

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 252269)

Regular Meeting
9:00 a.m.
Thursday, June 19, 2025

Pinal County Administrative Complex
Emergency Operations Center
85 North Florence Street, Florence, Arizona

INDEX:

CALL TO ORDER & ROLL CALL: p. 1 (partial - no audio)

PLANNING MANAGER REPORT: [No Audio]

CONTINUED CASES:

- SUP-007-23 - pp. 1-85
- SUP-006-23 - pp. 85-93

NEW CASES:

- PZ-001-25 - pp. 94-200
- PZ-PA-002-25, PZ-002-25, PZ-PD-002-25 - pp. 201-229
- SUP-020-24- pp. 230-256

CONTINUED TO JULY 7, 2025:

- PZ-PA-016-24, PZ-030-24, PZ-PD-018-24
- PZ-008-25, PZ-PD-005-25, SUP-006-25
- PZ-006-25
- PZ-012-25, PZ-PD-007-25
- PZ-009-24

CALL TO THE COMMISSION - None

RECESS: pp. 263

TRANSCRIPTION PROVIDED BY

Julie A. Fish
Quick Response Transcription Services
829 East Windsor Avenue
Phoenix, Arizona 85006
602-561-2283

ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 KLOB: With that, I call to order the Planning and
2 Zoning Commission hearing for Thursday, June 19th, and a pledge
3 of allegiance. I pledge allegiance to the flag of the United
4 States of America [audio silent]. We'll start with a roll
5 call.

6 KRAUSS: Good morning Commissioners, good morning
7 members of the public. Our Chairman is not able to attend.
8 Vice Chair Klob.

9 KLOB: Here.

10 KRAUSS: Member Hartman.

11 HARTMAN: Present.

12 KRAUSS: Member Keller. Not here. Member
13 Lizarraga.

14 LIZARRAGA: Here.

15 KRAUSS: Member [audio silent].

16 KLOB: With that in mind, I'm going to call the
17 first case. This was a continued case remanded back from the
18 Board of Supervisors. I'm going to - and I apologize, I'm
19 going to flip these cases, the first two. SUP-007-23, I'm
20 going to call it first, and SUP-006-23, I'll call it second.
21 I think the second one is going to have a lot more bearing as
22 we go forward. So with that, I will turn it over to Patrick.

23 ZAIA-ROBERTS: Good morning Chair, Vice Chair,
24 Members of the Commission. Patrick Zaia-Roberts, Senior
25 Planner, here presenting case SUP-007-23 for the Jean Drive,

1 Abbotts Shepherds location. So just as a background on this
2 case, this is a request for a special use permit to allow a
3 commercial kennel on a property in SR zoning - Suburban Ranch
4 zoning district. The property in question is 3.3 acres and is
5 located at 49641 West Jean Drive in Maricopa on parcel 510-63-
6 0100. The applicant for this case is Ranelle Abbott,
7 represented by Jason Sanks, and this project is in Supervisor
8 District 1. So at the May 28th meeting of the Board of
9 Supervisors, the Board moved to remand this item back to the
10 Planning and Zoning Commission for review and consideration of
11 11 stipulations as revised by staff following the
12 recommendation from the Planning and Zoning Commission. Due
13 to these changes to the stipulation, we felt that it was
14 necessary to bring this item back and address any concerns the
15 P&Z might have with these new stipulations and address any
16 questions that may arise. So this item has been remanded back
17 date-specific to today's date for June 19th, and will also be
18 continued date-specific to the July 2nd Board of Supervisors
19 meeting following a decision by this Commission. So that
20 being said, I'll go ahead and start off by reading off of the
21 11 stipulations as revised. Stipulation 1, the special use
22 permit's issued to the land and shall be binding on the
23 property owner from the date of the Board of Supervisors
24 approval. And 2, approval of the special use permit will
25 require that the applicant/owner/developer submit and secure

1 from the applicable and appropriate Federal, State, County and
2 Local regulatory agencies all required applications, plans,
3 permits, supporting documentation and approvals necessary for
4 its operation. And 3, signage on the site shall not be
5 permitted. And 4, the number of adult dogs for breeding
6 purposes allowed on the property shall be limited to seven at
7 any time. And 5, a seven foot high opaque fence composed of
8 metal, wood and/or vinyl fence shall be constructed by the
9 property owners along the property line abutting the
10 neighbor's property at 12330 North White Road, in accordance
11 with all Pinal County Development Services Code requirements
12 and shall be completed within four months of the approval of
13 the SUP. And 6, all dogs on the property shall be housed and
14 maintained inside kennels from 9 p.m. to 6 a.m. on a daily
15 basis. And 7, in addition to complying with all Pinal County
16 Development Services Code requirements relating to the
17 excessive noise caused by dogs, excessive barking as defined
18 below is prohibited. Further, the applicant shall take
19 appropriate and necessary measures to mitigate any excessive
20 barking such as the use of bark collars, use of insulation or
21 other materials to reduce the level of sound from kennels so
22 as to avoid disturbing the peace and quiet of another person
23 with excessive barking without justifiable cause as determined
24 by the zoning inspector or code compliance officer. For
25 purposes of this SUP, excessive barking shall be defined as

1 frequent intermittent barking of more than 15 minutes, or
2 sustained barking of more than 15 minutes in the early morning
3 prior to 5 a.m. or late at night after 10 p.m. during the same
4 timeframe. And 8, a current, valid commercial license from
5 the Pinal County Animal Care & Control shall be maintained at
6 all times while the dog kennel is operational. And 9, an
7 action to revoke the SUP shall be initiated by the zoning
8 inspectors or code compliance officer's determination that the
9 property does not meet or is not in compliance with any of the
10 stipulations of approval. Pursuant to Pinal County
11 Development Services Code 2.151.010(V), a notice shall be sent
12 to the property owner and/or lessee of the property covered by
13 the SUP requiring compliance with the conditions of approval
14 within 15 calendar days. Upon failure to comply within the
15 specified time period, the Supervisors, after notification by
16 certified mail to the property owner and/or the lessee of the
17 property covered by the SUP, shall schedule and hold a public
18 hearing to determine if the special use complies with the
19 conditions of approval and/or possible action. The
20 Supervisors may extend the time for compliance and/or approve
21 and/or deny the revocation with or without conditions. And
22 10, the property owner and/or lessee of the property and/or
23 the operator of the kennel, shall allow Pinal County employees
24 to enter upon the property upon request for purposes of
25 inspections to ensure compliance with these conditions of

1 approval. And 11, if there is any change in property
2 ownership after the SUP is approved by the Board of
3 Supervisors, then the SUP shall become null and void on the
4 effective date of the transfer of property ownership (Parcel
5 510-63-0100). The current owner is Byers-Abbott Family Living
6 Trust - Russell C. and Ashelle S. Byers, Trustees, shall
7 notify Pinal County at least 30 calendar days prior to the
8 property ownership change by way of certified United States
9 mail, return receipt requested, and sent to the following
10 address: Attention: Pinal County Development Services, c/o
11 Clerk of the Board, P.O. Box 827, Florence, Arizona 85132. So
12 at this point, I'll go ahead and summarize some of the items
13 from the case. Ultimately, very little has changed as far as
14 the conditions of the property themselves. Location map,
15 vicinity. I'm just gonna go and skim through these slides
16 here from the - these were all presented to the Board of
17 Supervisors last, and just give you guys an update on current
18 conditions of letters of support and opposition. At this
19 time, staff has received 40 letters of opposition to this case
20 for the above list - or the below list of reasons: increased
21 noise and nuisances. Instances of escaped dogs at large.
22 Such businesses should require five acre minimum lot size. A
23 violation of terms of the Pinal County Animal Control Kennel
24 Permit. Increased traffic in the neighborhood and on
25 neighbor's property. A diminution of property value.

1 Adherence to the CC&Rs. Inclusion of a petition of 10
2 neighbors in opposition to the special use permit. And then
3 we have 132 letters of support at this time. Most of them
4 discuss the following items: Ethical operations. Facility
5 cleanliness. Quiet operation. Support of family businesses
6 and local businesses. And community engagement of the Abbott
7 family in their neighborhood. So at this point, staff
8 forwards this case with the recommended 11 stipulations. Does
9 the Commission have any questions of staff?

10 MOONEY: Chair, if I may.

11 KLOB: Any questions? Yeah, Commissioner Mooney.

12 MOONEY: This is gonna be lengthy because I'm going
13 through all of - almost all of the stipulations because they
14 changed. So we'll start with stipulation number 1. And this
15 is - it's my understanding that an SUP is for the person and
16 the owners of the property and not attached to the land. And
17 when you get to the end, it clearly states that if they were
18 to leave the property, then they have to notify everybody and
19 it would be undone. So I'm just - it's like those two
20 stipulations seem to contradict each other, so that's just a
21 concern I have. Number 5, we discussed the times when this
22 case was before us before. 6 a.m. to 9 p.m. for these dogs to
23 be outside all day long. Many of you weren't here. I grew up
24 and had a boarding kennel all my life as a kid until I
25 graduated college, and to leave dogs outside with total

1 disregard for the neighbors to be able to use their property
2 as well. At Christmas, we had 110 dogs. The dogs went out,
3 they did their business, they played, they exercised, they
4 came back in. And they were let out - in and out multiple
5 times a day. So I feel that number 5 is a total disregard for
6 all neighbors, even those that may not have an issue with it.
7 Number 6, the last sentence - this is the wrong number 6.
8 Because I had this on number - hang on a second. You changed
9 cases and I wrote all the ones for number - I'll get back to
10 that one later, I'm sorry. Number 7, what are the
11 consequences if the SUP lapses? Are there fines? Does it get
12 shut down? Will it renew and continue on? Go through this
13 process again or three strikes and you're out? I mean there's
14 really - there is one that has to go to the Board of
15 Supervisors upon a complaint and things like that, but there's
16 nothing in there that's clear about what happens and I know
17 that the - I don't wanna confuse the cases, but the other one
18 had lapsed and so I just wanna know. There needs to be
19 consequences and accountability. Number 8 does list if it's
20 initiate - lists the actions if it's initiated by a zoning
21 inspector or code compliance. Number 10, I recommend removing
22 part of the first sentence and leave the sentence as, the
23 property owner of the kennel. If the property owner is the
24 one that's asking for this SUP, the property couldn't be
25 leased to somebody else and continue on with an SUP the way I

1 understand it to be. And maybe I'm misunderstanding
2 something, so the County can correct me if I am. Number 11,
3 it is very clear - I already said that, that stipulation
4 number 1, they seem to contradict each other. And so when we
5 approved it, number 4, 5, 6, 8, 9, 10, 11, and 12 were in our
6 original and were all removed. So there is no site plan
7 required, no commercial use - no commercial kennel uses
8 explanation included, no lighting ordinance included, the
9 international fire code was taken out, dust permit for any
10 work on 0.1 acres or more was removed. All construction -
11 number 10 was construction to conform so if anything is done,
12 that's been removed. No traffic impact study and no drainage
13 report. A few of these might not necessarily be necessary
14 because it's existing, but I think some of the others need to
15 be considered. And so that's just on my stipulations on this
16 case. Thank you.

17 ZAIA-ROBERTS: I appreciate your concerns,
18 Commissioner Mooney. I would refer to the planning manager
19 for some address of some of those items. But yeah, we can
20 certainly see that there's some friction with some of these
21 stipulations that we should likely address.

22 MOONEY: If I may, would want them addressed and
23 straightened out before we make a motion.

24 KRAUSS: Sure.

25 MOONEY: Thank you.

1 KRAUSS: Vice Chair, did you want me to address it
2 now or just want to wait till the end? I didn't capture
3 everything.

4 KLOB: I think other people are gonna have some
5 comments, so maybe we do it kind of all get a consensus from
6 the dais and then kind of round it up with any resolutions at
7 that point.

8 KRAUSS: Okay.

9 SCHNEPF: Vice Chair, I have a question. I just am
10 curious to wonder why from when we approved the stips, why
11 were they changed and then presented to the Board without our
12 knowledge and with that being there. That seems to be
13 something that might need a little explanation for us.

14 ZAIA-ROBERTS: Of course. And I believe Harvey
15 Krauss would be the best option to answer that as well.

16 KRAUSS: Vice Chair, Members of the Commission,
17 Commissioner Schnepf. The reason why after our last Planning
18 Commission meeting when this was considered, the neighbors did
19 not feel that their concerns were adequately addressed. And I
20 had contact with Chad and Katie who are the neighbors, who
21 went through a laundry list of concerns they had. So I
22 reached out to the - as well as - in addition to the
23 neighbors, I also was contacted by elected officials. Some of
24 the Supervisors contacted me because the neighbors had
25 contacted them regarding some of their concerns. So my

1 motivation was to address some of their concerns. I reached
2 out to the applicant, talked to the applicant about some of
3 the concerns, so the applicant wanted to try to reconcile some
4 of the differences. So I sort of negotiated or mediated some
5 new stipulations to address their concerns. So that was my
6 motivation. So I took it to the Board and the Board, rightly
7 so, said we think that the Planning Commission ought to review
8 these since you didn't see them initially. So you're welcome
9 to scrutinize those, make changes to them. So that's the
10 genesis for why I did what I did.

11 SCHNEPF: Yeah, and that does, for us as a
12 Commission, it just made us feel like, hey, what's going on
13 here, you know? Probably it would have been better suited if
14 the stips were presented as we approved and then with the
15 opportunity to present the new ones to the Board. Maybe that
16 would have been different. But obviously we can see why it
17 came back on their end, so okay, thank you.

18 KLOB: Any other comments regarding the stips?

19 MOONEY: Yes, I wanna clarify the one I couldn't
20 find.

21 KLOB: Commissioner Mooney.

22 MOONEY: Okay, it's number 7. It is number 7 on
23 case 007-23. And the last sentence contradicts the timeframe.
24 This says 9 to 6 is what the hours are, and then the other one
25 says 5 a.m. to 10 p.m. So I think that's either a typo or

1 just needs clarification. And to address Harvey, if I may. I
2 find it very disheartening because we voted a certain way. So
3 when the case was presented - because I listened to it - we
4 voted a certain way. So if stipulations are going to be
5 changed, I'm requesting that my vote be removed and if it
6 breaks the motion, because the Board looks at it and goes oh,
7 the Commission said yay or nay, and then it was changed. So I
8 just want that on the record, thank you.

9 KLOB: Very good. Any other comments on the stips
10 or questions for staff? I had a few things that I wanted to
11 address, and I think probably the best thing, just line item
12 here, some of what Commissioner Mooney said. And I share some
13 of the same concerns. Number 2, with the requirements, it
14 kind of leaves it a little vague and by taking out one of the
15 other stips previously of what is required, is it [G&D],
16 landscape, parking, that kind of thing. I think in fairness
17 to the applicant, they need to know exactly what they're
18 having to comply with. Number 4, the number of adult dogs -
19 and it says for breeding purposes allowed, shall be limited to
20 7 at any time. I'd like to strike for breeding purposes. You
21 know, if they have 7 dogs for breeding and 7 more dogs for
22 personal use, I think that could become problematic or even
23 more problematic, especially when you combine, they have 7
24 dogs for breeding. A Google search told me that on average
25 each litter is about eight puppies. That's 56 puppies

1 potentially, and they could be bred once or twice a year, even
2 though I did read it didn't recommend that, it could happen.
3 So that's quite a few dogs that could be on a property at a
4 given times, so. The number 5, the seven foot high opaque
5 fence composed of metal, wood or vinyl, my question is the
6 metal, and is metal - and this is actually just a question
7 back to staff - is metal an approved fence? And of the metal,
8 what type of metal? Is it chain link? Is that in that or is
9 that corrugated metal? What can be used?

10 ZAIA-ROBERTS: Yeah, so the metal is an allowed
11 fence type in certain capacities of the code. The community
12 development director has also the discretion to allow certain
13 fencing materials to be used in lieu of others. In this
14 particular instance, we had an actual photograph that was
15 included as part of the stipulation to the Board of
16 Supervisors of the existing portion of the fence that was
17 constructed out of, it looked like corrugated steel and wood
18 boards. But the intent was to utilize an opaque fence type,
19 not a chain link.

20 KLOB: Okay. I think that needs to be, you know,
21 spelled out. I can't think of where - and I could be wrong in
22 this - where corrugated metal fencing has been allowed, but
23 you know, something for staff to look at. Item 6, in the
24 middle of the paragraph, it says, so as to avoid disturbing
25 the peace and quiet of another person with excessive barking

1 without justifiable cause as determined by the zoning
2 inspector or code compliance officer. Could that be more
3 vague? I think this is where things just need to get
4 tightened up a little bit, especially with the contentious
5 nature of this. Harvey, I know - I saw your eyes. I get it,
6 I just, I wanna be fair to both the applicant and to the
7 neighbors, you know, should this proceed, that, you know, both
8 sides are treated fairly. And there isn't, unfortunately, the
9 opportunity for abuse that could occur. Number 7, talking
10 about the current valid license, but it doesn't say, you know,
11 if there's a failure in that what happens, or how many days
12 delinquent is acceptable. Is 30 days acceptable? 180 days?
13 760 days, whatever. You know, I think that needs to be
14 tightened up a little bit. Item, let's see.

15 MOONEY: And if I may?

16 KLOB: Just a minute. Let me finish mine, and then
17 I'll come back to you.

18 MOONEY: You were - your re-stipulation numbers from
19 six, not the case you changed to 007. The one you just
20 quoted.

21 KLOB: Oh, I had it in my list as that.

22 MOONEY: Because I'm trying to find it.

23 KLOB: Yeah. Okay.

24 MOONEY: Trying to straighten you out, that's all.

25 KLOB: Nope, I appreciate that then, thank you.

1 Let's see.

2 ZAIA-ROBERTS: For clarity as well, the only
3 difference between stipulations on these two items is the
4 stipulation 7, which is that fence requirement. The rest of
5 them are common between the two. So anything after 7 is just
6 one number ahead.

7 KLOB: Okay. Yeah, and then the - let's see, as far
8 as the compliance, you know, development services, having the
9 opportunity for a compliance officer without cause at any
10 time. They don't necessarily have to notify the homeowner,
11 they can knock on the door and say we need to inspect things.
12 And let's see, I think that was it. Any other comments from
13 the dais? Harvey, do you want - I just want to add -

14 KRAUSS: Vice Chair, I can - let me address some of
15 the issues. One, first, I apologize for not directly bringing
16 it back to the Commission when we revised the stipulations. Some of
17 the stipulations were actually discussed at the Planning Commission
18 meetings. For instance, the applicant agreed to do a seven
19 foot high fence between the properties. So also agreed to put
20 the dogs in the kennel by 9:00 every evening. So some of
21 these things I wished to codify in the stipulations, so if
22 they violated what they said they were going to do at the
23 Planning Commission, we would have a vehicle to revoke the
24 license, the SUP license. Regarding ownership, the SUP, per
25 the code, runs with the land, it doesn't run with the property

1 owner. However, when we presented this to the Board at their
2 meeting, there was concern that they wanted it to run with the
3 property owner as well, so that's why I added that additional
4 stipulation that if the ownership changes of the land, then
5 that gives us the ability to avoid the SUP. Now, not leasing
6 the property. So if the owners, the Abbotts, decide that they
7 wanna lease out the operation to someone else, I don't think
8 they should have to live with the exact stipulations we called
9 for. So I don't think that's reasonable just to void out the
10 license just because they wanna lease it to another operator.
11 It runs with the land, except when they sell the property,
12 they lose that SUP. So that's the genesis for that. In
13 regards to the stipulations, I think one of the things that I
14 wanna do is they need to be site-specific to an SUP. An SUP
15 is a special use permit for that use in a particular district,
16 so we're trying to get away from generic requirements that are
17 already in the code. There's already a requirement for
18 lighting, there's already a requirement for drainage. These
19 things are already in the code, and the purpose why they're
20 not in here is because they aren't planning to do any new
21 construction. This is to provide them the vehicle for them to
22 become into compliance with the County in regards to their
23 existing operation with no intent to expand. So if they wanna
24 expand, they're gonna have to apply and look at those
25 lighting, new structures, other code requirements. So I

1 didn't address that because the way this SUP is structured is
2 we're gonna freeze what they've got now and with no expansion.
3 So that's the purpose in that. In terms of the fence, we
4 don't really dictate - we can dictate the material. I was
5 giving them options. The important thing is that the fence be
6 - the neighbors don't see the dogs. So whatever material
7 they've got, they've got a combination I believe of wood and
8 metal now, and so that's what they said they would do.
9 However, I gave them some other options to make the fence a
10 little more appealing if they wish to do that. In terms of
11 the barking, now the barking is very difficult to enforce. In
12 my experience with code cases, what excess barking is to one
13 person is maybe different to another person, and what's excess
14 barking. So I looked at it from - looked at other codes and
15 what's reasonable is people should enjoy peace and quiet
16 before 5 a.m., and after 10 p.m. they should have peace and
17 quiet. So we needed to put a handle on excessive barking and
18 be able to enforce something like that. You have lots of dogs
19 in the neighborhood. People that don't breed dogs and just
20 have six or seven dogs in their yard for just enjoyment, they
21 bark too. So when a dog barks, another dog barks, so it's
22 hard to get a handle on which dogs are barking. So how do you
23 control that? So the thought being was that after 9 p.m.,
24 they could put them in the kennel. Now that doesn't preclude
25 them from letting them out at any particular time to do their

1 business, but that was the thought, so we could get a handle
2 on excessive barking and be able to somewhat monitor that and
3 enforce that. Because it's very difficult to enforce
4 excessive parking if you can envision that. In regards to the
5 valid license -

6 KLOB: Sorry, I have a quick question as it relates
7 to that. Is this something that a code compliance officer
8 would have to hear for 15 minutes in order to be cited, or is
9 it something that someone could, you know, I'll say the
10 neighbor could record for 15 minutes and then present that to
11 a code compliance officer and that would be valid?

12 KRAUSS: Yes, that's the way it would work. And the
13 code compliance officer would be the one to initiate the
14 revocation of the license. That's the criteria, it wouldn't
15 be just because we have excessive barking. We get a call and
16 complaint, we're not gonna revoke their license. We have to
17 have some evidence and a right to go on the property - with
18 their permission, go on the property and to check it out, make
19 sure they're in conformance with the stipulations. In terms
20 of a valid commercial license, the way it works is there's
21 four classes of dog licenses within Pinal County, and animal
22 control is the one that administers that program. So the way
23 I understand, it's an annual license, it needs to be renewed.
24 They have to call up animal control and animal control goes
25 out and inspects the property and then issues the license

1 based on that inspection. The problem was, the reason I
2 didn't put a timeframe for lapse, is they call up and maybe
3 animal control is really busy and they can't get out there for
4 a month or two months or three months. Like for instance
5 during Covid they didn't do any inspections. So I kept it
6 open and it needs to be open because there should be a
7 difference between people who apply for the license, but the
8 County doesn't timely respond. Why should we penalize them
9 for that? If they refuse to get the license, and then that
10 would be a - or don't do it, and after repeated contacts and
11 reminders, then that would be a reason to revoke the license.
12 But to tie our hands to just one month lapse, just
13 administratively, that is just, we need to give the code
14 compliance office a little bit of latitude and a little bit of
15 administrative discretion in terms of what is reasonable in
16 terms of having a valid license. And the animal control
17 dictates what kind of commercial license they have, not the
18 applicant. So that's in regards - I think I addressed the
19 revocation and the ownership. I don't know, did I - I don't
20 know Commissioner Mooney, did I address all of your issues?

21 MOONEY: Except for the - Chair, if I may - the
22 difference between the 5 a.m. and 10 p.m. in one paragraph,
23 and 6 a.m. and 9 p.m. I don't know if that was just a typo?

24 KRAUSS: Yes, that's a typo.

25 MOONEY: So Chair, if I may. So I think a timeline

1 is important. I had a kennel license for years. So - and I
2 understand tying the County's hands. Maybe once there has
3 been communication between the two, 30 days. You know,
4 something like that. There has to be. It can't just be open-
5 ended and go well I never heard from them, and they say, well
6 I thought I talked to you. It's like once there has been that
7 communication, I just really think it needs to be there. It
8 needs to be a timeline on that. So I just thought I would
9 address that. And you mentioned some neighbors have multiple
10 dogs and that's everywhere, even in HOAs. But these locations
11 are asking for a special use permit, so they have different
12 rules when it comes to the barking. I don't care if there's
13 people next door that have six pets and they're not raising,
14 breeding, boarding, any of that. So there needs to be
15 different rules if you're asking for a permit or a kennel
16 license or a temporary SUP. So that needs to be addressed at
17 somehow. So during these timeframe, y'all need to come up
18 with something. Thank you.

19 KLOB: Thank you. And Harvey, just to add onto
20 that, just a little bit. I completely understand as far as,
21 you know, if the County, if something's been applied for in
22 the County, understaffed, they just can't get to it, then it's
23 30, 60, 90 days, whatever it is. That's on the County. And
24 no, the homeowner shouldn't, the applicant shouldn't be
25 penalized for that. I think the challenge comes into, is if

1 the applicant doesn't apply and they're not, you know, the
2 County's waiting on them, not they're waiting on the County.
3 I think that's where the timeline I think is important. If
4 that's, you know, 90 days past when it should be, when they
5 should have applied for their license. I don't know that
6 that's out of line.

7 KRAUSS: I agree. I agree. Do you wanna - we can
8 amend that stipulation if you'd like to provide for a 30 day
9 lapse in the permit.

10 KLOB: Yeah, I think that should be in there, just
11 as a safeguard. That would have been -

12 ZAIA-ROBERTS: Stipulation 8, I believe.

13 KLOB: Yeah. Yeah, 8. Any other comments on the
14 stipulations? With that, I'm gonna - I'll bring the applicant
15 up.

16 SCHNEPF: Just one clarification. On 1 and 11, so
17 one was the binding SUP on the property, but with further
18 input from the BOS, 11 was added as an additional safeguard if
19 the property or a lessee or somebody came in on top of the
20 property itself.

21 KRAUSS: Correct.

22 SCHNEPF: Yeah, that's what it is, okay.

23 KRAUSS: Yes.

24 SCHNEPF: Thank you.

25 KLOB: All right. And before the applicant starts,

1 I do have a disclosure statement I didn't make. Last week my
2 family and I were attending a local restaurant and the
3 applicant actually was looking for signatures for their
4 petition, for their SUP, and I immediately informed the
5 applicant that I wasn't able to sign her petition. And then
6 no other discussion was had by me with the applicant regarding
7 that. And with that, I'll turn it over.

8 SANKS: Well thank you Vice Chair, Commissioners.
9 I'm Jason Sanks, at 3500 South Jacana Lane, Gilbert 85297.
10 I'm here to represent the Abbotts on both applications. We
11 were here before you just about a month ago. I'd like to
12 first start off by saying based on the number of requested
13 changes to the stipulations and the ambiguity there, I'm not
14 certain if you would like me to proceed with the presentation
15 or if we should seek to just ask a continuance, because I
16 think it's out of responsibility to the Abbotts as my client,
17 I think they need to see what all of these changes are.
18 Because one condition or two, I can see some verbiage changes
19 and legal can knock those out, but when we have half a dozen
20 stipulations changing in real time at a hearing, I get very
21 concerned for them. I would actually, if I may, defer to the
22 Chair and the Commission if we perhaps should just request a
23 continuance to work this out and present to you a clean
24 presentation next time. Because I feel like we're gonna spend
25 about an hour with all of these people here doing all this

1 housekeeping, and I think out of obligation to my client, I
2 would like them to actually get a chance to see the changes
3 before they're just agreeing to it. Because they've been very
4 agreeable. All of the changes that were made were in response
5 to the Buhrs' concerns. We're never gonna please someone, we
6 understand that. But our intention was right, and we agreed
7 with everything that was recommended by staff. So we're
8 probably going to agree to everything again, as they have
9 been, you know, but I just, I feel very concerned that I can't
10 even review it in advance, all this stuff. If I may leave it
11 at that and ask if you'd still like me to proceed with the
12 presentation.

13 KLOB: Kind of a little uncharted waters, but -

14 KRAUSS: We can put this matter, kind of hold it in
15 abeyance and give us some time throughout the - I think we'll
16 be here a while. I think we'll have all day. We'll redraft
17 the - we could work on the redrafting of the one stipulation
18 that you want, I believe, or the two stipulations. Or you can
19 continue it till the next meeting and give us more time to
20 work on it and show the applicant. Whatever the Chairman or
21 Vice Chair's pleasure is.

22 SCHNEPF: I say we ask the applicant if that's
23 something they want to defer to the next meeting, or if they
24 want to wait here and let us go through it, or let staff go
25 through it and then come back with it. I think that would be

1 a question for him.

2 KLOB: Yeah.

3 SANKS: Thank you Vice Chair and Commissioner
4 Schnepf. Yes, I've spoken with the Abbotts already about
5 this. They would like to continue the item to the next
6 available P&Z hearing so that we can really sit down with
7 this. I think on the fly here, it's going to be difficult to
8 understand the implications and we just need to clean this up.

9 MOONEY: Chair, if I may. I mean I know I listed a
10 lot, but I'm not sure all those are being changed. Those are
11 my concerns. We haven't finished discussing whether or not
12 all of the things I had listed, and with these new
13 stipulations as my concerns, so that would be a discussion for
14 us to have. I mean I brought changing some things, discussing
15 bringing the dogs in and out and not just letting them be out
16 from 6 a.m. to 9 p.m. with respect. So these are my concerns
17 that were discussed. A couple of things you also brought up
18 and might be changed, but I'm not sure how many things are
19 actually going to be changed. Not that I'm not for allowing
20 you to have a continuance and not have everybody sitting here,
21 but....

22 KLOB: Yeah, and I think before we, if we -

23 MOONEY: We need to vote on whether or not we're
24 going to make any of the changes of my suggestions.

25 KLOB: Yeah, we'd come back to a discussion with the

1 dais before any motion was made to continue.

2 MOONEY: So I just wanted him to be clear that we
3 haven't done that yet before we made that decision. Maybe
4 there's only a couple of changes and they're good with that.

5 KLOB: And I also think that we need to - because
6 there are members of the public here that want to speak,
7 they're here, they're present, they should have that
8 opportunity as well.

9 GAREY: Yes Chair, Vice Chair, Members of the -
10 Chair's not here - Vice Chair, Members of the Commission, that
11 would be my recommendation. If there is a vote, first of all
12 the matter has to be put to a vote to be continued. And as
13 much as this is notice for public hearing, though, I would
14 recommend that the public who's here to speak on this item be
15 allowed to do so today, even if the matter is continued. And
16 I would also just remind the Commission that this matter is
17 scheduled for a date certain with the Board of Supervisors. I
18 believe Planning and Zoning, or the planning director, though,
19 could at that meeting advise the Board of the Commission's
20 recommendation, or vote rather, to continue the matter for
21 further consideration at that time. Just those matters I
22 wanted to put for the Commission.

23 KLOB: Very good, thank you. So knowing all that -

24 SANKS: Thank you Chair and Commissioner Mooney. I
25 understand the concern about having the public hearing, and

1 that said, I think if we're going to hold the public hearing
2 and have a bunch of people speak, I should do the presentation
3 then.

4 KLOB: Very good.

5 SANKS: All right, let me zoom back to where it
6 might be. Step one. Okay, so we're gonna go ahead if we can
7 and pull up the applicant presentation. I'm not sure how to
8 do that on here. Oh, okay you're pulling it up, great. Now,
9 just for the information for the Commissioners, we've spent a
10 lot of time talking about the conditions or the stipulations
11 of approval. I wanna reiterate that since the last time you
12 saw this application, there have been no changes proposed by
13 the Abbotts on either property. It's the same operation.
14 There are still no new development associated with it. It's
15 the same operation that it was 31 years ago until today on the
16 Val Vista property, and the same operation as it was nearly
17 eight years ago on the Jean Drive property. Okay, so all the
18 work and all the discussion we're having is swirling about on
19 the conditions that have been modified since you last saw it.
20 So since that time, I did wanna say, while the PowerPoint's
21 been brought up, I think when we - especially when we got to
22 the Board of Supervisors, the Abbotts were presented with kind
23 of a deluge of neighborhood outreach that Chad and his wife,
24 Katie, have done to go door-to-door in the neighborhoods
25 across both subdivisions to get people to sign the petition.

1 Understandably so, they believe in their cause and they were
2 able to obtain some additional signatures. That said, the
3 Abbotts felt the need to also work with their neighborhoods
4 and look for support. A lot of people didn't even know they
5 had a kennel, most people didn't. Some people even spoke
6 like, oh, we don't want a kennel in our neighborhood. Well,
7 they don't even know that they've had one for 30 years. So
8 there's a lot of misinformation that came about. And so they
9 went, and as of today they have 350 signatures of support for
10 them and they have 45 letters of support. What you have in
11 your packets, this was a snapshot in time of approximately
12 last Thursday, but since then there's been a couple hundred
13 more signatures and they anticipate even more if this were to
14 continue forward. I wanted to present an aerial of the
15 property. In the blue is the Abbotts'. This is the Jean
16 Drive property. The Buhr property is located next door to
17 them. And as you can see there, I tried to allocate what the
18 uses are on each property with the little house icon. You can
19 actually see where the residences are, where the kennel
20 building is and the shade. The Buhrs actually have basically
21 a junkyard on their property. The entire two thirds of the
22 back of it is a junkyard, and they just had a McDonald's
23 playset delivered in the last week. So there's a lot of
24 commotion that's occurring over there, and that junkyard
25 actually backs to the Abbotts almost the entire length of the

1 fence. That spot you see forward that has all of those poles
2 is actually a special event venue that was constructed, but
3 neither of those uses have been permitted to the County. It
4 is a residential zoning district. So abutting the Abbotts is
5 actually an event venue and a junkyard. And on the Abbott
6 side, you can see the shade structure of the kennel and their
7 primary residence. The two green spots on the Abbott property
8 are the turnouts for the dogs. And that's really the
9 relationship between the two properties right now. The Buhrs
10 back to the side of the Abbotts. Their main access is on
11 White Road. The next slide, please. So I wanted to recap
12 that both of these properties are exceptionally clean and
13 well-maintained. I'm gonna show you a short video clip where
14 Shell went out and took a video of the dogs playing and we
15 tried to get them to bark and she got one to yelp. And I want
16 you to show the juxtaposition of their property next to their
17 neighbors. The fences are in excellent condition. There's
18 been a lot of concern about this. Oh, this steel fence makes
19 it sound like some ramshackle environment, which it's not. A
20 lot of the properties out there have purposely installed
21 agrarian style fencing. This has panels of oxidized metal to
22 give it the rustic feel with wood. It's purposeful, it's not
23 ramshackle. They do fully secure both of their properties.
24 Their dogs do not get out. There are a couple packs of wild
25 dogs in this area that do go around and kill people's chickens

1 and scare the horses and things like that. Those are not the
2 Abbotts' shepherds. They certainly don't have any incentive
3 to allow their precious German Shepherds to roam the
4 neighborhood at large. So there has been some confusion in
5 the neighborhoods at to what's going on with the wild dogs.
6 The shepherds are trained to not bark. They are collared with
7 bark collars. And if they are barking or if there's excessive
8 heat in the summer, the dogs are actually put in the kennels
9 during the day. They are not locked outside in the heat, in
10 the sun the whole day. What the intent of the condition was
11 to put additional guardrails from 9 p.m. to 6 a.m. as a
12 promise to particularly the Buhrs. They're not just locked
13 outside all day. They go in and out all day, especially to
14 keep cool, so - and there are only seven adult breeding dogs
15 and not 100 or 120 or 40. It's just seven at each property.
16 So it's not like there's this roaming pack of German Shepherds
17 everywhere. And they're good with children. In fact, they
18 have children's play equipment and their own children play
19 outside. So they are not dangerous dogs. They've never had -
20 they have a six month old that sits out in the yard while the
21 dogs play. If you can, let's just play the video. This is
22 the Jean Drive property in the last two weeks and Shell got
23 the dogs out and wanted to show you real life, not try to
24 manipulate it or get something to happen. It was just - I
25 told her, can you get the dogs to play, to show the real deal.

1 And if you can play the video, it'll just be like 15 or 20
2 seconds of your time. You can see the fence in the background
3 and the storage of the junkyard beyond that. The dogs are
4 there. There's children's play equipment, but that's the
5 dogs. I don't think there's any audio here, but one of the
6 dogs does yelp. We got the yelp, but it didn't bark. And
7 that's it. So you can see the property, you can see the
8 fencing, it's very well maintained. The place is meticulous.
9 If you have any opportunity, if you want to do a site visit,
10 it is meticulous. Both properties are meticulous. There is
11 not an open code compliance case on this, except for the idea
12 that they're out of compliance with this SUP. Historically,
13 the Val Vista property is, we believe, legal non-conforming.
14 The only reason they're in today is because one property is
15 newer, the Jean Drive property. It was deemed in the last
16 three years that they needed an SUP, so we're in for the SUP.
17 It's not a boarding facility, it's just a dog breeder. So
18 they don't take commercial dogs in. I don't go drop my puppy
19 off for doggy pet daycare or pet resort stuff, this is just
20 their shepherds and their shepherds' puppies. And there's
21 only seven. The puppies do add to that. They do have
22 litters, as you would anticipate. They rear those dogs, and
23 then the owners either do pick them up, or the Abbotts take
24 those dogs to them, or they use the airport and things like
25 that for national shipping. It's all professionally done.

1 Obviously, these are valuable German Shepherds. Next slide,
2 please. So since we last spoke, it became clear to the
3 Abbotts that they needed to talk even more to their neighbors.
4 We have - I don't know if you know who the Abbotts are, but
5 they're well known in their industry, in the shepherds' world,
6 in the dog breeding world. They've been published in the
7 *Maricopa Monitor* and other venues with Pinal Central, the
8 Maricopa County - the Recorder and all that stuff. They've
9 gotten numerous articles on their dog training, their public
10 outreach, their charity events. They do offsite dog training
11 exercises. They're very involved in 4-H and other things. In
12 the community, a lot of people know them and since we last
13 spoke, they felt they had to get out and defend themselves
14 because the Buhrs are coming after their family business.
15 They want to shut them down. All of the code compliance calls
16 into the County came from one property, basically calling code
17 compliance on speed dial over the last seven years. And they
18 went out into the neighborhood and even intimidated some of
19 their neighbors and called other people into Pinal County code
20 compliance that didn't want to sign their petition. That's
21 what the Abbotts are dealing with, and I feel bad for them,
22 honestly. So we're here today to ask to have your support
23 again, as you did last time, since nothing has changed. There
24 are even additional guardrails in place since you last voted
25 on this. You did vote almost unanimously for approval to the

1 Board of Supervisors, and we ask that of you again. So I'm
2 happy to answer questions. Shell is here. I'd like to give
3 her a chance to speak. She knows all the operations and she
4 does a better job than I do, so thank you. If you don't mind,
5 if you could scoot back to slide number 1 that shows the
6 aerial, thank you.

7 ABBOTT: Hello again. I didn't expect to be here.
8 So I think I answered a lot of questions last time. Obviously
9 there are additional things after meeting at the Board of
10 Supervisors. I would be happy to answer those. And some
11 things have actually been cleared up for me. Like, I was
12 unaware that we had lapsed our kennel license and now I
13 understand why. That I didn't lapse it, that it just has to
14 do with their timing. And I want to reiterate that I have
15 been in compliance with everything that I have been aware of,
16 as far as paying my taxes, paying my TPT taxes, all of the
17 things on my property are permitted appropriately. I have
18 always had my kennel license when necessary. The thing I
19 didn't know was that I needed an SUP and nobody told me that.
20 I was 100 percent unaware. I wish I could have brought this
21 to you without being told I had to. I wish I would have had
22 that opportunity and I just didn't. Are there questions about
23 my property?

24 KLOB: Any questions of the applicant?

25 ABBOTT: I do have five letters of support from my

1 closest neighbors - obviously other than the Buhrs - but five
2 letters. All five letters state that I take great care of my
3 dogs, my dogs listen, and they're not a problem when it comes
4 to parking. The only person that's ever said anything about
5 the parking is Lloyd, which is behind me. He says it happens
6 at 9:30 at night and it's my neighbor to the east and never
7 mine. And I don't care if his dogs bark. I'm just in - like
8 you said, I'm in control of my dogs. I have German Shepherds
9 and I need to make sure that I'm controlling my dogs and not
10 other people's.

11 MOONEY: Chair, if I may.

12 KLOB: Commissioner Mooney.

13 MOONEY: Vice Chair, sorry. So because of the time,
14 the times are, so how often are you bringing them in and out?
15 Is it just - the way the stipulations read, I mean, you don't
16 have to have set times. I'm not saying they have to be back
17 in by 10:45 or any of that, but like how often are they in and
18 out so that people, your neighbors can enjoy - I mean, having
19 had a kennel, when there's activity going on, especially if
20 you have block wall and the dogs can't see it, they're gonna
21 bark, bark, bark, bark because they don't know what's going
22 on.

23 ABBOTT: Right.

24 MOONEY: They do that when my neighbors - when my
25 pool guy comes every week and he comes the same time every

1 week, but the dogs don't care because they can't see him. And
2 so I was just - is there - are there times during the day that
3 they are brought in so that people can enjoy, especially on
4 the weekends, enjoy their backyards without dogs? I mean,
5 your neighbor's dog may bark, but you're getting the license,
6 so I was just curious as to how often.

7 ABBOTT: Yeah, so I hear three questions in that.
8 Number one is, you know, my fence blocks from my neighbors.
9 My neighbors are not against that fence unless they're driving
10 their truck, their forklift around moving things. So - and my
11 dogs are used to that. They do it often. Again, I don't
12 mind, but my dogs aren't gonna bark at a forklift that's
13 moving around because it's not very exciting. As far as the
14 dogs being put away, so I have always - because I built the
15 kennel, obviously, I've always put them away at night and then
16 I always let them out in the morning. Those are approximate
17 times. Right now, because I'm getting up at 4 to 5:00 in the
18 morning, they're going to bed at about 8:30 because it's more
19 convenient for me. I don't wanna be up till 9. But - so I
20 always stick to 9:00. I think last year I missed one day
21 because I was out late and so I didn't put them up till 10.
22 But for the most part, that's very much. Even this morning, I
23 leave at 4:30, I don't let the dogs out. My sister lets them
24 out because I was already gone. In the summer, I put them up
25 in the afternoon because it gets hot, so I don't like them out

1 in the heat. They have access to go inside. And then as far
2 as barking, so obviously my neighbor Bill is right there next
3 to my property. There is a no climb fence right there and if
4 my dogs are ever annoying, he just tells me. We have a great
5 relationship. I listen to him because he is literally the
6 very closest person to me and we've always had a great
7 relationship. He's one of the people that wrote my letter of
8 recommendation. He complained about one dog within my seven
9 years and I re-homed the dog.

10 MOONEY: So just to be clear, it sounded like Mr.
11 Sanks was saying that you bring them in and out all the time,
12 but in the summer you bring them in when it's hot, but in the
13 cooler weather, they're just put out in the morning and then
14 brought in in the evening.

15 ABBOTT: It depends on the weather. A lot of times
16 - I mean we spend a lot of our time outside, so if I'm not
17 outside, then they tend to be inside. If I'm outside, then
18 we're outside. I don't have a set schedule and I only have my
19 own dogs. So it's different if you have other people's dogs
20 that you don't know, but most of these dogs I've raised. So I
21 know them from puppy. Like I've socialized them as puppies.
22 There's just certain behaviors that I'm looking for. I have
23 an infant, so if I have a barking dog, it wakes up my infant.
24 That's a problem. I have a seven-year-old. He plays outside
25 by himself with the dogs. They have to be safe. These are

1 dogs that I, like I know, I know these dogs. I know their
2 behaviors. We train to not bark when they leave the property.
3 Well when they leave their kennel. So when they come out of
4 their kennel, even my seven-year-old when he lets them out,
5 he's like they have to sit, they have to be quiet, they're not
6 allowed to bark and then he lets them out. And we do that
7 with every one of them. So it's very organized. So my
8 neighbors aren't like, I can tell you let your dogs out at
9 6:00 in the morning and they get put - just because I don't
10 want there to be that question. And because I, like I said, I
11 know my dogs. I never take care of anybody else's dogs, ever.

12 KLOB: Commissioner Scott.

13 SCOTT: I just have a couple of questions here for
14 you. You said that you didn't know that you need a SUP?

15 ABBOTT: Correct.

16 SCOTT: And you're related or tied in to the
17 property on Val Vista?

18 ABBOTT: That's my -

19 SCOTT: And they had a SUP and their SUP expired?
20 Is that what we're talking about here?

21 ABBOTT: No. So the property on Val Vista, so I
22 grew up on the property on Val Vista, that's where my mom
23 lives. And then when I got married, I moved to the property
24 on Jean. They never had an SUP. I could be wrong, but I -

25 SCOTT: So who's SUP expired then?

1 ABBOTT: Nobody's SU - we've never had an SUP.

2 ZAIA-ROBERTS: Sir, I can clarify. Both properties
3 are pursuing an SUP at this hearing under SUP-006-23 for the
4 Val Vista property. That is her mom's property.

5 SCOTT: Right, I understand that.

6 ZAIA-ROBERTS: And then this case that we're
7 discussing is SUP-007-23 for the Jean Drive property. Neither
8 property had an SUP at any time.

9 SCOTT: Okay, the Val Vista property - I'm just
10 saying you didn't know, but the other property had a
11 (inaudible), that's what I'm trying to figure out.

12 ZAIA-ROBERTS: They had commercial kennel licenses.
13 They had commercial kennel licenses, but not a special use
14 permit at any point.

15 ABBOTT: Yeah, so my County permit through animal
16 control, which is what I got on my property when I moved
17 there.

18 SCOTT: Okay. And then of your letters of support,
19 what was it, 100 or something? I didn't write it down. How
20 many of those people live within the, is it a 600 foot
21 boundary on this one, or is it 1,200 foot?

22 ABBOTT: There's 300 feet, and there's five. And
23 then over at my mom's, there's one.

24 SCOTT: There's five letters of support?

25 ABBOTT: Correct.

1 SCOTT: Within - so that means 100-plus?

2 ABBOTT: Yes. So I can point them out -

3 SCOTT: That live in any proximity to this property,
4 is that what you're saying?

5 ABBOTT: Yeah, so I have five letters of support
6 within 300 feet. So the property right in front of mine, I
7 have a letter. The property right next to mine, I have a
8 letter. Two of the ones behind, I have a letter.

9 SCOTT: So you just went and canvassed the whole
10 community looking for support, is that what you did?

11 ABBOTT: Well, I knew them all, so that was easy. I
12 didn't actually go out to the neighbors, I just started
13 talking to people that I actually knew. I have always known
14 Leanne because we help each other out. Obviously I know Bill
15 because he lives next door to me. My husband had worked for
16 Lloyd in the past, and he has dogs too. So he sees me - he's
17 retired, so he sees me out there with the dogs often, and he
18 keeps his yard quite tidy. And then the other people are
19 rodeo people, so they're outside roping and practicing, and so
20 they see me outside running my dogs or working with my dogs.
21 So they know me because of just my presence. I did not go and
22 talk to them after getting this. I didn't know I needed the
23 letters, so I did talk to them (inaudible).

24 SCOTT: Yeah, I just wanted to clarify that you only
25 have three letters within the boundary that was set.

1 ABBOTT: What's the boundary?

2 SCOTT: That's what I asked you, is it 300 feet or
3 600 feet or 1,200?

4 ABBOTT: Within 300 feet, there's five letters.

5 SCOTT: Okay, that's what I was trying to establish.
6 Thank you. That's all I have so far.

7 PRANZO: Chair, if I may. I'm sorry, I didn't get
8 your name.

9 ABBOTT: See, I was just looking at this. I was
10 like, I did not say my name. I'm Shell Abbott.

11 PRANZO: Michelle?

12 ABBOTT: Shell, like a gas station.

13 PRANZO: Okay. Funny, I'm out of the oil industry.
14 We had quite a work session here on your stipulations, were
15 you able to follow that?

16 ABBOTT: I did.

17 PRANZO: You did better than me.

18 ABBOTT: I think the biggest - so there's a couple
19 stipulations. I think, so the time being 9 to 6, I think
20 moving that over is fine. Obviously - my fence, I love my
21 fence, I would hate to have to change it. Obviously doing a
22 block wall would be more cost prohibitive for me. The only
23 other thing was really the seven dogs. I currently have seven
24 dogs on my property, two of them are not breeding, but let's
25 say I have somebody who is unable - if they're moving out of

1 country or they die and they're not able to take their dog and
2 that dog comes back to me, that would then put me over the
3 limit. That's why I limited it to seven breeding dogs that
4 would be part of my program in case I have to take in a dog
5 that would not - I would not be using for breeding, but I
6 would be holding until I was able to find them an adequate
7 home.

8 PRANZO: So because you were able to follow -
9 because I didn't, I really didn't, I'll admit it. You guys
10 were way out in front of me. You're telling me you feel
11 comfortable. And I know that you're anxious to get this done.

12 ABBOTT: Thank you.

13 PRANZO: If I was in your shoes, I would be too. I
14 don't want you in a position where you go home and your
15 husband says, what did you do?

16 ABBOTT: Again (inaudible).

17 PRANZO: So I'm giving you the opportunity to tell
18 us if you're comfortable with how we've handled this this
19 morning.

20 ABBOTT: I really don't - I realize that whatever
21 isn't - whatever's in those stipulations holds me, right?

22 PRANZO?: That's correct.

23 ABBOTT: And so it's a very heavy thing for me and
24 I'm not particularly smart in those aspects. I can work with
25 a dog, I can talk to people, but I think that Jason made a

1 good point that I wanna make sure that what we present comes
2 in more positive and it didn't feel like it did. It felt like
3 there was a lot of corrections to it, so I'd like it to be
4 clean. I really wanna present something that's clean to you
5 guys. I realize that the Buhrs and such will still come up
6 and talk, but I would feel more comfortable if we could
7 present something that's very clear.

8 PRANZO: Clean.

9 ABBOTT: Yes, yeah. Like my property. I want
10 something that's clean like my property. Just very
11 straightforward.

12 PRANZO: I get it. I get it. And I agree with you,
13 that's why I'm giving you this opportunity.

14 ABBOTT: I appreciate you asking.

15 KLOB: Any other -

16 DAVILA: Mr. Chair, if I may.

17 KLOB: Commissioner Davila.

18 DAVILA: So Ms. Abbott, just to confirm, with the
19 stipulations presented, as they are presented, you are in
20 agreeance with them, correct?

21 ABBOTT: If I understand -

22 DAVILA: No deviations, no changes, as presented at
23 the beginning of the meeting.

24 ABBOTT: At the beginning of the meeting, yes.

25 DAVILA: Perfect. And you are aware that these are

1 additional stipulations for this SUP and that you are
2 obligated to follow all other laws and ordinances.

3 ABBOTT: I understand that.

4 DAVILA: Okay, thank you.

5 KLOB: Anybody else? Commissioner Mooney.

6 MOONEY: Just to be clear, this isn't on you. My
7 changes and concerns with the stipulations are because all of
8 those were changed and we didn't see them last time. So it's
9 not necessarily on the case or whatnot - it is on the case,
10 but not you personally. It's just trying to get clarification
11 because this is nothing like what we saw for stipulations,
12 most of them. So I just didn't want you to feel like, whoa.
13 These are just concerns I have with what was the way they were
14 presented and wanted clarity myself.

15 ABBOTT: And I appreciate that. I do want it to
16 make sense for everybody, yeah.

17 MOONEY: And then, so I just have one last question
18 for staff and if we're gonna open it up, but the lessee part
19 really gets me. She's here presenting, her mom will be on
20 another case and if somebody wants to lease the property and
21 keep the business going, we don't ever - or we are the Board
22 of Supervisors, the County, doesn't ever have to have them
23 come before us? I just have a problem with the lessee part.
24 This is an SUP for that land, but also that property owner is
25 who presented, and so I just wanted to make that before we

1 open it up to the general public, that I have a real strong
2 concern with that particular verbiage in this, that's all.
3 Thank you very much.

4 KLOB: Anybody else? Commissioner Schnepf.

5 SCHNEPF: Point of clarification, sorry. I
6 appreciate Member Davila's questions. So prior to this
7 meeting, did you receive and have opportunity to look at those
8 new and changed stipulations?

9 ABBOTT: Yes. Yes, I agreed to them. We discussed
10 them before they were put in, and then I did see them before
11 the meeting and I agreed to them at that point.

12 SCHNEPF: Okay, so at this point if we proceeded
13 forward with what is presented today, you're okay?

14 ABBOTT: Yes, I would feel very comfortable with
15 moving forward with what I currently have as my stipulations.

16 SCHNEPF: The ones as presented to us today, the
17 additional one.

18 ABBOTT: Yeah, that's in the packet.

19 SCHNEPF: You're okay, okay. Thank you. I just
20 needed to make sure that we were clear on that for our vote.

21 KLOB: We good? All right, thank you. With that, I
22 will open up to public comment. I do have several speaker
23 cards here, and the first one, Ranelle Abbott. You said you
24 wanted to speak on A and B. Oh, it says you did - my error,
25 it says you didn't. But you're free to if you'd like. Sorry.

1 R. ABBOTT: (Inaudible) questions to ask. I just
2 have a sore throat and so I preferred not to speak.

3 KLOB: That's fine, not a problem. I didn't notice
4 that you marked not to speak.

5 R. ABBOTT: Okay. Did you have questions you want
6 me to answer?

7 KLOB: Not necessarily.

8 R. ABBOTT: Because I'm on the Val Vista property.

9 KLOB: We're gonna hear that next, so you'll have
10 that opportunity as well.

11 R. ABBOTT: Okay.

12 KLOB: All right, thank you. Jason Sanks, you spoke
13 your piece. Thank you. Shell, good. Chad Buhr. And I
14 apologize. Again, we're gonna keep comments to three minutes.
15 Please be cognizant of that.

16 BUHR: Morning, I'm Chad Buhr. I live next to the
17 kennel on Jean. I've lived in the current residence for 24
18 years. These neighbors moved next to me in 2017 and started
19 building a kennel in 2018-2019. We reported our concerns for
20 safety and noise concerns after talking to them and not having
21 anything resolved with animal control and code compliance.
22 The neighbors first denied that they were running a commercial
23 operation, but after determining that the dogs housed there
24 were in fact for a breeding business, they claimed that they
25 were no puppy sales of the property and only at the Val Vista

1 house. Code compliance said since there was no evidence of
2 puppy sales through this location, their hands are tied. In
3 an application with the SUP, they stated the opposite and that
4 all puppy sales go through Jean location. There's always been
5 deception and noncompliance in use of this property and
6 currently in an open case being monitored with code compliance
7 and building safety. The neighbor's perimeter fence is
8 inadequate to retain German Shepherds with the property lines
9 at only 46 to 48 inches high. Please note the pictures there.
10 The section of metal fencing installed along the shared
11 property line is falling apart and dilapidated, likely due to
12 not following the County's fencing guidelines and standards,
13 making them noncompliant as they stand today. Sound waves are
14 amplified through acoustic resonance and metal, whereas in
15 concrete or block the sound is dampened through the rigidity
16 and lower density of the material type. Please review the
17 community petition handout documenting 31 neighbors and
18 community members that have signed against the SUP, including
19 six within the 300 foot boundary. The area map listed in the
20 1,200 foot buffer shows the associated numerical petitioners
21 and their location in the SUP address. Petitioners not
22 indicated on the map are either anonymous, work for the
23 domestic irrigation water districts and interface with the
24 property frequency - frequently, or live further away in the
25 local community that this map didn't cover. And while not in

1 the immediate vicinity, they're also in SR zoning. Also very
2 concerned this SUP approval could set a precedence on their
3 own land rights. The 300 foot opposition map shows the County
4 300 foot line and the six known neighbors residing within
5 that, they're in opposition to the SUP and commercial kennel.
6 Please note there is one anonymous neighbor who also lives in
7 this 300 foot line that reached out to the district supervisor
8 directly and voiced their opposition. German Shepherds are
9 the number 3 leading in bites and attacks in the US. This is
10 based on studies posted in *Forbes* and *topdogtips.com*. German
11 Shepherds are natural guard dogs and their natural instinct is
12 to protect their land and people, as it should be. It was
13 stated in the May 7th Board of Supervising meeting the
14 applicant was working with the neighbors on stipulations.
15 However, the applicant nor the applicant's representatives or
16 family members have tried to reach out to me and discuss any
17 aspect of the SUP with myself or my wife.

18 ??: 30 seconds.

19 BUHR: I've only received harassing texts. The
20 stipulations presented to you today do not fix the safety
21 problems or the sounds problems and grant this non-compliance
22 property a blanket solution. It seems as though this would
23 override the current open cases and code compliance in
24 building safety in washing it under the rug. There's been a
25 lot of lies said today. I can't hit them all, obviously I

1 don't have any time, but please know that there's been a lot
2 of deception, smoke and mirrors as our County Supervisors
3 identified. Thank you.

4 KLOB: Thank you. Any questions for -

5 SCOTT: I got a few. It was brought up that you had
6 events there at your house. Those events, were they for
7 family and friends or did you charge for people to come out?

8 BUHR: No, we do not have events at our house. We
9 got married at our property and we have a family area where we
10 hang out. They built the kennel right next to it, so we can't
11 use it anymore.

12 SCOTT: Okay, they just showed in one of the
13 illustrations that you had a canopy or something like that, so
14 that didn't -

15 BUHR:. They didn't talk to me or what's on there is
16 a lie. What they project, they think is a junkyard or
17 whatever. Currently we're in compliance with the County.

18 SCOTT: Okay. So how's your communication with them
19 since we met last time? Are they open?

20 BUHR: So immediately after we met last time, I got
21 threatening messages from Russ Byers about if you don't stop
22 harassing our family, we're gonna take legal action against
23 you. Multiples, enough that it was recommended to me to go to
24 get an injunction on harassment, which I haven't done.

25 SCOTT: Those were text messages, phone calls?

1 BUHR: Yes. Yes sir.

2 SCOTT: Yeah, I noticed that you have a measuring
3 tape on the fence and it shows that it's six feet tall and the
4 stipulation number 5 is 7 feet tall?

5 BUHR: That's true. It says it's seven feet tall,
6 it's not seven feet tall.

7 SCOTT: Yeah, the tape measure didn't show it was
8 seven feet tall.

9 BUHR: That's right. Standard off the shelf tape
10 measurer.

11 SCOTT: The stipulation is seven feet, the fence is
12 six. Is there any other things you wanna bring up to us?

13 BUHR: A comment was made by Russ as I walked by him
14 on the way up here, a derogatory comment. But other than
15 that, the main issue we have here is this isn't a - turning
16 into it, but it isn't a war against neighbors, right? There's
17 some things that happened in the past. It happens to
18 everybody with the neighbors. That's not the issue we have
19 here. The issue we have here is I can't use one third of my
20 property. I don't use it anymore. And I realized this,
21 through all this, instead of using that area, that's where I
22 put stuff. That's my backyard, right? I don't wanna go over
23 there, I don't like going over there. We don't allow our
24 girls - we have three little girls, 14 month old, four year
25 old, and six year old, we don't allow them to go outside by

1 themselves because their dogs are in our property. They're
2 out. Russ has sent me a message saying, hey our dogs are out,
3 even though we have three acres, our dogs are out. You know,
4 thank you for letting us know. And yep, that's our dog. So
5 it's hard to address all the lies, but these are the specifics
6 that I can tell you. It's not nice. Between 5 a.m. as the
7 stipulations read, five, where if we change it to 6 to 9,
8 during that time, based on the stipulations, we can't document
9 an issue because it doesn't allow us to make an issue or a
10 barking complaint. Between those hours, we're not allowed to
11 complain about it. So when you put those stipulations into
12 place and you change the zoning on one house forever, right?
13 That affects the community. That affects our SR zoning. That
14 affects everybody in SR zoning, not just us next door. We
15 share 624 and a half feet of fence line, right? Of which
16 their fence is on our property for half of that. Right? Out
17 of that whole line, that's one third of our property. If you
18 count the first 50 feet, that's one third of our property.
19 That's one acre we don't use. We can't use. It's not comfy
20 over there.

21 SCOTT: How often do you hear the barking over 15
22 minutes through the day? Is that common? Is that rare? Is
23 it (inaudible)?

24 BUHR: Interesting, you should ask. Since this case
25 started - and I wasn't aware of it until five days before it

1 came to Board, because that's when it was posted and sent out
2 to the community, which most of the community didn't know
3 about ahead of time, and they weren't aware of it when we
4 talked to them. We didn't really time it. But since then,
5 we've kind of been noting it and I can go out any time of day
6 and go record them barking. In fact, I have thousands of
7 videos and sound bites that show it's all the time.
8 Especially when they're not there. Now when they're there,
9 they don't bark, right? Our dogs don't bark. If our dogs are
10 barking, I walk outside and they stop. They know dad's here,
11 don't bark, right? That's the same. When the family's home,
12 the dogs aren't gonna be aggressive against them. Their guard
13 dogs. Dogs should be able to do what they were born and what
14 God made them to do. To bark and to protect land. Depends
15 what kind of dog you have, right? The problem here is we have
16 too many dogs in one area. And way long ago when SR zoning
17 was created, and it was established and modified and tweaked,
18 it put this in place because it had no place for a kennel
19 unless you had five acres. All structures 100 feet from the
20 fence line, right? And 75 percent of the neighbors written
21 consent, we want this. There's no place for this here. Now,
22 if you ask all the customers - the (inaudible) Sherman
23 Shepherds, and I believe they run a good program and they make
24 good dogs and they have good dogs, that's fine. If you ask
25 all their customers, of course they're gonna say it's great.

1 That's where they get their dog. That's where all their
2 signatures are coming from, right? Maybe there's a few in the
3 neighborhood, but not nearly enough to warrant a change to the
4 whole neighborhood where now this is allowed. Well, so I
5 don't have a junkyard. I don't want a junkyard. But maybe if
6 I go apply for an SUP to get my junk - to get a junkyard put
7 in next door, why wouldn't we approve that?

8 SCOTT: What is in your yard? I see some things
9 that look like clutter in there.

10 BUHR: This is an old picture, right? This is
11 before - so they contacted code compliance on us because they
12 were unhappy. They trimmed my tree and they left a branch on
13 my side. And I talked to them before, I said hey, you know,
14 just let me know, I'll help you, whatever. I tossed the limb
15 back over the next day. They said, oh that's it, I'm gonna
16 turn you in for code compliance. I'm like, okay, and then all
17 of a sudden it started, and I've been working three years
18 every weekend to get my property in compliance.

19 SCOTT: So what do you have up there? Old cars and
20 stacks of boards or things like that?

21 BUHR: No. So we have a building permit and so we
22 have our materials for that building permit there that we're
23 allowed it to stay in that area where you see on the map. Now
24 this is an old picture before that cleanup happened. Someone
25 said, Jason Sanks said, we got a McDonald's playland. We did.

1 We got one last weekend for free. We're setting it up in our
2 garden so our girls can have a fun place to play in the water
3 this summer.

4 SCOTT: Let me ask you another question. You have
5 three girls?

6 BUHR: I do, yes.

7 SCOTT: And the ages were what?

8 BUHR: Six, four, and 14 months.

9 SCOTT: Do your daughters know what's on the other
10 side of the fence?

11 BUHR: They do. They do. They're scared of them.

12 SCOTT: Do they have a feeling on that?

13 BUHR: Yep, they're scared of them. There's a
14 section where me and my wife got married, which they
15 identified as a commercial area. It's not an event area, it's
16 a place we got married. Instead of spending 15 grand on
17 trying to rent something, we chose to build something that
18 worked. It was within compliance of the County. So we built
19 something there and we have family parties there every fall.
20 We call it fall festival. I have six kids in my family and so
21 we could never get a holiday that we could use. So we created
22 our own. So fall festival, usually the first week of
23 November, we created that space. We can't use it any longer
24 because their kennel is so close. They bark at everything
25 they can see and everything they can't see. So if they hear

1 something and it's not their owners and the owners aren't
2 home, they'll bark at it. And so this metal fence amplifies
3 sound. I'm an engineer, I spent most of my career as an
4 engineer. Metal corrugated fence that's not secured properly,
5 amplifies sound. Even if it is secured properly, it amplifies
6 sound. That's what happens. They hear a little sound and
7 they start barking. When one barks, they all go off. Right?
8 Currently, there's a video of a couple weeks ago when it
9 rained. I think we all appreciated that. They posted a video
10 on their website showing nine dogs there at their house, at
11 the Jean house there. They just told you seven. Having that
12 many dogs in one area is not what SR zoning was created for.
13 And it specifically did not have anything in regard to a
14 kennel allowed unless you have five acres or more. This is
15 why. This is why. When we went around and talked to
16 neighbors, specifically the neighbors nearby, they don't live
17 here half the time, so they didn't want to be opposed to it.
18 They were afraid of what Russ has been doing to turn everybody
19 in. Right? They're afraid of that. And they're afraid of
20 us.

21 SCOTT: How current - let me ask you another
22 question. How current is the information that you're sharing
23 with us? Is this stuff that's happened in the last month, two
24 months, three months? We're not talking what happened three
25 years ago or anything like that?

1 BUHR: No, since this started, the dog was out years
2 ago, it wasn't just months. The picture in there with the dog
3 out and saying, oh yeah, they still want to be out. I think
4 the date's on there, so you'll see that. But other people
5 have reported their dogs are being out lately as well. We've
6 kind of ignored them for a while because our complaints
7 weren't being heard seven, eight years ago, and so if you see
8 our property we've kind of focused on just being closer to
9 White Road so we don't have to deal with it. But in the
10 realization of putting this before you guys, it's kind of woke
11 us up. Like yeah, we don't go over there. In some of the
12 videos we have records of their dogs barking all night long in
13 a kennel. Everyone saw the kennel went up all night and it
14 barks all night long, all day long. You'll hear it in front
15 of our house on White Road. We can't even enjoy the other
16 side of our house far away from them. And I have all those
17 videos, but there's no venue to share those with you guys
18 here, so I wasn't able to do that.

19 SCOTT: Okay, thank you.

20 BUHR: Yep, any other questions?

21 SCHNEPF: I have a question. You had stated in your
22 - in what you had said earlier at the end of those three
23 minutes, that there was a lot of deception here that the Board
24 of Supervisors, I believe you said, had identified or a
25 Supervisor - I don't know if it was plural. Could you share

1 with us what those deceptions are that you claim the Board of
2 Supervisors have identified?

3 BUHR: Yeah. So 15 or more complaints is what we
4 heard, we didn't learn about until the Board of Supervisors
5 meeting, of the kennel on Jean Drive. 30 more or 30 dogs, it
6 sounds like, assigned to that property or assigned to the
7 Abbotts German Shepherds. When the dogs go back and forth,
8 how do you keep track of those dogs? Also, they admitted they
9 kennel dogs. They take dogs back - which is great service,
10 but it's not what they stated May 20th. Said we absolutely
11 don't kennel any dogs. Well they do sometimes, and I think
12 that's great, but that's not what this community needs, right?
13 That is something that popped out and there was kind of a
14 smoke and mirror kind of thing in the Board of Supervisors
15 meeting. Yeah, so one of the statements made that I wanted to
16 try to make sure is clear is they said they were working with
17 us. We talked to Harvey and we told him our concerns. My
18 wife talked to him, told him our concerns, and he worked with
19 everyone.

20 SCHNEPF: Excuse me (inaudible).

21 BUHR: Oh sorry. My wife talked to Harvey for a
22 lengthy time and as he explained, he said okay, yeah, we'll
23 put some stipulations here, which was great, and we appreciate
24 that. Sorry, dry mouth. Can you repeat the question? I got
25 off on a tangent.

1 SCHNEPF: The question was the deceptions that you
2 claim the Board of Supervisors had called out.

3 BUHR: Yeah, okay, thank you. Thank you. And so
4 this is one of the big ones. They delayed that meeting with
5 the Board of Supervisors because they said they were talking
6 to the neighbors. Presumably they meant they meant us, right?
7 Because they're always saying we're the only neighbors that
8 are opposing this. We may be the loudest because we have 624
9 feet of fence line. You can see this map. Our backyard backs
10 up to a kennel with a turnout area of 3.3 acres. They never
11 called us once or talked to us about this at all. They were
12 in Europe the whole time, right? They were in Europe for, I
13 don't know, two, three weeks, something like that, taking
14 trips to - up north for breakfast in the plane they have or
15 whatnot. They all work at ACP, they all work together on
16 everything. This isn't their main business. This isn't how
17 they make money. You're not shutting down a family. These
18 are the things that you don't hear. I don't want their
19 business to shut down, it just doesn't belong in our
20 neighborhood. I'm not trying to shut down a business, I'm not
21 trying to get into a big fight with our neighbors. But those
22 are the deception things.

23 SCHNEPF: So the two big ones I'm hearing - sorry to
24 cut you off - is the more complaints than what have been
25 stated and more than up to 30 dogs? Is that what you're

1 saying?

2 BUHR: Yeah. Well yeah, it's unknown how many dogs
3 actually on the property.

4 SCHNEPF: And at this one property, not combining
5 the two properties, but at this one property you're saying.

6 BUHR: It's very unclear. The way they register
7 their dogs and the way these SUPs were brought in here, it's
8 very slippery what the rules apply to which SUP or is it with
9 the kennel. Is it with the company or is it with the land, or
10 is it with the person or the lessee? It's not set in stone
11 and it's not clear. And I think to do our due diligence as
12 zoning integrity, I think it's very critical we have those cut
13 and dry.

14 SCHNEPF: One last question. What, on this photo
15 right here, what year is this that you would say? You said
16 it's not current.

17 BUHR: No. This is - dang it, I don't know, maybe
18 2021 or 2022.

19 SCHNEPF: So a few years old.

20 BUHR: Yeah.

21 SCHNEPF: Okay.

22 BUHR: Yeah. Yeah.

23 SCHNEPF: Okay, thank you.

24 BUHR: Any other questions?

25 KLOB: Anybody else? Thank you.

1 BUHR: Okay, thanks. Next I have Katie Buhr.

2 K. BUHR: Hello, my name is Katie Buhr, I live next
3 door to the kennel on Jean Drive. I've lost the ability to
4 fully use and enjoy my property. We've owned our place for 24
5 years, as you heard. Seven years ago these neighbors moved in
6 and expanded their dog breeding business from Val Vista
7 property. We reached out to Animal Control and code
8 compliance because there was nuisance barking, aggressive
9 behavior. They were sniffing at my husband when he got too
10 close to our property line - that was before the fence was
11 there partially. Dogs escaping their property and at large in
12 the neighborhood, as well as my own yard. Kennels are not a
13 listed reason to obtain an SUP, and this request is
14 disregarding community's wishes and landowner's rights to
15 enjoy peace and safety. A nuisance property that makes its
16 surrounding neighbors change their way of life, like moving
17 horses because it's making the dogs bark, or avoiding using
18 land or right-of-way because people feel unsafe, is not a use
19 that is in the best interest of the public. There is not a
20 need in the neighborhood for this breeding business. Our
21 shelters are full and dogs are being euthanized. We avoid 625
22 feet of our backyard with this property because we're not
23 safe. As you can see the pictures of the fence, we've already
24 kind of went over that. I don't want to keep the time going,
25 so let's see. Please vote no today. If this SUP passes, it

1 will live on indefinitely because it is attached to the land.
2 When we were there at the Board of Supervisors, one of the
3 Supervisors did explicitly ask, can this be not attached to
4 the land? And the lawyer said, yeah, it doesn't have to be
5 attached to the land. So I would like maybe further
6 investigation on that. Because if the property's sold, the
7 buyers will be able to continue this breeding kennel,
8 effectively changing zoning. So if we're gonna change zoning,
9 I also would like that super vote to be in place too, because
10 this would be a zoning issue. It's just changing zoning on
11 one person. The stipulations applied further prevent
12 landowners rights to document nuisance parking from 5 a.m. to
13 10 p.m., which is all waking hours. So when I'm at home with
14 my kids playing in our yard, we don't have our rights. You're
15 taking more rights away from us to be able to address barking
16 concerns. Additionally, the stipulations state that the
17 existing seven foot privacy fence be extended the entire
18 boundary line between our properties. The fact is, this fence
19 is about six foot tall. Again, we've already been there, done
20 that. I think materials like a block wall, a seven foot block
21 wall would be - would provide both security and help the sound
22 not carry. Yes, it's not cost effective, it's not great for
23 them, but for safety and sound -

24 ??: 30 seconds.

25 K. BUHR: - I think that would be reasonable. Let's

1 see. Please keep our communities, our families and animals
2 safe. As you vote today, please think about how you would
3 feel if your home, your peace of mind, your ability to enjoy
4 your property was in jeopardy. No one wants to live next to a
5 dog kennel. There's a place for it, the code is there to
6 define that place. So please, thank you.

7 KLOB: Any questions for the speaker?

8 K. BUHR: Do you have any questions?

9 KLOB: Commissioner Scott.

10 SCOTT: I have a few questions for you in your
11 comments. I've got a few questions. You talked about the
12 loss of ability to use your property. What does that mean?

13 K. BUHR: So whenever we want to go over to this
14 area - so there's that block, that fence that you see there,
15 it doesn't extend the whole length of our property. So on
16 either end -

17 SCOTT: Can you point to that map up there, please?

18 K. BUHR: Yeah, can I go over here? Like about - so
19 here's the end of the (inaudible) yards. Again, they let
20 their dogs go the whole property. But in (inaudible), so this
21 is all open. They want it to feel so (inaudible). So this is
22 still all open. So whenever we're over here, and even
23 (inaudible) -

24 SCHNEPF: I think the -

25 KLOB: Yeah, any discussion you have it has to be on

1 the microphone so we get it on record.

2 K. BUHR: Yeah, so whenever we go over to that area,
3 or even playing in our big field there, the dogs have access.
4 They see us, they're barking. And even people just driving
5 by, which I think in some of the pictures we've sent or showed
6 you guys, they're just there. They're at the fence line
7 barking and running. They don't - when they are there, when
8 the applicant and the homeowners are there, I would say that
9 they have pretty good control. But that's not the case, they
10 have other jobs. This isn't their livelihood for that. So
11 anyways, the loss of our property, I'm talking about that. So
12 we can't go over there without being - feeling unsafe because
13 it's a four foot fence right there, and I feel like it's kind
14 of known that a dog can jump over, especially German
15 Shepherds, a see-through four foot fence, and I'm not going to
16 risk my daughters' and my safety, so.

17 SCOTT: Okay, I have another question. How many
18 times have the dogs escaped in the last three months?

19 K. BUHR: None that I know of, but when we went out
20 and spoke with others, they claimed that they had some, they
21 believed what was their German Shepherds - this is the
22 property next to us - they believed it was their German
23 Shepherds that attacked and killed some of their livestock. I
24 don't have -

25 SCOTT: But none that you know of in the last three

1 months.

2 K. BUHR: Yeah, not me personally, no.

3 SCOTT: Okay. I got another one. You said that you
4 had a safety concerns. What is that relating to?

5 K. BUHR: The safety? Again, that the dogs can jump
6 over those fences, they're only four feet high. So I feel
7 unsafe because they're German Shepherds, they're protective.
8 They, like I said, they go up, they rush the fence line. If
9 we're going over there, they rush at it and bark at us really
10 aggressively, so I'm scared they're going to jump over and
11 bite one of my kids or myself.

12 SCOTT: So you're saying that the fence that's
13 closer to the Jean Drive isn't six feet tall, it's shorter?

14 K. BUHR: Right, that is also four feet.
15 Everywhere, except that fence that they said that they built
16 for us, for our benefit, is just along our property line right
17 there where you're seeing. But again, it doesn't extend all
18 the way from -

19 SCOTT: So the fence along your property line isn't
20 consistently six feet tall?

21 K. BUHR: No, it is the six - yeah, correct. It's
22 only six foot tall in sections that they built that was non-
23 compliant.

24 SCOTT: But not consistently.

25 K. BUHR: Right.

1 SCOTT: Like the code reads.

2 K. BUHR: Correct.

3 SCOTT: Okay. So you're out with your - you said
4 you're out with your family playing games and the dogs bark at
5 the kids or bark at the (inaudible).

6 K. BUHR: Yes. Yeah, and I have plenty of videos,
7 but again, we don't have access to get to -

8 SCOTT: And it's during the day?

9 K. BUHR: Yes.

10 SCOTT: That would make sense.

11 K. BUHR: Yeah. My kids are sleeping at night,
12 we're sleeping. So that caveat there of just only being able
13 to say when they're barking is at night, doesn't effectively
14 help us much.

15 SCOTT: How does that make you feel?

16 K. BUHR: Really upset. Again, I don't want to have
17 this animosity that's building between us. I don't like it.
18 I'm sorry, (inaudible) cry. I don't want it, but we've made
19 it very clear that once they brought it over, they tried to
20 expand this property and they said that we're expanding this
21 business over to Jean. We've lived there. We expect - we
22 have these CC&Rs, we have these codes in place for a reason
23 and there's opposition to it. We want them to be upheld
24 because our safety, we don't feel - we can't use our land, and
25 so it makes me really upset and sad. And again, guys, I

1 really don't want this to be this big, huge argument, but at
2 the end of the day like these are our homes. It's not a place
3 to just make money during the day. They're not there.
4 They're not there to watch over these dogs. I think she said
5 she has a sister that lives with her with her kids, but I
6 personally haven't seen her ever out there, honestly. But
7 yeah, it's just very disheartening. I don't like this. I
8 don't want to go through this and I don't want to be harassed
9 either. We want peace. Truly, we do. We want something
10 that's fair, though, to the community. It's not just us.
11 We're not the only ones. We're the loudest because, again,
12 we've dealt with a lot of it. Like we're right there. We're
13 getting the brunt of all of this, the accusations, because
14 we're the ones who spoke out about it to code compliance and
15 to animal control when they first started. So this is, from
16 that time that it's been in place, that they tried to start
17 opening this business, we've said hey guys, this is - we
18 really aren't - we don't like this, this isn't safe. Your
19 dogs are barking at us. So it's been a very well-known
20 problem. And then even in their application, they say oh no,
21 no neighbors have problems with this. So it's little things
22 like that that are very discouraging because there's lots of,
23 I don't know, I just feel like deception has happened.

24 SCHNEPF: I have one more question, Vice Chair. Are
25 you done? Okay. Oh yeah, go ahead.

1 HARTMAN: Thank you Vice Chair. Commissioner
2 Scott's questions, I'm good. Answered it.

3 SCHNEPF: Real quick, are you the citizen at 12330
4 North White Road?

5 K. BUHR: Yes, I am.

6 SCHNEPF: Okay, thank you.

7 K. BUHR: We do not have a junkyard and we don't
8 have a business, and I think those two don't go hand in hand
9 either. Wedding junkyards, junkyard weddings, maybe?

10 SCHNEPF: Appreciate that. Thank you.

11 K. BUHR: Thank you.

12 KLOB: Thank you.

13 DAVILA: Mr. Chair, if I may, I'd like to refer my
14 fellow Commissioners to item 5 of the proposed stipulations.
15 It does state a seven foot high opaque fence would be one of
16 the requirements if proceeding with this SUP, along the entire
17 property line.

18 KLOB: Very good. I don't have any more speakers
19 cards for this case, does anybody else wanna speak? Please
20 sign your name and address.

21 BYERS: Hello, my name's Russ Byers. I am the
22 neighbor to the Buhrs. And I hadn't planned on speaking, I
23 just feel the need to, though, because there've been a lot of
24 accusations about me personally and about our property. And I
25 don't know how relevant that stuff is to what we're actually

1 here to talk about, but this has been a very difficult thing.
2 I've had multiple attacks by Mr. Buhr where he's come to my
3 place of work, talking to my business neighbors. I own the
4 building that my company is in. He's gone to my business
5 neighbors and tried to tell them things about me so that they
6 would file complaints about me and my company. Completely
7 unrelated to my residence, unrelated to my wife and her mom's
8 dog breeding business, and now he comes here and he tells you
9 that I'm assaulting him or that I'm harassing him. His
10 evidence of harassment is after he went to the business next
11 door to my business and he started saying all that stuff and
12 the neighbor liked me and he called me and he told me. And I
13 sent him a message, I said if you keep harassing my family and
14 I, I am going to take legal action. Now if that is harassment
15 or a threat or whatever else, then fine, I'm guilty of it.
16 That is what I did. I cannot continue to try and operate - I
17 have a very upstanding business. I do a lot within my
18 community. My wife and her mom do a lot within the community
19 with their business. We very much give back to this
20 community. Mr. Buhr, he lives there part time. He works in
21 Tucson. His wife stays in Chandler because she doesn't like
22 the country life and that's the way it's always been, and yet
23 they're trying to make our life so difficult here because -
24 and he lied when he told you that there was just a little
25 while ago about something happening. I cut tree branches down

1 at Mr. Buhr's yard eight years ago when I first moved in. He
2 has mesquite trees down the entire tree line and they were
3 over on the ground on my side and I cut branches down and
4 because branches fell on his side of the fence, he flipped
5 out. That's been sort of the genesis of our debate between
6 each other. Ever since then, he has hated us, he's tried to
7 make complaints about the dogs, even when there's no issue.
8 And that's all that's been going on this entire time is one
9 singular neighbor who hates my guts and who hates our family
10 and is going out of his way to make our life miserable. And
11 as I said, I apologize for taking up everybody's time. I
12 realize this is probably irrelevant to the case here, but I
13 just don't like the fact that he gets to stand up here and say
14 these negative things about me and my family and our property
15 when it's not true. And those photos on Google, you guys can
16 look on Google yourself. Google photos are dated. They do
17 have a junkyard, they do have a wedding venue. All of that is
18 current. Those are not old photos. Thank you.

19 KLOB: Let's please keep this professional. Please.
20 Thank you. Any other comments? Anybody else from the public
21 want to speak on this? With that, I'll close the public
22 portion of this case and bring it back to the applicant to -

23 SANKS: Chair and Commissioner, I'll keep it brief,
24 and Shell's also here. We're kind of co-applicants. I just
25 wanted to address the issue of the fence. We've spent a lot

1 of time on it. The fence is being extended as a stipulation.
2 The dogs have never jumped the fence, ever. They've never
3 jumped the fence. So we're just making things up at this
4 point. So we've already addressed it, they've committed to
5 the expense. And I will advise you like if there's an intent
6 to go towards a block wall, I want you to know that that is a
7 poison pill on purpose because everyone knows it's going to
8 cost \$50,000 or \$60,000 to build a block wall that long, and
9 the intention is to do it on purpose to shut the business down
10 anyways. So the fence is fine, and I think compared to what's
11 on the other side of it, it looks very, very nice. I'll let
12 Shell speak.

13 ABBOTT: I'll keep it brief. I just want to - I
14 actually want to acknowledge Katie Buhr's concern. I take it
15 seriously. I will extend the fence. I want her to be able to
16 use her entire property. I don't want her to feel threatened.
17 If that would take care of it, I think we could live very
18 happily on our own side of the fence. That would be my goal.
19 They're anxious about the whole thing, I'm anxious about the
20 whole thing, and that's where we're at. As far as my sister
21 living there, she gets her mail there, she's been there for
22 eight years. If she hasn't seen her, it's because my fence
23 blocks most of what they can see. So for my sister and their
24 two kids, I don't - you guys probably don't have any more
25 questions, right?

1 SCOTT: My only question is, you just said that you
2 were going to agree with all the stipulations, the new
3 stipulations, right? And the stipulation on the fence is
4 seven feet and your fence is six foot and some places it's
5 four. When are you going to take care of that?

6 ABBOTT: That's a great question. I thought it was
7 seven feet. Well, it sounds like you probably have a picture
8 of exactly how tall it is. My plan is to extend that fence
9 all the way down. And so if I need to change a stipulation to
10 include the six whatever inches, then we'll have to continue
11 and I'll have to make that adjustment. My absolute goal,
12 though, is within four months of being accepted, I will extend
13 that fence all the way to one side, all the way to the other
14 side, and again, I will pay for all of it. Every fence that
15 is between the Buhrs and I, I have paid for.

16 DAVILA: Mr. Chair, if I may, again I'd refer my
17 fellow Commissioners to stipulation 5, which states the
18 applicant would have four months from the approval to complete
19 the fence.

20 KLOB: Thank you. Commissioner Scott, anything
21 else?

22 SCOTT: I'm done.

23 KLOB: Anybody else have any questions for the
24 applicant? Any other questions for staff?

25 MOONEY: I do. It's for the Commission and staff.

1 You're all set, Shelly, you can sit down. Is the concern
2 about the leasing? I don't know how everybody feels. I know
3 it was a discussion at the Board of Supervisors meeting, they
4 were concerned about it staying with the land. So I don't
5 know if we want to change the verbiage or remove that line and
6 it just is with the property owner, so if anything were to
7 happen. I just wanted to bring that back up. And the times,
8 I don't want to sound repetitive here, but I will because they
9 have 6 to 9, nothing about bringing them in during the day at
10 all for anybody to enjoy their backyards during the day with
11 peace and quiet. I get that the excessive barking for 15
12 minutes, but I know how that happens, and by the time County
13 gets there Monday afternoon, when it was reported on the
14 weekend, it's not gonna happen. And it won't happen with the
15 owners there. Dogs behave differently when the owners are
16 right there with them. So some hours that they need to be in
17 - not a set set of hours, but during the day they'll be in for
18 three or four hours so people can be out there and enjoy their
19 families. Those are just concerns because I know the dog
20 life. Thanks.

21 KLOB: Any other comments?

22 SCHNEPF: Just a point of clarification. The stip 1
23 was an SUP attached to the land. The stip 11 was an
24 additional benefit to the neighbors that stated, if a lease
25 was gone into, then it would null and void the SUP. Am I

1 correct in that Harvey?

2 KRAUSS: Commissioner, I believe it was if their
3 ownership of the land changed, then the lease would - or then
4 the operation would cease. The leasing wasn't really
5 addressed. The reason, typically the zoning ordinance deals
6 with rules and regulations to deal with land, not ownership.
7 So that's what the zoning ordinance deals with. So when we
8 approve things for a piece of property, it's tied to the
9 property, not the owner of the property. So it would be very
10 difficult for staff to try to monitor and enforce a change in
11 operation if they decide to lease it to another owner. Where
12 we would enforce it is, is the stipulations you place on the
13 land. They need to operate it in the same manner - the former
14 owner does. So that's the purpose. That's why, the reasoning
15 why leasing is difficult. But change of ownership, they are
16 to notify us within 30 days and then we can close - then the
17 SUP would go away.

18 SCHNEPF: So that's the reason for 11, stipulation
19 11.

20 KRAUSS: Yes.

21 SCHNEPF: Yeah, okay, thanks.

22 MOONEY: Vice Chair. So can you add to stipulation
23 number 11, if the lease were to change - if they were to lease
24 the property as well, then they'd have to be notified. At
25 least then you know what's going on. I'm just trying to help

1 both sides here so that people know. We've worked with the
2 current owners, but if it's leased to somebody else. So I
3 don't know if that's something you do, I'm asking and I'm
4 asking the Commission what their thoughts are on that as well.
5 That is just, is a concern.

6 KRAUSS: We can do that. I'm just, I was just
7 giving you some background as to why we do what we do with an
8 SUP and land.

9 KLOB: Any other questions for staff? Anybody else?
10 Everybody good?

11 GAREY: Vice Chair, Members of the Commission, if I
12 may, there was a request for continuance earlier. Unless that
13 request was withdrawn, the rules require a vote to be made on
14 that request.

15 KLOB: I do have a question for staff before we go
16 to that, but thank you. As this case sits, we've heard, you
17 know, this particular property has been operating as such for
18 eight years, the other one substantially longer. The zoning
19 compliance has never been - they've never been in zoning
20 compliance, correct, within this operation?

21 ZAIA-ROBERTS: Technically no, speaking to the fact
22 that they've never possessed the SUP.

23 KLOB: Okay. So zoning does not allow this.

24 ZAIA-ROBERTS: By right, no.

25 KLOB: By right, okay. If that's the case, I'm

1 gonna pick on the County a little bit, then if it's not
2 allowed by right, then why was there a County kennel permit
3 allowing them to operate?

4 ZAIA-ROBERTS: So the best answer I could have for
5 that is that at the Board of Supervisors meeting on May 28th,
6 Audra Michael, the Director of the Pinal County Animal Care &
7 Control, did provide some background on how operations were
8 conducted over time, specifically speaking to changes recently
9 to more stringent enforcement. Things like Covid, there was a
10 failure to issue permits because there was no ability to send
11 out for inspections. Speaking to the situations along those
12 types of lines. I wouldn't want to go into any additional
13 detail as far as those without Audra's presence here, but that
14 was, in summary, the answer we were given at the Board of
15 Supervisors meeting.

16 KLOB: And I think part of my challenge with this is
17 if - we might not be in this position had that license never
18 been granted and -

19 KRAUSS: That is correct. There's been a lack - I
20 mean to be perfectly honest, there's been a lack of
21 communication between those two divisions and we've corrected
22 that going forward. So that is the genesis for why they've
23 been operating for all these years. We got a big County and
24 if they don't tell us, we don't go out and look for dog
25 kennels. So that's why we're trying to address a current

1 problem with a kennel and a neighborhood, so - if that makes
2 sense.

3 KLOB: And that kind of leads also to my can of
4 worms situation of, there's been a lot of - it is a big
5 county, county the size of Connecticut, and a lot of out of
6 sight, out of mind has occurred over the last many, many
7 years, probably going back before I was even born. And I
8 think there's going to be a lot of people that are going to be
9 trying to come into compliance that have never been in
10 compliance with the use of their properties. So do SUPs hold
11 precedent as it relates to future or other SUPs coming in,
12 looking for the same type of relief? And Daron I'll - not
13 necessarily asking for legal advice per se, but does each
14 carry their own like a variance does or are SUPs more
15 generalized?

16 GAREY: Vice Chair, I don't want to go into issues
17 that may involve legal advice. What I can point the
18 Commission to, though, is the code which sets forth the
19 considerations that the Commission may consider when it comes
20 to granting a special use permit to be looked at on a case by
21 case basis.

22 KLOB: Okay, thank you. Any other questions for -
23 Commissioner Mooney.

24 MOONEY: I do. With what you just brought up, Vice
25 Chair, I didn't really want to cross the cases, but you

1 switched the order. So before we make a decision, a kennel
2 permit was issued on the Val Vista property as well?

3 ZAIA-ROBERTS: Correct. Both properties have
4 possessed -

5 MOONEY: For years on the Val Vista.

6 ZAIA-ROBERTS: - commercial kennel permits over
7 various periods of time, and neither had an SUP.

8 MOONEY: Right. But the original property had a
9 kennel permit and was issued that, even though it didn't have
10 what the County deems the proper amount. So then my question
11 is, why do you go and buy - and I'm really sorry - why do you
12 go and buy another piece of property that doesn't fit those
13 requirements under a kennel permit and now ask for an SUP?

14 ZAIA-ROBERTS: I could possibly speak to that
15 actually. So the issue of the missing SUP was brought to
16 their attention in 2023, that's why both these properties have
17 a 2023 case number. So they've been informed of this fairly
18 recently, far after they purchased the properties and were
19 told they were out of compliance.

20 MOONEY: But the kennel provision states the kennel
21 has to be five acres or more, and so if there's been a kennel
22 license on the Val Vista property prior for years - they've
23 been, and it comes and goes, then I'm just - it's a question.
24 Why do you go and purchase another small piece of property and
25 not a proper kennel size?

1 ZAIA-ROBERTS: And to that, I would speak to the
2 planning division - or sorry, all community development,
3 rather, and animal control had very poor communication over
4 the years. That's something we're correcting now. They
5 didn't look at our code, we didn't really look at their code.
6 There was no back and forth. Now the intention is they would
7 receive zoning clearance before issuance of that commercial
8 kennel permit.

9 MOONEY: Thank you Patrick, I appreciate the
10 clarification.

11 DAVILA: Mr. Chair, I'd like to make a motion to
12 deny the request to continue.

13 KLOB: Motion's been made.

14 HARTMAN: Mr. Chairman, I'll second that.

15 KLOB: Second. All in favor?

16 COLLECTIVE: Aye.

17 KLOB: All opposed?

18 ??: Aye.

19 KLOB: Aye. Sounds like the motion carries to deny
20 the continuation. And anybody else wanna make?

21 DAVILA: Mr. Chair, I'd like to make a motion. I'd
22 like to -

23 KLOB: Before you make your motion, do we wanna
24 clarify any stipulations of this going forward?

25 DAVILA: Nope.

1 KLOB: Okay.

2 DAVILA: I'd like to move that we forward a
3 recommendation of approval to the Board of Supervisors
4 regarding case SUP-007-23, with the 11 revised stipulations as
5 presented in the staff report.

6 KLOB: I have a motion, do I have a second?

7 SCHNEPF: I'll second.

8 KLOB: Got a second. Do you want a roll call? Roll
9 call, please.

10 KRAUSS: (Inaudible).

11 ??: Nay.

12 KRAUSS: Pranzo. I'm sorry. It's the motion is to
13 deny, so yeah. To deny the continuance.

14 DAVILA: No. So we denied the continuance already,
15 this is to approve the SUP.

16 KRAUSS: All right.

17 KLOB: Without changes to stipulations.

18 DAVILA: Without changes.

19 SCOTT: So we're voting to approve it, right?

20 ??: Yes.

21 KRAUSS: With the current stipulations, without any
22 changes is my understanding.

23 SCOTT: Okay, my vote is still no.

24 KLOB: We're gonna do a roll call. Oh Harvey, I'm
25 sorry, I overstepped you.

1 KRAUSS: Is that correct? Is that the stip - was
2 that the motion?

3 DAVILA: That's the motion I made, yeah.

4 KRAUSS: Commissioner Pranzo?

5 PRANZO: I'm sorry. You made a motion. Does that
6 include this incredible work session that we've done this
7 morning, the changes to those stipulations?

8 MOONEY: No.

9 SCOTT: It does not. No.

10 KRAUSS: Commissioner Mooney?

11 MOONEY: No.

12 KRAUSS: Commissioner Davila?

13 DAVILA: Yes.

14 KRAUSS: Commissioner Schnepf?

15 SCHNEPF: Aye.

16 KRAUSS: Yes. Commissioner Lizarraga?

17 LIZARRAGA: No.

18 KRAUSS: Commissioner Keller is absent.

19 Commissioner Hartman?

20 HARTMAN: Aye.

21 KRAUSS: Vice Chair Klob?

22 KLOB: Nay.

23 KRAUSS: What do we got? 1, 2, 3, 4, 5. 5 nos and
24 3 yeses. Motion's denied.

25 KLOB: Motion fails. Do I have another motion?

1 PRANZO: You're open for a motion, is that what you
2 said? We have had one incredible work session and this
3 presents us an opportunity. This is not the first time we've
4 had a special use permit for a kennel. We need to take the
5 time to lock down the stipulations that we attach to a kennel
6 that puts the operator, the owner, in a sink or swim position
7 that protects the neighbors, the rights of property, the value
8 of property, but still allows a cottage industry. So on that
9 basis, I move that we continue SUP-007-23 until which point
10 staff can provide a clean copy of what has been discussed this
11 morning.

12 DAVILA: Mr. Chair, point of order.

13 KLOB: Commissioner Davila.

14 DAVILA: The motion to deny the continuance has
15 already been completed.

16 KLOB: Yeah. I think that's already been addressed
17 and voted on. The continuance has already been voted on, so -

18 PRANZO: So we killed it.

19 KLOB: We killed a continuance, yes. So now it's -
20 all that's left either to deny it or to approve it with
21 stipulations, to move forward to the Board.

22 PRANZO: With the stipulations that were presented
23 on paper.

24 KLOB: No, that one failed as well.

25 PRANZO: Well I asked that question, was it with the

1 changes that we made here this morning or not, and I was told
2 no, without the changes.

3 KLOB: Without the changes, that failed. Now we
4 have the opportunity to make it with changes or to deny it
5 altogether.

6 MOONEY: If I may.

7 KLOB: Commissioner Mooney.

8 MOONEY: I'll make a motion that we move forward
9 with case SUP-007-23, with the 11 stipulations and the
10 following changes - and if I miss one, please jump in, because
11 you had a couple. Item number 4 is removing breeding
12 purposes. Item number 7, as my suggestion, is putting in some
13 indoor time - not an exact timeframe, but the number of hours
14 to bring them indoors during the day for people to enjoy.
15 Number 8, we had amended and discussed earlier about putting a
16 deadline once the communication was in place about the license
17 of the SUP. And number 11 was making sure you add that you
18 are notified of the lease, if the property were to be leased.
19 Those were the five that I had - excuse me, four that I had
20 captured. Did I miss any, sir?

21 KLOB: I don't think so, I think we're good with
22 that.

23 GAREY: Vice Chair Kolb, if I may. The issue came
24 up about a second motion to continue. Under the rules, a
25 motion to reconsider a vote for a specific question or a

1 motion can be made on the date the vote to be reconsidered was
2 taken. And if the applicant is present, it must be made by
3 one who voted with the prevailing side and any member can
4 second it. No question can be twice reconsidered unless it
5 was materially amended. In this case, it wouldn't be a twice
6 reconsideration, it would be a first reconsideration, and the
7 effect of the adoption of a motion to reconsider a vote is to
8 place before the Commission the original question in the exact
9 position occupied before taking the votes. There could be a
10 motion to reconsider the vote to deny the continuance. It has
11 to be made by a person who prevailed on the original vote, and
12 then it has to be seconded and another vote can be taken.

13 KLOB: Okay. However, there is a motion on the
14 table by Commissioner Mooney, though.

15 MOONEY: And did I miss any of the other issues?

16 KLOB: I don't believe so. Do I have a second on
17 that?

18 PRANZO: I'll second that.

19 KLOB: Second by Commissioner Pranzo. Do we wanna
20 take a roll call vote?

21 HARTMAN: Mr. Chairman?

22 KLOB: Commissioner Hartman.

23 HARTMAN: I have a question. So four new
24 stipulations, does the applicant agree to that?

25 KLOB: I don't know that they had that opportunity,

1 is that correct?

2 SCHNEPF: And do we even have the verbiage?

3 GAREY: You would - Vice Chair, Members of the
4 Commission, the verbiage would be important to have in place
5 so that it's very clear on the record as to what the revised
6 stipulations are. The Commission can make inquiry by the
7 applicant if they agree or don't agree, but the motion's been
8 made. The stipulations that do need to be clearer and should
9 be put on the record.

10 KLOB: Should we take a five minute to? It's not up
11 to your opinion.

12 MOONEY: Chairman, could we address the applicant?

13 ??: We'll go with the revised.

14 MOONEY: Vice Chair?

15 KLOB: Yeah, we can -

16 ??: Revised by Mooney, it's fine.

17 MOONEY: With our - I made changes.

18 KLOB: We can address the applicant.

19 SANKS: Vice Chair and Commissioner Mooney and
20 Commissioner Pranzo, the applicants are on board with the
21 revised stipulations that you drafted during your work
22 session, as presented through the motion by Commissioner
23 Mooney. So we are on board with it if you move forward with
24 the recommendation.

25 MOONEY: Thank you, sir.

1 KLOB: Thank you. Okay. Now we gotta get the
2 wording of the changes.

3 KRAUSS: I hear the Commission. I will draft
4 something and available for the applicant to review and
5 comment on. I don't know if the Commission wants to review
6 those separately, but I don't think we can do that outside the
7 hearing room. We have to do it inside a hearing room. You
8 can just have faith in me to draft something that'll reflect
9 what you want - I think I heard what you want - and just work
10 with the applicant on that and submit it to the BOS.

11 SCOTT: Chair, we have a motion and a second.

12 KLOB: Yeah, we have a motion and a second in place,
13 so we have - we need to vote on that. But can -

14 MOONEY: And the stipulation needs to - the changes
15 need to be read in, so I read what the suggestions were and
16 I'm happy to read them in. Whether we pause and take a 10
17 minute break and they get them written up and use the
18 restroom.

19 KLOB: Yeah. I think probably just to keep it
20 clean, let's take a five minute break, 10 minute break. How
21 long do you need Harvey?

22 KRAUSS: Oh, five minutes.

23 KLOB: Okay.

24 KRAUSS: We'll try to do it in five minutes.

25 KLOB: It's 11:25, we'll reconvene at 11:30.

1 [Break]

2 KLOB: All right, need a motion to come back in from
3 recess.

4 DAVILA: So moved.

5 KLOB: Second?

6 MOONEY: Second.

7 KLOB: Second. So we have a motion on the table for
8 - to approve the case with stipulation modifications, and I'd
9 like staff to read those modifications into the record.

10 ZAIA-ROBERTS: Okay. Thank you, Commission. Those
11 stipulation changes read, stipulation 4, the number of adult -
12 or excuse me, proposed stipulation changes read: the number of
13 adult dogs, and then the struck language to be removed is for
14 breeding purposes. So the total stipulation will read, the
15 number of adult dogs allowed on the property shall be limited
16 to seven at any time. And then moving on to stipulation 6.
17 All dogs on the property shall be housed and maintained inside
18 kennels from 9 p.m. to 6 a.m. on a daily basis, except that
19 the dogs shall be brought into their kennels during daylight
20 hours for a minimum of three hours. And moving on to
21 stipulation 8. A current, valid commercial license from Pinal
22 County Animal Care & Control shall be maintained at all times
23 while the dog kennel is operational, excepting only a 30-day
24 lapse, unless the lapse is caused by Pinal County. And moving
25 on to stipulation 11. If there is any change in property

1 ownership or licensee after the SUP is approved by the Board
2 of Supervisors, then they SUP shall become null and void on
3 the effective date of the transfer of property ownership,
4 parcel 510-63-0100. The current owners, Byers-Abbott Family
5 Living Trust - Russell C. & Ashelle S. Byers, Trustees, shall
6 notify Pinal County at least 30 calendar days prior to the
7 property ownership change or change of licensee by way of
8 certified U.S. Mail, United States Mail, return receipt
9 requested, and sent to the following address: Attention: Pinal
10 County Development Services, c/o Clerk of the Board, P.O. Box
11 827, Florence, Arizona 85132.

12 KLOB: Go back to the motioner, Commissioner Mooney,
13 do those meet your -

14 MOONEY: Yes.

15 KLOB: Very good. And the second still stands. We
16 want to take a roll call vote?

17 KRAUSS: Vice Chair Klob?

18 KLOB: Yes.

19 KRAUSS: Commissioner Hartman?

20 HARTMAN: Aye.

21 KRAUSS: Commissioner Keller's not here.

22 Commissioner Lizarraga?

23 LIZARRAGA: Aye.

24 KRAUSS: Commissioner Schnepf?

25 SCHNEPF: Aye.

1 KRAUSS: Commissioner Davila?

2 DAVILA: Aye.

3 KRAUSS: Commissioner Mooney?

4 MOONEY: Aye.

5 KRAUSS: Commissioner Pranzo?

6 PRANZO: Aye.

7 KRAUSS: And Commissioner Scott.

8 SCOTT: Aye.

9 KRAUSS: It is unanimous.

10 KLOB: It looks like the motion -

11 KRAUSS: Passes, yes.

12 KLOB: Very good. Thank you. And just for the
13 public that's here, just to let everybody know, we have the
14 next case that's tied directly to this case we just heard.
15 We're going to hear it and then we're going to break for a
16 one-hour lunch. I will not put up with outcries like this and
17 if you want to continue to do that, you can leave or we will
18 have you escorted from the room. So please remain
19 professional at all times while we're here, and we can get the
20 business taken care of.

21 ??: Likewise.

22 KLOB: I'd like you to leave. Can we not continue
23 or? Fine. All right, with that, we're going to hear case
24 SUP-006-23. Back to Patrick.

25 ZAIA-ROBERTS: Good morning Chair, Vice Chair,

1 Members of the Commission. Patrick Zaia-Roberts, Senior
2 Planner, here presenting case SUP-006-23. In the interest of
3 time, I'll go ahead and move through this fairly quickly.
4 This case has a similar scenario to the other Jean Drive
5 property, the only difference on this property is that the
6 location is at 50956 West Val Vista Road, Maricopa, parcel
7 510-62-3010. And again, this item is being returned to the
8 Planning and Zoning Commission for the purpose of discussion
9 of 10 stipulations as revised by staff following
10 recommendation of the Planning and Zoning Commission, and
11 remanded to the June 19th Planning and Zoning Commission
12 meeting to be continued at the July 2nd Board of Supervisors
13 meeting. Those 11 stipulations - excuse me, those 10
14 stipulations - will currently read as agendized. The special
15 use permit is issued to the land and shall be binding on the
16 property owner from the date of the Board of Supervisors'
17 approval. And 2, approval of this special use permit - SUP -
18 will require the applicant/owner/developer submit and secure
19 from the applicable and appropriate federal, state, County,
20 and local regulatory agencies all required applications,
21 plans, permits, supporting documentation and approvals
22 necessary for its operation. And 3, signage on the site shall
23 not be permitted. And 4, the number of adult dogs for
24 breeding purposes allowed on the property shall be limited to
25 7 at any time. And 5, all dogs on the property shall be

1 housed and maintained inside kennels from 9 p.m. to 6 a.m. on
2 a daily basis. And 6, in addition to complying with all Pinal
3 County Development Services Code requirements related to
4 excessive noise caused by dogs, excessive barking as defined
5 below is prohibited. Further, the applicant shall take
6 appropriate and necessary measures to mitigate any excessive
7 barking such as the use of bark collars, use of insulation or
8 other materials to reduce the level of sound from kennels so
9 as to avoid disturbing the peace and quiet of another person
10 with excessive barking without justifiable cause, as
11 determined by the zoning inspector or code compliance officer.
12 For purposes of this SUP, excessive barking shall be defined
13 as a frequent intermittent barking of more than 15 minutes, or
14 sustained barking of more than 15 minutes in the early morning
15 prior to 5 a.m. or late at night after 10 p.m. during the same
16 timeframe. And 7, a current, valid commercial license from
17 the Pinal County Animal Care & Control shall be maintained at
18 all times while the dog kennel is operational. And 8, an
19 action to revoke the SUP shall be initiated by the zoning
20 inspector's or the code compliance officer's determination
21 that the property does not meet or is not in compliance with
22 any of these stipulations of approval. Pursuant to Pinal
23 County Development Services Code 2.151.010(V), a notice shall
24 be sent to the property owner and/or lessee of the property
25 covered by the SUP requiring compliance with the conditions of

1 approval within 15 calendar days. Upon failure to comply
2 within the specified time period, the Supervisors, after
3 notification by certified mail to the property owner and/or
4 lessee of the property covered by the SUP, shall schedule and
5 hold a public hearing to determine if the special use complies
6 with the conditions of approval and for possible action. The
7 Supervisors may extend the time for compliance or approve or
8 deny the revocation with or without conditions. And 9, the
9 property owner and/or lessee of the property and/or the
10 operator of the kennel shall allow Pinal County employees to
11 enter upon the property upon request for purposes of
12 inspections to ensure compliance with these conditions of
13 approval. And 10, if there is any change in the property
14 ownership after the SUP is approved by the Board of
15 Supervisors, then the SUP shall become null and void on the
16 effective date of the transfer of property ownership, parcel
17 510-63-0100. The current owners, Byers-Abbott Family Living
18 Trust, Russell C. and Ashelle S. Byers, Trustees, shall notify
19 Pinal County at least 30 calendar days prior to the property
20 ownership change by way of certified United States mail,
21 return and receipt requested and sent to the following
22 address: Attention: Pinal County Development Services,
23 copied Clerk of the Board, P.O. Box 827, Florence, Arizona
24 85132. Furthermore, staff has retained the amended
25 stipulations from the previous case, if those would like to be

1 read into the record too, at the Commission's discretion. At
2 this point, does the Commission have any questions of staff?

3 KLOB: Any questions for staff? Good. With that, I
4 will call the applicant back up.

5 SANKS: Thank you Vice Chair and Commissioners.
6 Jason Sanks, 3500 South Jacana, Gilbert, Arizona 85297. I'm
7 representing the Abbotts on both cases. In the interest of
8 time and brevity, I think it's fairly easy to say that you see
9 the same stipulations. We're still okay with the same stipulations that
10 were just modified through the prior case, for the record. As
11 well, this case simply has not had this level of involvement
12 of the neighbors. We only had one letter that was read into
13 the record in opposition to the Val Vista Drive case at the
14 Board of Supervisors. Ranelle spoke with the property owner
15 in the last week, and she did confirm that her daughter-in-law
16 wrote that letter. Judy owns the property, and she's
17 supportive of the case, and she said we can convey that. In
18 addition, the neighbor that actually sits right next door to
19 Ranelle's property, between her and the Fuller property, she
20 sent a notarized letter of support to Pinal County to make it
21 very clear that she's lived next to them for many years and
22 she loves the family, they love the dogs, no problems. We
23 accept the revised stipulations. In the interest of time,
24 I'll cut my presentation short. That's it. And then I'll let
25 Shell speak.

1 ABBOTT: Actually, I do have a question about the
2 stipulations pertaining to this property, because this is the
3 property that the puppies are born on. Can we add to the
4 stipulations that the seven dogs do not include any dogs under
5 the age of six months or three months or something? Because
6 obviously, as long as it says - I just want something to be in
7 there that is clear about how many dogs, because it does have
8 the puppies.

9 ??: You can't have a litter of eight, can you?

10 ABBOTT: And I can't have the mother at the same
11 time.

12 KLOB: Actually, can we pull that stipulation up?

13 ZAIA-ROBERTS: Yes. 4. Clicker's not working.
14 There we are. One back.

15 KLOB: So this - number 4 says adult dogs?

16 ABBOTT: Okay. So anything over the age of a year,
17 two years? Adult? Normally 12 months? Okay. Thank you.

18 KLOB: Okay. Any other questions for the applicant?
19 For staff? No. With that, I'll go to the public. I did have
20 a speaker card for a Don Wilkinson. Is Don here?

21 ??: It was for the wrong agenda item.

22 KLOB: Okay. You had the wrong number, but the
23 right case you noted, so I just wanted to make sure. And
24 Jason Sanks and Shell, I assume we're good. Chad Buhr had
25 requested to speak on this one as well. Did Chad leave? And

1 Katie had also asked if she's still here. Okay, seeing
2 they're not here, I will - anybody else want to speak on this
3 case? Seeing none, I will close the public portion and bring
4 it back to the Commission. Any motions, discussions?
5 Commissioner Mooney.

6 MOONEY: I would - if it's okay, I'll make a motion.

7 SCHNEPF: Can I -

8 MOONEY: Oh, sorry.

9 SCHNEPF: Before you make the motion. Should we -
10 and would it be pertinent to put dogs that are older than 12
11 months in there if we're trying to define an age in that
12 stipulation 4? Or is it good as it is?

13 KLOB: Do we have a definition anywhere that says
14 what an adult dog is?

15 ZAIA-ROBERTS: We don't have a definition of adult
16 dog listed. I would likely say that this would fall into the
17 discretion of animal control or the code compliance officer
18 through interpretation of the other stipulations.

19 PRANZO: Chair, the way 4 reads, the number of adult
20 dogs for breeding purposes allowed on the property shall be
21 limited to 7. I don't think they're breeding puppies.

22 KLOB: Well, the new stipulations does - if the new
23 stipulations are carried over from the last case into this
24 case, it takes out breeding purposes.

25 PRANZO: Right, we're lining out - where was it?

1 Yeah, for breeding purposes.

2 ZAIA-ROBERTS: Staff can also put the revised
3 stipulations on the screen, if that would be to the
4 Commission's benefit.

5 PRANZO: Yeah.

6 ??: (Inaudible).

7 PRANZO: There it is, for breeding purposes. We
8 really need to insert the word adult dog.

9 MOONEY: It's in there.

10 PRANZO: Sorry.

11 ZAIA-ROBERTS: Staff can read into the record the
12 revised stipulation. The number of adult dogs allowed on the
13 property shall be limited to seven at any time. And
14 stipulation 5, all dogs on the property shall be housed and
15 maintained inside kennels from 9 p.m. to 6 a.m. on a daily
16 basis, except that the dogs shall be brought into their
17 kennels during daylight hours for a minimum of three hours.
18 And 7, a current, valid commercial license from Pinal County
19 Animal Care & Control shall be maintained at all times while
20 the dog kennel is operational, excepting only a 30-day lapse
21 unless the lapse is caused by Pinal County. And 10, if there
22 is any change in the property ownership or licensee after the
23 SUP is approved by the Board of Supervisors, then the SUP
24 shall become null and void on the effective date of the
25 transfer of property ownership, parcel 510-63-0100. The

1 current owners Byers-Abbott Family Living Trust - Russell C. &
2 Ashelle S. Byers, Trustee, shall notify Pinal County at least
3 30 calendar days prior to the property ownership change or
4 change of licensee by way of certified United States mail,
5 return receipt requested, and sent to the following address:
6 Attention: Pinal County Development Services, copy Clerk of
7 the Board, P.O. Box 827, Florence, Arizona 85132.

8 KLOB: Any other discussions on this? And
9 Commissioner Mooney.

10 MOONEY: I'll make a motion to, I move the Pinal
11 County Planning and Zoning Commission approve case SUP-006-23
12 with the following 10 stipulations and the revisions as they
13 were read into the packet.

14 KLOB: Do I have a second?

15 SCHNEPF: I'll second.

16 KLOB: Commissioner Schnepf seconds. All in favor?

17 COLLECTIVE: Aye.

18 KLOB: Any opposed? Motion carries. Good. There
19 was a little bit of housekeeping. I did have a couple of
20 public speaking cards for some general items regarding almost
21 like a call to the public.

22 KRAUSS: Vice Chair, I believe those individuals
23 maybe failed to put the case number on those requests for
24 speaking, so maybe we can do that.

25 KLOB: That's fine. I'll bring it back then. I

1 just wanted to say a call to the public's not on the agenda,
2 so it's not something that we could hear outside of any
3 particular case. So with that, does anyone want to make a
4 motion to go to lunch?

5 SCOTT: I'll make a motion to go to lunch.

6 KLOB: Very good, do I have a second?

7 PRANZO: Second.

8 KLOB: I have a second? All in favor?

9 COLLECTIVE: Aye. Any opposed? Let's go to lunch.
10 We'll be back. It's 12:06, let's be back as close to 12 as
11 possible. One, sorry. Thank you.

12 [Lunch break]

13 KLOB: Bring back in session the Planning and Zoning
14 Commission hearing. Do I have a motion to reconvene?

15 ??: So moved.

16 KLOB: Do I have a second?

17 ??: Second.

18 KLOB: Welcome back. Thank you everyone for coming
19 back, and with that, we're going to start with - there's four
20 cases kind of all involved on the same case, if you will. The
21 first one is independent. It is to vote to remove the
22 existing overlay from the proposed PAD. So it'll be heard
23 separately, the other three will be heard together. And so
24 with that, I'm going to call PZ-PD-001-25. Patrick.

25 ZAIA-ROBERTS: Good afternoon Vice Chair, Members of

1 the Commission. Patrick Zaia-Roberts, Senior Planner,
2 presenting case PZ-PD-001-25. This is the Circle Cross Ranch
3 PAD amendment. This is a proposal from Rose Law Group on
4 behalf of Wolff Enterprises III and 93rd St Crane LLC. This
5 is requesting a PAD amendment to the Circle Cross Ranch PAD
6 under PZ-PD-009-00B. This is for a total of 12.45 acres, and
7 the ultimate intent here is to develop a 240 unit multifamily
8 apartment complex and a commercial PAD. The property is
9 located on the northeast corner of North Gantzel Road and West
10 Algarve Place in San Tan Valley. So as mentioned, this
11 property is 12.45 acres in question, owned by 93rd St Crane
12 LLC and it's in Supervisor District 2. This is a County map
13 showing the approximate location of the subject site. A
14 zoning map showing the proximity to the Encanterra development
15 to the east. The proposed zoning is to multiple residence -
16 MR - with a General Commercial C-2 component, and the existing
17 zoning is CB-2. This is a vicinity map showing the proximity
18 to Queen Creek. An aerial map showing the surrounding
19 context. And a map indicating the intent to also redesignate
20 the Pinal County Comprehensive Plan. That will be covered in
21 the next case. For now this is just discussing the PAD
22 amendment, PZ-PD-001-25. This is an image looking north
23 towards the Pinal Professional Village. You'll see Ironwood
24 there along Gantzel. South. East towards Encanterra. And
25 west across Gantzel Road. This is an image of the existing

1 Circle Cross Ranch PAD amendment. Ultimately, the original
2 PAD was about 1,400 acres. The conditions of this case would
3 also retain the existing 1,314 acres of land on the property.
4 You can see the subject property on the right side of this
5 image, as that portion off of the Gantzel curve. And this is
6 the subject site itself, as indicated in the existing Circle
7 Cross Ranch PAD amendment. So some items for consideration.
8 The submitted application for this land use request are for a
9 PAD amendment removing 12.45 acres from the Circle Cross Ranch
10 PAD. The removal of this property is necessary for
11 consideration of a new proposed PAD overlay allowing
12 development of a 240-unit multifamily project with a
13 commercial pad. The property has legal access. And the San
14 Tan Valley Special Area Plan designates this property
15 Community Center, allowing 8 to 16 dwelling units per acre.
16 At this time, staff has received 930 letters of opposition and
17 88 letters of support. We've also received a letter of
18 opposition from the Town of Queen Creek and a letter of
19 support from a member of the Town of Florence City Council.
20 The opposition letters largely summarize the following points:
21 Incompatibility between multi-story and single story
22 development. Concerns with increased traffic. Concerns
23 regarding water resource availability. Potential loss of
24 property values. The loss of rural character. And a strong
25 visual impact from development of this site. The support

1 messages largely - well, excuse me, this is a list of
2 different supporting agencies that provided letters of
3 recommendation for this site. Entryway, Pinal Regional
4 Partnership, the Arizona Nurses Association, and Pinal
5 Professional Offices. And they largely spoke to the
6 availability of workforce housing and providing adequate
7 residential development in this area. So staff offers this
8 case, PZ-PD-001-25, with proposed five stipulations. At this
9 point, does the Commission have any questions of staff?

10 KLOB: Questions of staff? With that, I'll bring
11 the applicant up. Please make sure you're signed in, if you
12 haven't already.

13 GALVIN: I was going to say good morning, but good
14 afternoon Members of the Commission. So glad to be here today
15 on behalf of the applicant. I'm Tom Galvin with Rose Law
16 Group, 7144 East Stetson Drive, on behalf of my partner,
17 Jordan Rose. And Mr. Chairman, I do know that there were four
18 items that you set up today, but if it's okay, we're going to
19 give one presentation for all of the four items, including
20 this one you've separated out and the other three?

21 KLOB: That's fine.

22 GALVIN: Okay, thank you very much.

23 KLOB: There will be four different votes.

24 GALVIN: Right, exactly. Okay, just one
25 presentation. So, the way I see it for this particular site

1 is that this is a triple win. This is a win, win, win. One
2 way for the particular site in question; number 2, for the
3 immediate area and vicinity of the community, and number 3,
4 for Pinal County as a whole. Holistically, if we take a look
5 at Pinal County, you're going to see some of the issues raised
6 here today that the County itself is grappling with, that we
7 are addressing and we're working on and very proud to do so.
8 But at the same time, in consideration of the neighbors, and
9 also, would also let you know that staff did raise some of the
10 objections that have been raised in terms of opposition. We
11 answer every single one of those, and I think a lot of people
12 here sitting in the audience today are going to be seeing
13 those responses and news for the first time. And so as you
14 can see, this would be a beautiful project right here. This
15 is four areas that I'm going to cover today: One, this is a
16 challenging site that makes retail impossible, and you're
17 going to see the history of the site, if you don't already
18 know it, that has literally made retail - which many people
19 have advocated to be located here - literally impossible.
20 Number 2, there's going to be less traffic than existing
21 commercial entitlements, and I think traffic is going to be
22 the biggest question that we're going to be talking about
23 today. Well, we're going to have very specific information
24 for you, key data for you, all of it produced that we have
25 developed through a national traffic and transportation

1 expert. And I challenge anyone else who's going to challenge
2 our arguments regarding traffic to bring forth and proffer a
3 transportation expert, because we have one with us who has
4 provided us the key data for your benefit. Number 3, we do
5 have substantial support, including letters and petitions.
6 And yes, we heard in the presentation from staff that there
7 was 88 letters of opposition on one side, but they're all from
8 one community. The letters of opposition we have, if you look
9 at it, one particular letter will represent thousands of
10 people in Pinal County, and I think that is very important in
11 terms of doing the math of where we actually believe there's
12 more support than opposition. And number 4, childcare. Such
13 an important issue, not just here in Pinal County, but
14 throughout the country. It's really resonated, including in
15 the last presidential election. This is childcare offering
16 that's sorely needed for local workers who happen to be
17 nurses, teachers, and first responders, and the consistent
18 theme that you're going to see today is that our applicant and
19 our client here today is addressing needs for really important
20 work that's being done here in Pinal County - first responders
21 and people doing essential work, nurses, teachers, exactly
22 like that. So here, I mentioned earlier this is a challenging
23 commercial site. As you can see here, it's surrounded on the
24 west and the east by very dense residential zoning and there's
25 professional medical offices directly to the north. But also

1 we're going to examine and see how this is really tightly
2 bound on all sides by its unique position. This site has been
3 vacant for almost 20 years because of its challenging location
4 and really not a good size for commercial use. This site was
5 zoned for multifamily and it was changed to retail commercial
6 19 years ago. And think about how much our lives have changed
7 since 2006, not just Pinal County. It's just been
8 considerably different since 2006, but there's been multiple
9 attempts to see if retail would work at this site, and frankly
10 if it would work, it would have happened by now, especially in
11 a place like Pinal County that's been growing. It's not on a
12 prominent intersection where retail is essential. There's no
13 room for big box anchor where retail is essential. And the
14 only thing that we're doing is requesting it changing it back
15 to its originally zoned use, which is multifamily. The other
16 thing is that there's been so much development and change in
17 Pinal County due to the leadership from our County Board of
18 Supervisors. And as you are well aware, it was unanimously
19 approved by the Board of Supervisors in February 2025 - what
20 was it - the Future San Tan Downtown Urban Core. And as we
21 can see, this has been considerable work done by the County,
22 done by the Board of Supervisors, and look how this site has a
23 close proximity to this area. But with this Future San Tan
24 Downtown Urban Core, we're going to have residential, mixed
25 use, employment center, regional commerce, and retail. So all

1 of the things that you're going to be hearing today from
2 folks, possibly, they're going to be advocating for these
3 things that are now going to be here on a much more
4 substantial level, much more dedicated level, much more, I
5 would say, organized level than just this little difficult
6 site that is just right off the beaten path. Traffic. As I
7 said earlier in my opening statement, I think traffic is the
8 most important question here before you today. We have
9 developed and produced information due to our transportation
10 expert who actually teaches at ASU and has done so for 30
11 years. So let's look at the alternatives if this project
12 would not be approved. That would be for retail. And as you
13 can see, under every single scenario, whether it's in the
14 morning peak hour, whether it's in the afternoon peak hour,
15 there would be a lot more retail traffic generated than by
16 this project of multifamily residential and childcare, by a
17 magnitude of several times. It would just be fundamentally
18 just a huge difference in change in traffic. And what we've
19 seen here is 55 to 91 percent less daily traffic with our
20 proposed use. Also here, what another proposed use could be,
21 medical office. But once again, that's an intensive
22 commercial use. It is incumbent upon retail and commercial
23 operators to try to get as many people as possible to come to
24 their business, that's how capitalism works, which is
25 beautiful. But in that case, you want to generate as much

1 traffic as you can. So if a medical office here would be
2 opening, you would see substantial more traffic than just you
3 would have from multifamily residential and childcare. And as
4 we see here, our proposal would be between 25 and 67 percent
5 less daily traffic. And now let's take a look at this site
6 itself. As you can see here, I mentioned earlier, there's
7 substantially dense residential on either side of the site.
8 But the site itself is very unique. It's bounded by Gantzel
9 to the west and Algarve Place to the south. But if you just
10 go slightly east to Encanterra, you see the gate, that's the
11 back entrance to Encanterra. That is not a through street.
12 And I'm sorry, if I'm looking to do shopping with my family,
13 with my son or with my wife, I'm looking for a place where I
14 would consider to be the path of least resistance, where I
15 want to be able to get in easily and get out and really shop
16 for the things I need to shop for. I cannot imagine someone
17 coming down Painted Desert all the way down to this site for a
18 commercial spot at this very challenging small site. However,
19 the property directly to the south does have proposed
20 commercial, which, you know, God bless them. I hope it works
21 out, and I think it might. So they have proposed a gas
22 station, more medical offices, and drive-thru pads. As we can
23 see here, there's already commercial directly to the north.
24 We are bounded by and neighbored by the Pinal Professional
25 Medical Offices, and as you heard earlier today, they are one

1 of the letters of support for this project. And I just want
2 to point out, which I'm going to go into in depth later,
3 directly to the east there's a buffer with a transmission line
4 corridor, which is quite substantial. So here it is, the
5 significant buffer from existing homes. That's 125 feet.
6 That's quite a great deal. 125 foot electrical easement with
7 transmission towers. That is a substantial buffer, not just
8 open green space, but to have those towers in between.
9 Encanterra also has a block wall that's along our property
10 line, and there's a private access gate into Encanterra, so
11 there's no through traffic. All of these things, I tell you,
12 would be much more challenging for any retail potential to
13 occur there, and it just doesn't happen. So we obviously know
14 that people do have objections to what we're proposing here,
15 and what we have done over the last few months is spend a
16 considerable amount of time listening to folks, respectfully,
17 and we do think that people raise objections in good faith,
18 but we want to show them that we have an answer for
19 everything. And as I said earlier today about the triple win,
20 I think this would be the best outcome for the Encanterra
21 neighbors. One of the arguments we heard from folks is we'll
22 keep commercial. Well we are going to keep commercial here if
23 this is approved with the Wonderwise Preschool and Day Care
24 Childcare Center.

25 KLOB: If I have to clear the room of everybody, I

1 will.

2 GALVIN: And I've heard a few chuckles in the back,
3 but I want to tell you folks - and I think you already know
4 this because this Planning Commission grapples with very
5 difficult issues at every single meeting - that childcare is a
6 substantially difficult issue, especially in Pinal County.
7 And one of the things that we have seen when we've talked to
8 people who work in Pinal County - the nurses, the teachers,
9 police officers, and firefighters - it's very hard for them to
10 find availability for childcare needs. And so if we hear an
11 argument today that there should be commercial there, then one
12 of the best options for commercial absolutely would be this
13 Wonderwise facility, which is just a great facility. This is
14 developing a true mixed-use site with local childcare operator
15 and multifamily to support the local workforce. There's a
16 crucial need for childcare in Pinal County, as I pointed out
17 before, and I want to show you in the bottom of our slide
18 here, these are the statistics that we've seen regarding
19 supply and demand. This is not statistics that I have
20 supplied, that I've just come up with, this is presented by
21 experts in the field. Two organizations that are just doing
22 tremendous work here in the County and the State of Arizona.
23 First of them is First Things First, and the other one is
24 Enhancing Early Childhood. Representatives for both
25 organizations are here today, and I'm going to allow them to

1 speak to you about the urgency of this issue and how potent
2 this issue is for people right now. This is an economic
3 issue. This is an economic development issue, and this is a
4 security issue, and it is vitally important that we find a
5 place for people to have an ability to have their children in
6 a safe environment, in a good environment for learning and
7 development while they're doing out the hard jobs, keeping our
8 lives safe. There's a significant lack of market-rate
9 childcare services in this area. I've only identified two by
10 two blue stars in-home childcare facilities within this area,
11 which is a shame. It is absolutely crucial and necessary that
12 we develop something that we can have to provide for families
13 and for children, and the fact that we could only identify two
14 in-home childcare centers shows you there's an acute need for
15 this service, and once again, this is an appropriate
16 commercial availability for this site and to make it a mixed-
17 use site. As I said earlier, we've been listening to the
18 community, and we have made big and substantial changes from
19 the original presentation and from the original proposal.
20 Number one, the original proposal, as you can see here, had 12
21 buildings. People have said keep commercial in the corner,
22 but they don't like that there were 12 buildings, so you know
23 what we did? We reduced the buildings from 12 to 10, made
24 this a substantially nicer, at a significant reduction to the
25 proposed site plan. Also, we decreased the total units from

1 288 to 240, and that's a total reduction of 216 bedrooms.
2 That is a significant ask, even though we found that there's a
3 need for 288 when we started this process. Also, there's a 30
4 percent square foot reduction of multifamily since the
5 neighborhood meeting. It just shows that at this neighborhood
6 meeting we took into account the objections that we heard from
7 folks, and we took them serious, and we're trying to meet them
8 halfway, and I believe we're going more than halfway here.
9 Also, we internalized the buildings to provide additional
10 setbacks. I've already talked to you about the 125 foot
11 transmission corridor, but take a look at this. We have now
12 moved the buildings that were proposed by 105 feet, 90 feet,
13 57 feet, and 97 feet. Those are additional setbacks that we
14 did not have to do, but we're willing to make those
15 concessions. And finally, we heard earlier about the
16 architectural enhancements that respect the agrarian history
17 of the community, and as you can see here, I think these are
18 beautiful projects that would be built, absolutely gorgeous
19 that reflect the character and respect the neighbors here in
20 Encanterra and in Pinal County. And there was a lot of work
21 and design and thought that went into producing these. The
22 client was very, very amenable to changes, which is, of
23 course, a very costly thing to do in terms of time and
24 resources, and they did it anyway and produced something that
25 I think is quite beautiful. Also, in terms of listening to

1 the community and making big changes, one of the things we
2 heard about was height, and as you can see here, the proposal
3 is just what would be proposed for any commercial thing that
4 can come here as of right. It's 35 feet. In fact, we're not
5 even going to the full 35 feet, but we're going to stay right
6 there. And so when you listen to the community and we're
7 making big changes, we doubled the 25 foot required rear
8 setback from the property line, which now gives you a 210, 250
9 foot buffer from Encanterra Homes, and it just shows you that
10 we have put thought and care into every single aspect of this
11 proposal, yet at the same time meeting what we see is a market
12 demand for this type of housing and for childcare. Also, in
13 terms of traffic, as I said earlier, which I think is the
14 biggest issue because I think retail would be devastating for
15 this community, we listened to the community and made big
16 changes regarding traffic, ingress and egress, by adding a
17 third northbound lane on Gantzel, by adding two entrances from
18 Gantzel and one entrance from Algarve, adding two decel lanes
19 on Gantzel, and adding a right turn only on Algarve. And as
20 you can see here, with the traffic focused on Gantzel, it will
21 be very respectful of the neighboring community, but also a
22 lot of thought and care went into that. The other thing is,
23 is that the applicant, on its own volition, is going to be
24 spending up to \$4 million in improvements for the area. This
25 includes the applicant proposing to spend \$334,000 for a

1 traffic signal reimbursement that's already been constructed,
2 \$830,000 in impact fees for regional growth in parks, public
3 safety, streets, water, and sewer; \$1.8 million in
4 construction tax revenue; \$322,000 in user fees, and \$56,000
5 annually to Rural Metro. As we all know, these are not
6 insignificant sums, this is a really good public benefit.
7 Now, I also want to talk to you - we've talked about traffic,
8 but I want to talk to you, why multifamily, and why this kind
9 of multifamily? There are different types of housing stock
10 that we need in Pinal County, all different kinds. We need a
11 good balance and we need a good mix. And so when people talk
12 about that they don't want multifamily, I want to ask them,
13 what exactly about multifamily are you talking about, because
14 there's different kinds. We have build-to-rent, and then we
15 also have this type of proposal here. So in build-to-rent, I
16 have it here with the orange dots. As you can see, there's
17 been quite a lot of build-to-rent facilities that are either
18 being built or that were approved, and we have a spreadsheet
19 here showing all of them. But then we have what I call
20 attainable multifamily, which is really going to be addressing
21 the needs for young people, for young families, and also for
22 people working in professions that frankly don't pay that
23 much, but are quite demanding on their time. Once again,
24 nurses, teachers, police officers, and firefighters. There's
25 very few of them, and so if this gets built, it would just be

1 one small step in terms of addressing this larger need. And
2 so it wouldn't be an oversupply, but it's just a small step
3 towards an undersupply. There are only two existing
4 multifamily projects within three miles. There's just not
5 enough housing currently for nurses, teachers, police, and
6 firefighters, which is what we call the attainable market.
7 Build-to-rent is just more expensive. They look like single-
8 family homes that people buy and sell every single day, but
9 they're renting, but they're on larger lots. And what we have
10 seen in our research is that build-to-rent is 15 to 35 percent
11 higher in terms of the rental rate than the proposed you see
12 here today. But it's 80 percent of all planned rentals. How
13 can people who cannot afford that, who just had a baby, where
14 can they find a place to live if we want them to live here in
15 Pinal County and work here in Pinal County? So, there are
16 different levels and tranches here of where the rent is for
17 the different kinds of places that people can rent, and so we
18 are in a good spot here and also a spot that has to be built
19 somewhere. And if retail is just not going to work here, then
20 this type of multifamily residential is actually the perfect
21 spot for it to be placed. And so what we're also going to see
22 is that despite the fact that people are not making what I
23 would consider to be godly sums of money because they're doing
24 things because they love it and it's a profession for them,
25 they're still going to be contributing to the economy of Pinal

1 County, still going to be contributing to the local economy.
2 And what we project here is \$4.8 million in retail spending.
3 And this is from an economic impact study from the highly
4 respected economic development research group called Elliott
5 Pollack. And Leo here from Elliott Pollack will be able to
6 talk about this more directly and in depth. Also, we've heard
7 a lot of objections. I'd like to walk you through all of
8 them, because I think a lot of the neighbors who came to our
9 neighborhood meeting haven't seen the work that we have done
10 since that day. So one is this argument of height versus
11 three story buildings. I don't want anyone to say, hey, I
12 don't like a three story building, because it really comes
13 down to what is the height. So the proposed buildings are the
14 same height as what is approved commercially that can be built
15 today. There's no height increase. In fact, the PAD will
16 restrict the max height to ensure it's 35 feet, just like it
17 is already. Additionally, Wolff, the applicant, has doubled
18 the required building setback from the property line to
19 minimize any issues. And as you can see, by right, if you
20 want a commercial building to be built at 35 feet tall, that's
21 how it would look. But with our proposal, this would be a
22 much more pretty view and a nicer vista right here. Exactly
23 the same height, but look at that, much better with those
24 setbacks. Also, another one we heard is that apartments are
25 out of character with the area, but this site was zoned for a

1 mixed use, which contemplated multifamily with commercial 19
2 years ago. And since then, the site has sat vacant for nearly
3 two decades. This request only brings the site back to the
4 original zoning, which is much more compatible with the area.
5 I think we would all agree that leaving this site alone for
6 the next 20 years would be terrible, just because we're stuck
7 in this idea that it got rezoned to commercial back in 2006.
8 Approving this request will buffer Encanterra with more
9 residential versus commercial loading docks, and it will
10 decrease the amount of future issues. Another one here,
11 desire for commercial. Neighbors say they want more
12 commercial and medical offices. Well we already see there's
13 medical offices directly to the north, and there's a proposal
14 for more directly to the south, including a gas station. So
15 this site - let's think about it - this site immediately south
16 of Algarve is currently being planned for a gas station,
17 medical offices, and several drive-thru pads. Commercial is
18 coming very soon, but at the appropriate spot. Also, the
19 Board of Supervisors approved 3,200 acres for San Tan's urban
20 core just southeast of this site. There will be a commercial
21 availability for the folks at Encanterra. This site is
22 challenging for commercial reasons, as evidenced by sitting
23 vacant for the last two decades. Also, property values is
24 something that I see in a lot of cases where people have
25 concerns about property values. But there's a common

1 misconception here. If it's nice looking and professionally
2 managed, a multifamily building will not negatively impact
3 property values. In fact, good-looking residential buildings
4 with a lush, well-kept green open space add more value than
5 commercial loading docks with delivery trucks beeping at all
6 hours of the night. And then you guys will get complaints
7 about that. Additionally, the proposed multifamily will never
8 be used in any type of comparison for valuation because
9 they're just totally different uses. And also, if you have
10 people like nurses, firefighters and police officers living
11 near you, dare I say, I think you'll actually be more safe,
12 and your property values will be okay. The question of
13 whether or not there's excessive multifamily in the area, I
14 addressed that earlier by showing you the distinction between
15 this type of use and build-to-rent. The neighbors are
16 mistaking build-to-rent for multifamily in the immediate area.
17 As shown in previous slides, there's a lot of build-to-rent
18 that has been built recently; however, the monthly lease for
19 build-to-rent is higher than the proposed attainable
20 multifamily for essential workers. There's only two existing
21 multifamily communities. The balance is just out of whack,
22 the mix is out of whack, there's just not a good, proper
23 balance. And the client, who has done just fabulous projects
24 throughout the State and understands the market, sees that
25 there's a desperate need here for this type of housing.

1 Crime. I love this one. Neighbors have expressed concerns
2 that apartments will bring crime to the area; however, this is
3 a common stigma that is associated with multifamily. That is
4 a decades-old stigma. We just don't see that anymore because
5 these projects now are more carefully vetted, and people who
6 understand their County and their community understand which
7 are the types of projects that should go forward. Wolff is a
8 local developer here in Arizona, and operator. They will be
9 operating this project. They're not going to run away and
10 sell it. This is what they do. Literally, this is what they
11 do. They pride themselves on professional management of their
12 communities. Additionally, they'll be offering discounts to
13 essential workers, such as teachers, police, firefighters and
14 first responders, knowing that there's a demand and there's a
15 need for these types of folks. This is a high quality
16 project. And also, going back once again, as I said, the
17 traffic issue. Do you want more traffic with commercial, or
18 do you want less traffic with this residential use? The much-
19 needed road improvements to this area. Wolff will add a third
20 northbound lane on Gantzel. There will be deceleration lanes
21 to access the community and commercial corner. There's a new
22 right-turn-only lane in Algarve, and this proposed change in
23 use will decrease the overall number of future trips that
24 could occur here. And I just want to underscore these
25 statistics, because these are statistics we got from the

1 transportation expert who's a professor at ASU: 55 to 91
2 percent less daily trips versus commercial and retail, 25 to
3 67 percent less daily trips if there was medical office. And
4 I'm not a transportation expert, but to me this is just common
5 sense, and these numbers do bear out. We have seen mass email
6 opposition based on wanting nothing to be developed, not based
7 on facts and what is actually needed in this area, which is
8 too bad. But we understand that people sometimes do have good
9 faith objections. So all of the objections that have been
10 expressed, they have been addressed. Some people might still
11 be opposed to the stigma of apartment use, but apartments
12 today are not the way we think of apartments were, or where
13 they are located. And our team walked Meadows East, Pinal
14 Offices and Combs Commercial for input, and we got
15 considerably good input. And guess what, we did get support.
16 And we did get support from surrounding areas who understand
17 this site better than anyone. 14 signatures of support from
18 Meadows East, 5 signatures of support from the Pinal Medical
19 Offices, 14 signatures from commercial and retail workers on
20 Combs. And I do want to say, just because by virtue of the
21 fact that this Board meets at the time that it does - which is
22 what happens - a lot of people are at work right now who would
23 be here today who are passionate about this, and dare I say if
24 this meeting was being held at 6 p.m., we would see a
25 different mix of people appearing here in public. But they're

1 not able to make it, we understand that, but they still
2 provided their signatures. And we did get a lot of verbal
3 support from folks, and we're appreciative of them for that,
4 and this is something that these people really care about, and
5 but for their jobs and family obligations, they would be here
6 today. And then I also want to add that we just received 55
7 recently added signatures of support in our petitions, which
8 we're very proud about, which is not easy to get for any kind
9 of project. But this is the most important part of support
10 that we're getting: from organizations who understand what
11 people are dealing with here in Pinal County. When I talk
12 about that win, win, win, this is the third win. Let's look
13 at Pinal County holistically. What is good for the County?
14 And so this is a letter from Entryway Arizona, a nonprofit.
15 They said that this project is a critical step forward in
16 addressing two of the most pressing needs in Pinal County,
17 attainable housing and accessible childcare. Here's a letter
18 from Pinal Regional Partnership Council, and First Things
19 First. They have expressed a strong support for the proposed
20 Homestead Mixed Use Project, and they said this is a
21 critically needed attainable housing and high quality
22 childcare option. Another letter from St. Holdings, a local
23 commercial real estate developer, and this is really well
24 written. Employers are looking not only for land and
25 infrastructure, but also for assurances that their employees

1 will have access to diverse, attainable housing options and
2 critical support services, including childcare. It sends a
3 clear signal to prospective employers that we're planning with
4 their workforce in mind. Also another letter from John Hills
5 Estate, which is the owner of the property directly to the
6 south, which has been supportive. And they said, this is a
7 catalyst for future downtown San Tan Valley, and this is
8 addressing the missing middle of housing. I could not have
9 said it better myself. Another letter from the Arizona Nurses
10 Association, one of the most highly respected organizations in
11 the entire State that has critical concern about the issues
12 going on here in Pinal County, which has directed a lot of
13 their attention. And the Arizona Nurses Association said the
14 following: In many parts of our state, rising housing costs
15 make it difficult for entry-level nurses to live near
16 hospitals and clinics. Long commutes, limited access to
17 childcare, high cost of living can place real strain on these
18 dedicated professionals. Ensuring that nurses can find
19 stable, affordable housing near their places of work benefits
20 not only the healthcare workforce, but the communities they
21 serve. And we're very honored to have not only the support,
22 but this is expression of support from the Arizona Nurses
23 Association because they don't just give out their good name
24 for any other project that's out there in the State. They do
25 it if they understand there's a substantial need and there's a

1 problem or an issue in a certain community because they hear
2 it from their workers, from their members. It's a member-
3 oriented organization. So here the other thing is that the
4 applicant will provide a discount program for essential
5 workers, which is a substantial benefit for these people
6 looking for this type of family housing and for this type of
7 childcare. And I just want to close by saying this is truly a
8 mixed use site that includes childcare, and childcare support
9 in the workforce that needs it most - nurses, police,
10 firefighters, and teachers and myth versus fact on housing.
11 We need a balanced mix of options for families serving in
12 these critical jobs. This is a workforce issue and we think
13 that this is the best answer in terms of traffic. Thank you
14 very much, we appreciate it.

15 KLOB: Any questions, comments, for the applicants?

16 SCHNEPF: Vice Chair, I have something I need to
17 bring forward because of the ex parte communication that we
18 have. I was reached out by a person who doesn't work with the
19 Wolff Company, but somebody who has an interest in the daycare
20 world and they had spoken with the Wolff Company, sent me an
21 email. I had no correspondence back with them regarding this
22 case, so I am able to stay unbiased and impartial to this
23 case. I just wanted to bring that forward to everyone.

24 KLOB: Thank you. Any other? Commissioner Mooney.
25 Or Schnepf? Commissioner Mooney.

1 MOONEY: I do want to have two minutes. I'll start
2 out by saying I live in San Tan Valley. San Tan Valley has
3 plenty of apartments right now. We have approximately 3,000
4 apartments and 11 percent vacancy right now in the multifamily
5 apartments. 192 acres of commercial have been converted to
6 mixed use and single family homes since 2017. San Tan Valley
7 has just been like the catch all, put a piece of Velcro on,
8 throw and see what sticks where and that's kind of what's
9 happened. And I'm sorry that it was mixed use 19 years ago,
10 but a lot of things have changed. And to state that
11 commercial isn't good on this piece, but they built it right
12 down the road where (inaudible) comes in - or Empire comes in,
13 excuse me, and then right on the other side is more medical.
14 That's just my personal, I disagree with that. The downtown
15 area with the 3,200 acres that was just converted, that, if
16 you listen to the presentation, that is years away. That is
17 years and they're going to start on the street and work their
18 way back. So that's going to take a long time to get that
19 infrastructure. So probably not even in my lifetime will I
20 see that happen. So I don't like comparing to that, but
21 that's just... I've disagreed with many people who have done
22 traffic studies in San Tan Valley. Home Depot finally came
23 and that's not far from my home, and I don't think it's added.
24 There's more traffic, but there's also every area of ground
25 has apartments or houses. There's no more dirt since I moved

1 there. And I think they brought more traffic because there's
2 more people in a house than somebody's running to Home Depot
3 to pick something up. We do need more office space for
4 commercial rather than, you know, when people think of
5 commercial, they think of a big box store - Home Depot, start
6 a Fry's complex or something like that. We do have, according
7 to my district supervisor, approximately 40,000 more homes
8 coming to San Tan Valley and they're going to need services
9 and not necessarily multifamily homes. And we have gaps in
10 every area of retail - and I will agree, including daycare.
11 We definitely need daycare, but that can go in a commercial
12 complex as well. District 2, which is the district, paid for
13 their own retail study and it is different than the retail
14 study. I don't have a copy with it, but it's different than
15 what you have. And then I just have one last question for -
16 if the landowner's here, or maybe you can answer that. How
17 long has the landowner owned the property and how many people
18 or companies have they reached out to, to see if they were
19 interested retail-wise, commercial-wise. And I ask that
20 because I learned this just before I became a Commissioner,
21 that Home Depot was going to sell that land and District 2
22 reached out and said please come before you sell that property
23 on Hunt Highway. And when they came here they realized what
24 they were missing out on. So if people actually came to the
25 area and saw the amount of homes and what is needed, I really

1 think. But those are just some of my concerns with what I
2 went through and making notes through your presentation. And
3 I'll yield back, thank you.

4 GALVIN: If I may.

5 KLOB: Feel free.

6 GALVIN: Chairman Klob, Commissioner Mooney, I think
7 you make some really great points and I understand where
8 you're coming from and I understand your concerns. However, I
9 just want to take a look at this site in particular. This is
10 a very challenged site in terms of retail options. And yes,
11 you have seen a lot of growth in this area because you know,
12 you live right by there. But when you look at that option,
13 that's not an attractive option for retail at all whatsoever.
14 Down on Algarve, there is just not - it's just not a through
15 street. You're going to go up against the gate of Encanterra.
16 And I would really hate if residents of Encanterra kept having
17 to deal with cars that were going to come up against there and
18 going to have to turn around and cause considerable, I would
19 say, headaches from morning, noon until night. The other
20 thing is that you also said that there's a lot of apartments
21 in the area as well, and I understand that there are more
22 apartments and there's different kinds of multifamily. But in
23 terms of this specific apartment, there is just not enough.
24 And what we have seen is an urgent cry from first responders,
25 from nurses, from teachers, who are looking for the kind of

1 housing - I'm just going to say it, that they can afford. And
2 this is something that they can afford. But they also want
3 pride. Pride in somewhere that they're going to live in
4 that's really nice. And as you can see here that this was a
5 considerably beautiful project that I dare say is probably
6 more beautiful than any other apartment options that they have
7 at the moment. And then third, yes, there's still a respect
8 for the desire for commercial and where to put commercial.
9 It's not easy to put a daycare center in certain strip centers
10 or power centers or retail centers. Those are very expensive
11 places to rent. And think about the places like a CVS or a
12 restaurant or your favorite casual restaurant, or a big box
13 retailer like Home Depot. Once you do that, that rent is just
14 going to get dragged way up. There's very few opportunities
15 for a daycare center to even make money, much less stay in
16 business. And the reason why they make money is to ensure
17 that these kids are still be able to taking care of. So I
18 think that this site is just a really beautiful option because
19 it's now only been reduced to 10 buildings, only a couple
20 hundred beds, and now a daycare center that will be nice for a
21 family to come in and out and to take care of their kids. But
22 I do understand your points, thank you.

23 MOONEY: Well if I may. Sorry, I don't really want
24 this back and forth, but you talk about the intersection. If
25 you just go down to the next light, that's a medical complex,

1 and you can only go left to right. So you're going to have
2 the same issue down there, and that complex is very busy. And
3 Rural Metro's in the back of it. So just because they can't
4 drive through and it's a gated community - and I understand
5 and respect the gated community issue, there are entrances
6 that are off. So I don't like saying that's a gated
7 community, they can't drive through. They can't drive through
8 on the complex right beside it.

9 GALVIN: Yeah. Chairman Klob and Commissioner
10 Mooney, I understand. I don't want to get into back and forth
11 either, but I understand.

12 KLOB: Very good. Commissioner Scott.

13 SCOTT: I read your proposal, front cover to the
14 back cover, and you know, you seem to understand the target
15 markets on rent, on demographics, on price points, and there's
16 a lot of information there. But my question is, you sent out,
17 I don't know, 1,200 letters. You got 930 letters, plus or
18 minus, in opposition and it would make sense to me that your
19 neighborhood meeting wouldn't start at 5:30 and get over at
20 6:30, that you would have - we all know how the traffic is in
21 that area, and people that work out of town - Chandler,
22 Gilbert, you know, wherever, and then trying to get off at 5
23 and make it for a 5:30 meeting just isn't possible, and I
24 assume a lot of people just didn't show up because they
25 weren't going to make it anyway. But wouldn't it make sense

1 to have a meeting from, say 5:30 to 7:30, or 8, or maybe start
2 at 6 and get off at 8, and then a lot of these people that
3 wrote in letters could have come and addressed you personally,
4 instead of with a piece of paper? So it just appears that you
5 really didn't want anybody to show up, or a lesser amount of
6 people to show up, because you didn't provide the time for
7 average working people that you just got finished talking
8 about.

9 GALVIN: Okay. Chairman Klob, Commissioner Scott,
10 with all due respect, you don't know the motivations of why we
11 were doing these things. We have to do things to comply with
12 the law to have a neighborhood meeting when we're required to
13 do so. But also, I just said earlier in my presentation, a
14 lot of people that are supporting our project are unable to
15 come today because they're working right now. And when you
16 have a neighborhood meeting - I've done thousands of these -
17 neighborhood meetings do better in the evening, you get more
18 of a higher turnout.

19 SCOTT: Right, right, I understand that. I'm just
20 saying one hour isn't sufficient.

21 GALVIN: I'm in the middle of my answer. So if we
22 were trying to have a neighborhood meeting where we didn't
23 want people to show up, we'd probably do it at 8:00, 9:00 in
24 the morning. We did do it in the evening. The other thing is
25 that there's been an ample opportunity for the last several

1 months for people to contact us, to contact staff, to contact
2 the County, and we have taken into account all of those emails
3 and feedback that we have been receiving. And we have been
4 talking directly with people. So I would hate to think that
5 any project or proposal which is hinged only on one
6 neighborhood meeting - to me, every single email, phone call,
7 interaction is a neighborhood meeting, and so we have done
8 everything we possibly can to incorporate all of the
9 objections that we heard. In fact, a lot of projects ignore
10 objections and don't even want to talk about it, but I
11 literally walked through every single one that we heard to
12 show that we have spent the time and that we have listened to
13 people. And we have done so in good faith to address all of
14 their concerns. And I'm just going to highlight one was
15 internalizing the buildings and increasing the setback to show
16 that we're trying to minimize any impact with the neighborhood
17 to the east.

18 SCOTT: Yeah, that's fine and dandy, but the city or
19 the County code is that you will have a meeting between 5 p.m.
20 and 9 p.m. Okay, you had one from 5:30 to 6:30 and that's
21 within that time allocation. My statement to you is, if you
22 wanted to talk to people face to face instead of receiving
23 letters and cards, you would have made that time available for
24 the working people - which you just said most of the people in
25 that area work - to get home, get their kids put to bed or

1 fed, change their clothes, take a shower, and then come down
2 to the meeting and let's have a face-to-face talk. That's my
3 point.

4 GALVIN: Chairman Klob, Commissioner Scott, I would
5 just like to say that if we did everything we can to avoid
6 hearing the objections of neighbors, we would have a
7 completely empty section in that presentation. I think you
8 can see that we literally did hear and incorporate all of the
9 main objections that we've been hearing.

10 SCOTT: No, I've heard that. I'm talking about the
11 availability of time to come down in a comfortable setting and
12 visit. That's what I'm talking about.

13 GALVIN: Okay, appreciate your input, thank you.

14 KLOB: Anybody else?

15 PRANZO: I have just a clarification.

16 KLOB: Commissioner Pranzo.

17 PRANZO: You've got a neighbor to the east, Queen
18 Creek, and you have a neighbor to the west, Florence. I did
19 see that they, if I got this right, voiced opposition to this
20 project. I imagine you had an eyeball-to-eyeball with them as
21 to why they were opposed, could you enlighten me?

22 GALVIN: Well as I under - sorry, Chairman Klob,
23 Commissioner Pranzo - as I understand it, the Town of Queen
24 Creek sent in a letter of opposition, and then one council
25 member from Florence sent in a letter of support.

1 PRANZO: Okay.

2 GALVIN: And I do understand, if you're looking at
3 it from Queen Creek's perspective, that the only people that
4 they're hearing from are residents from Encanterra. But if
5 you heard from all these other organizations that weighed in,
6 they're thinking about Pinal County as a whole.

7 PRANZO: All right, but what was Queen Creek's
8 opposition based on?

9 GALVIN: I believe it was based on the opposition of
10 their constituents in the Encanterra community.

11 PRANZO: So it was political?

12 GALVIN: I'm not saying political, I'm just saying
13 they're hearing the feedback from their constituents.

14 PRANZO: Had nothing to do with their planning area
15 or the interface between the soon-to-be-incorporated San Tan
16 versus Queen Creek?

17 GALVIN: Well Chairman Klob, Commissioner Pranzo,
18 I'm not going to speak for Queen Creek and their motivations
19 or their interests. All I'm saying is that this site should
20 be converted to a mixed-use site involving this multifamily
21 residential, which is addressing the concerns and the issues.
22 And also that it's appropriate to have a daycare center here,
23 and I just don't understand how a commercial site could work
24 here since it hasn't worked here for 19 years.

25 PRANZO: I'm not pushing commercial, I'm just trying

1 to understand the surrounding municipalities.

2 GALVIN: Yeah. And sir, I'm trying not to speak for
3 Queen Creek, you have to ask them.

4 PRANZO: No, I wanted you to speak for yourself if
5 you had any interface with them, and you're telling me you did
6 not.

7 GALVIN: I'm not aware of any interactions with
8 Queen Creek directly. We might have talked to them. I've
9 just been told our office did talk to them, but we
10 respectfully understand every single viewpoint here. We're
11 just trying to proffer and push ours.

12 PRANZO: Yeah, well I'm just digging.

13 GALVIN: Yep. And I'm trying not to attack the Town
14 of Queen Creek, because we have a lot of respect for them as
15 well.

16 PRANZO: Well, they've gone through their growing
17 pains, I've seen it. They've overexpanded. I'm not able to
18 afford it. So, all right.

19 GALVIN: Thank you, sir.

20 KLOB: Commissioner Schnepf.

21 SCHNEPF: So your product looks good. I appreciate
22 the presentation on it and I won't disagree with the need of
23 daycare. However, the heartburn out there in San Tan Valley
24 is seeing all the commercial be converted from commercial to
25 other uses. And what is San Tan Valley lacking? Commercial.

1 19 years ago there was a lot less out there than there is now.
2 Is it the most ideal property for commercial? I don't know,
3 I'm not in that business. And you might hear people say yes,
4 and some will say no. But the spending is not being done in
5 San Tan Valley, it's going to Queen Creek. And it's going to
6 Mesa. And San Tan Valley has its growing pains. And the
7 heartburn is to see, since 2017, roughly almost 200 acres -
8 192 or something like that - be converted from commercial,
9 which that area does lack. So you can see the heartburn to
10 some that live out there and in that area, and people who
11 represent that area, that that's kind of a challenge to see
12 multi-housing or residential, whatever, going in on commercial
13 property that will never, once you rezone it, it's done. It's
14 gone.

15 GALVIN: Right. Chairman Klob and Commissioner
16 Schnepf, I think you make very good points, and I understand
17 the concern about losing commercial. As I said earlier in my
18 presentation, you're going to be hearing today from one of the
19 supporters of this project which owns the property directly to
20 the south, that can talk to you about their particular
21 expertise and how commercial would work on their proposal, but
22 not work on where we're situated. But how, once again, going
23 back to the win-win, if we're able to have multifamily with
24 daycare, which you acknowledge there's a need for, but at the
25 same time still have that commercial come develop across the

1 street, I think that would be great for everyone. So I will
2 leave it up to them to provide that feedback.

3 SCHNEPF: Yeah, I look forward to hearing it.

4 GALVIN: Thank you, sir.

5 KLOB: Any other comments?

6 MOONEY: If I may.

7 KLOB: Commissioner Mooney?

8 MOONEY: Because it was brought up with the topic of
9 Queen Creek, do you know if this is in Queen Creek's planning
10 area? Or does the County know if this is in Queen Creek's
11 planning area?

12 ZAIA-ROBERTS: It is.

13 MOONEY: Thank you for the clarity.

14 KLOB: I have a couple of my own questions. To
15 staff, has there ever been some type of housing needs
16 assessment study done for this area that has been an
17 independent study that we know of?

18 ZAIA-ROBERTS: I can't speak to one being completed.
19 The planning manager may have more information (inaudible).

20 KLOB: I just noticed Harvey stepped out, so I can
21 table that question until he comes back.

22 ZAIA-ROBERTS: That might be ideal.

23 KLOB: Not a problem. I'll come back to the
24 applicant. You were talking about your traffic counts. I'm
25 in the business, so I understand the traffic aspect, and I

1 agree with you. Commercial uses more traffic than
2 residential. It's proven time and time again. A question I
3 have for you on your traffic study, where your counts came
4 from. Are they from actual counts, or are they computer data-
5 driven counts that you've done in your calculation?

6 GALVIN: I'm going to defer to our expert who's here
7 who can provide you that specific answer. His name is Paul
8 Basha.

9 BASHA: Thank you Vice Chair. My name is Paul
10 Basha.

11 KLOB: Paul, did you sign in?

12 BASHA: I will. My name is Paul Basha, I'm a
13 consulting traffic engineer. 50-plus years of experience. We
14 did traffic counts at the site prior to beginning our study.

15 KLOB: So you've done actual hard counts of -

16 BASHA: Actual hard counts.

17 KLOB: Okay.

18 BASHA: We did turning movement counts for 24 hours
19 in 15 minute intervals.

20 KLOB: Done during the week, weekend?

21 BASHA: During the week, the high-volume days. It
22 was either Tuesday, Wednesday, or Thursday, that's when we
23 request the counts.

24 KLOB: Okay.

25 BASHA: Thank you.

1 KLOB: Yeah, the reason I ask that is because we've
2 seen traffic counts where they're data-driven, the computer
3 says it and versus what is actually occurring. So I am glad
4 that you actually went out and did those counts personally.

5 BASHA: Vice Chair, I've seen that same sort of lack
6 of professionalism that you referenced. We do not allow that
7 in our office.

8 KLOB: Very good. Thank you. Also it's my
9 understanding - I didn't see it in one of the graphics - but
10 there's going to be a traffic light at Gantzel and Algarve?

11 GALVIN: There is one there, but the applicant is
12 proposing to reimburse the cost of that traffic light.

13 KLOB: Okay. I just wanted to make sure because
14 that's a potential. The last one, I'm going to take a little
15 bit of exception with kind of getting back in the discussion
16 of the site being commercial. Can we go back to kind of their
17 site plan?

18 GALVIN: So I'm just going to go backwards. Just
19 tell me when to stop, please.

20 KLOB: Yeah. The big overview of the site.

21 GALVIN: I don't know if staff's able to get there
22 faster than my clicker.

23 KLOB: Yeah, I think it's towards the beginning of
24 the presentation. Actually, go back to just showing their
25 site plan. Oh, yeah, that one's fine. You know what, when I

1 look at a difficult site as a design professional, that's not
2 what I see. Big rectangle, clean slate, pretty easy to get
3 access in. It's not pie-shaped, it's not wedge-shaped, it
4 doesn't have a funky little leg coming off of it. It's a big
5 rectangle. So as a design professional, that's a blank slate
6 for me, for whatever I'm designing - whether it be
7 multifamily, retail, commercial, residential, whatever. And I
8 work on sites all the time where we commingle access with some
9 type of private residential streets, gated communities. We
10 can drive all over this valley and see it happen everywhere.
11 So that being an argument that it can never happen, I think
12 really is not an argument, because it's happening everyday and
13 working successfully. And I have a hard time grasping the
14 need that this is the only thing that could happen here. Now,
15 the market has spoken, I will admit to that. If a commercial
16 developer really was, you know, this was a site that was
17 really important to them, they would have figured out a way to
18 build on it, I agree with that. But I think there's enough
19 happening kind of to the north to the south that I'm not
20 buying it. And I do have some heartache here, because I also
21 agree that we need housing for, you know, the lower-income,
22 middle-income people that support this area, and so this is a
23 challenge that I see. And I honestly see both sides to this.
24 But my issue is more trying to, you know, portray that this is
25 the only thing that could be designed here, I think that's a

1 stretch.

2 GALVIN: Well, Mr. Chairman - I'm going to call you
3 Mr. Chairman today, if that's okay. You know, you point out
4 this site. Yes, 14 acres, rectangular, looks great. But as
5 we learned, we don't have to take real estate 101. The three
6 principles of real estate is location, location, location.
7 That is the issue here, it's the location. And also, when we
8 talk about Encanterra, just off the screen here, you have that
9 gated block right there. If you're going to be having a
10 retail site, you don't want it to be there, because you're
11 already limited in terms of where traffic is going to come
12 from. There is no traffic that's going to be coming from the
13 east, it's going to be blocked from the Encanterra site
14 itself. And so it's already in a difficult spot. You also
15 have Painted Desert. If you look at this site and you put it
16 on the busiest intersection that you can think of, yes,
17 absolutely, it would be a home run for retail. It just isn't
18 happening. And it's not because it's rectangular, it's not
19 because it's 14 acres, it's because of the locations. And if
20 there was a good retail opportunity, I can assure you someone
21 would have grabbed it by now, because people are looking,
22 scouring the Pinal County right now for retail opportunities.
23 They just have been overlooking this one because if everyone
24 approaches them for retail, they're just going to be like, no
25 way, no how. And so what do we have here? We have a need.

1 We have a critical need here that was identified by the
2 Arizona Nurses Association, and we have a property owner
3 directly to the south who does believe that they can make
4 commercial work on that side of the street. And so I'm
5 actually telling you - or arguing for you - to you - that I
6 believe that this is the only thing that can work on this site
7 that has failed for the last 19 years.

8 KLOB: And I'll counter that by saying, so we have a
9 full access drive to the north on Gantzel. We have a right
10 in/right out drive, it looks like, to the south on Gantzel.
11 From a design perspective, that's a full access site. Whether
12 we have access down to Algarve or not, it's still a full
13 access site. We've got right in/right out from a primary
14 roadway. So again, I'm just not buying the whole, this is
15 what has to go there. So I think there's lots of options that
16 could make this work.

17 GALVIN: Okay. And I would just argue the blank
18 aerial speaks for itself.

19 KLOB: Very good, thank you. With that, I want to
20 come back. Harvey, I asked a question you had stepped out,
21 I'm sorry. Has there been any kind of housing needs
22 assessment study done for any of this area that's been done by
23 a third party?

24 KRAUSS: Actually, we're in the process - the
25 County's in the process of doing a needs assessment at this

1 time because there is a lack of housing, especially affordable
2 housing, and throughout Pinal County. So that's being done
3 through, I think, the grants coordinator. So they have hired
4 a consultant who is actually in the process of doing that
5 right now.

6 KLOB: Do we have any kind of feedback on anything
7 yet, or is it just too early in that game?

8 KRAUSS: They're still in the data collection and
9 sort of looking at sites. More for lower income sites, and
10 more for subsidized housing, as well as any attainable
11 housing. So they're still searching for that. Nothing to
12 report at this point in time.

13 KLOB: Okay, very good. Thank you.

14 GALVIN: And Mr. Chairman, if I may, I just want to
15 draw a distinction. I'm glad to hear that Pinal County's
16 looking at that, but I don't want this project to be seen as a
17 quote/unquote affordable housing or subsidized housing. This
18 would be apartments for professionals who are gainfully
19 employed, who just have a need to find something that they can
20 afford while they carry out their duties and jobs here in
21 Pinal County.

22 KLOB: Yeah, and my question was more as a - I mean,
23 you understand, I mean a needs assessment says this area needs
24 this type of housing. It could bolster your argument, it
25 could hinder your argument, but, you know, having a third

1 party come in and create that assessment of what is needed for
2 the area.

3 GALVIN: Right. And Mr. Chairman, we're providing
4 you a needs assessment study with this proposal, because this
5 is what the applicant - what Wolff Developers, who does this
6 on a daily basis and are experts in these types of projects,
7 this is what they have identified as a need. And
8 unfortunately if we wait for studies to come, then we're just
9 not going to have progress. So it's incumbent upon you and
10 your important roles and responsibilities to make that
11 determination. But also, when people drive by, they always
12 say, oh, I think this would be a great retail site. Does
13 anyone ever drive by and say, oh, I think this would be a
14 beautiful site for multifamily? It just doesn't happen that
15 often. So when someone comes in here with this offer to help
16 people out and to provide a much needed daycare option, I
17 think it's admirable.

18 KLOB: Very good. Thank you.

19 CAVLIN: Thank you, appreciate it.

20 KLOB: Any other questions for the applicant?

21 SCHNEPF: One question. Since this is in Queen
22 Creek's planning area, have you ever, ever had any talks with
23 them about annexing into the Town of Queen Creek?

24 GALVIN: Not that I'm aware of, no.

25 SCHNEPF: Okay, thanks.

1 KLOB: Any other comments? With that, I'm going to
2 open the public hearing.

3 GALVIN: Thank you.

4 KLOB: Thank you. Section of this case. This is
5 just for case PZ-PD-001-25, which has to do with the PAD
6 aspect of it.

7 GALVIN: I'm sorry, Mr. Chairman, can we just
8 reserve time for rebuttal after public comment?

9 KLOB: There will be.

10 GALVIN: Thank you, appreciate it.

11 KLOB: I have a very large stack of people that have
12 asked to speak to this case. I want to give everybody their
13 time and their opportunity to speak. Like I said, we're going
14 to keep everything to three minutes. Please be concise with
15 your comments. Please don't be redundant. If we've already
16 heard it three or four times, we don't need to hear it 20 or
17 30 more times. The other thing is, please be professional. I
18 won't tolerate clapping, yelling, screaming, hollering, what
19 have you. Let's be cognizant of everybody's time and let's
20 all get through this together. So with that in mind, I've
21 been asked to have - there's four speakers that have asked to
22 come first and then everyone to follow that. So with that, I
23 will ask for Rod Buchanan.

24 BUCHANAN: Thank you Chair and Commission. My
25 name's Rod Buchanan and we have lived in Encanterra for 8

1 years. The developer and their representative knew that
2 Encanterra residents would be very concerned about this
3 commercial development being changed, promised commercial
4 development being changed to more multifamily rezoning. Yet
5 they chose not to expand the minimum 600 foot notification and
6 other open houses that they could have done, literally leaving
7 thousands of people in our community that are directly
8 impacted to scramble to get the word out. They should have
9 done better. It's fueled mistrust and should never have been
10 allowed. Second point is that this project would sharply
11 increase the local population without the infrastructure to
12 support it and eliminate the very commercial land needed to
13 serve it. That's poor policy. Chapter 5 of your own
14 Comprehensive Plan emphasizes the need for economic
15 development, specifically that we must preserve land for
16 commerce. This application clearly is in direct conflict with
17 common sense and the core intent of the 2019 Comprehensive
18 Plan. Just read the introduction. For example, it states, a
19 successful economy does not just happen. Developing
20 infrastructure and preserving areas for commerce requires
21 careful planning and disciplined implementation. And we're
22 looking to all of you for that. Third point, San Tan's
23 anticipated incorporation, which is hopefully coming soon with
24 a citizen-driven general plan, offers a path to smart growth.
25 Like the other cities in Pinal County, a general plan ensures

1 proper zoning and infrastructure. This rezoning request is
2 too fast track, forcing rush decisions and taking advantage of
3 the County approval process rather than a city process.
4 Voting no allows the future of San Tan Valley - or whatever
5 it's called - to shape its own future responsibly and will
6 give them a chance for success by allowing more commercial
7 properties to exist. Please support a community-driven, local
8 planning process by voting no, giving the city of San Tan a
9 chance to thrive before all the land is gone. Let's grow
10 smart, not fast. That's a win-win-win, by the way. Keeping
11 the property commercial preserves future opportunities to help
12 San Tan city become vibrant. Please stop the urban sprawl and
13 start thinking like a municipality would, since your decisions
14 will greatly affect the new city. Thank you, and I look
15 forward to eating and shopping in the future city of San Tan,
16 rather than having to go to Queen Creek like everybody does
17 today. You zoned it commercial for a reason, please keep it
18 commercial. I'll use my last 10 minutes to say there were
19 some mistakes on his slide that I can point out after my three
20 minutes. Thank you.

21 KLOB: Thank you. Any questions for the speaker?
22 Seeing none, thank you. Commissioner Scott.

23 SCOTT: What mistakes were made? If you just want
24 to give us one or two.

25 BUCHANAN: Go to one of the first slides, please.

1 It's the one that shows what's happening to the south of this
2 property. Keep going. Okay, can you stop there for a second?
3 What you've been seeing around Algarve Place, the first thing
4 has just been the top half of Algarve Place up. There's a
5 number of homes that use Algarve Place from the bottom. To
6 say that we don't use that outlet is disingenuous. But the
7 property that's below that, that shows vacant right now, is
8 not vacant. Half of that property is full of homes now. The
9 patio homes that you see popping up everywhere, are already in
10 there. For them to say that's going to be commercial, there's
11 only room for the gas station, and that's it. So it's
12 disingenuous, and that's the wrong picture. It doesn't show
13 the current development of all the homes in that vacant lot
14 right below the yellow sign. Thank you.

15 KLOB: Steve Feller?

16 FELLER: Thank you Commissioners, it's been an
17 lightning afternoon. My name is Steve Feller, I live in
18 Encanterra. I've lived there for seven years. I leased a
19 home for a year and built a home in there at great personal
20 cost and sacrifice to my family. The liquidation of our home
21 in another state was not as favorable as it should have been
22 at the timing. We moved here with great cost. I'm contesting
23 this, particularly, and many of my friends here are. Is we
24 moved here for a lifestyle that is jeopardized by the
25 overdevelopment of this area. We've got - that lot that Rod

1 just pointed out is full of mushroom houses now. I call them
2 mushroom houses because they seem to pop up overnight. These
3 are single family development homes that are very close to
4 single lot subdivisions. I don't know how they get approved
5 and they get built so fast, but they're building them very
6 quickly. All of our people here have skin in the game. We
7 have equity invested in our community, a great deal of equity
8 invested in our community. We're invested here in businesses
9 and other pursuits. We want what's best for our community.
10 We don't think this project offers that to us. We live here.
11 This is our home. We're not from Scottsdale. We live in
12 Encanterra. We live in Pinal County. There's been 359
13 traffic accidents between Gantzel and Combs in a year. 350,
14 that's almost one a day. There's been some very serious
15 accidents there. There's a flaw in that road at Gantzel.
16 There's a curve there right by that new veterinary clinic and
17 a difference in elevation. People that are turning left there
18 can't see the oncoming traffic, the oncoming traffic is going
19 too fast. We need more speed control. Let's get some more
20 cops with radar guns out there. That might help. The density
21 of this project, while it's been reduced from the original 288
22 units, which constituted 25 units per acre, we're now at 20
23 units per acre. Well 20 units per acre is still not
24 comparable to anything around. It's higher than any other
25 project of similar quality. The three story is a monolith.

1 This thing's a Goliath sitting there in the middle of our -
2 looking, peering into our backyards. It'll affect negatively
3 a number of homes in our neighborhood. I think turning this
4 into high density zoning now limits our future development and
5 economic flexibility on this site. To me, commercial zoning,
6 more medical offices. We have Banner Hospital right there.
7 They're building new medical office right up the street on
8 Gantzel, and they're pre-leasing. I think we didn't explore
9 this from a sales perspective, this project, because there was
10 an LOI on it. That's my feeling. Thank you.

11 KLOB: Any questions for the speaker? Very good.
12 Thank you. Next one is Steve Poe.

13 POE: Thank you Commissioner. Or I'm sorry, Chair
14 and Commission Members. My wife and I, Linda, have been
15 living in Encanterra since 2018. We've seen a ton of growth,
16 as you all probably know. I'm here today to voice oppositions
17 that propose zoning change from commercial to multifamily
18 apartments. And according to Realtor.com, as of June 1st - to
19 Karen's point earlier, or Commissioner Mooney's point earlier
20 - San Tan Valley has an almost 11 percent vacancy rate in
21 rentals, with 343 units available today. Common sense asks,
22 why would you build more when there are plenty in the
23 vicinity? Here's some examples. Stella Apartments at the
24 corner of Gary and Hunt Highway, 308 units, 3.7 miles away.
25 Acero Harvest Station Apartments on the corner of Gantzel -

1 I'm sorry, Gary and Combs, 204 units, and it's three miles
2 away. Bungalows at Combs, those are on the east side of the
3 American Leadership Academy on Combs, 317 units, 1.3 miles
4 away. And I'm talking about from the proposed project. And
5 VLux at Queen Creek, there are 241 units, 1.8 miles away, and
6 that's on the west side of American Leadership Academy. So
7 we've also got approved or under construction Village San Tan,
8 which is that little plot there underneath the proposed
9 position there. Those are rental homes. 240 are being built
10 right now as we speak. And if you go down to Gantzel and
11 Bella Vista, there's a 252-unit apartment complex going up
12 right now. And then at Combs and Encanterra, across from our
13 main entrance, it's already been approved for 149 units,
14 rental units, right outside the front gate. So in summary,
15 we've built or approved seven multifamily projects surrounding
16 the proposed project that is now under consideration. With
17 1,070 attainable housing rentals already built and another 641
18 on the way, we should not be cannibalizing our precious
19 commercial and retail property that will provide retail
20 services and tax revenues that are needed to support everyone,
21 including those who will be moving into the area. Thanks for
22 the time.

23 KLOB: Any questions for the speaker? Thank you.
24 And Pat Aritz. Hope I said that right.

25 ARITZ: Close enough. But it is right.

1 KLOB: Thank you.

2 ARITZ: Thank you Vice Chairman and Commissioners.

3 My name is Pat Aritz. I live on Morello Drive, also in
4 Encanterra. Not to be argumentative, but Encanterra is not an
5 age-restricted community. There are two small sections. I do
6 not live in an age-restricted community. And that parcel that
7 we're talking about being vacant for 19 years, in the seven
8 years I've been out here, it's been being farmed. Now, I
9 don't know what vacant means to some people, but it was being
10 farmed until last year. There was cotton farms. Anyway, that
11 notwithstanding, I guess we've heard enough arguments. I
12 can't understand how there would be any benefit to San Tan
13 Valley to have these apartments. It was nice that they threw
14 in a daycare center to make it seem more palatable, but it's
15 zoned already for a daycare center. If a daycare center could
16 go in, it can go in now. It doesn't have to have a zoning
17 change for that. In addition, when we moved here, we were
18 told to expect - and most of us have expected - that we were
19 going to be seeing an increase in goods and services. We're
20 not seeing that, all we're seeing is rooftops and traffic.
21 Somebody mentioned the traffic situation. 359 accidents in
22 less than a year at three intersections: Algarve and Gantzel,
23 Good Life and Gantzel, Combs and Gantzel. I mean that's a
24 pretty big amount of accidents, and all we're going to do is
25 add vehicles. The apartments that are built and not yet

1 online, probably going to add 900 to 1,000 vehicles between
2 Bella Vista and Combs. If there are 240 units, if you work on
3 an average of one and a half cars per unit, talking about
4 another 360 vehicles. The traffic study element - and I'll go
5 along with that, there may be more traffic, but it's not at
6 peak times. And that traffic is redistribution of the
7 vehicles that are already in the marketplace, not new vehicles
8 being added. And that's a big difference. You know, when you
9 already have 10 vehicles going in and out of a medical center,
10 it's different than adding 10 vehicles. Also, Pinal County
11 spent a lot of money doing a leakage study. I'm sure you've
12 all seen that. If not, I can make a copy available
13 afterwards. That leakage study, and talking about the 4
14 million in retail that's going to be generated, where is it
15 going? It's going to Maricopa. We add rooftops, we don't add
16 commercial, we've becoming a dormitory for Maricopa County.
17 And that has to stop. I mean if we incorporate, in
18 particular, San Tan Valley, you need to keep the funds in.
19 And you're not going to make it on just rooftop real estate
20 taxes. We need the retail, commercial, and sales tax revenue
21 stream. And commercial's a funny word, it doesn't always mean
22 box lots. Commercial can mean restaurants, florists, and so
23 forth. Thank you. Any questions, I'd be happy.

24 KLOB: Any questions for the speaker? Thank you.

25 ARITZ: Thank you.

1 KLOB: Next one I have is Dawn Wilkinson.

2 WILKINSON: Good morning Vice Chair and
3 Commissioners. Thank you for this opportunity to speak today.
4 My name is Dawn Wilkinson with Enhancing Early Childhood, and
5 I am working on the childcare crisis and workforce issues here
6 in Pinal County. I'm here to voice strong support for the
7 proposed attainable housing development with onsite childcare,
8 an essential forward-thinking land use decision that addresses
9 two of our County's most urgent infrastructure gaps: housing
10 and accessible childcare. San Tan Valley has been designated
11 as a childcare desert with a 72 percent gap between the number
12 of children needing care and the number of licensed spaces
13 available. That means nearly three out of every four children
14 who need care simply don't have access to it. We are in a
15 childcare crisis that has to be addressed for economic
16 development. When we approve developments that integrate
17 onsite childcare into attainable housing, we are not just
18 approving a project, we are shaping a smarter, more resilient
19 future for our community. Here is why it matters. For
20 families, this is life-changing. Reliable nearby childcare
21 allows parents to find employment, stay employed, pursue
22 education, or work longer hours, all of which increase
23 household stability. No long commutes to drop off a toddler
24 before rushing to work, no need to choose between paying rent
25 and paying childcare. Onsite childcare makes life more

1 manageable and more affordable. Families choose housing based
2 on childcare needs. The empty housing that we see in San Tan
3 Valley right now could possibly be due to the lack of
4 childcare because they're having to go out of San Tan Valley
5 to find childcare. So they're living outside of San Tan
6 Valley. For employers, parents, especially mothers, can re-
7 enter or stay in the workforce when they live near reliable
8 childcare. I was at the Arizona Workforce Development Summit
9 earlier this week and they identified three main barriers for
10 the workforce development. First was childcare. Second was
11 housing. Third was transportation. We have the opportunity
12 to address two of those three barriers with this project.
13 This directly supports local economic development and
14 [employal] stability. Employers have a more stable and
15 productive workforce with lower absenteeism and higher
16 retention rates. With retail and service industries already
17 being built in the San Tan Valley around Home Depot, this
18 project is needed as the infrastructure to support the
19 workforce that is needed for what's already being built. For
20 the children, high quality early care right where they live
21 creates a strong foundation for lifelong success. We know
22 that the early years are critical for brain development and
23 placing care within the home environment helps build
24 continuity and trust between families and educators, creating
25 an environment for young children to thrive. If we want a

1 community where families can afford to live and work, where
2 businesses can hire and grow -

3 ??: Time.

4 WILKINSON: I didn't get my 30 second notice.

5 KLOB: Commissioner Scott.

6 SCOTT: I have a question for you. I understand
7 what you're saying and the great need and all the homes and
8 workplaces and things like that. So with that being said, do
9 you think that it might be appropriate to make this whole
10 rectangle property, the 12.5, into different childcare
11 facilities to facilitate all this?

12 WILKINSON: I think the cost of that for a childcare
13 provider would be unattainable. We are in an industry that
14 doesn't make a lot of money. Our childcare providers don't
15 make money, the industry itself isn't making money, and I
16 think it would be almost impossible for a childcare provider
17 to build from ground up a facility there to be just childcare.

18 SCOTT: Well we already have - you know, they want
19 to put one in there, why not put 10 other ones? That's my
20 general - you know, I understand what you're saying and, you
21 know, finding quality childcare is really important.

22 WILKINSON: It is important.

23 SCOTT: And being you're a professional, I figured
24 I'd just ask.

25 WILKINSON: Yeah, I know, and that's the reason is

1 because the cost for a childcare provider in an under-
2 resourced industry as childcare would not be able to afford to
3 put a childcare facility there. Wonderwise, who is the
4 proposed program, works with churches or other organizations
5 to be able to find locations that can be multi-use type of
6 facilities so that they can afford to have a childcare there.

7 KLOB: Anybody else?

8 SCHNEPF: One question. In your opinion, is there
9 other areas outside of this particular project that there has
10 been the potential of having a daycare in the San Tan Valley
11 area? Other sites?

12 WILKINSON: From what I know now, there are no sites
13 that are available and being planned for childcare.

14 SCHNEPF: Okay, thanks.

15 WILKINSON: I'm trying.

16 KLOB: Anybody else? Thank you.

17 WILKINSON: Thank you.

18 KLOB: Next, I have Bob Hodges. No Bob?

19 ??: Some of those people may have left. They had
20 doctors appointments, etc.

21 KLOB: I'm going to assume this is the same boat,
22 Carolina Hodges. Okay. George Tamayo, it says does not want
23 to speak. So okay. Domingos Santos? And while he's coming
24 up, Leo Velasquez is next on the list.

25 SANTOS: Good afternoon everyone. My name is

1 Domingos Santos. I'm 72 years old. I live in Pinal County at
2 770 West Gum tree Avenue. I'm retired. Multi-family house
3 owner over the years. I've been how crucial it is to provide
4 housing that work for families can actually afford. My
5 interest today is as a citizen who cares about long-term
6 health of housing in Pinal County. The proposed development
7 140 affordable apartment homes, not subsidized, not luxury
8 price, but reasonable price for the missing middle. Teachers,
9 police officers and health aides, administrative workers.
10 These are the people we depend on to make a community run and
11 they deserve a place to live near where they work. Right now,
12 less than five percent of the housing stock in San Tan Valley
13 is multi-family. Most rental options are either very high
14 and/or income restricted. There's almost nothing for everyday
15 working residents (inaudible) too much subsidized that can
16 afford \$2,000 a month. This is just about units, it's about
17 giving dignity and options to real families who want to live
18 near school, work, and childcare. I respectfully urge you to
19 support this proposal. Not just because it's a smart project,
20 but because it's (inaudible) kind of thoughtful, affordable
21 housing Pinal County needs. Let's give our workforce a
22 fighting chance to live where they serve, grow, and raise
23 their family. Thank you.

24 KLOB: Any questions for the speaker? Very good.

25 Thank you, sir.

1 SANTOS: Thank you.

2 KLOB: Leo Velasquez. And next up I have - oh,
3 Pamela Brandis, do you still not want to speak? Okay. And go
4 ahead, sir.

5 VELAZQUEZ: Hello Chair, hello rest of the
6 Commissioners. My name is Leo and I work for Elliott D.
7 Pollack & Company. We did analysis for the proposed
8 apartment. The focus of the analysis was to see if there was
9 an economic benefit to it and if there was a need. For this
10 project, we focused on the San Tan Valley market area. Based
11 on our analysis, we concluded that there is a need for this
12 type of attainable housing, and as well, that there will be an
13 additional spending of \$4.8 million. This equates to around
14 11,000 worth of square, of retail square footage. As was
15 mentioned before, the primary type of housing that's available
16 currently is single family, with multifamily only making less
17 than 5 percent, and most of that being build to rent. Now,
18 build to rent tends to be higher end multifamily, meaning
19 there's not a significant difference in terms of affordability
20 or obtainability rent-wise. The proposed rents here are
21 around \$1,300 to \$1,800, meaning if 30 percent of your income
22 is spent on that, you would need \$55,000 to \$78,000 a year,
23 compared to the \$76,000 to 124,000 that's currently needed.
24 Based on forecasts from MAG and (inaudible), we expect for
25 more employees and more employers to keep coming into this

1 area. This includes occupations such as fast food workers,
2 retail operation, nurses. Based on the current rental market
3 only using those wages, only 25 percent of those people would
4 be able to afford the current level. Meaning with a single
5 income, only 25 percent of them would do that, compared to the
6 35 percent on the homestead apartments. On a dual income,
7 slightly better with 84 percent of being able to afford the
8 current market, but 100 percent of them would be able to
9 afford the current apartment market, the homestead market.
10 Based on what we looked at, homestead apartments provide an
11 excellent opportunity for workforce (inaudible).

12 ??: 30 seconds.

13 VELAZQUEZ: And complements the current and future
14 employees that will be coming to the area. Thank you.

15 KLOB: Thank you. Any questions for the speaker?
16 Thank you. Janet Levine, says you don't want to speak. Okay.
17 Matt Valen.

18 VALEN: Good afternoon, my name is Matt Valen, and
19 I'm a resident of San Tan Valley.

20 KLOB: Sorry for butchering your name.

21 VALEN: No, you're fine. No one gets it right on
22 the first try. I'm here today to express my support for the
23 proposed homestead mixed-use project. With rents between
24 \$1,300 and \$1,800 a month, this multifamily development
25 addresses a major concern for San Tan Valley, which is

1 attainable housing. According to Data USA, San Tan Valley's
2 median property value is about \$365,000 for a home. The
3 median household income is only about \$93,000 a year, which
4 means most working families can barely afford to buy a home.
5 While there may be opposition to building apartments in the
6 area, the idea of owning a home is becoming less of a reality
7 for younger people. With the ever-growing population in San
8 Tan Valley, attainable housing isn't just a want, but it is a
9 need. On average, roughly 30 percent of housing units in the
10 United States are multifamily homes, and in San Tan Valley
11 it's not even 5 percent. The homestead mixed-use project will
12 not only provide 240 high-quality units, but a much-needed
13 childcare facility. This project is a game changer for
14 single-income households, young families, and essential
15 workers. By developing the housing and childcare facility
16 together, it creates a family-first community where working
17 families can afford to live where they work. I strongly urge
18 your support for the homestead mixed-use project as a way of
19 building up a stronger community for the future of San Tan
20 Valley. Thank you.

21 KLOB: Any questions? Thank you, sir. The next one
22 I have is J. Carlson. Oh, it says doesn't want to speak.
23 Good there. And Kelly and Troy Winslow also said they don't
24 want to speak. Jolene Adams, I'm going to assume, said you
25 don't want to speak. Michael Goldstein doesn't want to speak,

1 but the opportunity. No? Kerry Despain also said doesn't
2 want to speak.

3 DAVILA: Mr. Chair, quick question. Are these
4 public commentaries in favor or against?

5 KLOB: Most of them are opposed. And we'll be
6 keeping all these, so they'll track with the record as well.
7 Tammy Figueroa, opposed, but doesn't want to speak. Nyla
8 Scherr, also opposed, does not want to speak. Kenny Scherr,
9 again opposed, does not want to speak. Anthony Romero,
10 opposed, but does not want to speak. Pamela Buchanan, I
11 believe, again opposed, does not want to speak. Mary Ann
12 Brown.

13 ??: Not here.

14 KLOB: Okay. Opposed. Domingos Santos, okay, in
15 favor. Jouan Ghammachi, I apologize, also opposed, does not
16 want to speak. Ned Ghammachi, opposed, doesn't want to speak.
17 Okay, Doreen Romero, or Romeo, sorry, opposed, but does not
18 want to speak. And if you do want to speak, as I'm reading
19 your name, you have the opportunity to do so, just let me
20 know. I believe it's Manson Frost, in favor. Okay. C.
21 DeRosa, opposed, does not want to speak. Raquel Gabriel-
22 Bennewitz, sorry, again opposed, does not want to speak.
23 James Bennewitz - I apologize if I'm butchering your name -
24 again opposed, does not want to speak. Sue Meraczi, opposed,
25 does not want to speak. Janet and Linda Jacobs, again

1 opposed, does not want to speak. Patricia Baumann-Ore,
2 opposed, does not want to speak. Linda Donnelly, opposed,
3 does not want to speak. Christine Bryden, opposed, but does
4 not want to speak. Elsa Costello. And after that I have
5 Brittany Longo.

6 COSTELLO: All right, good afternoon. Dear
7 Honorable Board Members of the Pinal County Supervisors, my
8 name is Elsa Costello, and I am a parent and an educator
9 residing in the San Tan Valley. I've taught science for over
10 13 years now. My husband is a medical provider, and we both
11 do community volunteer work in the San Tan Valley for over 10
12 years now. I'm writing to express my unequivocal support for
13 the proposed project aimed at introducing additional childcare
14 services and affordable housing options to our community. As
15 a parent raising a family in this great community, I can
16 attest to the critical need for quality childcare services.

17 ?: Excuse me ma'am, if you could slide back just a
18 little bit.

19 COSTELLO: Oh, okay. Oh, okay.

20 KLOB: They're pretty sensitive.

21 COSTELLO: All right, sorry, I'm used to holding a
22 mic singing, but not speaking. The expense of childcare has
23 become prohibitive and affordable options are just scarce.
24 Not only are there a few options to choose from, but most
25 classes and centers are overpopulated and they're filled to

1 capacity. It is extremely challenging to find a safe and
2 comfortable learning environment for my children to thrive in,
3 and also environment that's regulated by the state. I don't
4 feel comfortable sending it to just anybody's homes, I want it
5 to be regulated, and I want quality to be the first priority
6 for my children. I am compelled to travel over 40 minutes
7 from my residence to drop off my two children at childcare.
8 It is imperative that we have more childcare options available
9 for working families, enabling them to access quality and
10 reputable childcare centers in close proximity to their homes.
11 San Tan Valley is not only deficient in quality childcare
12 facilities, but also affordable housing options for families.
13 As an educator, I can attest to the inflated home prices that
14 have become a significant barrier for us. New families
15 navigating the home buying process will encounter considerable
16 challenges in securing affordable homes. The proposed project
17 represents a crucial step in transforming San Tan Valley into
18 a community where families can thrive. I strongly encourage
19 the Board members to support and approve this project, which
20 will significantly contribute to a better San Tan Valley for
21 all. We're thinking bigger picture. This is for young
22 families, this is for our children. I urge you to think of
23 them first. I urge you. Thank you very much. I appreciate
24 your time.

25 KLOB: Any questions for? Nope? Thank you.

1 Brittany Longo. And after that I have, I believe it's
2 Jennifer Braxton.

3 LONGO: Good afternoon. Thank you for being here
4 today. As a mom of four kids, I stand with a project that
5 holds real promise for the future for our community - a
6 proposal to expand access to both childcare and housing. We
7 all know that a thriving community starts with strong families
8 and right now too many of our neighbors are struggling to find
9 affordable housing and reliable childcare within a reasonable
10 proximity of their job. As a wife of law enforcement, having
11 my children close to my workplace so they aren't in childcare
12 all day, and a short drive home to enjoy quality time
13 together, is crucial. These are not luxuries, they are
14 foundation that allows parents to work, children to grow and
15 our local economy to flourish. The proposed project aims to
16 create new high quality childcare spaces and increase housing
17 options that are affordable, accessible and sustainable. This
18 is about more than bricks and mortar, it's about peace of mind
19 for parents, opportunities for children and stability for
20 families. This initiative will also bring jobs, stimulate
21 local business and strengthen the community bond that connects
22 us all - Encanterra and non-55 communities. And I believe
23 that this can be done thoughtfully in partnership with
24 residents, with respect for the character of our
25 neighborhoods, and with deep commitment to equity and

1 inclusion. Let's work together to make this vision a reality
2 for our children, for our neighbors and for the future we all
3 share. Thank you.

4 KLOB: Any questions? Thanks. Jennifer Braxton.
5 Okay, she's in favor. Tara Walter.

6 WALTER: Good afternoon Chair and Commissioners, my
7 name is Tara Walter and I am here speaking in favor of this
8 project as an investment in our future - Pinal County's
9 families and our children. If we want a community where
10 families can afford to live and work, where businesses can
11 hire and grow, and where children can thrive from the very
12 beginning, we must invest in models that braid solutions
13 together. Let's not build housing and then wonder why
14 families can't stay. Let's not open jobs and then question
15 why parents can't apply. Let's design our communities with
16 intention and improve every project that includes childcare
17 for our communities. Before the meeting had started, I did
18 share a pamphlet and there is a vast deficit, 72 percent of
19 childcare deficiencies in Pinal County. I was an educator
20 that almost had to leave my career 17 years ago due to no
21 childcare in our area, and if you look around our landscape
22 today, that childcare deficit is growing exponentially as San
23 Tan exceeds over 100,000 residents. We need to make sure that
24 we're working with our partners. Now, Pinal County, you guys
25 are amazing at strategic partnership. This is an opportunity

1 for that strategic partnership to come together, to braid
2 housing and childcare. I do sit on Pinal County First Things
3 First Committee, and this project includes critically needed
4 attainable housing and high quality childcare. Access to
5 early learning opportunities is one of the most significant
6 barriers facing Pinal County families at this time, and it's
7 far too common for our Pinal County families to have to choose
8 between working and having a safe, reliable care for their
9 children. Projects like Homestead are exactly the kind of
10 community solutions that we need. This project creates a
11 family first environment where children can come together and
12 where parents can contribute to the workforce and truly be a
13 valuable, giving member of the community. It supports early
14 childhood development while also strengthening our economy,
15 promoting workforce participation, and helping address the
16 growing demand for quality children in our community. I yield
17 my time for any questions.

18 KLOB: Questions? Thank you.

19 WALTER: Thank you for your time and for your
20 service.

21 KLOB: Next one I have is Vickie Jurena. Didn't
22 want to speak, opposed. Oh, she will?

23 JURENA: Thank you for allowing me to speak. My
24 name is Vickie Jurena. I have been living at Encanterra since
25 2019. I came here with my husband and we were going to build

1 a beautiful life here. Unfortunately, he is not here. He did
2 pass at a very young age, but the problem is, I have a
3 question first. You said that a lot of nurses and police and
4 firemen are going to have these apartments. How is that going
5 to happen? Isn't that discriminatory? I don't mean that in a
6 negative way, but you want something to happen, will it
7 happen? What will we have? And when we came here - and I
8 know some of you on the Board also feel this way - there are
9 no restaurants. No sit down restaurants where we can have a
10 meal. We have to drive to Queen Creek, we have to drive to
11 Signal Butte, Mesa, Gilbert. We go as far as Scottsdale.
12 There is no really good restaurants here. If you keep giving
13 away all of this property to go for housing, there isn't
14 anything left for us, and we were told that there would be.
15 And yet, it hasn't happened. It gets divvied out to every
16 other place. What do they have that we don't have? And it
17 makes me wonder, why did we move here? We were given the
18 ability to come and grow here and I don't see that happening.
19 It just seems to be more and more housing. And as far as - I
20 love childcare coming in, that's not the problem. It's the
21 housing part of it. Keep it commercial, please, for us. Let
22 us have a chance to stay in our homes and live in our valley,
23 and enjoy our valley. Because if we don't, it's going to be
24 gone and we're never going to have the chance to go back to it
25 again. And I didn't plan to speak, I am not a speaker, but

1 you raised some questions, and if I don't say something now,
2 I'll never have the chance. So please think about it. We
3 have a lot of wonderful people in this area. Please let us
4 come and live here and do what we came here to do. Thank you
5 very much to all of you. I appreciate your time.

6 KLOB: Thank you. Any questions? And you did just
7 fine, thanks. All right. I have, it just says Riley. And
8 next on it is Ariana Lacy.

9 RILEY: Hi, my name is Riley, I'm 22 years old, and
10 I've been living in Pinal County for 14 years. I've been
11 looking for an affordable home now for five years and with all
12 the new apartment buildings and the home listings and condos
13 available in the area, I get my hopes up each time and have
14 been disappointed by the cost. I've had the same job for five
15 years, a stable income working 40 hours a week, but in today's
16 economy my income covers basic needs, but not enough for me to
17 live comfortably in my own home. I shouldn't have to search
18 for roommates online and hope that I can find friends
19 available to afford rent. A one bedroom, one bathroom in the
20 area is currently \$2,000 a month. I shouldn't have to choose
21 between affording food and paying for a place to live. I'm
22 grateful that I still have my parents house to live in, but
23 not everybody is as fortunate as I am. I'm in full support of
24 the attainable housing and the additional childcare services
25 being an option in the community. I hope that you're able to

1 see that this is a need, and that it will only provide better
2 opportunities to people in the same situation as me. Thank
3 you.

4 KLOB: Questions? Thank you. Ariana Lacy? Next, I
5 have Gail Russo after that.

6 LACY: Good afternoon, my name is Ariana and I
7 appreciate the chance to speak today. I'm here to voice my
8 support for more attainable apartment housing in our
9 community. As we all know, the cost of living continues to
10 rise and many working individuals and families are struggling
11 to find safe, stable, and affordable places to live.
12 Apartments play a crucial role in addressing this need, and
13 not everyone can afford to buy a home, and apartments provide
14 an essential option for teachers like myself, a 29-year-old
15 who is still living with her grandparents. Childcare workers,
16 first responders, young professionals, seniors on fixed
17 incomes, these are all the people who help keep our town
18 running and they deserve the opportunity to live in the
19 community that they serve. Affordable apartments don't lower
20 the value of our town, they raise the standards of fairness,
21 accessibility, and care. I urge our town leaders to support
22 the efforts that make attainable apartments housing a reality
23 for the future of our town. Thank you for your time.

24 KLOB: Thank you. Any questions? Thank you. Gail
25 Russo? No? All right, she's opposed. Steve Evans. After

1 Steve, I have Michelle Alcazar. We'll wait.

2 EVANS: Hi, my name is Steve Evans, a resident of
3 Encanterra. We've lived there about four years now. Thank
4 you for letting us speak today. I'd like to address the
5 security concerns. Many of our friends have brought up the
6 other issues and I agree with those, but my particular ones
7 relate to security. This proposed development, being some of
8 the lower income housing around, we all know will result in
9 higher burden on emergency services. We live in Encanterra.
10 Neighbors, please raise your hand. Our HOA, run by the
11 builder, Shea, leaves the Algarve by its - it's not Algarve,
12 it's Algarve, it shows a lack of knowledge of our trends of it
13 - into our neighborhood, the gate open into our neighborhood
14 for construction traffic. While this will eventually change,
15 I am concerned that we will be inundated with trespassers and
16 tailgaters coming through our private - to use our private
17 facilities and through traffic, trying to avoid the Gantzel-
18 Combs intersection. Being in Queen Creek, we will be actively
19 reporting trespassers by calling the Queen Creek PD. I assume
20 they will involve the Pinal County Sheriff, so the burden on
21 emergency services will be twofold. I'm also concerned about
22 the increasing theft. We've had more and more burden on
23 emergency services. Most of our neighbors and friends are
24 retired and moved to Encanterra to enjoy the retirement in a
25 quiet and peaceful setting. I'm concerned about noise from

1 the new development of low-income housing. Noise complaints
2 will increase the burden on law enforcement, again Queen Creek
3 and Pinal County. This type of development also typically has
4 a higher turnover rate, so new people are constantly learning
5 the ropes. Again, more burden on community services. If you
6 worked hard for your professional career to eventually live in
7 a quiet, secure neighborhood, would you want a high-density,
8 lower-income, noisy housing next door, literally looking into
9 your backyard? If you think low-income housing is needed -
10 and I don't deny the fact that it might be - let's put it
11 someplace else. Don't put it in our backyard, put it in
12 somebody else's backyard. This is not a win-win-win, it's a
13 lose-lose-lose. Lose lives in accidents, lose land values,
14 and lose security and quality of life. While we all know
15 figures don't lie, life teaches us liars figure. Numbers can
16 be twisted to give any answer desired. Use your common sense
17 when considering the traffic concerns. Are you aware of the
18 four-star commercial restaurant that's open to the public
19 today inside our gates? It's so busy that we as residents
20 have a hard time getting seated. So the comment about
21 commercial customers not being able to build access to
22 business, I would say, build it and they will come. Please
23 stop this development. We would be better served by
24 restaurants, light commercial and medical services.
25 Encanterra neighbors, if you agree, please raise your hands.

1 Thank you very much. And we would have had more people here,
2 dozens more left, but they were tied up in the dog wars. So
3 thank you very much for your time.

4 EVANS: Any questions? Thank you. Yes sir.

5 KLOB: Okay. In your speech you said numbers don't
6 lie, can you give me quantifiable numbers on how it's going to
7 - tangible numbers that's going to raise the crime, the noise
8 and so on?

9 EVANS: No, I'm relying - I don't have tangible
10 numbers. Again, figures don't lie, liar's figure. I've
11 relied upon your common sense.

12 KLOB: Exactly why I'm asking you, numbers don't
13 lie. Show me the numbers.

14 EVANS: I don't have numbers to show that.

15 KLOB: Thank you.

16 EVANS: We have common sense.

17 KLOB: That's not common sense. Numbers speak. You
18 expect the applicant to do it, I'm asking the same of you.

19 EVANS: I don't have those numbers.

20 KLOB: Thank you. Any other questions? Thanks.

21 Michelle Alcazar. There we go. Thank you.

22 ALCAZAR: Hi. Good afternoon, I'm Michelle Alcazar,
23 I live in Encanterra. I currently work. I'm not 55. It's
24 not just a 55 and up community, there's a lot of people that
25 work there and, you know, need to go to different restaurants

1 and stores and shops around the area, but unfortunately we
2 don't have those in Encanterra or anywhere around there. I
3 currently go to Tempe to see a doctor. I go to Gilbert and
4 Queen Creek if I want to go to a decent restaurant of any
5 sort. And so what we're lacking around here is quality
6 businesses, medical offices, and things like that. We're not
7 lacking in housing, unfortunately. There's a lot of housing
8 going around, a lot of apartments going up, a lot of, you
9 know, new home communities going in. Obviously, I mean a lot
10 of people have spoken to that already and it's just sad that
11 our tax dollars are being sent to nearby cities instead of in
12 our own communities where they should be going. People have
13 already addressed the crime and traffic concerns with the
14 apartments, which, you know, may or may not occur, but what
15 I'm concerned about is the parking. Have you guys ever been
16 to an apartment complex that didn't have parking on the street
17 because nobody could park in their own community because
18 there's never enough parking, ever. And so I'm afraid that
19 overflow parking's going to end up on Algarve Street, which is
20 already a very small, congested street. And the other concern
21 I have is like, generally when you're asking for a zoning
22 change, it's because there's a need in the community, and in
23 this case you're asking to change commercial zoning to
24 residential. But I think it's been demonstrated that we
25 aren't having a shortage of residential. There's a ton of

1 residents in this community, so to change this from commercial
2 to residential when we desperately need commercial, I think
3 would be, you know, atrocity to the community. We really need
4 our commercial businesses here. That's all I have to say.

5 KLOB: Any questions? Good, thanks. Next one is
6 Dean.

7 CAPELLETTI: Capelletti.

8 KLOB: There we go, thank you.

9 CAPELLETTI: Thought it would be easy to pronounce.
10 Not quite.

11 KLOB: I've been butchering names all day long.

12 CAPELLETTI: Good afternoon esteemed members of the
13 Planning and Zoning Commission. I come to you this morning,
14 not only as a concerned homeowner, but also as a former
15 employee in the public sector for two decades. As a public
16 sector employee, I served as both a city department director
17 and city department deputy director for two different cities.
18 I share this to inform you that besides sharing the same
19 sentiments as many of the other residents opposed to the
20 zoning change, I'm going to bring some different perspectives
21 and experiences for you to consider. Our area, both San Tan
22 Valley and Queen Creek, I've seen enormous growth recently in
23 both housing and combined with some businesses open on already
24 existing commercial properties. I believe for the most part
25 both cities and the County have done an admirable job of

1 keeping up with, or improving the infrastructure to
2 accommodate the growth. However, growth is growth, and with
3 this growth there has been more vehicle traffic and more
4 vehicle collisions. I'd venture to say that this portion of
5 the roadway, namely from the intersection of Empire and
6 Gantzel, north to the intersection of Gantzel and Combs, has
7 experienced more traffic collisions than other areas within
8 the city. And this with the same population and speed limits.
9 All this traffic and subsequent traffic collisions have
10 occurred without the impending vehicle traffic that will be
11 created by the eventual sales of homes already in production
12 just south of Algarve Place and the opening of Target just
13 north of Gantzel and Combs intersection. Traffic and traffic
14 collisions will get worse, that is just common sense. My
15 primary concern is not just the traffic collisions, but death
16 from traffic collisions. As I shared, I have worked for two
17 different cities and one of the cities was just like Queen
18 Creek and San Tan Valley. It was a relatively unknown city
19 that quickly grew through development - mainly housing. The
20 city did an excellent job of building the infrastructure
21 before the homes or even began construction. The foresight
22 was there. However, even with the widened roadways and
23 traffic signals, there was still one obstacle that could not
24 overcome. The main roadway from one part of the growing city
25 to the other part of the growing city was dissected by a

1 railroad crossing. The railroad crossing had all the standard
2 safety protocols in place - arms, lights, everything you would
3 expect; however, it still acted as a bottleneck for both
4 directions of traffic. It didn't matter how many lanes of
5 traffic you had in either direction before or at the railroad
6 crossing, because it would decrease to two lanes in either
7 direction. Complaints were made, but besides building a
8 costly bridge over the railroad, there wasn't anything that
9 could be done.

10 ??: 30 seconds.

11 CAPELLETTI: Eventually, I'll just get to my point.
12 Someone died. I think that could have been avoided. We have
13 the same exact type of railroad bottleneck south of our
14 complex. I urge you, the Planning Commission, to consider all
15 the ramifications of this parcel change. What are the true
16 costs versus the advantages of this parcel change? Is it
17 worth increased traffic collisions or possibly even death? Is
18 it worth the additional strain on our infrastructure? Is it
19 worth having a proposed childcare center near an exposed high
20 energy power lines?

21 KLOB: Thank you.

22 CAPELLETTI: Thank you.

23 KLOB: Any questions? Thank you, sir. Sandi
24 Johnson opposed, but did not want to speak. Toby Karlquist.

25 KARLQUIST: Appreciate your time. Like many of the

1 neighbors here and those that couldn't be here that had to
2 leave early for various reasons, my wife and I did our due
3 diligence before we moved into Encanterra. We reviewed the
4 surrounding zoning plan and felt confident investing in what
5 we believe will be our last and forever home. This confidence
6 came from knowing that the development of our city has been
7 carefully guided by a master zoning plan created by
8 professionals, vetted by experts, and approved with a long-
9 term vision in mind. That plan accounted for much more than
10 just buildings, it considered traffic flows, density, access
11 to parks, schools, and the proper balance between residential,
12 commercial, and medical services. In short, it was designed
13 to create a city that's functional, safe, and beautiful. Now,
14 you're being asked to set that vision aside. A developer
15 wants to rezone this parcel of land, but nearby residents, and
16 even the City of Queen Creek, stand unified in urging you to
17 deny this request. This proposed zoning change would
18 eliminate potential vital medical and commercial services our
19 community needs, along with the tax revenue they would
20 generate. It would worsen our already strained water supply.
21 Apartments use significantly more water than medical and
22 retail facilities, and it would pack 240 apartment units and a
23 childcare center into an area that was never designed with
24 this level of density. This meeting isn't about just zoning,
25 it's about safety, quality of life, and honoring an existing

1 plan that works. Gantzel Road is already overwhelmed. We're
2 seeing traffic congestion, accidents, and excessive speeds.
3 Now we're looking at potentially 300 plus more cars entering
4 and exiting on Algarve Place. Combine that with the new QT
5 gas station and the 240-unit rental complex that's directly
6 across the street, that will overwhelm an already strained
7 area. None of us are opposed to affordable housing, every
8 great city needs it. But this is not the place. Families
9 deserve a safer, quieter, and more livable environment, not
10 one next to a high-speed corridor with dangerous, limited
11 access points and no buffer. There are better locations in
12 this area, many of them. Places that fit our current zoning
13 plan and serve both new residents and surrounding community
14 more thoughtfully and safely. We are asking that the
15 developer be charged with finding an alternative site that
16 follows the zoning concepts that should be guiding our city
17 and County. This is your moment to uphold the vision this
18 city was built on to protect what works, to ensure our
19 community grows the right way. We request that you allow your
20 hearts and good judgment to guide this decision, a decision
21 that will support the continued emergence of a truly great
22 city.

23 ??: 20 seconds.

24 KARLQUIST: We respectfully ask that you say no to
25 this zoning change and yes to a better future for everyone.

1 Thanks for your time and for doing the right thing.

2 KLOB: Any questions? Thank you, sir. And Debbie
3 Whitecotton, opposed, but does not want to speak. Dale
4 Whitecotton, also opposed, does not want to speak. Terre and
5 Randy Williams, opposed, does not want to speak. Linda
6 Sneath, opposed, does not want to speak. Sandra Peters,
7 doesn't say opposed or in favor, it just says does not want to
8 speak. Terry Allon, opposed, does not want to speak. Okay.

9 ??: So I want to thank you for this opportunity to
10 speak. I actually had originally not planned to say anything.
11 Like many other Encanterra residents, I'm opposed to the
12 housing unit for all the reasons have already been stated.
13 But what concerns me now is a lot of people voicing the need
14 for childcare in this County, and really, it's a nationwide
15 crisis. And so I just want to ask some questions. If the
16 County infrastructure here, the government has done any needs
17 assessments for childcare. Is there any opportunity for
18 subsidized childcare or subsidizing rents in commercial
19 properties for childcare? Have faith-based organizations been
20 approached for childcare? So these are just things that are
21 popping into my mind, how this is not going to be an ideal
22 location for a childcare, because it's just going to service
23 really the residents of that apartment building, so it's not
24 going to address a larger issue. So that's all I want to say,
25 and I want to thank you for your time.

1 KLOB: Thank you. Any questions? Thank you.

2 Teresa Billings, opposed, but does not want to speak. Betty

3 Leighton, opposed, but does not want to speak. Cynthia

4 Crosetti, opposed, does not want to speak. Christine

5 (inaudible).

6 ??: (Inaudible).

7 KLOB: There we go. Okay, come on up.

8 ??: This will be brief, but I just want to

9 reiterate what the lady prior to me said. I've lived here for

10 six years in Queen Creek. I'm retired. My husband was a

11 special ed teacher for 40 years. My daughter is a special ed

12 teacher. She lives off of Meridian. She was able to afford a

13 house. She's only 36 years old. She has a two-year-old and a

14 four-year-old. There is daycare, believe me. The churches

15 have it, the schools have it. There's actually quite a bit of

16 daycare. Some of it is subsidized, some of it is not

17 subsidized, but I don't think having subsidized daycare

18 combined with a low-income housing unit is going to benefit

19 our community and really the whole area as a whole. Like

20 people have said, we need restaurants, we need dry cleaners.

21 We need regular daycare. What about just regular daycare that

22 actually makes money, which is good for the valley? There's

23 things that we need. Subsidized housing and subsidized

24 daycare, there are other places where it would be more

25 beneficial. One other quick thing. If somebody's going north

1 on Gantzel, I'm sorry, north on Gantzel, they turn at the
2 light onto Algarve, which is safer, are they going to be able
3 to turn left? So are they going to take that median on
4 Algarve and chop it up so the people can turn left into the
5 apartment complex, or are they going to have to go for our
6 gate, which is usually open during the day for construction,
7 or go through our gate, maybe use some of our facilities. So
8 there's plenty of reasons and plenty of places that an
9 institution like this or place like this can go. But as a
10 whole, we would really rather see somewhere that's going to
11 make money for the community and for the city. And that's
12 really all I have. Thank you.

13 KLOB: Thank you. Any questions? Gary Rice.
14 Opposed, does not want to speak. Kathie Rice, again opposed,
15 does not want to speak. Monica Parker, opposed, does not want
16 to speak. Michael Parker, opposed, does not want to speak.
17 Susan Parenti, opposed, does not want to speak. Jody and
18 Karen - I apologize, I'm not even going to try it, I'll
19 butcher it - opposed, does not want to speak. Arthur Hopkins,
20 I believe, opposed, does not want to speak. Tara and Edward
21 Burke, opposed, does not want to speak. You want to speak?
22 Okay, come on up.

23 BURKE: Good afternoon, my name is Tara Burke and
24 I've lived in Encanterra since 2019. I want to begin by
25 saying that I work full time and today is a holiday for my

1 company, yet I chose to be here, not because I had to, but
2 because I believe it's important to show up and voice my
3 opposition to this proposed zoning change. My presence here
4 today is a reflection of how strongly I feel about the
5 potential impact that this project could have to the
6 surrounding area. While I understand the intention to support
7 affordable housing for essential workers, it's admirable, but
8 simply building affordable housing doesn't guarantee that the
9 target workforce - first responders, teachers, nurses, etc. -
10 will choose to live there. Thank you for allowing me this
11 opportunity to speak.

12 KLOB: Any questions?

13 BURKE: Oh God no, please.

14 KLOB: Oh, now we all have to ask them.

15 BURKE: Okay, thank you.

16 KLOB: Thank you. I love the honesty. All right,
17 George Sagal, opposed, does not want to speak. Bertha
18 Householder, opposed, does not want to speak. Gerald
19 Kolesiak. He left, okay, just says opposed. Tara Walter.

20 WALTER: You already called me.

21 KLOB: Okay. And I think the next one I got called
22 too, Don Wilkinson, yep. And the rest of these, I believe are
23 for the next cases. Yeah, the rest I have are for the next
24 one. I have one, sorry, one more. Christine Harness.

25 HARNESS: Hi. I actually was here at 8:30 and wound

1 up having to leave when you took your break to take some other
2 people back who were in my car, who had appointments, so I
3 might've missed the answer to these questions, but I am
4 curious. How many children can be accommodated in the daycare
5 center? Was that a question that was asked before and
6 answered?

7 KLOB: We can't get into a Q&A here, but the
8 applicant has your question and he can answer those things.

9 HARNESS: Okay, and the other two things I have are
10 more comments. I went to the meeting last year when the Rose
11 Law Firm hosted Encanterra people, and there was a drawing
12 which I saw before, or a photo of architecture for the
13 apartment complex. It was up there before, I don't see it
14 now. Blue and white. And I specifically asked if that was
15 what they were planning on building, and the answer from the
16 people there in charge was no, we just took this photo. So I
17 don't know what the project's really going to look like. And
18 again, maybe that's a question for you guys. So it's the
19 brown and white one now, not the blue and white? And is that
20 actually a rendering of what it's going to look like? And the
21 other question, which I'm sorry, again, may have been answered
22 when I had to come back here, was the turn lane that I
23 understand they wanted to have between the medical buildings
24 that already exist and the Algarve entrance, you know, sort of
25 in the middle of the street. They wanted to have a left turn

1 lane for the cars coming north. Again, is that something that
2 you addressed?

3 KLOB: Again, the applicant can address these when
4 they come back up.

5 HARNESS: Okay. Do you want me to give you my
6 questions? Thank you.

7 KLOB: Thank you. Okay. And I think I got one
8 last, one more last minute. Michael O'Connor, did you want to
9 speak on this case? Okay.

10 O'CONNOR: Good afternoon Members of the Planning
11 Commission. I appreciate the time to speak with you. My
12 name's Michael O'Connor, I've lived in Encanterra for about a
13 year and a half. A couple of things about me. One, I'm a
14 native of Phoenix, born and raised here my whole life. So
15 I've been around, seen a lot of stuff, been through it a lot.
16 Two, I'm also a software engineer, so I think with pure logic.
17 I've taken critical thinking and a couple of things. The only
18 reason I came to stand up here today and speak is because
19 there's a couple things I heard that didn't make sense to me.
20 The first thing was during the beginning of the presentation,
21 they said there was 23 people or so that verbally said they
22 agreed to the project. According to law, that's hearsay.
23 That shouldn't be admitted, it shouldn't be used as evidence
24 because it's hearsay. I could say a million people said no.
25 Is it true, I don't know. So that was one of my concerns. My

1 other concern is you were not told the truth about our
2 community. We have a lot of people in our community who are
3 retired law enforcement, retired veterans. We even have two
4 or three that are retired law enforcement that were wardens
5 for prisons. So we have a community of people already that
6 are very safe and protected, we don't need more around to help
7 us. We've got our own community. Currently, we have to have
8 a staff member take extra - we have to have an extra staff
9 member at each pool and sit there all day long because we have
10 other people coming from outside of our community to come use
11 our pools. We have a beautiful community, everybody wants to
12 come in there. So we have to have extra people on staff now
13 just to make sure that you have a member card and you belong
14 there. So we're going to - I'm guessing that when this, if
15 this community gets built, we're going to have more issues
16 like that and that's going to cause more problems because a
17 lot of us don't want the trespassers. The other thing that's
18 special about our community, and I feel very blessed about
19 this, I found out during this last Christmas, Encanterra
20 alone, by themselves, provides 90 percent of the Toys for Tots
21 for Pinal County. Now, if there starts to be interactions
22 between these different communities and our community starts
23 to move away, now other kids are going to - kids at Christmas
24 time are going to suffer because they're not going to get
25 their toys, things like that. This community does a lot for

1 Pinal County. And I'm just - I have nothing against people
2 who need housing, things like that, if we could just find a
3 better area that would mesh better, you know. Low and high
4 income doesn't seem like it would mesh too well together, and
5 that's my concern. People's safety. And a lot of people in
6 our community are older too, you know, and the retired law
7 enforcement, they're not going to put up with -

8 ??: 15 seconds.

9 O'CONNOR: - people abusing our community. I know
10 that as a fact. So, but that's it, thank you for your time.

11 KLOB: Thank you. Any questions? Thank you. And
12 Andrea Gillespie.

13 GILLESPIE: Good afternoon, I'm Andrea Gillespie and
14 I actually own the Wonderwise Childcare and Preschool Centers
15 here in the San Tan Valley area. I had something written and
16 most of it has already been shared by those in favor, but I
17 thought it might be helpful to stand here and just ask any of
18 the questions that you guys might have in regards to the
19 childcare. I know several have been brought up, but I'm here
20 if you'd like to -

21 KLOB: Unfortunately, we can't get into a discussion
22 per se, this is just an open forum for you to speak.

23 GILLESPIE: Okay. Well then I'll just say what I
24 wrote. So, when I first heard of this project, I was actually
25 introduced to the Wolff development from Supervisor Goodman.

1 He and I have been having several meetings over the last five
2 years about the lack of childcare in the San Tan Valley area.
3 He's been a huge supporter in helping us try to find places to
4 put more centers. We currently have three, and I will let you
5 know that all three of our centers are at full capacity with
6 multiple pages of wait lists. It's heartbreaking to turn
7 these families away. They don't have a quality childcare.
8 And I want to clear something up. This is not affordable
9 childcare, this is not subsidized childcare, this is just
10 plain old childcare that there is just not enough of in our
11 community. When I first heard this project, I too was like
12 apartments, absolutely not. I don't want to partner with
13 apartments. But the more I looked into it, I realized - I
14 researched the Wolff community, the Wolff development company.
15 They do quality projects. This is not Section 8, this is not
16 government assisted. I just want to make sure people
17 understand what this is. This is just simply a great housing
18 option for a lot of our young singles in the area. Most of my
19 employees are in their mid to late 20s, working full time and
20 have to live with a family member trying to - or they live
21 outside of the area that they work because they just - a lot
22 of them work, live in Apache Junction. They have to go far
23 outside. This is a workforce issue as well, this is not just
24 housing, childcare, this is a workforce issue. If we cannot
25 provide affordable housing for this demographic, that it's a

1 valuable workers - all of us need them. We all want to go to
2 these restaurants. Who do you think works there? These are
3 people that need to afford housing, right? To be able to go
4 to work and live near their work. I understand the
5 opposition's concern. I understand. I definitely understand
6 both sides and I want that to be heard. But something is
7 going to end up in this area, in this dirt. Something's going
8 to end up there, okay? There's going to be traffic issues,
9 there's going to be other issues that arise because of that.
10 I believe that in this project there are two very sustainable
11 options that address a much needed lack currently in the San
12 Tan Valley area. Thank you for your time.

13 KLOB: Any questions?

14 DAVILA: Yes Mr. Chair, if I may. How many families
15 do you anticipate this childcare center serving?

16 GILLESPIE: So we just moved - our Queen Creek
17 location, just moved in. We relocated into a larger facility
18 because we were out of space. We're in a 7,000 square foot
19 building. We moved in in January and we've already outgrown
20 our space since January. So we anticipate about 200 families
21 to be able to be serviced in this new facility.

22 DAVILA: Thank you.

23 GILLESPIE: You're welcome.

24 KLOB: Any other questions? Thank you.

25 GILLESPIE: You're welcome.

1 Klob: And I had a couple more here, so sorry about
2 that. Jerry Cochran.

3 COCHRAN: My name's Jerry Cochran. I'm an attorney,
4 real estate commercial attorney. I first became involved with
5 this property in 2004. We are currently the owners of the
6 property to the south. It was originally 37 acres for
7 commercial property. We are in site plan review for the
8 Circle K property and medical office on our approximately nine
9 acres that are left on this south corner. We are very much in
10 favor of this project. We have worked diligently for those 20
11 years trying to get commercial to this site. This site is a
12 C-minus commercial site. People may wish they get restaurants
13 there, they may wish there. We've had CVS turn it down, we've
14 had Aldi turn it down. It's not ideal. It doesn't have major
15 intersections going both directions. It's not big enough for
16 a power center. It's not big enough to that. So unless you
17 can get an anchor tenant in there, you're not going to get the
18 ancillary restaurants and such. We've got two pads available
19 for a drive-thru type thing, we are getting some interest on
20 that. So there is some coming, but this is a good use. We've
21 got - by my house, there's a QuikTrip and there are apartments
22 around it. You get foot traffic in there from people using
23 that type of thing. It's a good use, this is a good plan.
24 And what you need for commercial, you need the rooftops. You
25 can't just put a color on a map and hope it comes, there's got

1 to be marketability and there's got to be stuff, and this is a
2 good use for that site. Any questions?

3 KLOB: Questions?

4 MOONEY: Yes.

5 KLOB: Commissioner Mooney.

6 MOONEY: As I stated earlier, Supervisor Goodman and
7 staff invited Home Depot to come and look before they listed
8 that property. I'm not sure if you were here when I made that
9 comment. So has anybody been to that location? And not just
10 saying, no I don't want to come, the numbers don't add up, the
11 layout doesn't add up. They've actually been out there and
12 seen the site, because that does sometimes make a difference
13 and it may -

14 COCHRAN: We've had CVS view the site. We've had
15 Aldi people view the site.

16 MOONEY: Okay, that's all I'm asking is, is had
17 somebody been.

18 COCHRAN: Because yes, it's kind of a strange
19 location. It's there, the lower end of that, the 16-17 acres
20 that's now the Empire project, had the power lines and the
21 railroad tracks coming through it, it was a difficult piece to
22 do. That was a good use on it. We are working to get
23 commercial there. We hope the mar - we've got Nathan &
24 Associates, the brokers working diligently trying to get
25 properties there. What, they're the best land brokerage in

1 the Valley. We've been working on this site since 2005, very
2 diligently trying to get things. We've explored assisted
3 living, we've explored that. There's some interest on some
4 self-storage on the site. That's not necessarily a thing, but
5 that's a permitted use under the zoning. It's a very
6 difficult site. As somebody said, as a planning point of
7 view, you got a square piece there, just because it's a square
8 piece and you can plan buildings on it, unless you can get
9 generation of interest for people that could run retail and
10 make a profit from that location, it's dead in the water.

11 MOONEY: Thank you.

12 KLOB: Thank you.

13 COCHRAN: Thank you.

14 KLOB: I think this is the last one. David Brown,
15 opposed. That's all the speaker cards I had for this case. I
16 do have some cards for the other three cases that we'll hear
17 next. Anybody else want to speak to this case? Seeing - oh,
18 got one in the back. Please sign your name.

19 BUBEK: I filled out a form, but I don't know what
20 happened to it. Thank you Chair and Commission, my name is
21 Margaret Bubeck. My family and I chose to move to San Tan
22 Valley in 2004, and we have been and are actively involved in
23 our community. I live in Anthem Merrill Ranch, which is in
24 Pinal County, and everyday I have the privilege of serving
25 Pinal County residents at the Compassion Care Center, which is

1 located close to it in Encanterra. Compassion Connect, the
2 Compassion Care Center, has worked within the Queen Creek-San
3 Tan Valley area for 15 years, providing free medical and
4 dental services. You may have heard of Compassion Queen Creek
5 free medical and dental services that we've held for the past
6 14 years at Poston Butte High School. Working as an intake
7 specialist at the care center, I can say with absolute
8 certainty, the need for affordable housing is real, and it is
9 urgent. For 13 years I have also worked in a program called
10 Building Healthy Families. I helped start the Building
11 Healthy Families program, and I lived with different families
12 in a learning home that was provided. I could give you
13 multiple stories of families I personally worked with who
14 needed someone to come alongside them and provide support, and
15 when they got that, their lives were changed forever. At the
16 Compassion Care Center, the most common request we receive is
17 for rental and housing assistance. Many of them who have
18 faced terrible hardships are struggling with affordable
19 housing. And yes, while there are many apartments here in
20 Queen Creek and San Tan Valley, the cost of the rent for those
21 apartments is unaffordable for many of our families. Unlike
22 this proposed site where the cost of renting would be
23 affordable for those families who are working with multiple
24 jobs and are doing everything they can to survive. They are
25 caregivers, they are service workers, they are parents doing

1 their best to create stability for their children. These are
2 not people looking for handouts, they are looking for a
3 chance. When income-restricted housing is met with
4 resistance, the message received - intended or not - is one of
5 exclusion. It tells struggling families that there's no place
6 for them here, not even near the very neighborhoods they help
7 support everyday through their work and service. The housing
8 is planned near a beautiful and well-established community,
9 but the presence of working families who are facing economic
10 challenges does not diminish a neighborhood's value.

11 ?: 30 seconds.

12 BUBEK: It enhances it. Truly a strong community
13 that welcomes people of all walks of life in their shared
14 community. Financially struggling should never be pushed to
15 the margins. Everyone deserves safety, dignity, and the
16 opportunity to live close where they work and where they
17 contribute. So if not here, where? This isn't just about
18 housing, it's about values. It's about who we are and what
19 kind of community we're choosing to build. Thank you so much
20 for your time and your service.

21 KLOB: Any questions? Thank you. Anybody else wish
22 to speak?

23 WALTER: I'd like to speak, sir.

24 KLOB: And before you get started, Margaret, I did
25 find your card. It was with the other cases. So we got you.

1 WALTER: Yes. My name is Barry Walter. I live in
2 Cave Creek, Carefree, anywhere you want me to live. I'm a
3 United States citizen, okay, and I have been in this country
4 for 70 years. I came here from England and it's a great
5 country, and I've heard good and bad here from a lot of
6 people. But we are a giving community. We are - I'm talking
7 about where I live - we are givers, not takers, and I want to
8 say that everybody here has a good thing to say, but put
9 yourself in our foot. You know, I worked for 55 years for one
10 company and I retired 25 years ago with my wife. And sure, we
11 don't have everything, but you know what? We live and we work
12 hard. And I'm not taking anything away from the people that
13 want to live into our, move into our neighborhood, but there's
14 plenty of jobs. There's plenty of jobs. I see people still
15 working, have signs working for money. We know they're not
16 working, they want free money. And I'd like to see the kids
17 get an education. My wife was an educator, she taught school
18 for 45 years. So we're not that type of people that, you
19 know, saying those things, but I think that we deserve our
20 community. We support our community, and whatever happens is
21 going to happen. But we still love this area and we plan on
22 living here to the day we die. Thank you.

23 KLOB: Thank you. Any questions?

24 WALTER: Sorry, questions?

25 KLOB: Thank you, sir.

1 WALTER: You're welcome.

2 KLOB: I think we had another one. Come on up.

3 Please sign in.

4 PETERSON: Thank you. My name is Judy Peterson, I'm
5 a resident of Encanterra. I didn't intend to speak today.
6 And as you know, many of us in that area, you've heard people
7 speak, the traffic is a really huge issue for us. We use the
8 Algarve gate every day. It's not very long. I hope you will
9 all have an opportunity maybe to see the space that we're
10 talking about here and the amount of traffic and the problems
11 that's going to add. But I think the - and I don't - I mean I
12 think daycare is badly needed. Affordable housing. I was
13 always a working parent, there was no daycare in my day. I
14 had to rely on family and neighbors and friends. And I
15 understand it. And, you know, my children deal with that.
16 So, but I think the issue is the best use for that piece of
17 land, and how does the County figure out how to do that and
18 make it happen? If you look where Banner Health is, that's a
19 four minute drive from the Algarve gate. Up above where the
20 yellow site is, those are medical offices. We just heard the
21 gentleman speak today who said they're building medical
22 offices behind the gas station. There is a stoplight up there
23 now at Banner Health, there is one at Algarve Place. I can -
24 and maybe this is impossible, but I have always wondered, why
25 can't those medical offices be extended down into that area

1 that is yellow where they're talking about these apartments,
2 and there would be access from both lights to get into there.
3 We go through many areas that have many, many - you go into
4 one of those areas, there's lots of medical offices, you know,
5 where we see the dentist right now over in Queen Creek, it's
6 like it. You drive through a big area. It seems illogical
7 not to connect that to the area above and have access from
8 both sides and use it for medical. The hospital is there, we
9 need more medical care in our area. So it seems to me that's
10 a better use of the land. So thank you.

11 KLOB: Thank you. Any questions? Thank you.
12 Anybody else? Anybody else want to speak?

13 ??: Yes.

14 KLOB: You two. Anybody else besides those two?
15 Show of hands. Okay, thank you.

16 SANFORD: My name is Gary Sanford. Yes, I live in
17 Encanterra. You look up the map that's up there right now
18 where the yellow square is, everything just to the east of
19 that, everything from Algarve Place all the way down, there's
20 probably 600 houses there. As the lawyer said earlier, that's
21 1.5 cars per house. There's 900. So they're going in and out
22 of that gate everyday. That's 1,800 cars a day going in and
23 out of that gate. So please think about the amount of traffic
24 just from Encanterra using that gate in itself.

25 KLOB: Thank you.

1 SANFORD: Thank you.

2 KLOB: Any questions? No, thank you. Please.

3 WALTER: I'll write my name down. My name is Susan
4 Walter. I just have a question. I keep hearing the word
5 affordable rent, but then I hear that it's not government
6 subsidized. What is the guarantee that it is going to stay
7 affordable rent?

8 KLOB: We can't get into that here, so it's just a -

9 WALTER: Well, I guess my question is, do you have
10 rent controls here?

11 KLOB: Again, this is for the applicant to address.

12 WALTER: Okay, because I mean I think people should
13 know if this is still going to be affordable three years down
14 the road, or if these people go in thinking they're going to
15 be paying \$1,300, and in a year it's raised to \$1,600 and on
16 up, and then it's no longer affordable, and then what happens?
17 So that's my question. Just curiosity.

18 KLOB: Thank you. Any questions? Anybody else?

19 Anybody? Seeing none, I'm going to close the public hearing
20 portion for PZ-PA-002-25. And with that, I'm going to call
21 the applicant back up. And before you start in, Harvey is - I
22 have a traffic question for the County. Is it hard to get
23 Chris to come down? Yeah, I know.

24 KRAUSS: If you could write it down, maybe we could
25 text him. If you got the question, we can write it and send

1 it to him.

2 KLOB: That's fine, thank you.

3 MOONEY: Vice Chair, if I may?

4 KLOB: Please.

5 MOONEY: I believe you said the wrong case number.

6 KLOB: Did I?

7 MOONEY: You said PA and we're on the first one, PZ-
8 PD-001-25.

9 KLOB: I was going off of the sheet I had written
10 down, so my error. But I did.

11 MOONEY: I just want to make sure it was correct on
12 the record.

13 KLOB: I got a little stack of paper I'm dealing
14 with here.

15 MOONEY: We're on the first one.

16 KLOB: Yes, this is PZ-PD-001-25. There we go. And
17 I'll go back to the applicant, thank you.

18 GALVIN: Thank you all. Thank you Mr. Chairman,
19 thank you Members of the Commission. I think you've done an
20 admirable job today of listening and being respectful for
21 everyone, and I think everyone here did a good job of
22 providing their input and opinions. But I just want to go
23 through. I was writing notes in every single one of the
24 speakers regarding what we heard here today, and I will tell
25 you that I think what we heard from the Encanterra residents -

1 and I understand it, I think it's in good faith - but we heard
2 a lot of emotion, and I think we heard some misconceptions.
3 What we're dealing here today is with facts, and we're talking
4 about facts regarding crime, regarding traffic, and regarding
5 a market analysis over here. There was a question earlier by
6 Commissioner Mooney regarding the history of the property. I
7 think the property owner who walked you through it involving
8 CVS and Aldi, I think, did a really good job. But as I
9 understand it, the property was purchased in 2010, it's been
10 on the market ever since, and there's just never been a
11 commercial entity that's been able to figure out how they
12 could swing something like this. And as we see here on this
13 graphic right in front of you, that is a very difficult site
14 to get and attract the type of commercial activity that you
15 heard the residents of Encanterra asking for to see. I think
16 there's other parts of the community where that type of
17 commercial enterprise would be welcome, and I think would do a
18 good job. But I think you can see here the way this property
19 is situated - as I said earlier, it's about location - you're
20 just not going to see the commercial happening. And they've
21 tried. You've heard it, they've tried. We also heard
22 comments today that this is a childcare desert. No one has
23 refuted that. And in fact, we have information regarding a
24 retail leakage study, and people did talk about retail leakage
25 issues and concerns for San Tan that said there is a need for

1 diversity of rental opportunities for workforce. Because
2 guess what? If you're going to have people working in retail,
3 you need them to live nearby here. We heard from the Elliott
4 Pollack group, the foremost economic study group here in
5 Arizona. They told you that there is a need, and they said
6 that where are the workers going to live? We also heard from
7 people who provided very compelling personal stories, people
8 regarding who live on single income households. One woman
9 said that she is the spouse of a law enforcement official.
10 Another woman said that she is a teacher. All of them
11 detailed in living color for you the struggles that they are
12 seeing. And I see we see a dichotomy here where Encanterra
13 residents are concerned, and I understand that, but you've
14 heard people talk to you about the acute problems that they're
15 having obtaining housing and childcare. We heard about how
16 daycare centers are filled to capacity. And I just want to
17 clear something up from Andrea. She talked about 200
18 families. I think she meant 200 parents, because the
19 information that we have is that they'll be able to serve up
20 to 100 children. And also Mayor Walter said that this is a
21 community solution which addresses and helps families who are
22 just trying to contribute to the community. Once again, I'm
23 going to say, you're not going to get sit-down restaurants at
24 this site, at this location, where it's situated and how it is
25 situated. And also, Encanterra's desire for more commercial,

1 it's just not going to happen at this site, so we'd be happy
2 to see where else it could happen. Also, parking. Parking
3 will be restricted onsite. There will be security. And also,
4 Wolff Development is a great, successful Arizona company
5 that's been run for three generations. They have thousands of
6 units under their control. They're not one of those type of
7 speculative builders who get something zoned differently and
8 then they run away. No, they stick with it and they own it.
9 And also, they have a crime addendum to the lease, so if
10 there's a criminal activity that occurs at the property that's
11 being leased, they're able to end your lease within three
12 days. That doesn't happen in any other type of housing that I
13 can see of. And then there were some questions about
14 subsidized payment for daycare. No, this is a market rate for
15 daycare. This is a private enterprise, just like the
16 apartment complex is the private enterprise. And I think the
17 mandate here for this Board is to do a balancing act in terms
18 of our capitalist society and to see that this property hasn't
19 worked. They've tried with commercial. But when you do the
20 balancing act, you know that this is going to be a good site
21 for multifamily residential, a good site for daycare. But at
22 the same time, ask yourselves, if this gets approved, is it
23 going to harm Encanterra? It won't. It's not going to harm
24 them at all whatsoever. And we heard concerns that people are
25 going to try to sneak over already to try to use the pool.

1 Well, there's a pool here. So maybe we can consult with those
2 folks and see what they can do about consulting about security
3 for a pool. But this is not going to harm Encanterra, but
4 Encanterra is still going to have the issues of a desire for
5 more commercial, but their commercial question is not going to
6 be solved at this site. But moving forward with multifamily
7 and daycare will be tremendous and will be hugely beneficial
8 to Pinal County. Thank you.

9 KLOB: Any questions for the applicant or staff
10 before I bring it back to the dais?

11 SCHNEPF: I have a question.

12 KLOB: Commissioner Schnepf.

13 SCHNEPF: Does the Wolff group enterprises company
14 have any ownership or interest in any other land in this
15 vicinity, in this general area?

16 ??: We're looking, but -

17 GALVIN: No.

18 SCHNEPF: Not currently under your -

19 GALVIN: The answer's no.

20 SCHNEPF: Okay. But you're looking. Okay, thanks.

21 KLOB: Any other questions or comments? It's more
22 of a general one, and I know it's not something that we can
23 actually hold you to, but I need to ask anyway. What's the
24 development schedule on this? Is this something that you're
25 looking, should it proceed forward, you're looking to move

1 quickly on? Or is this something that you're going to sit on
2 for the next 10 years? Very good, thank you.

3 GALVIN: Thank you, sir.

4 KLOB: Anything else before I close this and bring
5 it back to the dais? With that -

6 ??: As soon as possible.

7 ??: Thank you.

8 KLOB: With that, I'll close it and bring it back to
9 the dais for discussion and motion. Anybody want to jump in?
10 Commissioner Mooney. Did I call you out too soon? I saw you
11 push your button.

12 MOONEY: You did see that. I'm on the wrong page,
13 I'm sorry.

14 SCHNEPF: I'll make a comment while Member Mooney's
15 looking for her notes. You know, sometimes we are faced with
16 some cases that aren't so clear cut and dry in the growth of a
17 community. I think this is one of them. It's a good product.
18 There is a need. I hope that daycare, we can find some more
19 facility for them in the area. I feel like there's a need for
20 that. And the product is good, and we do need multi-housing,
21 I agree with that. On the converse, it's hard to see
22 commercial property going when there's not enough of that.
23 Because in San Tan Valley, you have land entitlements already,
24 and so you're far in between on commercial properties that are
25 already zoned commercial. And it becomes a challenge. And I

1 get all the it's not the best location, but if somebody wanted
2 it, they would come. Certain commercial properties wouldn't
3 like this property, I get that. Others might. So it's kind
4 of a challenge for me to see a commercially zoned property be
5 removed since we've already seen so much of it over the -
6 since 2017, go away. So I just wanted to make that comment to
7 the Commission, and I'll leave it at that.

8 MOONEY: Everybody looking at me?

9 ??: Yeah.

10 MOONEY: Okay. So I make a motion, and I move that
11 the Planning and Zoning Commission forward a recommendation of
12 denial for case PZ-PD-001-25 to the Board of Supervisors.

13 KLOB: Do I have a second?

14 SCOTT: I'll second that motion.

15 KLOB: We want to do a roll call vote? Okay.

16 KRAUSS: Okay, Vice Chair Klob.

17 KLOB: Nay.

18 MOONEY: Wait a minute, it's yes to deny.

19 KRAUSS: Yes.

20 MOONEY: So just so we're clear. Okay, all right.

21 Sorry.

22 KRAUSS: So it's Vice Chair.

23 KLOB: Nay.

24 KRAUSS: Commissioner Hartman.

25 HARTMAN: Nay.

1 KRAUSS: Commissioner Keller.

2 MOONEY: Absent.

3 KRAUSS: Commissioner Lizarraga.

4 LIZARRAGA: Nay.

5 KRAUSS: Commissioner Schnepf.

6 SCHNEPF: Aye.

7 KRAUSS: Commissioner Davila.

8 DAVILA: Nay.

9 KRAUSS: Commissioner Mooney.

10 MOONEY: Yes.

11 KRAUSS: Commissioner Pranzo.

12 PRANZO: Nay.

13 KRAUSS: Commissioner Scott.

14 SCOTT: Yes.

15 KRAUSS: I got 1, 2, 3, 4, 5. We have 4 - 5 votes

16 no. 1, 2, yeah. So the motion fails.

17 PRANZO: Motion failed.

18 MOONEY: That's why I was clear.

19 ??: 5-3 motion.

20 KRAUSS: 5 said no, 3 said yes, if I understood you

21 right.

22 ??: (Inaudible) want to deny it.

23 MOONEY: Nobody wanted to make a motion.

24 KLOB: The motion was to deny. 5 voted -

25 MOONEY: Not to deny.

1 KLOB: Not to deny.

2 KRAUSS: Right. 3 voted yes.

3 KLOB: 3 voted yes. So that motion fails. So do we
4 have more discussion or do we want to?

5 DAVILA: Mr. Chair, I'd like to make a counter
6 motion.

7 KLOB: Commissioner Davila.

8 DAVILA: I'd like to move that the Planning and
9 Zoning Commission forward a recommendation of conditional
10 approval for case PZ-PD-001-25 to the Board of Supervisors,
11 subject to the five stipulations in the report.

12 KLOB: Do I have a second?

13 LIZARRAGA: Second.

14 KLOB: Second, Commissioner Lizarraga. Want to do
15 another roll call?

16 KRAUSS: Yes. Go in a different order.
17 Commissioner Scott.

18 SCOTT: No.

19 KRAUSS: Commissioner Pranzo.

20 PRANZO: Yes.

21 KRAUSS: Commissioner Mooney.

22 MOONEY: No.

23 KRAUSS: Commissioner Davila.

24 DAVILA: Yes.

25 KRAUSS: Commissioner Schnepf.

1 SCHNEPF: No.

2 KRAUSS: Commissioner Lizarraga.

3 LIZARRAGA: Yes.

4 KRAUSS: Commissioner Hartman.

5 HARTMAN: Yes.

6 KRAUSS: And Commissioner Klob.

7 KLOB: Yes. 1, 2, 3, 4, 5. Motion passes. Then we
8 have 5 to 3.

9 KLOB: Very good. All right, now we still have
10 three more cases as it relates to this project. We're going
11 to hear the next three cases together, but there will be an
12 individual vote for each one. The first case is the PAD,
13 which is the overlay, which is the land use change. That was
14 just voted to approve to forward to the Board of Supervisors
15 with the stipulations for the PUD - PAD. PAD. Now there's
16 three more cases that are getting ready to be heard for this
17 case.

18 KRAUSS: Vice Chair, let me - for purposes of the
19 public, let me clarify what the first motion was about, was
20 there was a PAD that existed on 1,400 acres, and this was just
21 14 of the 1,400 acres. And so what this did was just divorce
22 this particular parcel from the original PAD. So the next
23 three cases deal with the actual apartment complex, as well as
24 the requirements for the apartment complex. So the first
25 motion did not approve the rezoning and the PAD overlay for

1 this particular parcel, if that makes sense. It was basically
2 what we call a divorce. They got approval to divorce
3 themselves from the old PAD.

4 KLOB: So with that, I'm going to call the next
5 three cases together. This is PZ-PA-022-25, PZ-002-25, and
6 PZ-PD-002-25. And with that, I'll turn it over to Patrick.

7 ZAIA-ROBERTS: Good afternoon again Vice Chair,
8 Members of the Commission. Patrick Zaia-Roberts, Senior
9 Planner here to present case PZ-PA-002-25, PZ-002-25, and PZ-
10 PD-002-25 for the Wolff Gantzel and Algarve multifamily
11 project. I'll kind of try and speed through this one a little
12 bit. There's some additional information that's provided in
13 this staff report, so we'll go through this fairly quickly.
14 This is for the same portion of the parcel, 12.45 acres
15 designated CB-2, owned by 93rd St Crane, LLC, and represented
16 by Rose Law Group and Wolff Enterprises. County map showing
17 the approximate location. Zoning map. Vicinity map. And
18 aerial map showing the existing context. Now, under this
19 consideration, the first item that we're discussing, PZ-PA-
20 002-25, is discussing a Comprehensive Plan redesignation. The
21 current land use designation is Community Center, allowing 8
22 to 16 dwelling units per acre. As this project currently
23 proposes 22 dwelling units per acre, a redesignation to Urban
24 Center is required and proposed. Again, looking north on the
25 property. South. East. And west. And as we saw in the

1 applicant's presentation, this is a preliminary development
2 plan showing the layout that's being proposed for the
3 multifamily portion and the commercial site. And as the
4 applicant also discussed, there was a redesign that was
5 proposed due to concerns with the existing context of the
6 project in trying to integrate this into the San Tan Valley
7 area, being proposed with new architectural designs. This is
8 an image showing the proposed development through a photo
9 rendering looking east across Gantzel Road. Another photo
10 rendering looking northeast from the intersection. The
11 applicant also shared this photo rendering, but this is the
12 photo rendering from the Encanterra site compared to a
13 hypothetical commercial build-out. So the applicant is
14 proposing, under the proposed PAD development standards, some
15 amendments to the existing allowances. Under C-2, the primary
16 building height could be as high as 40 feet. The proposal of
17 the PAD would be to restrict that down to 35 feet as is
18 allowed under CB-2. Additionally, there would be a discussion
19 of a minimum six foot wall between this zone and a rural or
20 residential zone, except for the southeastern entry drive to
21 allow access to the multifamily site near the shared Algarve
22 Place entrance and exit. For the MR portion, typically MR
23 principally allows 36 feet building heights, they would be
24 restricting the project down to 35 feet to be consistent with
25 the existing CB-2. And then reappropriating the 33 feet

1 (inaudible) area of the parcel, minus the required front,
2 rear, and side setbacks to allow for a development of
3 carports. And then additionally, a minimum distance to the
4 front lot line of 23 feet for carport structures. All other
5 structures need to be 60 feet from the front lot line. Under
6 the use changes proposed under the PAD, C-2 would have a
7 restriction. Typically C-2 allows 100,000 square foot
8 developments for commercial, they would be restricting that
9 down to 35,000 square feet to comply with the proposed
10 development for the daycare. Additionally, hotels and motels,
11 self-storage facilities and wireless communication facilities
12 would all be removed from permitted uses for C-2 development.
13 And then for MR allowed uses, they will be retaining the same
14 allowances as base MR zoning, except for a restriction of the
15 development to 240 residential units under the terms of the
16 PAD. So some items for Commission consideration. The
17 submitted application for this land use request are for
18 approval of a Comprehensive Plan amendment to rezone a PAD
19 overlay. Approval of these cases will result in an amendment
20 to the San Tan Valley Special Area Plan from Community Center,
21 8 to 16 dwelling units per acre to Urban Center, 10 plus
22 dwelling units per acre. Rezoning to multi-residence - MR -
23 on 10.9 acres, and then General Business - C-2 - on 1.56
24 acres. And then approval of PAD overlay incorporating amended
25 development standards. The property has legal access and

1 functional circulation under the proposed development plan.
2 As of this morning, staff has received 930 letters of
3 opposition and 88 letters of support, including a letter of
4 opposition from Town of Queen Creek and a letter of support
5 from one Town of Florence City Council member. As discussed
6 previously, the issues of incompatible multi-story and single
7 family development raise a concern, traffic concerns, water
8 resource availability, loss of property values, loss of rural
9 character, and proposed visual impacts to the site. These are
10 four organizations that we received letters from supporting
11 the project. Entryway, Pinal Regional Partnership, AZ Nurses
12 Association, and Pinal Professional Offices. For these cases,
13 staff forwards PZ-PA-002-25 with no proposed stipulations, PZ-
14 002-25 with two proposed stipulations, and PZ-PD-002-25 with
15 12 proposed stipulations. At this point, does the Commission
16 have any questions of staff?

17 KLOB: Any questions for staff?

18 MOONEY: I do have one.

19 KLOB: Commissioner Mooney.

20 MOONEY: Can the County explain, there's not a
21 certificate of assured water for apartments versus developing
22 HOAs and other single family homes and things like that - or I
23 shouldn't say single family, but subdivisions and whatnot, and
24 that's concerning because there have been lots of water
25 issues. So I'm just asking why the County doesn't require it

1 for 240 apartments or any complex that is apartment related.
2 They're just not required. And I don't know if that's you,
3 Patrick, or somebody further up the chain.

4 ZAIA-ROBERTS: As to why that's not a requirement, I
5 would likely refer to Harvey for possibly weigh in on that
6 one.

7 KRAUSS: Well, I don't - that's State law. We just
8 follow State law in regards to the assured water supply. It's
9 not a plat, it's a single parcel and it's not required to have
10 assured water supply. I mean the applicant can address it
11 more thoroughly, but that's -

12 MOONEY: We're not there yet. Okay, I understand.
13 Well, I don't. If it's State law, it's State law, but that
14 will be something we'll have to look into because it doesn't
15 make sense. You have 240 or 2,000 over here, but if we do a
16 2,000 HOA, you have to have an assured water supply for single
17 family and there can be just as many people living in an
18 apartment, a build to rent or whatever, so it's just very
19 frustrating and scary for the water situation.

20 KRAUSS: Yeah. Multi-family is often looked as
21 commercial property, and we don't require for industrial or
22 commercial property.

23 MOONEY: Thank you for the clarification.

24 SCHNEPF: I think the -

25 KLOB: Commissioner Schnepf.

1 SCHNEPF: The definition of subdivision doesn't
2 apply here when it comes to multi-housing. It's one lot, or I
3 think the assured water supply has to be a six or seven more
4 lots within a area. So it is what he said, it State law,
5 unfortunately.

6 KLOB: Any other questions? Hearing none, with
7 that, I'll come back to the applicant.

8 COURCHAINE: Thank you. Chase Courchaine with the
9 Wolff Company, 6710 East Camelback Road. Apologies, Tom had
10 to leave for an appointment. He did a wonderful job giving
11 the presentation, so I don't - unless there's any specific
12 questions for me, I think we can move forward. There will be
13 no presentation, it mirrors what was provided previously.

14 KLOB: Any questions for the applicant before I take
15 it to the public? All right, with that, I will open the
16 public hearing portion of our meeting. I only have a few
17 speaker cards for this, but anybody that's willing to speak,
18 can. The first one - I'm going to try this. Is it Jerry
19 Cohen is in favor. No, okay. Yes. Thank you. All right,
20 Carmen Taibo? No. Opposed. Bob Taibo? Also opposed. Those
21 are all the speaker cards that I had. Would anybody else like
22 to speak on this, feel free. We already have your card, but
23 please state your name again.

24 ARITZ: Pat Aritz. A-R-I-T-Z. 35539 North Morello
25 Drive. We've listened to all the stuff. And yes, we need a

1 daycare. It's already zoned for a daycare. If a daycare was
2 going to be there, if there's a market, it would pop. But I'm
3 going to go back to this. I'm going to go back to the leakage
4 study. The number that the gentleman from Rose put up showed
5 \$4 million of other retail that this apartment complex and so
6 forth would generate. Where is that \$4 million going? It's
7 not staying in San Tan Valley, it's going to Maricopa County.
8 The more rooftops we add, we're not adding jobs. We're not
9 adding anything. We are becoming a dormitory for Maricopa
10 County, and that is not what we're supposed to be. You know,
11 I talk to all the Supervisors. Everybody talks about we're
12 going to grow. You know, if we incorporate, we'll keep all
13 the sales tax revenue and blah, blah. There's no sales tax
14 revenue from rooftops. It's time to stop approving rooftops
15 until we have an infrastructure that can support what we have,
16 and we have a business, commercial, retail, and sales tax
17 revenue stream that we need. We don't need more rooftops. We
18 already have a glut of apartments in San Tan Valley. And on
19 10.63 average, up to 11 percent vacancy rate, and this
20 complex, if you look at a vacancy map according to
21 Realtor.com, this complex is right in the middle of the
22 highest vacancy segment. It just, it makes no sense to me.
23 Not having nothing to do with Encanterra, nothing to do with
24 anything, having to do with the community that we live in. We
25 need goods and services. We don't need more people to live

1 here and spend their money elsewhere and make their money
2 elsewhere. We need things that are going to bring people
3 here. Thank you.

4 KLOB: Any questions? Thank you. Feel free.
5 Please state your name again.

6 FELLER: My name's Steve Feller. I live in
7 Encanterra. This density now is 22 units an acre. It's
8 higher than anything around. It's a ridiculous number of
9 units. The high density aspects of this, in my opinion, are
10 just ridiculous. The highest one around is 16 units an acre.
11 The mushroom houses, they run about 10 units an acre. But
12 this is 22 units an acre. I'm sorry, I just - it's
13 unacceptable. Aside from the economic standpoint, that's all
14 they could build here. I don't buy that. Thank you.

15 KLOB: Thank you. Any questions? Anybody else wish
16 to speak? Please come on up.

17 BUCHANAN: Thank you. I'm Rod Buchanan, still. I
18 wanted to just re-emphasize the point that thousands of people
19 in Encanterra did not get this notice to be able to go to the
20 open house, and therefore I think it's disingenuous for them
21 to say that they listened to everybody. I would have liked
22 the opportunity to look at the traffic report. I want an
23 opportunity to look at any environmental impact studies. It's
24 just beyond me that this is being what I consider pushed
25 forward without the proper vetting from a neighbor. Let's

1 talk about neighbors. The City of - the Town of Queen Creek
2 voted not to support this project. That's a lot different
3 than one other council members from another city. And by the
4 way, when you say that, it's also not proper to say that that
5 person's a council member of another city, because that person
6 is just a person. They don't represent the council or the
7 City of Florence. That is improper to couch it that way. So
8 there's a big difference. Go talk to Queen Creek. There's no
9 rush to put this project into the ground as a building. I
10 just really want to emphasize there's no more property left,
11 and I made what I thought was a really good point. This is a
12 direct conflict with your own Comprehensive Plan and none of
13 you address the fact it says developing infrastructure,
14 preserving areas for commerce requires careful planning and
15 disciplined implementation. You must preserve land for
16 commerce, and nobody's really talking about that and we didn't
17 hear any discussion from the Board on that. Thank you.

18 KLOB: Thank you. Any questions? Please.

19 BARKER: I will sign in. Good afternoon, my name is
20 Linda Barker. I live at 344 East Lime Court and have been in
21 Encanterra for about six years now. My part-time job, as I am
22 72 years old and still working, takes me to San Tan Village
23 because I could not find anything in Queen Creek or San Tan
24 Valley. So I drive 35 to 40 minutes, to 60 minutes to get to
25 that part-time job there and back, and one of the areas that I

1 believe hasn't been brought up is the additional pollution
2 that I see for people like me who have to drive to their jobs
3 and who also have to sit in that traffic at prime times during
4 the day. So during school traffic, I have to leave at least
5 30 minutes early and sit on Combs Avenue for 30 minutes to get
6 through that already existing traffic. Coming home, it takes
7 an additional 30 minutes to get through either Highway 24, or
8 to come down Ironwood, Meridian, or through the Town of Queen
9 Creek. And sometimes I sit through three or four traffic
10 lights on Gantzel just to turn - or excuse me, on Rittenhouse,
11 just to turn left onto Combs Avenue. And then again three or
12 four more traffic lights to get up to Gantzel to make a right-
13 hand turn. So that is a significant amount of time which I
14 give, but so do many others. And we add additional people,
15 additional vehicles. We do not all have electric vehicles, so
16 we are adding that pollution to our city. With the
17 construction, it's already terribly, terribly dirty and we've
18 got the winds and the dirt and those things that affect our
19 yards in Encanterra every single day. So I'm asking again
20 that you really give some thought to this, and to adding that
21 many more vehicles to the road right in the same area where we
22 already have such huge congestion. Please consider the
23 environment. Thank you.

24 KLOB: Thank you. Any questions? Thank you.
25 Please come up. Please sign in.

1 HERZBERG: My name's Doug Herzberg. I live in
2 Encanterra also, I've been there for seven years. One thing I
3 don't think you guys are thinking about is Encanterra is on
4 Gantzel, Combs, and Kenworthy. Currently, they're building
5 two huge subdivisions from Kenworthy all the way to Schnepf
6 Farms on both sides of the road. There's probably going to be
7 4,000 houses there. It's going to bring so much more traffic.
8 And if you go down Schnepf Road, it turns into Skyline. A
9 bunch more construction plots down there. We don't have
10 enough retail stuff. And maybe the price of this lot is too
11 expensive. Maybe that's one reason we're not getting any
12 people to buy that lot. But we need retail more than we need
13 another apartment complex. There's just too much traffic
14 already. By the time the roads get widened, we're going to
15 probably have another 20,000-30,000 people. It's not keeping
16 up with the infrastructure that we need to be able to move in
17 our communities. And then the traffic, the wrecks. I think
18 this is a stupid plan, totally. Not to call anyone stupid,
19 but I just don't think it's valuable for our community. And
20 also in our community, the people's houses that look at the
21 mountains are going to be blocked by this three story
22 building. When they bought their property, they bought the
23 view too. And it's - we live in a beautiful community, we're
24 blessed, all of us from Encanterra. But we need something
25 else besides this thing there. It's going to look terrible,

1 and it's just not going to benefit our community. Thank you.

2 KLOB: Questions for the speaker? Thank you.

3 HERZBERG: Thank you very much.

4 KLOB: Anybody else wish to speak?

5 VESEY: Good afternoon, my name is Terri Vesey.

6 ??: Please go ahead and sign in if you haven't
7 already.

8 VESEY: Do I sign this piece of paper? Okay, before
9 I can talk. Thank you for taking the time to hear all of us
10 and all of our concerns. I am another resident of Encanterra.
11 I still work. The other gentleman that was here said the
12 Algarve was one of the back gates. Well, I live in the back
13 and it takes me five minutes to get to the front of
14 Encanterra. So the Algarve gate is the only gate that I use
15 to egress from my house to go to work. I have almost been t-
16 boned twice on Algarve and Gantzel, trying to go out and do my
17 job. We live in a desert. There's lots of land. We
18 shouldn't be squeezing everything in so tightly, because our
19 roads cannot handle it at all. Especially if you guys are out
20 driving in it. We're all drive in it. And the quality of
21 life. Yes, we need apartment houses. We need what you guys
22 are calling affordable housing. But somebody already brought
23 this up, how long are those going to be at \$1,300? You know,
24 what are the safeguards of Algarve, not having people park out
25 there when somebody in the apartment complex has a party.

1 What is going to prevent those people from coming into
2 Encanterra because they've made a wrong turn? There's just so
3 many negatives about this. We live in a desert, there's lots
4 of land to be used. And I hope that you will take into
5 consideration the fact, the safety issue of the traffic. That
6 is a big thing. I drive about 1,500 miles a month for work.
7 I travel all over the State of Arizona. And coming home in
8 the afternoon, it makes me want to commit Harry Carey. Which
9 I never thought I would say after leaving the State of
10 Washington, and the Puget Sound area. But the traffic here is
11 getting just like that, and people do not stop on red lights.
12 They do not stop because they're in a hurry to die. So, thank
13 you very much.

14 KLOB: Thank you. Any questions? Anybody else wish
15 to speak? Please.

16 WILKINSON: Hi, thank you for this time again.
17 Again, my name is Dawn Wilkinson with Enhancing Early
18 Childhood, and I just want to bring it back to the families
19 and to the community. Imagine you're a working parent living
20 in a high-cost area where housing takes up more than half of
21 your income. And childcare, if you can find a slot, which we
22 heard from Andrea, you can't in San Tan Valley, is either too
23 far away or simply unaffordable. That's the daily reality for
24 many families in our community. We're not just facing a
25 housing crisis, we're facing a childcare crisis too. But what

1 if we can solve both those challenges in this one place?
2 Imagine what it means for families to walk out their front
3 door and to drop off their child at a high-quality early
4 learning program just steps away from their home. No long
5 commutes, no juggling multiple stops before work. No paying
6 childcare costs that's more than rent. Just stability,
7 convenience, and peace of mind. By integrating onsite
8 childcare into attainable housing developments like this, we
9 unlock powerful, practical benefits for families, for
10 employers, and for the broader economy. So today, I urge all
11 of us to think bigger and bolder. Let's not build housing and
12 hope the services come later. Let's design neighborhoods like
13 this that support the whole family from the start. Thank you.

14 KLOB: Thank you. Any questions? Thank you.
15 Anybody else wish to speak? Seeing none, I'm going to close
16 the public comment period. And I do have a quick question if
17 the dais would allow me while Chris Wanamaker is here, to
18 address one item. I want to be cognizant of his time since he
19 wasn't scheduled to be here today.

20 WANAMAKER: Good afternoon Chairman. Chris
21 Wanamaker, County Engineer. Any questions?

22 KLOB: I do. Can we just go back to their overall,
23 their proposed site plan? That works. Chris, some of the
24 things that we heard over and over and over today with public
25 comments was access onto Algarve Place there. And it's a

1 gated part of the community. They're worried about access,
2 people coming in, turning around, trespassing, so on and so
3 forth. My question that I wanted to ask you is from a traffic
4 standpoint, are the two accesses directly off of Gantzel
5 acceptable if we were to create a stipulation where they could
6 not have direct access onto Algarve Road? Or Place, sorry.

7 WANAMAKER: Vice Chairman, yeah, it's a great
8 question. So with the two accesses proposed on Gantzel, if
9 that were the only two accesses, one is primarily for the
10 commercial and one is for the multifamily, so there would need
11 to be cross access. Which their site plan does show that, but
12 it would need to be pretty clear that there is that option.
13 Now, one of the downsides to just requiring access onto
14 Gantzel only is you wouldn't be able to make a southbound left
15 movement because it's left turn restricted, and there's not
16 really a good opportunity to make a U-turn anywhere to the
17 north. So any residents that live in this proposed facility
18 that wanted to go south, they'd have to go pretty far north to
19 be able to make a U-turn. So it may have those detrimental
20 effects of the poor traffic circulation if you eliminated
21 that.

22 KLOB: Okay. And I'm not trying to get into a site
23 plan design here, I just wanted to make sure that if it was a
24 stip that was offered, that it was going to be doable and it
25 wasn't going to be problematic.

1 WANAMAKER: Yeah, it would just, you know, force
2 more traffic to make U-turns at northern intersections. Which
3 I already know at the hospital, Good Life Way, there's U-turns
4 prohibited there for safety reasons. So improvements to that
5 intersection may have to be made to allow that, if at all
6 possible, which I don't know at this point if it is possible
7 to do that.

8 KLOB: What if that access was right out only, it
9 wasn't a full access.

10 WANAMAKER: Yeah. So with your right out access, I
11 mean that's fine. You have access. Again, it just makes it a
12 problem for anybody who wants to go southbound from the
13 apartment complex. Or -

14 KLOB: If they go right out onto - I'm going to
15 butcher it again and I'm sorry - Algarve Place, Algarve - I'll
16 get it.

17 WANAMAKER: Oh, you're talking about restricting it
18 to right in - or right out only?

19 KLOB: Right out only. So they could exit the
20 community right out to the light.

21 WANAMAKER: If you did that, then you would - you
22 would be able to make all directional movements from this
23 site. So if you wanted to go southbound, you would then exit
24 there at Algarve, make a right, and then a left at the signal.
25 So that would presumably have less impact to the traffic

1 circulation, and I don't necessarily see a problem with that.

2 KLOB: I'm just looking at different options. But I
3 didn't want to cause an issue later on with traffic. Thank
4 you for coming in on that. Sorry, we're done with the public
5 side. All right, any questions for Chris while we have him
6 here?

7 MOONEY: Just one. I thought I heard somebody say
8 that - is there a divider on Algarve?

9 WANAMAKER: Vice Chairman and Commissioner Mooney,
10 no, there's not. So right now what would be proposed is
11 basically a full access movement. But anybody making a left,
12 you would end up at the gate and you can't go that direction.
13 So effectively, it's a right out only anyway. But you could,
14 as part of the stipulations, require some sort of median to
15 prevent that kind of movement if you felt it was needed.

16 MOONEY: Okay, thank you.

17 KLOB: Any other questions for Chris? Thank you,
18 Chris, for coming down. I know you weren't expecting it.

19 WANAMAKER: No problem, thank you.

20 KLOB: All right, with that, I'll bring it back to
21 the applicant to discuss any items that were picked up during
22 the public hearing.

23 COURCHAINE: Yeah, we appreciate the additional
24 comments. I think they were addressed in detail previously,
25 so I don't have any further rebuttal to what was previously

1 mentioned. Thank you.

2 KLOB: Thank you. With that, I'll close that
3 portion and bring it back to the dais for discussion, motions,
4 questions, comments.

5 MOONEY: I'm going to make a motion.

6 KLOB: Sure. Commissioner Mooney.

7 MOONEY: I move the Planning and Zoning Commission
8 forward a recommendation of denial for case PZ-PA-002-25 to
9 the Board of Supervisors.

10 KLOB: Do I have a second?

11 PRANZO: I'll second that.

12 KLOB: Second by Commissioner Pranzo. We want to
13 probably do another roll call vote.

14 KRAUSS: Vice Chair Klob.

15 KLOB: Nay.

16 KRAUSS: Commissioner Hartman.

17 HARTMAN: Nay.

18 KRAUSS: Commissioner Lizarraga.

19 LIZARRAGA: Nay.

20 KRAUSS: Commissioner Schnepf.

21 SCHNEPF: Aye.

22 KRAUSS: Commissioner Davila.

23 DAVILA: Quick question. Should I be a no vote
24 since I stepped out for the discussion?

25 MOONEY: Abstain.

1 KRAUSS: What the motion is?

2 DAVILA: No, should I abstain from voting since I
3 stepped out during the discussion?

4 KRAUSS: You don't have to.

5 KLOB: You heard the majority of the presentation
6 from -

7 DAVILA: Earlier, yeah. Okay, thank you. Yay.
8 Yes. Or no? No.

9 KRAUSS: No? Commissioner Mooney.

10 MOONEY: Yes.

11 KRAUSS: Commissioner Pranzo.

12 PRANZO: Yes.

13 KRAUSS: Commissioner Scott.

14 KRAUSS: Yes.

15 KRAUSS: I think we're getting close here. 1, 2, 3,
16 4. We have four no and three - I mean four yes and three no.

17 KLOB: I got four and four.

18 KRAUSS: Oh, 4 and 4, that's correct. So it's a
19 tie.

20 KLOB: Tie fails.

21 KRAUSS: So motion fails.

22 MOONEY: Chairman and Vice Chair, if I may. So we
23 don't have to go through it again. From what I understand,
24 and it's happened in cases before, if it fails, then the other
25 one just happens, because it's going forward with a failure

1 for that. So I don't think we have to vote on it again.

2 We've done this in the past. I just wanted to - it's happened
3 before, so do as you choose, but -

4 DAVILA: Daron?

5 PRANZO: It's going to fail a second time..

6 GAREY: Yeah, excuse me. Vice Chair, Members of the
7 Commission, if the vote fails because it lacks to - or it
8 fails to garner a majority vote, the motion fails. A new
9 motion can be presented.

10 KLOB: Okay. And my question was, if we wanted to
11 go forward, since I can't make the motion, is there a motion
12 that anybody would like to make regarding that access on -
13 that we discussed. Either no access or right-out only access,
14 as part of the stipulations. Or none at all is fine.
15 Whichever.

16 DAVILA: Mr. Chairman, if I may. So Daron, I mean
17 would we even entertain a motion of approval if we know it's
18 going to be 4-4?

19 GAREY: I will - so I'll read the rule. This is
20 from Section 9 of the rules of the Planning and Zoning
21 Commission. Failure of a motion when the question or motion
22 is put to a vote and the affirmative fails to be carried -
23 parenthesis - lacks a majority vote of the quorum - the motion
24 fails. Another question or motion on the same issue may be
25 put to a vote.

1 PRANZO: May be put to a vote.

2 DAVILA: And so, if we do vote and it's 4-4, then it
3 would go to the Board of Supervisors with no recommendation?

4 GAREY: If the Commission fails to pass any type of
5 a recommendation, there would be no recommendation for failure
6 to garner a vote one way or the other.

7 DAVILA: Okay.

8 KLOB: And we have to do all three of these, so -

9 DAVILA: Mr. Chair, I'd like to make a motion.

10 KLOB: Commissioner Davila.

11 DAVILA: I move that the Planning and Zoning
12 Commission forward a recommendation of approval for case PZ-
13 PA-002-25, as well as case PZ -

14 KLOB: We got to do one at a time.

15 DAVILA: One at a time, okay. So yeah, that's it.

16 KLOB: Do I have a second?

17 HARTMAN: I'll second it.

18 KLOB: Second by Commissioner Hartman. Roll call.

19 KRAUSS: Commissioner Scott. The recommendation is
20 for approval.

21 SCOTT: No.

22 KRAUSS: Okay. Commissioner Pranzo.

23 PRANZO: No.

24 KRAUSS: Commissioner Mooney.

25 MOONEY: No.

1 KRAUSS: Commissioner Davila.

2 DAVILA: Yes.

3 KRAUSS: Commissioner Schnepf.

4 SCHNEPF: No.

5 KRAUSS: Oh, we're getting there. Commissioner
6 Lizarraga.

7 LIZARRAGA: No.

8 KRAUSS: Let's see. Commissioner Hartman.

9 HARTMAN: Yes.

10 KRAUSS: And Commissioner Klob.

11 KLOB: Yes.

12 KRAUSS: Well, that motion failed. 5-3. It was not
13 approved, it failed.

14 KLOB: Yeah. So, how do we go forward with this
15 one?

16 KRAUSS: We're done. Well no, it's not the same
17 vote. It's 5 to 3, it failed. It was recommended for
18 approval and it failed, so it's denied. But then we need to
19 vote on that third one.

20 GAREY: Let me have just one second, Vice Chair.
21 Vice Chair, just to clarify then. My understanding is that
22 the original motion failed. The second motion also failed to
23 garner a majority, and so there's effectively no
24 recommendation from the Commission as to that matter.

25 KLOB: Okay.

1 GAREY: So if I can just rehash things. I
2 apologize, I stepped out for a moment and I came in kind of
3 halfway through the voting procedure. The last motion was
4 made by Commissioner Davila, correct? And your motion was?

5 DAVILA: To approve.

6 GAREY: To forward a recommendation of approval to
7 the Board of Supervisors.

8 DAVILA: Correct.

9 GAREY: And Harvey, if you could please reiterate
10 how many voted in favor of forwarding a recommendation of
11 approval? Three voted in favor of forwarding recommendation
12 of approval.

13 KRAUSS: Five voted no.

14 GAREY: And five voted no. So the forwarding
15 recommendation of approval failed.

16 KRAUSS: Correct.

17 GAREY: Correct. So both of those - so that motion
18 fails as well. So, we do not have a motion that's been put
19 forward before the Commission that has garnered a majority
20 vote, correct?

21 KLOB: Correct.

22 GAREY: So effectively there is no recommendation
23 being forwarded by the Commission to the Board of Supervisors.

24 KRAUSS: Well no, it's a recommendation (inaudible),
25 a denial. It failed.

1 KLOB: But the failure recommendation also failed.

2 DAVILA: It's a positive and a negative, so it
3 counterbalanced each other.

4 GAREY: Again, let's rehash this just for clarity of
5 the record. Which means it failed. So that one failed also.
6 So you don't have a motion that's been approved. There has
7 not been a motion made to forward a recommendation of approval
8 or denial to the Board.

9 KLOB: Correct.

10 GAREY: There's no recommendation, so the matter
11 would go forward to the Board of Supervisors. Effectively,
12 there is no recommendation that this Commission has made. All
13 of the motions that have been put forward have failed. And
14 now a record will be made for the Board of Supervisors to
15 understand who voted, which ways, and how many votes were
16 made. Again, this is a recommending body. The Board of
17 Supervisors will have the ultimate authority to make a
18 decision on this case. So they will have a record of the
19 votes and what happened here at these proceedings today. But
20 there was not a motion that's been made that has garnered a
21 majority vote. And I'll read here again, Second 9. When the
22 question is put to a vote and the affirmative fails to be
23 carried. So in this case, the affirmative has failed to be
24 carried on both motions. If my understanding is correct,
25 that's exactly what happened. Then another question or motion

1 on the same issue may be put to vote, which is exactly what
2 happened. But it also failed. So again, effectively, there
3 has been no motion that has carried with an affirmative vote.

4 KRAUSS: Correct.

5 KLOB: Now, since there is essentially a no
6 affirmative vote action on that case, how does that apply to
7 the other two? Because don't we have to have a positive vote
8 to carry the other two forward?

9 GAREY: You can vote on each matter that's agendized
10 before the Commission today, or should be voted on. I
11 understand they're tied together and it may not make sense to
12 approve one if you don't approve the other -

13 KLOB: But one can - and I apologize for
14 interrupting you - one couldn't be approved without the first
15 one passing.

16 GAREY: If you're talking about a PAD and a rezone,
17 or -

18 KLOB: Yeah.

19 GAREY: Well, it may not functionally be able to
20 happen, but you can still forward a recommendation. Whether
21 or not that makes sense, that's another matter. But the issue
22 can be put before the Commission for a vote. Again, whether
23 or not it makes sense, that's another matter altogether. But
24 the Board of Supervisors will have a record of everything that
25 happened today and the way that people voted, the way that the

1 Commission voted on the matters.

2 KLOB: Okay.

3 SCHNEPF: So we should probably vote on all three of
4 them, just to give the Board of Supervisors a no
5 recommendation or a recommendation.

6 GAREY: Correct. To keep the record clean, there
7 should be - each matter's been agendized today and so the
8 Commission should hear, or should vote on each one of those
9 matters.

10 KLOB: Okay. So I'll bring it back for PZ-002-25.

11 MOONEY: If I may.

12 KLOB: Commissioner Mooney.

13 MOONEY: I move the Planning and Zoning Commission
14 forward a recommendation of a denial for case PZ-PD-002-25.
15 That's the number they have here, they've got it written
16 wrong. I'm sorry. PZ-00-25.

17 KLOB: Do I have a -

18 PRANZO: I second to that motion.

19 KLOB: I have a second. Let's try it again.

20 KRAUSS: All right, we'll do it one more time this
21 time. Vice Chair Klob.

22 KLOB: Nay.

23 KRAUSS: No. Commissioner Hartman.

24 HARTMAN: Nay.

25 KRAUSS: Commissioner Lizarraga.

1 LIZARRAGA: Nay.

2 KRAUSS: Commissioner Schnepf.

3 SCHNEPF: Aye.

4 DAVILA: Commissioner Davila.

5 DAVILA: Nay.

6 KRAUSS: Commissioner Mooney.

7 MOONEY: Yes.

8 KRAUSS: Commissioner Pranzo.

9 PRANZO: Yes.

10 KRAUSS: Yes. Commissioner Scott.

11 SCOTT: Yes.

12 KRAUSS: So what we got? We have 4 to 4, so the

13 motion fails. I think we're done. Oh yeah, we have one more.

14 One more. One more case to vote on.

15 DAVILA: Mr. Chair, I'd like to make a motion.

16 KLOB: Commissioner Davila.

17 DAVILA: This is in regards to the PAD overlay. I'd

18 like to move that we submit a recommendation of approval to

19 the Board of Supervisors for case PZ-PD-002-25.

20 KLOB: Do I have a second?

21 HARTMAN: Second.

22 KRAUSS: Commissioner Lizarraga.

23 LIZARRAGA: Commissioner Scott.

24 SCOTT: No.

25 KRAUSS: Is that a no? Okay. Commissioner Pranzo.

1 PRANZO: Nay.

2 KRAUSS: Commissioner Mooney.

3 MOONEY: No.

4 KRAUSS: Commissioner Davila.

5 DAVILA: Yay.

6 KRAUSS: Commissioner Schnepf.

7 SCHNEPF: Nay.

8 KRAUSS: Commissioner Lizarraga.

9 LIZARRAGA: Nay.

10 KRAUSS: Commissioner Hartman.

11 HARTMAN: Aye.

12 KRAUSS: Vice Chair Klob.

13 KLOB: Yes.

14 KRAUSS: Yes. So it's 5 to 3, motion failed. So

15 okay, nothing passed. I just wanted to just clarify

16 something. I think the first case, once again, was a divorce

17 from the old PAD. So, that case stands by itself. That

18 doesn't give them entitlements, but I just want to let you

19 know that passed. That motion passed. The other three items

20 failed. Or they're no recommendation, as the attorney said.

21 So that's a standalone matter. So that doesn't give them any

22 entitlements or doesn't do anything for them to allow for

23 building activity, it just allows them to be divorced from the

24 old PAD. So they're a standalone, they can be a standalone

25 PAD. But they don't have a PAD since that motion failed, if

1 that makes sense. I know it's very complicated, I'm sorry.
2 Yes, I could do a chart. We'll do a flow chart later.
3 Another announcement. I know it's the hour's getting, it's
4 about 4:43. I'll have some staff limitations. Some of our
5 staff has to leave at five since they carpool. Some stay till
6 6. So we're up against the clock. I was - if the Commission
7 so desires, we can recess the meeting till next week. The
8 earliest - I was looking at the calendar - Wednesday morning
9 would work for us, if it works for the Commission. We would
10 need to recess so we can repost the - I can't hear you,
11 Jessica.

12 SARKISSIAN: I don't think I'll be more than 10 or
13 15 minutes. My clients won't be here (inaudible).

14 KRAUSS: If you want to handle the next case, that's
15 your prerogative. We can stay. We can stay another 15.

16 KLOB: Yeah, so we're closed out of the San Tan
17 Valley case, then?

18 KRAUSS: Yes, we are.

19 KLOB: Okay. So thank you guys.

20 KRAUSS: You're welcome. No, just that one case.
21 We can do one case. Just do one case.

22 KLOB: I'm going to do a five minute recess.

23 [Recess]

24 KLOB: We're going to reconvene the Planning and
25 Zoning Commission hearing. Do I have a motion?

1 MOONEY: So moved.

2 KLOB: Second?

3 SCOTT: Second.

4 KLOB: Very good. Thank you. And with that, do we
5 want to do a housekeeping notice before we jump into this next
6 case?

7 KRAUSS: I think we need to move along with the case
8 and we can discuss other things afterward.

9 KLOB: Very good. And with that, we'll pick up SUP-
10 020-24. It's all yours.

11 RILEY: All right. Good evening Vice Chair, Members
12 of the Commission. My name's Kendall Riley, title planner,
13 here to present to you case SUP-020-24, Moto Land MX Park.
14 This is a request of the approval of a special use permit to
15 operate a motocross park on 120 acres. It is located on the
16 southeast corner of South Sisler Road, West Hanna Road, within
17 the unincorporated portion of Casa Grande. Applicant and
18 agent is Jessica Sarkissian. Here's a County map showing the
19 approximate location marked by the red star. Here's a
20 vicinity map showing the surrounding zonings. It is entirely
21 surrounded by General Rural. Here's an aerial map showing the
22 existing features. So the Santa Cruz Wash does run along on
23 the eastern portion. The track is existing and is there
24 currently. And I think that's all I had on the aerial map.
25 All right. Here's the notification boundary for the property

1 owners notified within 600 feet. So the subject property is
2 zoned General Rural. This special use permit will allow a
3 motocross racetrack. Development Services Code special use
4 allowed, does allow for a racetrack in General Rural. All
5 motocross events can only occur within the hours of 8 a.m. and
6 9 p.m., except during the summer months of June due to the
7 heat. Earlier hours were requested from June, July, and
8 August, from 7 a.m. to 9 p.m. Applicant must use dust control
9 measures on the track while operational. Current site
10 conditions. So the entire parcel is located in flood zone AE.
11 And the track is existing with existing storage buildings
12 onsite with plans of portable restrooms for facilities.
13 Here's a site plan, and I also zoomed in on the parking area.
14 They did provide ample parking, 10 x 20 spaces. Also showing
15 the existing structures onsite. In August 2022, a complaint
16 was submitted regarding structures without permits and the use
17 of the property as a motocross track without an SUP. Case
18 number is following. Upon research from staff into the code,
19 applicant was advised to apply for a special use permit to
20 allow the racetrack in GR zoning. So subject site is existing
21 and applicant does wish to continue operations with the
22 approval of this SUP. And low density residential is
23 surrounding the site. Just want to confirm that you guys got
24 the updated staff reports prior to the meeting. I had them
25 distributed. There was some stipulations that were added

1 since then to clarify some of the existing stipulations, as
2 well as we received two letters of opposition, and then three
3 additional letters of support which I provided as well. One
4 of the opposition persons wanted me to let you know that he
5 could not stay for the rest of the meeting, but he wanted to
6 make sure that you guys got the letter. He wanted me to state
7 that in the record and his name was Walter Catton. And that
8 concludes my presentation, is there any questions for staff?

9 HARTMAN: A question on the dust control. Is there
10 an onsite well?

11 RILEY: I would have to defer to the applicant for
12 that.

13 HARTMAN: Okay. So I assume that's where they get
14 their water.

15 RILEY: Their site plan also showed some existing
16 tanks as well. I don't know if that was used for water or
17 not. It was? Okay.

18 KLOB: Commissioner Mooney.

19 MOONEY: Kendall, do you have the differences
20 between what was handed out this morning for the stipulations?

21 RILEY: Yes. Next slide. So the highlighted
22 portions were the portions that were amended or added. So we
23 included the noise ordinance, and we also changed the hours of
24 operation to the earlier time from 7 a.m. during the summer
25 months. And then we also mirrored the operational hours to

1 mirror the noise ordinance.

2 MOONEY: Okay. So actually those are in our packet,
3 the highlighted portions from what you handed out.

4 RILEY: Yes. Yes.

5 MOONEY: I thought they were different.

6 RILEY: So I gave you the new version without the
7 highlights.

8 MOONEY: Gotcha. Okay. All right, thank you.

9 SCHNEPF: Was that it for the stips that were added?

10 RILEY: Yes.

11 SCHNEPF: Just the three? Okay.

12 RILEY: And then I also updated the letters of
13 opposition and support in your staff report as well.

14 KLOB: Any other questions? With that, I'll bring
15 up the applicant.

16 SARKISSIAN: Thank you. Can you load the
17 PowerPoint, please? Jessica Sarkissian, Upfront Planning,
18 representing the owner at Motor Park, Motocross RX. But yeah,
19 thank you guys. So I really, really very much appreciate it.
20 It's been a long day and I appreciate your guys' time doing
21 this. I'll just kind of start talking. So there it is,
22 perfect. So you can see it is for the special use permit.
23 You can see how that's what a motocross is. It's not cars, it
24 is dirt bikes. And they range from all ages of users. And
25 there you can see the existing, the track with the boundary.

1 So you can also see that the track encompasses on the western
2 side and that other 40 acres on the east, it's not being
3 touched. It's not doing anything. We've been working with
4 Chris, actually, and the drainage guys on that. We submitted
5 an extra drainage report because of that, just to show the no
6 impact over, which we'll talk about. So it's 120 gross acres
7 on these two parcels, really only encompassing 80 of it.
8 Current zoning is General Rural, proposed special use permit
9 to allow motocross parking. This is a general plan. This
10 looks like an old one, not my current one I was asking for.
11 I'll go through it, but I had done some stipulations in here
12 and I don't know if they're going to show up on the - in this
13 because I think they had the old PowerPoint. But anyways,
14 those (inaudible) are used currently for the operation of
15 motocross, including recreation club, including track space,
16 bleachers, and parking. It does not allow for stuff on the
17 western - eastern side. It has actually existed as a
18 motocross park since 2006 when it was as a public access. And
19 before that, it was a private motocross park that their owner
20 did, which is not the current owner. It was sold since
21 between those times. They did it under a (inaudible) at that
22 time, they did not get a use permit because they were
23 considered non-profit. There's been such discussion since
24 then, and so that's when the circumstances changed where it
25 was now for-profit and so we're coming in for a use permit.

1 They purchased the property in 2021 with the intent to
2 continue the use. The park services motocross riders all
3 across levels of Arizona. And the use fits in the rural area
4 and is a low impact to the site, maintaining (inaudible) rural
5 character. Operates with restrictions agreed to in the
6 stipulations on hours and noise control and dust control. So
7 hours are generally 8 to 10 p.m. as per the strips and some of
8 them, but typically it would be around - we're requesting 6
9 a.m. to 11 a.m., however, the code will only allow us from 7
10 a.m., so we're agreeing to the 7 a.m. They typically operate
11 in five-hour blocks, with events held up to six times per year
12 and occasional weekdays in the winter months during holidays.
13 They have events up to six to eight times a year. Yeah, this
14 is definitely my old PowerPoint. I don't know if you guys can
15 find it. The one I gave you this morning. No, I gave it to
16 them.

17 RILEY: Oh, you gave it to them?

18 SARKISSIAN: Because it's not going to have the
19 stipulation modifications I want you guys to see, so it makes
20 it easier. And so they have the more weekend events like a
21 Friday, Saturday, Sunday type event. Those are the ones that
22 are held more like seven times a year. And so those are the
23 things that - the other times it's just training and
24 practicing and stuff like that. So that's the request is for
25 to continue that operation. We had our neighborhood meeting,

1 we had neighbors there. You guys have copies of that as well.
2 They've also had letters of support. The neighbor actually
3 that wrote the letter was unable to be here. He actually was
4 attending at the neighborhood meeting and had, I guess, some
5 issues - yeah, this is the correct one - and had some issues
6 with the previous owner. And so since then, this owner has
7 gone and remedied a lot of these things, which I'm going to
8 show you right here. The addressing issue. The addressing
9 issue we can definitely solve, we want to solve. We don't
10 want to have their address on it. I know that was his
11 concern. Previously, the owner did not permit any of his
12 buildings, so all those unpermitted buildings have since been
13 demolished. And if you do not have a permit, you do not get a
14 address. And so the hope is that when we get this approved,
15 we go in for permits and then you get your address. And so
16 that's the process, you can't just ask for an address. Dust
17 control. We have a custom mixture used on the track to ensure
18 durability and dust control from the hills and bike activity.
19 They use the water truck from the wells and they will pump two
20 to three hours depending on how dry the conditions are prior
21 to an event to make sure that there's no issues. And then if
22 they need to, they also spray during the event if it gets dry
23 again. Oleanders bordering the west side against the
24 neighbor's property are five feet tall. You can see them,
25 they've already been installed along that entire site. The

1 yellow line is actually a solid block wall, and then the green
2 is the oleanders with the screens, the fence with the slatted
3 stuff in there. And then track works occurs during weekdays,
4 there's no work at night. I know they mentioned that he
5 thought some work was occurring at night. That wasn't.
6 There's no work occurring at night. He might just be seeing
7 the water truck going around hosing it down or something in
8 the morning. But this is currently - this is what we have out
9 there to handle with the visual adjacent to that property.
10 That is the only property that is really occupied anywhere or
11 any house near this, bordering his property. The drainage, as
12 we mentioned before, we did an extra drainage study because of
13 the Santa Cruz, and the summary was the alteration has had
14 minimal impact on the 100-year water surface elevations over
15 the past 20 years. There's been a two inch change in the
16 original drainage - not drainage, the topography in that area
17 because it's back and forth, things get moved around, and up
18 to one foot is permitted. So they're well within the range
19 and the County has reviewed that. Here's our neighborhood
20 meeting. We had it onsite so everybody could see what it was.
21 And you can see there's Walter, he attended. And at that time
22 he had mentioned to us that he was very satisfied with the
23 corrections in the fencing, the permitting of putting the
24 oleanders in, is also removing all the unsafe structures. And
25 they work with him constantly on letting him know when events

1 are and things are going on. As she mentioned, here's the
2 site plan. And then the proposed stipulations. The ones in
3 yellow are the ones that we wanted to refine. So we
4 personally said no overnight events shall be held on the
5 subject property. We're not intending to - we want to keep
6 with the hours of operation, it's just that on those up to
7 seven events a year, the trailers would stay onsite from
8 Friday and Saturday and Sunday as people are coming in from
9 out of state to go to their event. So just wanted to clarify
10 that. And then because of that, we wanted to put a number on
11 the number of trailers that would be onsite or travel trailers
12 with the bikes, and that would be not to exceed 50. So the
13 maximum time they would be there is for two days, and that
14 would be during those six or seven times per year. Other than
15 that, everybody's in and off on the same day. And then the
16 one other concern we had, which I don't even know if we could
17 vary, is the decibel level. Just because currently at 60 to
18 65, that's conversational talk, and these are motorbikes. And
19 so 65 is like a dishwasher, but we were requesting 80, which
20 is similar to traffic or restaurant noise or a vacuum cleaner.
21 More consistent with, you know, it's a dirt bike. So I mean
22 we can def - that's why we put the oleanders up and everything
23 else to help, because the oleanders, shrubbery disrupts noise
24 better than a wall or anything else, so that's why they have
25 those there, hoping they'll get bigger in the next six months

1 or so. But that was one of the requests they had, if that's
2 even possible. So, and those are the only changes we had for
3 the stips. But yeah, I wanted to get through that really fast
4 for you because I know you guys have been here for a while.
5 So I'm happy to answer any questions. And the owners are
6 here.

7 MOONEY: Can you go back to the changes in the
8 stipulation, please? I'm sorry.

9 SARKISSIAN: So instead of just no overnight events
10 shall be held on the subject property, we just wanted to
11 clarify that the number of overnight weekend events, which is
12 two nights, weekend events, shall be limited to no more than
13 eight events per calendar year. So that's determining how
14 many times a year that they would be overnight, the RVs or
15 travel trailers because they bring the things in the trailer.
16 And then the number of trailers that would be allowed onsite
17 would cap at 50.

18 MOONEY: So if I could ask, they race through my
19 neighborhood all the time on our dirt washes. So these people
20 would be very clear that after 9:00, they're not riding their
21 bikes or testing them or doing any of that sort of stuff.

22 SARKISSIAN: Absolutely. So we don't even envision
23 that they would be till 8, like most of the hours are in the
24 morning. They're done by - in the narrative, we talked about
25 like being done by 10 or being noon because it's exhausting.

1 I mean you're riding the bikes and it's heat and then the bike
2 is hot and your suit is hot, and so a lot of this stuff ends
3 early. Where the later time just might be for those events,
4 which would stop at either dusk, or I think have it in there 9
5 p.m.

6 MOONEY: Right. And just so that the racers and
7 everybody understands that after 9:00, there's no more turning
8 them on and - because it's cooler, and that's what I'm
9 thinking.

10 SARKISSIAN: Oh yes.

11 MOONEY: They want to get out and -

12 SARKISSIAN: No, the owner would shut it down. He
13 wants to be done.

14 MOONEY: Because that's not in here, but I just
15 wanted them to - because that would bring you problems.

16 SARKISSIAN: Yeah, no. Especially got a
17 (inaudible), yeah, we don't want to do any of that stuff. And
18 prior to that (inaudible) - and prior to this, they have been
19 operating. So they've been operating under that currently is
20 what they've been doing.

21 PRANZO: I'm going to nitpick just a little bit.

22 SARKISSIAN: Sure. Oh, please. Yes.

23 PRANZO: Okay? On 9 it says no other commercial
24 activity shall occur on the site unless the SUP is amended.
25 Food trucks?

1 SARKISSIAN: I don't know. These were written by
2 staff. I don't know if it's - would you guys - they're not
3 listening. I'm not sure if food trucks, if they're hired by
4 the owner? So they're not a separate commercial -

5 PRANZO: Well, you know, food trucks have a way of
6 showing up.

7 SARKISSIAN: Yeah. Just for the events. Harvey?

8 KLOB: We have a question. Sorry.

9 KRAUSS: I apologize.

10 SARKISSIAN: Do you - they were wondering about
11 number 9. It says no other additional commercial activities
12 will be allowed. They were wondering if during events, if
13 food trucks would be - would still be permitted to be onsite
14 during an event. Since they'd be hired, like brought on by
15 the owner, not like a separate entity running a business.

16 KRAUSS: I think that's the Commission's
17 prerogative. If you want to allow for -

18 PRANZO: I can't imagine the event without a food
19 truck. I mean where's the food truck? I'd leave. So
20 (inaudible).

21 KRAUSS: I have no problem with it.

22 KLOB: I would follow up with -

23 PRANZO: With the exception of catering, is that
24 okay?

25 KLOB: No. Continue.

1 PRANZO: On 9, with the exception of catering?

2 Would a food truck be considered catering?

3 SARKISSIAN: Or you could just say with the
4 exception of food trucks, I guess.

5 MOONEY: But there's also merchandise and - but if
6 you just put no other commercial activities shall occur on the
7 site except for race days.

8 SARKISSIAN: Oh perfect, yes.

9 MOONEY: And then that would get you the food
10 trucks. If somebody's got a merchandise truck, helmets,
11 gloves, whatever that may be, I don't know if that's something
12 that could be - that would just cover it for those days, then
13 there's nothing else.

14 SARKISSIAN: Because they're not going to be
15 permanent structures. They're not saying they're - yeah.

16 MOONEY: Somebody's pulling a trailer and supplies
17 or food.

18 KRAUSS: I think that's the intent was not to have
19 permanent, other permanent commercial activities. But those
20 that are associated with the event should be allowed, I would
21 think.

22 MOONEY: But the way number nine is written, as Mr.
23 Pranzo said, allows nothing else.

24 KLOB: The only thing I would add to that would be,
25 you know, we're getting into kind of specifics, you know,

1 decibel levels. Food trucks tend to have generators to, you
2 know, run their equipment, run the refrigerators and so on.
3 I'd hate for one of their generators to cause an issue for the
4 applicant.

5 SARKISSIAN: Yeah, if they're running at 15 - more
6 than 15 minutes increments.

7 KLOB: Yeah.

8 SARKISSIAN: They can also place themselves further
9 in, I don't know.

10 PRANZO: Yeah, we're wordsmithing again.

11 SARKISSIAN: Yeah, exactly. But yeah, I agree with
12 9, if you add except for race days or whatever you were
13 saying, that would fit that bill.

14 MOONEY: That would be up to the County, I mean.

15 KLOB: Any other comments?

16 SCHNEPF: Well, I'm thinking on that, we probably
17 want to keep something in there that states that we don't want
18 any permanent commercial structures on the site, but we could
19 allow the food trucks or whatever as, you know, on the site
20 during race days. Because I think that's what 9 is - what
21 Harvey was trying to say is the intent is to keep a permanent
22 structure on the site as a commercial property or commercial
23 business. So maybe we need to define the two. Keep one, add
24 the other, perhaps?

25 KLOB: Yeah. I think it's something for discussion.

1 The other one I want to come back to staff on is the decibel
2 points that are being - decibel points that are being
3 presented here. How does that interact with our noise
4 ordinance?

5 RILEY: It's directly from the noise ordinance.

6 KLOB: Okay. With these new revised?

7 RILEY: Yes.

8 KLOB: Okay, thank you. So unless there's other
9 questions for the applicant, you know, go to the public
10 portion that we can, if we want to craft stipulations, we can
11 come back and do that. Any other questions?

12 DAVILA: Mr. Chair, if I may. . So the
13 stipulations presented on the screen are significantly
14 different than the ones in both of the packets. So has the
15 County vetted these? Does the County agree to these?

16 RILEY: County, so the packet that was distributed
17 to you is what the County recommends.

18 DAVILA: Okay.

19 SCHNEPF: So my question to staff is on number 8.
20 The decibels are quite different here on what staff has put in
21 and what the applicant is asking. What is the staff's opinion
22 on that?

23 RILEY: Staff just put in from the section of the
24 code because of the opposition concerns with noise. I mean, I
25 think it's up to the Commission if whether or not to grant the

1 higher decibel or not. It is a large site. I don't know
2 exactly if the property lines, if it would meet that decibel
3 rating or not, but I just suggested what was in code.

4 SCHNEPF: Okay.

5 KLOB: Okay. With - any other questions?

6 MOONEY: Number 5.

7 KLOB: Commissioner Mooney.

8 MOONEY: Does the County staff have any issues with
9 number 5 with having RV and trailers, travel trailers onsite
10 and not to exceed 50?

11 RILEY: So the narrative on the site plan made no
12 mention of overnight stays, as well as designate areas for
13 these RVs to be placed during these overnights events. So
14 staff was not aware that there was going to be overnight RVs,
15 so that's why the stipulations were as they were. Also too,
16 the SUP does not allow for camping and RV parks, so it just
17 wasn't a consideration.

18 MOONEY: Wow. The SUP answers that, then.

19 KLOB: Go ahead.

20 SARKISSIAN: We just wanted to clarify. So it was a
21 misunderstanding with between me and the owner of he thought
22 parking would include all parking, which is why it wasn't
23 called out. The RV and trailers will have no - it's stated in
24 there, no set for the hookups, no RV, no electrical hookups.
25 So they're just there for that event that weekend, like you

1 would for, you know, a carnival when they have trailers and
2 then be offsite. So it was just something that came up
3 because we didn't see that no overnight stays of rec vehicles.
4 We just saw with the latest ones you saw, so that's when it
5 triggered. Because it wasn't mentioned before by anyone -
6 either us or them. So that's when it triggered like, oh wait,
7 there's something that we thought, and they thought, and it
8 wasn't the same. So that's just the discrepancy on that one.

9 DAVILA: Mr. Chairman, if I may.

10 KLOB: (Inaudible) the SUP -

11 DAVILA: Oh, go ahead.

12 KLOB: Go ahead.

13 DAVILA: Jessica, a quick question for the
14 applicant. So with the addition of number 5, I mean that
15 leads me to start asking and thinking about places like
16 bathrooms, showers. I mean if there's going to be 50 RVs
17 there, that's quite a few people. Are we going to - how are
18 we going to make sure that the health and safety of these
19 people are ensured?

20 SARKISSIAN: So these are all travel trailers and
21 everything that they, they come onsite. So they have
22 everything. So they all have their own restrooms, they have
23 their own water tanks, they have all their own stuff. It's
24 all - nothing's disposed of onsite. They take whatever they
25 bring on, they bring off, and so that's how it operates.

1 DAVILA: So there's not going to be like a black
2 tank?

3 SARKISSIAN: No, no, no, no, no, no. No, this is
4 purely, you know, like when you're camp -it's not camping, you
5 know, but it's like when you, like, whatever you bring in, you
6 bring out, you know.

7 MOONEY: Self-contained.

8 SARKISSIAN: Self-contained. There's no sewer stuff
9 or anything to dispose of anything. No - they're not pulling
10 from water, they're not pulling from electrical or anything
11 like that either.

12 KLOB: But I think the question that, you know, that
13 you had mentioned, so overnight RV parking is not allowed with
14 an SUP?

15 RILEY: It's not called out as a specified use for a
16 special use permit, whereas a racetrack is.

17 SARKISSIAN: So just as a point of reference, too.
18 So previously I brought before you Kruger roping facility,
19 which is an SUP, which is where I got these, which approved
20 the events to have trailers onsite for those events, which is
21 why these are taken exactly almost from what we got approved
22 at the Kruger ranch sorting facility. Similar with the
23 trailers. So it's been similarly reviewed like that.

24 KLOB: Okay. Harvey, do you want to add your two
25 cents to this?

1 KRAUSS: Well, as I indicated before, the SUP is,
2 can be site-specific. So you can - it's the Commission's
3 discretion to add stipulations to address any health, safety
4 concerns by either no recreational vehicles, or limiting the
5 number, or ensuring they're self-contained. Because our
6 understanding, there are no hookups for RVs. And then we
7 wanted to get away from any permanent indivi - you know,
8 recreational vehicles on the site. So that's up - we just
9 looked at the application and the application didn't say it
10 was - didn't address that issue, so we were addressing it.

11 KLOB: Okay. So it's still within our purview if we
12 wish to allow, it could be done.

13 KRAUSS: I think you can, but I think the problem -
14 not permanent RVs year round, I think it should be site - it
15 should be related to the events only. Because that would be
16 under the purview of the SUP.

17 KLOB: Okay.

18 KRAUSS: If that makes sense.

19 KLOB: Thank you. Thank you for the clarification.

20 Any other questions?

21 MOONEY: So therefore, I would add possibly to this
22 verbiage that they are self-contained, no hookups.

23 KLOB: Yes, that's fine.

24 ?: Can you just (inaudible).

25 MOONEY: No.

1 KLOB: I'm going to send it to the public for any
2 public comment. Anybody wish to speak on this? Seeing it
3 doesn't look like anybody, so I will close the public portion
4 and bring it back to the dais. Or Jessica, do you want to add
5 anything additional?

6 SARKISSIAN: No, we agreed with the conditions and
7 items you were saying. That's we intended the project.

8 KLOB: Okay. Thank you. With that, discussions,
9 motions on changes to - do we want to implement these changes
10 to the stipulations? Some, part, all? What's the pleasure?

11 PRANZO: When you say implement the changes, do you
12 mean get the words down on paper? Is that what you're talking
13 about?

14 KLOB: Yes. And do we want to keep what the County
15 proposed only, do we want to keep what the applicant has
16 proposed, or do we want to keep a modification of the two?

17 PRANZO: I felt like we did modify.

18 KLOB: Or do we want to deny the case altogether? I
19 mean that's also the option as well.

20 MOONEY: If I may, because of the previous, there's
21 one thing in here that doesn't talk about if the - it lapses,
22 and that's what we have been adding to SUPs. But in my
23 opinion, I have no problem with the changes that have been
24 proposed by the applicant, except for adding the RV travel
25 trailers would be self-contained with no hookups onsite. I

1 don't know how anybody else feels, but (inaudible) ready, let
2 me know.

3 DAVILA: I think for me, I mean number 4 is what's
4 holding me up because it says the number of overnight weekend
5 events shall be limited to no more than eight events per
6 calendar year. What is an overnight weekend event? Because
7 the section that states no overnight events shall be held is
8 striked, and we have a time limitation at nine. So overnight
9 to me is when they should not be riding.

10 MOONEY: Right.

11 DAVILA: So there should not be an event happening
12 during that time.

13 MOONEY: Right. The event is during the day, but
14 they're staying onsite because they're not going to a hotel.
15 They're staying in their travel trailer and spending the night
16 and getting up and starting the second day of the race.
17 That's how I take that. I used to put events on, so yeah.
18 And that's why I asked earlier, to make it clear that once
19 9:00 happens, nobody's out practicing on their bikes or
20 starting their bikes, or working on their bikes and revving
21 the engines or any of that. It is quiet 9:00. So not just
22 for the races, but there's no work, the noise is over at 9
23 p.m. But they're just camping at that point and sleeping till
24 morning.

25 SCHNEPF: I got a question for the applicant. How

1 many parking spaces are on the site? The reason why I ask is
2 because number 5, you're stating that not to exceed 50.

3 SARKISSIAN: For the RVs. We exceeded the
4 requirement for regular parking spaces by quite a bit, and
5 then we also have areas south of that parking that hasn't been
6 striped out. So I can't read this. It's listed on there, how
7 many parking. Oh, yours is more detailed. Oh God, I screwed
8 that up, dang it. Sorry, go back.

9 RILEY: I think it was like 100 plus.

10 SARKISSIAN: Yeah, it was over 100 parking stalls,
11 but the majority will probably end up being used by travel
12 trailers for those spaces. They won't need all 100.

13 MOONEY: If I may, in the last, it says, according
14 to the applicant the park will receive around 65 vehicles and
15 approximately 100 customers with six employees?

16 SARKISSIAN: Yeah.

17 MOONEY: Is that what that parking -

18 SARKISSIAN: So the parking, we just striped the
19 whole thing out just to have it out. So there's more than the
20 required, the 60 or whatever parking stalls. And then so
21 there's also existing parking area that goes down there. And
22 so the existing parking area kind of goes even further, it's
23 just not striped out.

24 SCHNEPF: So you're saying that the area can
25 accommodate the up to 50.

1 SARKISSIAN: Oh, absolutely, yeah.

2 SCHNEPF: What you're saying. Plus anyone else who
3 wants to come visit in a - just without RV, a car.

4 SARKISSIAN: Right, so there's over 100 regular
5 parking, which we don't anticipate them needing 100 parking
6 spaces, over 100. And then you have more parking to the
7 south. I don't know if I can have the aerial. I'm looking at
8 the right wrong way.

9 RILEY: Also, too, this is one of the stipulations
10 is required to go through the site plan process and parking is
11 checked during that process as well.

12 SCHNEPF: That's true, yeah.

13 SARKISSIAN: So they'll look at everything. But
14 yes, I mean it's 120 acres and there are only 80 of it, not
15 even all of 80 of it is for the track.

16 SCHNEPF: I guess just be prepared if that one event
17 happens and you have way more than what you have parking, what
18 are you going to do and how are you going to address that? So
19 okay. One more question, I'm not going to let you off the
20 hook yet.

21 SARKISSIAN: Okay.

22 SCHNEPF: The complaint that we had submitted to us,
23 on number 5, he was saying that - is Hanna Road a County road?

24 SARKISSIAN: Yes.

25 SCHNEPF: Okay.

1 SARKISSIAN: And so is Sisler, yes.

2 SCHNEPF: It just says that he used to maintain it
3 and now he doesn't, so I was just wondering if it was County,
4 private. So it's County.

5 SARKISSIAN: Hanna is definitely County road, and so
6 is Sisler, even though he kind of uses it as a private drive.
7 So it's not as improved as Hanna. So yeah, Sisler's the one
8 that fronts their property, and you can see where the
9 improvement of Sisler has like stopped. You can kind of see
10 grass and stuff growing in there. So our entrance is actually
11 on Hanna. So there's a fence line that goes right between the
12 two, and so we never - none of their guests touch or go onto
13 his, that street - or not his, but the County street at Sisler
14 at all.

15 SCHNEPF: And it being a County, is that paved or is
16 that not?

17 SARKISSIAN: It's DG.

18 SCHNEPF: Yeah, okay.

19 SARKISSIAN: Yeah, and there's a lot of -

20 SCHNEPF: Same with this?

21 SARKISSIAN: And I know he made a comment about the
22 improvements and how many times they go and redo it, but that
23 - down the street there, there's a lot of heavy truck traffic
24 on that road because there's a truck business down the street
25 as well.

1 SCHNEPF: How often does the County come out and
2 maintain it?

3 SARKISSIAN: He said, what'd he say? A couple of
4 times a year now? It used to be twice a year and I think now
5 it's quarterly, maybe.

6 SCHNEPF: Just because that's a lot of traffic
7 coming to these events with all those RVs and everything, and
8 eventually that road will need to be maintained by the County.

9 SARKISSIAN: Yeah.

10 KLOB: Anything else? Anybody want to make a
11 motion?

12 MOONEY: Can you put back her stipulations, please,
13 and I will.

14 KLOB: Sure.

15 SARKISSIAN: Oh, it's working again. Oh, you found
16 it. Okay. So yeah, that one. Thank you.

17 MOONEY: So, just to be clear, Jessica. Because
18 number 4 and number 5 both strike out no overnight stays of
19 recreational.

20 SARKISSIAN: Yeah.

21 MOONEY: Is that an extra stipulation or are there
22 still -

23 SARKISSIAN: Those are just replacing the no
24 overnight, because we wanted clarifica - because we were
25 worried that that would mean that the trailers couldn't stay

1 onsite.

2 MOONEY: So is there just 20 stipulations when I go
3 to make the motion?

4 SARKISSIAN: Yes.

5 MOONEY: Okay. Okay. So I move the Planning and
6 Zoning Commission forward a recommendation of conditional
7 approval of case SUP-020-24 to the Board of Supervisors, with
8 the following stipulations as amended. Number 4. The number
9 of overnight weekend events (2 nights) shall be limited to no
10 more than eight events per calendar year. And number 5. The
11 number of RVs/travel trailers onsite during the event shall
12 not exceed 50, and will be self-contained with no hookups.
13 Oh, I'm sorry. And number 8, the noise produced by the use
14 cannot exceed 80 dBA at property lines, and there are examples
15 - vacuum cleaner, traffic, restaurant. Then (65 dBA is
16 similar to conversation level and a dishwasher). For example,
17 a 90 decibel sound will be more damaging from a foot away than
18 a 100 decibel sound would be from 50 feet away. Lawnmowers
19 are typically 85 to 100 decibels - dBAs.

20 SCHNEPF: Do we need to have all of that in there,
21 or could we just say that first -

22 KLOB: The first sentence.

23 SCHNEPF: The first sentence might suffice the -

24 MOONEY: Okay.

25 SCHNEPF: I'm asking if the Commiss -

1 KLOB: Are there any others between 10 and 20? Any

2 -

3 ??: (Inaudible).

4 RILEY: Oh yeah, with the temporary number 9.

5 MOONEY: And Number 9. No other commercial activity
6 shall occur on the site, unless the SUP is amended to allow
7 additional activities, except for race days with food,
8 merchandise trucks.

9 HARTMAN: I second, Mr. Chairman.

10 KLOB: Hang on for a second. Are there any other -
11 nothing - 11 through 20 are all identical with the County?
12 Very good. Is there a second?

13 HARTMAN: Second.

14 KLOB: I have a motion and a second. All in favor,
15 say aye.

16 COLLECTIVE: Aye.

17 KLOB: All opposed. Motion carries. Thank you.

18 RILEY: Thank you.

19 KLOB: And before she runs away, I want to just
20 personally thank Kendall. She's been with me almost since I
21 started on the Commission and she's done some great work.
22 She's leaving us. She's going elsewhere in the County, so
23 you'll be missed, but thank you for your time.

24 RILEY: Thank you.

25 ??: We still like donuts.

1 RILEY: Okay, I'll be by. Thank you so much,
2 appreciate it.

3 KLOB: Very good. I'm going to come back to Harvey
4 and how do we want to proceed?

5 KRAUSS: Well, the suggestion is to recess the
6 meeting until a date certain, so we don't have to readvertise
7 all the cases that are left on the agenda. So we would have
8 to post a new agenda, of course. And 24 (inaudible) open
9 meetings law. So I understood, during the break I heard a
10 couple of said could not make Wednesday of next week, so I
11 guess we're looking at the following, the July 4th week.

12 ?: I can't make July 4th. I can't make that week.

13 KRAUSS: You can't make that week, okay. So we're
14 looking at the week of July 7th. We do have some time, where I
15 think we have some days that week that were available. Do you
16 - what is the Commission's pleasure?

17 KLOB: I'm personally available anytime that week.
18 But that's just me.

19 SCHNEPF: I can only be available the 7th, 8th or 9th.
20 No not - no, sorry, 7th or 9th.

21 MOONEY: I'm not available the 9th.

22 KRAUSS: 7th works for us, the staff, I believe. It
23 should work.

24 KLOB: 7th work for everybody else?

25 GAREY: Vice Chair Klob, if I may just interrupt for

1 a moment. If there's a motion - and I'll just read the rule.
2 All regular and special meetings may be continued to another
3 date, hour and place by a majority vote. So I would just
4 recommend that not only the date and time, but also the place
5 be mentioned in the motion. I'm assuming it's going to be
6 here in this facility, but as Harvey said, I also recommend
7 that the notice be posted of the meeting and a new agenda for
8 the specific items that were not heard today.

9 KRAUSS: So typically we meet at 9:00 a.m. on the 7th
10 in this room, the EOC. On July 7th would be the, I guess would
11 technically be a special meeting of the Planning and Zoning
12 Commission, and that would be - that needs to be included in
13 the motion to just recess this meeting until July 7th at 9 a.m.
14 in the EOC room. That would be a motion.

15 SCHNEPF: Do you know, Harvey, that we have this
16 room available?

17 KRAUSS: That's a good question. I hope - it's a
18 Monday. They meet on Thursdays, I believe. Civil hearings
19 meet on Thursday. Okay, but that's not working for the
20 Commission. So if that works for you.

21 MOONEY: So Harvey, just listening to that gentleman
22 speak, or have you spoke to the rest of the applicants during
23 this to know whether or not they're available? I don't want
24 to schedule it and then find out half of them can't be here.

25 KRAUSS: Well, several wanted to continue the

1 meeting today, and -

2 MOONEY: Buying dinner?

3 KRAUSS: And offered an offered to give rides home
4 and said they could make the 25th, but I'm hearing that the
5 Commission cannot make the 25th. The staff's okay with 25th,
6 but if Commission's not here, it doesn't really do the
7 applicant any good. So we have to find some (inaudible). So
8 we can't have the meeting without the Commission.

9 MOONEY: Is that the only week, the week of the 25th
10 that can - is that the only day of the week we could be in
11 here?

12 KRAUSS: Next week, but I heard somebody say they
13 could make the 4th.

14 KLOB: Personally I can't do next week, but if the
15 rest of the Commission can be. And I don't think Morris will
16 be up and running again by next week either. It doesn't sound
17 like it.

18 MOONEY: That's fine, then.

19 KRAUSS: I mean it's - we'll work around your
20 schedules, you're the volunteers.

21 MOONEY: The following week is the 4th of July, so it
22 looks like we're the week before or next.

23 KRAUSS: The week after.

24 MOONEY: No, we're a week before our next P&Z
25 meeting, so we have two in a row.

1 KRAUSS: Perhaps you want to just recess to the next
2 regular meeting too.

3 MOONEY: Oh my gosh, that's 11 cases that we have
4 here. Plus whatever. So if we made a motion and that's what
5 we set for the 7th, and some applicants can't be there, should
6 I make it - or whoever makes it - make it so that they could
7 be put on the following week so that it's convenient for
8 everybody to be able to - if we tell them that this is where
9 they can come and some of them can't come, then they're going
10 to have to be rescheduled.

11 GAREY: Excuse me, yeah. Just having read the
12 rules, and under Arizona statutes, if the meeting is
13 continued, it needs to be continued to a date, time and place
14 certain, period. I don't know that there's wiggle room to
15 say. But if not, then we can do it another time. The motion
16 should be for a date, time, place certain to hear the specific
17 items that were not heard on today's agenda. A new agenda
18 should be made with those items and notice posted.

19 MOONEY: Okay.

20 KRAUSS: That's correct. So if the applicant cannot
21 make the 7th, then at that particular meeting, we can once
22 again recess it to another meeting.

23 MOONEY: So they're not hit with a continuance or
24 any of that, because it's our lengthy meeting, right?

25 GAREY: Right, so there's separate rules. There's

1 rules for continuing the cases, and in this case we're not
2 continuing the case, we're continuing the meeting.

3 MOONEY: Okay.

4 GAREY: I understand that might be semantics, but
5 the item itself is carrying over because the meeting's been
6 continued. We have a rule that there are only two
7 continuances allowed, so my opinion would be that that rule
8 would not apply if the meeting itself is being continued.

9 MOONEY: All right, I just wanted clarity on that.
10 Thank you.

11 KRAUSS: So perhaps if one of the applicant and the
12 applicants cannot make the regular meeting, if you can't make
13 the 7th, can you make it the following week?

14 [Inaudible discussion.]

15 KRAUSS: Okay, sorry. You can also virtually, if
16 you can call - you can call in virtually, so we can have
17 virtual attendance.

18 [Inaudible discussion.]

19 KRAUSS: Yes, if you tell me in advance and let me
20 know. Karen, is that a yes for you too? All right. So you
21 want to do the 7th Karen and Carolyn?

22 [Inaudible discussion.]

23 KRAUSS: Okay. Just let us know in advance what
24 you're - so.

25 [Inaudible discussion.]

1 KLOB: With that, do we want to make a motion?

2 KRAUSS: To recess to the July 7th, 9 a.m. in the EOC
3 room.

4 MOONEY: Great job, Harvey.

5 HARTMAN: So moved. So moved. I move that we do
6 what Harvey said.

7 MOONEY: I'll second it.

8 SCHNEPF: We don't have to say any specific cases
9 that are left, right?

10 GAREY: No, I think just the items that were not
11 considered today would be sufficient to say the items that we
12 heard are those that were not specifically heard and voted on
13 today by the Commission.

14 KLOB: So I have a - I kind of have a motion and a
15 second. All in favor.

16 COLLECTIVE: Aye.

17 KLOB: Any opposed? Nope. So we'll see everybody
18 on the 7th.

19 DAVILA: Mr. Chairman, I'd like to motion for
20 adjournment.

21 KRAUSS: You have a call to the Commission if you
22 want that.

23 GAREY: And real quickly, I would advise against not
24 adjourning the meeting. We're recessing, essentially
25 recessing the meeting to be resumed at the date, time, place

1 certain stated. That would be my recommendation that the
2 meeting be recessed till that time.

3 KRAUSS: Not adjourned, but we're recessing.

4 KLOB: You had some items on the -

5 MOONEY: I do, but believe it or not I have a
6 meeting starts at 6:30.

7 KLOB: Okay.

8 MOONEY: And so this will just be - because this was
9 after the cases.

10 KLOB: So we'll just continue. Everything will
11 continue. All right, so we are continuing until the 7th.
12 Thank you, everyone.

13

14

15

16

17

18

19

20

21

22

23

24

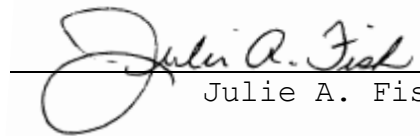
25

1 I, Julie A. Fish, Transcriptionist, do hereby
2 certify that the foregoing pages constitute a full, true, and
3 accurate transcript in the foregoing matter, and that said
4 transcription was done to the best of my skill and ability.

5 I FURTHER CERTIFY that I am not related to nor
6 employed by any of the parties hereto, and have no interest in
7 the outcome hereof.

8

9
10



Julie A. Fish

11
12

13

14

15

16

17

18

19

20

21

22

23

24

25