



MEETING DATE: NOVEMBER 1, 2023

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **SUP-019-23 (COPPER SKY: RINCON)**

CASE COORDINATOR: VAL LUJAN

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***Executive Summary:***

*This is a request for a Special Use Permit, on behalf of Vertical Bridge, LLC. Requesting approval of a new Wireless Communication Facility (WCF) on a residentially developed 3.35 acre parcel a, in the Suburban Ranch (SR) Zoning District.*

**If This Request is Approved:**

The Special Use Permit would allow Vertical Bridge, LLC. to install a new, stealth designed Wireless Communication Facility (WCF) on parcel 501-45-0680.

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

Staff recommends approval of the request.

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LEGAL DESCRIPTION:

Lot 68, of Hidden Valley Estates Unit 10 - (legal on file)

TAX PARCELS:

501-45-0680

APPLICANT/AGENT:

Jason Lee Ludington (owner)

James Caciola of Vertical Bridge LLC. (agent/applicant)

REQUESTED ACTION & PURPOSE:

**SUP-019-23 – PUBLIC HEARING/ACTION:** Vertical Bridge, LLC. – James Caciola, applicant/agent, requesting approval of a Special Use Permit to operate a new wireless communication facility, on a 3.35± acre parcel in the Suburban Ranch (SR) Zone; tax parcel 501-45-0680 – legal on file – situated in a portion of Section 26, Township 06 South, Range 02 East, of the G.S.R.B.&M., Pinal County, Arizona, located north of W. Fresno Road and west of S. Rincon Road in an unincorporated area of Pinal County.

SIZE: 3.35 acre parcel

COMMUNITY DEVELOPMENT  
Planning Division

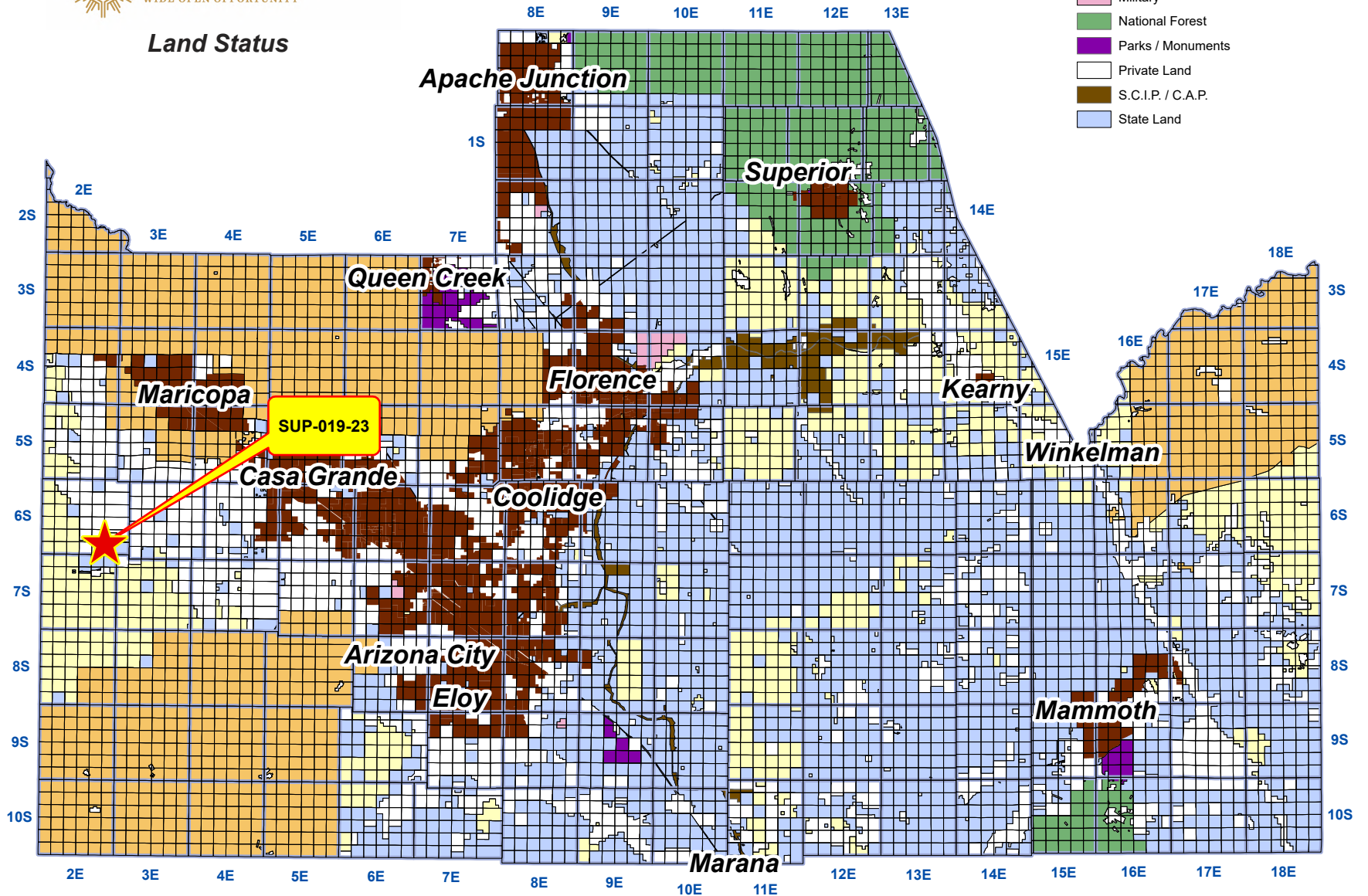


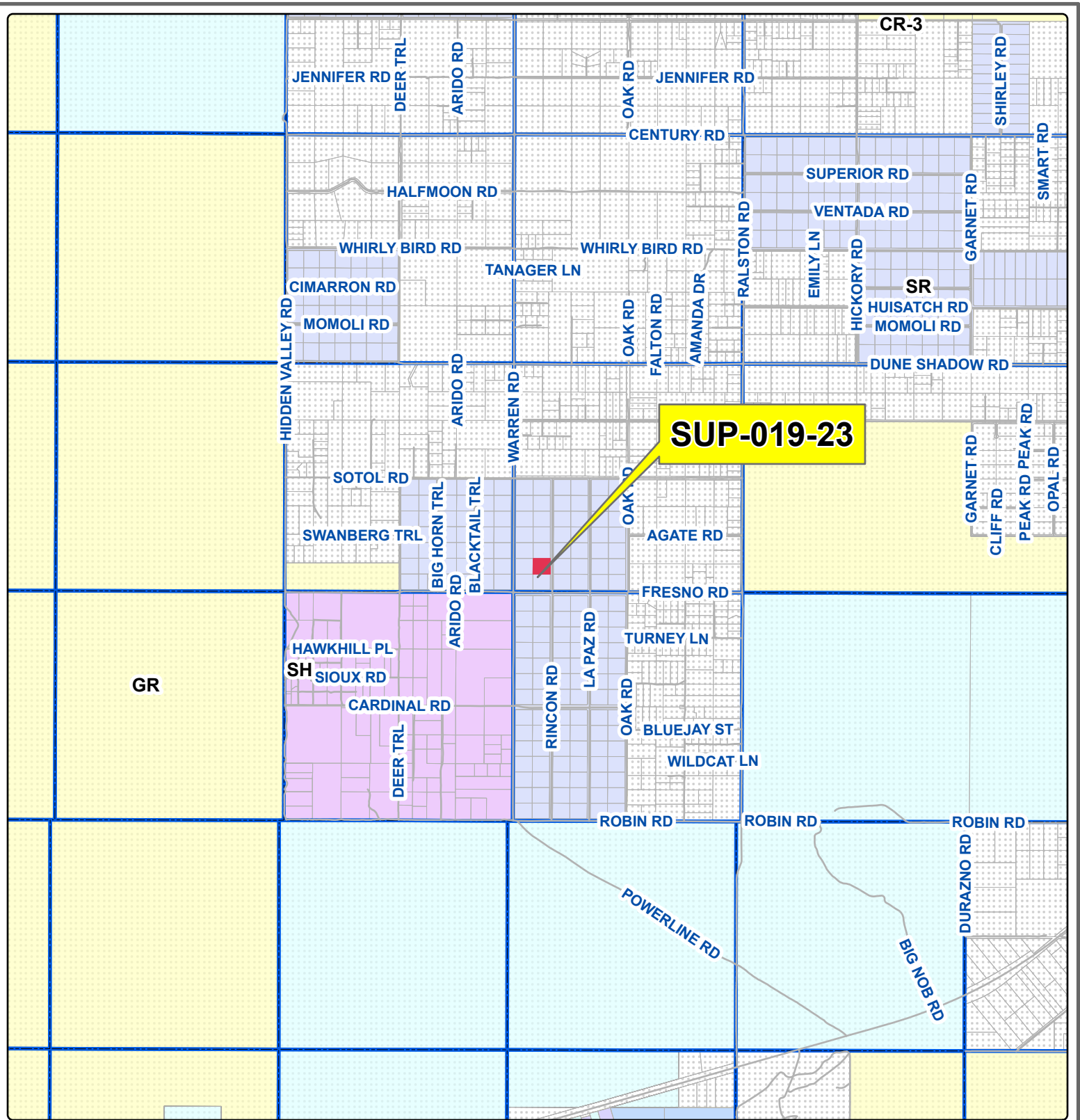
**PINAL COUNTY**  
WIDE OPEN OPPORTUNITY

### Land Status

### Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





## Community Development



**PINAL COUNTY**  
WIDE OPEN OPPORTUNITY

**Legal Description:**

Situated in a portion of Section 26, Township 06 South, Range 02 East, of the G.S.R.B. & M., Pinal County, Arizona, located north of W. Fresno Road and west of S. Rincon Road in an unincorporated area of Pinal County.  
**ALL PERSONS INTERESTED IN THIS MATTER MAY**  
SEC 26, TWN 06S, RNG 02E



Owner/Applicant:  
VERTICAL BRIDGE, LLC. – JAMES CACIOLA

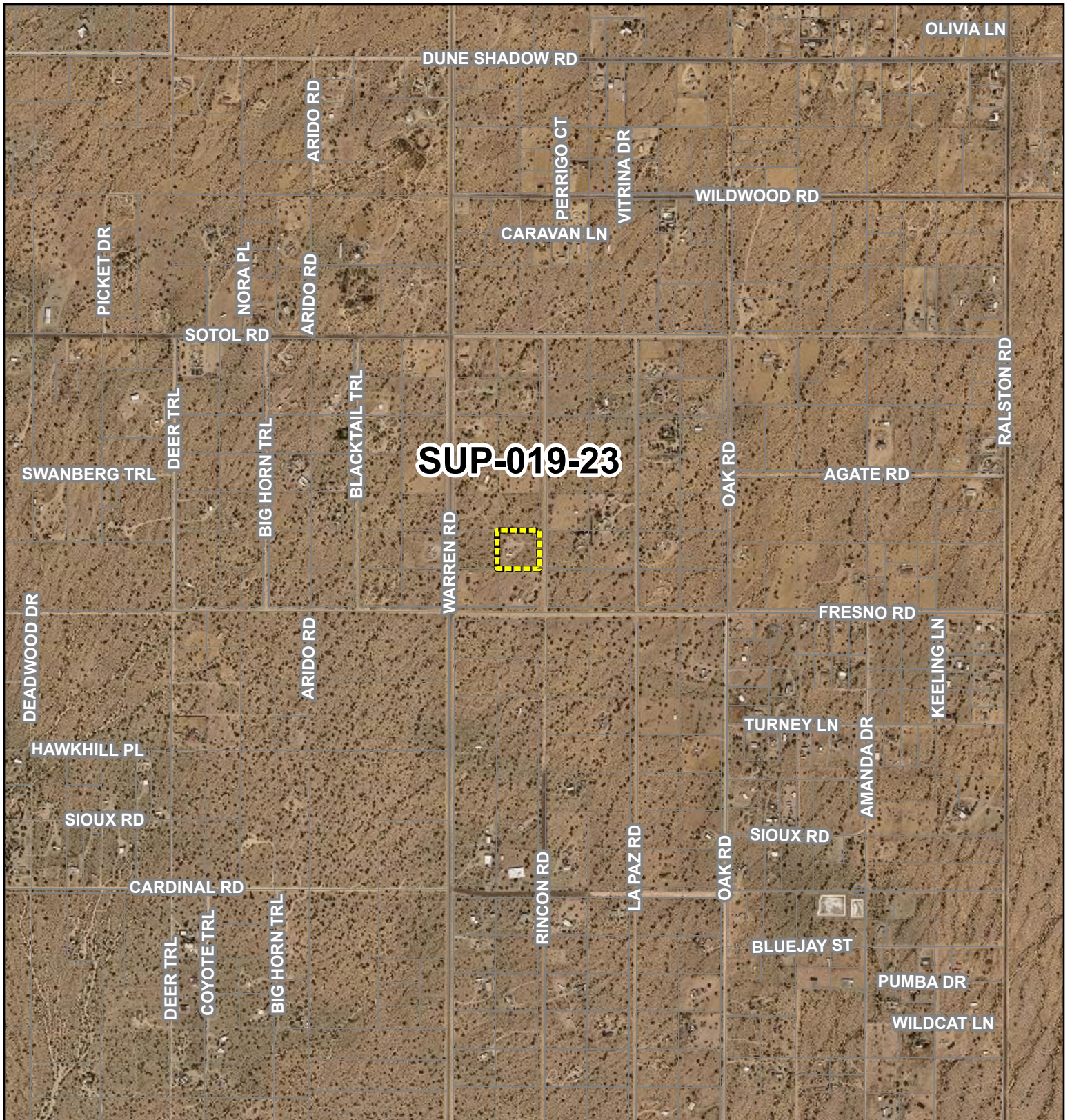
Drawn By: GIS / IT / LJT Date: 07/20/2023

Sheet No.

Section 26 Township 06S Range 02E

1 of 1

Case Number: **SUP-019-23**

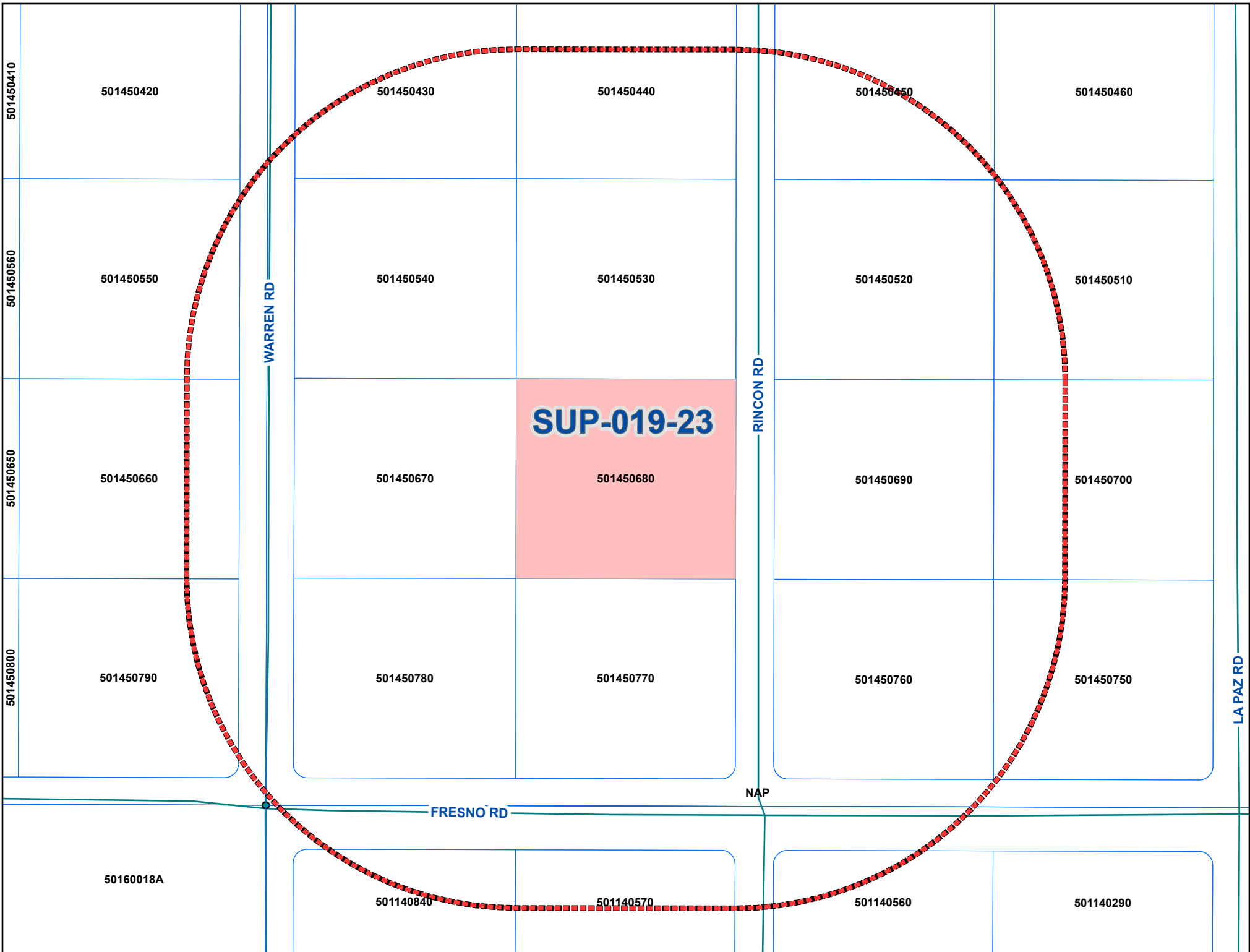


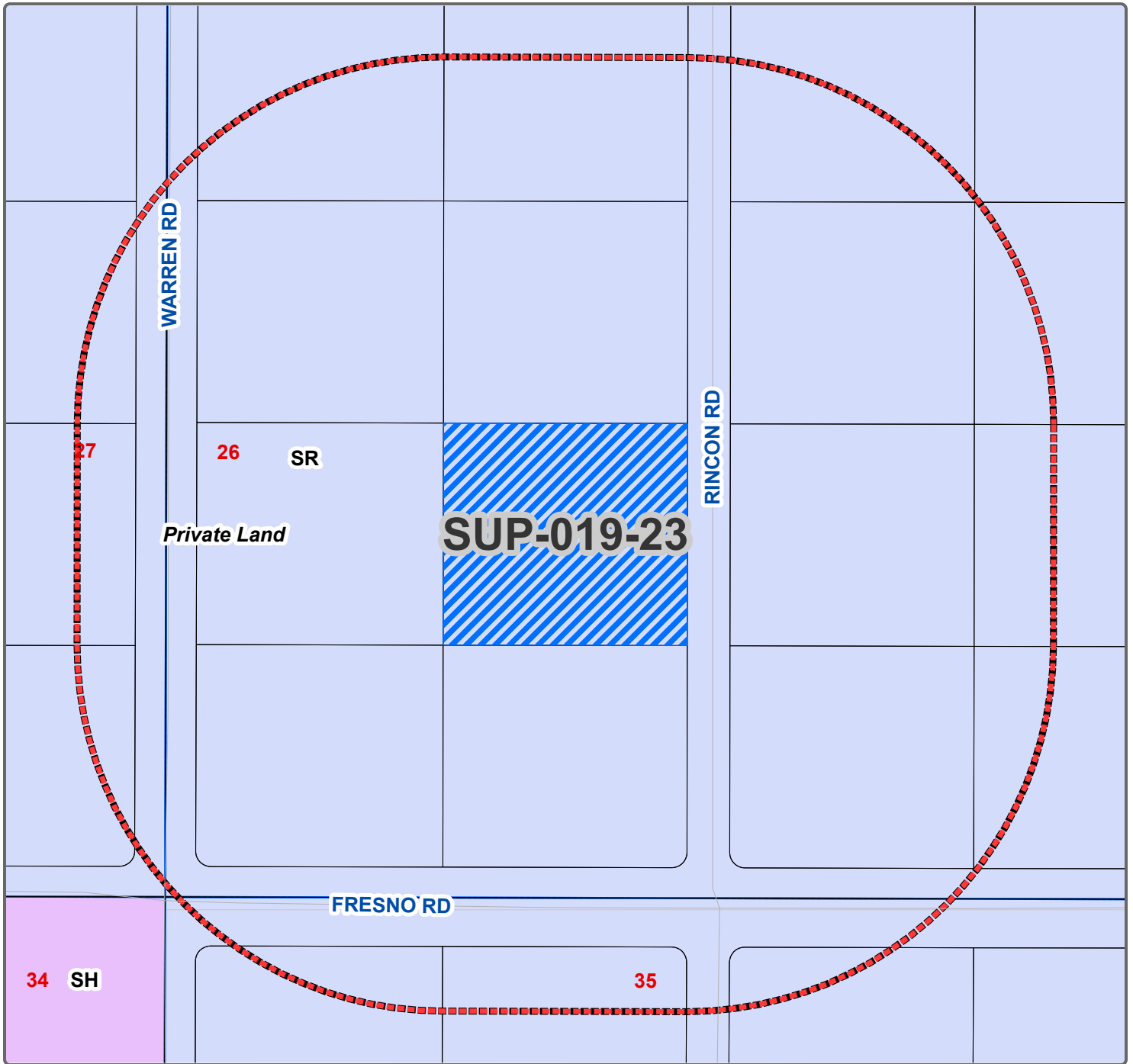
## *Community Development*



**PINAL COUNTY**  
WIDE OPEN OPPORTUNITY

**SUP-019-23**





**Pinal County Board of Supervisors**

SUP-019-23 – PUBLIC HEARING/ACTION: Vertical Bridge, LLC. – James Caciola, applicant/agent, requesting approval of a Special Use Permit to operate a new wireless communication facility, on a 3.35± acre parcel in the Suburban Ranch (SR) Zone; tax parcel 501-45-0680 – legal on file – situated in a portion of Section 26, Township 06 South, Range 02 East, of the G.S.R.B.&M., Pinal County, Arizona, located north of W. Fresno Road and west of S.Rincon Road in an unincorporated area of Pinal County.

Current Zoning: SR

Current Land Use: VLDR



**Legal Description:**

Situated in a portion of Section 26, Township 06 South, Range 02 East of the G.S.R.B.&M., Pinal County, Arizona, located north of W. Fresno Road and west of S.Rincon Road in an unincorporated area of Pinal County.

SEC 26, TWN 06S, RNG 02E



|  |                            |                     |
|--|----------------------------|---------------------|
| <b>Owner/Applicant:</b><br>VERTICAL BRIDGE, LLC. – JAMES CACIOLA |                            |                     |
| <b>Drawn By:</b><br>GIS / IT /LJT                                | <b>Date:</b><br>07/20/2023 |                     |
| <b>Section</b><br>26   | <b>Township</b><br>06S     | <b>Range</b><br>02E |
| <b>Case Number:</b><br><b>SUP-019-23</b>                         |                            |                     |

**Sheet No.**  
**1 of 1**

COMPREHENSIVE PLAN: The land use designation for the subject site is Very Low Density Residential (VLDR [0-1 du/acre]).

EXISTING ZONING AND LAND USE: The property is positioned within Zoning District Suburban Ranch (SR).

**SURROUNDING ZONING AND LAND USE:**

North: Suburban Ranch (SR); manufactured home  
 South: Suburban Ranch (SR); manufactured home  
 East: Suburban Ranch (SR); undeveloped parcel  
 West: Suburban Ranch (SR); manufactured home

**PUBLIC PARTICIPATION:**

Neighborhood Meeting(s): December 28, 2022  
 Agency Mail out: July 31, 2023 & August 31, 2023  
 Newspaper Advertising: July 27, 2023 & October 05, 2023  
 Site posting, Applicant: July 17, 2023  
 Site posting, County: July 28, 2023, September 1, 2023 & October 13, 2023

**COMMISSION ACTION/RECOMMENDATION (SUP-019-23):** At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted 9-0, to recommend approval of **(SUP-019-23)** based upon the record, and adding one (1) stipulation for a total of sixteen (16) stipulations.

**SUP-019-23 STIPULATIONS:**

1. All Federal (FCC), State and County regulations shall be adhered to and all required approvals, plans, submittal documents, and permits submitted and obtained; including, but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, landscaping, signage, etc.;
2. Submit an R.F. Engineer’s certification within thirty days of BOS approval, that the facilities comply with all Federal Aviation Administration (FAA), and that the radiation meets Federal Communication Commission (FCC) requirements. Should interference be determined to exist with the WAPA Communications equipment, building permits shall not be issued until the interference issues are resolved to the satisfaction of Pinal County Community Development;
3. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;
4. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more land;
5. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;

6. Paving will be provided on the following: 24 foot driveway & access drive, within the site, and on parking area; Applicable to site access portion of W. Fresno Road and S. Rincon Road, additional road access improvement requirements must be met as determined by County Engineer(s) and other County Divisions/personnel;
7. An Air Quality industrial permit may be required if there is a generator installed;
8. The WCF is required to be enclosed by an 8' CMU wall as required by County Code § 2.205.050 (B);
9. The layout, design and set up of the wireless communication facility shall be as shown and set forth on the applicant's site plan as submitted with this application for a Special Use Permit;
10. Any change or expansion of use shall require approval by the Board of Supervisors;
11. At such time the wireless communication facility is no longer needed, it shall be removed from the subject property within 180 day at the expense of the applicant;
12. The applicant shall keep the property free of trash, litter and debris;
13. Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Community Development Department;
14. A site plan process would be initiated by the applicant after the SUP is approved by the BOS;
15. Approval of this Special Use Permit is tied to the portion of parcel number 501-45-0680 in which the WCF is situated; and
16. Per the Pinal County Site Plan Requirements, the Applicant is to provide a grading and drainage design for the subject property that satisfies the Pinal County Drainage Manual requirements.

Date Prepared 10/18/23 -val

**PROJECT DESCRIPTION:**

CONSTRUCTION OF TELECOMMUNICATIONS AND PUBLIC UTILITY FACILITY, CONSISTING OF A (115 FOOT MONO-ELM) (110 FT. POLE) CELL TOWER, FOR CARRIER ANTENNAS AND MICROWAVE. INSTALLED INSIDE A 40'X40', 8 FT. HIGH CMU WALL EQUIPMENT COMPOUND, PAINTED LIGHT TAN COLOR. WITH SPACE FOR CARRIER EQUIPMENT, ON A CONCRETE PAD AND CABLE ICE BRIDGE. A MULTI-METER UTILITY SERVICE MOUNTED TO EXTERIOR COMPOUND CMU WALL. NO WATER OR SEWER IS REQUIRED. THIS WILL BE AN UNMANNED FACILITY.

**CODE COMPLIANCE:**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

- |  |   |
|--|---|
| 1. 2018 INTERNATIONAL BUILDING CODE                    | 11. IEEE C2 NATIONAL ELECTRIC SAFETY CODE, LATEST EDITION |
| 2. 2017 NATIONAL ELECTRIC CODE                         | 12. TELECORDIA GR-1275                                    |
| 3. 2018 NFPA101 LIFE SAFETY CODE                       | 13. ANSI/T 311  |
| 4. 2018 IFC  | 14. 2018 INTERNATIONAL MECHANICAL CODE                    |
| 5. AMERICAN CONCRETE INSTITUTE                         | 15. 2018 INTERNATIONAL PLUMBING CODE                      |
| 6. AMERICAN INSTITUTE OF STEEL CONSTRUCTION            | 16. LOCAL BUILDING CODE                                   |
| 7. MANUAL OF STEEL CONSTRUCTION, 13TH EDITION          | 17. CITY/COUNTY ORDINANCES                                |
| 8. ANSI/TIA/EIA-222-G                                  | 18. STATE BUILDING CODE                                   |
| 9. TIA 607   | 19. LIGHTNING PROTECTION CODE: NFPA780 - 2000             |
| 10. INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81 |   |



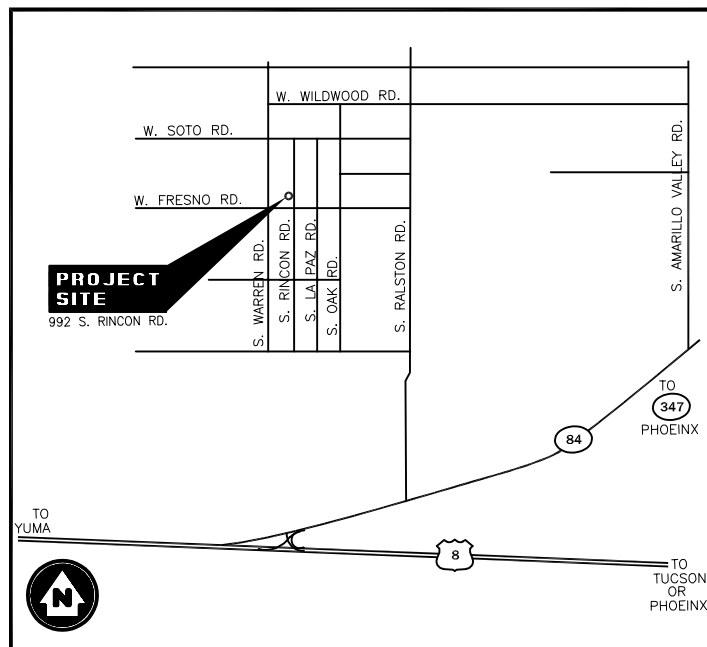
**US-AZ-7050  
COPPER SKY  
992 S. RINCON RD.  
MARICOPA, AZ 85139  
PINAL COUNTY**

**TENANT SITE DETAILS**

**SITE ID: PH68124A**

**DESIGN TYPE: NEW SITE DEVELOPMENT  
MONO-ELM**

**SITE ADDRESS: 992 S. RINCON RD.  
MARICOPA, AZ 85139  
PINAL COUNTY**



VICINITY MAP  
N.T.S.

| APPROVAL BLOCK       |      |                          |                          |                          |
|----------------------|------|--------------------------|--------------------------|--------------------------|
|                      |      | APPROVED                 | APPROVED AS NOTED        | DISAPPROVED/REVISE       |
| VERTICAL BRIDGE      | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SITE ACQUISITION     | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| CONSTRUCTION MANAGER | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ZONING               | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| RF ENGINEERING       | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| PROJECT DIRECTORY |   |
|-------------------|---|
| PROPERTY OWNER:   | JASON LEE LUDINGTON<br>992 S. RINCON RD.<br>MARICOPA, AZ 85139                            |
| CONTACT:          | JASON LUDINGTON<br>PHONE:   |
| APPLICANT:        | VERTICAL BRIDGE<br>750 PARK OF COMMERCE DRIVE, SUITE 200<br>BOCA RATON, FL 33487          |
| CONTACT:          | C/O JIM CACIOLA<br>PHONE: (602) 405-3550  |
| ENGINEER:         | CLEAR BLUE SERVICES<br>3530 E. ATLANTA AVE.<br>PHOENIX, AZ 85040<br>PHONE: (602) 405-8803 |
| CONTACT:          | STEVEN DeJONGE<br>STEVENDEJONGE@CLEARBLUESERVICES.COM                                     |
| POWER COMPANY:    | ED3   |
| TELCO COMPANY:    | -   |

| PROJECT WORK SCOPE  |  |
|---|--|
| VERTICAL BRIDGE (VB) WILL PROVIDE AN IMPROVED PAVED ACCESS DRIVE, TECH PARKING AREA AND RAISED LEVEL SITE FOR A NEW TELECOMMUNICATIONS FACILITY.  |  |
| TO INCLUDE THE FOLLOWING:   |  |
| <ul style="list-style-type: none"> <li>A 40 FT. X 40 FT. CMU BLOCK COMPOUND WALL, 8 FT. HIGH, W/TAN PAINTED FINISH, WITH DOUBLE 10 FT. WIDE ACCESS GATE.</li> <li>A 6" CRUSHED STONE GRAVEL COMPOUND COVER OVER WEED BARRIER.</li> <li>PROVIDE AND INSTALL THE NEW COMMUNICATIONS TOWER, 115 FT. HIGH MONO-ELM (110 FT. TOP OF POLE) TOWER.</li> <li>INSTALL NEW MULTI-METER, 600 AMP, 120/240V SINGLE PHASE ELECTRICAL SERVICE AND PROVIDE A MINIMUM OF AT LEAST ONE (1) 200 AMP METER SOCKET FOR INITIAL CARRIER.</li> <li>PROVIDE AND INSTALL ASSOCIATED CONDUITS, WIRING AND MOUNTING FOR NEW ELECTRICAL S.E.S. PER UTILITY GUIDELINES.</li> <li>INSTALL COMPOUND AND TOWER GROUND RINGS ALONG WITH CONNECTIONS FOR EQUIPMENT GROUNDING.</li> </ul>   |  |
| CARRIER TO PROVIDE AND INSTALL THE FOLLOWING:   |  |
| <ul style="list-style-type: none"> <li>NEW 8 FT. X 13 FT. CONCRETE EQUIPMENT PAD.</li> <li>NEW TWO (2) COMMUNICATION EQUIPMENT CABINETS ON CONCRETE PAD.</li> <li>NEW 12" WIDE ICE BRIDGE / H-FRAME</li> <li>NEW 200 AMP SERVICE METER, PER UTILITY.</li> <li>FOUR (4) NEW LED TECH LIGHTS AND WEATHERPROOF LIGHT SWITCH W/TIMER.</li> <li>NEW TELCO BOX, PPC, AND CIENNA ON ICE BRIDGE H-FRAME.</li> <li>NEW FIBER BOX AND JUNCTION BOXES ON ICE BRIDGE H-FRAME.</li> <li>NEW 4 FT. X 8 FT. CONCRETE PAD FOR FUTURE CARRIER INSTALLED GENERATOR.</li> <li>NEW GENERATOR WHEN AVAILABLE.</li> <li>NEW TWO (2) HYBRID CABLE WITH PENDANTS.</li> <li>NEW COLLAR MOUNT FOR NEW MICROWAVE ANTENNA DISH, WITH STIFF ARM.</li> <li>NEW MICROWAVE ANTENNA DISH &amp; MOUNT W/STIFFENER.</li> <li>NEW (2) FIBER AND (2) POWER CABLES FOR NEW MICROWAVE.</li> <li>NEW (1) EXCESS FIBER MANAGEMENT BOX FOR NEW MICROWAVE.</li> <li>NEW TRI-SECTOR FRAME ANTENNA MOUNT W/STIFFENER KIT</li> <li>NEW (6) RRU'S (2)PER SECTOR.</li> <li>NEW (6) ANTENNAS, (2) PER SECTOR.</li> <li>NEW REGULATORY &amp; SITE ID SIGNAGE</li> </ul> |  |

| DRAWING INDEX |                             |       |         |
|---------------|-----------------------------|-------|---------|
| DRWG. #       | TITLE                       | REV.# | DATE    |
| T1            | TITLE SHEET                 | 6     | 6/26/23 |
| LS-1          | SURVEY (BY WGS)             | A     | 6/14/23 |
| C3            | OVERALL SITE PLAN           | 6     | 6/26/23 |
| C4            | COMPOUND SITE PLAN          | 6     | 6/26/23 |
| C4A           | ENLARGED COMPOUND PLAN      | 6     | 6/26/23 |
| C5            | ELEVATIONS                  | 6     | 6/26/23 |
| C6            | ELEVATIONS                  | 6     | 6/26/23 |
| C7            | EQUIPMENT & ANTENNA LAYOUTS | 6     | 6/26/23 |
| C8            | DETAILS                     | 6     | 6/26/23 |

| PROJECT INFORMATION    |   |
|------------------------|---|
| SITE NAME:             | <b>COPPER SKY</b>                       |
| SITE NUMBER:           | US-AZ-7050                              |
| SITE ADDRESS:          | 992 S. RINCON RD.<br>MARICOPA, AZ 85139 |
| PARCEL #'s:            | 501-45-0680                             |
| OCCUPANCY:             | U                                       |
| ZONING CLASSIFICATION: | SR (SUBURBAN RANCH)                     |
| ZONING JURISDICTION:   | PINAL COUNTY                            |
| FLOOD ZONE:            | X                                       |
| GROUND ELEVATION:      | ±1,588.6 FT.                            |
| STRUCTURE TYPE:        | MONO-ELM, FAUX BROADLEAF TREE           |
| STRUCTURE HEIGHT:      | 115 FT. TOP OF BRANCHES (110 FT. POLE)  |
| CONSTRUCTION AREA:     | 40' X 40' = 1,600 SF                    |
| LATITUDE (NAD 83):     | 32° 52' 15.36" N 32.870933° N           |
| LONGITUDE:             | 112° 07' 56.05" W 112.132236° W         |

**DIG ALERT:**  
CALL FOR UNDERGROUND UTILITIES PRIOR TO DIGGING:  
811

**EMERGENCY:**  
CALL 911

**JURISDICTIONAL APPROVAL**

SUP CASE # SUP-019-23

EXPIRES 9-30-2025



**verticalbridge**

**Clear Blue Services**  
3530 E. ATLANTA AVE.  
PHOENIX, AZ 85040

|   |                      |     |          |
|---|----------------------|-----|----------|
| 6 | CLIENT CHANGES       | SLD | 6/26/23  |
| 5 | COUNTY COMMENTS      | SLD | 6/12/23  |
| 4 | COUNTY COMMENTS      | SLD | 5/1/23   |
| 3 | COUNTY COMMENTS      | SLD | 11/23/22 |
| 2 | CLIENT RFD'S CHANGES | SLD | 6/27/22  |
| 1 | CLIENT MW ADD        | SLD | 6/6/22   |
| 0 | ZONING DRAWINGS      | SLD | 4/22/22  |

Drawn: SLD Date: 4/23/22  
Designed: SLD Date: 4/23/22  
Checked: TB Date: 4/23/22

Project Number: US-AZ-7050

Project Title: **COPPER SKY**  
992 S. RINCON RD.  
MARICOPA, AZ 85139  
PINAL COUNTY

Engineer Stamp

THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

Drawing Title: **TITLE SHEET**

Drawing Scale: AS NOTED

Date: 06/26/2023

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF APPLICABLE STATE AND/OR LOCAL LAWS.

Drawing Number: **T1**

SUP CASE #: SUP-019-23

**ALTA/NSPS LAND TITLE SURVEY**  
 OF LEASED PREMISES, BEING A PORTION OF LOT 68 OF  
 HIDDEN VALLEY ESTATES, PER BOOK 14 OF MAPS, PAGE 12  
 RECORDS OF PINAL COUNTY, ARIZONA  
 SITUATED IN A PORTION OF THE SW QUARTER OF  
 SECTION 26, T.6.S, R.2.E  
 OF THE GILA AND SALT RIVER BASE AND MERIDIAN  
 PINAL COUNTY, ARIZONA  
 SURVEY PERFORMED FOR THE BENEFIT OF VB BTS II, LLC

**PARENT PARCEL LEGAL DESCRIPTION**

THAT CERTAIN PROPERTY SITUATED IN PINAL COUNTY, STATE OF ARIZONA, AND DESCRIBED AS FOLLOWS:

LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO THE PLAN OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, IN BOOK 14 OF MAPS, PAGE 12.

PARCEL ID NO.: 501-45-0680

THIS BEING THE SAME PROPERTY CONVEYED TO JASON LEE LUDINGTON FROM MARK FRANK FORSYTH III IN A QUIT CLAIM DEED DATED NOVEMBER 6, 2015 AND RECORDED NOVEMBER 6, 2016 AS INSTRUMENT NO. 2015-072243 IN PINAL COUNTY, ARIZONA.

**ACCESS EASEMENT LEGAL DESCRIPTION**

A PORTION OF LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO BOOK 14 OF MAPS, PAGE 12, PINAL COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM MARKING THE SOUTHWEST CORNER OF SECTION 26; THENCE NORTH 53°42'12" EAST A DISTANCE OF 912.60 FEET;  
 THENCE NORTH 90°00'00" EAST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°00'00" WEST A DISTANCE OF 4.00 FEET;  
 THENCE NORTH 90°00'00" EAST A DISTANCE OF 20.00 FEET;  
 THENCE SOUTH 00°00'00" EAST A DISTANCE OF 10.00 FEET;  
 THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 14.74', WITH A RADIUS OF 10.06', WITH A CHORD BEARING OF SOUTH 41°59'14" EAST, WITH A CHORD LENGTH OF 13.45';  
 THENCE NORTH 90°00'00" EAST A DISTANCE OF 60.96 FEET;  
 THENCE SOUTH 00°23'38" WEST A DISTANCE OF 24.00 FEET;  
 THENCE NORTH 90°00'00" WEST A DISTANCE OF 89.79 FEET;  
 THENCE NORTH 00°00'00" WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING

**TOWER EASEMENT PREMISES LEGAL DESCRIPTION**

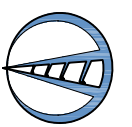
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 THENCE NORTH 90°00'00" WEST A DISTANCE OF 40.00 FEET;  
 THENCE NORTH 00°00'00" WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.



**Clear Blue Services**  
 484 S. 38TH ST.  
 PHOENIX, AZ 85040 602-428-9500



| No. | Submittal / Revision | App'd | Date    |
|-----|----------------------|-------|---------|
| A   | SUBMITTAL            |       | 9/30/22 |

Drawn: JC Date: 05/03/22  
 Designed: JC Date: 05/03/22  
 Checked: JC Date: 05/03/22

Project Number: US-AZ-7050

Project Title: PH68112  
 COPPER SKY  
 992. S RINCON ROAD  
 MARICOPA, AZ 85139  
 PINAL COUNTY

Surveyor Stamp

| Community Number | Panel # | Suffix | Panel Date | Firm Zone |
|------------------|---------|--------|------------|-----------|
| 040077           | 1125    | E      | 12/04/2007 | X         |

**UTILITY NOTES**

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION, REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**SURVEY DATE**

04/11/22

**BENCHMARK**

ELEVATIONS WERE ESTABLISHED FROM PROCESSING GPS DATA WITH AND CONSTRAINING TO NGS "CORS" STATIONS AND APPLYING GEOID12b SEPARATIONS AND ARE AT NAVD88 DATUM

**BASIS OF BEARINGS**

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM ARIZONA CENTRAL ZONE, DETERMINED BY GPS OBSERVATIONS.

**SURVEYOR'S NOTES**

SURVEY PREPARED FOR VB BTS II, LLC  
 REFERENCE IS MADE TO THE TITLE REPORT ORDER #VTB-137086-C, ISSUED BY TOWER AGENCY, LLC, DATED 7/19/22.

ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED EXCEPT FOR ROOFTOPS. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ACCESS AND UTILITY EASEMENT RUNS TO THE SOUTH RINCON ROAD RIGHT OF WAY LINE, A PUBLIC RIGHT OF WAY. AT THE TIME OF THE SURVEY, NO ENCROACHMENTS WERE DISCOVERED THAT AFFECTED THE VB TOWER PREMISES OR EASEMENT AREAS.

VB TOWER PREMISES AND VB EASEMENT LIE ENTIRELY WITHIN THE PARENT PARCEL.

Drawing Title: **SITE SURVEY**

Drawing Scale: AS NOTED  
**LS**

Date: 06/14/23

Drawing Number: **LS-1**

**LINE TABLE**

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 90°00'00" E | 40.00'   |
| L2   | S 00°00'00" E | 40.00'   |
| L3   | N 90°00'00" W | 40.00'   |
| L4   | N 00°00'00" W | 40.00'   |
| L5   | N 00°00'00" W | 4.00'    |
| L6   | N 90°00'00" E | 20.00'   |
| L7   | S 00°00'00" E | 10.00'   |
| L8   | N 90°00'00" E | 59.96'   |
| L9   | S 00°23'38" W | 24.00'   |
| L10  | N 90°00'00" W | 89.79'   |

| CURVE | RADIUS | ARC LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|--------|------------|---------------|-------------|
| C1    | 10.00' | 15.71'     | N 45°00'00" W | 90°00'00"   |

**SCHEDULE B EXCEPTIONS:**  
 TITLE REPORT ORDER #VTB-137086-C, ISSUED BY TOWER AGENCY, LLC, DATED 7/19/22.

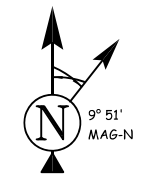
- EXCEPTIONS 1 - 9 ARE GENERAL AND THEREFORE NOT PLOTTED
- ANY AND ALL MATTERS DISCLOSED ON THE MAP ENTITLED "HIDDEN VALLEY ESTATES UNIT 10" DATED MARCH 27, 1968 AND RECORDED MARCH 27, 1968 IN (BOOK) 14 (PAGE) 12, (INSTRUMENT) 360221 IN PINAL COUNTY, ARIZONA. (PLOTTED, EXCEPTION IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR EASEMENTS)
  - UTILITY EASEMENT BETWEEN CLIFFORD H. WALKER, AND ARIZONA PUBLIC SERVICE COMPANY, DATED MAY 19, 1997 AND RECORDED JUNE 16, 1997 IN (INSTRUMENT) 1997-020845, IN PINAL COUNTY, ARIZONA. (PLOTTED, EXCEPTION IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR EASEMENTS)
- # SCHEDULE B EXCEPTION NUMBER PER TITLE REPORT

**FLOOD INFORMATION**

| COMMUNITY NUMBER | PANEL # | SUFFIX | PANEL DATE | FIRM ZONE |
|------------------|---------|--------|------------|-----------|
| 040077           | 1125    | E      | 12/04/2007 | X         |

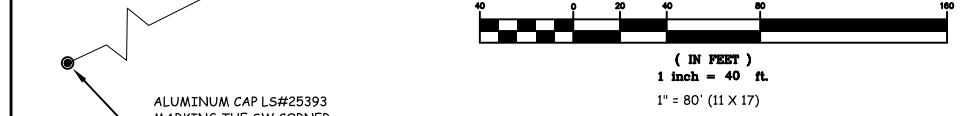
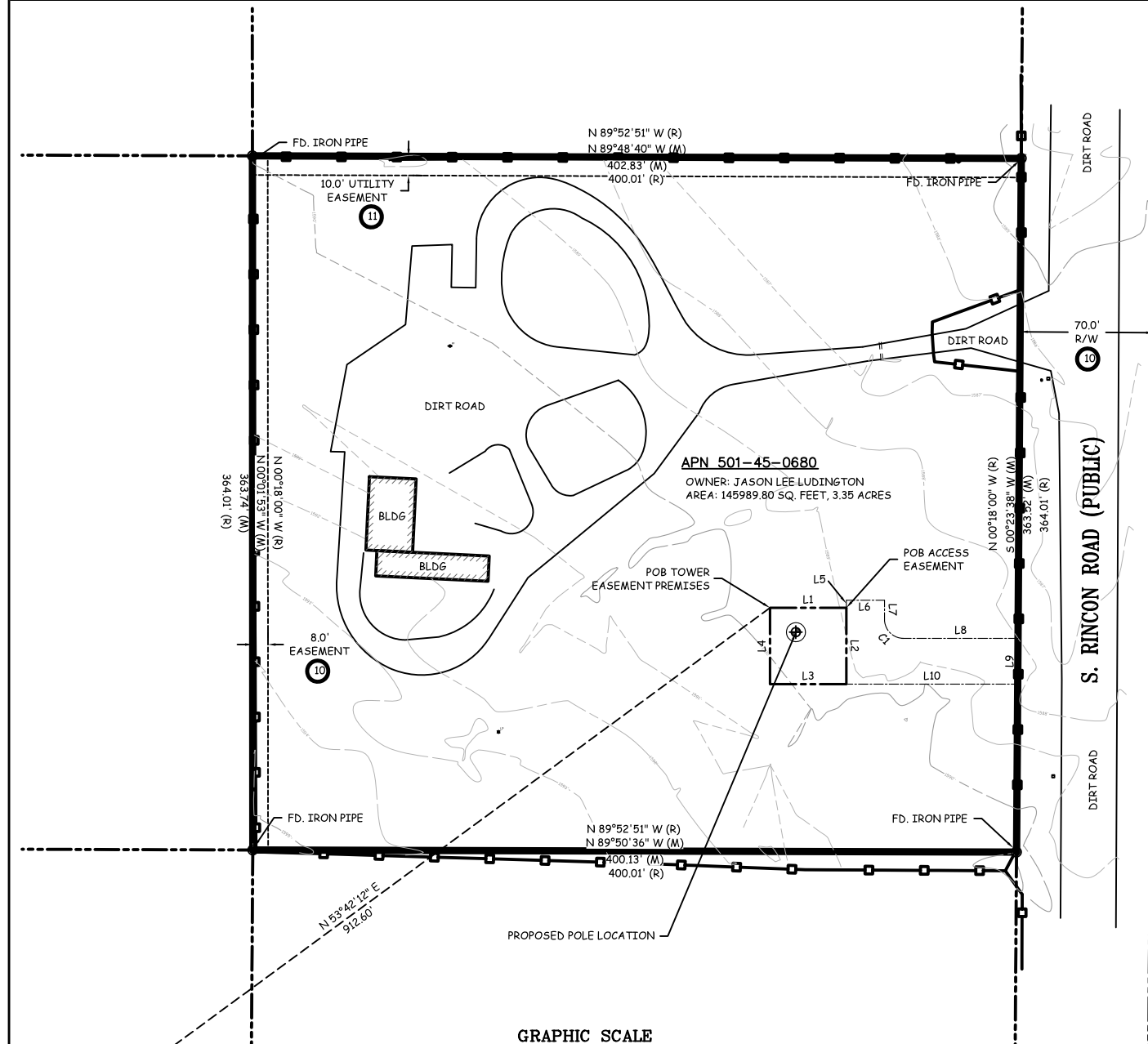
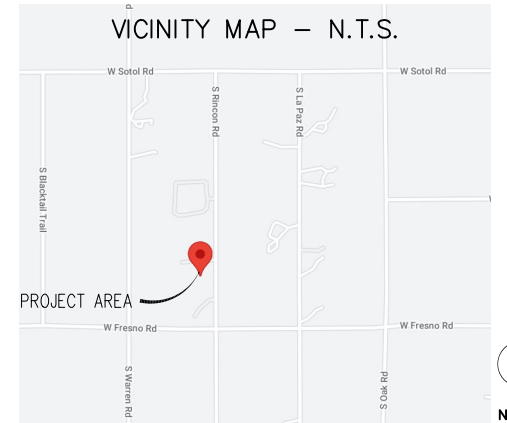
CENTER OF PROPOSED TOWER  
 LATITUDE 32° 52' 15.43" NORTH  
 LONGITUDE 112° 07' 56.12" WEST  
 ELEVATION 1588.6' (NAVD88)

**1-A ACCURACY CERTIFICATION**  
 THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE AT THE CENTER OF EACH SECTOR FALLS WITHIN FIFTEEN (15) FEET. THE ELEVATIONS (NAVD88) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.



**LEGEND**

|      |                         |                                  |               |
|------|-------------------------|----------------------------------|---------------|
| POT  | POINT OF BEGINNING      | SPOT ELEVATION                   |               |
| POT  | POINT OF TERMINUS       | POSITION OF GEODETIC COORDINATES |               |
| PUE  | PUBLIC UTILITY EASEMENT | WATER CONTROL VALVE              |               |
| ROW  | RIGHT OF WAY            | FIRE HYDRANT                     |               |
| DW   | DRIVEWAY                | POWER POLE                       |               |
| SW   | SIDEWALK                | LIGHT POLE                       |               |
| BCHH | BRASS CAP IN HANDHOLE   | SEWER MANHOLE                    |               |
| BCFL | BRASS CAP FLUSH         | FOUND AS NOTED                   |               |
| PCR  | PINAL COUNTY RECORDS    | M                                | MEASURED      |
| R    | RECORDED                |                                  |               |
| ---  | OVERHEAD ELECTRIC       | ---                              | PROPERTY LINE |
| ---  | CHAIN LINK FENCE        |                                  |               |



I hereby certify to: Vertical Bridge REIT, LLC, a Delaware limited liability company, its subsidiaries, and their respective successors and/or assigns; and (ii) Toronto Dominion (Texas) LLC, as Administrative Agent, for itself and on behalf of the lenders parties from time to time to that certain Second Amended and Restated Loan Agreement dated June 17, 2016 with Vertical Bridge Holdco, LLC, as borrower, and Vertical Bridge Holdco Parent, LLC, as parent, as may be amended, restated, modified or renewed, their successors and assigns as their interests may appear; and Tower Agency, LLC

SIGNED: *Jeff R. Cook* Date: 7/13/23  
 JEFF R. COOK, AZ Reg. No. 28719  
 My License renewal date is March 31, 2025



EXPIRES: 3/31/2025

**Western Geomatics Services**  
 2925 E Riggs Rd Suite 8-191  
 Chandler, AZ 85249  
 (480) 656-7912 office  
 (480) 219-5195 fax

**GENERAL SITE NOTES**

**SIGNS**

1. INSTALL ADDRESS PLACARD NEAR ENTRANCE GATE OF EQUIPMENT AREA (OR FACING STREET OF ASSOCIATED ADDRESS).

**LIGHTING**

- ADDITIONAL LIGHTING WILL BE INSTALLED IF REQUIRED BY MUNICIPALITY FOR SECURITY PURPOSES.
- ALL LIGHTING IS TO BE INSTALLED NO HIGHER THAN 8'-0", (UNLESS REQUIRED OTHERWISE BY INDIVIDUAL MUNICIPALITY).
- ALL LIGHTING WILL BE LED AND THAT OF "FULL CUT OFF LENSES".

**COMPLIANCE**

- ADA COMPLIANCE: FACILITY IS NOT STAFFED AND NOT NORMALLY OCCUPIED.
- CONTRACTOR IS RESPONSIBLE FOR ERECTING TEMPORARY BARRICADES AND/OR FENCING TO PROTECT THE SAFETY OF THE PUBLIC DURING CONSTRUCTION.
- THE ANTENNAS SHALL NOT INTERFERE WITH ANY EXISTING COMMUNICATION SITES.
- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
- ALL ITEMS ON THIS DRAWING ARE EXISTING UNLESS OTHERWISE NOTED.

**NOTES**

- SITE PLAN RENDERING DERIVED FROM DETAILS PROVIDED FROM SURVEY BY WGS & SITE AERIAL.
- REFER TO CARRIER SPECIFICATIONS FOR ADDITIONAL CARRIER INFORMATION/DETAILS.
- G.C. TO VERIFY EXISTING FIELD CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION
- G.C. TO BRING ALL EXISTING AND NEW EQUIPMENT INTO COMPLIANCE WITH GOVERNING CODES.
- G.C. TO COLORCODE ALL NEW CABLE/COAX TO CURRENT CARRIER STANDARDS.

**POLE SETBACKS TO PROPERTY LINES**

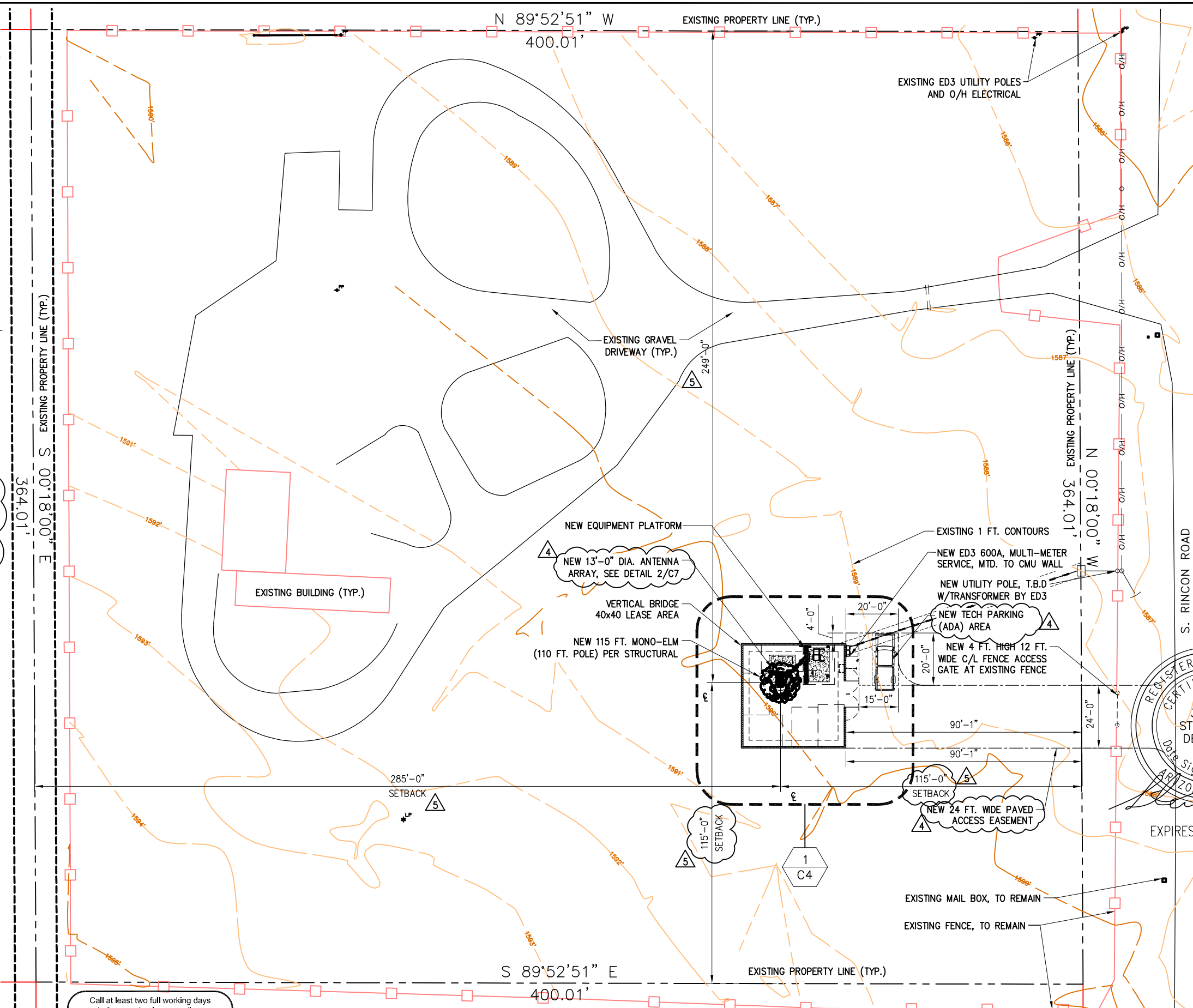
MINIMUM SETBACK REQUIRED = 115 FT.

NORTH 249'-0"±  
 SOUTH 115'-0"±  
 WEST 285'-0"±  
 EAST 115'-0"±

\* SETBACKS ARE ESTIMATED FROM THE ASSESSORS MAPS, GIS INFORMATION & SURVEY BY: WGS, DATED 4/20/2022

**LEGEND**

- (P) PROPOSED
- (E) EXISTING
- (F) FUTURE
- FIRE HYDRANT
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- WM WATER METER
- SVLT SEWER VAULT
- EVLT ELECTRIC VAULT
- EP ELECTRIC PANEL
- A.C.E. ACCESS CONTROL EASEMENT
- PROPERTY LINE
- OVERHEAD ELECTRIC
- BLUESTAKED SEWER LINE
- SPOT ELEVATION
- POSITION OF GEODETIC COORDINATES
- GV GAS VALVE
- POWER POLE
- SANITARY SEWER MANHOLE
- FOUND AS NOTED
- BLUESTAKED WATER LINE
- BLUESTAKED ELECTRIC LINE



Call at least two full working days before you begin excavation.

**ARIZONA 811**  
 Arizona Blue Stake, Inc.  
 Dial 8-1-1 or 1-800-STAKE-IT (782-5348)  
 In Maricopa County: (602) 263-1100

INFORMATION SHOWN BASED ON A FIELD SURVEY BY WGS DATED 04/20/22.

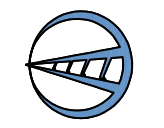


1 OVERALL SITE PLAN  
 SCALE: 1" = 40' (11x17)  
 SCALE: 1" = 20' (22x34)

FULL SCALE 1" = 20'  
 (22x34 SHEET ONLY)  
 20 0 20 40  
 HALF SCALE 1" = 40'  
 (11x17 SHEET ONLY)

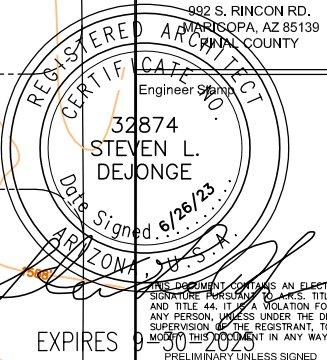


**Clear Blue Services**  
 1335 E. ATLANTA AVE.  
 PHOENIX, AZ 85046



| 6         | CLIENT CHANGES       | SLD   | 6/26/23  |
|-----------|----------------------|-------|----------|
| 5         | COUNTY COMMENTS      | SLD   | 6/12/23  |
| 4         | COUNTY COMMENTS      | SLD   | 5/1/23   |
| 3         | COUNTY COMMENTS      | SLD   | 11/23/22 |
| 2         | CLIENT RFDS CHANGES  | SLD   | 6/27/22  |
| 1         | CLIENT MW ADD        | SLD   | 6/6/22   |
| 0         | ZONING DRAWINGS      | SLD   | 4/22/22  |
| No.       | Submittal / Revision | App'd | Date     |
| Drawn:    | SLD                  | Date: | 4/22/22  |
| Designed: | SLD                  | Date: | 4/22/22  |
| Checked:  | TB                   | Date: | 4/22/22  |

Project Number US-AZ-7050  
 Project Title  
**COPPER SKY**  
 992 S. RINCON RD.  
 PHOENIX, AZ 85139  
 MARICOPA COUNTY



Engineer Stamp  
 32874  
 STEVEN L. DEJONGE  
 APR 20 2023  
 EXPIRES 9/30/2025  
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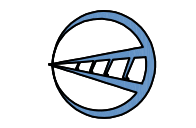
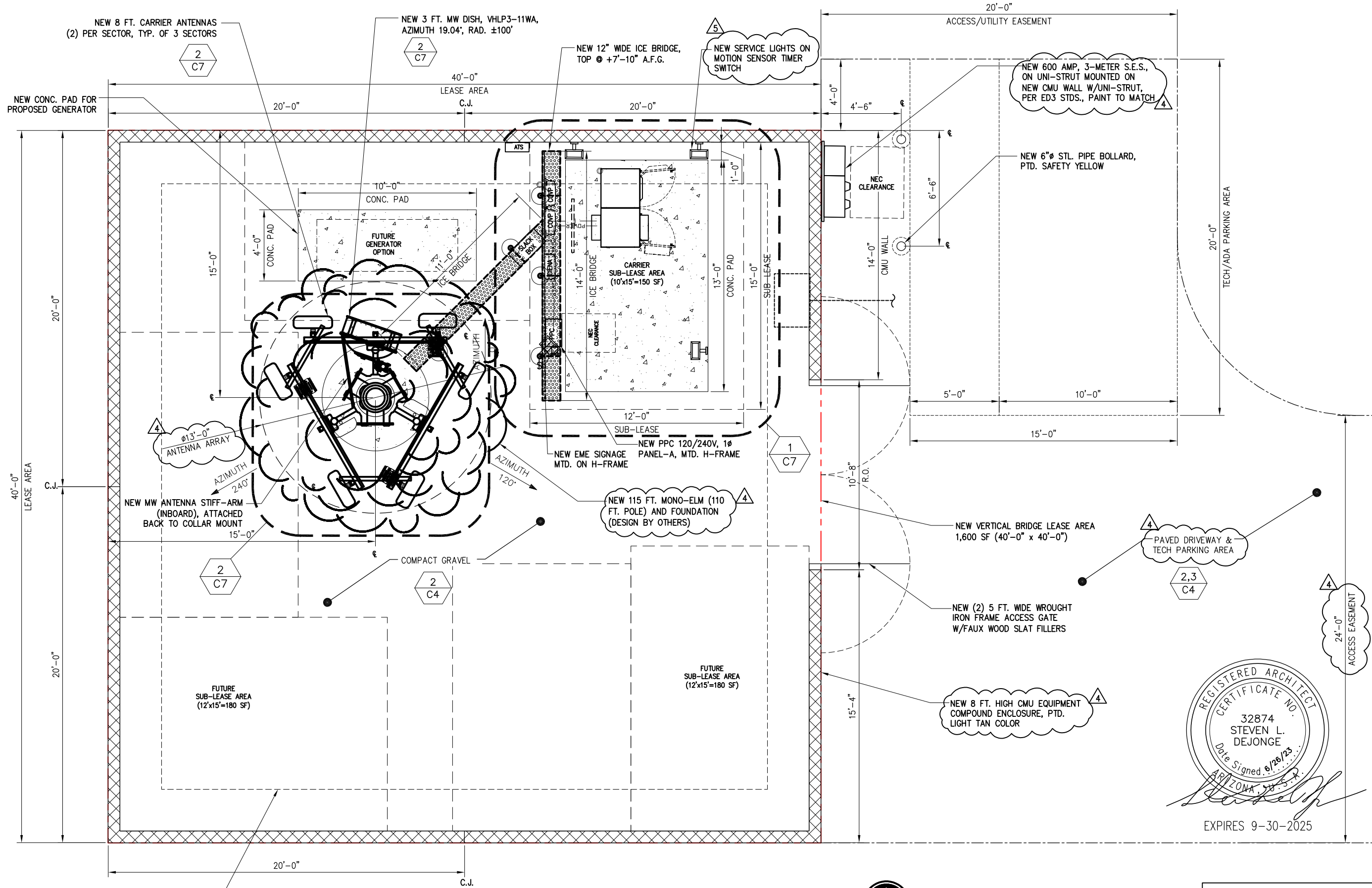
Drawing Title  
**OVERALL SITE PLAN**

Drawing Scale:  
 AS NOTED  
**ZD**  
 Date:  
 06/26/2023

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF APPLICABLE STATE AND/OR LOCAL LAWS  
 Drawing Number  
**C3**

SUP CASE #: SUP-01923





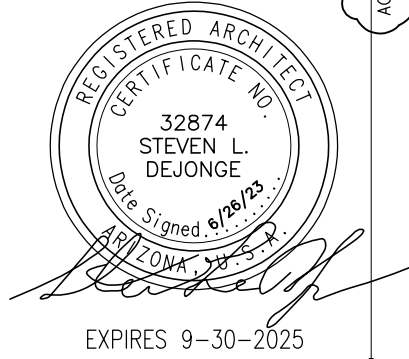
| No. | Submittal / Revision | App'd | Date     |
|-----|----------------------|-------|----------|
| 6   | CLIENT CHANGES       | SLD   | 6/26/23  |
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| 2   | CLIENT RFDS CHANGES  | SLD   | 6/27/22  |
| 1   | CLIENT MW ADD        | SLD   | 6/6/22   |
| 0   | ZONING DRAWINGS      | SLD   | 4/22/22  |

Drawn: SLD Date: 4/22/22  
 Designed: SLD Date: 4/22/22  
 Checked: TB Date: 4/22/22

Project Number: US-AZ-7050

Project Title: COPPER SKY  
 992 S. RINCON RD.  
 MARICOPA, AZ 85139  
 PINAL COUNTY

Engineer Stamp



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Drawing Title: ENLARGED COMPOUND PLAN

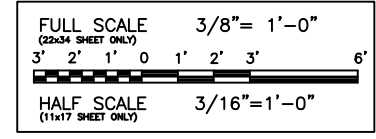
Drawing Scale: AS NOTED  
 Date: 06/26/2023  
**ZD**

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Drawing Number: **C4A**



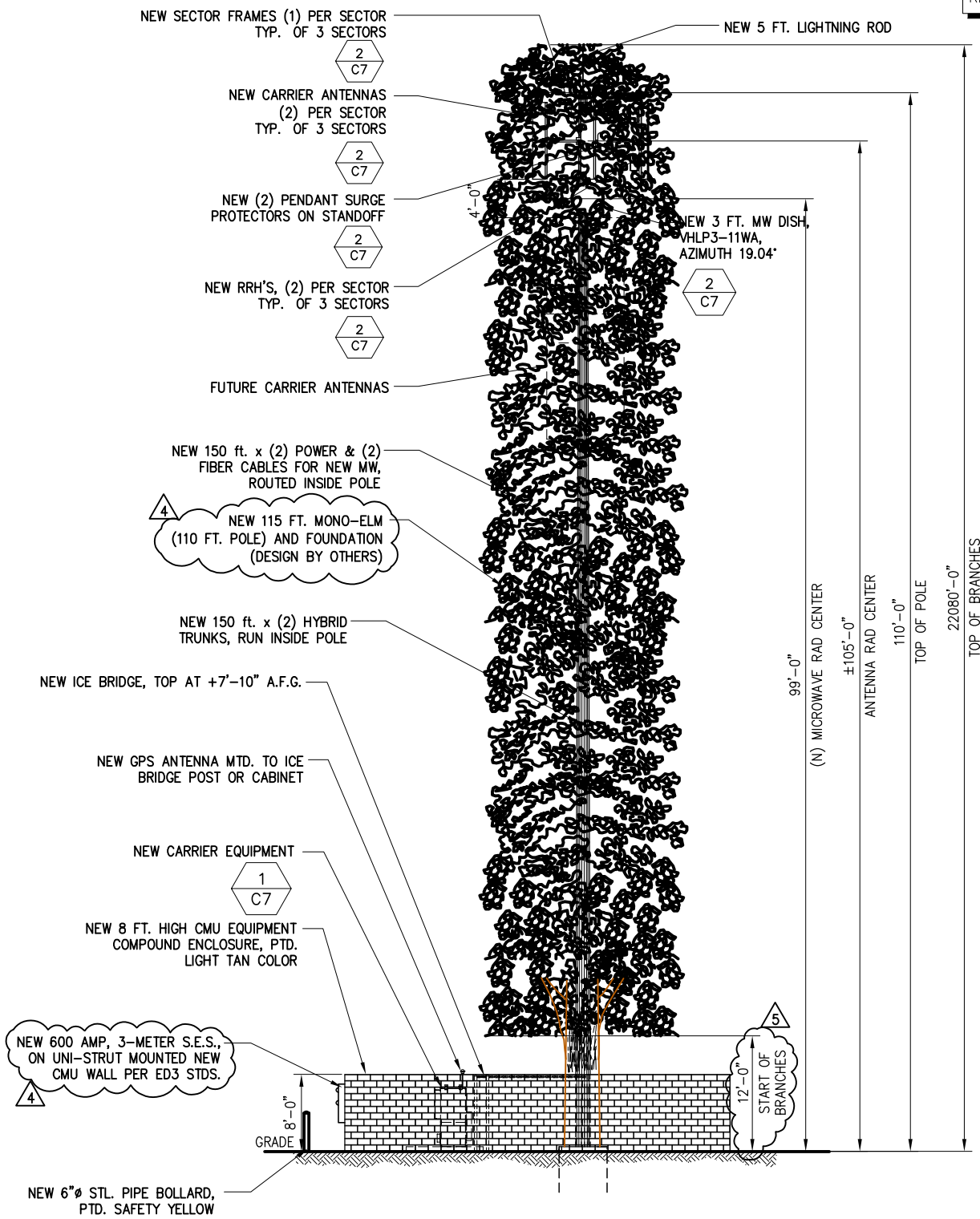
**1** ENLARGED COMPOUND PLAN  
 SCALE: 3/16" = 1'-0" (11x17)  
 SCALE: 3/8" = 1'-0" (22x34)



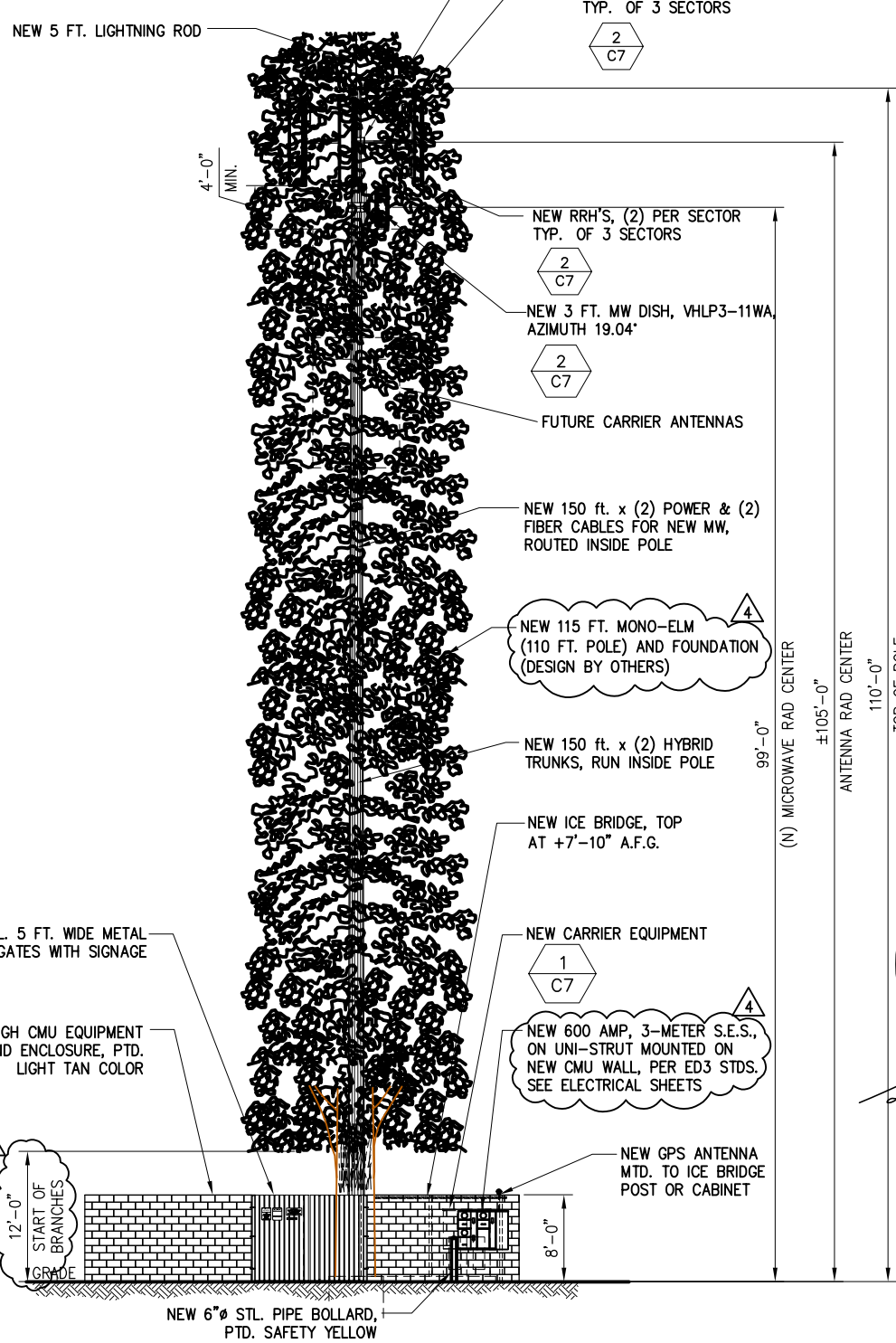
SUP CASE #: SUP-019-23

NOTES:  
 1. CONTRACTOR TO COORDINATE & PROVIDE PRIVATE LOCATING SERVICE PRIOR TO CONSTRUCTION.  
 2. ALL CABLING TO RUN INSIDE POLE

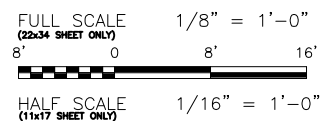
NOTE:  
 STRUCTURAL ANALYSIS REQUIRED



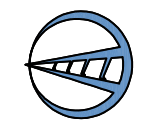
2 NORTH ELEVATION  
 SCALE: 1/16" = 1'-0" (11x17)  
 SCALE: 1/8" = 1'-0" (22x34)



1 EAST ELEVATION  
 SCALE: 1/16" = 1'-0" (11x17)  
 SCALE: 1/8" = 1'-0" (22x34)

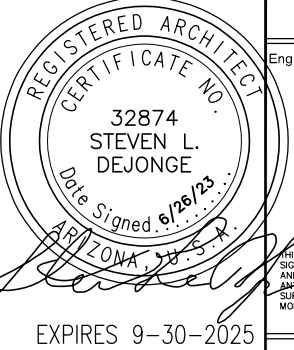


Clear Blue Services  
 1000 E ATLANTA AVE  
 PHOENIX, AZ 85040



|           |                     |       |          |
|-----------|---------------------|-------|----------|
| 6         | CLIENT CHANGES      | SLD   | 6/26/23  |
| 5         | COUNTY COMMENTS     | SLD   | 6/12/23  |
| 4         | COUNTY COMMENTS     | SLD   | 5/1/23   |
| 3         | COUNTY COMMENTS     | SLD   | 11/23/22 |
| 2         | CLIENT RFDS CHANGES | SLD   | 6/27/22  |
| 1         | CLIENT MW ADD       | SLD   | 6/6/22   |
| 0         | ZONING DRAWINGS     | SLD   | 4/22/22  |
| No.       | Submital / Revision | App'd | Date     |
| Drawn:    | SLD                 | Date: | 4/22/22  |
| Designed: | SLD                 | Date: | 4/22/22  |
| Checked:  | TB                  | Date: | 4/22/22  |

Project Number: US-AZ-7050  
 Project Title: COPPER SKY  
 992 S. RINCON RD.  
 MARICOPA, AZ 85139  
 PINAL COUNTY



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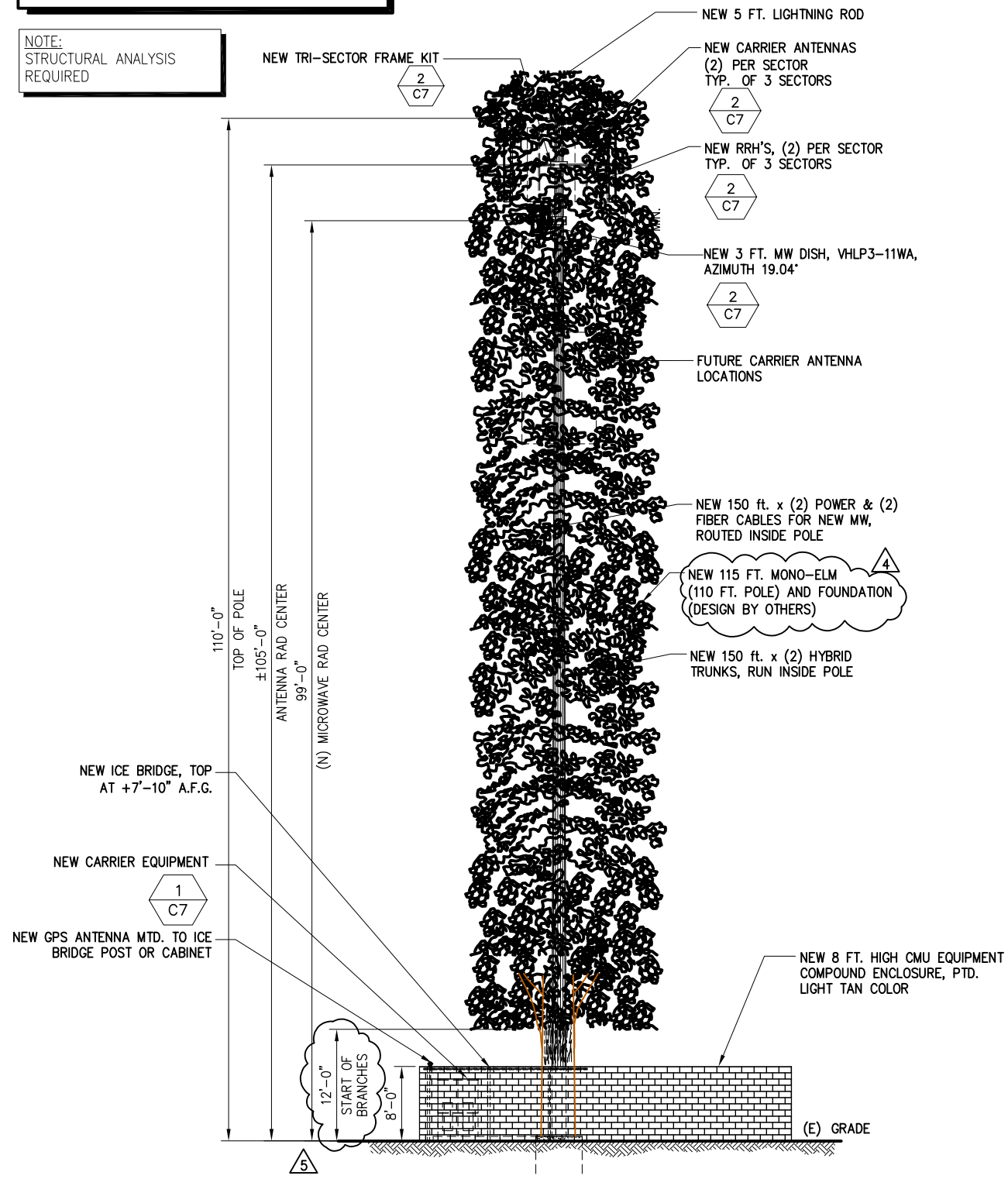
Drawing Title: TOWER ELEVATION  
 Drawing Scale: AS NOTED  
 Date: 06/26/2023  
 Drawing Number: ZD

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 Drawing Number: C5

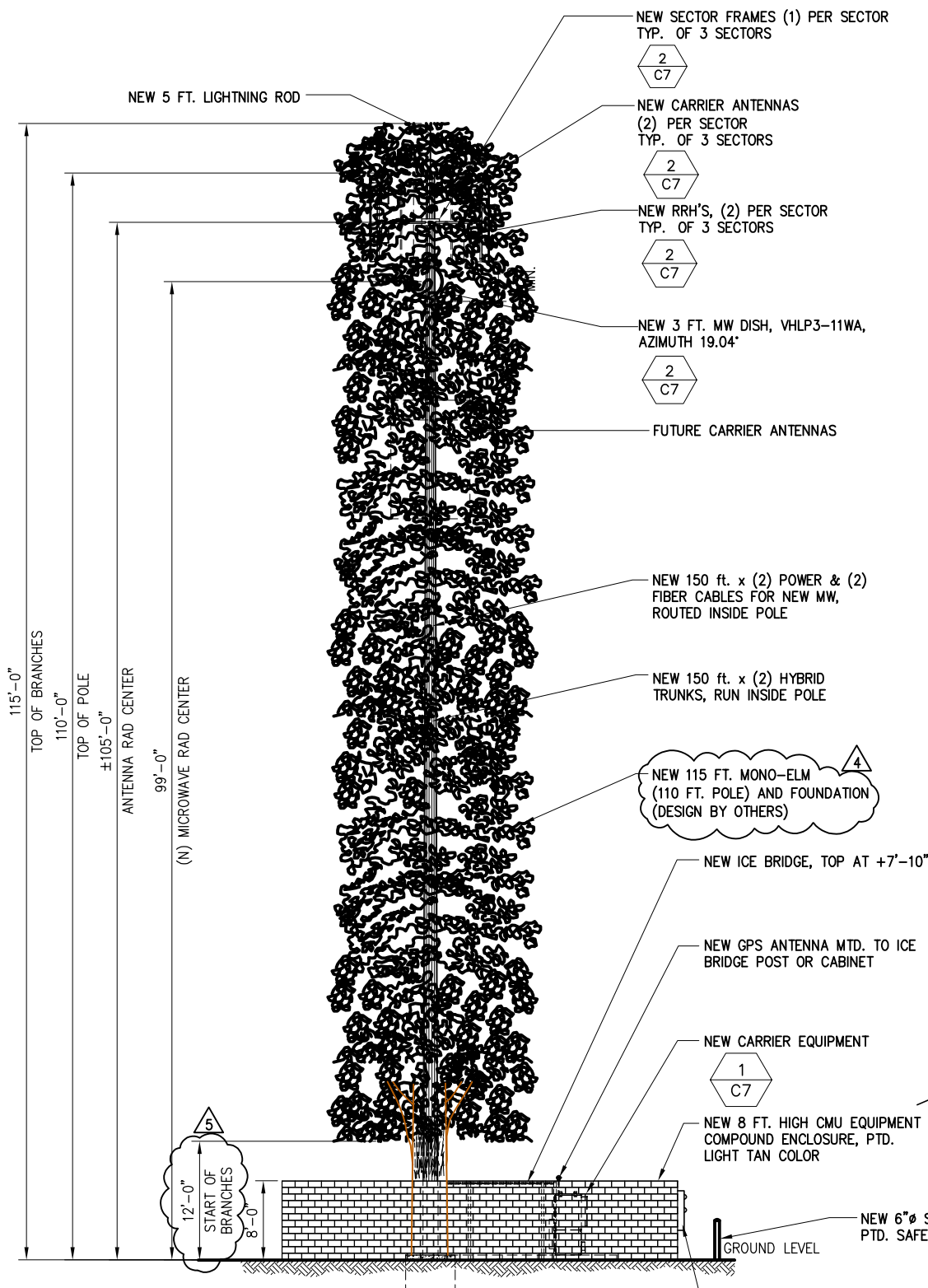
SUP CASE #: SUP-019-23

NOTES:  
 1. CONTRACTOR TO COORDINATE & PROVIDE PRIVATE LOCATING SERVICE PRIOR TO CONSTRUCTION.  
 2. ALL CABLING TO RUN INSIDE POLE

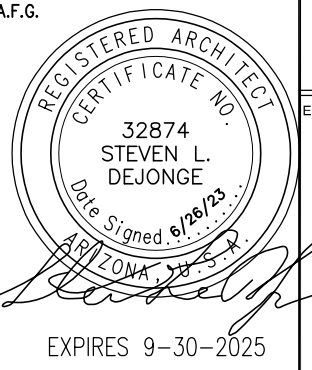
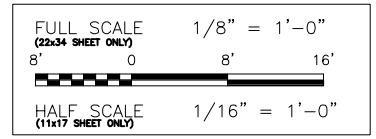
NOTE:  
 STRUCTURAL ANALYSIS REQUIRED



2 WEST ELEVATION  
 SCALE: 1/16" = 1'-0" (11x17)  
 SCALE: 1/8" = 1'-0" (22x34)



1 SOUTH ELEVATION  
 SCALE: 1/16" = 1'-0" (11x17)  
 SCALE: 1/8" = 1'-0" (22x34)



**verticalbridge**

**Clear Blue Services**  
 1550 E. ATLANTA AVE.  
 PHOENIX, AZ 85049  
 (602) 496-9900

|     |                      |       |          |
|-----|----------------------|-------|----------|
| 6   | CLIENT CHANGES       | SLD   | 6/26/23  |
| 5   | COUNTY COMMENTS      | SLD   | 6/12/23  |
| 4   | COUNTY COMMENTS      | SLD   | 5/1/23   |
| 3   | COUNTY COMMENTS      | SLD   | 11/23/22 |
| 2   | CLIENT RFD'S CHANGES | SLD   | 6/27/22  |
| 1   | CLIENT MW ADD        | SLD   | 6/6/22   |
| 0   | ZONING DRAWINGS      | SLD   | 4/22/22  |
| No. | Submitted / Revision | App'd | Date     |

Drawn: SLD Date: 4/22/22  
 Designed: SLD Date: 4/22/22  
 Checked: TB Date: 4/22/22

Project Number: US-AZ-7050

Project Title: COPPER SKY  
 992 S. RINCON RD.  
 MARICOPA, AZ 85139  
 PINAL COUNTY

Engineer Stamp: REGISTERED ARCHITECT CERTIFICATE NO. 32874 STEVEN L. DEJONGE Date Signed 6/28/23 ARIZONA, U.S.A. EXPIRES 9-30-2025

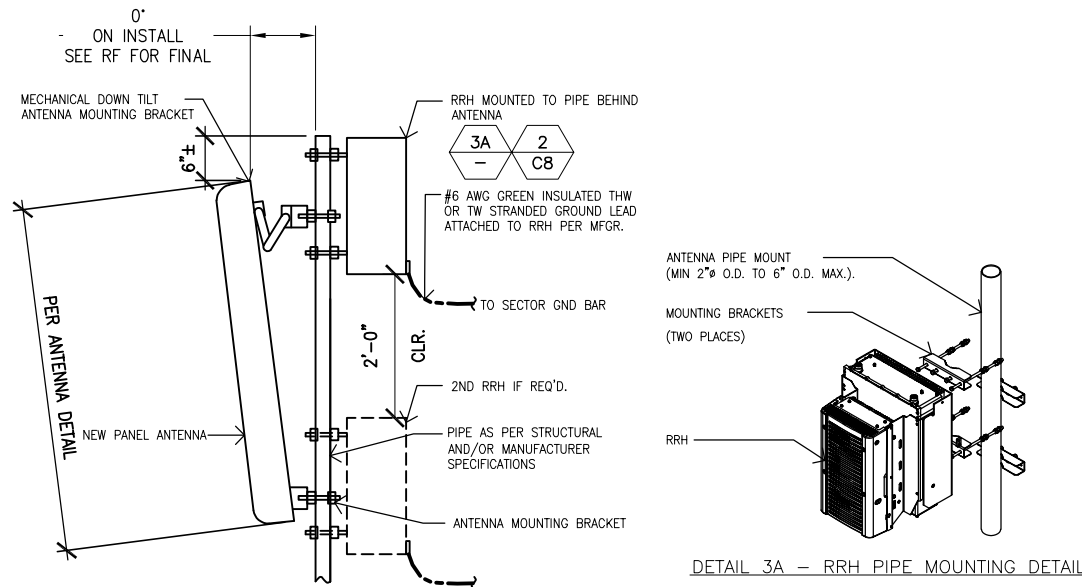
Drawing Title: TOWER ELEVATION

Drawing Scale: AS NOTED ZD  
 Date: 06/26/2023

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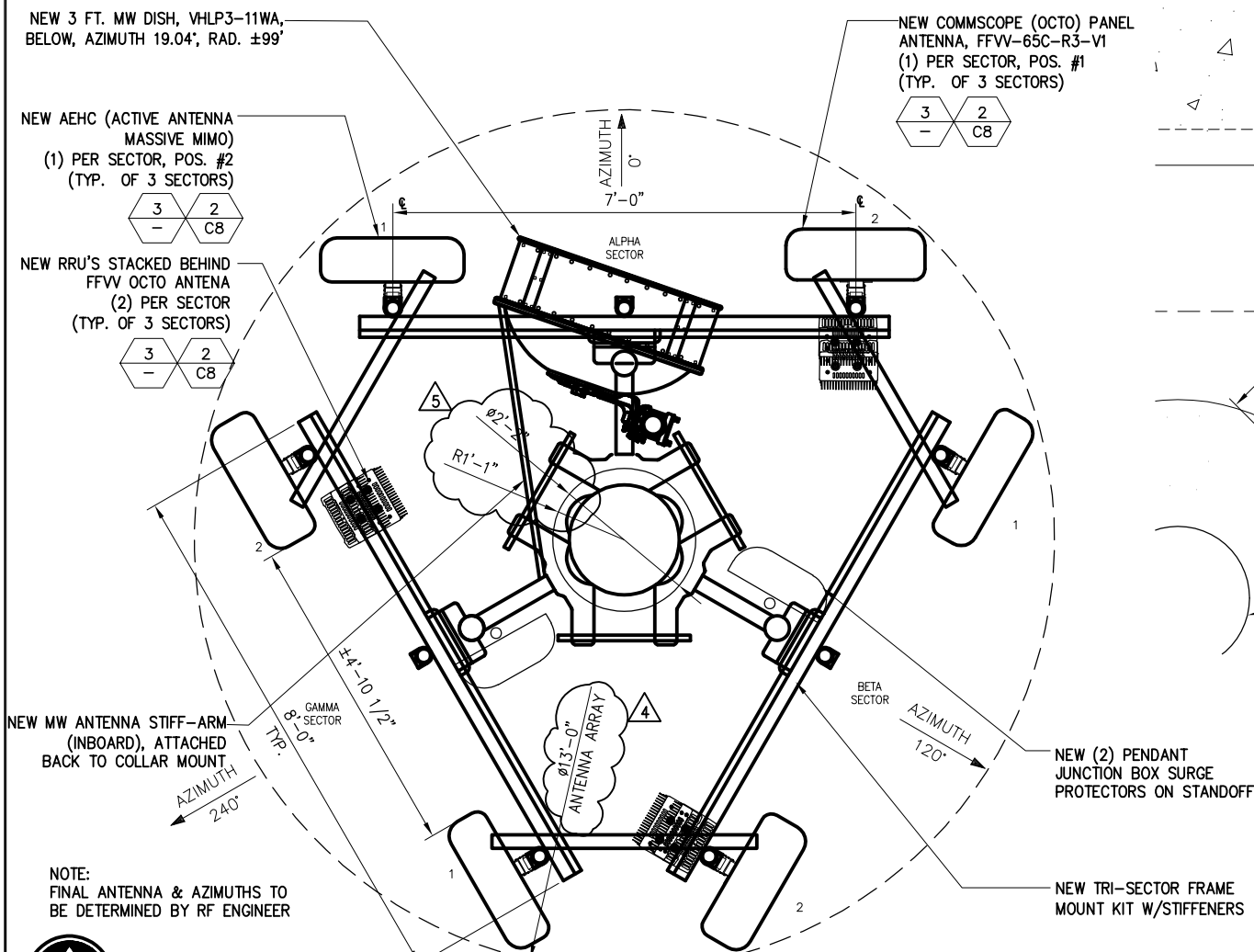
Drawing Number: C6

SUP CASE #: SUP-019-23

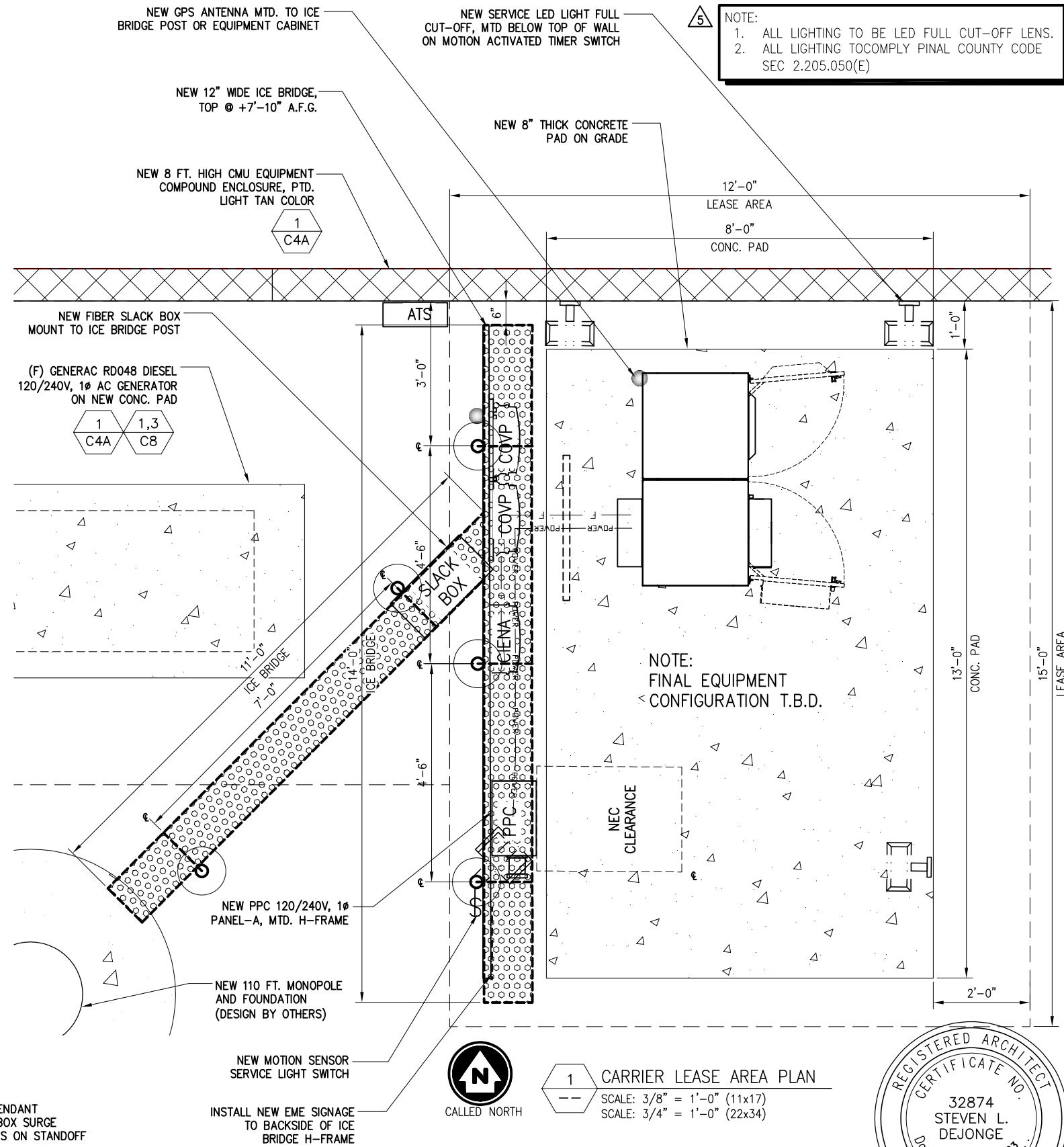


DETAIL 3A - RRH PIPE MOUNTING DETAIL

3 TYPICAL ANTENNA & RRH MOUNTING DETAIL  
SCALE: N.T.S.



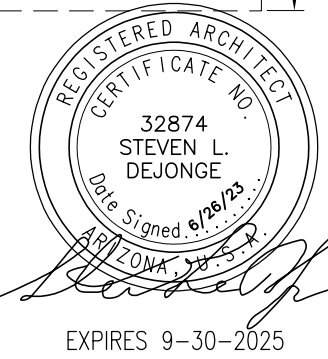
2 ANTENNA PLAN  
SCALE: 3/8" = 1'-0" (11x17)  
SCALE: 3/4" = 1'-0" (22x34)



1 CARRIER LEASE AREA PLAN  
SCALE: 3/8" = 1'-0" (11x17)  
SCALE: 3/4" = 1'-0" (22x34)

NOTE:  
1. ALL LIGHTING TO BE LED FULL CUT-OFF LENS.  
2. ALL LIGHTING TO COMPLY PINAL COUNTY CODE SEC 2.205.050(E)

NOTE:  
FINAL EQUIPMENT < CONFIGURATION T.B.D.



EXPIRES 9-30-2025

**verticalbridge**

**Clear Blue Services**  
1000 E. ATLANTA AVE  
PHOENIX, AZ 85049-6900

|   |                     |     |          |
|---|---------------------|-----|----------|
| 6 | CLIENT CHANGES      | SLD | 6/26/23  |
| 5 | COUNTY COMMENTS     | SLD | 6/12/23  |
| 4 | COUNTY COMMENTS     | SLD | 5/1/23   |
| 3 | COUNTY COMMENTS     | SLD | 11/23/22 |
| 2 | CLIENT RFDS CHANGES | SLD | 6/27/22  |
| 1 | CLIENT MW ADD       | SLD | 6/6/22   |
| 0 | ZONING DRAWINGS     | SLD | 4/22/22  |

Drawn: SLD Date: 4/23/22  
Designed: SLD Date: 4/23/22  
Checked: TB Date: 4/23/22

Project Number: US-AZ-7050

Project Title: **COPPER SKY**  
992 S. RINCON RD.  
MARI COPA, AZ 85139  
PINAL COUNTY

Engineer Stamp

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Drawing Title: **EQUIPMENT & ANTENNA LAYOUTS**

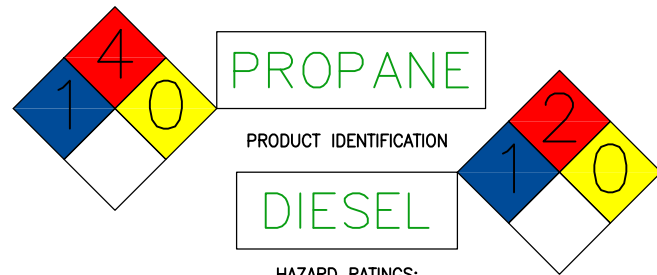
Drawing Scale: AS NOTED

Date: 06/26/2023

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Drawing Number: **C7**

SUP CASE #: SUP-019-23



PROpane

PRODUCT IDENTIFICATION

DIESEL

HAZARD RATINGS:  
 9 O'CLOCK - HEALTH  
 12 O'CLOCK - FLAMMABILITY  
 3 O'CLOCK - INSTABILITY  
 6 O'CLOCK - SPECIAL

COMBUSTIBLE

FLAMMABLE

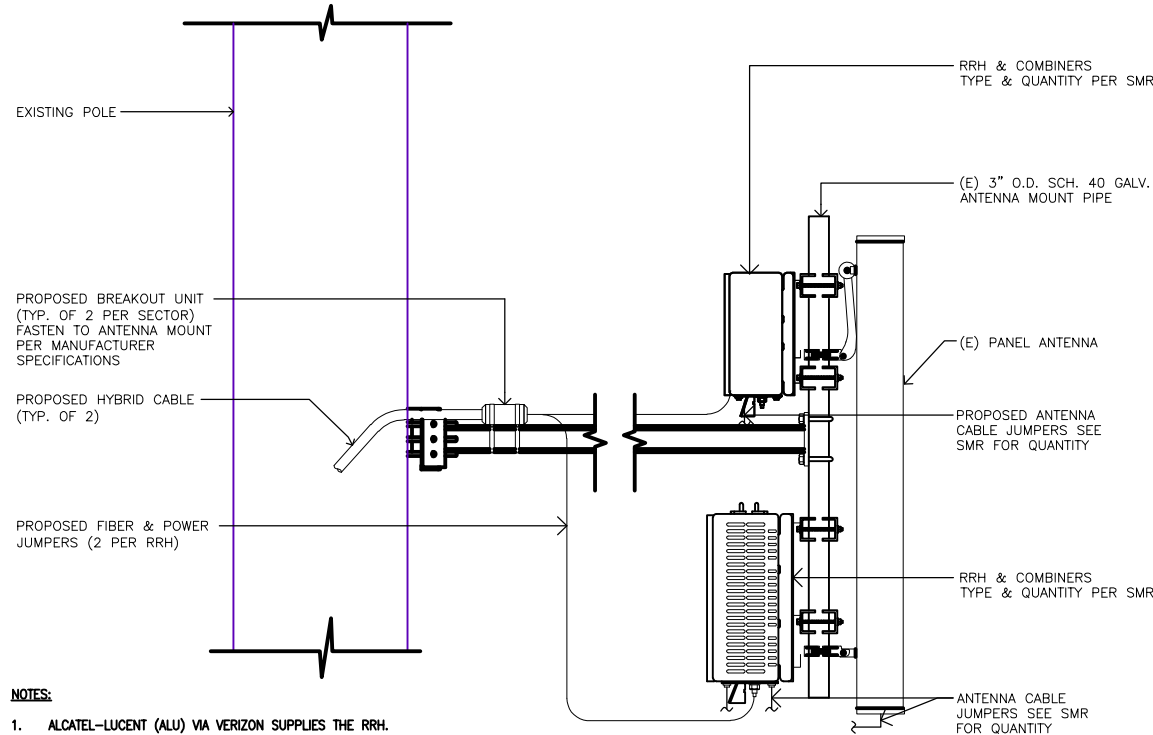
NO SMOKING

SIGNS MUST BE OF DURABLE MATERIAL WITH RED LETTERING ON WHITE BACKGROUND. LETTERS SHALL NOT BE LESS THAN 3 INCHES (762 mm) IN HEIGHT. SIGNS SHALL NOT BE OBSTRUCTED OR REMOVED AND SHALL BE IN ENGLISH AS A PRIMARY LANGUAGE. COMBUSTIBLE SIGN MAY ALSO BE WHITE LETTER ON RED BACKGROUND

NOTES:

1. PLACE AT DOOR OR TANK, OR AS DIRECTED BY LOCAL FIRE MARSHAL OR JURISDICTIONAL AUTHORITY.

3 FUEL STORAGE SIGN DETAILS  
 SCALE: N.T.S.



NOTES:

1. ALCATEL-LUCENT (ALU) VIA VERIZON SUPPLIES THE RRH. SUBCONTRACTOR SHALL SUPPLY ALL OTHER MATERIALS AND INSTALL ALL MOUNTING HARDWARE. ALU INSTALLS RRH AND MAKES CABLE TERMINATIONS.
2. A SUPPORT FOR A SINGLE RRH SHALL HAVE A MINIMUM OF TWO ANCHORS/FASTENERS FOR EACH UNISTRUT CHANNEL.
3. NO PAINTING OF THE RRH OR SOLAR SHIELD IS ALLOWED.
4. G.C. TO FIELD VERIFY SPACING AND REQUIRED RRH CLEARANCES.

2 RRH MOUNTING DETAIL  
 SCALE: N.T.S.

GENERAC®

Protector™

Protector™ Series

Diesel Generator Set

1 of 18

INCLUDES:

- Two Line LCD Multilingual Digital Evolution™ Controller (English/Spanish/French/Portuguese) with external viewing window for easy indication of generator status and breaker position.
- Isochronous electronic governor
- Sound attenuated aluminum enclosure
- Smart battery charger
- UV / Ozone resistant hoses
- ±1% voltage regulation
- Integrated base tank options are available with run times over 90 hours without having to refuel\*
- Five year limited warranty
- UL 2200 / UL142 / ULC S601 Listed
- Meets code requirements for external vent and fill

Standby Power Rating

Model RD015 - 15 kW 60 Hz  
 Model RD020 - 20 kW 60 Hz  
 Model RD030 - 30 kW 60 Hz  
 Model RD048 - 48 kW 60 Hz (single-phase only) THIS PROJECT  
 Model RD050 - 50 kW 60 Hz (three-phase only)



Meets EPA Emission Regulations  
 CA/MA Emissions Compliant

\* Time calculated at one-half maximum kW output.



QUIET-TEST



FEATURES

- **INNOVATIVE DESIGN & PROTOTYPE TESTING** are key components of GENERAC'S success in "IMPROVING POWER BY DESIGN." But it doesn't stop there. Total commitment to component testing, reliability testing, environmental testing, destruction and life testing, plus testing to applicable CSA, NEMA, EGSA, and other standards, allows you to choose GENERAC POWER SYSTEMS with the confidence that these systems will provide superior performance.
- **TEST CRITERIA:**
  - ✓ PROTOTYPE TESTED
  - ✓ SYSTEM TORSIONAL TESTED
  - ✓ NEMA MG1-22 EVALUATION
  - ✓ MOTOR STARTING ABILITY
- **TRUE POWER™ ELECTRICAL TECHNOLOGY:** Superior harmonics and sine wave form produce less than 5% Total Harmonic Distortion for utility quality power. This allows confident operation of sensitive electronic equipment and micro-chip based appliances, such as variable speed HVAC systems.
- **SOLID-STATE, FREQUENCY COMPENSATED VOLTAGE REGULATION:** This state-of-the-art power maximizing regulation system is standard on all Generac models. It provides optimized FAST RESPONSE to changing load conditions and MAXIMUM MOTOR STARTING CAPABILITY by electronically torque-matching the surge loads to the engine. Digital voltage regulation at ±1%.
- **SINGLE SOURCE SERVICE RESPONSE** from Generac's extensive dealer network provides parts and service know-how for the entire unit, from the engine to the smallest electronic component.
- **GENERAC TRANSFER SWITCHES:** Long life and reliability are synonymous with GENERAC POWER SYSTEMS. One reason for this confidence is that the GENERAC product line includes its own transfer systems and controls for total system compatibility.
- **MOBILE LINK® CONNECTIVITY:** FREE with all Protector Series Home standby generators, Mobile Link Wi-Fi allows users to monitor generator status from anywhere in the world using a smartphone, tablet, or PC. Easily access information such as the current operating status and maintenance alerts. Users can connect an account to an authorized service dealer for fast, friendly, and proactive service. With Mobile Link, users are taken care of before the next power outage.

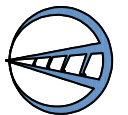
NOTE:  
 GENERATOR INSTALLATION  
 MAY BE DELAYED DUE TO  
 SUPPLY CHAIN ISSUES



1 GENERATOR SPECIFICATION SHEET (O.E.M.)  
 SCALE: N.T.S.

verticalbridge

Clear Blue Services  
 1000 E. ATLANTA AVE  
 PHOENIX, AZ 85014



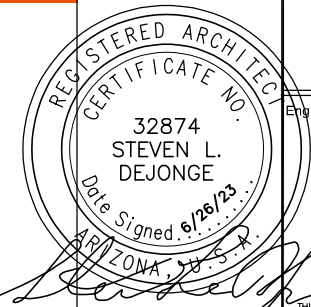
| No. | Submittal / Revision | App'd | Date     |
|-----|----------------------|-------|----------|
| 6   | CLIENT CHANGES       | SLD   | 6/26/23  |
| 5   | COUNTY COMMENTS      | SLD   | 6/12/23  |
| 4   | COUNTY COMMENTS      | SLD   | 5/1/23   |
| 3   | COUNTY COMMENTS      | SLD   | 11/23/22 |
| 2   | CLIENT RFDS CHANGES  | SLD   | 6/27/22  |
| 1   | CLIENT MW ADD        | SLD   | 6/6/22   |
| 0   | ZONING DRAWINGS      | SLD   | 4/22/22  |

Drawn: SLD Date: 4/23/22  
 Designed: SLD Date: 4/22/22  
 Checked: TB Date: 4/23/22

Project Number: US-AZ-7050

Project Title: COPPER SKY  
 992 S. RINCON RD.  
 MARICOPA, AZ 85139  
 PINAL COUNTY

Engineer Stamp



EXPIRES 9-30-2025

THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

Drawing Title: DETAILS

Drawing Scale: AS NOTED  
 Date: 06/26/2023  
 ZD

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number

C8

SUP CASE #: SUP-019-23

**NOTICE OF PUBLIC HEARING** BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M ON THE **1ST DAY OF NOVEMBER 2023**, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **SPECIAL USE PERMIT** IN THE UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

**SUP-019-23 – PUBLIC HEARING/ACTION:** Vertical Bridge, LLC. – James Caciola, applicant/agent, requesting approval of a Special Use Permit to operate a new wireless communication facility, on a 3.35± acre parcel in the Suburban Ranch (SR) Zone; tax parcel 501-45-0680 – legal on file – situated in a portion of Section 26, Township 06 South, Range 02 East, of the G.S.R.B.&M., Pinal County, Arizona, located north of W. Fresno Road and west of S. Rincon Road in an unincorporated area of Pinal County.

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AND SPEAK AT THE PUBLIC HEARING AT THE DATE, TIME, AND PLACE DESIGNATED ABOVE.

DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION AT:

<https://www.pinal.gov/236/Notice-of-Hearings>

DATED THIS **25<sup>th</sup>** DAY OF **SEPTEMBER 2023**, by Pinal County Development Services

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:  
PINAL COUNTY DEVELOPMENT SERVICES  
PO BOX 749  
FLORENCE, AZ 85132

**NO LATER THAN 4:00 PM ON WEDNESDAY, OCTOBER 18, 2023**

Contact for this matter: Val Lujan, Planner

E-mail address: [valerie.lujan@pinal.gov](mailto:valerie.lujan@pinal.gov)

Phone # (520) 866-6528

---

***[Anything below this line is not for publication.]***

PUBLISHED ONCE:  
Pinal Central Dispatch

STATE OF ARIZONA  
COUNTY OF PINAL

} SS.

# Affidavit of Publication

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M ON THE 1ST DAY OF NOVEMBER 2023, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A SPECIAL USE PERMIT IN THE UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA. SUP-019-23-PUBLIC HEARING/ ACTION: Vertical Bridge, LLC. - James Caciola, applicant/agent, requesting approval of a Special Use Permit to operate a new wireless communication facility, on a 3.35± acre parcel in the Suburban Ranch (SR) Zone; tax parcel 501-45-0680 - legal on file - situated in a portion of Section 26, Township 06 South, Range 02 East, of the G.S.R.B.&M., Pinal County, Arizona, located north of W. Fresno Road and west of S. Rincon Road in an unincorporated area of Pinal County.

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 PINAL COUNTY DEVELOPMENT SERVICES  
 PO BOX 749  
 FLORENCE, AZ 85132  
 NO LATER THAN 4:00 PM ON WEDNESDAY, OCTOBER 18, 2023 Contact for this matter: Val Lujan, Planner  
 E-mail address: valerie.lujan@pinal.gov  
 Phone # (520) 866-6528  
 No. of publications: 1; date of publication: Oct. 5, 2023.

Kara K. Cooper, 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 Pinal Central Dispatch, a newspaper section published at Casa Grande, Pinal County, Arizona, Thursday 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 ONE issue. The publications thereof having been on the following date:

10/05/2023

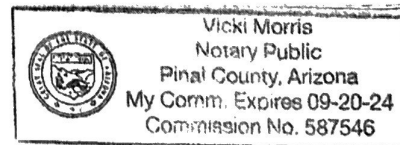
## PINAL CENTRAL DISPATCH

By Kara K. Cooper  
 agent and/or publisher of the Pinal Central Dispatch

Sworn to before me this 12th  
 day of Oct. A.D., 2023

Vicki Morris

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



## CERTIFICATION OF POSTING

I hereby certify that the notice(s) shown below was/were posted on the property described in the notice on 10/13/23.

COMMUNITY DEVELOPMENT DEPARTMENT

BY: Val Lujan Valerie Ann Lujan, Planner  
[signature] [print name and title]

DATED: 10/17/2023

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**NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M ON THE 1ST DAY OF NOVEMBER 2023, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A SPECIAL USE PERMIT IN THE UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.**

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**E-mail address: [valerie.lujan@pinal.gov](mailto:valerie.lujan@pinal.gov)**  
**Phone # (520) 866-6528**

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**[Anything below this line is not for publication.]**

PUBLISHED ONCE:  
Pinal Central Dispatch

When recorded return to:  
Clerk of the Board  
P.O. Box 827  
Florence AZ 85132

**RESOLUTION NO. 2023-SUP-019-23**

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A SPECIAL USE PERMIT FOR A PROPERTY LOCATED NORTH OF W. FRESNO ROAD AND WEST OF S. RINCON ROAD, (TAX PARCEL (501-45-0680) TO CONSTRUCT A NEW WIRELESS COMMUNICATION FACILITY, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. SUP-019-23

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to the Pinal County Development Services Code § 2.151.010 to approve Special Use Permits in order to ensure and protect the public health, safety, convenience and general welfare; and,

WHEREAS, on February 21, 2023, the Pinal County Community Development Department (the “**Department**”) received an application from James Caciola of Vertical Bridge, LLC, applicant, on behalf of Jason Lee Ludington, owner of a 3.35 ± acre parcel located North of W. Fresno Road and West of S. Rincon Road in an unincorporated area of Pinal County (Tax Parcel 501-45-0680) zoned Suburban Ranch (SR) and legally described on the attached **Exhibit “A”** (the “**Property**”) for a Special Use Permit requesting approval to construct a new wireless communication facility on the Property (the “**SUP Application**”); and,

WHEREAS, on September 21, 2023, the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public hearing on the SUP Application under Case No. SUP-019-23 (the “**Commission Hearing**”); and,

WHEREAS, during the Commission Hearing Department staff presented and recommended approval of the SUP Application with 15 stipulations, which stipulations were amended by the Commission by adding an additional stipulation, for a total of 16 stipulations as set forth on the attached **Exhibit “B”** (the “**Stipulations**”); and,

WHEREAS, at the conclusion of the Commission Hearing, the Commission voted 9-0 in favor of forwarding a recommendation of approval of the SUP Application to the Board, subject to the Stipulations.

NOW, THEREFORE, BE IT RESOLVED by the Board that the SUP Application is hereby approved subject to the Stipulations.

///

**[Signatures on following page.]**

**RESOLUTION NO. 2023-SUP-019-23**

PASSED AND ADOPTED this 1<sup>st</sup> day of November, 2023, by the PINAL COUNTY BOARD OF SUPERVISORS.

\_\_\_\_\_  
Chairman of the Board

ATTEST:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy County Attorney

**EXHIBIT A**

**SUP-019-23 LEGAL DESCRIPTION**

**PARENT PARCEL LEGAL DESCRIPTION:**

THAT CERTAIN PROPERTY SITUATED IN PINAL COUNTY, STATE OF ARIZONA, AND DESCRIBED AS FOLLOWS:

LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, IN BOOK 14 OF MAPS, PAGE 12.

PARCEL ID NO.: 501-45-0680

THIS BEING THE SAME PROPERTY CONVEYED TO JASON LEE LUDINGTON FROM MARK FRANK FORSYTH III IN A QUIT CLAIM DEED DATED NOVEMBER 6, 2015 AND RECORDED NOVEMBER 6, 2016 AS INSTRUMENT NO. 2015-072243 IN PINAL COUNTY, ARIZONA.

**TOWER EASEMENT PREMISES LEGAL DESCRIPTION:**

A PORTION OF LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO BOOK 14 OF MAPS, PAGE 12, PINAL CAOUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM MARKING THE SOUTHWEST CORNER OF SECTION 26; THENCE NORTH 53°42'12" EAST A DISTANCE OF 912.60 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 90°00'00" EAST A DISTANCE OF 40.00 FEET;

THENCE SOUTH 00°00'00" EAST A DISTANCE OF 40.00 FEET;

THENCE NORTH 90°00'00" WEST A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°00'00" WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

**ACCESS EASEMENT LEGAL DESCRIPTION:**

A PORTION OF LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO BOOK 14 OF MAPS, PAGE 12, PINAL CAOUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM MARKING THE SOUTHWEST CORNER OF SECTION 26; THENCE NORTH 53°32'20" EAST A DISTANCE OF 912.60 FEET;

THENCE NORTH 90°00'00" EAST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°00'00" WEST A DISTANCE OF 4.00 FEET;

THENCE NORTH 90°00'00" EAST A DISTANCE OF 20.00 FEET;

THENCE SOUTH 00°00'00" EAST A DISTANCE OF 10.00 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 14.74', WITH A RADIUS OF 10.06', WITH A CHORD BEARING OF SOUTH 41°59'14" EAST, WITH A CHORD LENGTH OF 13.45';

THENCE NORTH 90°00'00" EAST A DISTANCE OF 60.96 FEET;

THENCE SOUTH 00°23'38" WEST A DISTANCE OF 24.00 FEET;

THENCE NORTH 90°00'00" WEST A DISTANCE OF 89.79 FEET;

THENCE NORTH 00°00'00" WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

**UTILITY EASEMENT LEGAL DESCRIPTION**

A PORTION OF LOT 68, OF HIDDEN VALLEY ESTATES UNIT 10, ACCORDING TO BOOK 14 OF MAPS, PAGE 12, PINAL CAOUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM MARKING THE SOUTHWEST CORNER OF SECTION 26; THENCE NORTH 53°32'20" EAST A DISTANCE OF 912.60 FEET;

THENCE NORTH 90°00'00" EAST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" EAST A DISTANCE OF 1.84 FEET TO THE CENTERLINE OF THE 5.0 FOOT WIDE UTILITY EASEMENT LYING 2.50 FEET ON EACH SIDE AND TO THE POINT OF BEGINNING;

THENCE NORTH 71°30'56" EAST A DISTANCE OF 96.66 FEET TO THE POINT OF TERMINUS.

## **EXHIBIT B**

### **SUP-019-23 STIPULATIONS**

1. All Federal (FCC), State and County regulations shall be adhered to and all required approvals, plans, submittal documents, and permits submitted and obtained; including, but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, landscaping, signage, etc.;
2. Submit an R.F. Engineer's certification within thirty days of BOS approval, that the facilities comply with all Federal Aviation Administration (FAA), and that the radiation meets Federal Communication Commission (FCC) requirements. Should interference be determined to exist with the WAPA Communications equipment, building permits shall not be issued until the interference issues are resolved to the satisfaction of Pinal County Community Development;
3. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;
4. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more land;
5. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
6. Paving will be provided on the following: 24 foot driveway & access drive, within the site, and on parking area; Applicable to site access portion of W. Fresno Road and S. Rincon Road, additional road access improvement requirements must be met as determined by County Engineer(s) and other County Divisions/personnel;
7. An Air Quality industrial permit may be required if there is a generator installed;
8. The WCF is required to be enclosed by an 8' CMU wall as required by County Code § 2.205.050 (B);
9. The layout, design and set up of the wireless communication facility shall be as shown and set forth on the applicant's site plan as submitted with this application for a Special Use Permit;
10. Any change or expansion of use shall require approval by the Board of Supervisors;
11. At such time the wireless communication facility is no longer needed, it shall be removed from the subject property within 180 day at the expense of the applicant;
12. The applicant shall keep the property free of trash, litter and debris;

13. Violation of these conditions at any time may invoke revocation proceedings by the Pinal County Community Development Department;

14. A site plan process would be initiated by the applicant after the SUP is approved by the BOS;

15. Approval of this Special Use Permit is tied to the portion of parcel number 501-45-0680 in which the WCF is situated; and

16. Per the Pinal County Site Plan Requirements, the Applicant is to provide a grading and drainage design for the subject property that satisfies the Pinal County Drainage Manual requirements.

1 in favor signify by saying aye.

2 COLLECTIVE: Aye.

3 RIGGINS: Any opposed? Motion passes unanimously.

4 Okay, our next - all right, we have a continued case, and we  
5 only have one continued case. **Case Begins**  
6 Our next case is SUP-019-23.

6 LUJAN: Good morning, Chair, Vice Chair, Members of  
7 the Commission, members of the public if anyone's here, and  
8 also County staff. My name is Val Lujan, I am presenting on  
9 behalf of the applicant for SUP-019-23. Some details of this  
10 case. So it is a request from Vertical Bridge and they're  
11 seeking approval of a special use permit to allow the  
12 construction of a new wireless communication facility. Some  
13 of the parcel information is there and it is zoned Suburban  
14 Ranch. Location, it's north of West Fresno Road and west of  
15 South Rincon Road, in an unincorporated portion of the City of  
16 Maricopa. The owner is Jason Lee Ludington, we do have that  
17 on file, and applicant Jim Caciola who is here shall we have  
18 any further questions. So here is the context of the site in  
19 regards to the majority the County. Here are some of the  
20 surrounding zoning context. An area map. Also wanted to  
21 provide you with some aerials of where the immediate  
22 surrounding context. So to the left you see the parcel to the  
23 north and the south, and then the subject site in a bit more  
24 zoomed in, and we see the current establishment that's on  
25 there. Some of the directionals, so looking west onto the

1 subject site. So now we're looking east. Looking north, and  
2 then looking south. This shows the extent of our outreach for  
3 the notice of hearing purposes. Here we see a site plan and  
4 then from the - from last month's hearing, just providing you  
5 some more color and visual aids of exactly what is being  
6 conveyed on that site plan. So we see the full property lines  
7 in red, highlighted in that blue oval is where the existing  
8 residence is. Purple is the proposed facility area. And then  
9 we see that all of the setbacks are met with those green  
10 lines, meaning that one to one (inaudible) area. Here are  
11 some elevation and specs of what this facility will look like.

12 RIGGINS: Is it going to be a tree?

13 LUJAN: It is.

14 RIGGINS: Okay.

15 LUJAN: Okay, and we wanted to provide you with a  
16 coverage map, so this is currently what the area looks like  
17 without this facility. The potential coverage with the  
18 facility. So without and with. And then some of the  
19 continuation concerns, which I wish to address. So it was  
20 brought up whether an SUP or a variance were appropriate in  
21 addressing standards such as height. And yes, an SUP is not  
22 only a practice of the division, but it's also the correct  
23 legal practice when we are addressing design standards  
24 specifically for a wireless communication facility. A more  
25 thorough response and citation specific to our governing code

1 is provided in the staff report, with that synopsis of why we  
2 use SUPs. And then also a concern was coverage and capacity  
3 at various heights. So in speaking with, and working  
4 alongside with the applicant, they are very intentional with  
5 what is perceived as excess height, in that it does reduce the  
6 need for future new builds. Then also they have the  
7 willingness and will be constructing this facility in a way  
8 that others are able to co-locate, which again reduces the  
9 need for any other type of builds to be out there. We are  
10 going to provide you with some coverage and capacity maps just  
11 to kind of address that - further address that concern. So at  
12 the proposed height of, we see the amount of coverage, and  
13 then even when it is just reduced at 85 feet, that margin is  
14 significantly reduced. So at 85 feet, that is what it's  
15 looking like. At 75 feet. And at 55 feet. Some items of  
16 consideration. So again, coverage will increase significantly  
17 for the area if the SUP is granted. Tower is designed in a  
18 way to allow future co-location, so again reducing the need of  
19 any new facilities. Applicant has submitted all the necessary  
20 documentation required of our SUP processes. Staff has not  
21 identified any adverse impacts to the area. And applicant  
22 will comply with all development standards required of an SUP  
23 and wireless facility, and any additional standards as stated  
24 in the stipulations. We did receive one opposition, and this  
25 was regards to a neighbor for draining and flooding concerns.

1 Those videos were provided to you. We would like to say that  
2 we did initiate comments from all divisions, including our  
3 flood control. They did not identify any immediate threat or  
4 issues where this SUP would not be able to continue. We also  
5 want to let the Commission know that at further steps, that  
6 the applicant would need to provide drainage reports, so that  
7 way if there does need to be any future mitigation, it will be  
8 discussed there and the applicant would have to abide by what  
9 is put in place by Flood Control. So recommendation, staff  
10 does recommend approval with the 15 situations that are listed  
11 in the staff report. I, myself, am open to any questions, as  
12 well as the applicant being here. Thank you.

13 RIGGINS:: Thank you very much. Commission Members,  
14 do we have any questions on the staff presentation?  
15 Commissioner Klob.

16 KLOB: Through the Chair, thank you. Last month  
17 when we talked about this project, a couple things came up in  
18 regards to the height, and then also in regards to does it  
19 need to be a, whatever, the tree. Why can't - as tall as it  
20 is, the location of it, you know, does it have - why can't it  
21 just be a tower? And I think the tree actually looks worse  
22 than the - because it's so big, and it stands out in such a  
23 flat area.

24 LUJAN: Gotcha.

25 KLOB: Is that something we can look at and address?

1           LUJAN: Yeah, definitely. So I think we both agreed  
2 on the tree as this area is somewhat underdeveloped, it's  
3 still kind of in a phase of developing out. We do foresee and  
4 look for any type of maybe future landscaping needs that might  
5 then be applied where we would want this tree to kind of  
6 complement that. So we're really addressing it as more of a  
7 future need. And the reason for it being this specific design  
8 is that it would allow the best amount of co-locations in the  
9 future, as opposed to any other type of tree design. The SUP,  
10 it does allow staff to think of considerations for  
11 landscaping, and I think that is where our perspective is  
12 coming from to have this be a tree design as, one, because it  
13 is within the authority of the SUP, and then also just to  
14 think of that area being future developed and any type of  
15 future landscaping where then that tree would fit into.

16           KLOB: Okay. You know, my concern with this is  
17 just, you know, because of the location, and even the images  
18 that the applicant provided, that 115 foot fake tree just  
19 looks completely out of place and I think just a tower would  
20 actually be less, you know, obtrusive in that environment.

21           LUJAN: Yeah, we definitely see that. But also,  
22 when other carriers do co-locate on there, it does distract  
23 from the appeal of it just being a standard pole, then. Where  
24 with this tree as a stealth design, when new aspects are put  
25 onto it, it does provide some type of mirage and cover up of

1 it because it would - once future co-locations go on, it's no  
2 longer just a singular pole, there's a lot of other equipment  
3 that are then - mess with the aesthetics of how that looks for  
4 the surrounding area.

5 KLOB: There was also discussion about actual trees  
6 being planted in or around this facility to help kind of  
7 soften that, that again, more of a natural organic look versus  
8 - and this is a personal issue that I have with all of the  
9 cell towers. I think that whether it be the palms, the pines,  
10 the oaks, the what - they all look fake.

11 OLGIN: Chair, Vice Chair.

12 KLOB: Yeah.

13 OLGIN: Gilbert Olgin. I've had the opportunity,  
14 I've been lucky enough to work in other cities and towns and  
15 you're correct, if you wish to allow them to do a pole that's  
16 applicable, however, I've got a street - I'll invite you all  
17 to go take a look - it's called Chandler Heights and Power  
18 Road, there's restaurants behind it. 30 years ago they did a  
19 pole, very tall one. It contains more equipment than you can,  
20 you can imagine. It is a lot, in our opinion, worse than what  
21 a tree is. You're right, a tree is out of place, absolutely.  
22 However, it limits the amount of equipment that can go on  
23 there. Yes, it looks out of place, but I would argue that it  
24 looks better than a stick with a bunch of microwaves and poles  
25 around it. And our job is to think of the future, for future

1 housing that will be around there. 30 years ago there was  
2 nothing at Chandler Heights and Power, except orange trees. I  
3 live in the area. Today it's covered in homes and this thing  
4 sticks out like a sore thumb. So our intent here is to move  
5 forward with something that is (inaudible). Yeah, a tree out  
6 of place, we get that, but I'd argue that it's a lot better  
7 than a stick with all this equipment that is latched to it.  
8 Once again, there's an example, a beautiful one or ugly one if  
9 you will, at that corner. But it's a - you just can't miss  
10 it. It's horrendous because of all the equipment. It's just  
11 a stick with tons of stuff on it. And I know it's moving  
12 forward - you know, we're moving forward with this type  
13 equipment, (inaudible) planners will always push forward for  
14 stealth design (inaudible). In this case, it's a rural area,  
15 a rural zone, so they are allowed not to do it, but the staff  
16 would like them to do it, because of future.

17           ??: If it helps, you know, I'm the guy that kind of  
18 reads code in the background and is responsible for that as a  
19 zoning administrator. If in fact this pole was being located  
20 in a residentially-zoned area, it's actually required by the  
21 code to be stealth design. In this case I believe it's GR  
22 zoning around this, so a traditional tower could be placed;  
23 however, our code says that we should suggest a stealth design  
24 and that's what staff did. But it's completely up to you guys  
25 from a code perspective.

1           KLOB: And maybe my follow up question to that would  
2 be more simply to the applicant, but tied back in, if a  
3 stealth design could be adapted at a later date should there  
4 be housing nearby?

5           ??: I don't, I don't know the answer to that  
6 question, because I'm not a cell phone guy.

7           RIGGINS: I would, I would say probably not. I  
8 would say probably not. If you would allow me, I do have - I  
9 have an insight into this myself. I've actually, I've  
10 actually taken pictures of it as a - for planning specimen for  
11 people to look at. On the highways from Las Vegas going  
12 southwest to (inaudible) and Death Valley out in the middle of  
13 the very, very dry Mojave Desert Plains, there is an enormous  
14 mono spruce, and it is one of the silliest looking things, and  
15 so long it is beyond belief. Beyond the shadow of a doubt my  
16 initial thought about this was exactly that, what are we doing  
17 this for? However, I have also seen in various places where  
18 conventional poles have gotten many, many co-locations and  
19 many, many pieces of equipment put on them during 10 or 15  
20 years, and they look terrible. They're awful. And, you know,  
21 this is obviously going to come down to opinions, but just  
22 from my own personal opinion, I think probably having it be a  
23 stealth design of this sort, with this kind of co- - since  
24 it's a taller pole and they're going to co-locate like crazy  
25 on it, that probably it's justified to take it that way. And

1 that's, again, that's just a single person's opinion. But I  
2 concur with Gilbert's comment that, boy, you get one of these  
3 things, it's a bare pole and they hang stuff on it for 15 or  
4 20 years, they just get looking awful. So Vice Chair?

5           MENNENGA: I've got a cell tower right behind my  
6 house across the street, and it's just a pole and it's just  
7 got a frickin' massive amount of equipment hanging on this  
8 thing, you know, so - and initially I thought why do the  
9 stealth design, but I sat there and looked at that and go,  
10 yeah it'd be kind of nice if we had limited a few of those  
11 antennas or whatever up there. You know, so kind of change  
12 your mind a little bit after (inaudible). And you're right,  
13 Chair, I've seen a few in the middle nowhere, like wow, you  
14 know. It's still, the whole cell phone tower thing is still  
15 kind of in infancy of where it's going and yeah, I think if we  
16 can do this and do the stealth design, probably advantageous.  
17 Because once we approve this pole, it's never going to get  
18 stealth design. It's done.

19           RIGGINS: That's correct.

20           MENNENGA: Yeah, so at this point, we probably need  
21 to approve that way and move on. (Inaudible) many issues are  
22 pending, but they need the cell service out there.

23           RIGGINS: Any other questions on the report?  
24 Commissioner Schnepf.

25           SCHNEPF: I wonder if you could give us a little

1 interpretation or information - I know it's in the report here  
2 about our continuation, and that was one of our concerns was  
3 the stealthness, but the other one was the height, the SUP  
4 height as opposed to a variance and what the findings were, I  
5 wonder if you could speak to that and clarify that.

6 LUJAN: Yes (inaudible) that (inaudible) really  
7 quick. So someone had mentioned whether a variance would be  
8 more appropriate. So variances fall under the authority of  
9 our Board of Adjustments, and in that section of our code is  
10 very specific of what powers are vested in the Board of  
11 Adjustments, this particular case not being one of them. And  
12 so when we go to the wireless communications facilities  
13 portion of the code, it does say that any facilities that are  
14 (1) not permitted within the given zone, or if it does not  
15 meet the County code, and the section that it does site is  
16 specific to wireless facility design standards, then an SUP is  
17 required to address such issues. So it is only through an SUP  
18 that those design standards, inclusive of height, can be  
19 addressed or further changed and - or deviated from what  
20 otherwise the standards would state. And so for wireless  
21 communications facility in SUP, is the only thing that we use  
22 that is appropriate to be used and legally found for us to be  
23 able to address those issues.

24 ??: Mr. Chairman, Members of the Board, I think I  
25 can add a little color that makes it a lot simpler. And that

1 is the Board of Adjustment and variances is not just governed  
2 by the County development code, boards of adjustments are  
3 created under State statute as well, and the A #1 litmus test  
4 on asking for a variance is it can't be self-imposed. So it  
5 has to be not the applicant's fault. So by somebody coming in  
6 and saying I want a variance because I want to build X height  
7 of power in a certain area, that would be self-imposed. He's  
8 buying the property and he wants to build it a certain height,  
9 it's not something that's outside of his control with respect  
10 to that. So that would be a very difficult challenge to try  
11 and overcome, or even the Board of Adjustment to hear it.

12           ??: Because we were talking about how the SUP had  
13 certain height limit in the code and that was what, 75, 95? I  
14 can't remember what it was.

15           ??: That's for residential zones. This is GR, so -

16           ??: So that changes it?

17           ??: Yeah, it changes it. So GR, although most of  
18 GR in Pinal County has residential houses on it, the way that  
19 we classify it in the zoning code is as a rural district, not  
20 as a residential district. So had this been in a residential  
21 area, then we would be sticking to the 95 foot. If it was in  
22 CR-3, yeah, they would have a challenge. In this case we're  
23 okay to approve the 115, I think it is.

24           RIGGISN: And in CR-3, what would that height  
25 maximum be?

1           ??: Oh, stand up here so they can hear you.

2           OLGIN: So for stealth design, I believe there's  
3 three of them. There's a cactus, a tree, and a palm tree that  
4 are used, and each of them have a - I believe the shortest one  
5 is the cactus, 70 feet, and it's 80 feet after that, and I  
6 think 90. And so you can use one of these stealth designs if  
7 you're in a residential zone, which is usually, I think it's  
8 from the R-7 or the CR-3 - sorry, going down - so that's when  
9 the stealth design will kick in. But those are typically the  
10 three current stealth designs you can use.

11          RIGGINS: Okay. And just as an aside, the 70 foot  
12 saguaros look really out of place. Because I've seen two of  
13 those and they're really something. But okay.

14          KLOB: Through the Chair, I have one more item.

15          RIGGINS: Commissioner Klob.

16          KLOB: You talked about the - there would be a  
17 grading report done, you know, for the neighbor that's having  
18 some challenges with flooding - is that going to be just a  
19 grading and drainage design or is that going to be a full  
20 hydrology report that will address the amount of flow of the  
21 surface water?

22          LUJAN: It's required at the site plan level, I do  
23 believe it's a full-blown grading and drainage report, which  
24 then allows that division to identify if there does need to be  
25 any type of mitigation strategy that needs to be implemented

1 at the site. But it is a full grading and drainage report.

2 KLOB: Grading and drainage, but not hydrology.

3 LUJAN: Correct.

4 OLGIN: I'd argue they're one in the same, but  
5 they're not.

6 KLOB: And that's kind of my point.

7 OLGIN: So what's required is the grading and  
8 drainage, not the other one.

9 KLOB: Yeah. I'm inclined, just because the  
10 neighbor has had some challenges, so we don't, you know,  
11 create more challenges potentially that have to be addressed  
12 in a more formal setting, that as part of the stipulations,  
13 you know, should be probably a hydrology report as well.

14 OLGIN: So Chairman, with respect to the Commission,  
15 so the focus today is the use, the special use permit. Does  
16 this (inaudible) along our code. The rest of it is typically  
17 covered at the site plan. So at these levels we can't change  
18 the rules that are required for a site plan at this level. So  
19 even if we said they'd have to do it, that's a different  
20 process, different application that goes through a whole  
21 different set of entities, or I should say, disciplines that  
22 review it. So I just want to be clear that we're on the same  
23 page, that what you're asking for is not what we're doing here  
24 today.

25 KLOB: So - and I'm not trying to be argumentative

1 with you, Gilbert, but even though one of the stipulations is  
2 to have a is to have a grading and drainage design, we can't  
3 add to that stipulation?

4 OLGIN: Yeah, that's just coming from - we can rules  
5 that are already out there in regards to the site plan, so  
6 that's just coming strictly from a site plan. And we  
7 typically add that now, we talk about it at the use level, so  
8 that way the applicant isn't blow away, saying well they don't  
9 make me do this in (inaudible). So we just throw it out  
10 there, but it's an already a rule that's coming at the site  
11 plan level. And that's a great question.

12 RIGGINS: I would add on to that, that yes indeed,  
13 it comes at the site plan; however, it is within the purview  
14 of this Commission by all means to suggest an additional  
15 stipulation to highlight the particular problem, and put it as  
16 a stipulation/addition to the fact that it's also coming at  
17 the site plan level. And that is, that is the purview of the  
18 Commission to discuss it, if they wish.

19 ??: I have a, I have a suggestion, and I know that  
20 Darren hates it when we add stipulations or change  
21 stipulations, but I have a suggestion to your point. Yes  
22 Gilbert's correct that our site plan process requires a  
23 grading and drainage plan; however, there's something behind  
24 that that maybe we could add here, which is when they do that  
25 grading and drainage plan for this individual project,

1 although they may not do a full hydrology report on the site,  
2 they are required to follow the standards laid out in the  
3 Pinal County - gosh, I'm trying to think what the name of it  
4 is - I think it's Pinal County Drainage Manual, most current  
5 addition. If they have a major wash, for example, coming  
6 across the property, they're going to have to understand the  
7 flow of that wash, they're going to have to convey that flow  
8 and not change where that flow enters and exits the property.  
9 It's all required by the Pinal County drainage manual, and  
10 that gets to hydrology projections and that information that's  
11 needed for the grading and drainage plan. So the grading and  
12 drainage plans in a lot of cases just have to do with  
13 retaining your onsite drainage because you've added impervious  
14 surface area. In cases where there is a ephemeral drainage  
15 across the property, they also have to analyze that ephemeral  
16 drainage, if that make sense. Hopefully that was helpful and  
17 not just confusing.

18 RIGGINS: Vice Chair Mennenga.

19 MENNENGA: Well, speaking from experience, and  
20 recent experience taking a project, development a project  
21 through permitting process, I have 100 percent full confidence  
22 in your department and site plan to require what they need  
23 there, okay? And probably above and beyond from our recent  
24 experience, okay? So I have no problem with that at all, you  
25 know, so just - and that's just recent experience with your,

1 working with your engineers and stuff. So no, I - they're  
2 going to catch that if it needs to be.

3           ??: So Mr. Klob, my suggestion would be if you  
4 wanted to amend that stipulation, in addition to it saying  
5 requiring a grading and drainage plan, it would be subject to  
6 and satisfying the Pinal Count Drainage Manual. If that makes  
7 sense.

8           KLOB: That makes sense. Okay.

9           RIGGINS: And what stipulation would that be  
10 attached to?

11          ??: I don't know. I thought there was a  
12 stipulation that had - said they had to - meets the grading  
13 and drainage plan.

14          RIGGINS: No, I never saw the word - I never saw -  
15 in all the stipulations, I never saw the word drainage. I  
16 might be incorrect, but I don't, I don't think I am.

17          ??: Then we'll get to work drafting one over here  
18 while you guys continue to (inaudible)

19          RIGGINS: Does that sound satisfactory, Commissioner  
20 Klob?

21          KLOB: I'm okay with that.

22          RIGGINS: Okay, I think that's a good idea. I think  
23 that's the way to proceed. Any other questions on the staff  
24 report? There none being, thank you very much, and could we  
25 call the applicant up, please? And before you begin, could

1 you please put your name and address down there on the log and  
2 then give that to us and as your first statement.

3 CACIOLA: Hi, good morning Chair, Vice Chair,  
4 Members of the staff, my name is James Caciola and I am from  
5 3537 (inaudible) Avenue, Phoenix, Arizona. I'm representing  
6 Vertical Bridge in this project, so if you have any questions  
7 that I can answer.

8 RIGGINS: Okay. Commissioners, do we have any  
9 questions of the applicant? There seems to be none, and I  
10 likewise have none either.

11 CACIOLA: I would just like to say while I  
12 appreciate the staff and that was - they really did cover all  
13 the items very well, so I appreciate all their (inaudible).

14 RIGGINS: And you have heard that we are discussing  
15 putting a slight amendment to one of these stipulations  
16 concerning drainage and you have no problem with that.

17 CACIOLA: Correct Chairman, yes that's fine.

18 RIGGINS: Okay. All righty, thank you very much.  
19 Well, we will - now the pressure is truly on staff because  
20 they have to come up with the verbiage right now.

21 ??: Would you like me to read the proposed  
22 stipulation before the public hearing or after the public  
23 hearing?

24 RIGGINS: Let's go ahead and, let's go ahead and do  
25 it now, I believe.

1           ??: All right, I did my best with one minute. Per  
2 the Pinal County site plan requirements -

3           RIGGINS: One question, is this a standalone  
4 stipulation or is it attached to something else?

5           ??: Standalone stipulation.

6           RIGGINS: Okay, so it's number 16.

7           ??: I believe it's 16.

8           RIGGINS: Okay.

9           ??: Per the Pinal County site plan requirements,  
10 applicant to provide a grading and drainage design for the  
11 property that satisfies the Pinal County Drainage Manual  
12 requirements.

13           RIGGINS: Everybody, everybody in concurrence that's  
14 a good addition to this? Okay, when we make the motion on  
15 this, let's remember then we have to add an additional  
16 stipulation 16. Okay, at this point in time we will open the  
17 public participation portion of this case and ask, is there  
18 anybody out in the audience who would like to come and speak  
19 to this case? Anybody at all? There none being, we'll close  
20 the public participation portion of the case, and I will turn  
21 it back over to the Commission for either discussion,  
22 questions of staff, or a motion.

23           KLOB: Through the Chair.

24           RIGGINS: Commissioner Klob.

25           KLOB: I'll make a motion to approve SUP-019-23 with

1 the - all 16 stipulations.

2 RIGGINS: With the 15 stipulations, and including  
3 the new -

4 KLOB: Including the new added 16.

5 RIGGINS: 16<sup>th</sup> stipulation.

6 ??: The attorney suggested I should read, as part  
7 of the motion, read the new stipulation 16 into the record.

8 RIGGINS: And I was going to suggest same, so if you  
9 could please.

10 ??: Per the Pinal County site plan requirements,  
11 applicant to provide a grading and drainage design for the  
12 property that satisfies Pinal County Drainage Manual  
13 requirements.

14 RIGGINS: Okay. And everybody agrees that that is  
15 the verbiage on Commissioner Klob's motion. Okay, do we have  
16 a second?

17 DEL COTTO: (Inaudible).

18 RIGGINS: Commissioner Del Cotto seconds. All those  
19 in favor, signify by saying aye.

20 COLLECTIVE: Aye.

**Case Ends**

21 RIGGINS: Any opposed? **It passes unanimously.**

22 Wanted to mention to the Commission, we're on a slightly less  
23 radius table here, so get your hand out because I'm having a  
24 hard time seeing who wants to do something. So be a little  
25 bit more pronounced with your gesticulation. Okay, very good,