12/8/2015  
Revised:

APPLICATION TO ERECT TOWER  
FOR  
LOW POWER FM RADIO  
AT  
DESERT ROSE BAHA'I INSTITUTE  
CASE NO: Z-PA-013-15  
CASE NO: SUP-012-15  
REVISED 30 OCTOBER 2015

#### PURPOSE OF REQUEST:

The FCC on 10 July 2014 issued Desert Rose Baha'i Institute a Low Power FM Broadcast Station Construction Permit for a 100 foot tower and 10 watts. Construction must be completed within 18 months of that date. The FAA gave its approval.

#### NATURE OF PROJECT:

Desert Rose Baha'i Institute envisions KURE-LP 106.1 FM (Unity Radio Eloy) as a tool for improving the quality of life in Eloy by:

- promoting Eloy businesses and events
- employment opportunities
- services available to residents
- a way for community groups (including government agencies) to communicate with residents
- an outlet for the creative talents of the community members
- youth music and poetry
- hands-on training for youth on how to run a radio station

#### PROPOSED LAND USE:

Erection of a 100 ft guyed lattice triangular tower on a 3 ft x 3 ft cement pad. Each side of the triangular lattice tower is 12 inches. It will be guyed at 30, 60, and 90 feet with the outer circumference 80 feet from base of tower. Guy wires will be spaced 120 degrees apart. FCC/FAA regulations require a light on towers over 200 ft; as this tower is 100 ft, there will be no light.

#### SPECIAL CIRCUMSTANCES OR CONDITIONS:

- Tower Collapse: In the unlikely event the guyed triangular lattice tower should collapse, it is more than 100 feet from all property lines and buildings.

#### IMPACT ON

- TRAFFIC: None
- NEARBY PROPERTIES: None
- HEALTH & SAFETY: None

#### LOCATION:

On the North side of the Guffey Center, 2036 W. William Sears Dr, Eloy 85131.

Antenna Coordinates – FCC Approved (Tower B on Map):

- North Latitude: 32 deg 49 min 42 sec
- West Longitude: 111 deg 35 min 17 sec
-

## ACCESSIBILITY

Accessible from W. William Sears Drive and S. 'Ala'i Drive, Eloy

## UTILITIES & SERVICES

Antenna will require transmission line from Guffey Center to tower. Electricity is provided by Hohokam Irrigation & Drainage District in Coolidge. Desert Rose Baha'i Institute is on well water and septic tanks.

## CONFORMANCE TO COMPREHENSIVE PLAN:

We anticipate no impact on the Comprehensive Plan as there will be no additional building and the footprint of the tower covers a very small area. We do, however, foresee the community radio station as a means of improving the economic development in Eloy, an impoverished area, by contributing to the betterment of the community and its citizens.

## NEIGHBORHOOD MEETING:

Notices were sent to all Parcel Owners on 30 March 2015, inviting them to a meeting on 14 April at 6:00 p.m. in the Round House at Desert Rose Baha'i Institute. The need for the tower and the concept of low-power FM community radio was explained. All questions were fully answered. Everyone present was supportive of the project.

## APPENDICES:

- A. PROPERTY DESCRIPTION;  
COMMENCING AT CENTER CORNER OF SEC 11-7S-7E, THEN EAST-994.42 FEET TO POB, THEN CONTINUING EAST- 331.47 FEET, THEN SOUTH-1324.00 FEET, THEN WEST-331.34 FEET, TH NORTH-1323.73 FEET TO POB AKA PARCEL B BOOK-9 OF SURVEYS PG 204 10.07 ACRES
- B. NEIGHBORHOOD COMMUNITY MEETING
  - a. LIST OF PROPERTY OWNERS NOTIFIED
  - b. NOTICE OF NEIGHBORHOOD COMMUNITY MEETING
  - c. MINUTES
  - d. ATTENDANCE SIGN IN SHEET
- C. ANTENNA
  - a. PHOTO OF GUFFEY CENTER LOOKING NORTH
  - b. PHOTO OF GUFFEY CENTER LOOKING SOUTH
  - c. DRAWINGS OF LATTICE TOWERS
- D. SITE MAP REVISED 30 OCTOBER 2015
- E. FEDERAL COMMUNICATIONS COMMISSION LOW POWER FM BROADCAST STATION CONSTRUCTION PERMIT, DATED 10 JULY 2014
- F. FEDERAL COMMUNICATIONS COMMISSION ANTENNA STRUCTURE REGISTRATION
- G. CASA GRANDE DISPATCH, PUBLIC NOTICE/CONSTRUCTION OF A NEW 100 FOOT TOWER

DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX A

A. PROPERTY DESCRIPTION                      PARCEL NO. 402-12-003A  
COMMENCING AT CENTER CORNER OF SEC 11-7S-7E,  
THEN EAST-994.42 FEET TO POB,  
THEN CONTINUING EAST- 331.47 FEET,  
THEN SOUTH-1324.00 FEET,  
THEN WEST-331.34 FEET,  
TH NORTH-1323.73 FEET TO POB  
AKA PARCEL B BOOK-9 OF SURVEYS PG 204 10.07 ACRES

*Z-PA-013-15*

**DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15**

**APPENDIX B**

1200' LIST

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 600 feet of the subject parcel boundary.

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

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

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

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

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

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

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

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

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

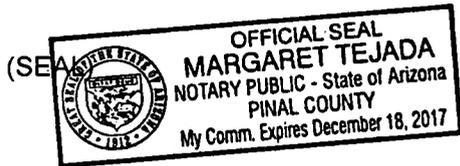
Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

I hereby verify that the name list above was obtained on the 25<sup>th</sup> day of Mar, 2015, at the office of PINAL ASSESSORS and is accurate and complete to the best of my knowledge.

Virginia Healy  
Signature \_\_\_\_\_

14<sup>th</sup> Sept 2015  
Date \_\_\_\_\_

Acknowledged before me by Virginia Healy, on this 14<sup>th</sup> day off September, 2015.



Margaret Tejada  
Signature of Notary Public \_\_\_\_\_

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

# Property Ownership List

Parcel No 402-12-006C  
 Name Fouad & Linda Bahai  
 Address PO Box 187  
 City/State/Zip Angier, NC 27501

Parcel No 402-12-600T  
 Parcel No 402-12-006D  
 Name Taraz Earle Buck  
 Address PO Box 8183  
 City/State/Zip Pittsburgh, PA 15217

Parcel No 402-12-006M  
 Name Lucinda Alinikoff  
 Address PO Box 211  
 City/State/Zip Hendersonville, TN 37077

Parcel No 402-12-006R  
 Name Richard & Nancy Sloman  
 Address 6105 Iron Bar Road  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-006S  
 Parcel No 402-12-003M  
 Name Ladjamaya Green  
 Address 6056 S. Ala'i Drive  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-006U  
 Name Firuz Labib  
 Address 511 Canon Avenue  
 City/State/Zip Manitou Springs, CO 80829

Parcel No 402-12-006V  
 Name Takur George Buck  
 Address PO Box 8183  
 City/State/Zip Pittsburgh, PA 15217

Parcel No 402-12-006W  
 Name David & Bonnie Williams  
 Address 6317 S Iron Bar Road  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005C  
 Name Miguel Antonio Bran  
 Address 1102 N Sunshine Blvd  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005D  
 Name Kenneth & Joyce Kleikamp  
 Address 2040 W Vaquero Drive  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005E  
 Name Bettie L Johnston  
 Address 6370 S Ala'i Drive  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005F  
 Name Glenn & Mary O'Neal  
 Address 2088 W. Hanna Road  
 City/State/Zip Eloy, AZ 85131

Parcel No 402-12-003E  
 Name Cosby Steele Rogers  
 Address 500 Durant St, Apt 204  
 City/State/Zip Chapel Hill, NC 27517

Parcel No 402-12-003F  
 Name B.W. Jordy & Mary Walker  
 Address "Rose Cottage" 3 Kilderry Dr  
 City/State/Zip Smiths FL 02 Bermuda

Parcel No 402-12-005G  
 Name Nancy E Barnes  
 Name Patricia A Fleming  
 Address 2148 W Hanna Road  
 City/State/Zip Eloy, AZ 851361

Parcel No 402-12-003D  
 Name Nika Ramzi  
 Name Nassrin Tavakoli  
 Address 10105 E Via Linda, Ste 103-147  
 City/State/Zip Scottsdale, AZ 85258

Z-PA-013-15

Parcel No 402-12-006X  
Parcel No 402-12-006Y  
Name Gerald & Virginia Healy  
Address 2390 Branded Trail  
City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005A  
Name Oliver & Carol Krein  
Address 4241 Warwick Drive  
City/State/Zip Anchorage, AK 99508

Parcel No 402-12-003G  
Name Mansoor Derakhshan  
Address 1001 Monroe Street  
City/State/Zip Herndon, VA 20170

Parcel No 402-12-003J  
Name Mark Lutness  
Address 2309 W. William Sears Drive  
City/State/Zip Eloy, AZ 85131

Parcel No 402-12-006H  
Name Susan Chen Trust  
Address PO Box 201164  
City/State/Zip Austin, TX 78720

Parcel No 402-12-005A  
Name Kathryn Toussaint  
Address 3145 E. Chandler Blvd  
Ste 110, #324  
City/State/Zip Phoenix, AZ 85048

Parcel No 402-12-003K  
Name Jose M & Sharon J Fierro  
Address 14519 W. Hillside Street  
City/State/Zip Goodyear, AZ 85395

Parcel No 402-12-003L  
Name Federick K. Kash  
Address 4304 Clipstone Place  
City/State/Zip College Station, TX 77845

Parcel No 402-12-003N  
Name Bahram Goharriz  
Address 5121 W Salerno Drive  
City/State/Zip Tucson AZ 85745

Parcel No 402-12-0010

Parcel No 402-12-0020

Parcel No 402-25-0030

Parcel No 402-25-0010

Parcel No 402-25-0020

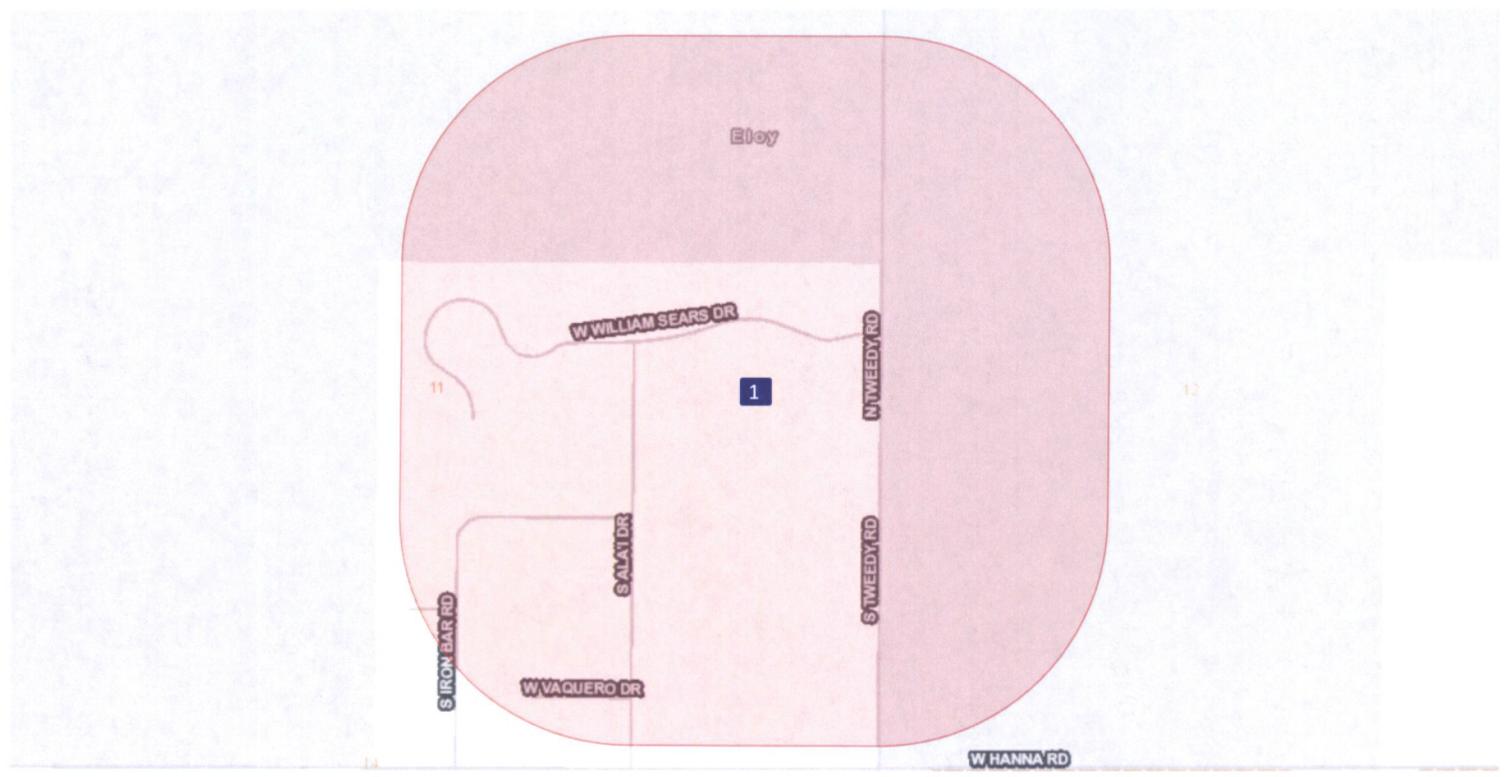
Name Phoenix-Tucson Ranch LLC  
Address 8711 E Pinnacle Peak Road  
# F110

City/State/Zip Scottsdale, AZ 85255

Z-PA-013-15



# Pinal County Web Map



Scale 1:10,000  
111° 30' 04" W 127° 49' 53" S

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



402-12-003A  
~~004A~~  
402-12-004A

Z-PA-D13-15



Desert Rose Bahá'í Institute  
1950 W. William Sears Drive  
Eloy, AZ 85131-1129

Phone: 520-466-7961  
E-mail: [Info@drbi.com](mailto:Info@drbi.com)

Fax: 520-466-7984  
Website: [www.drbi.org](http://www.drbi.org)

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**DATE:** 30 March 2015

**YOU ARE INVITED TO A NEIGHBORHOOD MEETING**

**TO DISCUSS:** *Proposed Special Use Permit in unincorporated Pinal County*

**WHEN:** *Tuesday, 14 April 2015 at 6:00 p.m.*

**WHERE:** *Desert Rose Baha'i Institute (Round House), 1950 W. William Sears Drive, Eloy, AZ 85131*

**TOPIC:** *Low Power FM Community Radio,*

- *1950 W. William Sears Drive, Eloy, AZ. Nearest cross streets are Tweedy Road, Hanna Road, and 'Ala'i Drive.*
- *Parcel No. 402-12-004A*
- *Zoning: General Rural*
- *Erection of 100 ft. lattice tower with LPFM Radio transmitter.*

Desert Rose Baha'i Institute will be holding a neighborhood meeting prior to applying for a County permit to answer any questions or concerns that you may have about this proposed special use permit. The purpose of the meeting is to inform neighboring property owners about the nature of the proposal and to seek comments. The FCC has granted Desert Rose Baha'i Institute a Low Power FM Broadcast Station Construction Permit.

Please note this meeting will be an informational meeting on the preliminary development plans. These plans may be altered prior to submittal of the application to the County. Depending upon the type of special use permit action required, you may receive official notice from the Pinal County for you to either participate with written comments and/or an opportunity to attend a public hearing.

If you have any questions, please use the contact information below. We look forward to seeing you there.

**SPONSORED BY:** Desert Rose Baha'i Institute, Inc.

**CONTACT:** Virginia Healy, Business Manager  
520-466-7961 (office); 760-612-6688 (cell)

*Z - PA - 013 - 15*

**April 14, 2015**  
**Minutes/Notes from**  
**Neighborhood Meeting regarding**  
**Permit for Low-Power FM Radio Station Antenna**

Desert Rose Baha'i Institute  
1950 W. William Sears Drive  
Eloy, AZ 85131  
520-466-7961

Per instructions neighborhood community meeting notices were sent to parcel holders in a 1200 foot radius of the property lines of Desert Rose Baha'i Institute (DRBI), Parcels No. 402-12-003A and 402-12-004A. Twenty-six letters were mailed to addresses provided in Pinal County's website parcel search information, including one to the Bahamas. One letter (Susan Chen Trust) was returned as unable to forward.

Sign-in sheets were provided with name, address and parcel numbers provided with lines for telephone number and signature.

Meeting was started at 6:09pm

Virginia Healy, Business Manager at DRBI presided.

Mary O'Neal, member of Management Team took minutes of the meeting.

Seven people were in attendance of this informational meeting regarding the permit to erect towers and antenna for a low-power FM station at Desert Rose Baha'i Institute to be located at 106.1 FM. The FCC has granted Desert Rose a permit to erect a tower. The process for the FCC included the FAA as the Eloy Airport is close to Desert Rose. The FAA had no objections. The FAA does not require a light but DRBI will probably have some type of light on the antenna as we have low flying crop duster aircraft during part of the growing season. DRBI sees this as a prudent measure to keep everyone safe and the station on the air. The FCC permit was granted July 10, 2014. We have until January 10, 2016, to have the tower erected. We will then get our "call" letters so we can begin broadcasting. We will start with the minimum requirements of 6 hours per day, 6 days per week.

Desert Rose is zoned general rural and a permit is required no matter the height of the tower and antenna. As part of the permit process we have provided the Pinal County Planning and Development with a pre-permit application. The neighborhood community meeting is part of the final permit application. The final permit will go to the Planning & Development Board and then to the Board of Supervisors for a Public Hearing. DRBI is required to erect signage as to when the Public Hearing will be held. It is possible you will also be hearing from the Planning & Development folks regarding the Public Hearing at the Board of Supervisors. This gives everyone a chance to voice their opinion.

A DRBI property site map was used to show where the tower will be erected. At this time it is most economical to use the Seminar Room at the Guffey Center for the radio studio. The 100 foot tower will be behind the Seminar Room and will be the 100 foot tower. There is approximately 150 feet to property lines for this tower. Should the tower collapse, it would not fall on another's property. The

*Z-PA-013-15*

100 foot tower with a 10 watt antenna will allow us to reach an approximately 10 mile radius depending on what might be in the way. Flat land might go farther while hilly/mountainous areas would be less.

The towers is triangular lattice style tower. We own the towers to be used. It will be erected on a concrete pad; the size, depth, etc. will be determined by an expert/engineer. The guy wires will be well marked as required. Height of the tower determines the area to be used for the guy wires.

This community station will be to support Eloy and the surrounding area. We would like the call letters KURE which would be K- required as we are west of the Mississippi Unity Radio Eloy. At this time the FCC has NOT granted us any type of call letters as we have not yet applied for them. .

There were no questions from the attendees regarding the tower/antenna process.

Meeting was closed at 6:35pm

Z-PA-013-15

Name & Address	Phone Number	Parcel Numbers	Please Sign-in
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Oliver & Carol Krein  
4241 Warwick Drive  
Anchorage, AK 99508

402-12-005A

Miguel Antonio Bran  
1102 N Sunshine Blvd  
Eloy, AZ 85131

402-12-005C

480-227-6963

Miguel Bran

Kenneth & Joyce Kleikamp  
2040 W Vaquero Drive  
Eloy, AZ 85131

402-12-005D

520-280-4632

Joyce Fuller Kleikamp  
K. Kleikamp

Bettie L Johnston  
6370 S Ala'i Drive  
Eloy, AZ 85131

402-12-005E

Glenn & Mary O'Neal  
2088 W. Hanna Road  
Eloy, AZ 85131

402-12-005F

520-705-4838

Mary O'Neal

Nancy E Barnes  
Patricia A Fleming  
2148 W Hanna Road  
Eloy, AZ 851361

402-12-005G

Nika Ramzi  
Nassrin Tavakoli  
10105 E Via Linda, Ste 103-147  
Scottsdale, AZ 85258

402-12-003D

Cosby Steele Rogers  
500 Durant St, Apt 204  
Chapel Hill, NC 27517

402-12-003E

Z-PA-093-15

Name & Address	Phone Number	Parcel Numbers	Please Sign-in
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Fouad & Linda Bahai PO Box 187 Angier, NC 27501		402-12-006C	<hr/>
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Taraz Earle Buck PO Box 8183 Pittsburgh, PA 15217		402-12-006D 402-12-600T	<hr/>
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Lucinda Alinikoff PO Box 211 Hendersonville, TN 37077		402-12-006M	<hr/>
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Richard & Nancy Sloman 6105 Iron Bar Road Eloy, AZ 85131		402-12-006R	<hr/>
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Ladjamaya Green 6056 S. Ala'i Drive Eloy, AZ 85131	<u>303-514-4381</u>	402-12-006S 402-12-003M	<hr/> <i>[Signature]</i>
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Firuz Labib 511 Canon Avenue Manitou Springs, CO 80829		402-12-006U	<hr/>
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Takur George Buck PO Box 8183 Pittsburgh, PA 15217		402-12-006V	<hr/>
--	--	-------------	-------

David & Bonnie Williams 6317 S Iron Bar Road Eloy, AZ 85131		402-12-006W	<hr/>
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Gerald & Virginia Healy 2390 Branded Trail Eloy, AZ 85131	<u>7604026688</u>	402-12-006X 402-12-006Y	<hr/> <i>[Signature]</i> <hr/> <i>[Signature]</i>
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Z-PA-013-15

Name & Address	Phone Number	Parcel Numbers	Please Sign-in
-------------------	-----------------	-------------------	----------------

Mansoor Derakhshan  
1001 Monroe Street  
Herndon, VA 20170

402-12-003G

Mark Lutness  
2309 W. William Sears Drive  
Eloy, AZ 85131

402-12-003J

Jose M & Sharon J Fierro  
14519 W. Hillside Street  
Goodyear, AZ 85395

402-12-003K

Federick K. Kash  
4304 Clipstone Place  
College Station, TX 77845

402-12-003L

Bahram Goharriz  
5121 W Salerno Drive  
Tucson AZ 85745

402-12-003N

Susan Chen Trust  
PO Box 201164  
Austin, TX 78720

402-12-006H

*MAIL RETURNED / UNDELIVERABLE*

B.W. Jordy & Mary Walker  
"Rose Cottage"  
3 Kilderry Drive  
Smiths FL O2  
Bermuda

402-12-003F

Kathryn Toussaint  
3145 E Chandler Blvd  
Ste 110, #324  
Phoenix, AZ 85048

402-12-005A

Phoenix-Tucson Ranch LLC  
8711 E Pinnacle Peak Road  
# F110  
Scottsdale, AZ 85255

402-12-0010

402-12-0020

402-25-0030

402-25-0010

402-25-0020

*Z - PA - 013 - 15*



DRBI info &lt;info@drbi.org&gt;

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**Radio tower**

2 messages

**Robert Rogers** <oldbob.rogers@gmail.com>

Wed, Apr 8, 2015 at 6:59 AM

To: "info@drbi.org info" &lt;info@drbi.org&gt;

Cc: cosby rogers &lt;rogersco@vt.edu&gt;

Hello Ginny - hope all is well at Desert Rose!

We received the letter regarding the proposed 100' tower for the LPFM Radio transmitter. Cosby and I will be unable to be at the neighborhood meeting on April 14, but we are generally in support of the project. Since our 5 acres borders Desert Rose and I assume the tower would be built in the vicinity of the maintenance area, we would like to see a drawing which shows the location of the tower. Will there be a light on the tower?

Thanks and best regards.

Bob

---

**DRBI info** <info@drbi.org>

Thu, Apr 9, 2015 at 9:38 AM

To: Robert Rogers &lt;oldbob.rogers@gmail.com&gt;

Bob, Mark is redoing the map for me. However, we're going to propose a 60 ft tower initially to get us on the air. It will be located behind the sheds/storage. As we are converting the Seminar Room into the radio studio, we want to move the tower 230 ft and erect a 100 ft tower by the Guffey Center and will apply to the FCC for permission to move the tower. Having the tower in our initial location results in a big loss of signal strength as we'll have to run the cabling from the Seminar Room to the tower. The is a three-sided lattice tower.

Ginny

[Quoted text hidden]

--

Virginia (Ginny) Healy

Business Manager

Desert Rose Baha'i Institute

office: 520-466-7961

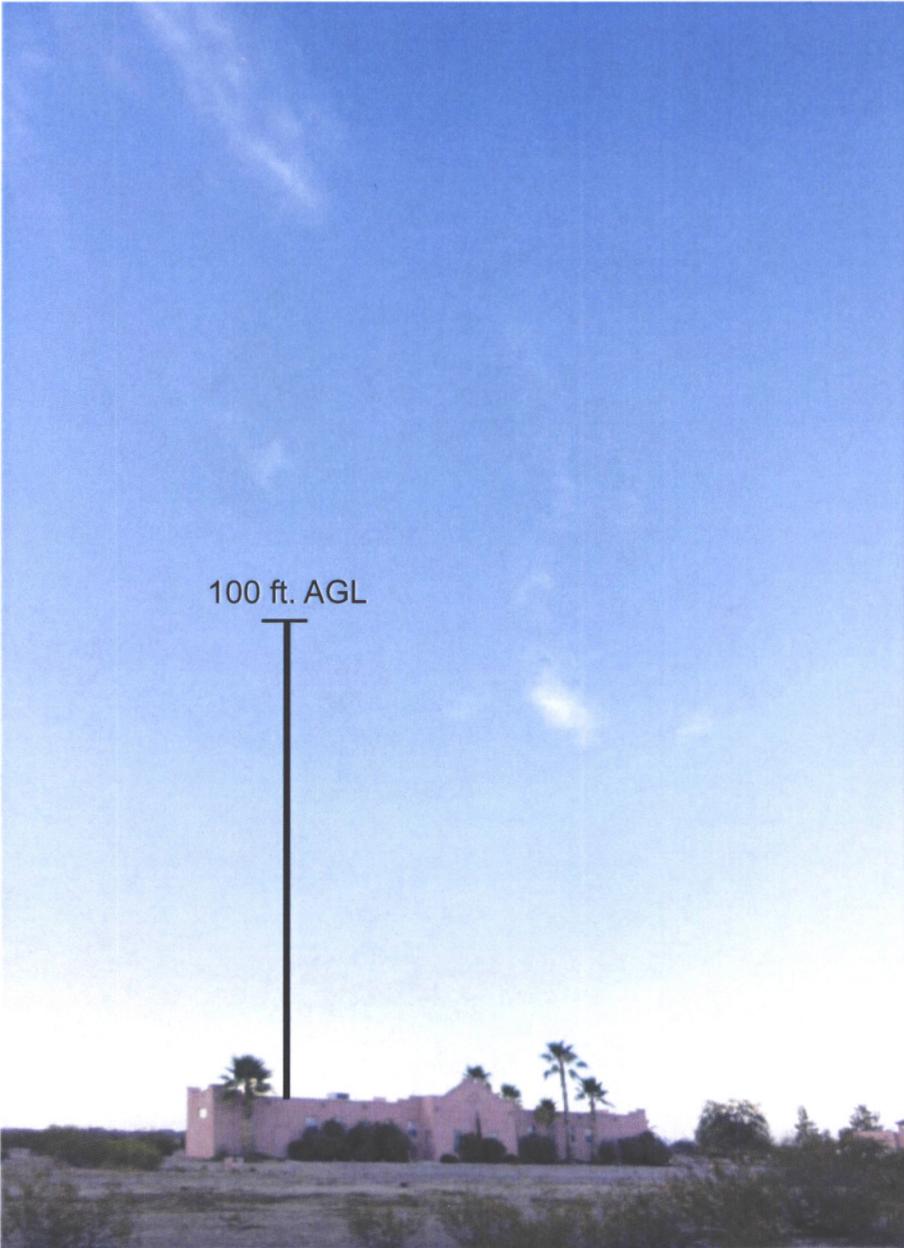
cell: 760-612-6688

Z-PA-013-15

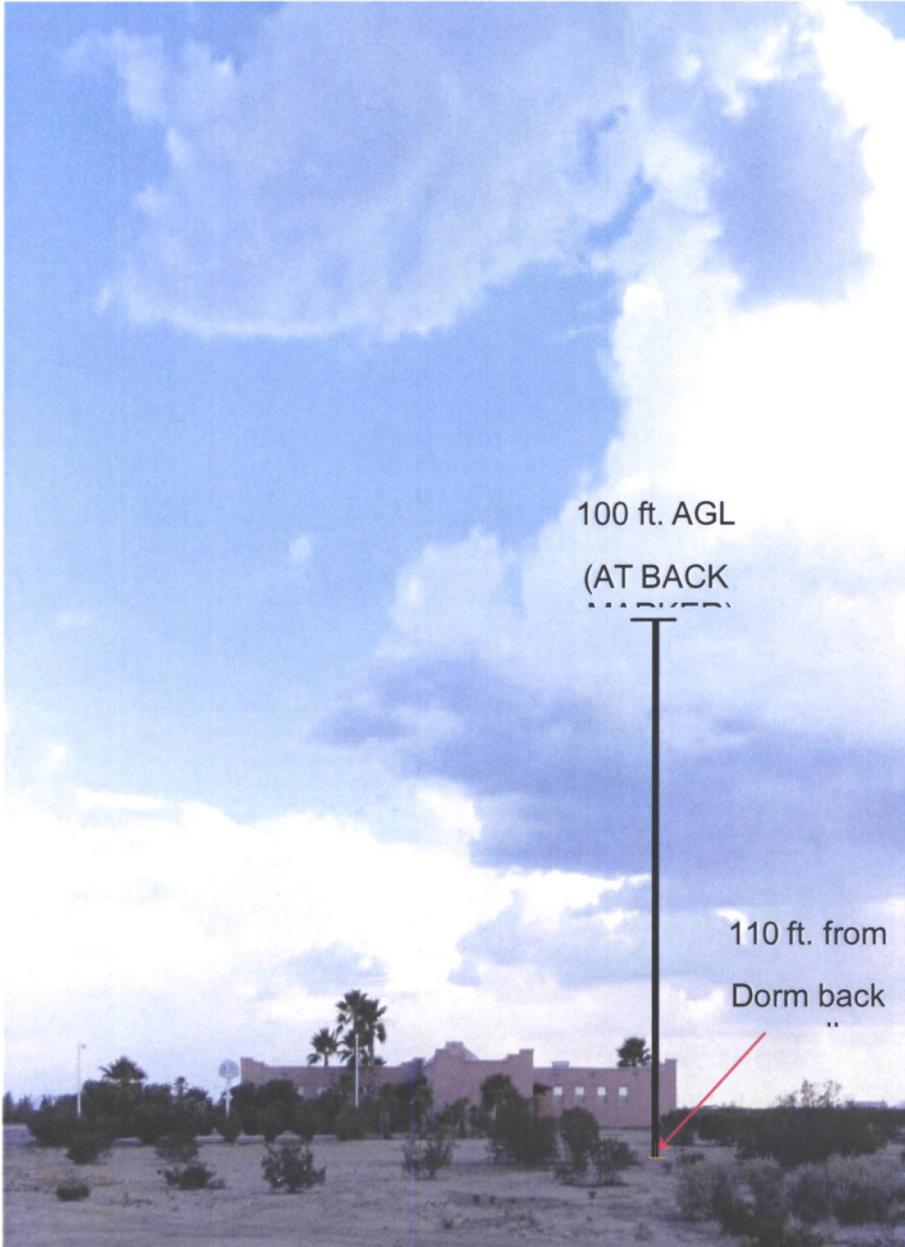
DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX C

LOOKING NORTH



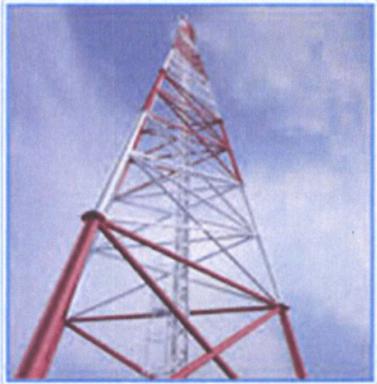
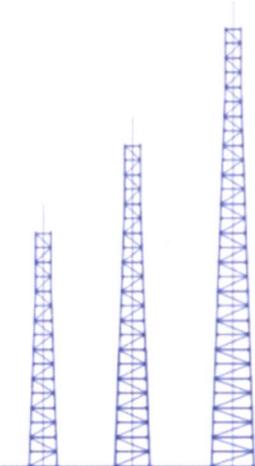
Z-PA-013-15



LOOKING SOUTH

Z-PA-013-15

LATTICE TOWERS



Z-PA-013-15

DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX D

Antenna  
Location  
Height  
100'

191'

80' diameter circle  
for the guy wires

192'

110'

PRIVATE DRIVE

Parking

Parking

WILLIAM SEARS DRIVE

Parking

WILLIAM SEARS DRIVE

Parcel 402-12-003  
10 acres

Parcel 402-12-004A  
40 acres

ALAY DRIVE

Boundary Line

triangular tower footprint 1'x1'x1'

Detail of Antenna Base

cement pad 3'x3'

NORTH TWEEDY ROAD



Cemetery

Landowner: Desert Rose Baha'i Institute

A. PROPERTY DESCRIPTION                      PARCEL NO. 402-12-003A  
COMMENCING AT CENTER CORNER OF SEC 11-7S-7E,  
THEN EAST-994.42 FEET TO POB,  
THEN CONTINUING EAST- 331.47 FEET,  
THEN SOUTH-1324.00 FEET,  
THEN WEST-331.34 FEET,  
TH NORTH-1323.73 FEET TO POB  
AKA PARCEL B BOOK-9 OF SURVEYS PG 204 10.07 ACRES

Z-PA-013-15

DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX E DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX E



United States of America  
**FEDERAL COMMUNICATIONS COMMISSION**  
**LOW POWER FM BROADCAST STATION**  
**CONSTRUCTION PERMIT**

Official Mailing Address:

DESERT ROSE BAHAI INSTITUTE, INC.  
 1950 W. WILLIAM SEARS DR.  
 ELOY AZ 85131

Authorizing Official:

James D. Bradshaw

Deputy Chief  
 Audio Division  
 Media Bureau

Facility ID: 192913

Call Sign: NEW

Permit File Number: BNPL-20131028ANO

Grant Date: **JUL 10 2014**

This permit expires 3:00 a.m. local time, 18 months after the grant date specified above.

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be made only in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules. See Section 73.875.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: DESERT ROSE BAHAI INSTITUTE, INC.

Station Location: AZ-ELOY

Frequency (MHz): 106.1

Channel: 291

Class: LP100

Hours of Operation: Unlimited

*Z-PA-013-15*

Callsign: NEW

Permit No.: BNPL-20131028ANO

Transmitter: Type Certified. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to operate within authorized range of effective radiated power.

Antenna type: Non-Directional

Antenna Coordinates: North Latitude: 32 deg 49 min 42 sec

West Longitude: 111 deg 35 min 17 sec

Maximum Effective radiated power in the Horizontal Plane (watts): 96

Minimum Effective radiated power in the Horizontal Plane (watts): 49

Height of radiation center above ground (Meters): 30

Height of radiation center above mean sea level (Meters): 485

Height of radiation center above average terrain (Meters): 30

Antenna structure registration number: 1292341

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 This application is being granted prior to the completion of the international notification process. Therefore, any construction of and operation with the facilities specified herein is at applicant's own risk and subject to modification, suspension or termination without right to hearing, if objected to by the Instituto Federal de Telecomunicaciones ("IFT") in Mexico or if found by the Commission or the IFT to be necessary in order to conform to the 1992 USA-Mexico FM Broadcasting Agreement. This condition will be removed if formal acceptance of the facilities granted herein is received from IFT.
- 2 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

\*\*\* END OF AUTHORIZATION \*\*\*

Z-PA-013-15

**DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15**

**APPENDIX F**



**UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
ANTENNA STRUCTURE REGISTRATION**



OWNER: DESERT ROSE BAHA'I INSTITUTE, INC.

FCC Registration Number (FRN): 0023067085

ATTN: MS. VIRGINIA HEALY DESERT ROSE BAHA'I INSTITUTE, INC. 1950 W. WILLIAM SEARS DR. ELOY, AZ 85131	<b>Antenna Structure Registration Number</b>  1292341						
	<b>Issue Date</b> 07-09-2014						
<b>Location of Antenna Structure</b> 1950 W. William Sears Dr. Eloy, AZ  <b>County:</b> PINAL	<b>Ground Elevation (AMSL)</b>  454.5 meters						
	<b>Overall Height Above Ground (AGL)</b>  30.5 meters						
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><b>Latitude</b></td> <td style="text-align: center;"><b>Longitude</b></td> <td style="text-align: center;"><b>NAD83</b></td> </tr> <tr> <td style="text-align: center;">32-49-41.9 N</td> <td style="text-align: center;">111-35-19.8 W</td> <td></td> </tr> </table>	<b>Latitude</b>	<b>Longitude</b>	<b>NAD83</b>	32-49-41.9 N	111-35-19.8 W		<b>Overall Height Above Mean Sea Level (AMSL)</b>  485.0 meters
<b>Latitude</b>	<b>Longitude</b>	<b>NAD83</b>					
32-49-41.9 N	111-35-19.8 W						
<b>Center of Array Coordinates</b>  N/A	<b>Type of Structure</b> LTOWER Lattice Tower						
<b>Painting and Lighting Requirements:</b> NONE							
<b>Conditions:</b>							

This registration is effective upon completion of the described antenna structure and notification to the Commission. **YOU MUST NOTIFY THE COMMISSION WITHIN 24 HOURS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854.** To file electronically, connect to the antenna structure registration system by pointing your web browser to <http://wireless.fcc.gov/antenna>. Electronic filing is recommended. You may also file manually by submitting a paper copy of FCC Form 854. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and *display* your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.

DESERT ROSE RADIO TOWER  
CASE NO. Z-PA-013-15

APPENDIX G

PRINTERS

INVOICE

PUBLISHERS

# Casa Grande Dispatch

Ruth A. Kramer, President  
Phone (520) 836-7461 Fax (520) 836-0343 P.O.Box 15002  
Casa Grande, Arizona 85130-5002

DESERT ROSE BAHAI INSTITUTE  
VIRGINIA HEALY  
1950 W. WILLIAM SEARS DR.  
ELOY, AZ 85131

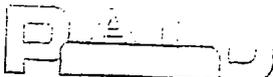
JUNE 13, 2014  
OUR ORDER NO. 48999  
CUSTOMER ORDER NO.

EQUIPMENT TO DO FINE PRINTING - CRAFTSMEN WHO DO IT

PINAL COUNTY'S LEADING NEWSPAPER

DESCRIPTION	PRICE
LEGAL PUBLICATION:	
PUBLIC NOTICE / CONSTRUCTION OF A NEW 100 FOOT TOWER	
PUBLISHED FOUR (4) TIMES 2.75 INCHES PER PUBLICATION	
2.75 INCHES @ \$8.40 PER INCH	\$ 23.10
8.25 INCHES @ \$6.40 PER INCH	\$ 52.80
	\$ 75.90
	10% DISCOUNT \$ 7.59
	\$ 68.31
	TAX 1.8% \$ 1.23
BJG	TOTAL \$ 69.54

Z-PA-013-15



**Affidavit of Publication**

STATE OF ARIZONA

COUNTY OF PINAL

} SS.

Desert Rose Baha'i Institute proposes the construction of a new 100 foot tower at Eloy, Arizona. This unit communications tower would be located at 1950 W. William Sears Dr. in Eloy. Interested persons may review the application by going to www.fcc.gov/asr/applications and entering the file number A0905529. Environmental concerns over the proposed structure may be raised by filing a Request for Environmental Review with the Federal Communications Commission. The Federal Communications Commission strongly encourages parties seeking environmental review to file their request online at www.fcc.gov/asr/environmentalrequest. Alternately, a request may be filed by paper copy to FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554. No. of publications: 4; dates of publications: May 23, 30, June 6, 13, 2014.

RUTH A. KRAMER first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Casa Grande Dispatch, a daily newspaper published at Casa Grande, Pinal County, Arizona, Tuesday through Sunday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for FOUR issues the first publication thereof having been on the

23RD day of MAY AD., 2014  
Second publication MAY 30, 2014  
Third publication JUNE 06, 2014  
Fourth publication JUNE 13, 2014  
Fifth publication \_\_\_\_\_  
Sixth publication \_\_\_\_\_

**CASA GRANDE DISPATCH**

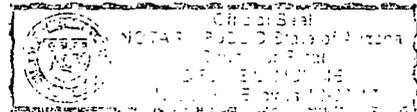
By [Signature]  
agent and/or publisher of the Casa Grande Dispatch

Sworn to before me this 16th

day of June A.D., 2014

[Signature]

Notary Public in and for the County of Pinal, State of Arizona



Z-PA-013-15



SUPPORTING INFORMATION

1. Provide information as to the use and evidence that it is in accordance with the intent of Section 2.151.010: 9% COMMUNITY RADIO WILL HELP FLOY RESIDENTS IMPROVE LIVES.
2. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public: NONE
3. What is the amount of traffic to be generated (# of trips/day, deliveries/week)? Show ingress/egress on the site plan: 4 TRIPS/DAY
4. How many parking spaces are to be provided (employees and customers)? Indicate these parking spaces on the site plan: EXISTING PARKING
5. 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
6. What type of landscaping are you proposing to screen this use from your neighbors? NONE
7. What type of signage are you proposing for the activity? Where will the signs be located? NONE
8. 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
9. 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: NO IMPACT EXCEPT VISUAL
10. Have you discussed possible conditions that may be placed on the permit with the Planning Department?  YES  NO
11. 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

600 FEET

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 600 feet of the subject parcel boundary.

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

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

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

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

ATTACHED TP: 4A  
4B  
4C

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

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

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

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

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

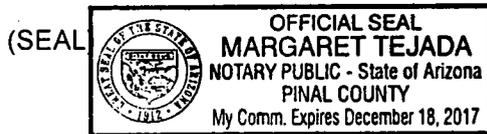
Parcel No.: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/ST/Zip: \_\_\_\_\_

I hereby verify that the name list above was obtained on the 02 day of SEPT 2015, at the office of PINAL ASSESSOR, and is accurate and complete to the best of my knowledge.

Virginia Healy  
Signature

14 Sept 2015  
Date

Acknowledged before me by Virginia Healy, on this 14th day off September, 2015.



Margaret Tejada  
Signature of Notary Public

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

# Property Ownership List

600 ft

Parcel No 402-12-006R  
Name Richard & Nancy Sloman  
Address 6105 Iron Bar Road  
City/State/Zip Eloy, AZ 85131

Parcel No 402-12-600T  
Parcel No 402-12-006D  
Name Taraz Earle Buck  
Address PO Box 8183  
City/State/Zip Pittsburgh, PA 15217

Parcel No 402-12-006S  
Parcel No 402-12-003M  
Name Ladjamaya Green  
Address 6056 S. Ala'i Drive  
City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005C  
Name Miguel Antonio Bran  
Address 1102 N Sunshine Blvd  
City/State/Zip Eloy, AZ 85131

Parcel No 402-12-005A  
Name Oliver & Carol Krein  
Address 4241 Warwick Drive  
City/State/Zip Anchorage, AK 99508

Parcel No 402-12-006H  
Name Susan Chen Trust  
Address PO Box 201164  
City/State/Zip Austin, TX 78720

Parcel No 402-12-005A  
Name Kathryn Toussaint  
Address 3145 E. Chandler Blvd  
Ste 110, #324  
City/State/Zip Phoenix, AZ 85048

Parcel No 402-12-003E  
Name Cosby Steele Rogers  
Address 500 Durant St, Apt 204  
City/State/Zip Chapel Hill, NC 27517

Parcel No 402-12-003F  
Name B.W. Jordy & Mary Walker  
Address "Rose Cottage" 3 Kilderry Dr  
City/State/Zip Smiths FL 02 Bermuda

Parcel No 402-12-003D  
Name Nika Ramzi  
Name Nassrin Tavakoli  
Address 10105 E Via Linda, Ste 103-147  
City/State/Zip Scottsdale, AZ 85258

Parcel No 402-12-003K  
Name Jose M & Sharon J Fierro  
Address 14519 W. Hillside Street  
City/State/Zip Goodyear, AZ 85395

Parcel No 402-12-003L  
Name Federick K. Kash  
Address 4304 Clipstone Place  
City/State/Zip College Station, TX 77845

Parcel No 402-12-003N  
Name Bahram Goharriz  
Address 5121 W Salerno Drive  
City/State/Zip Tucson AZ 85745

Parcel No 402-12-003G  
Name Mansoor Derakhshan  
Address 1001 Monroe Street  
City/State/Zip Herndon, VA 20170

Parcel No 402-12-003J  
Name Mark Lutness  
Address 2309 W. William Sears Drive  
City/State/Zip Eloy, AZ 85131

Z-PA-013-15

PAGE 4A

Property Ownership List

600 ft

Page 2

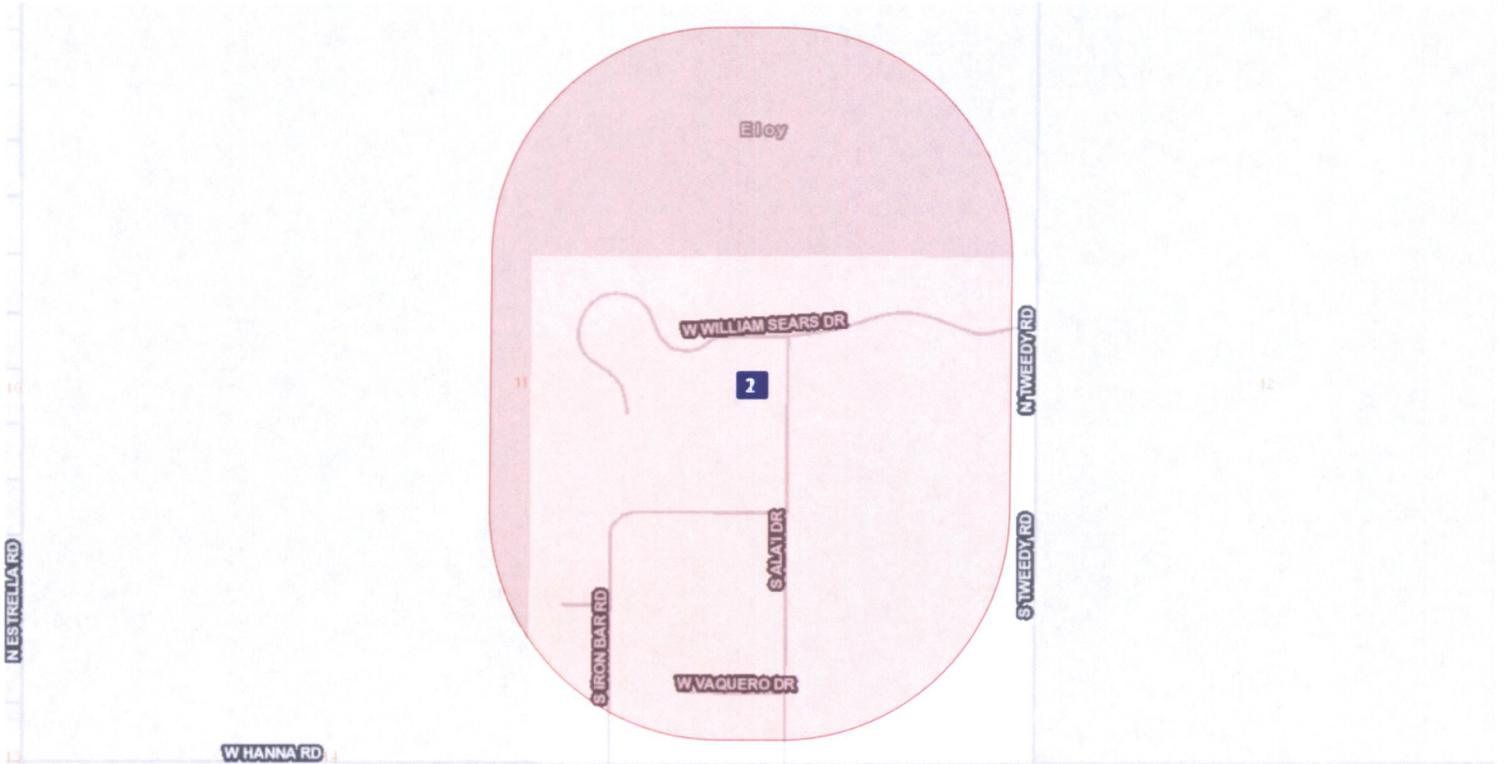
Parcel No 402-12-0010  
Parcel No 402-12-0020  
Parcel No 402-25-0030  
Parcel No 402-25-0010  
Parcel No 402-25-0020  
Name Phoenix-Tucson Ranch LLC  
Address 8711 E Pinnacle Peak Road  
# F110  
City/State/Zip Scottsdale, AZ 85255

Z-PA-013-15

PAGE 4B



# Pinal County Web Map



117° 34' 43.412" 32° 49' 51.461" Scale 1:10,021

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



402-12-003A

Z-PA-013-15

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.

DESERT ROSE BAHAI INSTITUTE 520-466-7961  
Name of Applicant Address Phone Number  
1950 W. WILLIAM SEARS DR, ELOY AZ 85131

x Marguerite J Sears info@drbi.org  
Signature of Applicant BOARD CHAIR E-Mail Address

VIRGINIA HEALY 960-612-6688  
Name of Agent/Representative Address Phone Number  
1950 W. WILLIAM SEARS DR

Virginia Healy info@drbi.org  
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.

DESERT ROSE BAHAI INSTITUTE 520-466-7961  
Name of Landowner Address Phone Number  
1950 W. WILLIAM SEARS DR, ELOY AZ 85131

x Marguerite J Sears info@drbi.org  
Signature of Landowner BOARD CHAIR 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

DESERT ROSE BAHAI INSTITUTE, INC. - (ARIZONA)  
*[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]*  
hereinafter referred to as "Owner," is/are the owner(s) of 10 acres located at

*[Insert Address of Property]*  
and further identified as assessor parcel number 2036 W. WILLIAM SEAS DRIVE 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

VIRGINIA HEALY  
*[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

*Z-PA-013-15*

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

DESERT ROSE BAHAI INSTITUTE  
[Insert Company or Trustee's Name]

By: Marguerite J. Sears  
[Signature of Authorized Officer or Trustee]

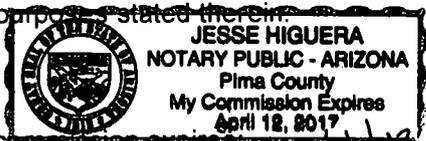
Its: CHAIRMAN OF THE BOARD  
[Insert Title]

Dated: 9/10/15

STATE OF Arizona )  
 ) ss.  
COUNTY OF Pima )

The foregoing instrument was acknowledged before me, this 10 day of September, 2015 by Marguerite Sears, BOARD CHAIR of DESERT ROSE BAHAI INSTITUTE, an ARIZONA  
[Insert Signor's Name] [Insert Title] [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.



[Signature]  
Notary Public

My commission expires: April 18, 2017

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

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

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_ Who acknowledged himself/herself to be  
[Insert Signor's Name]

\_\_\_\_\_ of \_\_\_\_\_ [Title  
of Office Held] [Second Company]

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: \_\_\_\_\_

A. PROPERTY DESCRIPTION                    PARCEL NO. 402-12-003A  
COMMENCING AT CENTER CORNER OF SEC 11-7S-7E,  
THEN EAST-994.42 FEET TO POB,  
THEN CONTINUING EAST- 331.47 FEET,  
THEN SOUTH-1324.00 FEET,  
THEN WEST-331.34 FEET,  
TH NORTH-1323.73 FEET TO POB  
AKA PARCEL B BOOK-9 OF SURVEYS PG 204 10.07 ACRES

*Z. PA- 013-15*

CONSENT TO PERMIT

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

~~DEPT~~ DESSERT ROSE BAHAI INSTITUTE, INC. (ARIZONA)  
[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 10 acres located  
at 2036 W. WILLIAM SEALS DR, ELOY, and further  
[Insert Address of Property]

identified as tax parcel number 402-12-003A and legally described as follows:  
[Insert Parcel Number]

COM @ CENTER CORNER OF SECTION 11-75-7E TH  
R. 994, 42 TO POB TH CONT E 331.47 TH S, 1324.00  
TH W. 331.34 TH N. 1323.73 TO POB AKA PCL B BK  
9 OF SURVEYS PG 204 10.07 AC  
[Insert Legal Description]

Said property is hereinafter referred as "the Property."

Owner consents to VIRGINIA HEALY's application  
[Insert Name of Applicant]  
for SUP for DESSERT ROSE RADIO TOWER  
[Insert Type of Permit] [Describe Use]  
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)]

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

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

DESERT ROSE BAHAI INSTITUTE  
[Insert Company Name]

By: Marguerite J. Sears  
[Signature of Authorized Officer]

Title: BOARD CHAIR

Dated: 9/10/15

STATE OF Arizona )  
COUNTY OF Pima ) ss.

On this 10 day of September, 2015, before me, the undersigned Notary

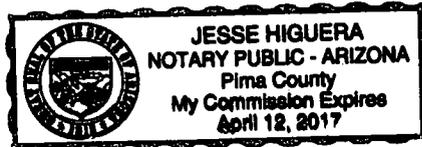
Public, personally appeared Marguerite Sears who  
[Insert Signor's Name]

acknowledged himself/herself to be BOARD CHAIR of DESERT ROSE BAHAI of INSTITUTE  
[Insert Title] [Insert Name of Company]

a(n) ARIZONA, and being authorized to do so on  
[State of Incorporation or Formation]  
behalf of said entity, executed the foregoing instrument for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires: 4/12/2017



Z-PA-013-15

# APPLICATION CHECKLIST

## FOR A PROPOSED SPECIAL USE PERMIT (SUP) IN UNINCORPORATED PINAL COUNTY



**A. Hold a Neighborhood/Community Meeting:**

- 1. Notify all property owners within 1200' (feet)
- 2. Hold the meeting within five (5) miles of the subject property
- 3. Hold the meeting between 5:00 pm – 9:00 pm
- 4. Include with the application the following:
  - a. Copy of Notice of Neighborhood/Community Meeting
  - b. List of property owners notified - *(Use page 5 of this application)*
  - c. Minutes of the meeting
  - d. Attendance sign-in sheet with names & addresses



**B. Submit a completed "Agency Authorization" and/or "Consent to Permit" form (if applicable).**



**C. Submit a written Narrative concerning the proposed development to include:**

- 1. Title Page
- 2. Purpose of Request
- 3. Description of Proposal
  - a. Nature of the Project
  - b. Proposed Land Use
  - c. Conformance to adopted Comprehensive Plan
  - d. Special circumstance or conditions applicable to the location of the property, which would make the proposed special use appropriate on this property, though not in the zoning district at large.
  - e. Impact on:
    - 1) Traffic
    - 2) Nearby Properties
    - 3) Health & Safety of persons residing or working in the area.
  - f. Answers to the questions from the **Supporting Information** sheet.
- 4. Location & Accessibility

- 5. Information Addressing the factors listed for consideration in section 2.151.010(N) of the PCDS.
- 6. Utilities & Services
- 7. Neighborhood Meeting Information
- 8. Appendix (as applicable)



**D. Submit a Site Plan.** The submittal shall be professionally prepared (by a surveyor, architect, or other design professional) and drawn at a sufficient scale as to not exceed a print size larger than 11" X 17". The lettering shall be of sufficient size to be legible when reduced to an 8½" X 11" print and include:

- 1. Legal description of total site.
- 2. Name(s) of Landowner(s), Developer, Applicant and Person or Firm preparing plan.
- 3. North Arrow, Scales (written and graphic), Preparation Date and Subsequent Revision Dates.
- 4. Location of all Existing & Proposed Structures & Buildings
- 5. Location of all Existing & Proposed Utilities with Location & Width of Associated Easements.
- 6. All Existing & Proposed Public and/or Private Streets with Location & Width of Associated Easements & Right-of-Ways.
- 7. All Points of Ingress & Egress.
- 8. Location & Types of Existing & Proposed Landscaping.
- 9. Indicate Location, Type, Height, & Materials for Proposed Walls, Fences & Signs.



**E. Submit a list of all property owners within 600' (feet) of the subject property boundary showing name, mailing address and tax parcel numbers.** This list must be obtained within 30 days prior to application submission. A map showing the 600' boundary and parcels must be included as well (A Tax Assessor Parcel Map is acceptable). - (This list is a separate list from the "Neighborhood/Community Meeting list of 1,200' however use Page 5 of this application as well).



**F. Aware that earth fissure maps are available online from the Arizona State Geologic Survey.**



**G. Submit the Non-Refundable fees for a Special Use Permit as follows**

- 1. Special Use Permit Application or application in conjunction with Zone Change= \$500.00
- 2. Special Use Permit Application (500+ mail-outs) = \$750.00



H. **Submit one (1) hard copy** of all documentation outlined in the SUP application and one **(1) digital copy** in a multi-PDF format per item of the application with all supporting documentation on **one (1) CD**.



I. **A Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.** (See page 15 & 16 of this application for illustrative details).



J. Signature at the end of the **"Checklist"** stating you have reviewed and addressed all areas within it.

I certify that I have submitted all the required information listed above, and I understand that this application for a Special Use Permit cannot be processed until all required information is submitted.

Signature Vujo Hudy

15 Sept 2015  
Date

Z-PA-013-15

SUP-014-15



PINAL COUNTY  
*wide open opportunity*

MEETING DATE: December 17, 2015

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: SUP-014-15 (Maricopa Motorsports Park)

CASE COORDINATOR: Dedrick Denton

---

*Executive Summary:*

*This is a Special Use Permit (SUP) to allow operation of a motorsports park in a GR (General Rural) zoned property.*

**If This Request is Approved:**

If approved, it would allow the operation of a motorsports park adjacent to a residential area.

**Staff Recommendation/Issues for Consideration/Concern:**

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 this case to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed below, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

Since there is an active flood control complaint, staff respectfully request that the Commission make a recommendation of approval or denial to the Board of Supervisors so staff can resolve the complaint expeditiously.

---

LEGAL DESCRIPTION: A 46± acre parcel situated in a portion of Section 31, T6S, R3E G&SRB&M.

TAX PARCEL: 501-39-040, 041-044

LANDOWNER: Dirt Brothers Land Management, LLC, 43265 West Bailey Drive, Maricopa, AZ 85138.

REQUESTED ACTION & PURPOSE: Dirt Brothers Land Management, landowner, requesting a Special Use Permit to operate a motorsports park on a 46± acre parcel in the General Rural (GR) Zone.

LOCATION: Located approximately 7 miles southwest of the Stanfield area.

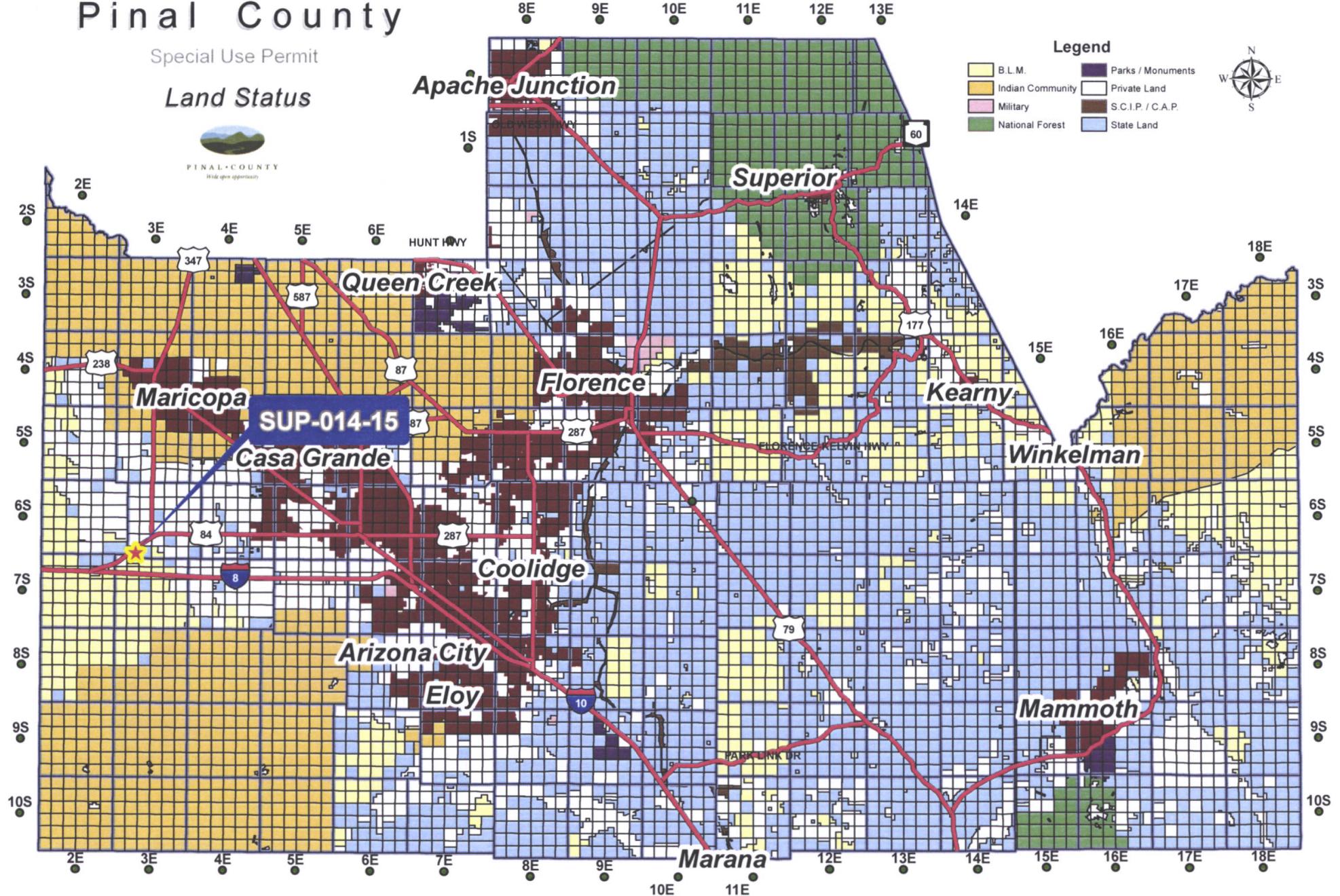
# Pinal County

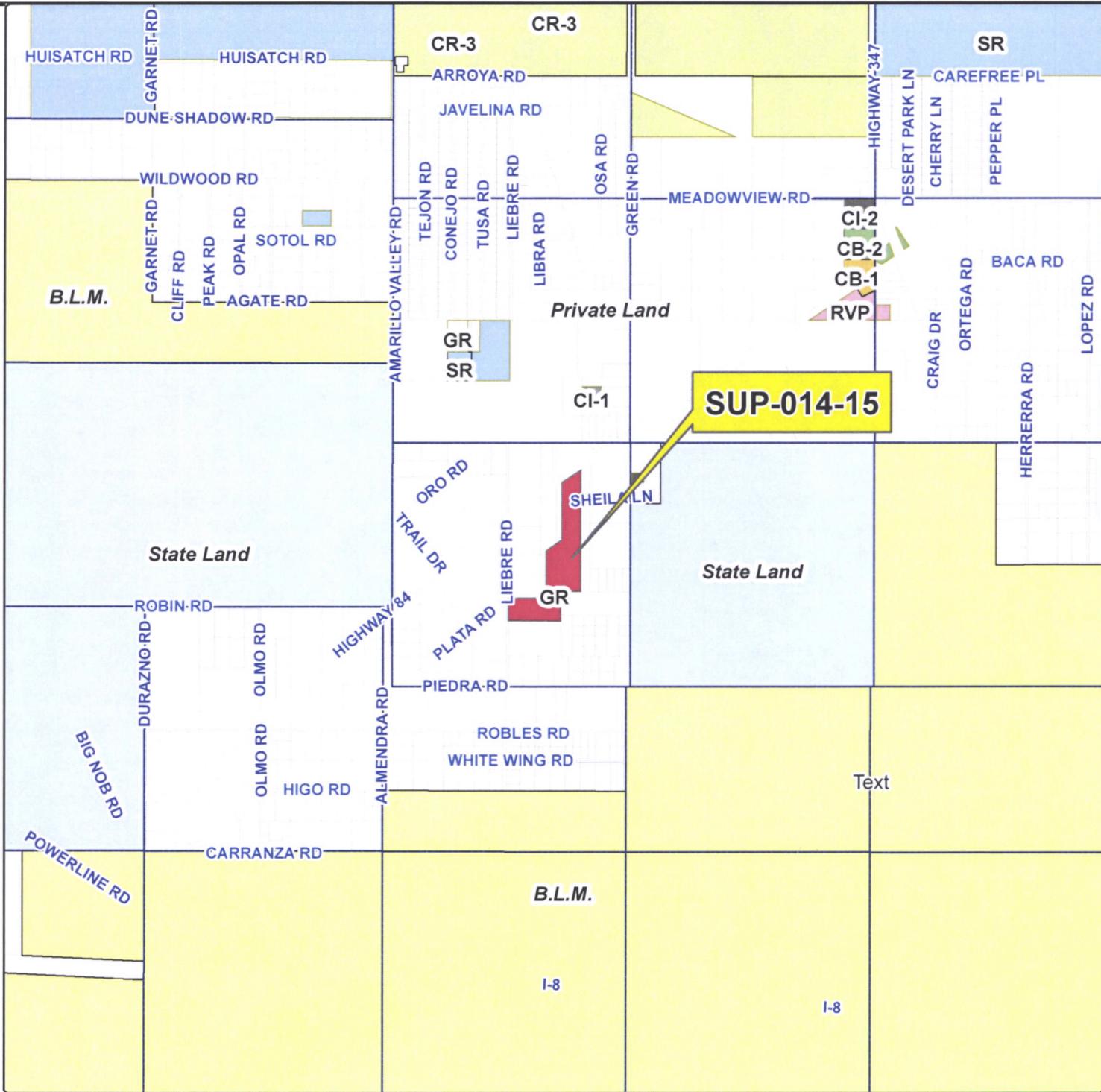
Special Use Permit

## Land Status



PINAL COUNTY  
With open spaces





**Special Use Permit**

**Community Development**



PINAL COUNTY

*Wide open opportunity*

DIRT BROTHERS LAND MANAGEMENT

**Legal Description:**

Situated in a portion of the Section 31, T06S, R03E, G4SRB&M. Parcels 501-39-040, 041, 042, 043 and 044. (legal on file) (located approximately 7 miles southwest of the Stanfield area).

T06S-R03E Sec 31



DIRT BROTHERS LAND MANAGEMENT

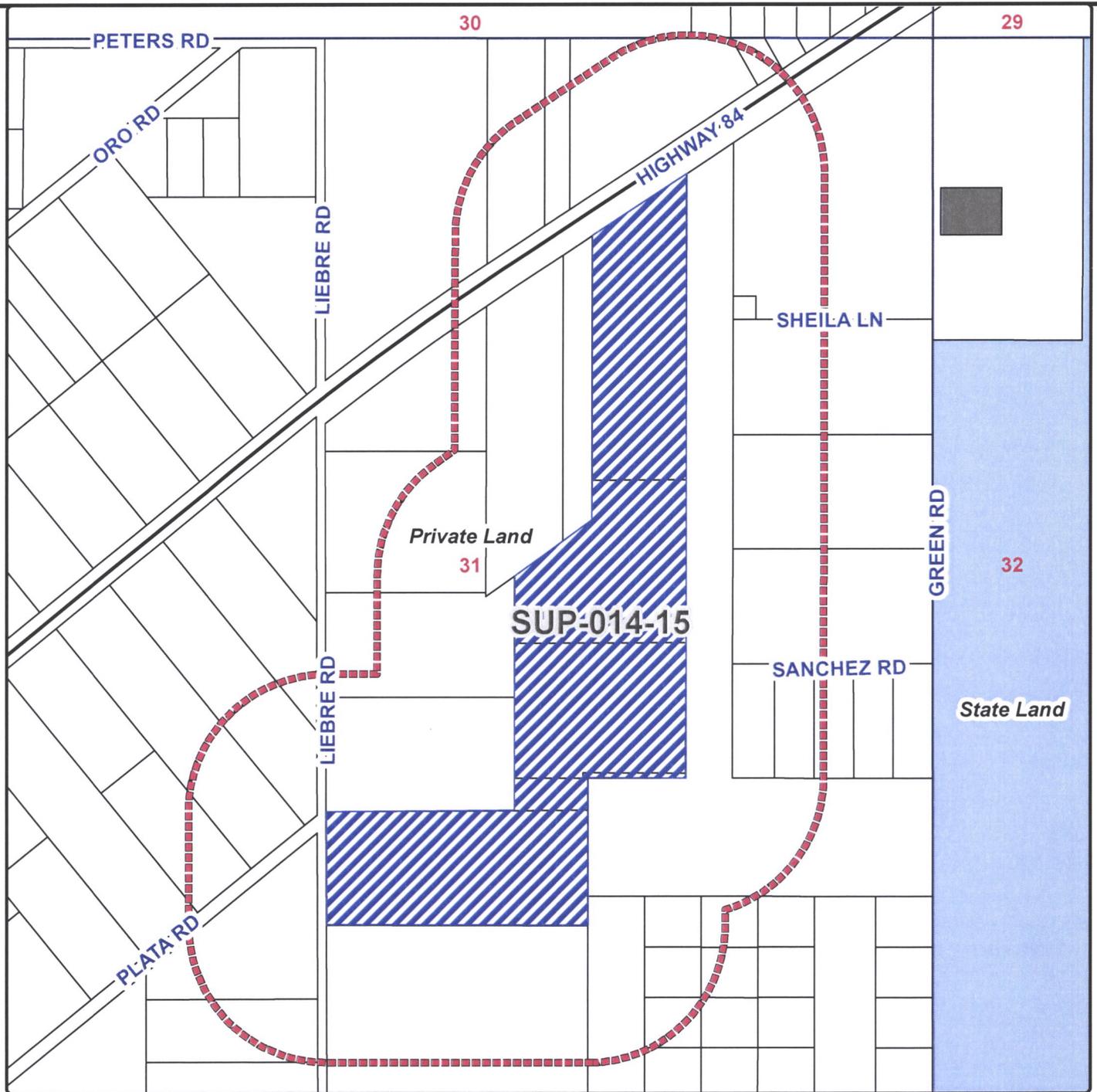
Drawn By: GIS / IT / LJT Date: 11/10/2015

Sheet No.

1 of 1

Sections 31 Township 06S Range 03E

Case Number: SUP-014-15



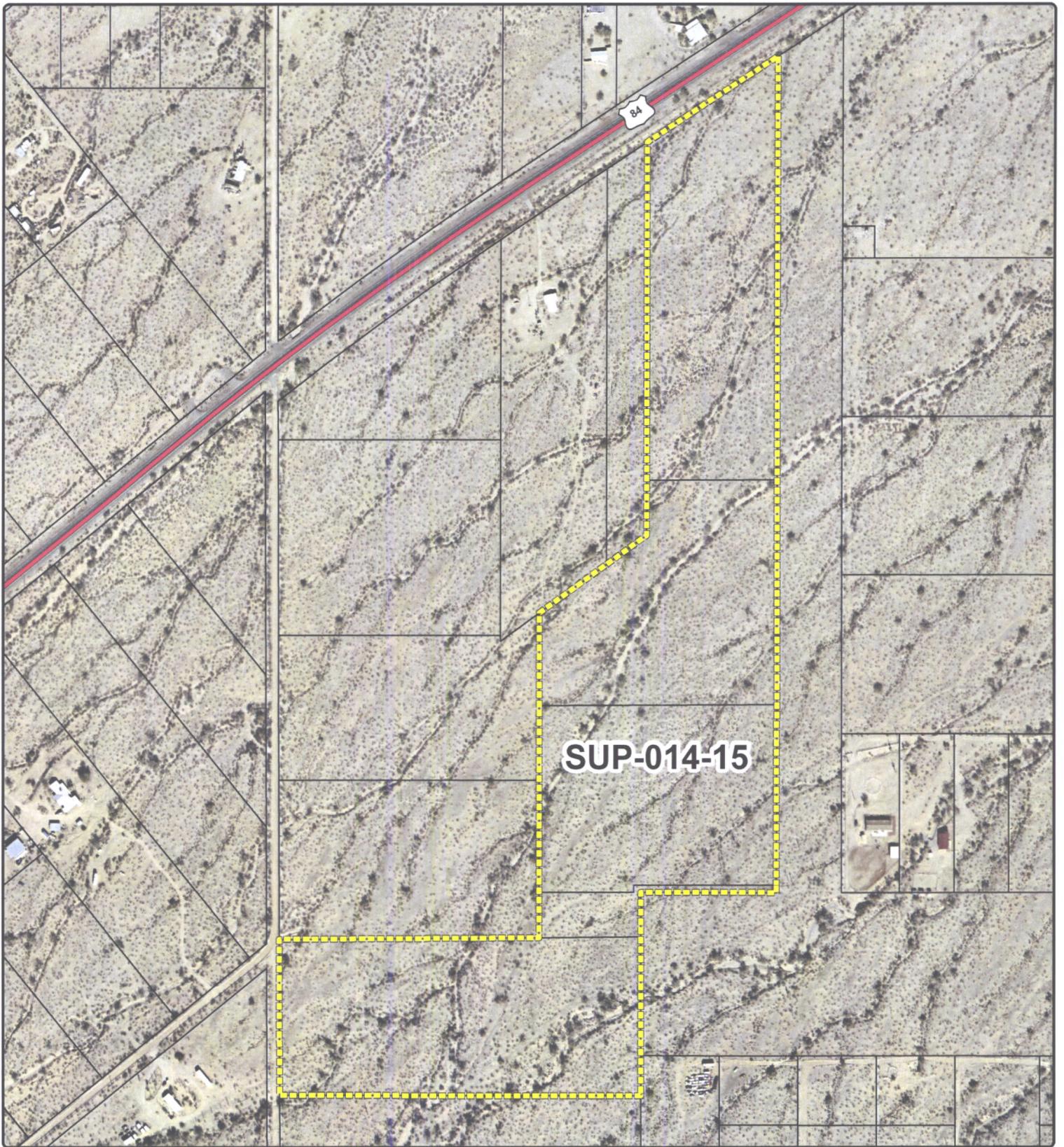
### Special Use Permit

SUP-014-15 – PUBLIC HEARING/ACTION: Dirt Brothers Land Management, landowner, requesting approval of a Special Use Permit to operate a motorsports park on a 46± acre parcel in the General Rural (GR) zone; situated in a portion of Section 31, T6S, R3E G&SRB&M, tax parcels 501-39-040, 041, 042, 043, & 044 (legal on file) (located approximately 7 miles southwest of the Stanfield area).

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



<b>Legal Description:</b>		<b>Owner/Applicant:</b>	
Sited in a portion of Section 31, T06S, R03E, G&SRB&M, Parcels 501-39-040, 041, 042, 043 and 044. (Legal on file) (located approximately 7 miles southwest of the Stanfield area).		DIRT BROTHERS LAND MANAGEMENT	
T06S-R03E Sec 31		Drawn By: GIS / IT / LJT	Date: 11/19/2015
Sheet No. 1 of 1	Case Number: SUP-014-15	Sec 31	Township 06S Range 03E



## Special Use Permit



PINAL COUNTY  
*Wide open opportunity*

**SUP-014-15**



SIZE: 46± acres.

COMPREHENSIVE PLAN: The site is designated as Employment. The surrounding properties are also designated Employment. The applicant request conforms to the Comprehensive Plan.

EXISTING ZONING AND LAND USE: The subject property is zoned General Rural. The applicant is currently using the site as a motorsports park.

SURROUNDING ZONING AND LAND USE:

North: GR – Scattered Residential  
East: GR - R Scattered Residential  
South: GR - Vacant  
West: GR - Scattered Residential

FINDINGS:

Site data:

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

Access: The site is accessed from Liebre Road.

PUBLIC PARTICIPATION:

Neighborhood Meeting: September 18, 2015  
Neighborhood and agency mail out: November 16, 2015  
Newspaper Advertising: Week of November 23, 2015  
Site posting: Applicant: November 16, 2015  
Site posting: County: November 20, 2015

HISTORY: The subject property is zoned General Rural and the applicant is currently using the property as a motorsports park.

ANALYSIS: The applicant is requesting a SUP to operate a motorsports park on a 46± acre parcel in the GR zone.

The project site is located in the western part of the county, approximately 7 miles west of Stanfield and approximately 13 miles south of the City of Maricopa. A portion of the site is adjacent to the south side of State Route 84 and the east side of Liebre Road, one and a half miles north of Interstate 8.

The topography of the site is relatively flat that is characterized by desert vegetation and washes. The 46± acre site is to be develop into three race track areas and two parking areas which is located mainly within the southern portion of the property.

The applicant is proposing to use the race tracks for practice and to hold race events. Staff did not obtain much details regarding the size of a typical race event other than traffic to be generated is estimated from 1-50 vehicles depending on the day and event. We also did not receive any details on how many race events are going to be held per month. Staff does have concerns about the size and number of race events because it can have a significant impact on traffic, dust, and noise in the area. Based on previous experiences with this type of use, although noise levels may not be exceeded at the

property line sound does travel in an open desert environment and may be an annoyance to surrounding property owners.

The surrounding area does have some sparse rural residential development. Adjacent to the western boundary of the site is a residential subdivision called Hidden Valley Estates Unit No. 3. The proposed land use may have negative impacts on current and future residence in this area due to noise, dust, and traffic.

The area is located within the "Employment" land use designation of the Pinal County Comprehensive Plan. The proposed use is consistent with this land use designation.

To date, no letters in support and eight letters in opposition have been received regarding the requested Special Use Permit. Staff has also received a petition with twenty people in opposition of the proposal. Some of the people that signed the petition has also written a separate letter of opposition which is included in the Commission's report.

The SUP the Commission is considering is for a motorsports park. 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.

The **Pinal County Department of Public Works** reviewed the proposal and 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** has an active complaint regarding disturbance of the washes on site. The applicant will need to obtain a flood permit for work within the washes prior to site plan approval. The flood zone on this site is Flood Zone "X".

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-014-15**. 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, Dirt Brothers Land Management, LLC, 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, no letters in support and eight letters in opposition have been received regarding the requested Special Use Permit. Staff has also received a petition with twenty people in opposition of the proposal. Some of the people that signed the petition has also written a separate letter of opposition which is included in the Commission's report.
3. The site is accessed from Liebre Road.
4. The subject property is located within the "Employment" 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-014-15** 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 and operation of the off road vehicle park shall be as shown and set forth on the applicant's submittal documents and site plan; modifications to individual track layouts is permitted, however, track locations shall be in substantial conformity with the submitted site plan dated September 2015;
- 2) operation of the facility for practice shall be limited to daylight hours;
- 3) race events shall be limited to the weekends and holidays. These events shall be limited to daylight hours;
- 4) 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) any change or expansion of use shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.150.020 of the Development Services Code;
- 6) all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 7) the applicant shall keep the property free of trash, litter and debris;
- 8) the applicant shall provide dust abatement on the parking areas and motocross tracks, satisfactory to the Pinal County Air Quality Control District;
- 9) a Traffic Impact Analysis will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval;
- 10) a minimum 28' paved all weather public access road (Liebre Rd.) is required to the site or as approved by the County Engineer;
- 11) half street improvements and right-of-way dedication along Liebre Rd. may be required as approved by the County Engineer. All right-of-way dedication shall be free and unencumbered and all right-of-way conveyances shall be completed prior to the Site Plan approval. Applicant is responsible for all processing fees associated with the dedication of right-of-way. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision and Infrastructure Design Manual or as approved by the County Engineer;
- 12) any access onto State Route 84 shall require ADOT approval. Documentation of ADOT approval shall be provided to Pinal County prior to the Site Plan approval;
- 13) a drainage report will be required to be submitted to the County Engineer at the

time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval;

- 14) the drainage plan shall be in accordance with the current Pinal County Drainage Manual. The approved Drainage Plan shall provide retention for storm waters in an on-lot retention area; and
- 15) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.

Date Prepared: 12/10/2015 - did  
Revised:

# ALL LANDOWNERS AGAINST

- ✓ Jesse Netzel - [REDACTED] W Plata Rd. [REDACTED] [REDACTED]
- ✓ AARON NETZEL " " "
- ✓ Patricia Phillips - co-owner of the property at [REDACTED] Plata Road, Maricopa, Arizona ([REDACTED]) [REDACTED]
- ✓ Terry Day - co-owner of the property at [REDACTED] Plata Road, Maricopa, Arizona ([REDACTED]) [REDACTED]
- ✓ Larry Day - co-owner of the property at [REDACTED] Plata Road, Maricopa, Arizona ([REDACTED]) [REDACTED]
- ✓ Deanna Day Sanders - co-owner of the property at [REDACTED] Plata Road, Maricopa, Arizona ([REDACTED]) [REDACTED]
- ✓ Mike Byciuk - [REDACTED] N. 78 St. Mesa, Arizona 85207
- ✓ Bonnie Byciuk " " " "
- ✓ Vern Meetz - [REDACTED] W. Plata Rd, Maricopa, Az.
- ✓ Marge Meetz - " " vmboulder@juno.com
- ✓ TIAA Fulton - CO-OWNER [REDACTED] Sanchez Rd Maricopa AZ
- ✓ Fulton Ken - CO-OWNER [REDACTED] Sanchez Rd Maricopa AZ
- ✓ KEN NELSON Sanchez Rd.
- ✓ SHERRY NELSON " "
- ✓ Judy Pittman & Leo Pittman
- ✓ De Ette Coker
- ✓ M. Najmi ([REDACTED]) [REDACTED]
- ✓ John Beck ([REDACTED]) [REDACTED]

U4411600

RECEIVED

NOV 24 2015

PINAL COUNTY  
PLANNING & DEVELOPMENT SERVICES



## Dedrick Denton

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**From:** yahatindaranch colt [REDACTED]  
**Sent:** Friday, December 04, 2015 11:55 AM  
**To:** Dedrick Denton  
**Subject:** Letter of Opposition to proposed Motorcross Park  
**Attachments:** Opposition Letter to Motorcross Development.docx

Hello Dedrick,

Please find attached a copy of our letter opposing the motorcross park proposed for the property in our neighbourhood.

Unfortunately we can't be there in person, but I believe several of our neighbours will attend.

We have numerous concerns which we pointed out in the letter. One of the most concerning is the depreciation of our property value and quality of life. I hate to be accused of NIMBY-ism but in this case, I'd gladly stand up for it.

We are not opposed to motorcross parks, in fact my son-in-law is professional motorcross racer here in Canada and he travels all over North America. Motorcross is big in our family, BUT, motorcross facilities don't belong in residential areas or in a peaceful desert.

Thanks for reading my rant Dedrick, hope to meet you some time.

Could you let me know if you receive it.

Regards  
Helene Galt

*WITHIN 600'*

*Helene Galt and Richard Levie*

██████████ *West Sanchez Rd.*

*Maricopa, AZ. 85139*

██████████

██████████

*Property Tax Parcel #* ██████████

*Pinal County*

*Planning and Development Dept.*

*31 North Pinal St., Building F*

*Florence, Az. 85132*

***RE: SUP-014-15 Proposed Motors Sports Park Development***

*Attention: Dedrick Denton*

*Dear Mr. Denton,*

*We wish to make you aware of a number of strong objections that we have with regard to the proposed development of a Motorcross Park located on Sect. 31 T6S, R3E G&SRB&M tax parcel 501-39-040, 041, 042, 043 & 044. As a neighbour, located within 600ft. of the proposed development, we are of the view that the proposed development will have serious impact on our standard of living. Our specific objections are as follows:*

- 1. Detrimental impact upon residential quality of life***
  - a. Loss of privacy***
  - b. Excessive and constant noise and smell***
  - c. Consistent, dust, fumes, and garbage***
  - d. Increased traffic generation***
  - e. Loss of quiet enjoyment of the desert landscape***
  - f. Visual impact of the development***
  - g. Disruption of our horses quiet environment and well being***

**h. Likelihood of park users riding off the proposed motorcross property on to adjacent lands.**

**2. Detrimental impact upon on the desert ecosystem**

- a. Wildlife corridors disrupted**
- b. Negative impact on vegetation and natural washes**
- c. Increased likelihood of wildlife being displaced or harmed**
- d. Deterred nesting of avian species**
- e. Loss of wildlife habitat**

**3. The proposed Motorcross Park does not embrace the core values of the Pinal County vision.**

**a. Sense of Community:**

*"Balancing urban centers and rural character is important to residents".*

- *It is our belief that Motorcross park should be developed where there is existing disturbed and developed land and not within a residential area.*
- *Motorcross sports are great place for people to gather who are "likeminded" but not a typical place for the average person to congregate to enjoy the natural landscape and the solitude of nature.*

**b. Mobility and Connectivity**

- *Placing a motorcross park in a rural setting will limit people with limited resources to travel outside urban areas.*
- *The motorcross park will limit the mobility and connectivity of local wildlife and residents who travel on the access road(s)*
- *With the possibility 50 vehicles per day, there will be a definite increase in vehicle congestion which will degrade the air quality and quality of life for residence who live within the immediate area*
- *Limit the equestrian use around the proposed site.*

**c.**

**d. Economic Sustainability**

- *The development of a Motorcross park on an un-disturbed desert landscape is in direct contradiction of the Pinal County's conservation philosophy. A motorcross park is not an environmentally friendly business due to the significant noise, fumes, dust, flora and fauna destruction and displacement and garbage that associated with this type of activity.*
- *The economic value of this type of activity would be minimal to the community considering the inclusiveness of the sport and the proposed location.*

**e. Open Spaces and Places states "Residents value the large connected open spaces and unique places of Pinal County, not only as part of their way of life, BUT AS AN IMPORTANT RESOURCE TO**

*SUSTAIN THE REGION'S IMMENSE WILDLIFE HABITAT AND THEIR CORRIDORS..”*

- *A motocross park does not contribute to the sustainability of the region wildlife habitat. If anything, it's disruptive and destructive to wildlife habitat due to the nature of the sport.*

*f. Environmental Stewardship*

- *The developers have not proposed any “Best Practises” guidelines with respect to Environmental Stewardship with this proposed development. They have only stated they will use solar power and well water. With water conservation in mind, how can this be good environmental stewardship? They also stated in their proposal they would be “hauling water” to the site, WHICH, would contribute to the local economy. We believe this is not consistent with the Pinal County's vision.*

*g. Healthy, Happy Residents*

- *We, the residents were never asked by the developers if this type of activity would make us happy or healthy. The park users might be happy, but our community who live adjacent to the proposed motocross park certainly will not. If park users decide they want to subject themselves to the noise, dust fumes and garbage, that's their choice, we as residence DON'T have a choice, we live there. We have no recourse and no place to hide from the overwhelming stimulation. Being subjected to this type of noise (meaning the constant sound of high pitched motor noise) and dust which vehicle traffic will create on a daily basis's, can be harmful not only to our physical health, but more likely our mental health.*

*h. Quality Educational Opportunities*

- *The motocross industry would benefit educating young riders within the Pinal County, but the developers have stated they have no plans to participate in any educational programs.*

*We would like to address a couple of issues that weren't mentioned in the Dirt Brothers proposal:*

- 1. Washroom facilities?*
- 2. Grounds maintenance and garbage disposal. (How will the applicants patrol and control loose garbage?)*
- 3. First aid support and public safety?*

*Inclosing, we would like to formally request council to take our objection to this development into consideration when deciding the application. We believe that the proposed development would have a dominating impact on us and our right to have quiet enjoyment of our property. Furthermore, we invite a representative of the planning department to visit the proposed site so council would have a clearer vision of the landscape, and the close proximity of our homes/properties to the proposed development and the impact it already has on the landscape.*

*Helene Galt and Richard Levie*

*Sincerely*

To whom it may concern:

My name is Deanna (Day) Sanders. I am a co-owner of the property located at [REDACTED] W. Plata Road, located in Maricopa, Arizona. My husband, Monte Sanders and I, are winter residents at this property, we enjoy the peace and quiet at this location, it's the main reason everyone lives way out here in the desert. The noise from this dirt bike track is unbearable; you can hear it inside the house, even with the television turned up at full volume. There is also a lot of dust being kicked up. We do not want this park to be opened here.

Sincerely,

Deanna & Monte Sanders

WITHIN 600

To whom it may concern:

My name is Larry Day. I am a co-owner of the property located at [REDACTED] West Plata Road, Maricopa, Arizona. I am a winter resident at this property. I have asthma, and my asthma is worse when they have all of these dirt bikes running next door. Why is the county allowing a dirt bike park to be built where people live right next to it? You cannot get away from all the nonstop noise. It is horrible. People live out here to get away from the noise. It is why we haul our own water and endure other hardships; we do it for the peace and quiet. This park could have been built anywhere else, where no people live. There is plenty of empty desert. He didn't even care about anyone who lives here; he could have asked us first. The bike park is already built. It has already been stated when it will be open and how much they will be charging for the days use of the park. Now you are going to ask us what we think about it?

Sincerely,

Larry Day

WITHIN ADD'

To whom it may concern:

My name is Patricia Day Phillips, co-owner and resident of the property at [REDACTED] West Plata Road, Hidden Valley Estates, mailing address Maricopa, Arizona.

My property is only 36 feet away from the entrance of this motocross park. 36 FEET!!!! This park is basically in my front yard. All of us who live out here, live here because it is very beautiful and most of all very quiet. That is why none of us live in town. That is why everyone has bought property here. Just ask us and we will all tell you.

This motocross park/sports venue and stadium (as it is described on Mr. Fay's Facebook page), does not belong in a neighborhood. How many of you would like to live next door to all of that noise and dust?

He has disrupted all of our ways of life. You can't sit out and enjoy the desert, because all of the dirt bikes making all of that noise. I cannot go anywhere on my property to get away from all the noise. Not even inside my house. This park could have been built anywhere else. There is plenty of vacant desert land where no people live. My brother and sister and their spouses plan on moving to this piece of property within the next year. They are all winter residents here for the time being. Their letters against this park and their reasons are also enclosed. My brother Terry Day (also a co-owner of this property), is also against this park. Address: 659 Rambler Court, Casa Grande, Arizona Phone: 866-7471

Thank you.

Patricia Phillips

47375 West Plata Road, Maricopa Arizona 85139 Phone: [REDACTED]

Property Tax parcel # [REDACTED]

Planning case #SUP-014-15

Deanna Sanders and Larry Day can also be reached at this address.

Phone #'s: Deanna-[REDACTED] Larry-[REDACTED]

We would all like to be heard at your meeting on December 17, 2015.

WITHIN 600'

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NOV 24 2015

PINAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

Dyani Juarez  
10305 N. Battleford Dr.  
Casa Grande AZ 85122  
[REDACTED]

Pinal County Planning & Development Department  
ATTN: Dedrick Denton  
P. O. Box 2973  
Florence AZ 85132

November 22, 2015

Dear Mr. Denton,

I have received notice that a public hearing will be held in the matter of **SUP-014-15** on December 17, 2015, in which I intend to attend and request to be heard. I own parcel [REDACTED] which adjoins the parcels included in the Special Use Permit request.

I must inform you that I am in opposition to the Special Use Permit for the following reasons:  
This area is quiet, serene, and peaceful for the residents and provides virgin land to the native wildlife. Granting a Special Use Permit will destroy wildlife's natural habitat, obstruct the local's views of beautiful mountainous and desert scenery, and further pollute the air that is pure and clean in this area. Not only will the air be polluted with carbon monoxide released from fuel burning vehicles and dirt, but the noise pollution from the activities that will be held there must also be taken into consideration.

The land owners in this area chose this region for a reason: wildlife, peacefulness, clean fresh air. Allowing the proposed Special Use Permit will contaminate and destroy one of Arizona's few remaining beautiful and natural environments.

Sincerely,



Dyani Juarez  
Owner

UNITAIN 600'

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NOV 30 2015

**PINAL COUNTY  
PLANNING & DEVELOPMENT SERVICES**

**Dedrick Denton**

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**From:** Beverly Schumacher [REDACTED]  
**Sent:** Sunday, December 06, 2015 6:41 PM  
**To:** Dedrick Denton  
**Subject:** Case number: Sup-014-15 Special Use Permit to operate a motorsports park

Re: Parcel [REDACTED] Liebre Rd., Maricopa AZ 85139  
Hidden Valley Estates #3 N2 Lot 26

We purchased the residential property listed above for its serenity and beauty. Dirt Brothers Land Management wants to create a motorsports park bordering our property that will destroy the very reason we bought in this location. They not only will destroy the quite serenity, but will also destroy our property value. We hope planning and zoning in Pinal County will consider the home owners and their investments in this area.

We are unable to attend the hearing on December 17, 2015, but please consider our wishes not to allow the motorsports park in our area.

Regards,  
John and Beverly Schumacher

Mailing address: [REDACTED] S. Mesquite Tree Ln.  
Hereford, AZ 85615

WITHIN 600'

We would like to attend and be heard at the meeting on December 17, 2015 regarding case # SUP-014-15. (Maricopa Motocross Sports Park and Stadium)

Our names are Jesse and Aaron Neitzel, owners of the property located at [REDACTED] West Plata Road, Hidden Valley Estates. Parcel # [REDACTED]

Our mailing address is: P.O. Box [REDACTED] Arizona City, Arizona 85123 Phone# [REDACTED]

We are against this park going in. We have plans to build a house on our property in the near future, as soon as we sell our house in Arizona City. We are moving back to Hidden Valley because it is so nice and quiet there. This dirt bike park has ruined this. And if this park is allowed to be opened, who would want to buy any property in this area? No one! The noise is unwanted and irritating to say the least. And we don't want all of the traffic on our street. There are so few quiet and peaceful places left. Please don't let ours be taken away. I Jesse, am the 3<sup>rd</sup> generation and our daughter the 4<sup>th</sup> generation to live on this property. My mother has lived out here for almost 40 years, and some people even longer. We all love it here. Do any of you want to listen to a bunch of dirt bikes from sun up to sun down? No one out here does either. This park was used all spring. Why was that allowed to happen?

Thank you.

**Dedrick Denton**

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**From:** [REDACTED]  
**Sent:** Tuesday, December 01, 2015 5:42 PM  
**To:** Dedrick Denton  
**Subject:** Planning Case Number SUP-014-15 Public hearing/action

SUP-014-15

Vern Meetz Meetz, Vernon L Living Trust  
[REDACTED] Chatham Pl  
Boulder CO. 80301-4036

Property Tax Parcel number  
Parcel # [REDACTED]

Reasons for OPPOSING this Special use Permit Request.  
1. Noise How do they Propose keeping the noise level below 65 DB?

**Decibel (Loudness) Comparison Chart**

Normal conversation at 3'	60-65dB
Motorcycle	100dB
<b>NIOSH Daily Permissible Noise Level Exposure</b>	
Hours per day	Sound level
8	90dB

2. We are in a flood plane. My washes go through their property on there way to lower ground.  
It looks like from the pictures on the Internet that they have already disturbed the washes.

3. Other problems
1. Title 6 Building code.
  2. Title 8 Drainage.
  3. Title 9 Environmental Health.
  4. Air Quality.
  5. Emergency Management.
  6. Shallow Flooding Areas.
  7. Road Traffic Problems.

I will not be able to attend the hearing on the 17 th of December 1025

Thank you  
Vern Meetz

TO;

15 September 2015

Dirt Brothers Land Management Limited Liability Company &

**Pinal County Commissioners**

This property is not in the City of Maricopa, AZ... The land is zoned for homes, why not go to an area that is zoned Industrial where there are no homes surrounding it?

How do you think you are going to cancel all the outgoing noise?

I guess you can build a 10 foot high fence around it to make the noise go up.

The noise level is not supposed to be over 65 decibel in the daytime... How are you going to make this happen?

How are you going to contain the dust? (AIR QUALITY) (ENVIRONMENTAL HEALTH)

Have you done a WATERCOURSE MASTER PLAN?

Are you going to pave the parking lot?

EMERGENCY MANAGEMENT. CAN THE AMBULANCES GET TO THE CASUALTYS?

ARTICLE VIII. FLOOD HAZARD S I have seen the floods that go through my washes and these water ways go through parcels 501-39-040/501-39-041/501-39-044.

Was there a (DEVELOPMENT PLAN) DONE before the trails were put in?

I am convinced that this Industrial 3 will ruin MY piece and quite along with the valuation of my property.

I am totally against this rezoning to Industrial 3, from General Rural 1.

Meetz Vernon L Living Trust Parcel Number [REDACTED] Cell phone; [REDACTED]

Thank You *Vernon L. Meetz*

\*\*\*

## Dedrick Denton

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**From:** BONNIE BYCIUK [REDACTED]  
**Sent:** Saturday, December 05, 2015 12:03 PM  
**To:** Dedrick Denton  
**Subject:** Planning case number SUP-014-15 Public Hearing

1. Planning Case Number SUP-014-15
2. Mike and Bonnie Byciuk  
Mailing address [REDACTED] N. 78 St Mesa, AZ 85207  
Phone number [REDACTED]  
Property tax parcel number [REDACTED]
3. We oppose the request because, this area was originally sub-divided for residential use. Where one could seek peace, quite and solitude.  
If the request is approved the peace and quite will be gone. there will be noise, dust and heavy traffic on Liebre Road. Our property will be more difficult to sell due to the activity of Dirt Brothers Land Management.
4. We will be unable to appear at the hearing on Dec. 17, 2015. But wish to have our concerns considered by the Planning Department.  
Thank You Mike Byciuk and Bonnie Byciuk



P I N A L • C O U N T Y  
*wide open opportunity*

## Memorandum

**Date:** December 17, 2015

**To:** Steve Abraham, Planning Division Manager  
Community Development Department

**From:** Lester Chow, Engineering Division Manager  
Community Development Department

**Cc:** Scott Bender, P.E.  
Pinal County Engineer

**Subject:** **Rezoning Application for the MARICOPA MOTORSPORTS, Case PZ-007-15**

The Engineering Division has reviewed the Rezoning Application for the MARICOPA MOTORSPORTS, Case No. PZ-007-15 and recommends that it be approved subject to the following conditions:

- 1) A Traffic Impact Analysis will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The TIA shall comply with the current Pinal County Traffic Impact Assessment Guidelines and Procedures and shall be approved prior to the Site Plan approval;
- 2) A minimum 28' paved all weather public access road (Liebre Rd) is required to the site or as approved by the County Engineer;
- 3) Half street improvements and right-of-way dedication along Liebre Rd. may be required as approved by the County Engineer. All right-of-way dedication shall be free and unencumbered and all right-of-way conveyances shall be completed prior to the Site Plan approval. Applicant is responsible for all processing fees associated with the dedication of right-of-way. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision and Infrastructure Design Manual or as approved by the County Engineer;
- 4) Any access onto State Route 84 shall require ADOT approval. Documentation of ADOT approval shall be provided to Pinal County prior to the Site Plan approval;
- 5) A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval;

COMMUNITY DEVELOPMENT  
ENGINEERING DIVISION



**PINAL COUNTY**  
*wide open opportunity*

- 6) The drainage plan shall be in accordance with the current Pinal County Drainage Manual. The approved Drainage Plan shall provide retention for storm waters in an on-lot retention area;

rev: L. Chow  
cc: D. Denton

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: \_\_\_\_\_

2. Date of Concept Review: \_\_\_/\_\_\_/\_\_\_ Concept Review No.: CR - \_\_\_ - \_\_\_

3. The Legal Description of the Property: \_\_\_\_\_  
\_\_\_\_\_

4. Tax Assessor Parcel No(s): 501-39-040 / 501-39-041 / 501-39-042 / 501-39-043 / 501-39-044

5. Current Zoning: GR

6. Parcel size: 45.79

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

8. The exact use proposed under this request: Maintain and operate Motocross and offroad tracks and to hold supervised off highway vehicle (2,3, and 4 wheeled) practice and race events on 45.79 Acres

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 # \_\_\_\_\_

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. \_\_\_\_\_  
Not Applicable

13. Explain why the proposed development is needed and necessary at this time. within the past few years several similar tracks/facilities have closed creating a need for a place that people can ride in a safe and controlled environment. At the same time i would provide a more professional and family friendly facility than any other existing track

RECEIPT #: \_\_\_\_\_ AMT: \_\_\_\_\_ DATE: \_\_\_\_\_ CASE: \_\_\_\_\_

SUPPORTING INFORMATION

1. Provide information as to the use and evidence that it is in accordance with the intent of Section 2.151.010: letter L. of the section states "Race-track" as a use. Other tracks in Panel County have done the same.
2. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public: We are not asking for the public to pay for any services.
3. What is the amount of traffic to be generated (# of trips/day, deliveries/week)? Show ingress/egress on the site plan: Approx 10-50 people per day
4. How many parking spaces are to be provided (employees and customers)? Indicate these parking spaces on the site plan: There are Approx 50 - 10' x 20' parking spaces with some area cleared for overflow if needed.
5. 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? the noise level will not exceed the 120 decibel at the property line limit. All vehicles will be 98 decibels or less.
6. What type of landscaping are you proposing to screen this use from your neighbors? Parking areas were placed to give a buffer between riding areas and neighbors.
7. What type of signage are you proposing for the activity? Where will the signs be located? Sign would be placed along my property line on hwy 84.
8. 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: Not Applicable sign would follow panel county sign ordinance.
9. 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 Racetracks have been built with the natural terrain of the land. No trees or cacti were removed. They are hardly noticeable with all the natural flora.
10. Have you discussed possible conditions that may be placed on the permit with the Planning Department?  YES  NO
11. 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

→ 5. dust would also be controlled by our 4,000 Gallon water truck. all parking and riding areas will be watered.

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.

<u>Michael Fay</u>	<u>43265 W bailey dr</u>	<u>508-241-9986</u>
Name of Landowner (Applicant) Number	Address Mazicopa AZ 85138	Phone

	<u>Mfaymx@gmail.com</u>
Signature of Landowner (Applicant) Address	E-Mail

Name of Agent Number	Address	Phone
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Signature of Agent Address	E-Mail
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**The Agent has the authority to act on behalf of the landowner, 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.**

**AFFIDAVIT OF POSTING OF BROADCAST SIGN**

I, Michael Fay, Applicant for case SUP-014-15 (Case number), personally caused 1 sign(s) to be posted in a visible place on or near the proposed project site on 11-16-15 (Date), at least 28 days before the Planning and Zoning Commission Public Hearing, regarding the proposed SUP (Type of application), in unincorporated Pinal County

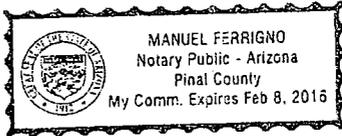
The notice was posted as indicated on the attached map and photograph.

Michael Fay  
Applicant

STATE OF ARIZONA)  
) ss:  
COUNTY OF PINAL)

Subscribed and sworn to me by Michael J. Fay this 16 day of November, 2015.

Manuel Ferrigno  
Notary Public  
My Commission Expires: 02/08/2016



## **Project Narrative**

Planned Area Development for Maricopa Motorsports Park, LLC

# **MARICOPA MOTORSPORTS PARK LLC**

**Submitted to:**

**Pinal County**

**PLANNING & DEVELOPMENT DEPARTMENT**

31 North Pinal Street, Building F

Florence, Arizona 85132

**Submitted on behalf:**

**Maricopa Motorsports Park LLC**

43265 West Bailey Drive

Maricopa, Arizona 85138

**Applicant:**

**Mike Fay / Dirt Brothers Land Management LLC**

43265 West Bailey Drive

Maricopa, Arizona 85138

Prepared: August 2015

**Maricopa Motorsports Park LLC  
PAD Project Narrative**

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The Park will provide "Employment" to Facility managers, maintainers, safety workers as well as bring customers to local businesses.

With several 1,000 cars a day traveling on Hwy 84 an additional 1-50 cars a day will have zero impact.

There is no reason to believe that there will be any impact on Nearby Properties. All activity will occur within the perimeter of my property.

The health and Safety will not be at risk for any one in the area. all activities on the property will be done in designated areas and in a controlled environment.

Property is located on Leibore Rd,  
C. 11.11.21

We meet the factors listed  
for consideration in Section 2.151.010(N)  
because we are zoned GR and want  
to build a racetrack.

Trash removal and Portapotties will  
be handled by the owner. No services  
are requested of the County.

## **2. Purpose of Request**

---

The purpose of this request is to re-zone 45.79 acres, known as parcels 501-39-040/501-39-041/501-39-042/501-39-043/501-39-044 from GR to I-3. The I-3 zoning is requested to operate a business, Maricopa Motorsports Park LLC, an off-road vehicle recreational area.

## **3. Description of Proposal**

---

- a) The proposed motorsports park will provide 3 tracks for riders of all ages and skill levels to ride two, three, and four wheeled vehicles in a safe and controlled environment. There is a strong need for an off-road park in our community.
- b) Currently most places that people ride are not regulated and, subsequently, more dangerous and detrimental to the surroundings and environment.
- c) This facility complies with the Comprehensive Plan's "employment" designation for this land.
- d)
  - 1. Water is purchased from Maricopa Mountain DWID in Maricopa. There are currently no utilities on the property. Fire service is Stanfield. Police is Pinal County Sheriff, Stanfield.
  - 2. There will be several large parking areas as shown on map. No marked spaces, but approximately fifty 10' x 20' spaces with room for expansion if needed.
  - 3. All vehicles operating at Maricopa Motorsports Park LLC will be required to have legal and proper exhaust. Muffler to comply with current sound regulations. The current standard for off-road vehicles produced is 98 decibels. That is well below the Pinal County noise ordinance of 120 decibels at the property line. "Excessive Noise Ordinance" No. 050306-ENO references noise ordinances regarding decibels for this recreational space. Additional buffering landscape can be added if required. Currently there is much natural flora, buffering plants and trees.

## **4. Location & Accessibility**

---

The property is located on Highway 84 in Maricopa. The location is 1.5 miles west of the intersection of Route 347 & Highway 84. The location is 4 miles east of Highway 84 & Interstate Route 8 junction. The entrance to the property is a direct turn off of Liebre Road.

## **5. Utilities & Services**

---

There are currently no utilities on the property. Fire service is Stanfield. Police is Pinal County Sheriff Stanfield.

## **6. Neighborhood Meeting Information**

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See Neighborhood meeting attachment

**~~2. Purpose of Request~~**

~~The purpose of this request is to re-zone 45.79 acres, known as parcels 501-39-040/501-39-041/501-39-042/501-39-043/501-39-044 from GR to I-3. The I-3 zoning is requested to operate a business, Maricopa Motorsports Park LLC, an off-road vehicle recreational area.~~

**~~3. Description of Proposal~~**

~~The proposed motorsports park will provide 3 tracks for riders of all ages and skill levels to ride two, three, and four wheeled vehicles in a safe and controlled environment. There is a strong need for an off road park in our community. Currently most places that people ride are not regulated and, subsequently, more dangerous and detrimental to the surroundings and environment.~~

**4. Relationship to Surrounding Properties Within One Mile**

As summarized below, the property is almost entirely surrounded by vacant land, with only a few residences nearby.

**NORTH:**

The northern border of the property is Highway 84. Directly across from the northern property line there are approximately six residences located on Highway 84. The rest of the area is sparsely populated. It is almost entirely vacant land.

**SOUTH:**

Entirely vacant land to the south

**EAST:**

There are two residences to the east. It is almost entirely vacant land

**WEST:**

There are three residences and one horse roping arena to the west. It is almost entirely vacant land

**5. Schools**

Schools- not applicable

**6. Public Services**

Services- no public services are requested at this time

**7. Community Services & How the Need for These Services Will be Addressed**

Community Services- not applicable

## **8. Location & Accessibility**

---

The property is located on Highway 84 in Maricopa. The location is 1.5 miles west of the intersection of Route 347 & Highway 84. The location is 4 miles east of Highway 84 & Interstate Route 8 junction. The entrance to the property is a direct turn off of Liebre Road.

## **9. Compliance with RSRSM, Access Management Manual, October 2008**

---

The property is located on Highway 84, which is a RSR principal arterial (red) and is 1.5 miles from Route 347, which is a RSR Parkway (green) and 4 miles from I-8, also a RSR Freeway (blue).

F

## **10. Utilities & Services**

---

There are currently no utilities on the property. Fire service is Stanfield. Police is Pinal County Sheriff Stanfield.

## **11. Ownership & Control**

---

All landscaping, open space and facilities will be owned and maintained by the landowner. Refuse disposal and Port-O-Johns will be outsourced.

## **12. Timing & Development (Phasing Schedule)**

---

The facility is ready for immediate opening.

## **13. Conformance with Comprehensive Plan**

---

This facility complies with the Comprehensive Plan's "employment" designation for this land.

## **14. Recreational Amenities**

---

The entire facility is a recreational amenity. Each of the three tracks are developed with different features designed to give any rider from 5-65 years old a fun, safe place to ride. The family-friendly recreational site also has a designated area for bicycle riding as well.

## **15. Fences, Walls, & Screening**

---

Property boundaries are fenced with barbed wire. There is a gate at the entrance of Liebre Road.

## **16. Total Number of Dwelling Units**

---

There will be no dwellings.

## **17. Maximum Residential Density of Each Planning Unit**

---

Not applicable.

## **18. Total Number of Parking Spaces for Recreational Facilities**

---

There will be 50 10' x 20' spaces .

## **19. Type of Landscaping**

---

There will be no landscaping added or removed. The use of the land will employ a "Design with Nature" plan and honorable use of the natural terrain. There are many existing cacti, trees, and brush.

## **20. Preliminary Hydrologic Data & a Statement on Drainage**

---

The Pinal County, Arizona and Incorporated Areas Flood Insurance Rate Map (FIRM) number 04021C1500E, dated December 4, 2007 indicates that the project falls within Zone X. Zone X is defined by the Federal Emergency Management Agency (FEMA) as "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1-foot or within drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood."

## **21. Additional Information for Commercial & Industrial Uses**

---

- ~~a) Total Area 45.79 Acres~~
- ~~b) No retail sales floor~~
- ~~c) Use proposed is Sports Arena I-3~~
- ~~d) All vehicles operating at Maricopa Motorsports Park LLC will be required to have legal and proper exhaust. Muffler to comply with current sound regulations. The current standard for off-road vehicles produced is 98 decibels. That is well below the Pinal County noise ordinance of 120 decibels at the property line. "Excessive Noise Ordinance" No. 050306-ENO references noise ordinances regarding decibels for this recreational space. Additional buffering landscape can be added if required. Currently there is much natural flora buffering plants and trees. Any signs or lighting that are added will comply with Pinal County standards.~~

## **22. Tables**

---

- ~~a) Land Use Table: Table not applicable~~
- ~~b) Amended Development Standards Table comparing proposed & current zoning code standards: Table not applicable.~~
- ~~c) Amended Use Table: Table not applicable~~
- ~~d) Utilities and Services Table of Type & Source~~

## 22.1 Utilities & Services

Utility/ Service	Provider
Fire	Stanfield Fire Department
Police	Pinal County Sheriff Stanfield
Solid Waste	Private Contractor handled by property owner
Sewer	Rent-A-Can Portable Service Casa Grande

## Appendices

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- Appendix A: Hours of Operation- Hours change seasonally with temperature and weather changes. Stay in compliance with Pinal County Noise Ordinance 050306-ENO as amended by 031611-ENO-01
- Appendix B: Traffic Impact- There will be no impact on existing roadways. The occasional events that we hold have flexible starts and finish times so that traffic won't be coming and going all at once.
- Appendix C: Safety- EMT staff and ambulance will be onsite for all race events
- Appendix D: Lighting & Seating- any future lighting or seating would comply with zoning standards. No current plans for lighting or seating.

## **Addendum**

### **1. Dust Abatement Plan:**

---

Dust will be controlled through constant watering of all areas of ingress/egress, parking areas, and motocross tracks by our 4000 gallon water truck. (Please see page 8, letter F, line 1 & 2)

### **2. Noise Control:**

---

Noise from all vehicles will be well below the County Ordinance as previously stated. It will also be minimized by leaving all the natural flora, trees, and cacti in place to absorb sound. Parking areas have also been placed as buffers between the tracks and the two residences that are in the area. (Please see page 3, line D #1)

### **3. Natural Drainage:**

---

Natural drainage has not and will not be impacted in any way. No washes have been or will be diverted.

### **4. Motocross Operation:**

---

The schedule for the track is almost entirely for practice only. Practice times would be during daylight hours, primarily on weekends. IE: Saturday 9am-2pm and Sunday 9am-2pm. Times would be earlier during summer/hotter months. Race events are not currently planned, but if they were to be added it would be approximately one event per month. Events would be on weekend days during daylight hours and wouldn't be much different than a practice day.

### **5. Security**

---

Security would not need to be hired for an event. Motorcycle races that we would conduct would not have the large spectator crowds that other motorsports venues attract. We also wouldn't sell alcohol like other motorsports venues. Maricopa Motorsports Park LLC is an athletic/recreational training facility and is not geared toward spectating. EMT/ambulatory services would be hired for race events.

### **6. Types of Vehicles**

---

Two, three and four-wheeled off-road vehicles will be ridden here. That includes dirt bikes, ATV's, and side-by-sides.

START TIME: 5:19 PM

COMPLAIN ABOUT DUST WHEN THE  
TRACK WAS FIRST BUILT.

QUESTION ABOUT WIDENING THE  
ROAD

QUESTION ABOUT PARKING

QUESTION ABOUT EXPENDING THE  
BUSINESS.

RIDDING TIMES - OPEN 5 HOURS  
AT THE TIME.

QUESTION ABOUT DRINKING -

ON ROAD PARKING

CONCERN ABOUT NOISE. - NOT  
HAPPY ABOUT NOISE.

QUESTION ABOUT LB-DIVING

SECURITY - SAFE.

QUESTION ABOUT - BOARD OF  
SUPERVISORS MEETING - WHERE  
WILL IT BE.

QUESTION ABOUT FUTURE  
BUSINESS GROWTH.

CONCERNS ABOUT CAR RACING

WHERE DO YOU GET YOUR WATER  
FOR THE TRACK.

9/18/15 Jim KP

## Community Neighborhood Meeting Minutes

September 18, 2015

5:01 PM: put out sign-in sheet

5:19 PM: started meeting

To start meeting I introduced myself as the landowner. I explained that I owned the 46 acres and was applying with Pinal County to re-zone the land to Industrial 3 for the purpose of opening a Motorsports Park for off-road dirt bikes, ATV's, and Side-by-Sides.

1. **Neighbor:** Complaint about dust when track first built

**Mike Fay:** We have a water truck now and when the track was initially started in November 2014 I did not. I also stated that I only worked after rain when I worked in November 2014. There is more dust blowing on an average windy day when the dirt is dry than anytime I have worked.

**Neighbor:** Also complained that washes were being altered and he wasn't getting rain water to his land.

**Mike Fay:** I told him that was completely not true. I explained I toured the property with people from Pinal County Zoning and Planning, Flood Control, the County Supervisor, and Public Works. The washes were looked at and no issues were found. I offered to walk or drive the property with anyone who wanted to see the scope of the project or inspect any of the washes. I also explained that washes were altered and diverted all the time from normal County maintenance of the dirt roads, but none of the washes on my land were altered.

**Neighbor:** Since we have gotten some rain lately his washes were fine.

2. **Neighbor:** Question about widening the road

**Mike Fay:** answered that neither, I, or Public Works were going to alter any roads

3. **Neighbor:** Question about parking.

**Mike Fay:** Explained the area we were standing in was the designated parking area and that we had approximately half of the 46 acres that was still flat vacant land if extra parking was needed.

4. **Neighbor:** Question about expanding the business

**Mike Fay:** Explained that the 3 tracks that are already built is what we plan on working with. If a 4<sup>th</sup> track was to be built it would be similar or smaller than the current tracks.

**Neighbor:** Expressed concern that we were going to expand into car racing

**Mike Fay:** Explained no intention of ever doing anything like that. Motorcycles are my passion and I understood the concerns associated with car venues.

5. **Neighbor:** Riding times?

**Mike Fay:** Explained that tracks do change their hours seasonally due to heat. Most of the year they run 8:00-2:00PM and in the summer 6:00 or 7:00AM until 11:00AM or 12:00PM. I also explained that since it was practice people come and go whenever they want so traffic won't be congested at specific times.

6. **Neighbor:** Expressed a concern that a car race he attended in Apache Junction had people drinking in the parking lot and some he suspected were minors, and wanted to know how I would address that.

**Mike Fay:** Explained that the Motocross practice we would have was completely opposite of the car race he attended. Our practice is almost entirely participants with very few spectators. The car race was almost entirely spectators. Stated would not sell or allow alcohol on the premises.

**Warner Buchmann (Minute Recorder):** Interjected that motocross riders are different than most of the people who drink at Motorsports events and that a drunk person wouldn't make 1 lap.

**Mike Fay:** Explained we would have a very strict "no warning" set of rules and people who break rules will be asked to leave. Safety is a major priority.

7. **Neighbor:** On road parking? Concerned about spectators parking outside the fence along the road

**Mike Fay:** Advised that spectating was free and there would be no reason for anyone to park on the road.

8. **Neighborhood:** Concerned about noise. Not happy about noise.

**Mike Fay:** Explained that the way the tracks were built we were leaving all of the brush, bushes, cacti, and trees to provide the most natural sound deadening. I also left open spaces and parking areas near the two residences that were close so the riding would be farther away from them. Let everyone know by stating I am a stay-at-home Dad of 2 and 4 year old boys. So money is limited. Explained that once I opened and had some revenue coming in that some more sound deadening bushes or fencing could be added if needed. Explained the County Noise Ordinance limit is 120 decibels at the property line. Off-road motorcycles produced and sold in the U.S. have to comply with 98 decibels at 3 feet away. So any vehicle ridden at the Motorsports Park would not violate the Noise Ordinance. Pointed out we could hear the traffic on Highway 84 from where we were standing. Stated the way sound is measured and that more motorcycles don't add up to more decibels. If 1 bike is 98 decibels and 40 bikes are 98 decibels each that the total sound is still 98 decibels. You can't compound decibels.

9. **Neighbor:** Will this re-zoning change their zoning or taxes

**Mike Fay:** Expressed this only affected my property and their taxes and zoning wouldn't change.

10. **Neighbor:** Asked about security. Has a concern about a recent run in with 2 illegal immigrants in her driveway.

**Mike Fay:** Explained the property currently was fenced along any property lines that anyone could drive onto. There is a gate at the entrance right where we are standing. Mentioned again that I was paying for this project out of my pocket, so as revenue came in then fencing the entire 46 acres would happen.

11. **Neighbor:** Asked why there was no sign to post when Board of Supervisors Meeting was?

**Mike Fay:** Stated that is part of the process and it would be posted once I had the case number and meeting information, but needed to have this neighborhood meeting and submit my application for re-zone first.

**Neighbor:** She pointed to a magazine article that covered Maricopa Motorsports Park and wanted to know how I already had an opening date and County approval.

**Mike Fay:** Explained that the article only stated that we would like to open this Fall and that no approval had been given because I hadn't even submitted the application yet.

**Neighbor:** Insisted I had an approval and the article confirmed it and Tony Smith should not be allowed to vote on the zoning because he already approved it.

**Mike Fay:** Explained a second time that no opening date or approval had been granted and that today's meeting was part of the approval process.

**12. Neighbor:** Asked again about future growth.

**Mike Fay:** Reassured her that I had no intention of ever building a track for race cars. Explained wasn't going to build any stadiums or 3 story buildings.

**13. Neighbor:** Where do you get water from?

**Mike Fay:** There are 2 wells in the area, one on Route 347 about 1.5 miles away and a second on Amarillo Road. I have an account to use either.

September 9, 2015

Dear Landowner-

The purpose of this letter is to inform you that I am applying with Pinal County to rezone 45.79 acres of land, known as parcels, 501-39-040/501-39-041/501-39-042/501-39-043/501-39-044 from GR-General Rural to I-3- Industrial 3. The land is located off of South Liebre Road. It is just south and east of South Liebre Road/West Plata Road intersection. We will be holding a neighborhood meeting on the property at 5PM September 18, 2015 to describe/discuss the project. Everyone is invited and we hope to see you there.

Dirt Brothers Land Management LLC

# **Site Plan Narrative**

## **MARICOPA MOTORSPORTS PARK LLC**

**Submitted to:**  
**Pinal County**  
**PLANNING & DEVELOPMENT DEPARTMENT**  
31 North Pinal Street, Building F  
Florence, Arizona 85132

**Submitted on behalf:**  
**Maricopa Motorsports Park LLC**  
43265 West Bailey Drive  
Maricopa, Arizona 85138

**Applicant:**  
**Mike Fay / Dirt Brothers Land Management LLC**  
43265 West Bailey Drive  
Maricopa, Arizona 85138

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## **1. Legal Description of Total Site**

---

**Parcel 501-39-040:** COM @ NE COR OF SEC 31-06S-03E TH W-164.44 TH S56D W-1068.88 TH S-2644.08 TH W-427.16 TH S-144.02 TO POB TH CONT S-496.19 TH W-1158.86 TH N-492.87 TH E-1160.07 TO POB AKA PCL 1 BK-20 OF SURVEYS PG-075 13.16 AC

<http://pinalcountyz.gov/Assessor/Pages/ParcelSearch.aspx?b=501&m=39&p=040&s=0>

**Parcel 501-39-041:** COM @ NE COR OF SEC 31-06S-03E TH W-164.44 TH S56D W-1068.88 TH S-2621.08 TO POB TH CONT S-23.00 TH W-427.16 TH S-144.02 TH W-325.61 TH N-145.06 TH E-302.92 TH N-23.00 TH E-450.14 TO POB AKA PCL 2 BK-20 OF SURVEYS PG-075 1.32 AC

<http://pinalcountyz.gov/Assessor/Pages/ParcelSearch.aspx?b=501&m=39&p=041&s=0>

**Parcel 501-39-042:** COM @ NE COR OF SEC 31-06S-03E TH W-164.44 TH S56D W-1068.88 TH S-2051.81 TO POB TH CONT S-569.27 TH W-450.14 TH S-23.00 TH W-302.92 TH N-591.45 TH E-754.04 TO POB AKA PCL 3 BK-20 OF SURVEYS PG-075 10.00 AC

<http://pinalcountyz.gov/Assessor/Pages/ParcelSearch.aspx?b=501&m=39&p=042&s=0>

**Parcel 501-39-043:** COM @ NE COR OF SEC 31-06S-03E TH W-164.44 TH S56D W-1068.88 TH S-1344.00 TO POB TH CONT S-707.81 TH W-754.04 TH N-311.58 TH N56D E-417.38 TH N-167.38 TH E-405.79 TO POB AKA PCL 4 BK-20 OF SURVEYS PG-075 10.00 AC

<http://pinalcountyz.gov/Assessor/Pages/ParcelSearch.aspx?b=501&m=39&p=043&s=0>

**Parcel 501-39-044:** COM @ NE COR OF SEC 31-06S-03E TH W-164.44 TH S56D W-1068.88 TO POB TH S-1344.00 TH W-405.79 TH N-1077.38 TH N56D E-487.06 TO POB AKA PCL 5 BK-20 OF SURVEYS PG-075 11.31 AC

<http://pinalcountyz.gov/Assessor/Pages/ParcelSearch.aspx?b=501&m=39&p=044&s=0>

## **2. Name of Landowner, Developer, Applicant and Person or Firm Preparing Plan**

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Landowner: Mike Fay/Dirt Brothers Land Management LLC  
43265 West Bailey Drive  
Maricopa, Arizona 85138

Applicant: Mike Fay / Maricopa Motorsports Park LLC  
43265 West Bailey Drive  
Maricopa, Arizona 85138



