CONSENT AGENDA

Title:    Hidden Waters Ranch
Case #:   DMP2021004
Supervisor District: 4
Applicant & Owners: Kyle Barichello, RVI Planning & Landscape Architecture / 339th and I 10 LLC
Request: Development Master Plan Major Amendment of approx. 200 acres of the Hidden Waters Ranch DMP (ref: DMP2006007).
Site Location: Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.
Commission Recommendation: On 3/24/22, the Commission voted 7-0 to recommend approval of DMP2021004 subject to conditions ‘a’ – ‘p’:

a. Development shall be in substantial conformance with the Development Master Plan document entitled “Hidden Waters Ranch Development Master Plan Major Amendment #2”, a bound document, dated revised February 10, 2022, and stamped received, including the exhibits, maps, and appendices, except as modified by the following stipulations.

b. Changes to the Hidden Waters Ranch Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Hidden Waters Ranch Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.

c. All stipulations of approval shall remain in effect in the event of a change in name of the Hidden Waters Ranch Development Master Plan.

d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.

e. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master
f. The master developer shall be responsible for the construction of all public and private on-site roads within the Hidden Waters Ranch Development Master Plan. Further, the Hidden Waters Ranch homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.

g. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.

h. Landscaping of all common areas and open spaces, except for identified recreational areas, within Hidden Waters Ranch shall consist of indigenous and near-native plant species of a xeriphytic nature.

i. Until annexation of the entire development master plan takes place, the master developer shall notify all future Hidden Waters Ranch Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC & Rs).

j. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.

k. One (1) elementary school site dedication at a minimum of 14.3 acres shall be reserved for the Saddle Mountain Unified School District at the location identified on the Hidden Waters Ranch land use plan. If at a future date State Land areas adjacent to the amended areas of the DMP are rezoned from residential to industrial use, SMUSD leadership may agree to reduce or eliminate the school reservation.

l. The following Maricopa County Department of Emergency Management stipulations shall apply:

1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer’s cost, in order to provide adequate warning for the residents of that development, using technical...
information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.

2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.

m. The following Flood Control District of Maricopa County stipulations shall apply:

1. The owner or his representative shall submit a Conditional Letter of Map Revision prior to any preliminary plat approvals.

n. The following Engineering stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current policies, standards and best practices at the time of application for construction. No variance from Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP.

2. Drainage review of planning, zoning and/or Development Master Plans cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect existing and proposed development conditions.

3. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

4. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

5. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

April 20, 2022 Board of Supervisors’ Hearing - P&Z Agenda
Page 3 of 13
6. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

7. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

8. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.

9. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

10. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

o. The following Luke Air Force Base condition shall apply:

1. The master developer shall notify future occupants/tenants that they are located near a military airport with the following language:

   “You are locating in a residential dwelling outside the “territory in the vicinity of a military airport,” however aircraft flying in this area are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.

   Luke Air Force Base executes an average of approximately 165 overflights per day. Although Luke’s primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight areas.

   Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

   Luke Air Force Base’s normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

   For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department.”
Such notification shall be permanently posted on not less than a 3 foot by 5 foot sign in front of all leasing and home sales offices and be permanently posted on the front door of all leasing offices on not less than 8½ inch by 11 inch sign.

p. At its discretion, the Maricopa County Planning and Development Department may administratively approve up to a 5% change in the gross area of any parcel that is subject to a planned area development zoning overlay. Such change, either individually or cumulatively, shall not result in a change of any land use category by 5% or greater. Changes greater than 5% either individually or cumulatively shall be processed as a revised application with approval by the Maricopa County Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission.

Title: Hidden Waters Ranch  
Case #: Z2021141  
Supervisor District: 4  
Applicant & Owners: Kyle Barichello, RVI Planning & Landscape Architecture / 339th and I 10 LLC  
Request: Zone change from Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD to IND-2 PAD  
Site Location: Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.

Commission Recommendation: On 3/24/22, the Commission voted 7-0 to recommend approval of Z2021141 subject to conditions ‘a’ – ‘s’:

a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled “Hidden Waters Ranch”, consisting of 6 full-size sheets, stamped received February 10, 2022, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Major Zone Change Amendment application (PAD)”, consisting of 17 pages, dated February 10, 2022, and stamped received February 10, 2022, except as modified by the following conditions.

c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.

d. The following Engineering conditions shall apply:
1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

e. The following Maricopa County Department of Transportation conditions shall apply:

   1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. Subsequent TIS submittals shall comply with then MCDOT requirements and indicate offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 – 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also
include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.

2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

A) Buckeye Road: 100 Feet (Half-width)
B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
D) Roosevelt Street: Western Boundary to 341st Avenue
   55 Feet (Half-width); 110 Feet (Full-width)

(The TIS needs to document non-standard R/W.)

E) 343rd Avenue, Buckeye Road to Van Buren Street:
   40 Feet (Half-width); 80 Feet (Full-width)

343rd Avenue, Van Buren Street to Northern Project Boundary:
   55 Feet (Half-width); 110 Feet (Full-width)

(The TIS needs to document non-standard R/W.)

F) 339th Avenue: 100 Feet (Half-width)
G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or
provide additional right-of-way in the event of conflict with any transportation facilities.

4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the “Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
12. The Developer shall provide written documentation of ADOT's review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

f. All interior streets within the proposed development are to be constructed to minimum County standards.

g. The following Drainage Review stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.

2. Drainage review of this zone change cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

3. All proposed construction within a delineated floodplain must obtain a floodplain use permit from the Flood Control District of Maricopa County.

h. The following Flood Control District stipulations shall apply:

1. The effective floodplain and floodway limits need to be shown on both the final plat and the grading plan.

2. The electronic HEC-RAS files for the final hydraulic calculations need to be provided.

3. Calculations for the lowest floor elevation for the lots within the floodplain are needed.

4. The lowest floor elevation for all lots within the floodplain must be shown on the grading plan.

5. The lowest floor elevations for all lots within the floodplain must be at least two (2) feet above the 100-year water surface elevation. If this area is to be removed by a Letter of Map Revision (LOMR), then a Conditional Letter of Map Revision (CLOMR) will be needed. A LOMR will be required prior to the final plat approval of the built infrastructure if a CLOMR was issued by FEMA.

6. A note needs to be added to the final plat listing the lots located within the floodplain. In addition, the note needs to state that until a LOMR is approved by the Federal Emergency Management Agency (FEMA), the finished floor will need to be elevated to the regulatory floor elevation, and flood insurance will be required.
7. No buildings will be allowed in the floodway.

i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.

j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

k. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.

l. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a grading permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.

m. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance or Final Plat/Plan of Development approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

n. Prior to zoning clearance or Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.

o. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.

p. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.

q. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

r. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds
for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.

s. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

REGULAR AGENDA

Title:    Vertical Bridge/T-Mobile AZ-5068 (Cont. from 8/4/21)
Case #:   Z2021044
Supervisor District:  3
Applicant & Owner: Gary Cassel, Clear Blue Services / Superior L & L LLC
Request: Special Use Permit for a new wireless communication facility (WCF) in the Rural-43 RUPD zoning district
Site Location:  Approx. 750 ft. southeast of the SEC of 7th Ave. and Desert Hills Dr. in the New River area
Commission Recommendation: On 7/8/21, the Commission voted 7-0 to recommend denial of Z2021044.

Title:    Luxury Storage RV & Boat (Cont. from 4/6/22)
Case #:   Z2021034
Supervisor District:  3
Applicant & Owner: Thomas Hart, RA/ Thomas A. Hart Architecture & Planning, LLC / Shawn Schwanbeck, Luxury Storage RV & Boat, LLC
Request: Special Use Permit (SUP) for commercial storage of RVs, boats and vehicles in the Rural-43 zoning district
Site Location:  600’ east of the SEC of Carefree Hwy. and 12th St. in the Desert Hills area
Commission Recommendation: On 3/10/22, the Commission voted 7-0, to recommend approval Z2021034 subject to the following conditions ‘a’ – ‘q’:

a. Development of the site shall be in substantial conformance with the Site Plan entitled “Luxury Storage RV & Boat, LLC”, consisting of three full-size sheets, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Luxury Storage RV & Boat, LLC”, consisting of eleven pages, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions.

c. The following Planning Engineering conditions shall apply:
1. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.

3. The entire site and adjacent half-streets' runoff shall be retained onsite. If portions of adjacent right-of-way are controlled by other jurisdictions, the adjacent half-streets' runoff shall be retained unless separately addressed by the other jurisdictions.

4. Retention basins with stormwater depths exceeding one foot shall provide one foot of freeboard and all retention basins shall drain within 36 hours per County requirements.

d. The Following MCDOT conditions shall apply:

1. There shall be a Right-In/Right-Out access only to the site and there shall be no left turn from the site or left turn from westbound Carefree Hwy. thru traffic to the site.

2. There shall be a right-turn deceleration lane at the main entry driveway to limit site traffic impact to eastbound thru traffic on Carefree Hwy.

e. This special use permit is valid for a period of ten years and shall expire on April 6, 2032, or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

f. There shall be no repair of RVs or boats on the site.

g. There shall be a maximum lot coverage of 50% on the site.

h. There shall be minimum interior side and rear yards of 15-feet on the site.

i. There shall be a minimum front yard adjacent to the Highway right-of-way of 50-feet with no average front setback.

j. All landscaping shall consist of indigenous trees, plants, shrubs, and groundcover typical of the Upper Sonoran Desert, preserving existing vegetation where possible and any landscaping used shall be drought tolerant with low water consumptive landscaping materials.

k. Any rooftop mechanicals, ground mechanicals, parking areas, trash enclosures, and transformers shall be screened.
l. All materials and colors used in screening walls, buildings, covered RV wash bay, and parking shade canopies must be muted and compatible with the desert environment and the architecture of the main office.

m. There shall be no reflective glass used in any building.

n. All outdoor lighting shall be dark sky compliant, low intensity, fully shielded, and directed downward at least 20% below the horizontal plane at bottom of light fixture so that no illumination occurs off site. All light poles or standards shall have a maximum height of 16-feet from surface grade of the parking lot, treated to minimize glare, placed at intervals, and setback a minimum of 20-feet from adjacent properties.

o. The developer must complete habitat and special status species evaluation and submit to the Arizona Game and Fish Department for review prior to the submission of building permits.

p. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

q. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.
Board Hearing Date: April 20, 2022

Case #/Title: DMP2021004 – Hidden Waters Ranch

Supervisor District: 4

Applicant/Owner: Kyle Barichello, RVI Planning & Landscape Architecture / 339th and I-10 LLC

Request: Development Master Plan Major Amendment of approx. 200 acres of the Hidden Waters Ranch DMP (ref: DMP2006007).

Site Location: Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.

Site Size: Approximately 200 acres

County Island Status: N/A

Additional Comments: The applicant is amending the Hidden Waters Ranch DMP to change the land use designation of approx. 200 acres from Small-Lot Residential to Industrial/Employment Center. The existing DMP is approx. 48% designated for Industrial/Employment uses and the request seeks to create more uniform land use patterns. The site is located within the Tonopah/Arlington Area Plan designated as rural (0-1 d.u./ac.) and community retail.

Staff has received one (1) letter of opposition from a resident located with 300’ of the subject site. The individual noted general opposition to any new development in the area. There are no outstanding concerns from reviewing agencies, and staff believes that the proposed DMP Major Amendment will not have an adverse impact on the area plan or County Comprehensive Plan.

Commission Recommendation: On 3/25/22, the Commission voted 7-0 to recommend approval of DMP2021004 subject to conditions ‘a’ – ‘p’:

a. Development shall be in substantial conformance with the Development Master Plan document entitled “Hidden Waters Ranch Development Master Plan Major Amendment #2”, a bound document, dated revised February 10, 2022, and
b. Changes to the Hidden Waters Ranch Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Hidden Waters Ranch Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.

c. All stipulations of approval shall remain in effect in the event of a change in name of the Hidden Waters Ranch Development Master Plan.

d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.

e. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.

f. The master developer shall be responsible for the construction of all public and private on-site roads within the Hidden Waters Ranch Development Master Plan. Further, the Hidden Waters Ranch homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.

g. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.

h. Landscaping of all common areas and open spaces, except for identified recreational areas, within Hidden Waters Ranch shall consist of indigenous and near-native plant species of a xeriphytic nature.

i. Until annexation of the entire development master plan takes place, the master developer shall notify all future Hidden Waters Ranch Development Master Plan
residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC & Rs).

j. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.

k. One (1) elementary school site dedication at a minimum of 14.3 acres, shall be reserved for the Saddle Mountain Unified School District at the location identified on the Hidden Waters Ranch land use plan. If at a future date State Land areas adjacent to the amended areas of the DMP are rezoned from residential to industrial use, SMUSD leadership may agree to reduce or eliminate the school reservation.

l. The following Maricopa County Department of Emergency Management stipulations shall apply:

1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer’s cost, in order to provide adequate warning for the residents of that development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.

2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.

m. The following Flood Control District of Maricopa County stipulations shall apply:

1. The owner or his representative shall submit a Conditional Letter of Map Revision prior to any preliminary plat approvals.

n. The following Engineering stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation and current policies, standards and best practices at the time of application for construction. No variance from Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP.

2. Drainage review of planning, zoning and/or Development Master Plans cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect existing and proposed development conditions.

3. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

4. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

5. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

6. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

7. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

8. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.

9. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

10. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

The following Luke Air Force Base condition shall apply:
1. The master developer shall notify future occupants/tenants that they are located near a military airport with the following language:

“You are locating in a residential dwelling outside the “territory in the vicinity of a military airport,” however aircraft flying in this area are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes an average of approximately 165 overflights per day. Although Luke’s primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base’s normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department.”

Such notification shall be permanently posted on not less than a 3 foot by 5 foot sign in front of all leasing and home sales offices and be permanently posted on the front door of all leasing offices on not less than 8½ inch by 11 inch sign.

p. At its discretion, the Maricopa County Planning and Development Department may administratively approve up to a 5% change in the gross area of any parcel that is subject to a planned area development zoning overlay. Such change, either individually or cumulatively, shall not result in a change of any land use category by 5% or greater. Changes greater than 5% either individually or cumulatively shall be processed as a revised application with approval by the Maricopa County Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission.

Presented by: Jose Castañeda, Planner
Reviewed by: Darren Gerard, AICP, Planning Manager
Attachments: 3/24/22 P&ZPacket (62 pages)
3/24/22 P&ZHandout (10 pages)

Note: 3/24/22 Draft P&Z Minutes are not available as of the writing of this report, but can be provided upon request later when available.
**Cases:** DMP2021004 - Hidden Waters Ranch  

**Hearing Date:** March 24, 2022  

**Supervisor District:** 4  

| **Applicant:** | Kyle Barichello, RVI Planning & Landscape Architecture  
| **Owners:** | 339th and I 10 LLC  
| **Requests:** | Development Master Plan Major Amendment of approx. 200 acres of the Hidden Waters Ranch DMP (ref: DMP2006007).  
| **Site Location:** | Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.  
| **Site Size:** | Approx. 200 acres  
| **Density:** | N/A  
| **County Island:** | No  
| **County Plan:** | Tonopah / Arlington Area Plan – Rural Densities (0-1)  
| **Municipal Plan:** | N/A  
| **Municipal Comments:** | None received to date  
| **Support/Opposition:** | None known  
| **Recommendation:** | Approve with conditions |
Project Summary:

1. Hidden Waters Ranch is an existing DMP of approx. 1,314 acres located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd. near the community of Tonopah. The DMP composition is primarily Industrial Employment Center designations which is 48.5% of the existing DMP. The remainder of the DMP is mostly comprised of Small Lot Residential, Mixed-Use Employment and Dedicated Non-Developable Open Space designations. The Hidden Waters Ranch DMP has areas that are owned by the State of Arizona and areas in private ownership. Staff notes that the requested amendment only comprises portions of the DMP under private ownership. The existing DMP was originally approved by the Maricopa County Board of Supervisors on October 1, 2007 under DMP2006007 and subsequently amended via DMP2008006 on January 16, 2009.

2. The existing uses in the area primarily consist of undeveloped vacant land, sparse single-family residential development, a truck stop on the SWC of the I-10 and 339th Ave. and the Belmont DMP located to the north of the subject site. The existing DMP is currently divided into two character areas with the area north of Van Buren to the I-10 designated for Industrial and the south half of the DMP from Van Buren St. to Buckeye Rd. consisting of small-lot residential land use designations. The overall zoning for the DMP is Rural-43, Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, IND-2 PAD and R-2 RUPD PAD. The site is surrounded primarily by properties that are zoned Rural-43.
3. The applicant is proposing a Major DMP Amendment to an approximately 200-acre portion of the Hidden Waters Ranch DMP located south of Van Buren St. between 339th Ave. and 351st Ave. north of Buckeye Rd. as highlighted in the exhibit above. This area is currently designated primarily for residential uses, however the request would eliminate the residential designation on the highlighted portion of the site. According to the applicant the amendment would bring the southern half of the DMP in alignment with the previously approved changes to the north and match the existing Industrial and Employment Center (IEC) land use designations to the north. The applicant has also applied for a companion request to rezone the highlighted portion to IND-2 in order to facilitate the development of the site for industrial users.

4. The items to be amended with the subject DMP include:
   - DMP Amendment application to amend approximately 200 acres of privately owned land to change parcels A7-A11 from Small Lot Residential (SLR) to Industrial/Employment Center (IEC).
   - Revise the proposed park space, elementary school, and SLR on A14, A15, and A18 due to the removal of the privately owned residential parcels.
   - Revise the DMP’s parcel boundaries A14, A15, and A17 based on the current parcel ownership of the Hassayampa Utility Company.
   - Remove the proposed spine N/S collector roadway between A7 and A8 and A9/A11 previously meant to serve residential development. This is subject to future evaluation per a Traffic Impact Analysis (TIA) as part of the site plan development process.
   - Include an update to adjacent Hassayampa Utility-owned properties seeking a rezoning and DMP amendment per a separate application (DMP2020001 and Z2020085).
   - Associated PAD Rezoning Amendment application for parcels A7-A11 and A17/A18 from various residential zoning to IND-2 PAD to match the existing industrial zoning entitlements.
   - Modify and remove stipulations as needed to reflect the proposed DMP changes.

5. The tables below and on the next page identify the proposed changes to the land use designations in bold. The proposed acreage is rounded to the nearest acre and shown on the site by area, and as a percentage of the total DMP. The applicant has also provided exhibits highlighting the proposed changes.

6. DMP Land Use Designations:

<table>
<thead>
<tr>
<th>Legend</th>
<th>Land Use Designations</th>
<th>Existing Acreage</th>
<th>Total %</th>
<th>Proposed Acreage</th>
<th>Total %</th>
</tr>
</thead>
<tbody>
<tr>
<td>SLR</td>
<td>Small Lot Residential (2-5 du/ac)</td>
<td>322.7</td>
<td>24.58%</td>
<td>148</td>
<td>11%</td>
</tr>
<tr>
<td>MDR</td>
<td>Medium Density Residential (5-15 du/ac)</td>
<td>29.6</td>
<td>2%</td>
<td>30</td>
<td>2%</td>
</tr>
<tr>
<td>UT</td>
<td>Public Facilities (WWRF, Fire Dept.)</td>
<td>41</td>
<td>2.62%</td>
<td>29</td>
<td>2%</td>
</tr>
<tr>
<td>EDU</td>
<td>Elementary School</td>
<td>16.6</td>
<td>1.3%</td>
<td>15</td>
<td>1%</td>
</tr>
</tbody>
</table>
### Development Areas:

<table>
<thead>
<tr>
<th>Development Unit</th>
<th>Land Use Category</th>
<th>Land Use Type</th>
<th>Approx. Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area A: Private Land</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>IEC</td>
<td>Industrial</td>
<td>12.9</td>
</tr>
<tr>
<td>A2</td>
<td>D/NOS</td>
<td>Open Space</td>
<td>15.8</td>
</tr>
<tr>
<td>A3</td>
<td>IEC</td>
<td>Industrial</td>
<td>130.8</td>
</tr>
<tr>
<td>A4</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.1</td>
</tr>
<tr>
<td>A5</td>
<td>D/NOS</td>
<td>Open Space</td>
<td>20.7</td>
</tr>
<tr>
<td>A6</td>
<td>IEC</td>
<td>Industrial</td>
<td>99.6</td>
</tr>
<tr>
<td>A7</td>
<td>IEC</td>
<td>Industrial</td>
<td>39.5</td>
</tr>
<tr>
<td>A8</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.3</td>
</tr>
<tr>
<td>A9</td>
<td>IEC</td>
<td>Industrial</td>
<td>25.5</td>
</tr>
<tr>
<td>A10</td>
<td>IEC</td>
<td>Industrial</td>
<td>19.9</td>
</tr>
<tr>
<td>A11</td>
<td>IEC</td>
<td>Industrial</td>
<td>34.6</td>
</tr>
<tr>
<td>A12</td>
<td>IEC</td>
<td>Industrial</td>
<td>80.3</td>
</tr>
<tr>
<td>A13</td>
<td>IEC</td>
<td>Industrial</td>
<td>9.2</td>
</tr>
<tr>
<td>A14</td>
<td>EDU</td>
<td>Educational</td>
<td>14.3</td>
</tr>
<tr>
<td>A15</td>
<td>IEC</td>
<td>Industrial</td>
<td>16.8</td>
</tr>
<tr>
<td>A16</td>
<td>UT</td>
<td>Utilities (Exception)</td>
<td>28.7</td>
</tr>
<tr>
<td>A19</td>
<td>IEC</td>
<td>Industrial</td>
<td>24.1</td>
</tr>
<tr>
<td><strong>Area A: Totals</strong></td>
<td></td>
<td></td>
<td><strong>653.5</strong></td>
</tr>
</tbody>
</table>

| **Area B: State Land** |
|------------------------|------------------|--------------|
| B1                     | MUEC             | Emp/Comm     | 62.3         |
| B2                     | IEC              | Industrial   | 58.6         |
| B3                     | MUEC             | Emp/Comm     | 50.5         |
| B4                     | MUEC             | Emp/Comm     | 26.2         |
| B5                     | D/NOS            | Open Space   | 3.0          |
| B6                     | IEC              | Industrial   | 29.1         |
| B7                     | IEC              | Industrial   | 34.2         |
| B8                     | D/NOS            | Open Space   | 10.5         |
| B9                     | IEC              | Industrial   | 26.1         |
| B10                    | IEC              | Industrial   | 56.4         |
| B11                    | IEC              | Industrial   | 44.6         |
| B12                    | PF               | Fire Station | 3.5          |
| B13                    | MUEC             | Emp/Comm     | 55.7         |
| B14                    | D/NOS            | Open Space   | 9.6          |
| B15                    | SLR              | Residential  | 30.1         |
| B16                    | SLR              | Residential  | 40.0         |
| B17                    | SLR              | Residential  | 40.1         |
| B18                    | CRC              | Commercial   | 13.0         |
| B19                    | MDR              | Residential  | 29.6         |
| B20                    | SLR              | Residential  | 37.4         |
| **Area B: Totals**     |                   |              | **660.5**    |
| **Overall DMP Totals** |                   |              | **1,314**    |
8. Existing DMP Land Use Exhibit

9. Proposed DMP Land Use Exhibit
Existing On-Site and Adjacent Zoning / Land Use:

10. On-site: Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD / Vacant
    
    North: Van Buren St. then IND-2 PAD and Rural-43 / Vacant
    
    South: Buckeye Rd. then Rural-43 / Single-family residence and vacant
    
    East: Rural-43 RUPD PAD and Rural-43 / Horseshoe Trails Amended and Vacant
    
    West: Rural-43 / Vacant

Utilities and Services:

    
    Wastewater: Hassayampa Utilities Company
    
    School District: Saddle Mountain Unified School District
    
    Fire: Tonopah Valley Fire District
    
    Police: Maricopa County Sheriff’s Office

Right-of-Way:

12. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan. It should be noted that there are no improvements to the right-of-way proposed with the subject application, however the applicant will be required to coordinate with ADOT and MCDOT for any future offsite roadway improvements.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Half-width Existing R/W</th>
<th>Half-width Proposed R/W</th>
<th>Future Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Van Buren St.</td>
<td>28’</td>
<td>N/A</td>
<td>Principal Arterial</td>
</tr>
<tr>
<td>Buckeye Rd.</td>
<td>34’</td>
<td>N/A</td>
<td>Parkway</td>
</tr>
</tbody>
</table>

Adopted Plan:

13. **Tonopah/Arlington Area Plan** (adopted September 6, 2000): The Tonopah/Arlington Area Plan designates the site for as rural (0-1 du/ac.) land uses and there is a portion of the DMP along the I-10 and 339th Ave designated as Community Retail Center. The proposed uses generally do not comply with this plan, however staff notes the existing Hidden Waters Ranch DMP (ref: DMP2008006) designated approx. 48% of the site as an Industrial/Employment Center and the requested amendment seeks to create more uniform land use designations within Hidden Waters Ranch.

Public Participation Summary:

14. The applicant complied with the Maricopa County Public Participation Process with the required posting of the property and notification to the adjacent property owners within 300’ of the subject site and the area of interest groups. The public participation generated two letters from the Arizona Fire & Medical Authority who indicated that they would be reaching out to the applicant to coordinate the fire and EMS needs for the project, and the Maricopa County Emergency Management noted no concerns. Additionally, staff received two letters from the Superintendent of the Saddle Mountain...
Unified School District (SMUSD). SMUSD noted originally that they opposed the subject DMP amendment and related zone change. The opposition centered on preserving a school site that had been reserved for the SMUSD under the existing DMP when the site was originally intended to be primarily medium density residential. Staff forwarded the notice of opposition to the applicant and the applicant worked with the school district to preserve the school site reservation should it be needed. With this, the school district withdrew their opposition and provided confirmation to staff that they had no further concerns with the proposed amendment.

15. In addition to the above public participation, the applicant and his project team held a virtual neighborhood meeting on December 13, 2021 which was attended by three residents of the area. The meeting summary was provided to staff as a part of the applicant’s Public Participation Plan. The meeting summary concluded with no concerns noted by the residents and it was noted that the proposed project was a potential positive for property values by one individual. Staff has not received any other letters and there is no known opposition.

Outstanding Concerns from Reviewing Agencies:

16. N/A.

Staff Analysis:

17. Staff is of the opinion that the proposed amendment is an improvement to the previously approved DMP. The amendment to eliminate the small lot residential where adjacent to industrial zoning improves the land use patterns of the DMP and provides a more uniform area for industrial uses that is located away from existing urban development. Staff believes the amended DMP will offer a substantial amount of employment uses to the area. As noted in this report, the site is located to the south of I-10 adjacent to the Belmont DMP which does offer significant residential land uses however, it does not provide for industrial uses. The proposed amendment would provide for a large employment area while the I-10 would provide a buffer between these uses and Belmont to the north. While the proposed land use designations are not entirely in line with the Tonopah/Arlington area plan, the proposed amendment is in line with certain policies, goals and objectives outlined in the plan such as:

Objective L.1.b: “Create high quality residential, commercial, and industrial land developments that are compatible with adjacent land uses.” The amendment would create a more uniform land use on the site near potential residents while also having existing buffers between the uses such as the I-10 to the north of the site and state trust land to the west to buffer the industrial and residential uses.

Policy L1.5: “Review development proposals along major streets and adjacent to existing and approved land uses to determine compatibility with those uses.” As noted previously the north half of the DMP is already designated for and zoned primarily as industrial and further the area plan designates a portion of the DMP along the I-10 and 339th Ave as a Community Retail Center. As such staff believes the amendment is compatible to the existing designations within the DMP and its relative location to the a major transportation corridor.
Policy L1.7: “Encourage light industrial development in the vicinity of the Palo Verde Nuclear Generating Station.” The DMP is located within 7-miles of the PVNGS and is in alignment with this policy. Further, the site is within the 10-mile Plume Exposure Pathway Emergency Planning Zone (EPZ) and staff is of the opinion that amending the DMP to reduce the small-lot residential designation in the EPZ is sound planning.

Policy ED1.3: “Discourage strip commercial development.” The proposed amendment would create a substantial amount of employment land uses within a large contiguous area.

Policy ED1.11: “Encourage the construction of a high school in the Tonopah/Arlington planning area at such time that student population will support its existence.” The applicant has worked with the SMUSD to reserve an area within the DMP for future school use.

18. Staff supports the request to amend the DMP to eliminate much of the residential designations located adjacent to the existing IND-2 zoning. Staff is of the opinion that the proposed amendment to increase the Industrial Employment Center is more in line than the existing designations that would allow for small lot development in an area that is sparsely developed. The amendment would create consistent land uses throughout the DMP and facilitate the creation of a large employment center with immediate access to the I-10 and adjacent to an area that is already designated as a Community Retail Center.

Recommendation:

19. Staff recommends the Commission adopt a motion recommending that the Board of Supervisors approve DMP2021004 subject to the conditions ‘a’ – ‘p’.

   a. Development shall be in substantial conformance with the Development Master Plan document entitled “Hidden Waters Ranch Development Master Plan Major Amendment #2”, a bound document, dated revised February 10, 2022, and stamped received, including the exhibits, maps, and appendices, except as modified by the following stipulations.

   b. Changes to the Hidden Waters Ranch Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Hidden Waters Ranch Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
c. All stipulations of approval shall remain in effect in the event of a change in name of the Hidden Waters Ranch Development Master Plan.

d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.

e. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.

f. The master developer shall be responsible for the construction of all public and private on-site roads within the Hidden Waters Ranch Development Master Plan. Further, the Hidden Waters Ranch homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.

g. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.

h. Landscaping of all common areas and open spaces, except for identified recreational areas, within Hidden Waters Ranch shall consist of indigenous and near-native plant species of a xeriphytic nature.

i. Until annexation of the entire development master plan takes place, the master developer shall notify all future Hidden Waters Ranch Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC & Rs).

j. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.

k. One (1) elementary school site dedication at a minimum of 14.3 acres. shall be reserved for the Saddle Mountain Unified School District at the location identified on the Hidden Waters Ranch land use plan. If at a future date State Land areas adjacent to the amended areas of the DMP are rezoned from residential to
industrial use, SMUSD leadership may agree to reduce or eliminate the school reservation.

I. The following Maricopa County Department of Emergency Management stipulations shall apply:

1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer’s cost, in order to provide adequate warning for the residents of that development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.

2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.

m. The following Flood Control District of Maricopa County stipulations shall apply:

1. The owner or his representative shall submit a Conditional Letter of Map Revision prior to any preliminary plat approvals.

n. The following Engineering stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current policies, standards and best practices at the time of application for construction. No variance from Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP.

2. Drainage review of planning, zoning and/or Development Master Plans cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect existing and proposed development conditions.

3. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage
design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

4. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

5. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

6. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

7. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

8. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.

9. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

10. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

o. The following Luke Air Force Base condition shall apply:

1. The master developer shall notify future occupants/tenants that they are located near a military airport with the following language:

   “You are locating in a residential dwelling outside the “territory in the vicinity of a military airport,” however aircraft flying in this area are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity. Luke Air Force Base executes an average of approximately 165 overflights per day. Although Luke’s primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight areas.

   Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more
noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base’s normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department.”

Such notification shall be permanently posted on not less than a 3 foot by 5 foot sign in front of all leasing and home sales offices and be permanently posted on the front door of all leasing offices on not less than 8½ inch by 11 inch sign.

p. At its discretion, the Maricopa County Planning and Development Department may administratively approve up to a 5% change in the gross area of any parcel that is subject to a planned area development zoning overlay. Such change, either individually or cumulatively, shall not result in a change of any land use category by 5% or greater. Changes greater than 5% either individually or cumulatively shall be processed as a revised application with approval by the Maricopa County Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission.

Presented by: Jose Castañeda, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor
Attachments:
Case Map (1 page)
Application (1 page)
Land Use Plan (15 pages)
Ex. Summary (2 pages)
Citizen Participation Plan (20 pages)
ENG comments (3 pages)
MCESD comments (1 page)
Saddle Mountain Unified School District (4 pages)
AFMA Letter (1 page)
MCEM (2 pages)
Application Name: Hidden Waters Ranch
Legal Description: T1N R5W Pt. of Secs. 4, 5, 6, 7, 8
Supervisor District No. 4
Applicant: Kyle Barichello, RVi Planning and Landscape Architecture
Applicant Phone/ Email: (480) 586-2358 / kbarichello@rviplanning.com
Case Address: T.B.D
Parcel Primary: 504-12-006P, 006S, 006Z, 007, 008, 135, 137
Acreage: approx. 200
Case Number: DMP2021004
### Project Name:
Hidden Waters Ranch

### Description of Request:
A request to modify the underlying land use of the existing Hidden Waters Ranch DMP, an existing 1314 acre master planned area owned by 339th & I-10 LLC and the Arizona State Land Department, located in western Phoenix metro, south of I-10, north of Buckeye Road, between 339th ave and 351st ave within unincorporated Maricopa County.

### Current Land Use:
Development Master Plan - IEC, SLR, and other designations

### Proposed Land Use:
IEC

### Supervisor District:
District 4

### General Location (Include nearest City/Town):
City of Buckeye, Tonopah, Arlington Area

### Gross Acres:
1314 total DMP, Proposed amendment to ~200 acres

### Legal Description:
portions of Sections 4, 5, 6, 7, and 8 of Township 1 North, Range 5 West, of the Gila River Base and Meridian, Maricopa County, Arizona.

### Section:
4, 5, 6, 7, 8
T: 1N
R: 5W

### Assessor’s Parcel Number/s:
- 504-12-008 - 504-12-007 - 504-12-006B - 504-12-008P - 504-12-125 - 504-12-131 - 504-12-137 - 504-12-008S

### Owner’s Authorized Agent Information:
**Name:** RVT Planning + Landscape Architecture  
**Address:** 120 S Ash Ave Suite 201  
**City:** Tempe  
**Phone #:** (480) 988-2356  
**Fax #:**  
**Email Address:** info@rvtp.org

### Property Owner Information:
**Name:** 339th & I-10 LLC  
**Address:** 14555 N Scottsdale Road #330  
**City:** Scottsdale  
**Phone #:** (480) 368-5205  
**Fax #:**  
**Email Address:** chase@ireojet.com

### Property Owner and Owner’s Agent Authorization:
I (property owner) authorize (owner’s agent) RVT Planning + Landscape Architecture to file this application on all matters relating to this request with Maricopa County. By signing this form as the property owner I hereby agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

### Proposition 207 Waiver Declaration:
The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, pursuant to A.R.S.§12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Maricopa County as result of the filing of this application.

**Property Owner Signature:**  
**Date:** 10/31/21

### Verification of Application Information:
I certify that the statements in this application and support material are true. Any approvals or permits granted by Maricopa County in reliance upon the truthfulness of these statements may be revoked or rescinded.

**Owner or Authorized Agent Signature:**  
**Date:** 10/31/21

### Case Inactivity:
Cases which are not active within six (6) months will be considered inactive and closed by staff. A letter addressing the inactivity will be sent to the owner’s authorized agent or property owner with notification of the case to be closed within thirty (30) days. To pursue entitlement after the closing of the case, a new application and associated fees will need to be filed.
HIDDEN WATERS RANCH
MARICOPA COUNTY, ARIZONA

FIGURE 1
Context Aerial & Vicinity Map

Approximately Eight (8) mile radius

LEGEND
- State Land
- Existing/Proposed Developments
- Bureau of Land Management
- DMP Site

Map by Spatial Business, Inc.
FIGURE 2
On-Site Property Ownership

LEGEND
- Amended DMP Area
- State Land
- DMP Site

On Site Parcel Owners

Note: Property ownership information was obtained from the County of Maricopa Assessor Office.
FIGURE 3  
Regional Facilities

Approximately Five (5) mile radius

LEGEND
- Proposed DMP Site
- Saddle Mountain Unified School District
- Palo Verde School District
- Arlington Elementary School District
- Public Airport
- Fire Station
- Public School

Maricopa County Library
Litchfield Park Branch
101 W Wigwam Blvd
Litchfield Park, AZ 85340

(Location of branch is approx. 11 miles from Proposed DMP site)

Maricopa County Sheriff
District 2 - Substation
100 N Apache Rd
Buckeye, AZ 85326

(Location of station is approx. 10 miles from Proposed DMP site)
FIGURE 4
Existing Zoning

Approximately (3) mile radius

Legend
- C-2
- IND-2
- Rural 43
- Rural 190
- R1-6
- R1-7
- R-2
Development Master Plan

HIDDEN WATERS RANCH
MARICOPA COUNTY, ARIZONA

FIGURE 5
Municipal Boundaries

- City of Buckeye
- Proposed DMP Site
- Buckeye Planning Area Boundary

339th Ave.
Van Buren St.
Buckeye Rd.
Lower Buckeye Rd.
Broadway Rd.
Tonopah-Salome Hwy
Interstate Highway 10

SCALE: 1" = 5000'-0"
FIGURE 6
Topography and Physical Features

- 100-Year Floodplain Boundary
- Proposed DMP Site
- Topography 2’ Contours

Legend:
- 120 S. Ash Avenue
- Tempe, Arizona 85281
- Tel: 480.994.0994
- www.rviplanning.com

AVONDALE, AZ.
2021-10-05
339TH & I-10 LLC

Development Master Plan
HIDDEN WATERS RANCH
MARICOPA COUNTY, ARIZONA
FIGURE 7
Existing Roads, Right-of-Way and Utilities

- **Proposed DMP Site**
- **Parkway** (200' Right-of-Way)
- **Principal Arterial** (130' Right-of-Way)
- **Future Principal Arterial** (130' Right-of-Way)
- **Minor Arterial** (130' Right-of-Way)
- **Existing Power Line**
- **Valley View Water Company, Inc.**
- **Water Utility of Greater Tonopah, Inc.**
- **Hassayampa Utility Company (HUC)**
HIDDEN WATERS RANCH
MARICOPA COUNTY, ARIZONA

FIGURE 12
Typical Conveyance Channel Sections

CHANNEL RE-ROUTING OF FLOOD ZONE

ENCROACHMENT IN FEMA FLOODPLAIN

OPEN SPACE CONVEYANCE CHANNEL
EASEMENT - WIDTH VARIES
RE-MAPPED FEMA ZONE AE
DEPTH OF FLOW LESS THAN 3'

ENCROACHMENT AND RE-MAP OF FEMA FLOODPLAIN
EASEMENT - WIDTH VARIES
FEMA FLOODWAY MAINTAINED IN NATURAL WASH

DEVELOPMENT AREA

POTENTIAL CHANNEL

DEVELOPMENT AREA

DEVELOPMENT AREA

DEVELOPMENT AREA
Hidden Waters Ranch
Executive Summary
DMP2021004

The Hidden Waters Ranch Development Master Plan (DMP) area is an existing 1,314 acre master planned community owned by 339th & I-10 LLC and the Arizona State Land Department. The proposed DMP is located in the western Phoenix metropolitan area, south of Interstate 10, North of Buckeye Road, generally between 339th Avenue on the east and 351st Avenue on the west. The property is currently located in unincorporated Maricopa County. Maricopa County has included this area within the planning region of the Tonopah/Arlington Area Plan.

Per the most recent approved DMP Amendment in 2008, the Hidden Waters Ranch Development Master Plan was planned with an overall gross project density of approximately 1.2 dwelling units per acre (3.3 dwelling units per acre when subtracting commercial and employment uses out of the gross acreage). However, since the DMP is within a dynamic growth area within the Tonopah/Arlington Area Plan built heavily around major employment and commercial users, this amendment is sought to change the privately owned land to industrial.

Recently, a record of decision was sent to the Federal Highway Administration (FHWA) by the Arizona Department of Transportation (ADOT) identifying the selected I-11 corridor alignment which has been studied for the past 5 years. This future corridor is envisioned as a multi-use corridor that would improve Arizona’s access to regional and international markets and is located within 10 miles of the DMP area. This alignment will provide the framework for the DMP area to become a major employment hub for the west Phoenix Metro area given its location and access to major infrastructure systems. The current market in this part of Maricopa County is strong for large, industrial users as it is primarily located in the Phoenix Metro with excellent roadway access. The proposed amendment is planned to allow for a variety of industrial and employment, general commercial services, and light industrial land use designation which captures the current market demand.

Over the past year the property owners hired a site selection company to evaluate the types of users that may be interested in the current industrial zoned land within the DMP Area. It was concluded that the current industrial acreage and layouts as part of the DMP were too small to attract the desired 1.2+ million sq. ft. user. However, the 200+/ - acre existing residential acreage being amending would be highly desired as it provides a more buildable parcel shape without major natural constraints. This site selection study is yet another part of the justification for amending the residential zoning of the DMP.

There are limited sites throughout the Phoenix Metro that provide water and sewer solutions to capture this industrial demand sought in the Phoenix Metro area. The current site provides the capability to serve both water and sewer more favorably to industrial users versus residential development. Major infrastructure including water and sewer provided by Global Water is being installed along 339th Avenue through the DMP area with sewer following 12 months after. The project team has been in coordination with the utility provider and has obtained will serve letters for the proposed industrial development within the DMP area. These letters from Global Water Resources dated January 20, 2022 have been provided with this application.

Another change within this DMP amendment is to the existing elementary school site designation. Per discussions with the Hassayampa Utility Company, the Saddle Mountain Unified School District (SMUSD), this site will remain reserved as an elementary school but will be reduced to 14.3-acres. Saddle Mountain Unified School District has no objection to the rezoning
of this section of the Hidden Waters Ranch development in Tonopah from residential to industrial designation per an associated application. If at a future date State Land areas within the DMP are also rezoned from residential to industrial use, SMUSD may not need the school site and would be open to such discussions at the time rezoning is proposed.

The owner of the private land within the DMP is seeking to modify the land uses and zoning to reflect the growing need for additional industrial and employment type uses in the geographic area. The associated DMP Major Amendment request seeks to amend the following items per the pending DMP and PAD Rezoning Amendment application requests to Maricopa County. A few of these amended items include:

- DMP Amendment application to amend approximately 200 acres of privately owned land to change parcels A7-A11 from Small Lot Residential (SLR) to Industrial/Employment Center (IEC).
- Revise the proposed park space, elementary school, and SLR on A14, A15, and A18 due to the removal of the privately owned residential parcels.
- Revise the DMP’s parcel boundaries A14, A15, and A17 based on the current parcel ownership of the Hassayampa Utility Company.
- Remove the proposed spine N/S collector roadway between A7 and A8 and A9/A11 previously meant to serve residential development. This is subject to future evaluation per a Traffic Impact Analysis (TIA) as part of the site plan development process.
- Includes update to adjacent Hassayampa Utility owned properties seeking a rezoning and DMP amendment per a separate application.
- Associated PAD Rezoning Amendment application for parcels A7-A11 and A17/A18 from various residential zoning to IND-2 PAD to match the existing industrial zoning entitlements.
- Modify and remove stipulations as needed to reflect the proposed DMP changes.

This document is organized into four major sections which include a review of the site’s location and regional context, the physical characteristics of the site (site analysis), the proposed master plan elements and development suitability report. This document has been prepared to satisfy Maricopa County’s project narrative requirements for a DMP Major Amendment. This amendment does not include the 660 acres of State Land included in the Development Master Plan.
Hidden Waters Ranch  
Master Planned Community 

Public Participation Plan  
January 2022  

TABLE OF CONTENTS  

Introduction .............................................................................................................. 3  
Public Participation Plan ............................................................................................ 3  

APPENDICES  
Appendix A – 300’ Buffer Mailouts Map  
Appendix B – 300’ List of Parcels  
Appendix C – Areas of Interest Notification List  
Appendix D – Public Notification Letter  
Appendix E – Signed Affidavits and Photo Documentation
INTRODUCTION

Per Maricopa County Public Participation Program Guidelines, the following represents the steps that have been or will be taken on the part of the applicant to fulfill the requirements set forth by the Maricopa County Department of Planning and Development regarding public participation as it relates to the Development Master Plan Amendment and Zone Change Amendment Major applications.

PUBLIC PARTICIPATION PLAN

1. Parties Affected by Application: A project notification list was created that included property owners within 300 feet of the site (obtained from the Assessor’s Office of Maricopa County) as well as stakeholders outside of the direct notification area as identified as “Areas of Interest” by the Maricopa County PlanNet website. Stakeholders incorporated into the notification list include Saddle Mountain Unified School District, Luke Air Force Base, the Arizona Department of Transportation, the Palo Verde Nuclear Generating Station, Town of Buckeye, and various Tonopah area organizations. All parties received an application submittal notification and neighborhood meeting invite.

2. Notification and Information Procedures: Information was provided to the public through several different means: 1) a letter of notification of the Development Master Plan (DMP) Amendment and Major Zone Change Amendment submittal was mailed to the property owners and stakeholders listed on the project notification list; 2) a neighborhood meeting was held in accordance to the Maricopa County citizen participation guidelines on Monday, December 13, 2021 at 6:00PM to inform the public about the project and provide an opportunity for the public to provide comments and/or ask questions regarding the project via Zoom. At that meeting, the applicant discussed the pending application requests and additional information with residents as provided later within this participation plan; 3) the subject site was posted per State and County guidelines prior to the public hearings as provided by the affidavits within this participation plan; and 4) notification of the public hearing process was provided per State Statute prior to and during the public hearing process and in accordance with Maricopa County Zoning Ordinance.

3. Response Procedures: The public was encouraged, through a direct letter to be mailed shortly following the application submittal to make comments on the project by calling, writing, e-mailing, or faxing the Planning Project Manager, Kyle Barichello at his office. Any questions regarding staff review and the Maricopa County review and hearing process will be directed to the Maricopa County staff planner.

4. Summary of Neighborhood Meeting: On December 13, 2021, the project team held a neighborhood meeting in accordance with Maricopa County requirements to solicit feedback on the proposed request. The meeting was held via a Zoom link provided within 15 days of the meeting date. This notification letter was mailed to all parties impacted by the application in accordance with the Maricopa County citizen guideline requirements and notification range. There were 3 total people in attendance at the neighborhood meeting. The meeting started at 6:00 PM and concluded at 7:00 PM once all residents left the Zoom platform.
The project team delivered a PowerPoint presentation that introduced the project team and highlighted the specifics of the applications submitted to Maricopa County. The project team discussed the current approved Development Master Plan (DMP), Zoning, amendments, existing conditions, and many other factors included within the master planned area within the slides and held an open house style meeting where questions were fielded after the PowerPoint presentation. Multiple questions were asked at the meeting and the following paragraphs summarize the questions and responses provided by the project team. These meeting highlights are provided in accordance to whether they were a comment or question.

**Resident #1**  
**Question:** When will this development be starting? And who owns this property?  
**Answer:** The project team explained the process and where we are at within it. We are currently within the DMP and Rezoning application phase and no approvals have been issued by Maricopa County. We will not plan to resubmit our application until early next year and beyond that, no public hearing dates have been set. In terms of construction, a lot must happen in order for construction to start. An additional site plan application and end user would have to be approved and there is no time table for development. The property is owned by 339th and I-10 LLC and we are representing this property group.  

**Question:** Will we get a notice if this project goes forward?  
**Answer:** Yes, if you received this notice than you are within the notification range of the project. Thus, any future hearing dates will require additional notification. You will be receiving this in the future.  

**Comment:** This is a good thing. This is a good investment of my property. Tonopah is growing fast and it is getting populated. With the building of the freeways, it provides great accessibility to the region. I am glad that I did invest in my property right now and it is currently vacant. In the future, I plan to build a home in this area.  

**Resident #2**  
**Question:** Can this information be accessed at any other time?  
**Answer:** Yes, if you think it would be helpful to you, we can follow up with you separately to provide additional information.  

**Comment:** Our biggest issue in this area is traffic and people speeding along 339th Avenue. How will this project impact traffic?  

**Answer:** Since no specific user is identified at this time, there has not been an analysis on traffic impact. Once a site development application is submitted to the County, a traffic impact study will be required to analyze the traffic in the area to see what may be required in the future.  

**Question:** How much water will be reused in the area? Water is a concern.
Answer: This was analyzed before the amendment application was submitted. It was determined that the previous residential development would be more intensive on the water demands of the area. However, with the change to industrial it was determined that the utility companies can serve this site and have committed to provided water and sewer solutions into the future for this area. Currently, a water line is being provided by the Global Water Company along 339th Avenue.

The meeting was concluded at 7:00PM

5. Status Procedure: The project team will inform Maricopa County Department of Planning and Development of progress in public participation through periodic updates to the Public Participation Plan throughout the review and approval process. The Plan will document the correspondence between the public and the applicant, as well as the resulting changes/actions.

6. Schedule for Completion: The Public Participation process was initiated at first application submittal and will continue through the post TAC submittal up to the public hearings. As the public participation continues, this document will be updated in accordance with the citizen participation requirements and provided to the Planning Department within the appropriate number of days before the official public hearings.
# APPENDIX B: 300' Buffer Parcel List

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Owner</th>
<th>Property Address</th>
<th>Mailing Address</th>
<th>MAIL_ADDR1</th>
<th>MAIL_CITY</th>
<th>MAIL_STATE</th>
<th>MAIL_ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>504-11-007</td>
<td>339TH AND I 10 LLC</td>
<td>318 S 343RD AVE TONOPAH 85354</td>
<td>14555 N SCOTTSDALE RD STE 330 SCOTTSDALE AZ 85254</td>
<td>14555 N SCOTTSDALE RD STE 330</td>
<td>SCOTTSDALE</td>
<td>AZ</td>
<td>85254</td>
</tr>
<tr>
<td>504-12-006P</td>
<td>339TH AND I 10 LLC</td>
<td>1209 S 345TH AVE TONOPAH 85354</td>
<td>4431 N 84TH DR PHOENIX AZ 85037</td>
<td>4431 N 84TH DR</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85037</td>
</tr>
<tr>
<td>504-12-006S</td>
<td>339TH AND I 10 LLC</td>
<td>301 S 343RD AVE TONOPAH 85354</td>
<td>501 S 343RD AVE TONOPAH AZ 85354</td>
<td>501 S 343RD AVE</td>
<td>TONOPAH</td>
<td>AZ</td>
<td>85354</td>
</tr>
<tr>
<td>504-12-006Z</td>
<td>339TH AND I 10 LLC</td>
<td>34239 W HARRISON ST TONOPAH 85354</td>
<td>2620 W LARKSPUR DR PHOENIX AZ 85029</td>
<td>2620 W LARKSPUR DR</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85029</td>
</tr>
<tr>
<td>504-12-007</td>
<td>339TH AND I 10 LLC</td>
<td>19040 W PORTLAND ST BUCKEYE AZ 85326</td>
<td>19040 W PORTLAND ST</td>
<td>BUCKEYE</td>
<td>AZ</td>
<td>85326</td>
<td></td>
</tr>
<tr>
<td>504-12-007</td>
<td>339TH AND I 10 LLC</td>
<td>3744 NW GRAND AVE #20 PHOENIX AZ 85019</td>
<td>3744 NW GRAND AVE #20</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85019</td>
<td></td>
</tr>
<tr>
<td>504-12-049Q</td>
<td>MADERO GABRIEL V CHAVIRA</td>
<td>34339 W BUCKEYE RD TONOPAH 85354</td>
<td>8935 W COLUMBUS PHOENIX AZ 85037</td>
<td>8935 W COLUMBUS</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85037</td>
</tr>
<tr>
<td>504-12-059M</td>
<td>BUCIO LIONEL ARTEGA/ARTEGA MA ISABEL</td>
<td>34230 W SAHUARO ST TONOPAH 85354</td>
<td>6750 W MOUNTAIN VIEW RD PEORIA AZ 85345</td>
<td>6750 W MOUNTAIN VIEW RD</td>
<td>PEORIA</td>
<td>AZ</td>
<td>85345</td>
</tr>
<tr>
<td>504-12-059N</td>
<td>LA GUERRA REVOCABLE LIVING TRUST</td>
<td>3590 W CENTER MOUNTAIN WAY TUCSON AZ 85746</td>
<td>3500 W CENTER MOUNTAIN WAY TUCSON</td>
<td>TUCSON</td>
<td>AZ</td>
<td>85746</td>
<td></td>
</tr>
<tr>
<td>504-12-059R</td>
<td>HERNANDEZ GABRIEL MENDIVIL/ NIEBLA INES VEREN</td>
<td>38401 W HWY 8 PALOMA RD NO 42 GILA BEND AZ 85337</td>
<td>38401 W HWY 8 PALOMA RD NO 42 GILA BEND</td>
<td>GILA BEND</td>
<td>AZ</td>
<td>85337</td>
<td></td>
</tr>
<tr>
<td>504-12-059S</td>
<td>DOMINGUEZ KARLA SELENE</td>
<td>34239 W HARRISON ST TONOPAH 85354</td>
<td>2620 W LARKSPUR DR PHOENIX AZ 85029</td>
<td>2620 W LARKSPUR DR</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85029</td>
</tr>
<tr>
<td>504-12-059T</td>
<td>VALDEZ JAIRO L ROMERO</td>
<td>1007 S 343RD AVE TONOPAH 85354</td>
<td>1007 S 343RD AVE TONOPAH AZ 85354</td>
<td>1007 S 343RD AVE</td>
<td>TONOPAH</td>
<td>AZ</td>
<td>85354</td>
</tr>
<tr>
<td>504-12-059U</td>
<td>HERNANDEZ CESAR REYES</td>
<td>1017 S 344TH LN TONOPAH 85354</td>
<td>426 S NEVADA WAY MESA AZ 85204</td>
<td>426 S NEVADA WAY</td>
<td>MESA</td>
<td>AZ</td>
<td>85204</td>
</tr>
<tr>
<td>504-12-060L</td>
<td>LOPEZ J GUADALUPE</td>
<td>1133 CAGLE LN SHAFTER CA 93263</td>
<td>1133 CAGLE LN SHAFTER</td>
<td>SHAFTER</td>
<td>CA</td>
<td>93263</td>
<td></td>
</tr>
<tr>
<td>504-12-060M</td>
<td>R E LOVITT FAMILY TRUST</td>
<td>34322 W BUCKEYE RD TONOPAH 85354</td>
<td>33042 W BUCHANAN ST TONOPAH AZ 85354</td>
<td>33042 W BUCHANAN ST</td>
<td>TONOPAH</td>
<td>AZ</td>
<td>85354</td>
</tr>
<tr>
<td>504-12-060X</td>
<td>PDELU MANDRELA ESTER</td>
<td>1115 S 344TH LN TONOPAH 85354</td>
<td>1631 W VERNON AVE PHOENIX AZ 85009</td>
<td>1631 W VERNON AVE</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85009</td>
</tr>
<tr>
<td>504-12-061C</td>
<td>HASSAYAMPA UTILITY COMPANY INC</td>
<td>21410 N 19TH AVE STE 201 PHOENIX AZ 85027</td>
<td>21410 N 19TH AVE STE 201</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85027</td>
<td></td>
</tr>
<tr>
<td>504-12-061S</td>
<td>HASSAYAMPA UTILITY COMPANY INC</td>
<td>3127 N 115TH LN AVONDALE AZ 85322</td>
<td>3127 N 115TH LN AVONDALE</td>
<td>AVONDALE</td>
<td>AZ</td>
<td>85322</td>
<td></td>
</tr>
<tr>
<td>504-12-062C</td>
<td>LUNA FIDEL ENRIQUE GALLARDO</td>
<td>7701 W PINCHOT PHOENIX AZ 85033</td>
<td>7701 W PINCHOT</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85033</td>
<td></td>
</tr>
<tr>
<td>504-12-063C</td>
<td>ALVARADO MANUEL HAROS/TAPIA MIRIAM A</td>
<td>4445 N 50TH DR PHOENIX AZ 85031</td>
<td>4445 N 50TH DR</td>
<td>PHOENIX</td>
<td>AZ</td>
<td>85031</td>
<td></td>
</tr>
<tr>
<td>504-12-064C</td>
<td>RODRIGUEZ MARIA</td>
<td>406 S 339TH AVE TONOPAH 85354</td>
<td>406 S 339TH AVE TONOPAH AZ 85354</td>
<td>406 S 339TH AVE</td>
<td>TONOPAH</td>
<td>AZ</td>
<td>85354</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>City</td>
<td>State</td>
<td>ZIP Code</td>
<td>Contact</td>
<td>Phone</td>
<td>Fax</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------</td>
<td>-------------------</td>
<td>-------</td>
<td>----------</td>
<td>-----------------------------</td>
<td>-----------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Valley View Newspaper</td>
<td>1050 E. Riley Drive</td>
<td>Litchfield Park</td>
<td>AZ</td>
<td>85323</td>
<td>Darryl Henning, Assistant Managing Editor</td>
<td><a href="mailto:dbhenning@westvalleynews.com">dbhenning@westvalleynews.com</a></td>
<td>623-535-8438</td>
</tr>
<tr>
<td>Tonopah Valley Community Council</td>
<td>3708 N. 339th Ave.</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td>Paul Roetto, President</td>
<td><a href="mailto:tvce.events@gmail.com">tvce.events@gmail.com</a></td>
<td>623-386-5212</td>
</tr>
<tr>
<td>MC Department of Emergency Management</td>
<td>2035 N 52nd Street</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85008-3403</td>
<td>Rob Rowley</td>
<td>623-273-1411</td>
<td>602-275-1638</td>
</tr>
<tr>
<td>Palo Verde Emergency Planning</td>
<td>PO Box 52034</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85072</td>
<td>Todd Williams</td>
<td>623-393-6661</td>
<td></td>
</tr>
<tr>
<td>Tonopah Valley Association</td>
<td>P.O. Box 103</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td>Doris M. Heisler Project Director</td>
<td><a href="mailto:dmheisler1@aps.com">dmheisler1@aps.com</a></td>
<td>623-386-5154</td>
</tr>
<tr>
<td>Tonopah Valley Fire District</td>
<td>P.O. Box 67</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td>Ron Sattelmaier Fire Chief</td>
<td>623-393-0105</td>
<td></td>
</tr>
<tr>
<td>Friends of Saddle Mountain</td>
<td>3708 N 339th Ave</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td></td>
<td>623-370-8062</td>
<td></td>
</tr>
<tr>
<td>Maricopa Association of Governments</td>
<td>302 N. 1st Avenue, Suite 300</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85003</td>
<td>Scott Wilken</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Maricopa Association of Governments</td>
<td>302 N. 1st Avenue, Suite 300</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85003</td>
<td>Vern Wolfley</td>
<td>623-393-6661</td>
<td></td>
</tr>
<tr>
<td>ADOT Right of Way Project Management</td>
<td>Phoenix</td>
<td>AZ</td>
<td></td>
<td></td>
<td>Richard Erickson</td>
<td>623-712-7085</td>
<td></td>
</tr>
<tr>
<td>MC Department of Emergency Management</td>
<td>2035 N 52nd Street</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85008-3403</td>
<td>Bruce Monson</td>
<td>623-273-1411</td>
<td>602-275-1638</td>
</tr>
<tr>
<td>Buckeye Valley Fire District</td>
<td>25206 W US Hwy 85 P.O. Box 75</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Administrative Office</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Buckeye Valley Fire District</td>
<td>25206 W US Hwy 85 P.O. Box 75</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Jon Lacy</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Buckeye Valley Fire District</td>
<td>25206 W US Hwy 85 P.O. Box 75</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Jon Lacy</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Palo Verde Emergency Planning</td>
<td>PO Box 52034</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85072</td>
<td>Charlotte Shields</td>
<td>623-393-6661</td>
<td></td>
</tr>
<tr>
<td>Landquest Holdings</td>
<td>PO Box 15585</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85060</td>
<td>Ron Gross</td>
<td>623-264-9699</td>
<td></td>
</tr>
<tr>
<td>Saddle Mountain Unified School District</td>
<td>38201 W Indian School Rd</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td>Dr. Paul Tighe</td>
<td>623-474-5111</td>
<td></td>
</tr>
<tr>
<td>APS</td>
<td>5801 S Wintersburg Rd</td>
<td>Tonopah</td>
<td>AZ</td>
<td>85354</td>
<td>Travis Icard</td>
<td>623-393-6820</td>
<td></td>
</tr>
<tr>
<td>MC Department of Emergency Management</td>
<td>2035 N 52nd Street</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85008-3403</td>
<td>Madison Wiser</td>
<td>623-273-1411</td>
<td>602-275-1638</td>
</tr>
<tr>
<td>Buckeye Valley Fire District</td>
<td>25206 W US Hwy 85 P.O. Box 75</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Mark Burdick, Fire Chief</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Buckeye Valley Fire District</td>
<td>25206 W US Hwy 85 P.O. Box 75</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Mark Burdick, Fire Chief</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>City of Buckeye</td>
<td>510 E Monroe Ave.</td>
<td>Buckeye</td>
<td>AZ</td>
<td>85326</td>
<td>Terri S Hogan, AICP</td>
<td><a href="mailto:thogan@buckeyeaz.gov">thogan@buckeyeaz.gov</a></td>
<td></td>
</tr>
<tr>
<td>ADOT Southwest Engineering District</td>
<td>2140 W. Hilton Ave.</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85009</td>
<td>Gerardo Ramirez</td>
<td>623-386-5906</td>
<td></td>
</tr>
<tr>
<td>Maricopa Association of Governments</td>
<td>302 N. 1st Avenue, Suite 300</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85003</td>
<td>Kurt Cotner</td>
<td>623-386-5906</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX D: PUBLIC NOTIFICATION LETTER

PUBLIC NOTIFICATION LETTER

Hidden Waters Ranch Application Submittal and Neighborhood Meeting Notification

REQUEST: Development Master Plan (DMP) Amendment and Major Zone Change Amendment applications on approximately 200 acre area as part of the Hidden Waters Ranch DMP area, Maricopa County Planning Case Numbers DMP2021004 & Z202114.

PURPOSE: Revise the DMP to Industrial land use designations and rezone from residential to industrial zoning (IND-2)

LOCATION: S of Interstate 10, North of Buckeye Road, generally between 339th Avenue on the east and 351st Avenue on the west

SIZE: 1314 Total Acres, amending approx. 200 acres

OWNER OR AUTHORIZED AGENT: RVi Planning + Landscape Architecture

CONTACT PERSON: Kyle Barichello, kbarichello@rviplanning.com, 480-586-2358

Project Area Map (NTS)
An application has been filed with the Maricopa County Department of Planning and Development regarding the request above. This notice is being sent to you because property listed in your name is located within 300 feet of the site noted above. This notice is being sent to you to inform you of this application and to provide you with an opportunity to relay any questions, issues or concerns regarding this application to the contact person listed in the top box of this page.

**VIRTUAL NEIGHBORHOOD MEETING**

Additionally, the development team will be holding a Virtual Neighborhood Meeting to solicit feedback on the proposed applications. This meeting will be held via the Zoom platform. There are multiple options to attend including via the virtual meeting link or by phone. The associated details are provided below.

**Name:** Hidden Waters Ranch Neighborhood Meeting  
**Date:** Monday December 13th, 2021  
**Time:** 6:00 PM  
**Virtual Meeting Link (Type Into Internet Browser):** [https://bit.ly/3kPmwyQ](https://bit.ly/3kPmwyQ)

**Phone Only Option:** 1-346-248-7799 US  
**Meeting ID:** 829 2189 6937  
**Passcode:** 396046

**PLEASE NOTE:** THIS IS NOT A NOTICE OF A PUBLIC HEARING WITH THE PLANNING AND ZONING COMMISSION OR COUNTY BOARD OF SUPERVISORS. HOWEVER, YOU MAY RECEIVE SUCH A NOTICE AT A FUTURE DATE IF THE APPLICATION IS SCHEDULED FOR HEARING.
APPENDIX E:
SIGNED AFFIDAVITS AND PHOTO DOCUMENTATION
AFFIDAVIT OF PUBLIC HEARING POSTING

This form is used to ensure compliance with the posting requirements for Zone Changes, Development Master Plans, Comprehensive Plan Amendments, Special Use Permits, Military Compatibility Permits, Major Amendments, and modification of Board of Supervisors approved conditions. For additional information, please call the Planning and Zoning Division at 602-506-3301 or email to Pdplanner@mail.maricopa.gov.

Case Number: DMP2021004

Project Name: Hidden Waters Ranch

Owner or Authorized Agent Name: Kyle Barichello - RVi Planning + Landscape Architecture

Location: S of I-10, N of Buckeye Road, between 339th Ave and 351st Ave

In order to assist in providing adequate notice to interested parties, the owner or owner's authorized agent shall post signs consistent with the requirements prescribed by the "Maricopa County Site Posting Requirements." It shall be the responsibility of the owner or owner's authorized agent to erect and to maintain the signs on the subject property and to update the hearing information on the signs until the final disposition of the case. It shall also be the responsibility of the owner or owner's authorized agent to remove the signs within 10 days after final disposition of the case.

I confirm that the site has been posted as required by Maricopa County for the case above. Photographs of the site postings are included with this affidavit.

Owner or owner's authorized agent's signature: Kyle Barichello

SUBSCRIBED AND SWORN before me this 29 day of November, 2021

Notary Public

JILL YOUNG
Notary Public - Arizona
Maricopa County
Commission # 608236
My Comm. Expires Jun 21, 2025
To be submitted at the Technical Advisory Committee Meeting or within 30 days of application.

Date: 11/29/2021

I, Kyle Barichello, being owner or owner's authorized agent for the Development Master Plan referenced below, do hereby affirm that within 30 days upon submitting an application I have posted the property included in the proposed change. The postings were no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices were visible from the nearest public right-of-way. The notices were a minimum of nine square feet in area and, if poster board or foam board, were laminated. The postings included, at a minimum, a brief description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the owner or owner's authorized agent, and contact information for the owner or owner's authorized agent. The postings shall remain in place for the entire extent of the application period.

SUBMIT PHOTOGRAPHS OF THE POSTINGS MOUNTED ON AN 8 ½ X 11 SHEET OF PAPER WITH THIS AFFIDAVIT.

I also affirm that within 30 days upon submitting an application that at a minimum I have noticed by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed Development Master Plan. The notice by mail included, at a minimum, a description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the owner or owner's authorized agent, and contact information for the owner or owner's authorized agent.

ATTACH COPIES OF THE NOTICE TO THIS AFFIDAVIT.

Owner or Authorized Agent's/ Signature: Kyle Barichello

SUBSCRIBED AND SWORN before me this 29 day of November, 2021

My Commission Expires: June 21, 2025

Jill Young
Notary Public - Arizona
Maricopa County
Commission # 60826
My Comm. Expires June 21, 2025
Planning & Development
Department
AFFIDAVIT FOR THE
CITIZEN REVIEW PROCESS

To be submitted to the assigned planner within 30 days of application.

Date: 11/29/2021

I, Kyle Barichello, being owner or authorized agent for the Zone Change Major Amendment referenced below, do hereby affirm that within 30 days upon submitting an application I have posted the property included in the proposed change. The postings were no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices were visible from the nearest public right-of-way. The signs were a minimum of six square feet in area and included, at a minimum, a brief description of the area of the proposed Zone Change Major Amendment; a general explanation of the nature of the proposal, the name of the owner or authorized agent, and contact information for the owner or authorized agent. The postings shall remain in place for the entire extent of the application period.

SUBMIT PHOTOGRAPHS OF THE POSTINGS MOUNTED ON AN 8 ½ X 11 SHEET OF PAPER AND A MAP ILLUSTRATING THE POSTING SITES WITH THIS AFFIDAVIT.

I also affirm that within 30 days upon submitting an application, I have noticed by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed Zone Change Major Amendment. The notice by mail included, at a minimum, a description of the area of the proposed Zone Change Major Amendment, a general explanation of the nature of the proposal, the name of the owner or authorized agent, and contact information for the owner or authorized agent.

ATTACH A COPY OF THE NOTICE LETTER TO THIS AFFIDAVIT.

Owner or Authorized Agent's/ Signature: Kyle Barichello

SUBSCRIBED AND SWORN before me this 29 day of November, 2021

My Commission Expires: June 21, 2025

Tracking Number: Z2021141

Project Name: Hidden Waters Ranch

JILL YOUNG
Notary Public - Arizona
Maricopa County
Commission # 608236
My Comm. Expires Jun 21, 2025

301 W. Jefferson St., 1st Floor, Suite 170 • Phoenix AZ 85003 • (602) 506-3301
Affidavit for the Citizen Review Process • Internet: www.maricopa.gov/planning 4/12/2021
MARICOPA COUNTY NOTICE OF
NOTICE OF DEVELOPMENT MASTER PLAN
MAJOR AMENDMENT REQUEST AND ZONE
CHANGE MAJOR AMENDMENT REQUESTS
WITHIN UNINCORPORATED MARICOPA
COUNTY and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on TBD
BOARD OF SUPERVISORS: 9:30 am on TBD
(BOS date subject to change - contact the P & Z Div. for verification)

LOCATION OF HEARINGS: ATTENDANCE AT THIS HEARING SHALL BE ONLINE/TELEPHONIC ONLY.
INSTRUCTIONS ON ATTENDANCE AND HOW TO SUBMIT QUESTIONS/COMMENTS MAY BE FOUND AT
www.maricopa.gov/079 ONE WEEK PRIOR TO THE HEARING DATE OR BY CONTACTING THE PLANNER AS NOTED BELOW

REQUEST: Hidden Waters Ranch Development Master Plan
(DMP) – Major Amendment and Zone Change Major Amendment

PROPOSAL: Amendment to an existing DMP of approximately 200 acres from Small Lot Residential to Industrial Employment Center Land Uses and Rezoning from Residential to IND-2 PAD

GENERAL LOCATION: S of I-10, N of Buckeye Road, between 339th Ave and 351st Ave

SIZE: Approximately 200 acres

CASES #: DMP2021004 & Z2021141

AUTHORIZED AGENT: Kyle Barichello, RVi Planning + Landscape Architecture
PHONE: 480-586-2358

PLANNING & ZONING DIVISION: 602-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 12/20/2021
MARICOPA COUNTY NOTICE OF
NOTICE OF DEVELOPMENT MASTER PLAN
MAJOR AMENDMENT REQUEST AND ZONE
CHANGE MAJOR AMENDMENT REQUESTS
WITHIN UNINCORPORATED MARICOPA
COUNTY and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on TBD
BOARD OF SUPERVISORS: 9:30 am on TBD
(BOS date subject to change - contact the P & Z Div. for verification)

LOCATION OF HEARINGS: ATTENDANCE AT THIS HEARING SHALL BE ON-LINE/TELEPHONIC ONLY.
INSTRUCTIONS ON ATTENDANCE AND HOW TO SUBMIT QUESTIONS/COMMENTS MAY BE FOUND AT:
www.maricopa.gov/177 ONE WEEK PRIOR TO THE HEARING DATE OR BY CONTACTING THE PLANNER AS NOTED BELOW

REQUEST: Hidden Waters Ranch Development Master Plan
(DMP) – Major Amendment and Zone Change Major Amendment

PROPOSAL: Amendment to an existing DMP of approximately 200 acres from Small Lot Residential to Industrial Employment Center Land Uses and Rezoning from Residential to IND-2 PAD

GENERAL LOCATION: S of I-10, N of Buckeye Road, between 339th Ave and 351st Ave

SIZE: Approximately 200 acres

CASES #: DMP2021004 & Z20211141

AUTHORIZED AGENT: Kyle Barichello, RVI Planning + Landscape Architecture

PHONE: 480-586-2358

PLANNING & ZONING DIVISION: 602-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 12/20/2021
MARIPOSA COUNTY NOTICE OF
NOTICE OF DEVELOPMENT MASTER PLAN
MAJOR AMENDMENT REQUEST AND ZONE
CHANGE MAJOR AMENDMENT REQUESTS
WITHIN UNINCORPORATED MARICOPA
COUNTY and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on TBD
BOARD OF SUPERVISORS: 9:30 am on TBD
(BOS date subject to change - contact the P & Z Div. for verification)

LOCATION OF HEARINGS: ATTENDANCE AT THIS HEARING SHALL BE ON LINE TELEPHONIC ONLY.
INSTRUCTIONS ON ATTENDANCE AND HOW TO SUBMIT QUESTIONS COMMENTS MAY BE FOUND AT
www.maricopa.gov/177 ONE WEEK PRIOR TO THE HEARING DATE OR BY CONTACTING THE PLANNER AS NOTED BELOW

REQUEST: Hidden Waters Ranch Development Master Plan
(DMP) – Major Amendment and Zone Change Major Amendment

PROPOSAL: Amendment to an existing DMP of approximately 200 acres from Small Lot Residential to Industrial Employment Center
Land Uses and Rezoning from Residential to IND-2 PAD

GENERAL LOCATION: S of I-10, N of Buckeye Road, between 339th Ave and 351st Ave

SIZE: Approximately 200 acres

CASES #: DMP2021004 & Z2021141

AUTHORIZED AGENT: Kyle Barichello, RVi Planning + Landscape Architecture

PHONE: 480-586-2358

PLANNING & ZONING DIVISION: 602-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 12/20/2021
MARICOPA COUNTY NOTICE OF
NOTICE OF DEVELOPMENT MASTER PLAN
MAJOR AMENDMENT REQUEST AND ZONE
CHANGE MAJOR AMENDMENT REQUESTS
WITHIN UNINCORPORATED MARICOPA
COUNTY and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on TBD
BOARD OF SUPERVISORS: 9:30 am on TBD
(BOS date subject to change - contact the P & Z Div. for verification)

LOCATION OF HEARINGS: ATTENDANCE AT THIS HEARING SHALL BE ONLINE/TELEPHONIC ONLY.
INSTRUCTIONS ON ATTENDANCE AND HOW TO SUBMIT QUESTIONS/COMMENTS MAY BE FOUND AT:
www.maricopa.gov/797 ONE WEEK PRIOR TO THE HEARING DATE OR BY CONTACTING THE PLANNER AS NOTED BELOW

REQUEST: Hidden Waters Ranch Development Master Plan
(DMP) – Major Amendment and Zone Change Major Amendment

PROPOSAL: Amendment to an existing DMP of approximately 200 acres from Small Lot Residential to Industrial Employment Center Land Uses and Rezoning from Residential to IND-2 PAD

GENERAL LOCATION: S of I-10, N of Buckeye Road, between 339th Ave and 351st Ave

SIZE: Approximately 200 acres

CASES #: DMP2021004 & Z2021141

AUTHORIZED AGENT: Kyle Barichello, RVi Planning + Landscape Architecture
PHONE: 480-586-2358

PLANNING & ZONING DIVISION: 602-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 11/24/2021
MARICOPA COUNTY NOTICE OF
NOTICE OF DEVELOPMENT MASTER PLAN
MAJOR AMENDMENT REQUEST AND ZONE
CHANGE MAJOR AMENDMENT REQUESTS
WITHIN UNINCORPORATED MARICOPA
COUNTY and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on TBD
BOARD OF SUPERVISORS: 9:30 am on TBD

LOCATION OF HEARINGS: ATTENDANCE AT THIS HEARING SHALL BE ON SITE ONLY.
NO video recording, photography or interviews of the hearing shall be conducted.

REQUEST: Hidden Waters Ranch Development Master Plan

PROPOSAL: Amendment to an existing DMP of approximately 200
acres from Small Lot Residential to Industrial Employment Center
Land Uses and Rezoning from Residential to IND-2 PAD

GENERAL LOCATION: S of I-10, N of Buckeye Road, between
339th Ave and 351st Ave

SIZE: Approximately 200 acres

CASES #: DMP2021004 & Z2021141

AUTHORIZED AGENT: Kyle Barichello, RVI Planning + Landscape Architecture

PHONE: 480-586-2358

PLANNING & ZONING DIVISION: 623-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 11/24/2021
Date: December 6, 2021

Memo To: Darren Gerard, AICP, Planning Manager, Department of Planning & Development

Attn: Jose Castaneda, Planner, Planning & Development Services

From: Robert Fedorka, P.E., Engineering Supervisor, Planning & Development Services

cc: Michael Norris, P.E., Engineering Manager, Planning & Development

Subject: DMP2021004 & Z2021141
DMP Amendment & Zone Change for Hidden Waters Ranch Without a Plan of Development (E1 Memo)

Job Site Address: Generally East & West along the 343rd Ave. Alignment between Buckeye Road and Van Buren Street

APN(s): 504-12-008 & Several Others

This application is to modify conditions of a previously approved Development Master Plan (DMP); specify zoning for future development areas; and does not include a Plan of Development.

PND engineering plan review (DPR, FCD and PND Transportation) has reviewed the 1st submittal of the subject applications routed for review on November 23, 2021 (DMP) and November 10, 2021 (Zone Change) and has no objections subject to the following conditions:

**DMP2021004**

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

Z2021141

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.
6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

Please contact me if you have any questions or require any additional information.
DATE: November 24, 2021

TO: Jose Castaneda, Planning & Development Dept. Planner

FROM: Souren Naradikian, P.E. Senior Civil Engineer

SUBJECT: Hidden Waters Ranch Major Amendment 2. DMP2021004

The Maricopa County Environmental Services Department (MCESD) has reviewed documents received from the Maricopa County Planning and Development Department for the above referenced project. This application is for Hidden Waters Ranch Major Amendment 2 at APN# 504-12-008. Water will be provided by the Water Utility of Greater Tonopah (WUGT), ATC must be obtained prior to final plat approval. Sewer will be provided by Hassayampa Utilities Co wholly-owned subsidiary of Global Water Resources (GWR), ATC must be obtained prior to final plat approval.

Based on the above, MCESD raised no objection to this project to the Planning & Development Department on November 24, 2021 and the project may proceed at this time subject to the following stipulations:

Stipulations: None

It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.
Hello. I am aware of their request and have no objection or comments. Thank you.

Dr. Paul Tighe  
Superintendent  
38201 West Indian School Road  
Tonopah, AZ 85354  
623-474-5111  
www.smusd90.org

On Fri, Feb 4, 2022 at 3:36 PM Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov> wrote:

Greetings,

Maricopa County Planning and Development has received the subject DMP Amendment resubmittal with associated Rezone application. You have been identified as a stakeholder in the area of the subject application. You or your authorized representative are invited to submit written recommendations/comments for the subject application which may be discussed with the applicant.

Please feel free to contact me with any questions or comments you may have related to this case.
Best Regards,

Jose Castañeda

Planner

Maricopa County Planning & Development Department

301 W. Jefferson St., Suite 170, Phoenix, AZ 85003

Desk: 602-506-8358 | Fax: 602-506-3282

Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process [here](#).
Hello. I had a preliminary conversation with the developer recently. We do have some concerns about the loss of the school site as there will still be over 800 residential units (in the same development, east and west of the industrial area, if approved) and we do not have capacity at existing schools in that area nor do we have another school site in that area. While this may not be something the developer needs to address, it is nonetheless a concern for us.

Thank you for contacting me. Happy Holidays!

Dr. Paul Tighe
Superintendent

38201 West Indian School Road
Tonopah, AZ 85354
623-474-5111
www.smusd90.org

CONFIDENTIALITY NOTICE: This email message and any accompanying data are confidential and intended only for the recipient(s). If you are not the intended recipient(s), you are hereby notified that the dissemination, distribution, and or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the email address above, delete this email from your computer, and destroy any copies in any form immediately. Thank You.

Please do not print this e-mail unless you just can't help yourself

On Wed, Dec 22, 2021 at 12:57 PM Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov> wrote:

Hello,

I am the Planner assigned to the subject request that seeks to rezone a portion of the Hidden Waters Ranch Development Master Plan to Industrial. The original conditions of the HWR stipulated 16.6 acres within the development for a school site as at the time the majority of
the HWR was anticipated to develop as residential. The subject application seeks to eliminate much of the residential land use designations for the HWR.

I would like a clarification from Saddle Mountain as to if there would be any concerns from you in the reduction and or elimination of the schools site? I am of the opinion that a school site remaining within an area that may become industrial is an incompatible land use, however I do need to know the school districts position on the school site being reduced or eliminated before we proceed to changing the land use designation for this site. Please feel free to reach out to me if you have any questions.

Best Regards,

Jose Castañeda
Planner
Maricopa County Planning & Development Department
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003
Desk: 602-506-8358 | Fax: 602-506-3282
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Good morning Jose,

I am emailing you regarding the project listed as: **DMP2021004 Hidden Water Ranch - Z2021141 Hidden Waters Ranch**.

Would you please change the responsible Fire Agency to the Arizona Fire and Medical Authority? The Arizona Fire & Medical Authority is the responsible fire agency and AHJ for Tonopah. I have included Deputy Chief Eric Kriwer in this email as he is the Fire Marshal for the Authority. I will be reaching out to the developer directly to begin communicating about the fire and EMS needs for the project.

Would you please add Chief Kriwer and me to all planning or project communications moving forward?

Thank you,

**Kane Nixon, Ed.D., NR-P, TLO**

**Deputy Chief**

**Logistics & Planning**

**ARIZONA FIRE & MEDICAL AUTHORITY**

18818 N. Spanish Garden Drive, Sun City West, AZ  85375

Tel 623-544-5400 | Cell 623-388-1180 | Fax 623-544-5455 | knixon@afma.az.gov

Office hours: Monday through Thursday, 7:00 am – 5:00 pm Closed Fridays

Visit our website at [www.afma.az.gov](http://www.afma.az.gov) | Click to follow us on [Facebook](https://www.facebook.com) [Twitter](https://twitter.com) [Instagram](https://www.instagram.com) [YouTube](https://www.youtube.com)

This message is intended only for the named recipient(s). If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender either at the above e-mail address or telephone the Arizona Fire & Medical Authority (AFMA) at (623) 544-5400. Thank You.

To ensure compliance with Arizona's open meeting laws, members of the North County, South County and/or Arizona Fire & Medical Authority's Board of Directors who have received this message may reply directly to the sender but must not correspond with or send a copy of their reply regarding this message to any other members of their respective Board(s). Recipients of this message who are not Board members must not forward this message to any of the North County, South County or AFMA Board Members.
Jose,

We have reviewed the application and have no ideas from Emergency Management.

Thank you,

Rich Peel
Operations Supervisor
Maricopa County Emergency Management
5630 E. McDowell Rd Phoenix, AZ 85008
richard.peel@maricopa.gov
O: 602.273.1411 | C: 602.725.6879
Greetings,

Maricopa County Planning and Development has received the subject DMP Amendment resubmittal with associated Rezone application. You have been identified as a stakeholder in the area of the subject application. You or your authorized representative are invited to submit written recommendations/comments for the subject application which may be discussed with the applicant.

Please feel free to contact me with any questions or comments you may have related to this case.

Best Regards,

Jose Castañeda
Planner
Maricopa County Planning & Development Department
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003
Desk: 602-506-8358 | Fax: 602-506-3282
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Since the publishing of the staff report for the above cases staff has received one (1) letter of opposition from a resident in the area. The nature of the opposition centers on the resident being opposed to any new development in the area. According to the opposition letter, the resident does not want to see any new commercial or residential development in this area.

The resident provided comments in Spanish. The following excerpt of the letter has been translated to English:

“Good afternoon Jose. I am Karla Selene Dominguez, one of the people affected by the construction that they plan to do. I do not agree that said property located at 339th Ave. and 351st Ave. and north of Buckeye Rd. be converted into a residential or commercial property. The neighbors and I bought those properties to be away from civilization and to be able to have animals and peace of mind. We are already far enough from the city for them to force us to go further by bringing their constructions to the corner of our properties.”

Further, staff offers an amendment to condition ‘e.’ to remove an impact fee that was carried over from the previous zoning case and renumberate the subsequent conditions. Staff has confirmed with P&D Engineering that the impact fee is no longer necessary and has provided comment to update the condition as shown below.

Shown below are the additional conditions in leg-edit format with new language underlined and bolded and language to be eliminated in strikethrough:

```
e. The following Maricopa County Department of Transportation conditions shall apply:

1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. The TIS has been approved. The Phase Subsequent TIS submittals shall comply with then MCDOT requirements and indicate the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated
```
with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 – 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.

2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be $3,281.00 per residential dwelling unit and shall be paid to MCDOT at the time individual building permits are issued, or per an alternate agreement, as approved by MCDOT.

2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

A) Buckeye Road: 100 Feet (Half-width)
B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
D) Roosevelt Street: Western Boundary to 341st Avenue
   55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

E) 343rd Avenue, Buckeye Road to Van Buren Street:
   40 Feet (Half-width); 80 Feet (Full-width)
   343rd Avenue, Van Buren Street to Northern Project Boundary:
   55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

F) 339th Avenue: 100 Feet (Half-width)
G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.
The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall not locate elementary or middle schools on arterial roads. (The schools may not “back-up” to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the
“Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)

12. The Developer shall provide written documentation of ADOT’s review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

Staff offers the following condition in final format:

e. The following Maricopa County Department of Transportation conditions shall apply:

1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. Subsequent TIS submittals shall comply with then MCDOT requirements and indicate offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 - 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.
2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

A) Buckeye Road: 100 Feet (Half-width)
B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
D) Roosevelt Street: Western Boundary to 341st Avenue
   55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

E) 343rd Avenue, Buckeye Road to Van Buren Street:
   40 Feet (Half-width); 80 Feet (Full-width)
   343rd Avenue, Van Buren Street to Northern Project Boundary:
   55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

F) 339th Avenue: 100 Feet (Half-width)
G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.
4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the “Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
12. The Developer shall provide written documentation of ADOT's review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

Attachments:  
3-18-22 E-mail – Letter of Opposition (2 pages)  
3-23-22 Email – Engineering Letter (1 page)
Buenas tardes José.  
34239 w harrison st Tonopah arizona.  
4802570612

El El vie, mar. 18, 2022 a la(s) 12:13 p. m., Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov> escribió:

Buenos días Karla,

Si quiere me puede dar su dirección para que pueda anotar la localización de la oposición a este caso? Igualmente si quiere dar un numero de Teléfono. Si quiere que la ponga en contacto con los que son responsables por el proyecto pueden ellos contestar cualquier pregunta que tenga.

Gracias,

Jose Castañeda  
Planner  
Planning & Development  
Desk: 602-506-8358  
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process [here](#).
construcción que planean hacer.

No estoy de acuerdo en que se convierta dicha propiedad ubicada en 339 th ave y 351 st ave y norte de Buckeye rd en residencial ó comercial.

los vecinos y yo compramos esas propiedades para estar lejos de la civilización y poder tener animales y tranquilidad. Ya estamos bastante lejos de la ciudad para que nos quieran obligar a irnos más lejos trayendo sus construcciones a la esquina de nuestras propiedades.
See attached redlines – Condition e.7 can also be deleted.

Best Regards,

Bob Fedorka, PE
Engineering Supervisor
Planning & Development
602-506-7151
Bob.Fedorka@maricopa.gov

P&D is now 100% digital. Find information on our new permit process here.

Hi Bob,

I am eliminating the impact fee from condition ‘e.’ since I have to present the changes I wanted to make sure the remaining condition ‘e.’ is still good to go as presented.

Jose Castañeda
Planner
Maricopa County Planning & Development Department
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003
Desk: 602-506-8358 | Fax: 602-506-3282
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Report to the Board of Supervisors
Prepared by the Maricopa County Planning and Development Department

<table>
<thead>
<tr>
<th>Board Hearing Date:</th>
<th>April 20, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case #/Title:</td>
<td>Z2021141 – Hidden Waters Ranch</td>
</tr>
<tr>
<td>Supervisor District:</td>
<td>4</td>
</tr>
<tr>
<td>Applicant/Owner:</td>
<td>Kyle Barichello, RVI Planning &amp; Landscape Architecture / 339th and I-10 LLC</td>
</tr>
<tr>
<td>Request:</td>
<td>Zone change from Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R2 RUPD PAD to IND-2 PAD.</td>
</tr>
<tr>
<td>Site Location:</td>
<td>Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.</td>
</tr>
<tr>
<td>Site Size:</td>
<td>Approximately 200 acres</td>
</tr>
<tr>
<td>County Island Status:</td>
<td>N/A</td>
</tr>
<tr>
<td>Additional Comments:</td>
<td>The applicant is amending the Hidden Waters Ranch DMP to change the land use designation of approx. 200 acres from Small-Lot Residential to Industrial/Employment Center. This case is an associated Zone Change from various Rural and Residential zoning districts to IND-2 PAD. The existing DMP is approx. 48% designated for Industrial/Employment uses and the request seeks to create more uniform land use patterns. The site is located within the Tonopah/Arlington Area Plan designated as rural (0-1 d.u./ac.) and community retail. Since the publishing of the report presented to the Planning and Zoning Commission staff has updated condition ‘e.’ to remove the impact fees that were carried over from the original rezoning of the site and to update the language of the stipulation to align with the request. Staff has received one (1) letter of opposition from a resident located with 300’ of the subject site. The individual noted general opposition to any new development in the area. There are no outstanding concerns from reviewing agencies, and staff believes that the proposed Industrial zoning will not have an adverse impact on the area plan or County Comprehensive Plan.</td>
</tr>
</tbody>
</table>
Commission Recommendation:  

On 3/25/22, the Commission voted 7-0 to recommend approval of Z2021141 subject to conditions ‘a’ – ‘s’:

a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled “Hidden Waters Ranch”, consisting of 6 full-size sheets, stamped received February 10, 2022, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Major Zone Change Amendment application (PAD)”, consisting of 17 pages, dated February 10, 2022, and stamped received February 10, 2022, except as modified by the following conditions.

c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.

d. The following Engineering conditions shall apply:

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.
7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

e. The following Maricopa County Department of Transportation conditions shall apply:

1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. Subsequent TIS submittals shall comply with then MCDOT requirements and indicate offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 - 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.

2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

   A) Buckeye Road: 100 Feet (Half-width)
   B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
   C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
   D) Roosevelt Street: Western Boundary to 341st Avenue
       55 Feet (Half-width); 110 Feet (Full-width)
       (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)
   E) 343rd Avenue, Buckeye Road to Van Buren Street:
       40 Feet (Half-width); 80 Feet (Full-width)
       343rd Avenue, Van Buren Street to Northern Project Boundary:
       55 Feet (Half-width); 110 Feet (Full-width)
       (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)
   F) 339th Avenue: 100 Feet (Half-width)
   G) 335th Avenue: 40 Feet (Half-width)
The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway.
system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the “Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)

12. The Developer shall provide written documentation of ADOT’s review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

f. All interior streets within the proposed development are to be constructed to minimum County standards.

g. The following Drainage Review stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.

2. Drainage review of this zone change cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

3. All proposed construction within a delineated floodplain must obtain a floodplain use permit from the Flood Control District of Maricopa County.

h. The following Flood Control District stipulations shall apply:
1. The effective floodplain and floodway limits need to be shown on both the final plat and the grading plan.

2. The electronic HEC-RAS files for the final hydraulic calculations need to be provided.

3. Calculations for the lowest floor elevation for the lots within the floodplain are needed.

4. The lowest floor elevation for all lots within the floodplain must be shown on the grading plan.

5. The lowest floor elevations for all lots within the floodplain must be at least two (2) feet above the 100-year water surface elevation. If this area is to be removed by a Letter of Map Revision (LOMR), then a Conditional Letter of Map Revision (CLOMR) will be needed. A LOMR will be required prior to the final plat approval of the built infrastructure if a CLOMR was issued by FEMA.

6. A note needs to be added to the final plat listing the lots located within the floodplain. In addition, the note needs to state that until a LOMR is approved by the Federal Emergency Management Agency (FEMA), the finished floor will need to be elevated to the regulatory flood elevation, and flood insurance will be required.

7. No buildings will be allowed in the floodway.

   i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.

   j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

   k. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.

   l. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a grading permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.

   m. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance or Final Plat/Plan of Development approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
n. Prior to zoning clearance or Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.

o. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.

p. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.

q. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

r. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.

s. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Presented by: Jose Castañeda, Planner
Reviewed by: Darren Gerard, AICP, Planning Manager
Attachments: 3/24/22 P&Z Packet (55 pages)
3/24/22 PZ Handout Memo (10 pages)

Note: 3/24/21 Draft P&Z Minutes are not available as of the writing of this report, but can be provided upon request later when available.
Report to the Planning and Zoning Commission
Prepared by the Maricopa County Planning and Development Department

<table>
<thead>
<tr>
<th>Cases:</th>
<th>Z2021141 - Hidden Waters Ranch</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing Date:</td>
<td>March 24, 2022</td>
</tr>
<tr>
<td>Supervisor District:</td>
<td>4</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Kyle Barichello, RVI Planning &amp; Landscape Architecture</td>
</tr>
<tr>
<td>Owners:</td>
<td>339th and I 10 LLC</td>
</tr>
<tr>
<td>Request:</td>
<td>Zone change from Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD to IND-2 PAD</td>
</tr>
<tr>
<td>Site Location:</td>
<td>Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.</td>
</tr>
<tr>
<td>Site Size:</td>
<td>Approx. 200 acres</td>
</tr>
<tr>
<td>Density:</td>
<td>N/A</td>
</tr>
<tr>
<td>County Island:</td>
<td>No</td>
</tr>
<tr>
<td>County Plan:</td>
<td>Tonopah / Arlington Area Plan– Rural Densities (0-1)</td>
</tr>
<tr>
<td>Municipal Plan:</td>
<td>N/A</td>
</tr>
<tr>
<td>Municipal Comments:</td>
<td>None received to date</td>
</tr>
<tr>
<td>Support/Opposition:</td>
<td>None known</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>Approve with conditions</td>
</tr>
</tbody>
</table>
**Project Summary:**

1. Hidden Waters Ranch is an existing Development Master Plan (DMP) of approx. 1,314 acres located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd. near the community of Tonopah. The existing DMP consists primarily of Rural-43 PAD, R1-6 PAD and IND-2 PAD zoning districts. It also should be noted that there are portions of the DMP that are State Trust Lands that will remain as Rural-43 and these areas are not a part of the subject request.

2. The remainder of the DMP that is privately owned is primarily zoned as IND-2 PAD which comprises approx. 48.5% of the DMP. The remainder of the privately owned DMP area is mostly comprised of R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD zoning. The existing DMP was originally approved by the Maricopa County Board of Supervisors on October 1, 2007 under DMP2006007 and subsequently amended via DMP2008006 on January 16, 2009. The underlying zoning was then approved on November 4, 2009.

3. The existing uses in the area primarily consist of undeveloped vacant land, sparse single-family residential development, a truck stop on the SWC of the I-10 and 339th Ave and the Belmont DMP located to the north of the subject site. The existing DMP is currently divided into two character areas with the area north of Van Buren to the I-10 designated for Industrial uses and primarily zoned IND-2 PAD and the south half of the DMP from Van Buren St. to Buckeye Rd. consisting of small-lot residential land use designations consisting of R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD zoning districts and the site is generally surrounded by properties that are zoned RU-43.

**Subject Site and Surrounding Zoning Districts**
4. The applicant is proposing a Zone Change Major Amendment to an approximately 200-acre portion of the Hidden Waters Ranch DMP generally located south of Van Buren St. between 339th Ave. and 351st Ave. north of Buckeye Rd. as highlighted in the exhibit above. This area is currently zoned for a mix a small lot residential uses, however the request would eliminate the residential zoning on the highlighted portion of the site. According to the applicant the amendment would bring the southern half of the DMP in alignment with the previously approved changes to the north and match the existing Industrial zoning to the north. The applicant also applied for a companion DMP Major Amendment (ref# DMP2021004) that would change the underlying DMP designation to bring it in line with the subject request.

5. The changes are shown on the site by area, and as a percentage of the total DMP. The applicant has also provided exhibits highlighting the proposed changes.

6. Land Use Legend:

<table>
<thead>
<tr>
<th>Legend</th>
<th>Land Use Designations</th>
</tr>
</thead>
<tbody>
<tr>
<td>SLR</td>
<td>Small Lot Residential (2-5 du/ac)</td>
</tr>
<tr>
<td>MDR</td>
<td>Medium Density Residential (5-15 du/ac)</td>
</tr>
<tr>
<td>UT</td>
<td>Public Facilities (WWRF, Fire Dept.)</td>
</tr>
<tr>
<td>EDU</td>
<td>Elementary School</td>
</tr>
<tr>
<td>MUEC</td>
<td>Mixed-Use Employment Center</td>
</tr>
<tr>
<td>IEC</td>
<td>Industrial Employment Center</td>
</tr>
<tr>
<td>CRC</td>
<td>Community Retail Center</td>
</tr>
<tr>
<td>D/NDOS</td>
<td>Dedicated Non-Developable Open Space</td>
</tr>
</tbody>
</table>

7. Zoning Table:

<table>
<thead>
<tr>
<th>Development Unit</th>
<th>Land Use Category</th>
<th>Land Use Type</th>
<th>Approx. Gross Acres</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>IEC</td>
<td>Industrial</td>
<td>12.9</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A2</td>
<td>D/NDOS</td>
<td>Open Space</td>
<td>15.8</td>
<td>Rural-43PAD</td>
</tr>
<tr>
<td>A3</td>
<td>IEC</td>
<td>Industrial</td>
<td>130.8</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A4</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.1</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A5</td>
<td>D/NDOS</td>
<td>Open Space</td>
<td>20.7</td>
<td>Rural-43PAD</td>
</tr>
<tr>
<td>A6</td>
<td>IEC</td>
<td>Industrial</td>
<td>99.6</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A7</td>
<td>IEC</td>
<td>Industrial</td>
<td>39.5</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A8</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.3</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A9</td>
<td>IEC</td>
<td>Industrial</td>
<td>25.5</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A10</td>
<td>IEC</td>
<td>Industrial</td>
<td>19.9</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A11</td>
<td>IEC</td>
<td>Industrial</td>
<td>34.6</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A12</td>
<td>IEC</td>
<td>Industrial</td>
<td>80.3</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A13</td>
<td>IEC</td>
<td>Industrial</td>
<td>9.2</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A14</td>
<td>EDU</td>
<td>Industrial</td>
<td>14.3</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A15</td>
<td>IEC</td>
<td>Industrial</td>
<td>16.8</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A16</td>
<td>UT</td>
<td>Utilities (Exception)</td>
<td>28.7</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>A19</td>
<td>IEC</td>
<td>Industrial</td>
<td>24.1</td>
<td>IND-2PAD</td>
</tr>
<tr>
<td>AREA A TOTALS</td>
<td></td>
<td></td>
<td>653.5</td>
<td></td>
</tr>
</tbody>
</table>
8. **Zone Change Summary:**

<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Total AC</th>
<th>% Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Industrial, Employment</td>
<td>617</td>
<td>94%</td>
</tr>
<tr>
<td>Total</td>
<td>653.5</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gross Land Area (ac)</th>
<th>Industrial Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>653.5</td>
<td>653.5</td>
</tr>
</tbody>
</table>

9. **Existing Zoning Exhibit**
10. Proposed Zoning Exhibit

Existing On-Site and Adjacent Zoning / Land Use:

11. On-site: Rural-43 PAD, R1-7 RUPD PAD, R1- 6 RUPD PAD, R-2 RUPD PAD / Vacant
North: Van Buren St. then IND-2 PAD and Rural-43 / Vacant
South: Buckeye Rd. then Rural-43 / Single-family residence and vacant
East: Rural-43 RUPD PAD and Rural-43 / Horseshoe Trails Amended and Vacant
West: Rural-43 / Vacant

Utilities and Services:

Wastewater: Hassayampa Utilities Company
School District: Saddle Mountain Unified School District
Fire: Tonopah Valley Fire District
Police: Maricopa County Sheriff’s Office
Right-of-Way:

13. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan. It should be noted that there are no improvements to the right-of-way proposed with the subject application however the applicant will be required to coordinate with ADOT and MCDOT for any future offsite roadway improvements.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Half-width Existing R/W</th>
<th>Half-width Proposed R/W</th>
<th>Future Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Van Buren St.</td>
<td>28’</td>
<td>N/A</td>
<td>Principal Arterial</td>
</tr>
<tr>
<td>Buckeye Rd.</td>
<td>34’</td>
<td>N/A</td>
<td>Parkway</td>
</tr>
</tbody>
</table>

Adopted Plan:

14. **Tonopah/Arlington Area Plan** (adopted September 6, 2000): The Tonopah/Arlington Area Plan designates the site as rural (0-1 du/ac.) land uses and there is a portion of the DMP along the I-10 and 339th Ave. designated as Community Retail Center. The proposed uses generally do not comply with this plan, however staff notes the existing Hidden Waters Ranch DMP (ref: DMP2008006) designated approximately 48% of the site as an Industrial/Employment Center and the requested amendment seeks to create more uniform land use designations within the existing DMP.

Public Participation Summary:

15. The applicant complied with the Maricopa County Public Participation Process with the required posting of the property and notification to the adjacent property owners within 300’ of the subject site and the area of interest groups. The public participation generated two letters from the Arizona Fire & Medical Authority who indicated that they would be reaching out to the applicant to coordinate the fire and EMS needs for the project, and the Maricopa County Emergency Management noted no concerns. Additionally, staff has received two letters from the Superintendent of the Saddle Mountain Unified School District (SMUSD). SMUSD noted originally that they opposed the subject DMP amendment and proposed zone change major amendment. The opposition centered on preserving a school site that had been reserved for the SMUSD under the original DMP when the site was originally intended to be primarily medium density residential. Staff forwarded the notice of opposition to the applicant and the applicant worked with the school district to preserve the school site should it be needed. The school district subsequently withdrew their opposition and provided confirmation to staff that they had no further concerns with the proposed amendment.

16. In addition to the above public participation, the applicant and his project team held a virtual neighborhood meeting on December 13, 2021 which was attended by three residents of the area. The meeting summary was provided to staff as a part of the applicants Public Participation Plan. The meeting summary concluded with no concerns noted by the residents and it was noted that the proposed project was a potential positive for property values by one individual. Staff has not received any other letters and there is no known opposition.
Outstanding Concerns from Reviewing Agencies:

17. N/A.

Staff Analysis:

18. Staff is of the opinion that the proposed zone change is an improvement to the DMP. The amendment to rezone the existing single-family residential zoning districts where adjacent to industrial zoning improves the land use patterns of the DMP and provides a more uniform area for industrial uses that is located away from existing urban development. Staff believes the zone change will offer a substantial amount of employment uses to the area. As noted in the Proposed Zoning Exhibit earlier, the site is located to the south of the I-10 adjacent to the Belmont DMP which does offer significant residential land uses however, it does not provide for industrial uses. The proposed amendment would provide for a large employment area adjacent to potential residents of the area while the I-10 would provide a significant buffer between these uses.

19. Staff is supportive of the proposed request to rezone the approx. 200 acres to IND-2 PAD within the DMP. Staff is of the opinion that the proposed rezone is more in line than the existing zoning districts that currently would allow for small-lot development in an area that is sparsely developed and lacking in certain amenities that are congruent with the amount of residential development that is otherwise permitted on the subject site. The rezone would create consistent zoning districts throughout the DMP and facilitate the creation of a large employment center with immediate access to the I-10 that is adjacent to an area already designated as a Community Retail Center.

Recommendation:

20. Staff recommends the Commission adopt a motion recommending that the Board of Supervisors approve Z2021141 subject to the following conditions ‘a’ – ‘s’.

   a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled “Hidden Waters Ranch”, consisting of 6 full-size sheets, stamped received February 10, 2022, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

   b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Major Zone Change Amendment application (PAD)”, consisting of 17 pages, dated February 10, 2022, and stamped received February 10, 2022, except as modified by the following conditions.

   c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.
d. The following Engineering conditions shall apply:

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

e. The following Maricopa County Department of Transportation conditions shall apply:

1. The Developer has provided a Traffic Impact Study (TIS). The TIS has been approved. The Phase TIS shall comply with MCDOT requirements and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 – 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to
any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.

2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be $3,281.00 per residential dwelling unit and shall be paid to MCDOT at the time individual building permits are issued, or per an alternate agreement, as approved by MCDOT.

3. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

   A) Buckeye Road: 100 Feet (Half-width)
   B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
   C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
   D) Roosevelt Street: Western Boundary to 341st Avenue
       55 Feet (Half-width); 110 Feet (Full-width)

   (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

   E) 343rd Avenue, Buckeye Road to Van Buren Street:
       40 Feet (Half-width); 80 Feet (Full-width)
       343rd Avenue, Van Buren Street to Northern Project
       Boundary:
       55 Feet (Half-width); 110 Feet (Full-width)

   (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

   F) 339th Avenue: 100 Feet (Half-width)
   G) 335th Avenue: 40 Feet (Half-width)

   The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

   The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved.
(This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

6. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

7. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

8. The Developer shall not locate elementary or middle schools on arterial roads. (The schools may not “back up” to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.

9. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the “Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

10. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.
11. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

12. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

13. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)

14. The Developer shall provide written documentation of ADOT’s review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

f. All interior streets within the proposed development are to be constructed to minimum County standards.

g. The following Drainage Review stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.

2. Drainage review of this zone change cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

3. All proposed construction within a delineated floodplain must obtain a floodplain use permit from the Flood Control District of Maricopa County.

h. The following Flood Control District stipulations shall apply:

1. The effective floodplain and floodway limits need to be shown on both the final plat and the grading plan.

2. The electronic HEC-RAS files for the final hydraulic calculations need to be provided.

3. Calculations for the lowest floor elevation for the lots within the floodplain are needed.

4. The lowest floor elevation for all lots within the floodplain must be shown on the grading plan.

5. The lowest floor elevations for all lots within the floodplain must be at least two (2) feet above the 100-year water surface elevation. If this area is to be removed by a Letter of Map Revision (LOMR), then a Conditional Letter of
Map Revision (CLOMR) will be needed. A LOMR will be required prior to the final plat approval of the built infrastructure if a CLOMR was issued by FEMA.

6. A note needs to be added to the final plat listing the lots located within the floodplain. In addition, the note needs to state that until a LOMR is approved by the Federal Emergency Management Agency (FEMA), the finished floor will need to be elevated to the regulatory flood elevation, and flood insurance will be required.

7. No buildings will be allowed in the floodway.

i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.

j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

k. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.

l. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a grading permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.

m. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance or Final Plat/Plan of Development approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

n. Prior to zoning clearance or Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.

o. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.

p. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.

q. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning
and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

r. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.

s. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Presented by: Jose Castañeda, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor
Attachments:
- Case Map (1 page)
- Application (1 page)
- Zoning Exhibit (6 pages)
- Narrative Report (17 pages)
- ENG comments (3 pages)
- MCDOT (4 pages)
- MCESD comments (1 page)
- Saddle Mountain Unified School District (4 pages)
- AFMA Letter (1 page)
- MCEM (2 pages)
- GWR Will Serve Letter (2 pages)
Application Name: Hidden Waters Ranch
Legal Description: T1N R5W Pt. of Secs. 4, 5, 6, 7, 8
Supervisor District No. 4
Applicant: Kyle Barichello, RVi Planning and Landscape Architecture
Applicant Phone/ Email: (480) 586-2358 / kbarichello@rviplanning.com
Case Address: T.B.D
Parcel Primary: 504-12-006P, 006S, 006Z, 007, 008, 135, 137
Acreage: approx. 200
Case Number: Z2021141
# ZONE CHANGE MAJOR AMENDMENT APPLICATION

## REQUEST

**Project Name:** Hidden Waters Ranch  
**Description of Request:** Rezone approximately 200 acres from a mix of residential zones to IND-2 PAD, consistent with approved zoning  
**Existing Use of Property:** Vacant - Approved Development Master Plan Area  
**Existing Zoning District:** Rural-43 PAD, R1-7 RU PAD, R1-6 RU PAD, R-2 RU PAD  
**Requested Zone Change Major Amendment:** IND-2 PAD  
**Related Case Numbers:** DMP2008006, Z2007073

## PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Address (if known):</th>
<th>NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Location (include nearest city/town):</td>
<td>South of I-10, North of Buckeye Road, between 339th ave and 351st ave</td>
</tr>
<tr>
<td>Size in Acres:</td>
<td>200.1 Acres</td>
</tr>
<tr>
<td>Square Feet:</td>
<td>871200</td>
</tr>
<tr>
<td>Legal Description Section:</td>
<td>B</td>
</tr>
<tr>
<td>Township:</td>
<td>1N</td>
</tr>
<tr>
<td>Range:</td>
<td>SW</td>
</tr>
<tr>
<td>Assessor’s Parcel Number:</td>
<td>504-12-008, 504-12-007, 504-12-006Z, 504-12-006P, 504-12-135, 504-12-137, 504-12-0058</td>
</tr>
<tr>
<td>Subdivision Name (if applicable):</td>
<td>Hidden Waters Ranch</td>
</tr>
</tbody>
</table>

## OWNER’S AUTHORIZED AGENT INFORMATION

<table>
<thead>
<tr>
<th>Name:</th>
<th>RVi Planning + Landscape Architecture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>120 S Ash Ave Suite 200</td>
</tr>
<tr>
<td>City:</td>
<td>Tempe</td>
</tr>
<tr>
<td>Phone #:</td>
<td>480-586-2358</td>
</tr>
<tr>
<td>Fax #:</td>
<td>480-586-2358</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:kbarichello@rviplanning.com">kbarichello@rviplanning.com</a></td>
</tr>
</tbody>
</table>

## PROPERTY OWNER INFORMATION

<table>
<thead>
<tr>
<th>Name:</th>
<th>339th &amp; I-10, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>14555 N Scottsdale Road #330</td>
</tr>
<tr>
<td>City:</td>
<td>Scottsdale</td>
</tr>
<tr>
<td>Phone #:</td>
<td>480-368-5205</td>
</tr>
<tr>
<td>Fax #:</td>
<td>480-368-5205</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:chase@finalplat.com">chase@finalplat.com</a></td>
</tr>
</tbody>
</table>

## PROPERTY OWNER AND OWNER’S AGENT AUTHORIZATION

I (property owner) 339th & I-10, LLC authorize (owner’s agent) RVi Planning + Landscape Architecture to file this application on all matters relating to this request with Maricopa County. By signing this form as the property owner I hereby agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

## PROPOSITION 207 WAIVER

The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S.§12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any actions taken by Maricopa County as result of the filing of this application.

**Property Owner Signature:**  
**Date:** 10/13/21

## VERIFICATION OF APPLICATION INFORMATION

**I certify that the statements in this application and support material are true. Any approvals or permits granted by Maricopa County in reliance upon the truthfulness of these statements may be revoked or rescinded.**

**Owner or Authorized Agent Signature:**  
**Date:** 10/13/21

## CASE INACTIVITY

Cases which are not active within six (6) months will be considered inactive and closed by staff. A letter addressing the inactivity will be sent to the owner’s authorized agent or property owner with notification of the case to be closed within thirty (30) days. To pursue entitlement after the closing of the case, a new application and associated fees will need to be filed.
FIGURE 1
Context Aerial & Vicinity Map

Approximately Eight (8) mile radius

LEGEND

- State Land
- Existing/Proposed Developments
- Bureau of Land Management
- Site

Map Source: Landiscor, Inc.
HIDDEN WATERS RANCH
MARICOPA COUNTY, ARIZONA

FIGURE 3
Proposed Zoning

Legend

- Amended Area = 200 ac
- IND-2
- Rural 43

*Parcel A16 is per a separate application
Note: Property ownership information was obtained from the County of Maricopa Assessor Office.
Hidden Waters Ranch
A Master Planned Community

Major Zone Change Amendment Application
(PAD)

Maricopa County, Arizona
Case #: Z2021141
Revised: February 10, 2022

Prepared By: RVi Planning + Landscape Architecture
c/o Kyle Barichello
120 South Ash Avenue
Tempe, Arizona 85281
(480) 994-0994

Prepared for: 339th & I-10 L.L.C.
c/o Chase Emmerson
7373 N. Scottsdale Road #B210
Scottsdale, AZ 85253
(480) 368-5205

Received: February 10, 2022
# Hidden Waters Ranch

## A Master Planned Community

### Zone Change Amendment Application

**TABLE OF CONTENTS**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Team</td>
<td>4</td>
</tr>
<tr>
<td>A. Summary</td>
<td>5</td>
</tr>
<tr>
<td>B. Purpose of Request</td>
<td>5</td>
</tr>
<tr>
<td>C. Description of Proposal</td>
<td>6</td>
</tr>
<tr>
<td>1. Introduction</td>
<td>6</td>
</tr>
<tr>
<td>2. Property Description and Location</td>
<td>6</td>
</tr>
<tr>
<td>3. Property Legal Description</td>
<td>6</td>
</tr>
<tr>
<td>4. Base Zoning Districts</td>
<td>7</td>
</tr>
<tr>
<td>5. Overlay Districts (PAD), (RUPD)</td>
<td>9</td>
</tr>
<tr>
<td>6. Discussion of Zoning Districts</td>
<td>9</td>
</tr>
<tr>
<td>a. Residential</td>
<td>9</td>
</tr>
<tr>
<td>b. Industrial</td>
<td>9</td>
</tr>
<tr>
<td>D. Relationship to Surrounding Properties</td>
<td>9</td>
</tr>
<tr>
<td>1. Property Ownership – Site and Surrounding Property</td>
<td>9</td>
</tr>
<tr>
<td>2. On-Site and Surrounding Land Uses</td>
<td>9</td>
</tr>
<tr>
<td>3. On-Site and Surrounding Zoning</td>
<td>9</td>
</tr>
<tr>
<td>4. Airport and other Land Use Impacts</td>
<td>9</td>
</tr>
<tr>
<td>E. Discussion of Recent Changes in the Area</td>
<td>10</td>
</tr>
<tr>
<td>1. Municipal Boundaries</td>
<td>10</td>
</tr>
<tr>
<td>2. Existing Land Use Plans</td>
<td>11</td>
</tr>
<tr>
<td>3. Existing Development in the Area</td>
<td>11</td>
</tr>
<tr>
<td>F. Circulation System (On Site and Off Site)</td>
<td>11</td>
</tr>
<tr>
<td>1. Off-Site Regional Transportation Planning</td>
<td>12</td>
</tr>
<tr>
<td>2. Existing Roads and Right-of-Way</td>
<td>12</td>
</tr>
<tr>
<td>3. On-Site Circulation</td>
<td>12</td>
</tr>
<tr>
<td>a. Vehicular</td>
<td>13</td>
</tr>
<tr>
<td>b. Bicycle and Pedestrian</td>
<td>13</td>
</tr>
<tr>
<td>G. Community Facilities and Services</td>
<td>14</td>
</tr>
<tr>
<td>1. Existing Schools</td>
<td>14</td>
</tr>
<tr>
<td>2. Proposed Schools</td>
<td>14</td>
</tr>
<tr>
<td>3. Parks, Open Space and Trails</td>
<td>14</td>
</tr>
<tr>
<td>H. Public Utilities and Services</td>
<td>15</td>
</tr>
<tr>
<td>1. Water Service District</td>
<td>15</td>
</tr>
</tbody>
</table>
Hidden Waters Ranch
A Master Planned Community

LIST OF ASSOCIATED FIGURES

1. Context Aerial & Vicinity Map
2. Existing Zoning Plan
3. Proposed Zoning
4. Property Ownership
5. Circulation Plan
6. Regional Facilities

LIST OF TABLES

1. Zoning Table
2. Residential Unit Plan of Development Comparison Table
3. Open Space Summary Table
Project Team

Property Owner/Developer: Chase Emmerson
339th & I-10 L.L.C.
7373 N. Scottsdale Road #B210
Scottsdale, AZ 85253
(480) 368-5205

Land Planner: Kyle Barichello
RVi Planning + Landscape Architecture
120 South Ash Avenue
Tempe, Arizona 85281
(602) 994-0994

Civil Engineer: Zach Hill, PE
Kimley Horn
101 Southern Ave, Suite 131
Mesa, AZ 85210
(480) 207-2669
A. SUMMARY

The purpose of this request is for a zone change from Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD to IND-2 PAD.

The Hidden Waters Ranch Zone Change Amendment requests the change of approximately 200 gross acres of the larger 653.5 privately owned land to IND-2 to match the existing development standards within the larger Development Master Planned Area (DMP). The property is privately owned by 339th & I-10 L.L.C. The Zone Change site is located in the western Phoenix metropolitan area, south of Interstate 10, North of Buckeye Road, generally between the 341st Avenue alignment on the east and 345th Avenue alignment on the west. There is also an approximate 80-acre parcel detached from the main property located at the southeast corner of Hidden Waters Parkway and Van Buren Street. The property is currently located in unincorporated Maricopa County, Arizona. Maricopa County has included this area within the planning region of the Tonopah/Arlington Area Plan. See Figure 1, Context Aerial & Vicinity Map for the site’s location and regional context.

B. PURPOSE OF REQUEST

The proposed property is in a dynamic growth area within the Tonopah/Arlington Area Plan built heavily around major employment and commercial users. The proposed amendment is planned to allow for a variety of industrial and employment land uses general commercial services and light industrial uses. The current market in this part of Maricopa County is strong for large, industrial users as it is primely located in the Phoenix Metro with excellent roadway access. Recently, a record of decision was sent to the Federal Highway Administration (FHWA) by the Arizona Department of Transportation (ADOT) identifying the selected I-11 corridor alignment which has been studied for the past 5 years. This future corridor is envisioned as a multi-use corridor that would improve Arizona’s access to regional and international markets and is located within 10 miles of the DMP area. This alignment will provide the framework for the DMP area to become a major employment hub for the west Phoenix Metro area given its location and access to major infrastructure systems. Additionally, the Howard Hughes Corporation recently bought approximately 37,000 acres in west Phoenix known as Douglas Ranch, seeking to become the “city of the future.” This project slated for approximately 300,000 residents and is located approximately 10 miles north of the subject site. These two factors further solidify the need to amend the residential to industrial to set the stage for the future employment growth in the area away from an oversaturated residential market.

Over the past year the property owners hired a site selection company to evaluate the types of users that may be interested in the current industrial zoned land within the DMP Area. However, it was discovered that due to existing constraints of the available parcels, none of the current available industrial zoned land would be suitable for many of the large 1.2+ Million Square Foot (SF) facilities seeking to develop in the Phoenix Metro area. It was concluded that the current industrial acreage and layouts were too small, but that the 200+/-- acre area we are amending would have been highly desired as it provides a more buildable parcel shape without major natural constraints. This site selection study is yet another part of the justification for amending the residential zoning to industrial.
Lastly, there are limited sites throughout the Phoenix Metro that provide water and sewer solutions to capture this industrial demand sought in the Phoenix Metro area. The current site provides the capability to serve both water and sewer more favorably to industrial users versus residential development. Major infrastructure including water and sewer provided by Global Water is being installed along 339th Avenue through the DMP area with sewer following 12 months after. The project team has been in coordination with the utility provider and has obtained will serve letters to the overall DMP area based on the new proposed amendment from residential to industrial development. These letters from Global Water Resources dated January 20, 2022 have been provided with this application.

Another change within this zone change application is to the existing elementary school site designation. Per discussions with the Hassayampa Utility Company, the Saddle Mountain Unified School District (SMUSD), this site will remain reserved as an elementary school but will be reduced to 14.3-acres and zoned to IND-2. Saddle Mountain Unified School District has no objection to the rezoning of this section of the Hidden Waters Ranch development in Tonopah from residential to industrial designation per an associated DMP application. If at a future date State Land areas within the DMP are also rezoned from residential to industrial use, SMUSD may not need the school site and would be open to such discussions at the time rezoning is proposed.

In summary, many factors are providing the justification for the request to amend the current zoning of the property to be consistent with the Industrial and Employment Center land use designations as part of a concurrent application and existing industrial zoning to allow for a sustainable, quality industrial and employment focused development area that will support existing and future employment and residential growth in the area.

C. DESCRIPTION OF PROPOSAL

1. Introduction

The Hidden Waters Ranch Zone Change is consistent with the larger Hidden Waters Ranch DMP which includes primarily industrial/employment. The current existing residential designations proposed to be rezoned within the DMP area are limited to portions of those parcels solely owned by the private landowner. Currently, none of the State Land owned properties are zoned with the appropriate zoning category (currently RU-43) as outlined within the DMP and are not a part of this zone change request. The Zone Change and concurrent DMP amendment for the overall project area has been planned with the intent of incorporating many of the goals, objectives, and policies of the Tonopah/Arlington Area Plan. This includes the proposal of providing a mixture of land uses that consist of:

- Industrial and employment uses that are focused on further establishing a balanced activity center node located at the I-10 interchanges and providing employment opportunities to the residents of the community and surrounding area.
- Recreational and dedicated, non-developable open spaces that provide quality recreational opportunities and are sensitive to the existing natural conditions (i.e. floodplains, vegetation, wildlife, etc.) of the area.
The proposed rezoning seeks to replace the existing privately owned residential parcels with highly desirable industrial and employment zoning, consistent with the overall Hidden Waters Ranch DMP.

2. Property Description and Location

The area proposed within this Zone Change request is part of the Hidden Waters Ranch Development Master Plan located in the western Phoenix metropolitan area. The property falls within the jurisdiction of unincorporated Maricopa County. The property within the Zone Change request is located south of Interstate 10, North of Buckeye Road, generally between the 341st Avenue alignment on the east and 345th Avenue alignment on the west. See Figure 1, Context Aerial & Vicinity Map for the site’s location and regional context. A graphic representation of the property area boundaries is provided in Figure 1.

3. Property Legal Description

The overall property consists of portions of Sections 4, 5, 6, 8 and 9 of Township 1 North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. The APN’s as part of this request include the following:

- 504-12-008
- 504-12-007
- 504-12-006Z
- 504-12-006P
- 504-12-135
- 504-12-137
- 504-12-006S

4. Base Zoning Districts

The zoning districts requested under this Zoning Change Amendment application include IND-2 PAD only. The proposed zoning of the approximately 200-acre area per this application will be consistent with the current approved IND-2 zoning standards as approved and consistent throughout the larger DMP area.

Figure 2, Existing Zoning Plan, graphically illustrates the current approved zoning districts within the Hidden Waters Ranch property. Figure 3, Proposed Zoning Plan illustrates the proposed Zone Change Amendment application.

Table 1, Amended Zoning Table, lists the zoning district and land use types for each development parcel and is reflective of the removal of all residential per this zone change.
### Table 1: Amended Zoning Table

<table>
<thead>
<tr>
<th>Development Unit</th>
<th>Land Use Category</th>
<th>Land Use Type</th>
<th>Approx. Gross Acres (1)</th>
<th>Approx. Net Acres (2)</th>
<th>Maximum Density</th>
<th>Max. Units</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>AREA A: Private Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>IEC</td>
<td>Industrial</td>
<td>12.9</td>
<td>12</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A2</td>
<td>D/NDOS</td>
<td>Open Space</td>
<td>15.8</td>
<td>14</td>
<td>-</td>
<td>-</td>
<td>Rural-43 PAD</td>
</tr>
<tr>
<td>A3</td>
<td>IEC</td>
<td>Industrial</td>
<td>130.8</td>
<td>128</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A4</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.1</td>
<td>37</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A5</td>
<td>D/NDOS</td>
<td>Open Space</td>
<td>20.7</td>
<td>18</td>
<td>-</td>
<td>-</td>
<td>Rural-43 PAD</td>
</tr>
<tr>
<td>A6</td>
<td>IEC</td>
<td>Industrial</td>
<td>99.6</td>
<td>95</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A7</td>
<td>IEC</td>
<td>Industrial</td>
<td>39.5</td>
<td>36</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A8</td>
<td>IEC</td>
<td>Industrial</td>
<td>40.3</td>
<td>38</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A9</td>
<td>IEC</td>
<td>Industrial</td>
<td>25.5</td>
<td>23</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A10</td>
<td>IEC</td>
<td>Industrial</td>
<td>19.9</td>
<td>19</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A11</td>
<td>IEC</td>
<td>Industrial</td>
<td>34.6</td>
<td>33</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A12</td>
<td>IEC</td>
<td>Industrial</td>
<td>80.3</td>
<td>72</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A13</td>
<td>IEC</td>
<td>Industrial</td>
<td>9.2</td>
<td>9</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A14</td>
<td>EDU</td>
<td>Industrial</td>
<td>14.3</td>
<td>14</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A15</td>
<td>IEC</td>
<td>Industrial</td>
<td>16.8</td>
<td>14.3</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>A16</td>
<td>UT</td>
<td>Utilities (Exception)</td>
<td>28.7</td>
<td>28.7</td>
<td>IND-2 PAD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A19</td>
<td>IEC</td>
<td>Industrial</td>
<td>24.1</td>
<td>23</td>
<td>-</td>
<td>-</td>
<td>IND-2 PAD</td>
</tr>
<tr>
<td>AREA A TOTALS</td>
<td></td>
<td></td>
<td>653.5</td>
<td>613</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Zone Change Amendment Project Summary – Area A

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Total AC</th>
<th>% Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Land Area (ac)</td>
<td></td>
<td>653.5</td>
<td></td>
</tr>
<tr>
<td>Gross Project Density</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Density minus Industrial</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Industrial Acreage</td>
<td></td>
<td>653.5</td>
<td></td>
</tr>
<tr>
<td>Total Unit Count</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Projected Population</td>
<td></td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**Legend**

<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Total AC</th>
<th>% Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural-43 PAD</td>
<td>36.5</td>
<td>6%</td>
</tr>
<tr>
<td>IND-2 PAD</td>
<td>617</td>
<td>94%</td>
</tr>
<tr>
<td>Light Industrial, Employment</td>
<td>653.5</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Notes:**

(1): All Gross and Net acres are rounded to the nearest acre. For purposes of this table, any acreage less than .49 is rounded down and any acreage equal to or greater than .50 is rounded up. This same assumption applies to all references to acreage throughout the document, and should be the basis of any stipulations related to gross or net acres.
5. Overlay Districts (PAD)

**PAD Overlay**
The Planned Area Development (PAD) Overlay Zoning District remains in place for the entire 653.5-acre Zone Change area as part of prior amendments and as provided within this narrative. In accordance with the Maricopa County Zoning Ordinance, the PAD overlay is designed to provide for “unified planning of large areas to achieve the mixture, variety and cohesiveness of land uses and amenities that such large-scale planning makes possible,” as well as to define the “development parameters” for the site while allowing the detailed site design to take place at a later stage in the planning process. The PAD will allow for minor boundary adjustments in the development parcel boundaries as the property undergoes detailed design to provide flexibility to accommodate the end user of each parcel. Table 1, Zoning Table establishes a projected number of residential units which is permitted within each development parcel.

6. Discussion of Zoning Districts

a. Residential
   All previously proposed residential development will be removed per this Zone Change application. The only remaining residential designations will be the Rural-43 zoned Non-Dedicated Open Space areas as part of the DMP. No residential development is proposed throughout Area A as part of the overall DMP.

b. Industrial
   Approximately 200 acres per this zone change amendment application of the larger 653.5 acres is proposed as Light Industrial utilizing the IND-2 zoning district, matching existing entitlements. The proposed industrial land use is anticipated to develop as business park, manufacturing, distribution, and other light industrial uses that will provide employment opportunities for the community and surrounding areas. The Tonopah/Arlington Area Plan identifies this area as an activity center/focal point for the region. Commercial and employment land uses are encouraged to support the future growth in the area. In conformance with the Area Plan, this project proposes significant industrial/employment zoning with excellent access to the I-10 freeway corridor and the new Hidden Waters Parkway. The proposed IND-2 parcels are located along the Roosevelt and Van Buren Street alignments providing an adequate buffer between the residential property to the south and the I-10 freeway corridor to the north. Additional industrial land uses are proposed at the southeast corner of Hidden Waters Parkway and Van Buren Street.

D. RELATIONSHIP TO SURROUNDING PROPERTIES

1. Property Ownership – Site and Surrounding Property

The property ownership pattern within the site and surrounding area is provided in Figure 4, Property Ownership. The subject property is owned by three private land owners. The property surrounding the site is owned by various private land owners and the State of Arizona. Much of the State Land is included in a Development Master Plan for a larger planning area, but is not included in the Zone Change request.
2. On-Site and Surrounding Land Uses

Existing land uses on site consist primarily of vacant desert land. Surrounding the property, the most notable land use is the Rip Griffin Truck Stop at the southwest corner of I-10 and Hidden Waters Parkway. South of the Rip Griffin Truck Stop is also a “borrow pit” that consists of an approximately 20-acre site that is approximately 8 feet deep. There are also various residential developments in the immediate vicinity of the property. Most notable is the cluster of homes on a quarter section on the south side of the Roosevelt alignment at the 243rd Avenue alignment. These properties are accessed by a dirt road that starts on Hidden Waters Parkway approximately one-quarter mile south of the Interstate 10 and runs east along the Roosevelt Road alignment approximately one-quarter mile to the properties. There are also scattered large lot residential properties along the west and south sides of the property.

3. On-Site and Surrounding Zoning

Generally, the adjacent properties to the north, east, south and west of the property are all zoned Rural-43. The exception to this is the truck stop that is located at the northeast corner of the property. The truck stop area and the truck wash are zoned IND-2 Light Industrial District. The convenience store and restaurant that is associated with the truck stop is located in an area that is zoned as C-2 Intermediate Commercial District. This C-2 zoning extends north to the I-10 freeway. There is also a subdivision that is located the southeast of the project. This subdivision is zoned Rural-190 Rural Zoning District. Rural-190 permits an overall project density of one unit on a lot that is a minimum of 190,000 square feet.

Figure 2. Existing Zoning, shows the current zoning on the property and the surrounding areas.

4. Airports and other Land Use Impacts

The Hidden Waters Ranch property is not located within a zone of influence of any of the significant Phoenix metropolitan area airports. The closest airport is the Buckeye Municipal Airport located approximately 5.5 miles to the east. The disclosure boundary is approximately ¾ miles from the project boundary putting it outside of the notification requirements that are required to be a part of local Conditions, Covenants, & Restrictions (CC&R’s).

Other notable land use impacts also include the Palo Verde Nuclear Generating Station (PVNGS) located approximately 4.5 miles from the property. The Hidden Waters Ranch Community is located within the 10-mile Plume Exposure Pathway Emergency Planning Zone (EPZ) for PVNGS. Predetermined protective action plans have been put in place by the State of Arizona for this EPZ and are designed to avoid or reduce dose from potential exposure of radioactive materials. These actions include sheltering, notification, evacuation, and the use of potassium iodide where appropriate.

E. DISCUSSION OF RECENT CHANGES IN THE AREA

1. Municipal Boundaries
The Hidden Waters Ranch area falls within the planning jurisdiction of Maricopa County and is not located within any incorporated municipal boundaries. It is anticipated that this property will continue to be a part of Maricopa County when it is completed. The City of Buckeye jurisdictional limits are approximately 2 miles to the east of the project site, and its planning area ends at the Hassayampa River, one mile east of the property. Figure 1, Context Aerial & Vicinity Map, shows the relationship between the existing municipal boundaries and the project site.

2. Existing Land Use Plans

Maricopa County Vision 2030 Comprehensive Plan – Tonopah/Arlington Area Plan

The Hidden Waters Ranch property is located within the planning and development jurisdictional area of Maricopa County. Vision 2030 explains Maricopa County’s policies and expectations for the development of unincorporated areas, but given how much area this includes it is neither possible nor practical for this plan to consider local and site-specific issues. To address this problem Maricopa County uses its Area Plan program to support local needs. In order to provide assistance and direction in the planning and development of this area, Maricopa County has prepared the Tonopah/Arlington Area Plan (TAAP). This plan consists of 346 square miles and includes the unincorporated communities of Tonopah, Arlington, Hassayampa, and Wintersburg. The purpose of the TAAP is to recognize the issues that face the future development of this area and to also set goals, objectives and policies that can serve as guidelines for the Planning and Zoning Commission and the Board of Supervisors.

3. Existing Development in the Area

There are a number of existing and planned residential developments within the immediate vicinity of the property. Some of the developments include:

- Belmont Development Master Plan, a large master planned development that has been approved by Maricopa County and is currently under review for a Major Amendment to the approved plan. It is located to the north of the property.
- Hassayampa Ranch, a residential development located to the northeast of the property and bordered to the east by the Hassayampa River.
- Scattered residential properties located south and west of the site.
- Howard Hughes Corporation bought approximately 37,000 acres in west Phoenix called Douglas Ranch, seeking to become the “city of the future.” This project is approximately 10 miles north of the subject site.

These and other existing and planned developments in the area are shown on Figure 1, Context Aerial & Vicinity Map.

F. CIRCULATION SYSTEM

1. Off-Site Regional Transportation Planning

The Hidden Waters Ranch property is currently located in an area that is covered in the Maricopa County 2040 Regional Transportation Plan updated February 26, 2020 and
within the MAG Hassayampa Valley Framework Study - Wickenburg Area (November 2010) The I-10/ Hassayampa study area covers approximately 1,400 square miles bounded by State Route (SR) 303L on the east, the 459th Avenue section line on the west, the approximate SR-74 alignment on the north, and the Gila River on the south.

In regard to significant existing roadways within immediate proximity of the site, Interstate 10, which runs along the north border of the site, provides interstate and major metropolitan access to the site. Other existing roadway improvements are Hidden Waters Parkway, Van Buren Street, and Buckeye Road. All of these other roadways have been classified by the Maricopa County Major Streets and Routes Plan: Street Classification Atlas (Adopted April 18, 2001, updated in June 2011) and MAG Hassayampa Valley Framework Study. Per the updated plans, 339th Avenue is proposed as a Parkway, 347th Avenue as a Major Arterial, Van Buren Street as a Principal Arterial, and Buckeye Road as a Minor Arterial.

2. Existing Roads and Rights of Way

The existing roadways adjacent to Hidden Waters Ranch are Interstate 10, Hidden Waters Parkway, and Van Buren Avenue. Interstate 10 runs along the northern border of the project and is a 4-lane highway that runs east-west. This highway provides regional and interstate access to the site.

Hidden Waters Parkway is currently a two-lane roadway that runs north-south starting approximately 2 miles to the north of the property at the Tonopah-Salome Highway, running south through the project area, and terminating at approximately 4.5 miles to the south of the project area. There is a full access freeway interchange at the intersection of Hidden Waters Parkway and I-10. Van Buren Avenue is also a two-lane roadway with an east-west alignment starting at Hidden Waters Parkway, running west through the project area, and terminating at approximately 4 miles to the west of the project area at Wintersburg Road. According to the Maricopa County Major Streets and Street Classification Atlas (Revised June 2011) these 2 roadways have been classified as Rural Minor Arterials with a total right-of-way of +/-130 feet.

3. On-Site Circulation

The implementation of an efficient circulation system within the Hidden Waters Ranch project is imperative to the overall quality of life for future residents. The efficient and safe movement of vehicular and non-vehicular traffic within and throughout the project and adjacent to the project will further enhance the overall value of the community, promote mobility and reduce the potential for traffic conflicts. Balancing the project’s land use plan with the transportation plan has been a key component in the planning of the Hidden Waters Ranch project design. The intent of the proposed circulation system is to create safe and efficient transportation opportunities for vehicular, bicycle and pedestrian user groups.

a. Vehicular

The Hidden Waters Ranch project proposes the use of a public street system with standard street cross sections that are in support of the parkway, arterial, collector and local street classification categories that have been standardized in the
Individual development unit and subdivision access will be accommodated via a network of parkway, arterial, collector and local streets. The primary project entry point for phase one will be located near the intersection of Van Buren Street and Hidden Waters Parkway. Hidden Waters Parkway is proposed as a Parkway section; however additional access points will be necessary between the I-10 freeway and Van Buren Street to serve the mixed-use employment and commercial activity center in this area.

There are four planned or existing roadways within the vicinity of the Hidden Waters Ranch project that have been classified by the County of Maricopa in the Streets Classification Atlas. These major transportation routes are Hidden Waters Parkway, 347th Avenue, Van Buren Street, and Buckeye Road. All of these roads have been classified as arterials; however; a recent MAG study has identified Hidden Waters Parkway and Buckeye Road as future Parkway sections. As such, the Circulation Plan identifies these two roadways as Parkway sections with a 200’ full street right-of-way. A list of all full street sections are provided below (note that where the project perimeter is adjacent to the roadway alignments, only half street dedications will be provided).

- Hidden Waters Parkway (339th Ave): 200 foot Parkway Section
- Buckeye Road: 200 foot Parkway Section
- Van Buren Street: 130 foot Arterial Section
- 347th Avenue: 130 foot Arterial Section
- Roosevelt Street: 110 foot Major Collector
- 343rd Avenue: 110 foot Major Collector from Van Buren to north of Roosevelt and 80 foot Major Collector for all other areas
- Harrison Street: 80 foot Major Collector Section
- 335th Avenue: 80 foot Major Collector Section
- 351st Avenue: 80 foot Major Collector Section

Hidden Waters Parkway will serve as the major north-south regional transportation corridor for the area and will provide a connection to the areas that are south of the project and give access to Interstate 10. Van Buren Street will serve as the major east-west regional access for the project area, providing a connection from Hidden Waters Parkway, through the major principal arterial of Wickenburg Road, and ending at the principal arterial of Salome Highway.

**b. Bicycle and Pedestrian**

**Figure 5. Circulation Plan**, identifies the planned bicycle and pedestrian circulation within the Hidden Waters Ranch community. All roadways will be designed to accommodate bicycle and pedestrian circulation movements in addition to vehicular traffic movements (with the exception of the Parkway section which does
not include separate bicycle lanes). The Hidden Waters Ranch community will incorporate detached sidewalks on all arterial and collector streets to promote pedestrian safety and comfort. Arterial and collector roadways will also be designed to incorporate on-street bicycle lanes to promote the use of bicycles as a viable means of mobility throughout the Planned Community and to comply with the Maricopa County Bicycle System Plan. The on-street bicycle lanes will be designed to connect with the various multi-use trail corridors at appropriate locations to provide convenient access between the on-street bicycle lanes and the multi-use trails throughout the development.

G. COMMUNITY FACILITIES AND SERVICES

1. Existing Schools

The Hidden Waters Ranch property is located in the Saddle Mountain Unified School District #90. There are currently four schools in the Saddle Mountain USD. The elementary schools include Ruth Fisher Elementary School, located at 38201 W. Indian School Rd. (Wintersburg Rd. & Indian School Rd.), Tonopah, AZ 85354, Winters Well Elementary School, located at 35220 W. Buckeye Road, Tonopah, AZ, 85354 and the Tartesso Elementary School (scheduled to open in August 2008) located at 29677 W. Indianola Road, Buckeye, AZ 85326. The high school within the district is Tonopah Valley High School, located at 38201 W. Indian School Road, Tonopah, AZ 85354. The location of these facilities can be seen in **Figure 6, Regional Facilities Map**.

2. Proposed School

The underlying DMP previously planned a 16.6-acre elementary school facility at the SWC of Harrison Street and 339th Avenue on the privately owned land. The site will remain designated as a future school site but is being reduced by 2.3 acres in size to 14.3 acres due to negotiations of all interested parties including the Hassayampa Utility Company, SMUSD, and private property owner. The prior school site dedication will remain to account for the existing residential land preserved within the DMP. However, this school designation will be reevaluated later should the land use designation of the State Land parcels change from residential.

This zone change will change the zoning designation from residential to IND-2 to match the existing industrial planned within the DMP. Schools are permitted in IND-2 zoning and the SMUSD has agreed to this underlying zoning change.

3. Parks, Open Space & Trails

The Hidden Waters Ranch Planned Community will preserve numerous opportunities for active and passive recreation through the non-developable open space/wash corridor areas. The combination of the natural wash corridors and a proposed trail system throughout this community is one of the design features that will make this community attractive to many different lifestyle choices. With immediate access to the Hassayampa River area, opportunities for many types of recreation will be abundant in this area.

Dedicated/Non-Developable Open Space
The project proposes to preserve the significant wash corridor that exists on the western portion of the property as dedicated non-developable open space that may be used as passive recreation opportunities and/or trail connections throughout the development. The only improvements to these areas are road and/or utility crossings and the trail system along the fringe of the corridor. The implementation of wash corridor preservation will be based on detailed hydrologic analysis during the subdivision plat process.

Multi-Use Trails
The Hidden Waters Ranch development proposes a community multi-use trail system to enhance recreational opportunities, connect various recreational and community amenities, and promotes alternative means of mobility throughout the community. The existing Dickey Wash will be utilized in the multi-use trail network with the allocation of a trail along the entire length of the wash corridor, providing a north-south alignment that provides community access to the amenity of the wash. Sidewalks will be concrete and will be provided on all public streets throughout the development.

The phasing of the trails will follow the general phasing of the project as a whole, with trails being built in conjunction with each adjacent development parcel. Additionally, the sidewalks for all local streets will be determined at the time of plat and will be built as the individual subdivisions are constructed for each development parcel.

H. PUBLIC UTILITIES AND SERVICES

1. Water Service District

Water will be provided by the Water Utility of Greater Tonopah (WUGT) and will be supplied through groundwater wells. The project team has been in coordination with the utility provider and has obtained will serve letters for the proposed industrial development within the DMP area. These letters from Global Water Resources dated January 20, 2022 have been provided with this application.

2. Wastewater Service District

Hassayampa Utilities Company (HUC), a wholly-owned subsidiary of Global Water Resources (GWR), will provide wastewater service for the property. HUC will design and construct a new wastewater reclamation facility (WRF) to serve the property and surrounding developments. The project team has been in coordination with the utility provider and has obtained will serve letters for the proposed industrial development within the DMP area. These letters from Global Water Resources dated January 20, 2022 have been provided with this application.

3. Electric

The Hidden Waters Ranch project is within the Arizona Public Service (APS) electrical service area.

4. Telephone
Telephone service to the Hidden Waters Ranch project may be provided by Qwest Communications and/or Cox Cable digital phone service.

5. **Cable Television**

   Cable television service to the Hidden Waters Ranch project can be provided by Cox Communications Company. Various satellite television companies can also serve the property.

6. **Natural Gas**

   Southwest Gas will provide natural gas service to the project.

7. **Refuse Collection Districts**

   A refuse collection district does not currently serve the Hidden Waters Ranch property. A contract with a private collection service will be provided for refuse collection services.

8. **Fire Service**

   The project area is located within the Tonopah Valley Fire District, which covers approximately 330 square miles. The current operating station for the Tonopah Valley Fire District is located at 36511 West Salome Highway, Tonopah, AZ 85354, approximately 8 miles from the Hidden Waters Parkway and I-10 Interchange. The station is manned 7 days a week, 24 hours a day with 2 firefighters/EMT’s. There are also 15 volunteer firefighters.

   In order to provide appropriate response times for this development, a new fire station site is proposed on Roosevelt Street between Hidden Waters Parkway and 343rd Avenue on the State Land portion of the DMP. This station has been located to provide acceptable response time for the entire development as well as various surrounding properties. Although not included in this zone change request, the fire station is part of the overall master plan for the project.

9. **Law Enforcement Services District**

   The Hidden Waters Ranch property is currently within the jurisdiction of the Maricopa County Sheriff’s Department. As such, the Maricopa County Sheriff’s Department will continue to provide law enforcement services to the property. Specifically, the property is located in District 2, which provides services to the rural areas of Buckeye, Laveen, Mobile, Rainbow Valley, Tonopah, and the town of Gila Bend, all communities within the southwest quadrant of Maricopa County. The southwest quadrant encompasses an area totaling 5,200 square miles.

   The main station for District 2 is located at 920 E. Van Buren Avenue, Avondale, AZ 85323, with two substations located at 100 N. Apache Boulevard, Buckeye, AZ 85326 and 303 W. Pima Street, Gila Bend, AZ 85337. The approximate location of the nearest substation is identified in Figure 6, Regional Facilities Map. A development agreement between the property owner and the Maricopa County
Sheriff’s Department will be executed prior to Final Plat approval to ensure adequate resources are available to provide an appropriate level of service to the project.

10. Library Services

The nearest regional library services to the property is provided by the Maricopa County Library Services District. The closest county library is located in Litchfield Park at 101 W. Wigwam Blvd. The Litchfield Park Branch Library serves the west valley Tri-City area of Litchfield Park, Avondale and Goodyear.

There is also a public city library located at 310 N. 6th Street in Buckeye, AZ. These library services are provided by the City of Buckeye.

I. OTHER INFORMATION HELPFUL IN EVALUATING THE REQUEST

Prior to this zone change request, the applicant submitted a major amendment to the approved Hidden Waters Ranch Development Master Plan for a larger 1,314 acre master plan. This DMP Amendment will provide the framework and criteria for the proposed Zone Change application, as the proposed 653.5 acres are part of the DMP Amendment changing all previously designated residential development to Industrial and Employment Center (IEC) land use designation.

In addition to the information provided with this zone change application, additional detailed information regarding the Hidden Waters Ranch project is provided with the DMP Amendment for the property. This includes details related to the property’s site analysis, master plan components such as land uses, circulation, drainage, landscape, utilities, and property management issues. This additional information may be useful as supplemental information when reviewing this zone change request.
Date: December 6, 2021

Memo To: Darren Gerard, AICP, Planning Manager, Department of Planning & Development

Attn: Jose Castaneda, Planner, Planning & Development Services

From: Robert Fedorka, P.E., Engineering Supervisor, Planning & Development Services

cc: Michael Norris, P.E., Engineering Manager, Planning & Development

Subject: DMP2021004 & Z2021141
DMP Amendment & Zone Change for Hidden Waters Ranch Without a Plan of Development (E1 Memo)

Job Site Address: Generally East & West along the 343rd Ave. Alignment between Buckeye Road and Van Buren Street

APN(s): 504-12-008 & Several Others

This application is to modify conditions of a previously approved Development Master Plan (DMP); specify zoning for future development areas; and does not include a Plan of Development.

PND engineering plan review (DPR, FCD and PND Transportation) has reviewed the 1st submittal of the subject applications routed for review on November 23, 2021 (DMP) and November 10, 2021 (Zone Change) and has no objections subject to the following conditions:

**DMP2021004**

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.

6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

Z2021141

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.

3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.

4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.

5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.
6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.

7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

Please contact me if you have any questions or require any additional information.
Hi Bob,
We do not have any concerns with you removing c.8. We are not sure where it would have originated from as there is no mention in the RDM.

Thanks,
Lynndsay O'Neill, AICP, CFM
Senior Planner
Engineering Division
O: 602.506.1766
Maricopa County Department of Transportation
2901 W. Durango Street • Phoenix, AZ 85009
lynnndsay.oneill@maricopa.gov

Thx Lynndsay –

The other related case is DMP2008006 – that’s where the 343rd Ave. change is noted.

I’ve also added a condition to the current case requiring a TIS for each phase of development.

Best Regards,

Bob Fedorka, PE
Engineering Supervisor
Planning & Development
602-506-7151
Hi Bob,
I would be comfortable with that condition. I am currently looking into c.8. In addition we should have our full TAC review over later today or tomorrow morning.

Thanks,

Lynndsay O’Neill, AICP, CFM
Senior Planner
Engineering Division
O: 602.506.1766
Maricopa County Department of Transportation
2901 W. Durango Street • Phoenix, AZ 85009
lynndsay.oneill@maricopa.gov

---

Lynndsay –

One more thing – they want to change the condition for dedication along 343rd Ave. to be from Buckeye to Harrison (originally Buckeye to Van Buren).

I think we should just add a condition like this to the current case – I’ve defined future entitlements as Plans of Development of Preliminary Plats.

1. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further
evaluated at the time of future entitlement applications.

Best Regards,

Bob Fedorka, PE  
Engineering Supervisor  
Planning & Development  
602-506-7151  
Bob.Fedorka@maricopa.gov

P&D is now 100% digital. Find information on our new permit process here

From: Bob Fedorka (PND)  
Sent: Wednesday, December 1, 2021 11:19 AM  
To: Lynndsay O'Neill (DOT) <Lynndsay.O'Neill@maricopa.gov>  
Cc: Jason Mahkovtz (DOT) <Jason.Mahkovtz@Maricopa.Gov>  
Subject: PND Planning Case - Z2021141 Hidden Waters

Hi Lynndsay –

We have a zone change case in for review to change some residential areas to industrial. Z20211141 includes revisions to conditions of a previous case Z2007073.

Two changes affect MCDOT –

Eliminate c.2 that requires a $3,281/RDU contribution for regional transportation infrastructure; and
Eliminate c.8 that prohibits middle or high schools along arterial roadways.

I’m sure removal if c.2 is OK since the County no longer requires impact fees.

Can you let me know if c.8 is OK to eliminate.

Thx.

TAC is 12/7
Best Regards,

Bob Fedorka, PE
Engineering Supervisor
Maricopa County Planning & Development Department
301 W. Jefferson Street, Suite 170, Phoenix, AZ 85003
Desk: 602-506-7151 | Cell: 602-689-2116
Bob.Fedorka@maricopa.gov

P&D is now 100% digital. Find information on our new permit process here.
DATE: November 11, 2021

TO: Jose Castaneda, Planning & Development Dept. Planner

FROM: Souren Naradikian, P.E. Senior Civil Engineer

SUBJECT: Major Zone Change Amendment Application. Z2021141

The Maricopa County Environmental Services Department (MCESD) has reviewed documents received from the Maricopa County Planning and Development Department for the above referenced project. This project is a request for to discuss amending an existing DMP and Zoning Case named Hidden Waters Ranch at APN # 504-11-025. Due to the shift in market conditions and the lack of availability of 100-year assured water supply in the area for residential development, the owner of the private lands as part of the DMP is seeking to modify the land uses and zoning of the multiple privately owned parcels within the DMP. The associated pre-application request seeks to evaluate the following items preceding future formal DMP and PAD Rezoning amendment application requests to Maricopa County, MCESD has concerns, water ATC must be approved prior to Final plat approval. Sewer ATC must be approved prior to Final plat approval.

Based on the above, MCESD raised no objection to these projects to the Planning & Development Department in Accela Automation on November 11, 2021 and can allow them to proceed at this time subject to the following stipulations:

Stipulations: None

It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.
Hello. I am aware of their request and have no objection or comments. Thank you.

Dr. Paul Tighe
Superintendent

38201 West Indian School Road
Tonopah, AZ 85354
623-474-5111
www.smusd90.org

CONFIDENTIALITY NOTICE: This email message and any accompanying data are confidential and intended only for the recipient(s). If you are not the intended recipient(s), you are hereby notified that the dissemination, distribution, and or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the email address above, delete this email from your computer, and destroy any copies in any form immediately. Thank You.

Please do not print this e-mail unless you just can't help yourself

On Fri, Feb 4, 2022 at 3:36 PM Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov> wrote:

Greetings,

Maricopa County Planning and Development has received the subject DMP Amendment resubmittal with associated Rezone application. You have been identified as a stakeholder in the area of the subject application. You or your authorized representative are invited to submit written recommendations/comments for the subject application which may be discussed with the applicant.

Please feel free to contact me with any questions or comments you may have related to this case.
Best Regards,

Jose Castañeda

Planner

Maricopa County Planning & Development Department

301 W. Jefferson St., Suite 170, Phoenix, AZ 85003

Desk: 602-506-8358 | Fax: 602-506-3282

Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Hello. I had a preliminary conversation with the developer recently. We do have some concerns about the loss of the school site as there will still be over 800 residential units (in the same development, east and west of the industrial area, if approved) and we do not have capacity at existing schools in that area nor do we have another school site in that area. While this may not be something the developer needs to address, it is nonetheless a concern for us.

Thank you for contacting me. Happy Holidays!

Dr. Paul Tighe
Superintendent

38201 West Indian School Road
Tonopah, AZ 85354
623-474-5111
www.smusd90.org

CONFIDENTIALITY NOTICE: This email message and any accompanying data are confidential and intended only for the recipient(s). If you are not the intended recipient(s), you are hereby notified that the dissemination, distribution, and/or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the email address above, delete this email from your computer, and destroy any copies in any form immediately. Thank You.

Please do not print this e-mail unless you just can't help yourself

On Wed, Dec 22, 2021 at 12:57 PM Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov> wrote:

Hello,

I am the Planner assigned to the subject request that seeks to rezone a portion of the Hidden Waters Ranch Development Master Plan to Industrial. The original conditions of the HWR stipulated 16.6 acres within the development for a school site as at the time the majority of
the HWR was anticipated to develop as residential. The subject application seeks to eliminate much of the residential land use designations for the HWR.

I would like a clarification from Saddle Mountain as to if there would be any concerns from you in the reduction and or elimination of the schools site? I am of the opinion that a school site remaining within an area that may become industrial is an incompatible land use, however I do need to know the school districts position on the school site being reduced or eliminated before we proceed to changing the land use designation for this site. Please feel free to reach out to me if you have any questions.

Best Regards,

Jose Castañeda
Planner
Maricopa County Planning & Development Department
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003
Desk: 602-506-8358 | Fax: 602-506-3282
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Good morning Jose,

I am emailing you regarding the project listed as: **DMP2021004 Hidden Water Ranch - Z2021141 Hidden Waters Ranch**.

Would you please change the responsible Fire Agency to the Arizona Fire and Medical Authority? The Arizona Fire & Medical Authority is the responsible fire agency and AHJ for Tonopah. I have included Deputy Chief Eric Kriwer in this email as he is the Fire Marshal for the Authority. I will be reaching out to the developer directly to begin communicating about the fire and EMS needs for the project. Would you please add Chief Kriwer and me to all planning or project communications moving forward?

Thank you,

**Kane Nixon, Ed.D., NR-P, TLO**  
**Deputy Chief**  
**Logistics & Planning**  
**ARIZONA FIRE & MEDICAL AUTHORITY**  
18818 N. Spanish Garden Drive, Sun City West, AZ  85375  
☎ Tel 623-544-5400 | ☎ Cell 623-388-1180 | ☎ Fax 623-544-5455 | knixon@afma.az.gov  
Office hours: Monday through Thursday, 7:00 am – 5:00 pm Closed Fridays

Visit our website at [www.afma.az.gov](http://www.afma.az.gov) | Click to follow us on [Facebook](https://www.facebook.com) [Twitter](https://twitter.com) [Instagram](https://www.instagram.com) [LinkedIn](https://www.linkedin.com)

This message is intended only for the named recipient(s). If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender either at the above e-mail address or telephone the Arizona Fire & Medical Authority (AFMA) at (623) 544-5400. Thank You.

To ensure compliance with Arizona's open meeting laws, members of the North County, South County and/or Arizona Fire & Medical Authority's Board of Directors who have received this message may reply directly to the sender but must not correspond with or send a copy of their reply regarding this message to any other members of their respective Board(s). Recipients of this message who are not Board members must not forward this message to any of the North County, South County or AFMA Board Members.
Jose,

We have reviewed the application and have no ideas from Emergency Management.

Thank you,

Rich Peel
Operations Supervisor
Maricopa County Emergency Management
5630 E. McDowell Rd Phoenix, AZ 85008
richard.peel@maricopa.gov
O: 602.273.1411 | C: 602.725.6879
Greetings,

Maricopa County Planning and Development has received the subject DMP Amendment resubmittal with associated Rezone application. You have been identified as a stakeholder in the area of the subject application. You or your authorized representative are invited to submit written recommendations/comments for the subject application which may be discussed with the applicant.

Please feel free to contact me with any questions or comments you may have related to this case.

Best Regards,

Jose Castañeda
Planner
Maricopa County Planning & Development Department
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003
Desk: 602-506-8358 | Fax: 602-506-3282
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
January 20, 2022

Chase Emmerson
Emmerson Holdings, LLC.
7373 N. Scottsdale Road, #B210
Scottsdale, AZ 85253
480.368.5205

Re: 339th Avenue & I-10: APN#S 504-12-008, 504-12-007, 504-12-006P, 504-12-006Z, 504-12-135, 504-12-137, and 504-12-006S - Will Serve letter

Dear Chase;

Global Water – Hassayampa Utilities Company, Inc. and Global Water – Greater Tonopah Water Company, Inc. (the “Utilities”) have received and reviewed your request for water and wastewater service to the property including APN#S 504-12-008, 504-12-007, 504-12-006P, 504-12-006Z, 504-12-135, 504-12-137, and 504-12-006S (the “Property”). The Property is located at approximately 339th Avenue & South of I-10 in the City of Tonopah, Arizona. The Utilities have determined that the Property is located within the boundaries of their service area as defined by the Arizona Corporation Commission’s Certificate of Convenience and Necessity. The Property is also subject to the terms of an Infrastructure Coordination and Financing Agreement (“ICFA”) recorded as Fee No. 2008-0679693 in the Office of the Pinal County Recorder. Therefore, the Utilities will provide water and wastewater service to the Property, subject to the following terms and conditions:

1. If any on-site infrastructure necessary to serve the Property is to be dedicated to the Utilities, line extension agreements (“LXA”) are required. The fee associated with each line extension agreement is equal to 10% of the estimated cost of the infrastructure to be transferred to the Utility, or $7,500.00, whichever is greater.

Prior to establishing service in any parcel, the Bill of Sale for the parcels must be completed. The terms of the LXAs describe the Bill of Sale process for water service infrastructure and wastewater service infrastructure. Please also refer to the attached checklist for use in gathering the documents needed for that process.

As per the terms of the LXAs, plan review and approval are required, and design shall be in accordance with the Utilities Design and Construction Standards. These standards are available at www.gwresources.com under the Construction Resources tab.

2. The Property is subject to the terms of an Infrastructure Coordination and Financing Agreement (ICFA), recorded as document numbers 2008-0679693. The applicable fees will be due. A copy of the ICFA is attached for your reference and an invoice for the ICFA fees due will be forthcoming.

3. A meter and service line connection application and associated fees must be paid for each meter prior to installation. A copy of the application, which includes a fee schedule, is available at www.gwresources.com under the Construction Resources tab.
4. Water and wastewater utility service is subject to the provisions of any regulations, statutes, orders and/or directives from any entity with regulatory/statutory authority over the Utility and the conditions under which it may provide utility service to the Property.

We look forward to working with you in the development and implementation of your project.

Sincerely, 

Emily Campbell  
Development Services Program Manager  
*Enclosures as noted
Since the publishing of the staff report for the above cases staff has received one (1) letter of opposition from a resident in the area. The nature of the opposition centers on the resident being opposed to any new development in the area. According to the opposition letter, the resident does not want to see any new commercial or residential development in this area.

The resident provided comments in Spanish. The following excerpt of the letter has been translated to English:

“Good afternoon Jose. I am Karla Selene Dominguez, one of the people affected by the construction that they plan to do. I do not agree that said property located at 339th Ave. and 351st Ave. and north of Buckeye Rd. be converted into a residential or commercial property. The neighbors and I bought those properties to be away from civilization and to be able to have animals and peace of mind. We are already far enough from the city for them to force us to go further by bringing their constructions to the comer of our properties.”

Further, staff offers an amendment to condition ‘e.’ to remove an impact fee that was carried over from the previous zoning case and renumerate the subsequent conditions. Staff has confirmed with P&D Engineering that the impact fee is no longer necessary and has provided comment to update the condition as shown below.

Shown below are the additional conditions in leg-edit format with new language underlined and bolded and language to be eliminated in strikethrough:

**e.** The following Maricopa County Department of Transportation conditions shall apply:

1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. The TIS has been approved. The Phase Subsequent TIS submittals shall comply with then MCDOT requirements and indicate the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated
with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 - 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.

2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be $3,281.00 per residential dwelling unit and shall be paid to MCDOT at the time individual building permits are issued, or per an alternate agreement, as approved by MCDOT.

2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

   A) Buckeye Road: 100 Feet (Half-width)
   B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
   C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
   D) Roosevelt Street: Western Boundary to 341st Avenue
      55 Feet (Half-width); 110 Feet (Full-width)

   (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

   E) 343rd Avenue, Buckeye Road to Van Buren Street:
      40 Feet (Half-width); 80 Feet (Full-width)
      343rd Avenue, Van Buren Street to Northern Project Boundary:
      55 Feet (Half-width); 110 Feet (Full-width)

   (THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

   F) 339th Avenue: 100 Feet (Half-width)
   G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.
The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall not locate elementary or middle schools on arterial roads. (The schools may not “back-up” to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the
“Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)

12. The Developer shall provide written documentation of ADOT’s review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

Staff offers the following condition in final format:

1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. Subsequent TIS submittals shall comply with then MCDOT requirements and indicate off-site improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 – 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.
2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:

A) Buckeye Road: 100 Feet (Half-width)
B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
D) Roosevelt Street: Western Boundary to 341st Avenue
   55 Feet (Half-width); 110 Feet (Full-width)

(The TIS needs to document non-standard R/W.)

E) 343rd Avenue, Buckeye Road to Van Buren Street:
   40 Feet (Half-width); 80 Feet (Full-width)
   343rd Avenue, Van Buren Street to Northern Project Boundary:
   55 Feet (Half-width); 110 Feet (Full-width)

(The TIS needs to document non-standard R/W.)

F) 339th Avenue: 100 Feet (Half-width)
G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.
4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the “MCDOT Roadway Design Manual,” including TIS infrastructure requirements and the “Drainage Policies and Standards for Maricopa County.”) Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.

5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.

7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the “Multimodal Plan”) which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.

8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.

9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner’s Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.

10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
12. The Developer shall provide written documentation of ADOT’s review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.

Attachments:
3-18-22 E-mail – Letter of Opposition (2 pages)
3-23-22 Email - Engineering Letter (1 page)
Buenas tardes José.
34239 w harrison st Tonopah arizona.
4802570612

El El vie, mar. 18, 2022 a la(s) 12:13 p. m., Jose Castaneda (PND)
<Jose.Castaneda@maricopa.gov> escribió:

Buenos días Karla,

Si quiere me puede dar su dirección para que pueda anotar la localización de la oposición a este caso? Igualmente si quiere dar un numero de Teléfono. Si quiere que la ponga en contacto con los que son responsables por el proyecto pueden ellos contestar cualquier pregunta que tenga.

Gracias,

Jose Castañeda
Planner
Planning & Development
Desk: 602-506-8358
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.

Buenas tardes José. Soy Karla Selene Dominguez una de las personas afectadas por la
construcción que planean hacer.

No estoy de acuerdo en que se convierta dicha propiedad ubicada en 339 th ave y 351 st ave y norte de Buckeye rd en residencial ó comercial.

los vecinos y yo compramos esas propiedades para estar lejos de la civilización y poder tener animales y tranquilidad. Ya estamos bastante lejos de la ciudad para que nos quieran obligar a irnos más lejos trayendo sus construcciones a la esquina de nuestras propiedades.
See attached redlines – Condition e.7 can also be deleted.

Best Regards,

Bob Fedorka, PE  
Engineering Supervisor  
Planning & Development  
602-506-7151  
Bob.Fedorka@maricopa.gov

P&D is now 100% digital. Find information on our new permit process here

---

Hi Bob,

I am eliminating the impact fee from condition ‘e.’ since I have to present the changes I wanted to make sure the remaining condition ‘e.’ is still good to go as presented.

Jose Castañeda  
Planner  
Maricopa County Planning & Development Department  
301 W. Jefferson St., Suite 170, Phoenix, AZ 85003  
Desk: 602-506-8358 | Fax: 602-506-3282  
Jose.Castaneda@Maricopa.Gov

P&D is now 100% digital. Find information on our new permit process here.
Report to the Board of Supervisors  
Prepared by the Maricopa County Planning and Development Department

Board Hearing Date: April 20, 2022 (Indefinitely Continued from August 4, 2021)

Case #/Title: Z2021044 – Vertical Bridge / T-Mobile AZ-5068

Supervisor District: 3

Applicant/Owner: Gary Cassel, Clear Blue Services / Superior L & L LLC

Request: Special Use Permit (SUP) for a new wireless communication facility (WCF) in the Rural-43 RUPD zoning district

Site Location: Approx. 750 ft. southeast of the SEC of 7th Ave. and Desert Hills Dr., in the New River area

Site Size: Approximately 1.7 acres

County Island Status: N/A

Additional Comments: This case was continued from the August 4, 2021 Board hearing. The applicant has modified the request in an attempt to alleviate project opposition. Project modifications include:

- Proposed monopole height lowered from 80’ to 65’;
- Proposed monopole appearance changed from being painted brown to have a “Corten” brown finish;
- Proposed array diameter lessened from 13’ to 9.5’; and
- the proposed monopole and ground equipment will be located within a 30 ft. x 35 ft. compound screened by 10 ft. tall solid CMU walls.

Staff notes the development standard modification table on sheet ZD of the site plan identifies a minimum lot size of 72,828 sq. ft. where 43,560 sq. ft. is required; however, that apparent modification is in error and the minimum lot area is unmodified at 43,560 sq. ft.

There is significant opposition to the project due to the location, height, and color of the WCF, among other concerns. The Commission recommended denial of the request due mainly to the number and substance of opposition comments. The Commission was not satisfied with the Applicant’s responses to the written and in-person opposition presented at hearing. Seven (7) parties spoke in
opposition at the hearing, citing general concerns. As of the writing of this report, staff is aware of 123 opponents to the request (comprising 71 opposition petition signatories & 52 additional opposing parties). Four (4) opposition comments represent 4 properties within 300 ft. of the subject property.

Staff has calculated the support and opposition received, and notes that a Super Majority Vote (four affirmative votes) has been triggered. The trigger is when 20% or more of property owners within a 300’ radius of the subject site, by number and area, register opposition to the case. The opposition received accounts for 6 property owners representing:

- 44% opposed parcel acreage within 300’ buffer
- 80% opposed parcel numbers within 300’ buffer

There are no outstanding concerns from reviewing agencies.

**Commission Recommendation:**

On 7/8/21, the Commission voted 7-0 to recommend **denial** of Z2021044.

**Staff Recommendation:**

The staff report presented to the Commission included staff recommendation for approval. In the event the Board motions for approval of Z2021044, staff suggests conditions ‘a’ – ‘i’ (incorporating the applicant’s modified proposal):

**a.** Development of the site shall be in substantial conformance with the combo Site/Building Plan Set entitled “US-AZ-5068 HONDABOW”, consisting of 9 full-size sheets, dated October 4, 2021, and stamped received January 21, 2022, except as modified by the following conditions.

**b.** Development of the site shall be in substantial conformance with the Narrative Report entitled “US-AZ-5068 (HONDABOW)”, consisting of 17 pages, dated May 18, 2021, and stamped received May 21, 2021, except as modified by the following conditions.

**c.** The following Planning Engineering conditions shall apply:

1. At the time of the Building Permit, Engineered Grading and Drainage Plans are required. The Grading for the road and pad for lease area must go according to the checklist:

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.
3. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies and Standards.

d. The following Maricopa County Environmental Services Department (MCESD) condition shall apply:

1. It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.

e. The maximum height of the Wireless Communication Facility shall be limited to 65’.

f. A Minor SUP Amendment shall be required to co-locate future carriers on the Wireless Communication Facility.

g. This special use permit is valid for a period of 20 years and shall expire on April 20, 2042, or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

h. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.
## Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

<table>
<thead>
<tr>
<th>Case:</th>
<th>Z2021044 – Vertical Bridge / T-Mobile AZ-5068</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing Date:</td>
<td>July 8, 2021</td>
</tr>
<tr>
<td>Supervisor District:</td>
<td>3</td>
</tr>
</tbody>
</table>

| Applicant: | Gary Cassel, Clear Blue Services |
| Owner: | Superior L & L LLC |
| Request: | Special Use Permit (SUP) for a new wireless communication facility in the Rural-43 RUPD Zoning District |

| Site Location: | Approx. 750 ft. southeast of the SEC of 7th Ave. and Desert Hills Dr., in the New River area |
| Site Size: | Approx. 1.7 acres |
| Density: | N/A |
| County Island: | No |
| County Plan: | Daisy Mountain / New River - Rural Densities (0-1 d.u./ac) |
| Municipal Plan: | N/A |
| Municipal Comments: | None received to date |
| Opposition: | 83 Opponents (71 opposition petition signatories & 12 additional opposing parties). |
| Recommendation: | Approve with conditions |
Project Summary:

1. The Applicant, Gary Cassel, Clear Blue Services, on behalf of Vertical Bridge, T-Mobile and the property owner, is requesting a Special Use Permit (SUP) for a new Wireless Communication Facility (WFC) in the Rural-43 RUPD zoning district. The subject property is parcel 211-23-014F, located approximately 750 ft. southeast of the southeast corner of the intersection of 7th Avenue and Desert Hills Drive, in the New River area (subject property). The subject lot split property is rectangular, generally flat and comprises approximately 1.7 acres. The subject property is bounded by a Rural-43 designated property to the west and Rural-43 RUPD properties to the north, east and south. A vacant, Arizona State Trust Land property bounds the subject property to the north and south, a vacant, privately-owned property bounds to the west and a privately-owned property with apparent accessory buildings bounds to the east.

2. The proposed 80 ft. tall WCF tower will be within a new 30 ft. x 35 ft. (1,050 sq. ft.) lease area compound, located in the northern half of the subject property. The tower will be painted brown to decrease its visual/aesthetic effects. The compound will include new equipment cabinets and electrical service, and will be enclosed by a 10 ft. tall CMU wall. The 10 ft. tall CMU wall is to minimize noise that may emanate from equipment cabinet cooling fans (already limited because, according to the Applicant, the equipment cabinets are designed to minimize noise) and to screen the lease area compound.
3. The Applicant provided mapping of the current level of T-Mobile wireless service in the area of the subject property and how the proposed WCF would improve that service with an 80 ft. tall tower as opposed to a 65 ft. tall tower. Currently, the T-Mobile wireless level of service in the area is characterized by full-strength signal for calls made outdoors, with slightly less signal strength in cars, but inside residences most calls would be blocked or dropped due to weak signal that cannot reliably penetrate buildings. This level of service is shown by the yellow area, which extends approximately 1.5 miles to the west, north and east, and approximately 1 mile south, of the subject property where signal strength increases in areas shown in light blue. Signal strength is non-existent in the areas shown in white, with increasing strength shown by brown, yellow, light blue and dark green area, where the signal is strongest. According to the Applicant, signal strength is improved with the 65 ft. tall tower; however, the coverage does not extend to other T-Mobile 5G towers, which is significant because the 5G system depends on strong signals between the towers to achieve optimal levels of service.

Existing Signal Strength
(Subject Property Identified with Pink Circle)
Signal Strength with 65 ft. Tall Tower
(Subject Property Identified with Pink Circle)

Signal Strength with 80 ft. Tall Tower
(Subject Property Identified with Pink Circle)
The applicant has requested several development standard modifications in accordance with the SUP process, as follows (MCZO Sec. 304 and Art. 1202.2.8). The 80 ft. tall tower complies with the 80 ft. height limitation for WCFs in Rural and Residential zones; however, it does not meet the 2 ft. of setback per 1 ft. in height requirement (MCZO Arts. 1202.3.1.1.a and 1202.3.1.1.g). Accordingly, a development standard modification is requested to provide for the proposed 80 ft. setback from the west and north subject property boundaries and 140 ft. setback from the east subject property boundary, where 160 ft. setbacks are required (MCZO Art. 1202.3.1.1.g). The proposed antenna array is 13 ft. in diameter where the maximum diameter is 8 ft. (MCZO Art. 1202.3.1.1.h). Accordingly, a development standard modification is requested to provide for the 13 ft. antenna array. A final development standard modification is requested to eliminate the 25 ft. Sight Visibility Triangles (SVTs) that would typically be required for a WCF where the driveway meets the public street (MCZO Art. 1111.4.3).
5. According to the Assessor, the subject lot split property is 1 of 3 parcels created from 2 parent parcels, completed on January 13, 2021. According to Planning and Development records, the subject property is in the Rural-43 RUPD zoning district established under zone change with overlay request Z2005023, approved by the Board of Supervisors on January 4, 2006. The intent of Z2005023 was to provide for Cielo Grande, a subdivision planned for the area for which a Preliminary Plat (S2005012) and two subsequent Preliminary Plat time extensions (S206067 and S2007057) were approved, but no Final Plat was ever approved and the Cielo Grande subdivision was never built. Even so, the development standards approved under Z2005023 apply to the current, subject property as well as the Rural-43 RUPD designated properties to the north, east and south. The differences between the development standards implemented under Z2005023 Rural-43 RUPD and the current Rural-43 development standards are 1) 20 ft. interior side yard setback where 30 ft. is the current standard, 2) 30 ft. rear yard setback where 40 ft. is the current standard, 3) minimum 120 ft. lot width where 145 ft. is the current minimum, and 4) minimum 35,000 sq. ft. lot area where 43,560 sq. ft. is the current minimum (Z2005023 and MCZO Sec. 503). At approximately 220 ft. in width and 72,828 sq. ft., the subject property exceeds the lot width and area requirements of the Rural-43 RUPD zone. The other development standards of the Rural-43 RUPD zone do not affect the current WCF proposal differently from the current Rural-43 zone standards.

Zoning Map
(Subject Property Outlined in Red)
Existing On-Site and Adjacent Zoning / Land Use:

6. On-site: Rural-43 RUPD / Residential
   North: Rural-43 RUPD / Vacant
   South: Rural-43 RUPD / Vacant
   East: Rural-43 RUPD / Residential
   West: Rural-43 / Vacant

Utilities and Services:

7. Water: N/A for proposed WCF
   Wastewater: N/A for proposed WCF
   School District: Deer Valley Unified School District #97
   Fire: Daisy Mountain Fire District
   Police: MCSO

Right-of-Way:

8. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Half-width Existing R/W</th>
<th>Half-width Proposed R/W</th>
<th>Future Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desert Hills Dr.</td>
<td>40-ft</td>
<td>65-ft</td>
<td>Minor Arterial</td>
</tr>
<tr>
<td>3rd Ave.</td>
<td>0-ft</td>
<td>0-ft</td>
<td>Local</td>
</tr>
</tbody>
</table>

Adopted Plan:

9. **Daisy Mountain/New River Area Plan** (adopted November 20, 2019): Subject property identified for single-family rural densities (0-1 d.u./ac.). Land Use Policy 3 (page 36) is to “encourage utility and communication companies to provide visually and auditorily sensitive solutions for equipment within the Planning Area.” Staff finds the current proposal satisfies this policy by proposing to paint the cell tower brown and building a 10 ft. tall CMU wall around the 30 ft. x 35 ft. lease area. The paint color is to minimize the visual effect of the tower and the 10 ft. tall screen wall is to minimize equipment cabinet cooling fan noise, which is already limited because, according to the Applicant, the equipment cabinets are designed to minimize cooling fan noise.

Public Participation Summary:

10. The applicant complied with the Maricopa County Citizen Review Process with the required posting of the site and notification by first class mail to adjacent property owners within 300’ of the subject parcel, and to other interested parties. To date, Staff is aware of 83 opposing parties 71 of whom are signatories to an objection/protest petition, dated May 17, 2021, with opposition comments submitted by 12 additional parties. None of the opposition comments are from owners of properties within 300 ft. of the subject property.

11. The Applicant held a public meeting on June 1, 2021, from 6 p.m. to 8 p.m. at the Crossroads Church, 42425 New River Rd., Phoenix, AZ 85086. Staff did not attend this meeting and was not involved in the notification / invitation process for it. According to
the Applicant, there were 19 attendees, including 7 same-household couples, who responded to meeting announcements the applicant sent to 65 addresses, including the owners of all properties within 300 ft. of the subject property. An additional 200 notification letters were apparently sent by Mr. Alan Muller to members of the New River/Desert Hills Community Association (NRDHCA). According to the Applicant, the meeting attendees included owners of properties located close to the subject property, and several of the parties who signed the opposition petition of May 17, 2021. A copy of the public meeting sign-in sheet is attached to this report. The Applicant felt that this meeting was productive with cordial discussion of several issues as summarized in the Citizen Participation Results Report; however, according to Mr. Muller, several meeting attendees felt that their questions were not addressed. Thus, Mr. Muller requested that the Applicant hold a second public meeting. Accordingly, the Applicant worked with Ed Taylor, President of the NRDHCA to determine if the second public meeting was necessary. Mr. Taylor stated that he emailed notification of the current request to more than 540 parties associated with the NRDHCA on June 23, 2021 to invite questions to the Applicant (who’s contact information was included) about the project. Mr. Taylor also stated that the current request was discussed at the NRDHCA Board meeting of June 24, 2021 where no objections were stated and it was determined that no more public meetings would be necessary. Furthermore, the Applicant confirmed with Staff, in a June 27, 2021 email, that he received no calls or emails in response to the NRDHCA notification of June 23, 2021.

12. The issues cited by the opposition comments include: 1) The proposed WCF location, 2) the proposed tower height of more than 65 ft., 3) the tower proposed to be painted brown rather than treated to create a Corten (i.e. rusted) finish, 4) noise, 5) radiation, 6) tower setbacks, 7) impacts to adjacent property values, and 8) outdoor lighting.

13. Responding to each of those issues: 1) The proposed location of the WCF is allowed by-right in all zones if the WCF meets the applicable development standards (MCZO Sec. 1202). If the WCF does not meet the applicable development standards, then the Board of Supervisors may allow it as a Special Use (MCZO Art. 1202.2.8). The Applicant states that the proposed location is necessary to provide cell coverage in the area. The current WCF is subject to a Special Use Permit because it is setback less than 160 ft. from 3 property lines, the array is greater than 13 ft. in diameter, and no SVTs are to be provided. 2) The proposed 80 ft. tower height meets the height limit of MCZO Art. 1202.3.1.1.a and Staff has no authority to require a lower maximum height. The Applicant states that the proposed height is also necessary to provide cell coverage in this area, which is essential for communications, including emergency communications. 3) The Applicant proposed to paint the tower brown to be similar to the existing APS power poles, which have a Corten (rusted) finish. This color appears to comply with MCZO Art. 1202.3.1.1.d. 4) The 10 ft. tall CMU wall proposed to surround the WCF compound is intended to minimize any off-site noise. The only apparent source of noise would be from equipment cooling fans, which are housed in cabinets the Applicant has stated are designed to minimize fan noise. That sound dampening along with the 10 ft. tall CMU wall and the distance of at least 300 ft. to the closest off-site residence combine to minimize off-site noise impacts. 5) Radiation is an issue regulated by the FCC and, therefore, not subject to review or approval by local jurisdictions like Maricopa County. 6) As noted above, the proposed tower setbacks do not meet the 2 ft. setback for each foot in tower height required by MCZO Art. 1202.3.1.1.g; however, the tower is setback at least 1 ft. for each foot in height; therefore, it does not create a fall hazard for neighboring properties and the SUP process provides for modification of applicable development
standards with approval by the Board of Supervisors. 7) Property values are not a basis for project evaluation, rather, projects are evaluated on the basis of their compliance with the Code, which is to achieve a balance of benefits and costs for the community as a whole. 8) Outdoor lighting is subject to the provisions of MCZO Art. 1112 Outdoor Light Control Provisions, which require outdoor light fixtures to be shielded to minimize off-site glare. The proposed 10 ft. tall CMU wall around the WCF compound is also to minimize off-site glare.

**Outstanding Concerns from Reviewing Agencies:**

14. N/A.

**Staff Analysis:**

15. Staff believes the current SUP request is reasonable and necessary to maintain and expand cell phone service in this area. The subject WCF would be located approximately 100 ft. from the closest residence, which is on the subject property, and more than 300 ft. from the next closest residence (on parcel 211-23-014E) with all other nearby residences being at least 500 ft. from the subject property. The nearest public roadways are Desert Hills Dr., which is approximately 300 ft. north of the subject property, and 7th Ave., which is approximately 650 ft. west of the subject property. The request to reduce the 160 ft. setback required by MCZO Art. 1202.1.1.3.g from the west, north and east subject property boundaries is reasonable because the proposed, minimum 80 ft. setbacks eliminate the possibility of the 80 ft. tall tower falling on neighboring properties and the request is necessary because the area the tower serves is affected by its height and the 220 ft. width of the subject property cannot accommodate 160 ft. of setback from both the east and west property boundaries. The 13 ft. diameter antenna array is necessary to avoid radio signal interference, or "cross-talk," between the signal receiving and sending functions that would result if the antenna array diameter was less than approximately 13 ft. The request to eliminate the SVTs typically required for WFCs is reasonable because the SVTs would be required at the east boundary of the subject property, where the on-site access easement/driveway meets the ingress/egress easement that extends further east, to 3rd Ave. The subject WCF and neighboring residential uses would generate very few trips, which eliminates the purpose and need for the SVTs, and providing the SVTs would require removal of significant amounts of existing vegetation, which would only increase the visibility of the new WCF facility and would be counter to the intent of the Code, which requires avoidance of removal of mature trees and cacti whenever possible (MCZO Art. 1202.3.1.1.e). While Staff understands the objections stated by the project opponents, as stated in the opposition comments, the project complies with the requirements for WCFs in the Rural zone, except for the development standard modification requests discussed above, which are potentially approvable by the Board of Supervisors under the standard SUP review and approval process (MCZO Sec. 304 and Arts. 1202.2.8 and 1301.1.19). Furthermore, local jurisdictions like Maricopa County cannot, by statute, regulate aspects of WCFs that are already regulated by the Federal Communications Commission (FCC). Having said that, there is significant neighborhood opposition to the proposed WCF. The level of opposition alone can be considered grounds for legislative denial of the SUP.
Recommendation:

16. For the reasons outlined in this report, staff recommends the Commission motion for Approval, subject to conditions ‘a’ – ‘i’.

a. Development of the site shall be in substantial conformance with the combo Site/Building Plan Set entitled “US-AZ-5068 HONDABOW”, consisting of 9 full-size sheets, June 7, 2021, and stamped received June 11, 2021, except as modified by the following conditions.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled “US-AZ-5068 (HONDABOW)”, consisting of 17 pages, dated May 18, 2021, and stamped received May 21, 2021, except as modified by the following conditions.

c. The following Planning Engineering conditions shall apply:

1. At the time of the Building Permit, Engineered Grading and Drainage Plans are required. The Grading for the road and pad for lease area must go according to the checklist:
(Open in Internet Explorer)

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.

3. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies and Standards.

d. The following Maricopa County Environmental Services Department (MCESD) condition shall apply:

1. It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.

e. The maximum height of the Wireless Communication Facility shall be limited to 80’.
f. A Minor SUP Amendment shall be required to co-locate future carriers on the Wireless Communication Facility.

g. This special use permit is valid for a period of 20 years and shall expire on August 4, 2041, or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

h. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.
**Application Name:** Vertical Bridge / T-Mobile AZ-5068 EDR  

**Legal Description**  
T06N R03E 029,  

**Applicant**  
Gary R CASSEL for Vertical Bridge / T-Mobile / Clearblue Services  

**Case Address**  

<table>
<thead>
<tr>
<th>Parcel Primary</th>
<th>Applicant Phone/Email</th>
<th>Z2021044</th>
</tr>
</thead>
<tbody>
<tr>
<td>211-23-014F</td>
<td>602-439-8990, <a href="mailto:garycassel@clearblueservices.com">garycassel@clearblueservices.com</a></td>
<td></td>
</tr>
</tbody>
</table>

**Supervisor District No. 3**  

VERTICAL BRIDGE / T-MOBILE TO BUILD A NEW (COLLOCATABLE) 80' MONOPOLE AND EQUIPMENT INCLUDED WITHIN A 30' X 35' CMU WALLED IN COMPOUND (PAINTED TO MATCH DESERT AREA)  

Maricopa County Planning & Development - Phoenix, AZ
**PROJECT DESCRIPTION:**

Construction of telecommunications and public utility facility, consisting of a monopole tower, space for carrier equipment, and a utility bundle within an 18 ft. high gas null equipment compound. New tower to have six (6) antennas, four (4) bands (3G/4G) and two (2) power. No water on tower is required. This will be an enhanced facility.

**CODE COMPLIANCE:**

All work and materials shall be performed and installed in accordance with the current editions of the following codes as adopted by the local governing authority. Version in these plans is to be considered permitted work not complying to the latest editions of the following:

1. 2012 INTERNATIONAL BUILDING CODE
2. 2011 NATIONAL ELECTRICAL CODE
3. 2012 NFPA 70, LIFE SAFETY CODE
4. 2012 IFC
5. AMERICAN CONCRETE INSTITUTE
6. AMERICAN INSTITUTE OF STEEL CONSTRUCTION
7. MANUAL OF STEEL CONSTRUCTION, 12th ED.
8. ASCE 7-10/ASCE 7-16
9. 3A SPR
10. INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEERS (IEEE)

**VICTORY MAP**

**PROJECT INFORMATION**

<table>
<thead>
<tr>
<th>SITE NAME:</th>
<th>HONDABOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>SITE NUMBER:</td>
<td>152-52-9008</td>
</tr>
<tr>
<td>SITE ADDRESS:</td>
<td>Phoenix, AZ 85086</td>
</tr>
<tr>
<td>PANEL #:</td>
<td>2011-23-014F</td>
</tr>
<tr>
<td>OCCUPANCY:</td>
<td>N</td>
</tr>
<tr>
<td>CONSTRUCTION:</td>
<td>53-3</td>
</tr>
<tr>
<td>ZONE:</td>
<td>MARICOPA COUNTY</td>
</tr>
<tr>
<td>GROUND ELEVATION:</td>
<td>6171.5 FT.</td>
</tr>
<tr>
<td>STRUCTURE TYPE:</td>
<td>MONOPOLE</td>
</tr>
<tr>
<td>STRUCTURE HEIGHT:</td>
<td>80 FT. MONOPOLE</td>
</tr>
<tr>
<td>CONSTRUCTION AREA:</td>
<td>35' X 35' = 1,225 SQ FT</td>
</tr>
<tr>
<td>LATITUDE (NAD 83):</td>
<td>33° 46' 29.44&quot; N</td>
</tr>
<tr>
<td>LONGITUDE:</td>
<td>112° 04' 49.38&quot; W</td>
</tr>
</tbody>
</table>

**SITE ACCESS:**

Call for underground utilities prior to digging.

**EMERGENCY:**

CALL 911

**APPROVAL BLOCK**

<table>
<thead>
<tr>
<th>APPROVED</th>
<th>APPROVED AS MODIFIED</th>
<th>DISAPPROVED/REVIEW</th>
</tr>
</thead>
<tbody>
<tr>
<td>VERTICAL BRIDGE</td>
<td>DATE</td>
<td>YES</td>
</tr>
<tr>
<td>SITE ACQUISITION</td>
<td>DATE</td>
<td>YES</td>
</tr>
<tr>
<td>CONSTRUCTION MANGER</td>
<td>DATE</td>
<td>YES</td>
</tr>
<tr>
<td>ZONING</td>
<td>DATE</td>
<td>YES</td>
</tr>
<tr>
<td>BY ENGINEERING</td>
<td>DATE</td>
<td>YES</td>
</tr>
</tbody>
</table>

**DRAWING INDEX**

<table>
<thead>
<tr>
<th>DRAWING #</th>
<th>TITLE</th>
<th>REV.</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>T1</td>
<td>TITLE SHEET</td>
<td>4</td>
<td>6/7/21</td>
</tr>
<tr>
<td>T2</td>
<td>SURVEY (BY OTHERS)</td>
<td>C</td>
<td>6/7/21</td>
</tr>
<tr>
<td>T3</td>
<td>SURVEY (BY OTHERS)</td>
<td>C</td>
<td>6/7/21</td>
</tr>
<tr>
<td>S0-1</td>
<td>SIT PLAN</td>
<td>3</td>
<td>6/7/21</td>
</tr>
<tr>
<td>C1</td>
<td>ELEVATION</td>
<td>4</td>
<td>6/7/21</td>
</tr>
<tr>
<td>C2</td>
<td>ELEVATION</td>
<td>4</td>
<td>6/7/21</td>
</tr>
<tr>
<td>C3</td>
<td>ELEVATION</td>
<td>4</td>
<td>6/7/21</td>
</tr>
<tr>
<td>C4</td>
<td>ELEVATION</td>
<td>4</td>
<td>6/7/21</td>
</tr>
<tr>
<td>C6</td>
<td>ANTENNA &amp; EQUIPMENT LAYOUT</td>
<td>4</td>
<td>6/7/21</td>
</tr>
</tbody>
</table>

**JURISDICTIONAL APPROVAL**

Special Use Permit: Z2021044

Special use permit for construction of telecommunications and public utility facility. Overview of an 80 ft. high monopole tower with space for carrier equipment, and a utility bundle within an 18 ft. high gas null equipment compound. New tower to have six (6) antennas, four (4) bands (3G/4G) and two (2) power. No water on tower is required. This will be an enhanced facility.
THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 3 EAST FOR THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH 89 DEGREES 53 MINUTES 32 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1323.39 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29;


THENCE NORTH 89 DEGREES 53 MINUTES, 05 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29 A DISTANCE OF 441.25 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTH LINE, SOUTH 00 DEGREES 13 MINUTES 49 SECONDS WEST A DISTANCE OF 330.23 FEET TO THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29;

THENCE NORTH 89 DEGREES 53 MINUTES 06 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 220.60 FEET TO THE SOUTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29;

THENCE LEAVING SAID SOUTH LINE, NORTH 00 DEGREES 15 MINUTES 02 SECONDS EAST, A DISTANCE OF 330.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29;

THENCE SOUTH 89 DEGREES 53 MINUTES 05 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 220.48 FEET TO THE POINT OF BEGINNING.

AN AREA CONTAINING 1050 SQ FT MORE OR LESS.
Z2021044

Market/Project Name: US-AZ-5068 (HONDBABOW)

VERTICAL BRIDGE

MARICOPA COUNTY ZONING (SUP) SUBMITTAL (UPDATED) NARRATIVE (Z2021044)

ZONING FORMAL SPECIAL USE PERMIT SUBMITTAL.

ADDRESS: (Currently not assigned.), Phoenix AZ 85086 (Maricopa County)

Accessors Parcel Number: 211-23-014F

Maricopa County
Planning & Development Department

501 N. 44th Street, Suite 200,
Phoenix, AZ 85008

Attn: Sean Watkins; Planners:

RE: Vertical Bridge / T-Mobile Zoning Submittal for Maricopa County Zoning Special Use Permit (SUP) Application submittal process for a Wireless SUP for a Wireless Communications Facility approval on a New Wireless Communications Facility (as specified in Ordinance Chapter 12 Development Regulations, subject to sections: Wireless communications facilities are permitted in all zoning districts subject to the provisions and standards outlined in Section 1202. Any proposed wireless communication facility that cannot meet the standards outlined in Article 1202.3 of the Ordinance shall be required to obtain a Special Use Permit approval by the Board of Supervisors.

The (SUP) Application is for a new 80’ Monopole (collocatable) site build located in the Northwest Center of the existing parcel with the Vertical Bridge / T-Mobile 6’ antennas to be placed at the top of the Monopole at (60’ top of antennas), and equipment within a 10’ CMU walled in compound 30’ x 35’ both pole and CMU wall painted and textured to match the existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community. Equipment compound behind the walled in compound will be on cement slabs, which complies with the Wireless Communications Facilities Ordinance which mandates the County Regulations and requirements located at (Currently not assigned.), Phoenix AZ 85086 (Maricopa County).

Dear Sean Watkins:

Vertical Bridge / T-Mobile Zoning Submittal for Maricopa County Zoning Special Use Permit approval by the Board of Supervisors Application for a Wireless SUP for a Wireless Communications Facility approval on a New Wireless Communications Facility (as specified in Ordinance Chapter 12 Development Regulations, subject to sections outlined in Section 1202. Any proposed wireless communication facility that cannot meet the standards outlined in Article 1202.3 of the Ordinance, including the Citizen Participation Plan shall be required to obtain a Special Use Permit approval by the Board of Supervisors.
DEVELOPMENT STANDARDS

VACINITY MAP

STATUS FROM PRE-APP MEETING COMMENTS ON 2/16/21

1. Comprehensive Planning: No CPA Required


3. Engineer; Maricopa County Environmental Services Department. T-Mobile Zoning Submittal for a Wireless Communications Facility approval on a New Wireless Communications Facility (as specified in Ordinance Chapter 12 Development Regulations, subject to sections: 1202.0 thru 1202.2. (a), (b), (c), (d), (e). The Application is for a new 80’ Monopole (co-locatable) site build located in the Northwest Center of the existing APN# 211-23-014F. Water and sewer service will not be needed. **MCESD has no concerns.** Souren Naradikian, P. E., Engineer; Maricopa County Environmental Services Department.
4. **Drainage Plan Review Comments:** The proposed construction appears to meet the requirements of the Maricopa County Zoning Ordinance Section 1205.7.7

5. **Flood Control District Comments:** Work within the subject parcel is not located in a regulated floodplain. **Flood Control has no comments.**

6. **MCDOT Comments:** MCDOT has no comments or objections to the submittal.

### COMPLIANCE: Z2021044

<table>
<thead>
<tr>
<th>Standard</th>
<th>WCF in Rural-43*</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Building Height</td>
<td>80 ft.</td>
<td>80 ft.</td>
</tr>
<tr>
<td>2 ft. setback from property lines for each 1 ft. in height (not in required Front Yard)(^1)</td>
<td>80 ft. tower = 160 ft. Required Setback</td>
<td><strong>80 ft. Proposed Setbacks (North &amp; East) and 140 ft. Proposed Setback (East)</strong></td>
</tr>
<tr>
<td>Antenna Array Maximum Diameter(^2)</td>
<td>8 ft.</td>
<td>13 ft.</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>145 ft.</td>
<td>145 ft.</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>43,560 sq. ft.</td>
<td>43,560 sq. ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>25 ft. Sight Visibility Triangles(^3)</td>
<td>Required on both sides of driveway at edge of public street</td>
<td><strong>No SVTs</strong></td>
</tr>
</tbody>
</table>

* MCZO Section 1202

1 MCZO Art. 1202.3.1.1.g

2 MCZO Art. 1202.3.1.1.h

3 MCZO Art. 1111.4

**Towers and support structures shall have a maximum diameter of 30 inches (2.5 feet):**

The monopole will be a **MAX 30”** Per the County Ordinance Section:1202.3.1. ©. Please see attached site plans, as part of the (SUP) zoning submittal there is a PDF of the antenna configuration showing the monopole will be a **MAX 30” (2’-6”).**

**The maximum diameter of antenna arrays shall be 8 feet measured from circumference line to circumference line through the center of the tower structure:** (MCZO Art. 1202.3.1.1h)

ANTENNA COMPLIANCE: Per the TAC Meeting on 5/18/21 #8 & 14, PLEASE NOTE THE SPECIFICALLY DESCRIBED JUSTIFICATION.
The maximum width of the antennas is proposed to be MAX 13’ WIDE (the actual antennas distance from one antenna to the other through the pole) Section: 1202.3.1.1.(h), As to the look of the attached PHOTO SIMULATIONS as part of the zoning submittal at pre-app meeting. There is a required separation of antennas due to potential diversity which causes another 1'-5" to the antenna configuration, which then causes the extra distance from antennas one side to the other, and causes the extra distance exceeding the 8’ regulation even though there is a narrowing on the pole as you get to the top of the pole, and any distance less causes radio frequency interference between antennas and causes potential cross talk between receiving and output frequencies. Please note and understand this cell site is a cell split for capacity issues and the distance between antennas is necessary to achieve the capacity offloading necessary to continue to provide T-Mobile Radio Frequency Engineers their required designed requirements. The worst thing that happens with antennas placed to close together is (CROSS TALK) from one antenna to the other, which actually spreads to the other T-Mobile sites in the immediate area which is part of the 5G system build (different than 4G which are individual sites). These new antenna configurations and distances are part of the new 5G network, and mandatory / required so the system build actually functions and works. As part of the (SUP) zoning submittal there is a PDF of the antenna configuration showing the 6 ft FASB antenna w/2 ft. standoff & COVP mounted on standoff arm which requires the total antenna width of 6'-6" apart but intended to be visually minimized. Please see attached site plans & diagram below.
Wireless communication facilities shall be setback 2 feet from all property lines for each 1 foot in height:
Per the TAC Meeting on 5/18/21 #7, PLEASE NOTE THE SPECIFICALLY DESCRIBED JUSTIFICATION; (MCZO Art. 1202.3.1.1g)

The SUP process selected shall approve this proposal as it is an eligible facility request for a new site location of a wireless Monopole antenna site (collocatable) to be built in the Northwest Center of the existing parcel which will include a base station compound which allows for the equipment and pole within an 10’ CMU walled in compound 30’ x 35’ (painted and textured to match) the existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community. As the Vertical Bridge / T-Mobile Radio Frequency Engineers required this immediate area and this specific parcel is Zoned RU43, and like most of the parcels in the area are limited in their acreage as all the parcels are for a 1/2-mile radius, and as most of the parcels are limited in their useful parcel acreage due in most cases to existing WASHES. Vertical Bridge is requesting a Special Use Permit Approval for a 1:1 Setback to the parcel property lines, which is allowing for an SUP process due to the limited parcels that fit the required T-Mobile location to comply with the propagations of the system build (see T-Mobile Propagation Map). Also, refer to OTHER CANDIDATES: CANDIDATE SEARCH (Exhaustive) paragraph below; Vertical Bridge met and worked with over 13 candidates and their ownerships all within or just outside of the 1/2-mile SEARCH RING in the County. The proposed VB site does not substantially change the physical aesthetics of the surrounding area which is owned by Arizona State Land and has no known health hazards. The physical aesthetics of the proposed pole is commensurate with the area that has many other like electrical poles which are the same color existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community.

The fire station (tried the tower at the fire station and was DENIED due to no room for equipment space and no room on the existing pole, and the area behind the fire station is environmentally off limits to any building) with their own tower mast (which is way over 2400’ away West) from (VB) proposed site location, Per Section: 1202.3.1.(k).

There are no other towers in the 2400’ area; Per Section: 1202.3.1.(k), (fire station denied the VB request and does not have space either on the tower or the ground space) and due to the T-Mobile mature system build they really need this proposed site location to improve the services as there are many blocked calls due to the weak signal in the surrounding area, (see the T-Mobile existing site propagation map as part of the submittal package. The existing right of way power poles, light standards and stop light pole have been thoroughly investigated by T-Mobile’s Radio Frequency Engineers which are found does not work for the RF objectives. It was found that there is a greater radio frequency requirement in this immediate area for a lot more radio frequency capability then a small cell antenna configuration will allow including, after a thorough investigation the existing power poles as they do not offer the height, or the antennas configuration demanded by the lack of radio frequency required for this area to stop the block calls and even the 911 emergency cut offs.

Vertical Bridge on behalf of T-Mobile is complying with the Counties Ordinance and their requirements due to the RU-43 zoning on parcels which are allowing for commercial entities on those zoned like parcels, and due to the limited space and washes within the parcels in the immediate area of Maricopa County would allow Vertical Bridge / T-Mobile to be approved for an SUP at this proposed location.
VERTICAL BRIDGE / T-MOBILE COVERAGE (ISSUE): The request of Vertical Bridge / T-Mobile Zoning Submittal for Maricopa County Zoning (SUP) Application for submittal process for a Wireless SUP for a Wireless Communications Facility approval is required to supply residents and those traveling through the area with the most advanced technology and reliability possible, along with the facility which will enhance call quality and data usage, which is not present at this time which includes 5G. T-Mobile is realizing very poor coverage in the area of the proposed tower. Please see the (T-Mobile existing tower propagation map) as part of the zoning submission which shows the existing radio frequency hole in the T-Mobile system specifically in this immediate area, which will be covered with this site and its location.

The nature of uses and Vertical Bridge / T-Mobile required location due to this specific location, and the positive affect on adjacent and nearby premises – T-Mobile has a major problem with their coverage in this immediate area and requires a telecom site within the radius of the Reid Ranch (see propagation map) site as that is the location which allows T-Mobile radio frequency to meet up with the other existing sites as seen in the attached T-Mobile radius map as part of the zoning submittal package. T-Mobile is affected as to their much-needed location of the proposed telecom site location where the site location is zoned RU-43.

All the T-Mobile existing sites in the area are now in overuse and causing this proposed site location to be vital to fill the actual hole in the T-Mobile radio frequency where T-Mobile is missing radio frequency which effects all persons who are trying to make phone call or using their T-Mobile instruments in any way including E911 Emergencies.

The location of the zoning around the site of the existing parcel (Reid Ranch-RU-43): The location of the zoning around the site is West RU-43 and existing raw landowner is located in Cornville AZ, North is RU-43 and AZ State Land then ROW-Desert Hills Dr., and South is RU-43 and AZ State Land, East is ROW-3rd Ave. and beyond is RU-43. All the zoning in the immediate area over one-mile Radius of the proposed site is zoned RU-43, which the County does allow for telecommunication facilities to be erected.

Vertical Bridge on behalf of T-Mobile is complying with the Counties Ordinance and their requirements due to the RU-43 zoning on parcels which are allowing for commercial entities on those zoned like parcels, and with the limited space of the parcels in the immediate area Maricopa County would allow Vertical Bridge / T-Mobile to be approved for an SUP at this proposed location.

T-Mobile is a major wireless carrier, and their license is federally mandated to provide Coverage to all persons using their wireless instruments. The expectancy of the federal government in providing this license is that each area T-Mobile is present that E911 is mandatory for all emergency services, which allows each individual’s precise location in the case of an emergency services, which is sparse at best in this immediate area. T-Mobile / Vertical Bridge is requesting the SUP process selected which shall approve this proposal as it is an eligible facility request for a new site location of a wireless Monopole antenna site and base station compound approval. The approval will allow T-Mobile on the Zoning use and building permit as the site zoning is really for a T-Mobile Telecommunication site to allow for the required missing radio frequency and 5G capability, which means NO E911 for the people who expect and think they are safe.

NOISE: The proposed WCF will not cause any significant increase in vehicular or pedestrian traffic in adjacent residential areas. It will not, after construction, cause any emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions, nor will it contribute in any measurable way to the deterioration of this area of the County, or contribute to the lowering of property values. The value of the surrounding residential properties should actually improve due to the better coverage of the area. There is no generator planned on for this site and the equipment cabinets are made to cool the radios within and have been manufactured to depress any noise. To add to the noise consideration at the site Vertical Bridge has enlarged the height of the compound wall from the originally proposed 8’ tall CMU wall to a 10’ CMU wall painted and textured to match) the existing BROWN (APS
POLE COLOR) color poles so as to reduce NOISE, visual obstructiveness, as being suggested by the surrounding community.

ASTHETICS: Towers and antennae shall meet the following requirements:

A. Towers shall either maintain a galvanized steel finish, or, subject to any applicable standards of the FAA be painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings. The compound will be a 10’ CMU Wall proposed will be painted and textured BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

SETBACKS - The minimum setbacks for the zoning district shall apply to all towers, equipment shelters, and accessory buildings. The dimensions of the entire lot or parcel shall apply and not the dimensions of the leased area. Vertical Bridge / T-Mobile proposes a 1:1 setback 1202.2.(a). The zoning of the subject property is RU-43 (Reid Ranch RU-43); The location of the zoning around the site is West RU-43 and existing raw landowner is located in Cornville AZ, North is RU-43 and AZ State Land then ROW-Desert Hills Dr., and South is RU-43 and AZ State Land, East is ROW-3rd Ave. and beyond is RU-43. The Vertical Bridge / T-Mobile meets the County Ordinance SETBACKS for EQUIPMENT on the ground and the TOWER in the existing parcel, as the antennas and tower are and complies with the County setbacks: North 80’-0” South 250’-3” East 140’-6” & West 80’-0” (to the tower). The East & West, North & South abutting properties are zoned appropriately for a zoning approval along with the setbacks. Access is off 3rd Ave, which is off W. Desert Hills Dr. North, which is where Vertical Bridge will have an easement and owned by the same owner.

OTHER CANDIDATES: CANDIDATE SEARCH (Exhaustive).

Vertical Bridge has been working with this T-Mobile SEARCH RING for the last year and half to find the right candidate and its location acceptable to both T-Mobile RF Engineering, Vertical Bridge, Maricopa County Planning & Development, and the Landlords (owners of the property). Vertical Bridge met and worked with over 13 candidates and their ownerships all within or just outside of the 1/2-mile SEARCH RING in the County. All properties that had enough parcel size that would allow for a 2:1 setback and found NO candidates that did not have an existing topography that; water washes, lower (fall off) topography, access issues, or just no consideration.
A. Per the FCC, the County can require an SUP and other processes for their review and approval process. However, the County cannot design a carriers’ network or how many sites the carrier needs to build to provide design coverage. Please note and understand this cell site is a cell split for capacity issues along with the new 5G system build, and the height is necessary / required to achieve the capacity offloading necessary to continue to provide designed requirements. Please refer to the FCC Sections accordingly: It is found that over 75% of 911 Emergency Use is wireless.

B. The proposed site is the only alternative to having NO site which means a multitude of new towers, which could cover the Vertical Bridge (T-Mobile) (RF) coverage objectives where there is a major hole in their coverage 5G system build where right now has blocked calls, emergency calls which is causing terrible coverage, per the FCC Federal Communications Directives. (See Carrier Propagation Map for coverage).

The FCC has interpreted TCA Section 332(c)(3)(A) to preempt local authority to dictate the design of a provider’s network. In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure

Inv., 33 F.C.C. Rcd. 9088 at N. 84 (F.C.C. 2018); see also Bastien v. AT&T Wireless Servs., Inc., 205 F.3d 983, 989 (7th Cir. 2000). Accordingly, no local authority may determine the number, placement, or operation of cell towers because that responsibility has been delegated exclusively to the FCC. Bastien, 205 F.3d at 989.

For the Counties consideration, please Refer to the 2018 FCC decision that the local jurisdictions cannot “design” a carriers’ network. The height required was the minimum height by the carrier necessary to achieve network parameters. The city does not have the authority to change the design parameters of the carrier they have deemed necessary to achieve their (RF) coverage requirements. Please see the Propagation T-Mobile Coverage Map.

1. **ACCESS to the site location:** The Vertical Bridge site location access will be from the existing North 3rd Ave. access off of Desert Hills Dr., where Vertical Bridge will build a road within the existing 30’ Access & Utilities easement off 3rd Ave. West to the proposed site location on the parcel and there will be a parking space allocated next to the site location, all per the County Wireless Ordinance. The site location for the equipment Compound is proposed to be located in the Northwest Center of the existing parcel, and the existing parcel which is the Reid Ranch is completely fenced into the North, South, East & West, and with the distance to the next residential ownership causing blocking the view of the compound from those sides, along with the distance from the site.
2. **25 ft. Sight Visibility Triangles (SVTs) are required on both sides of the proposed driveway (access easement);** Per the TAC Meeting on 5/18/21 #9, PLEASE NOTE THE SPECIFICALLY DESCRIBED JUSTIFICATION; (MCZO Art. 1111.4).

The SUP process allows for development standard modifications, upon request and with justification for any/all such modifications, It would seem that the ACCESS ROAD is being made where it is to accomplish the Access to the site from 3rd Ave, and the existing foliage & trees that is to the North of the said Access road is purposely left existing (NOT CUT DOWN TO 2’) there as to block the view from the ROW Desert Hills Dr., all the way to the new Wireless Communication Facility (WCF) compound as to again block the view from anyone being able to view the compound walls and the dirt like road proposed to the site. I do not believe the intentions of the county is to tear down all the existing beautiful foliage and trees north of the access road, as there is no concern of visual interference of any kind.?? Also, once built out the use will generate very little traffic, as the unmanned site has a frequency of visiting the cell site is generally once a month by the cellular technicians.

3. **DESIGNATED SITE PARKING SPACE**-The proposed compound will have a designate parking space next to the proposed site.

4. **PAINTING and LIGHTING.** All facilities shall be painted or constructed of materials to minimize visual impacts. All of the tower and compound walls shall be painted in non-reflective and preferably BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community. The Vertical Bridge Monopole will incorporate a pole that is colored to match a which matches the existing other electrical poles in the immediate area which is BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community. Lighting will be limited to the facing of the compound maintenance area and will be on a timer and only used when the cellular technician is there. The lighting will be a new full cut-off LED lighting, inside compound mounted below the top of wall on 4-HR timer switch, (lighting to comply with Section 1112 of MCZO regarding outdoor lighting.

4. **EXISTING AND REMOVING LANDSCAPING**. The location of the proposed Vertical Bridge site location including compound and building the road to the site from N 3rd Ave. East, where the landscaping of the land in the immediate area is overall flat land with small to medium size vegetation type bushes.

   a. There is no existing endangered cactus within the area of the proposed site location and / or the road that Vertical Bridge will need to build within the existing 30’ wide dedicated Access & Utility Easement on all parcels East to N. 3rd Ave. If there are found to be endangered cactus they will be replace on the parcel to save them.

   b. There is only brush that will be removed to allow for the proposed site location and as part of the road is already existing there will be a limited removal of bushes to get to the site through the dedicated 30’ Access& Utility Easement.
5. **RF Emissions and Radio frequency limited exposure** are within FCC limits for this proposed Vertical Bridge / T-Mobile, and the Wireless carrier is submitting a report demonstrating compliance with FCC regulation (see below). It is found that over 75% of 911 Emergency Use is wireless.

The cell towers including this cell tower within the County are registered with the Federal Communication Commission and part of the EAS program. Each cell tower is mandated as part of the EAS national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service (SOARS) providers, and direct broadcast satellite (DBS) providers to provide the communications capability to the President to address the American public during a national emergency. The system also may be used by state and local authorities to deliver important emergency information, such as AMBER alerts and weather information targeted to specific areas. The FCC, in conjunction with Federal Emergency Management Agency (FEMA) and the National Oceanic and Atmospheric Administration's National Weather Service (NWS), implements the EAS at the federal level.

T-Mobile’s Primary antennas for transmitting wireless telephone service, including cellular and personal communications service (PCS), are usually located outdoors on towers, the combination of antenna towers and associated electronic equipment is referred to as a "cellular or PCS cell site" or "base station." Cellular or PCS cell site towers are typically and, in this case, will be 80' high. Antennas are usually arranged in groups of three, with one antenna in each group used to transmit signals to mobile units, and the other two antennas used to receive signals from mobile units.

At this cell site, the total radio frequency (RF) power that can be transmitted from each transmitting antenna has been approved by the FCC on the number of radio channels (or transmitters) and that have been authorized by the Federal Communications Commission and the power of each transmitter. Although the FCC permits an effective radiated power (ERP) of up to 500 watts per channel (depending on the tower height), the majority of cellular or PCS cell sites in urban and suburban areas operate at an ERP of 100 watts per channel or less. An ERP of 100 watts corresponds to an actual radiated power of 5-10 watts, depending on the type of antenna used. In urban areas, cell sites commonly emit an ERP of 10 watts per channel or less. For PCS cell sites, even lower ERPs are typical. As with all forms of electromagnetic energy, the power density from a cellular or PCS transmitter rapidly decreases as distance from the antenna increases.

Consequently, normal ground-level exposure is much less than the exposure that might be encountered if one were very close to the antenna and in its main transmitted beam. Measurements made near typical cellular and PCS cell sites have shown that ground-level power densities are well below the exposure limits recommended by RF/microwave safety standards used by the FCC, (which makes them so safe) and in this case the T-Mobile antennas will be at the 76' RAD CENTER level, which will be well below the exposure limits recommended.
Radio frequency exposure.
No communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. There are FAA & FCC height restrictions to keep the radio frequencies above and away from potential exposure. To that end, no communication facility or combination of facilities shall produce, at any time, power densities that exceed the current FCC adopted standards for human exposure to RF fields. Certification that a facility meets this standard is required. A copy of the certification from the FCC shall be submitted to the city.

<table>
<thead>
<tr>
<th>Cell Provider</th>
<th>Antenna Centerline (ft - AGL)</th>
<th>Antenna Bearing (°)</th>
<th>Horizon Beamwidth (°)</th>
<th>Frequency or band use (MHz or GHz)</th>
<th>Effective Radiated Power (dBm or dBi)</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-Mobile</td>
<td>Vertical Bridge, LLC/ Gary Cassel</td>
<td>0</td>
<td>90</td>
<td>LTE1900MHz/LTE2100MHz</td>
<td>30w(L21)+30w(L19)</td>
</tr>
<tr>
<td>Ant 1: 61ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Ant 2: 61ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>65</td>
</tr>
<tr>
<td>Ant 3: 81ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>65</td>
</tr>
<tr>
<td>Ant 4: 61ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>65</td>
</tr>
<tr>
<td>Ant 5: 61ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>65</td>
</tr>
<tr>
<td>Ant 6: 81ft</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>65</td>
</tr>
</tbody>
</table>

6. TRAFFIC-UNMANNED FACILITY: The use is an un-manned telecommunications facility defined as “Monopole” and will not cause any adverse impact on adjacent property or properties in the area. As this is an un-manned facility and we only maintain the property around once a month, but in the case of an emergency it would be sooner. There will be no increase in vehicular or pedestrian traffic in adjacent residential areas, emissions of any order, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions; contribution in a measurable way to the deterioration of the area or contribution to the lowering of property values, Per Sections 1202.1 & 1202.2, 1202.5 & 1202.6.

7. REMOVAL AND DISCONTINUATION OF USE: All equipment associated with a communication facility shall be removed within one hundred eighty (180) days of the discontinuation of the use and the site shall be restored to its original preconstruction condition. The operators agreeing to such removal and allowing the County access across private property to affect such removal shall be a condition of approval of each permit issued.

8. COUNTY Requested use(s):

BUSINESS OPERATIONS

(a) (business operations) is for Vertical Bridge to build a Collocatable Wireless Telecommunication 80’ monopole including T-Mobile Equipment and antennas, hours/day of operation, and number of employees.

The frequency of use as to hours/day of operation, and number of employees is generally a visit for (1) man for maintenance once a month unless there is an emergency and stays for a few hours.

(b). Identify the electrical service provider as APS

©. Police service is provided by the Maricopa County Sheriff’s Office (MCSO).
DEVELOPMENT SCHEDULE

(a) (Timeframe for construction or phasing of the project for construction; description and location of buildings.)

The Zoning Process is considered to be a 6 TO 9 Month process and a Building Permit process to be 45 days, and a 30-day build cycle for the construction of the cell site in total. The location of the Telecom site is the site location for the equipment Compound is proposed to be located in the Northwest Center of the existing parcel, and the existing parcel which is a Reid Ranch.

(b) Address the utility providers for water, sewer, police and fire services.

1. NO WATER WILL BE USED FOR THIS SITE
2. NO SEWER WILL BE USED FOR THIS SITE
3. Police- Phoenix Police Department Black Mountain Precinct
   33355 North Cave Creek Road, Phoenix (Maricopa County)
4. Fire-City of Phoenix-Fire Station – Fire Department; Address 3210 W Canotia Pl, Anthem AZ
5. Identify the electrical service provider.
6. Police service is provided by the Maricopa County Sheriff’s Office (MCSO).

The following is supplemental information required to be submitted and addressed in the narrative report for the Special Use Permit.

1. What is the height of the proposed WCF?
   
   **80’ including the proposed antennas.**

2. Provide a map showing all the existing WCFs within a 1,000 feet radius for sites within Rural, Single-Family Residential or Multiple-Family zoning districts (Regardless of provider).

   **The Daisy Mountain Fire Station #145 is 2400’ West of Vertical Bridge proposed site location.**
3. Provide a list with locations and approximate height of all existing vertical structures (of a height approximately equal or greater than the requested tower) within the WCF’s search area. This includes church spires and steeples, light standards, water towers, transmission lines, buildings, or other similar structures.

There are no locations within the .5-mile radius (WCF’s search area) of the proposed Vertical Bridge site which is a T-Mobile required location that has height approximately equal or greater than the requested tower within the WCF’s search area.

4. Provide a map showing the service areas which the proposed facility will serve.

Provisions for future collocation. Vertical Bridge commercial communication facilities shall be encouraged to promote future facility and site sharing so there will LESSOR need for more cell towers in this area for the county to be concerned about. Technical evidence will be provided as to the infeasibility, either technically and/or economically, of collocation or grouping prior to the issuance of a new use permit for a facility that would not be considered to be co-located or grouped under this division. Proposals for the placement of collocation facilities on existing Vertical Bridge wireless telecommunication collocation facilities are subject to both the carrier and Vertical Bridge requirements, and our facility is collocatable.
5. Explain any attempts or possibilities that have been investigated relating to co-location with another provider or existing facility.

There are no other towers in the 2400’ area; Per Section: 1202.3.1.(k), (fire station denied the VB request and does not have space either on the tower or the ground space) and due to the T-Mobile mature system build they really need this proposed site location to improve the services as there are many blocked calls due to the weak signal in the surrounding area, (see the T-Mobile existing site propagation map as part of the submittal package. The existing right of way power poles, light standards and stop light pole have been thoroughly investigated by T-Mobile’s Radio Frequency Engineers which are found does not work for the RF objectives. It was found that there is a greater radio frequency requirement in this immediate area for a lot more radio frequency capability then a small cell antenna configuration will allow including, after a thorough investigation the existing power poles as they do not offer the height, or the antennas configuration demanded by the lack of radio frequency required for this area to stop the block calls and even emergency cut offs.

Vertical Bridge on behalf of T-Mobile is complying with the Counties Ordinance and their requirements due to the RU-43 zoning on parcels which are allowing for commercial entities on those zoned like parcels, and with the limited space of the parcels in the immediate area of Maricopa County would allow Vertical Bridge / T-Mobile to be approved for an SUP at this proposed location.

6. Explain how this request can facilitate co-location with other users.

The (SUP) Application is for a new 80’ Monopole (collocatable- to fit at least 2 more carriers including equipment space) site build located in the Northwest Center of the existing parcel with the Vertical Bridge / T-Mobile 6’ antennas to be placed at the top of the Monopole at (80’ top of antennas) painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community, and equipment within an 10’ CMU walled in compound 30’ x 35’ painted and textured to match painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community. Equipment compound behind the walled in compound will be on cement slabs, which complies with the Wireless Communications Facilities Ordinance which mandates the County Regulations and requirements.

7. Will the request involve removal of mature trees or cacti? If so, discuss plans for relocation of such vegetation.

EXISTING AND REMOVING LANDSCAPING. The location of the proposed Vertical Bridge proposed site location including compound and building the road to the site from N 3rd Ave. East.

a. There is no existing endangered cactus within the area of the proposed site location and / or the road that Vertical Bridge will need to build within the existing 30’ wide dedicated Access & Utility Easement on all parcels East to N. 3rd Ave. If there are found to be endangered cactus, they will be replaced on the parcel to save them.

b. There is only brush that will be removed to allow for the proposed site location and as part of the road is already existing there will be a limited removal of bushes to get to the site through the dedicated 30’ Access & Utility Easement.
8. Discuss the following compatibility issues:

a. Setbacks from residential uses.

The zoning of the subject property is RU-43. (Reid Ranch RU-43); The location of the zoning around the site is West RU-43 and existing raw landowner is located in Cornville AZ, North is RU-43 and AZ State Land then ROW-Desert Hills Dr., and South is RU-43 and AZ State Land, East is ROW-3rd Ave. and beyond is RU-43. North distance is 330’ from site parcel line, and then (ROW) Desert Hills Dr., then the residences on the other side North. South is RU-43 and Arizona State Land 250’-3”, East is (ROW) 3rd Ave 523’ from site location, and beyond is RU-43. West is existing raw landowner is located in Cornville AZ, and then (ROW) and then 7th Ave over 501’ West.

b. Setbacks from all property lines.

The Vertical Bridge / T-Mobile meets the County Ordinance SETBACKS for EQUIPMENT on the ground and the TOWER in the existing parcel, as the antennas and tower are and complies with the County setbacks: North 80'-0" South 250’-3” East 140’-6” & West 80’-0” (to the tower). The East & West, North & South abutting properties are zoned appropriately for a zoning approval along with the setbacks. Access is off 3rd Ave, which is off W. Desert Hills Dr. North, which is where Vertical Bridge will have an easement and owned by the same owner.

c. Setbacks from uses/structures on adjacent property.

Guest House is 140’-6” from site location East and house is on 3rd parcel East 523’ from site location. There are no other structures on any of the parcels.

d. Setbacks from public and private streets or access easements.

East is (ROW) 3rd Ave 523’ from site location, and beyond is RU-43, West is Arizona State Land and then (ROW) and then 7th Ave 501’ West.

e. Future additional appurtenances or expansion plans.

Vertical Bridge has no expansion plans.

f. Color and type of tower, landscaping, and fence screening.

TYPE OF TOWER AND CMU WALL COMPOUND: The (SUP) Application is for a new 80’ Monopole (collocatable) site build located in the Northwest Center of the existing parcel with the Vertical Bridge / T-Mobile 6’ antennas to be placed at the top of the Monopole at (80’ top of antennas), and equipment within an 10’ CMU walled in compound 30’ x 35’ painted and textured to match the existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community. Equipment compound behind the walled in compound will be on cement slabs, which complies with the Wireless Communications Facilities Ordinance which mandates the County Regulations and requirements.
COLOR OF POLE; AESTHETICS: Towers and antennae shall meet the following requirements:

a. Towers shall maintain, subject to any applicable standards of the FAA to be painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding towers, painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

LANDSCAPING: There is no existing endangered cactus within the area of the proposed site location and / or the road that Vertical Bridge will need to build within the existing 30’ wide dedicated Access & Utility Easement on all parcels East to N. 3rd Ave. If there are found to be endangered cactus, they will be replaced on the parcel to save them.

a. There is only brush that will be removed to allow for the proposed site location and as part of the road is already existing there will be a limited removal of bushes to get to the site through the dedicated 30’ Access & Utility Easement.

g. Surrounding non-residential uses (if applicable).

NO Surrounding non-residential uses

9. If a stealth design is not being proposed, please explain why.

There are NO structures with any more height than a house or barn of any kind within a 1-mile radius of the site or even the search ring. The whole area is not conducive to a stealth like monopalm, monopine, monoeucalyptus tree which is 80’ in height other than a monopole (even if you planted other real trees), and there is another monopole which can be found at the Daisy Mountain Fire Station. There are no other towers in the 2400’ area; Per Section: 1202.3.1.(k), (fire station denied the VB request and does not have space either on the tower or the ground space) and due to the T-Mobile mature system build they really need this proposed site location to improve the services as there are many blocked calls due to the weak signal in the surrounding area, (see the T-Mobile existing site propagation map as part of the submittal package. The existing right of way power poles, light standards and stop light pole have been thoroughly investigated by T-Mobile’s Radio Frequency Engineers which are found does not work for the RF objectives. It was found that there is a greater radio frequency requirement in this immediate area for a lot more radio frequency
The proposed scope of work is detailed in full in the attached information as part of the Zoning Pre-App Submittal Package including Zoning Drawings, and a brief summary including a Zoning the Special Use Permit Application, T-Mobile Informational Booklet on this property, along with a Parcel Map, Aerial Map, Zoning Map, General Plan Map, Photo Simulations, required photos of the site (T-Mobile SCIP (information sheets)), and Ownership Authorization.

T-Mobile and Vertical Bridge are requesting a Zoning Submittal for Maricopa County Zoning Special Use Permit Application for the submittal process for a Wireless SUP for a Wireless Communications Facility approval on a New Wireless Communications Facility (as specified in Ordinance Chapter 12 Development Regulations, subject to sections: subject to the provisions and standards outlined in Section 1202, and outlined in Article 1202.3 of the Ordinance with a Citizens Participation Plan shall be required to obtain a Special Use Permit approval by the Board of Supervisors.

The proposed site build is to Apply for a new site build as an 80’ Monopole (collocatable) Per Section 1202.2.2 and Article 1202.3 including the Citizens Participation Plan for a site build located in the Northwest Center of the existing parcel with the T-Mobile 8’ long antennas to be placed at the top of the Monopole painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community. at (80’ top of antennas), and equipment within a 10’ CMU walled in compound 30’ x 35’ painted and textured to match the existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community. The use of the proposed telecommunication facility will be in compliance with all provisions of the Zoning Ordinance and the laws of Maricopa County. Z2021044

Gary Cassel
Site Acquisition Specialist
Clear Blue Services
T-Mobile / Vertical Bridge LLC Contractor
O: 602.762.8809
E: GaryCassel@clearblueservices.com

Site Acquisition*Architecture*Engineering*Construction

www.clearblueservices.com
3530 E. Atlanta Avenue
Phoenix, Arizona 85040
Date: 06/07/2021

Memo To: Darren Gerard, AICP, Deputy Director, Department of Planning & Development

Attn: Sean Watkins, Planner, Planning & Development Services

From: Jeri Loucks, P.E.C.F.M., Plans Examiner Engineer (Drainage), Planning & Development Services

cc: Michael Norris, P.E., Drainage Engineering Manager, Planning & Development

Subject: Z2021044 – Special Use Permit (SUP) – TMobile/Vertical Bridge (D2 Memo)

Job Site Address: 39212 N. 3rd Ave. Phoenix, Az 85086

APN(s): 211-23-014F

Engineering Review has reviewed the plans and report submittal date stamped 05/19/2021 for the subject application. Engineering Review has no objections to this application provided any approval includes the following stipulations:

1. At the time of the Building Permit, Engineered Grading and Drainage Plans are required. The Grading for the road and pad for lease area must go according to the checklist:
   (Open in Internet Explorer)

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.

3. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies and Standards.

Please contact me if you have any questions or require any additional information.
DATE: April 23, 2021

TO: Sean Watkins, Planning & Development Dept. Planner

FROM: Souren Naradikian, P.E. Senior Civil Engineer

SUBJECT: Vertical Bridge / T-Mobile. Z2021044

The Maricopa County Environmental Services Department (MCESD) has reviewed documents received from the Maricopa County Planning and Development Department for the above referenced project. This project is a request for Vertical Bridge / T-Mobile Wireless Communications Facility at APN# 211-23-014F. Water and Sewer is not required, MCESD has no concerns.

Based on the above, MCESD raise no concern for this project to the Planning & Development Department in Accele Automation on April 23, 2021.

Stipulations: None

It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.
<table>
<thead>
<tr>
<th>PARCEL NUMBER</th>
<th>PROPERTY OWNER</th>
<th>MAILING ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pitckman Family Trust</td>
<td>137 W Desert Ave De</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85206</td>
</tr>
<tr>
<td></td>
<td>Janet A. McLaughlin</td>
<td>38830 N. 7TH Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Mary/Patrick Huels</td>
<td>39806 N. 7TH Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>R.A. and Linda Hunt</td>
<td>3954 N. 7TH Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Michael/Amadea Koestl</td>
<td>39210 N 3rd Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Chris/Harry, Steven, Zipple</td>
<td>418 W. Fernwood Dr</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Marshall Johnstone</td>
<td>8100 N. 3rd Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Michael Pagano</td>
<td>34030 N. 3rd Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Keith &amp; Lisa Fathath</td>
<td>520 W. Desert Hills</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Rick Kreutzberger</td>
<td>39420 N 4th Ave</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Roger Ray/red</td>
<td>PO Box 7783</td>
<td>Cave Creek</td>
<td>AZ</td>
<td>85327</td>
</tr>
<tr>
<td></td>
<td>Roger A. Ray</td>
<td>118 W Desert Hills</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Prostomail.com</td>
<td>1720 W Tanya Rd</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Cathy Jewell</td>
<td>1720 W Tanya Rd</td>
<td>Phoenix</td>
<td>AZ</td>
<td>85086</td>
</tr>
<tr>
<td></td>
<td>Cathy Jewell</td>
<td>C. J. 4 Fun 51@ AOL.com</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mario Segura</td>
<td><a href="mailto:MARBERY2014@OUTLOOK.COM">MARBERY2014@OUTLOOK.COM</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Christy Herry</td>
<td><a href="mailto:cherryzip@gmail.com">cherryzip@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brian Lee</td>
<td><a href="mailto:bobslee@icloud.com">bobslee@icloud.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Michelle Johnstone</td>
<td><a href="mailto:marcellle.johnstone@gmail.com">marcellle.johnstone@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Amanda Reiley</td>
<td><a href="mailto:AmandaReiley@gmail.com">AmandaReiley@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rick Kreutzberger</td>
<td>CABRIO <a href="mailto:1937@gmail.com">1937@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FakeEye 3 (YH400.com)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:azfirecop@gmail.com">azfirecop@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:tchrlyzajane@gmail.com">tchrlyzajane@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
May 17, 2021

Maricopa County Supervisors
Planning and Development

Attn: Sean Watkins, Planner

The attached file serves as an **Objection/Protest** to the SPECIAL USE PERMIT APPLICATION

#Z2021044
For parcel 211-23-014 F
39212 N 3rd Ave
Phoenix AZ 85086

Signatures represent 11 sheets of property owners who are located nearby the referenced property. The Petition Guide will provide you with each parcel #, property address and homeowner’s name.

Of considerable concern to petitioners is the arbitrary positioning of a commercial facility within residential confines. The Citizen Participation Letter, which was hand delivered to surrounding neighbors, indicates that T Mobile would be erecting a **new 80’ pole**.

The last sentence of the Citizen Participation Letter states that the facility would not generate noise, fumes or other waste that would impact the surrounding community. We petitioners ask then, how the proposed cooling fans, which are scheduled to be installed on top of the commercial facility, will have their noise contained within.

Finally, should we assume that some sort of new innovation (not described in the Citizen Participation Letter) has been incorporated into this commercial facility that will take care of the statement about no “other waste being generated”? We, of course, are referring to any radiation that might be emitted from the antennas.

Please note that as of May 13, 2021 a notification sign was posted on Desert Hills Dr. moved from 3rd Ave that was away from the property limits.

Alan Muller

**Neighborhood contact:** Alan Muller, 39307 N 9th Ave, Desert Hills AZ 85086 4DaisyMountain@gmail.com 623-465-8888
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Miller</td>
<td>Muller</td>
<td>39507 N 9th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/24/2021</td>
</tr>
<tr>
<td>Cinric Vaught</td>
<td>Vaught</td>
<td>39307 N 9th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Bruce Yarm</td>
<td>Yarm</td>
<td>39304 N 7th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Bridget Klein</td>
<td>Klein</td>
<td>39304 N 7th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Mary Roberts</td>
<td>Roberts</td>
<td>39208 N 7th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Mary Roberts</td>
<td>Roberts</td>
<td>39208 N 7th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Sajor Bisnore</td>
<td>Bisnore</td>
<td>39023 N 1st Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Robert Pelatt</td>
<td>Pelatt</td>
<td>39031 N 11th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Karen Pelatt</td>
<td>Pelatt</td>
<td>39031 N 11th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Alicia Rhee</td>
<td>Rhee</td>
<td>39037 N 11th Ave</td>
<td>211-50037</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
</tbody>
</table>

Original: M C P & D Page 1 of 1 Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-20-014F is not compatible in any form with the adjacent R-33 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Miller</td>
<td>Muller</td>
<td>39507 N 7th Ave</td>
<td>211-50037R</td>
<td>85052</td>
<td>4/1/2021</td>
</tr>
<tr>
<td>Linnea Vaught</td>
<td>Vaught</td>
<td>39307 N 5th Ave</td>
<td>211-500-342</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>George Weiman</td>
<td>Weiman</td>
<td>39304 N 7th Ave</td>
<td>211-50-079</td>
<td>85066</td>
<td>4/1/2021</td>
</tr>
<tr>
<td>Doug Weiman</td>
<td>Weiman</td>
<td>39304 N 7th Ave</td>
<td>211-50-079</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Kim Roberts</td>
<td>Roberts</td>
<td>39208 N 7th Ave</td>
<td>211-50-079</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Mary Roberts</td>
<td>Roberts</td>
<td>39208 N 7th Ave</td>
<td>211-50-079</td>
<td>85086</td>
<td>4/12/2021</td>
</tr>
<tr>
<td>Van Bissex</td>
<td>Bissex</td>
<td>39023 N 1st Ave</td>
<td>211-50-049</td>
<td>85052</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Robert Pellett</td>
<td>Pellett</td>
<td>39031 N 11th Ave</td>
<td>211-50-051</td>
<td>85062</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Karen Pellett</td>
<td>Pellett</td>
<td>39031 N 11th Ave</td>
<td>211-50-051</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
<tr>
<td>Carla Rigg</td>
<td>Rigg</td>
<td>39037 N 11th Ave</td>
<td>211-50-068</td>
<td>85086</td>
<td>5/12/2021</td>
</tr>
</tbody>
</table>

Original: M C P & D

Page 1 of 2

Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an **OBJECTION/PROTEST** to the Special Use Permit application #2Z021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned **COMMERCIAL wireless communication facility** planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>G. Christian Sykes</td>
<td>Sykes</td>
<td>803 W. Lasquite</td>
<td>211-50-034P</td>
<td>85086</td>
<td>05/02/2021</td>
</tr>
<tr>
<td>Amanda Sykes</td>
<td>803 W. Lasquite</td>
<td>211-50-034P</td>
<td>85086</td>
<td>05/02/2021</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Original: M C P & D
Page 2 of 1
Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an **OBJECTION/PROTEST** to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned **COMMERCIAL wireless communication facility** planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nunnoff</td>
<td>39011 N 11th Ave</td>
<td>211-20-0084</td>
<td>85086</td>
<td>3/12/2021</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Original: MCP & D Page 3 of 1
Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mary Huel</td>
<td>Mary Huel</td>
<td>39306 N 7th Av</td>
<td>211-59-024Y</td>
<td>85086</td>
<td>5/2/21</td>
</tr>
<tr>
<td>Patrick Huel</td>
<td>Patrick Huel</td>
<td>39306 N 7th Av</td>
<td>211-50-024Y</td>
<td>85086</td>
<td>5/2/21</td>
</tr>
</tbody>
</table>

Original: M C P & D

Page 4 of 11

Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an **OBJECTION/PROTEST** to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March 16 and received by Planning and Development Department. The planned **COMMERCIAL wireless communication facility** planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christine M. Harry</td>
<td>148 W. Fennwood Dr.</td>
<td>211-73-012D</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Steven Zimpelman</td>
<td>148 W. Fennwood Dr.</td>
<td>211-72-017D</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Jeri Kay</td>
<td>121 W. Fennwood Dr.</td>
<td>211-73-014D</td>
<td>85086</td>
<td></td>
<td>1/1/14</td>
</tr>
<tr>
<td>Barbara K.檗</td>
<td></td>
<td>211-73-016G</td>
<td>85086</td>
<td></td>
<td>1/21/14</td>
</tr>
<tr>
<td>Beverly G. Mitchell</td>
<td>33 W. Fennwood Dr.</td>
<td>211-73-016G</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Ron Hopper</td>
<td>132 W. Wesley Wells</td>
<td>211-73-029F</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Frederick K. McBridge</td>
<td>394 N. 4th Ave.</td>
<td>211-73-058D</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Patricia K. McBridge</td>
<td>394 W. Desert Hills Rd.</td>
<td>211-73-029F</td>
<td>85086</td>
<td></td>
<td>5/12/21</td>
</tr>
<tr>
<td>Alice E.</td>
<td>394 W. Desert Hills Rd.</td>
<td>211-73-058D</td>
<td>85086</td>
<td></td>
<td>5/13/21</td>
</tr>
<tr>
<td>Evelyn Feller</td>
<td>394 W. Desert Hills Rd.</td>
<td>211-73-058D</td>
<td>85086</td>
<td></td>
<td>5/13/21</td>
</tr>
</tbody>
</table>

Original: M C P & D  
Page 1 of 1

Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #22021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Ray</td>
<td>Ray</td>
<td>118 W Desert Hills Dr</td>
<td>211-72-029 W</td>
<td>85086</td>
<td>5/18/21</td>
</tr>
<tr>
<td>Marion Kopper</td>
<td>Kopper</td>
<td>118 W Desert Hills Dr</td>
<td>211-72-029 W</td>
<td>85086</td>
<td>5/18/21</td>
</tr>
<tr>
<td>Charlotte Howell</td>
<td>Howell</td>
<td>39412 N 1st St</td>
<td>211-72-103</td>
<td>85086</td>
<td>5/18/21</td>
</tr>
<tr>
<td>Tom Sudeck</td>
<td>Sudeck</td>
<td>1500 Fernwood Dr</td>
<td>211-23-016-T</td>
<td>85086</td>
<td>5/18/21</td>
</tr>
<tr>
<td>Tom Sudeck</td>
<td>Sudeck</td>
<td>7 West Desert Hills Dr</td>
<td>211-72-017 E</td>
<td>85086</td>
<td>5/18/21</td>
</tr>
<tr>
<td>Deneen Kind</td>
<td>Kind</td>
<td>12 W Fernwood Dr</td>
<td>211-23-016-K</td>
<td>85086</td>
<td>5/19/21</td>
</tr>
<tr>
<td>Donald Woll</td>
<td>Woll</td>
<td>12 W Fernwood Dr</td>
<td>211-23-016-K</td>
<td>85086</td>
<td>5/19/21</td>
</tr>
<tr>
<td>Robert Shinerberg</td>
<td>Shinerberg</td>
<td>39601 N 3rd St</td>
<td>211-72-017 C</td>
<td>85086</td>
<td>5/19/21</td>
</tr>
</tbody>
</table>

Original: MCP & D  
Page 6 of 11  
Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave

I adhere to the following statement:

This petition is an OBSESSION/PROTEST to the Special Use Permit application #22021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kimberly</td>
<td>Cocherasburg</td>
<td>3901 W. 3rd Street</td>
<td>211-73-0126</td>
<td>85086</td>
<td>5/10/2021</td>
</tr>
<tr>
<td>Chanel</td>
<td>Veit</td>
<td>218 W Desert Hills</td>
<td>211-73-097</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Justin</td>
<td>Veit</td>
<td>218 W Desert Hills</td>
<td>211-73-097</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Nancy</td>
<td>Veit</td>
<td>3941 W 73 Ave</td>
<td>211-73-059C</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>John</td>
<td>Veit</td>
<td>318 W Desert Hills</td>
<td>211-73-059D</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Sue Ewenos</td>
<td>Fosset</td>
<td>39426 N 41</td>
<td>211-73-058D</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Sue Ewenos</td>
<td>Fosset</td>
<td>1021 W Desert Hills</td>
<td>211-73-058E</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Shelly</td>
<td>Carter</td>
<td>39313 N Central Ave</td>
<td>211-73-3000</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
<tr>
<td>Shelly</td>
<td>Carter</td>
<td>39313 N Central Ave</td>
<td>211-73-3000</td>
<td>85086</td>
<td>5/11/2021</td>
</tr>
</tbody>
</table>

Original: MCP & D
Page 7 of 11
Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #22021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & LLC, Reid Stewart Owner/Manager applied for on 2021 March 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-33 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carolyn Reid</td>
<td>Carolyn Reid</td>
<td>11235 E. ASAVE DR.</td>
<td>211-57-051c</td>
<td>85262</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Breanna Beck</td>
<td>Breanna Beck</td>
<td>1402 W. Cloud Dr.</td>
<td>211-57-051c</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Haan</td>
<td>Haan</td>
<td>7652 W. Quail Trk 12</td>
<td>203-25-591</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Kathy Koester</td>
<td>Kathy Koester</td>
<td>2425 W. Briteo Blvd</td>
<td>204-13-360</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Kathy Koester</td>
<td>Kathy Koester</td>
<td>2425 W. Briteo Blvd</td>
<td>204-13-360</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Heather Lacy</td>
<td>Heather Lacy</td>
<td>2715 W. Lavey Lane</td>
<td>204-12-178</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
<tr>
<td>Brittany Hayes</td>
<td>Brittany Hayes</td>
<td>105 W. Lavey Lane</td>
<td>211-2053</td>
<td>85086</td>
<td>5/12/21</td>
</tr>
</tbody>
</table>

Original: MCP & Doe

Page 5 of 11

Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of **Desert Hills Drive and 3rd Ave**
I adhere to the following statement:

This petition is an **OBJECTION/PROTEST** to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned **COMMERCIAL wireless communication facility** planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vivian Decker</td>
<td>Vivian Decker</td>
<td>519 W. Ridgecrest Rd</td>
<td>211-73-0314</td>
<td>85086</td>
<td>5/13/2021</td>
</tr>
<tr>
<td>Harry Decker</td>
<td>Harry Decker</td>
<td>519 W. Ridgecrest Rd</td>
<td>211-73-0314</td>
<td>85086</td>
<td>5/13/2021</td>
</tr>
<tr>
<td>Daria Packman</td>
<td>Daria Packman</td>
<td>113 W Desert Hills Dr</td>
<td>211-23-0176</td>
<td>85086</td>
<td>5/13/2024</td>
</tr>
<tr>
<td>Pamela Packman</td>
<td>Pamela Packman</td>
<td>113 W Desert Hills Dr</td>
<td>211-23-0176</td>
<td>85086</td>
<td>5/13/2021</td>
</tr>
</tbody>
</table>

Original: MCP&D      Page 9 of 11

Copies: Board of Supervisors
PETITION

By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an OBJECTION/PROTEST to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March. 16 and received by Planning and Development Department. The planned COMMERCIAL wireless communication facility planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tammy Sauer</td>
<td>2809 W Dolores Rd</td>
<td>203-38-046</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Kathy Sauer</td>
<td>2809 W Dolores Rd</td>
<td>203-38-046</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Kathy Berardi</td>
<td>612 E Tanagertel</td>
<td>811-23-274</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Madonna Guffey</td>
<td>4063N Laurel Valleyway</td>
<td>203-06 540</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Ron Guffey</td>
<td>4063N Laurel Valleyway</td>
<td>203-06 590</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Dan Tuccio</td>
<td>204180 E Amethyst St Pl</td>
<td>203-06 590</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Alex Dore</td>
<td>10924 W Waverly Rd</td>
<td>203-06 590</td>
<td>85086</td>
<td>5/12/21</td>
<td></td>
</tr>
<tr>
<td>Carol McCarty</td>
<td>34218 N 104th Pl</td>
<td>109-96 683</td>
<td>85037</td>
<td>5/13/21</td>
<td></td>
</tr>
<tr>
<td>Janice Darrow</td>
<td>2803 W Whisper Rd</td>
<td>203-14 036A</td>
<td>85087</td>
<td>5/13/21</td>
<td></td>
</tr>
<tr>
<td>Krista Dahn</td>
<td>3706 W N 36th St</td>
<td>211-67 01.7E</td>
<td>85331</td>
<td>5/13/21</td>
<td></td>
</tr>
</tbody>
</table>

Original: MCP & D    Page 10 of 11    Copies: Board of Supervisors
By affixing my signature below, attesting to living in the area of Desert Hills Drive and 3rd Ave
I adhere to the following statement:

This petition is an **OBJECTION/PROTEST** to the Special Use Permit application #Z2021044 applied for by Gary Cassel / Vertical Bridge / T-Mobile / Clearblue Services and the representative of Superior L & L LLC, Reid Stewart Owner/Manager applied for on 2021 March 16 and received by Planning and Development Department. The planned **COMMERCIAL wireless communication facility** planned for 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel #211-23-014F is not compatible in any form with the adjacent R-43 rural properties.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print</th>
<th>Address</th>
<th>APN #</th>
<th>Zip</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joan Collier</td>
<td>Joan Collier</td>
<td>1935 Etanya</td>
<td>211-20-117P</td>
<td>85086</td>
<td>5/14/10</td>
</tr>
<tr>
<td>Julie Perry Brown</td>
<td>Julie Perry Brown</td>
<td>2627 W Napalette</td>
<td>203-26-729</td>
<td>85086</td>
<td>5/14/12</td>
</tr>
<tr>
<td>Rita Quinones</td>
<td>Rita Quinones</td>
<td>35843 N 14th St</td>
<td>211-52-074A</td>
<td>85086</td>
<td>5/14/21</td>
</tr>
<tr>
<td>Debra Ehlens</td>
<td>Debra Ehlens</td>
<td>41036 N Iron Horse Way</td>
<td>203-01-844</td>
<td>85086</td>
<td>5/14/21</td>
</tr>
</tbody>
</table>

Original: MCP & D
Page 11 of 11
Copies: Board of Supervisors
Dear Mr. Watkins,

This is in response to the above referenced subject. I am a resident of Desert Hills area and in direct line to this proposed cell tower. The reason we chose this area and our home is because of the rural ness and the quality of life presented to us.

This proposed cell tower will be a blight on the landscape and a total eyesore. At 80 feet tall, this is too much, it is more than double the height of existing power poles. The zoning of the area will be changed which will present a precedence for any future developments.

I strongly oppose the development of this proposed project.

Herb and Barbara Kwan
121 W Fernwood Drive

Sent from my iPad
Sean Watkins-Planner, P & Z Commissioners, Board of Supervisors,

When I was a P & Z Commissioner and assisted in updating the WCF’s, there was no “by right”. Fortunately, Maricopa County maintains zoning, in order to protect its unincorporated communities.

- The array of the antenna limited to 8’
- For every foot up, there must 2’ out to the property line
- Lighting must be inside the compound and shielded to protect the dark skies ordinance
- It is important that we consider 1202.2.6 in the zoning ordinance “the standards contained in this Section with regard to height, diameter, and design are concealment elements to ensure structures do not have an adverse visual impact or harm the public welfare”

T-Mobile is attempting to erect their WCF in our area without consideration of the community, by not complying with county zoning. Example: there is only 1 of 4 property lines that is 160’ or more. We believe this is one of many towers to be erected by T-Mobile in our area.

We presently have 2 of the 3 major carriers servicing Desert Hills. and the 5g Verizon tower down the street does NOT have a 15’ array.

We hereby request that the P & Z Commission and the Board of Supervisors deny SUP Z2021044.

Respectfully,

The Mullers
Gary,

The material used on the electric poles is “CORTEN”. Nothing less would be accepted. The height of the poles are 65’ hence why we have been using 64’ for WCF’s. I would suggest that if you cannot meet this criteria you look at another site. Also, consider 2-10 year stipulations to possibly be renewed.

PLEASE CONFIRM RECEIPT OF THIS EMAIL
Alan Muller
4DaisyMountain@gmail.com
(602) 432-2800

Hey Sean:
I have asked the VB Architect to revise the ZD’s to show the commitment VB made to Alan Miller and the County as to:

1. REVISED SUP NUMBER Z2021044
2. showing the 10 ft. wall and updating notes
3. Note all lighting is full cut off on timer and mounted below the top of wall., See note on sheet C-7 detail #1.
4. There is Still a question about the pole color and we are waiting for Alan Miller who the County want make sure is part of the process GETS US A COLOR FOR THE POLE THAT IS ACCEPTABLE BY VB?

PLEASE LET ME KNOW WHAT YOU LIKE AS TO REVISING THE SUP APPLICATION, AS TO THE HEIGHT OF THE WALL & WHEN WE GET IT THE POTENTIAL COLOR OF THE POLE?
Gary Cassel
Site Acquisition Specialist
Clear Blue Services
O: 602.762.8809
E: GaryCassel@clearblueservices.com

Site Acquisition*Architecture*Engineering*Construction

www.clearblueservices.com
3530 E. Atlanta Avenue
Phoenix, Arizona 85040
Gary and Sean,

All of the attached information provided in your email was written by T-Mobile, a self-serving source of this information. As a distant, third-ranked cell carrier trying to hold onto a place in this business, T-Mobile doesn’t care about the negative impact to Desert Hills homeowner property values caused by the cell tower installation. They care about their business.

I don’t care about their business and the federal government push for 5G infrastructure doesn’t require me to use this carrier or that all carriers must be equal. There are other stronger carriers for me to choose from that will not result in an eyesore in our neighborhood and these same carriers don’t appear to have had the same geographic circle limitations in their 5G network build. I can call 911, or the police today without this tower.

Some of the written response you have provided in this email is difficult to understand and does not really address the issues raised in the meeting. The owner of the land for the proposed site does not live in Desert Hills or knows any of the property owners that are impacted. You seem to question why we aren’t complaining about the cell tower located at the near-by fire station. The fire station is not a residence but is a tastefully built facility, and the existing tower is not a monolith that rises out of the desert in the middle of residential properties. The Anthem tower isn’t in the middle of homes either—it is in a commercially zoned area. We are asking for the tower to be moved to another location or T-Mobile will need to live with a gap in coverage until their networking can facilitate more than a 1/2 mile circle for coverage.

John and I do not want this location used for the T-Mobile cell tower.

Janet & John Mendenhall
38860 N 7th Avenue
Phoenix AZ. 85086
Parcel # 211-50-005N

Sent from my iPhone
TO ALL THAT ATTENDED THE COMMUNITY MEETING ON 6/1/21

GOOD AFTERNOON

Thank you so much to all of you for your discussions and concerns as to the proposed Vertical Bridge Telecommunication site at the community meeting held on 6/1/21.

I wanted to write you directly if you don’t mind, as I really do care and want all of you to be as much informed as possible especially as to answer to your concerns directly that you brought up, and also in writing so everyone is clear on what was asked and the answers that were given at the meeting, and I am also including the County Planner.

There is no update yet as to the dates for any of the hearings sorry to say.

I did not prioritize the concerns, but wanted to answer I believe every concern we discussed at the community meeting.

1. **NOISE**
   
   There is very little or No noise as the individual cabinets are internally cooled within, and the cabinets holding the radios are built to allow for no noise or the decibels of any noise would be blocked by the compound walls height, as mitigated to 10’ and not the initial 8’ that was applied for. As the walled in compound walls are now proposed to be 10’ tall, and if there were any noise it would be blocked by the 10’ wall.

2. **LOCATION**
   
   I know you are concerned with the location of the site, and want you to know that after considering over 13 different property owners in a .5 mile radius of the proposed site, because of washes and limited space along with ownership considerations, Vertical Bridge thought the site needed to be as far away from the residences as possible, and still stay within the T-Mobile required search area. As there are no residences anywhere in the vicinity of...
the site location, as the nearest home is over 400’+ to the East (2) parcels East, and the WCF site build located in the Northwest Center of the existing parcel where the setbacks to the nearest ROW’s are over 350’+ to Desert Hills Rd. with residences even further, and over 500’+ to 7th Ave, where the site is surrounded by existing APS Electrical poles, the site location was the furthest we could be away from the residences. The real challenge was to find a parcel where the WASHES on the property did not conflict with the location as the water rises and could wipe out the whole site!!

3. **SET BACKS**
   The zoning of the subject property is RU-43. (Reid Ranch RU-43); The location of the zoning where the site is proposed and around the site which is allowed by the county is West RU-43 and existing raw landowner is located in Cornville AZ, North is RU-43 and AZ State Land then ROW-Desert Hills Dr., and South is RU-43 and AZ State Land, East is ROW-3rd Ave. and beyond is RU-43. North distance is 330’ from site parcel line, and then (ROW) Desert Hills Dr., then the residences on the other side North. South is RU-43 and Arizona State Land 250’-3”, East is (ROW) 3rd Ave 523’ from site location. and beyond is RU-43. West is existing raw landowner is located in Cornville AZ, and then (ROW) and then 7th Ave over 501’ West.

4. **FIRE STATION & SURROUNDING PARCELS**
   The fire station (I tried to locate the site at the tower at the fire station and was DENIED due to no room for equipment space and no room on the existing pole, and the area behind the fire station is environmentally off limits to any building) with their own tower mast (which is way over 2400’ away West) from (VB) proposed site location, Per Section: 1202.3.1.(k).
   There are no other towers in the 2400’ radius area; Per Section: 1202.3.1.(k), (fire station denied the VB request and does not have space either on the tower or the ground space) and due to the T-Mobile mature system build they really need this proposed site location to improve the services as there are many blocked calls due to the weak signal in the surrounding area. The existing right of way power poles, light standards and stop light pole have been thoroughly investigated by T-Mobile’s Radio Frequency Engineers which are found does not work for the RF objectives, as they are too close to residences and not tall enough or strong enough to incorporate the required antennas. Furthermore, there is already and has been a Verizon Telecommunication site Pole at the County Fire Station just down off of Desert Hills Dr to the West of our proposed site location less than 2400' away, and has been there for many years.

5. **PROPERTY VALUES**
I think you will find the attachment on PROPERTY VALUES and the affect as to the proposed site and its location very informative as to (Property Values Fact Sheet_ 2021). You will note that the FCC and all the carriers have researched and found that 75% of phones used by the public are wireless phones, as they allow the freedom to communicate where ever they are! When someone wants to buy property these days they actually consider if their phones will work so as to communicate with work and loved ones, data transfer, streaming live and TV events. T-Mobile actually has very poor and in some cases there is no coverage in the area where the site is proposed.

6. **HEIGHT OF THE PROPOSED TOWER REQUIRED BY VERTICAL BRIDGE, T-MOBILE AND THIER RADIO FREQUENCY ENGINEERS.**

Both Vertical Bridge and T-Mobile are requiring the height of the proposed tower to be at 80’. The reason is to directly communicate uninterrupted with the existing T-Mobile site locations in the vicinity. This requirement is so as to accomplish a system build or the 5G Network and not just a stand-alone towers where the 4G network use to be. This height of 80’ (where the antennas will be at) will allow T-Mobiles network to accomplish the even flow of radio frequency, which will stop the poor coverage, block calls, or capability of calls in or out, including the 911 Emergency calls, both in or out.

T-Mobile’s Primary antennas for transmitting wireless telephone service, including cellular and personal communications service (PCS), are usually located outdoors on towers, the combination of antenna towers and associated electronic equipment is referred to as a "cellular or PCS cell site" or "base station." Cellular or PCS cell site towers are typically and, in this case, will be 80’ high Antennas are usually arranged in groups of three, with one antenna in each group used to transmit signals to mobile units, and the other two antennas used to receive signals from mobile units.

The Carrier considers the use of each telecom site to be interconnected with the other existing carrier sites, as that is the whole premise for the carriers system build, and now that there are radios for all the carriers including T-Mobile to the 5G Network it is imperative that each site coordinates and interconnects as 5G is a system build, and not like what you are used to from before, which allows the actual radio frequency to be less than 4G as it blends with the existing towers.

7. **911-EMERGENCY CALLS**

The cell towers including this cell tower within the County are registered with the Federal Communication Commission and part
of the EAS program. **911- EMERGENCY CALLS.** Each cell tower is mandated as part of the EAS national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service (SOARS) providers, and direct broadcast satellite (DBS) providers to provide the communications capability to the President to address the American public during a national emergency. The system also may be used by state and local authorities to deliver important emergency information, such as AMBER alerts and weather information targeted to specific areas. The FCC, in conjunction with Federal Emergency Management Agency (FEMA) and the National Oceanic and Atmospheric Administration's National Weather Service (NWS), implements the EAS at the federal level.

Every one of these Agencies require as part of the FCC Licensing to each carrier that they MUST be able to broadcast their radio frequencies incorporating these systems as part of their obligation to have the license. So when there is very little coverage or in this site location there is the potential of no coverage, where there is the possibility of a 911-call not going through or a Federal Emergency broadcast that is why Vertical Bridge / T-Mobile really needs the site to bridge the gap of NO Coverage in this area between the existing T-Mobile sites, which the T-Mobile RF Engineers are requiring their antennas to be at 80’ to accomplish the most important RF coverage objectives, which is to link up with the existing sites.

8. **FEDERAL GUIDELINES**

From the FCC.

**Decision May Not Be Based on or Regulate Radio Frequency Emissions**

Cities may not regulate placement, construction of modification of WCFs based on radio frequency ("RF") emissions if the proposed wireless facility complies with FCC RF emissions regulations.

Cities may also not attempt to regulate the operation of WCFs based on these 8 City of Palos Verdes Estates, 583 F.3d at 725; City of Anacortes, 572 F.3d at 994, citing, Sprint II, 543 F.3d at 580 [stating that the zoning board may consider “other valid public goals such as safety and aesthetics”]; T-Mobile Cent., LLC v. Unified Gov't of Wyandotte County (10th Cir. 2008) 546 F.3d 1299, 1312 [noting that “aesthetics can be a valid ground for local zoning decisions”]; Cellular Tel. Co. v. Town of Oyster Bay (2d Cir. 1999) 166 F.3d 490, 494 [recognizing that “aesthetic concerns can be a valid basis for zoning decisions”]; Voice Stream PCS I, LLC v. City of Hillsboro (D. Or. 2004) 301 F.Supp.2d 1251, 1255.
The FCC and Local and State Advisory Committee of the FCC published a guide for local officials to help determine whether a facility complies with FCC standards. It can be found online at http://www.fcc.gov/encyclopedia/radio-frequency-safety.

9. **Radio frequency exposure.**
   No communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. There are FAA & FCC height restrictions to keep the radio frequencies above and away from potential exposure. To that end, no communication facility or combination of facilities shall produce, at any time, power densities that exceed the current FCC adopted standards for human exposure to RF fields. Certification that a facility meets this standard is required. A copy of the certification from the FCC shall be submitted to the city.

10. **LIGHTING**
    Please see the actual lighting specification on the actual site plans the were submitted to the County. This will show that the lighting for the site is going to be located below the top of the 10’ wall and will be shaded to only light the lease space area inside the compound where both the pole and the equipment will be located to work on in the case of an emergency.

11. **COLOR OF THE POLE AND COMPOUND WALLS & AESTHETICS**
    The proposed VB site does not substantially change the physical aesthetics of the surrounding area which includes existing APS poles, and also the raw land between the ROW’s which is owned by Arizona State Land.
    The physical aesthetics of the proposed pole is commensurate with the area that has many other like electrical poles which are the same color existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community.
    **COLOR OF POLE; AESTHETICS:**
    Towers and antennae shall meet the following requirements:
    a. Towers shall maintain, subject to any applicable standards of the FAA to be painted a BROWN (APS POLE COLOR) color so as to
reduce visual obstructiveness, as being suggested by the surrounding community.
b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding towers. painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

12. **NO HEALTH HAZARDS**

   There are NO known health hazards to the telecommunication sites. (Please See attachment Cellsites_public_health_final-2021), As we discussed at the community meeting, the radio frequency waves have been researched since the 1950’s when TV broadcasting off South Mountain was built, and the wireless telephones for all the carriers have been existence since the late 1980’s, where everyone in the U.S. and your area has been living and working within all of these wireless frequencies on a constant basis. This includes the existing wireless carrier site locations that are all around you now, including the fire station, the schools, and churches in your immediate area!

13. **NO INTERFEARANCE WITH EXISTING TELEPHONES, TV, OR CABLE**

   There will be NO interference if a new cell phone tower is built with any current cell phone service through any other carrier. There will not be any interference with any Digital Television reception. The FCC sells individual licenses for specific radio frequencies to each carrier or wireless companies so there will not be any interference or cross-talk.

14. **TRAFFIC-UNMANNED FACILITY**

   The use is an un-manned telecommunications facility defined as “Monopole” and will not cause any adverse impact on adjacent property or properties in the area. As this is an un-manned facility and we only maintain the property around once a month, but in the case of an emergency it would be sooner. There will be no increase in Vehicular or pedestrian traffic in adjacent residential areas, emissions of any order, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions; contribution in a measurable way to the deterioration of the area or contribution to the lowering of property values, Per Sections 1202.1 & 1202.2, 1202.5 & 1202.6.

15. **EXISTING AND REMOVING LANDSCAPING.**

   The location of the proposed Vertical Bridge proposed site location including compound and building the road to the site from N 3rd Ave. East.

   a. There is no existing endangered cactus within the area of the proposed site location and / or the road that Vertical Bridge will need to build within the existing 30’ wide dedicated Access & Utility Easement on all parcels East to N. 3rd Ave. If there are found to be
endangered cactus, they will be replaced on the parcel to save them.

b. There is only brush that will be removed to allow for the proposed site location and as part of the road is already existing there will be a limited removal of bushes to get to the site through the dedicated 30’ Access& Utility Easement.

16. **SEARCH RING AREA (Exhaustive Search)**

So you can understand the limited space for setbacks requirements, and parcels with all the washes, which would not work as to flood out the site.

Vertical Bridge is working with your concerns of both you and the neighborhood and REALLY DO CARE!
Vertical Bridge has over 300,000 sites in the United States, and coordinates each site with the needs for both the neighborhoods, county (jurisdictions), and the carriers.

<image003.png>

Vertical Bridge is working with your concerns of both you and the neighborhood and REALLY DO CARE!
Vertical Bridge has over 300,000 sites in the United States, and coordinates each site with the needs for both the neighborhoods, county (jurisdictions), and the carriers, which I explained in both the community meeting and now in writing.

Hope this helps in the understanding of the new age of Cellular Telecommunications sites, but I really do appreciate your concerns, and hope I have reiterated in writing now from the discussion we had at the community meeting.

**Gary Cassel**
Site Acquisition Specialist
Clear Blue Services
O: 602.762.8809
E: GaryCassel@clearblueservices.com

<image001.png>

**Site Acquisition*Architecture*Engineering*Construction**

[www.clearblueservices.com](http://www.clearblueservices.com)
3530 E. Atlanta Avenue
Phoenix, Arizona 85040
Gary,
Thanks for your response. I would recommend then that you place this tower at the Fire station and not at the proposed location. The tower extends well above the 10 foot wall. The proposed site is on higher ground than the elevation of my property. It is taller than the electrical poles that run along 7th Avenue. It is another visual disruption I would prefer not to see.

Sent from my iPhone

> On Jun 1, 2021, at 1:19 PM, Gary Cassel <garycassel@clearblueservices.com> wrote:
> 
> Dear Ms. Mendenhall:
> GOOD AFTERNOON
> Thank you so much for writing the County on your concerns as to the proposed Vertical Bridge Telecommunication site.
> I wanted to write you directly if you did not mind, as to answering your concerns directly, and also included the County Planner.
> I would like to respond to your concerns as to the NOISE coming from the Vertical Bridge site and its location.
> There is no noise coming from the site itself, as the cabinetry built for the radio equipment is built to compensate for any noise within the cabinets, and again the radios don't make noise. Also there is a 10' wall around all the equipment including the pole, which if there were any noise it would be blocked from the walls around the equipment cabinets.
> Furthermore, there is already and has been a Verizon Telecommunication site Pole at the County Fire Station just down off of Desert Hills Dr to the West of our proposed site location less than 2400' away, and has been there for many years.
> Hope this helps in the understanding of the new age of Cellular Telecommunications sites, but really do appreciate your concerns.
> 
> Gary Cassel
> Site Acquisition Specialist
> Clear Blue Services
> O: 602.762.8809
> E: GaryCassel@clearblueservices.com
> 
> Site Acquisition*Architecture*Engineering*Construction
> 
> www.clearblueservices.com
> 3530 E. Atlanta Avenue
> Phoenix, Arizona 85040
> 
> ----Original Message----
> From: Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov>
> Sent: Tuesday, June 1, 2021 10:58 AM
> To: Gary Cassel <garycassel@clearblueservices.com>
> Subject: FW: Proposed WCF at 3rd Ave in Desert Hills
>
> Good morning Gary,
> FYI...
>
> Thank you!
>
> Sean Watkins
> Planner
> Maricopa County Planning & Development Department
> 301 W. Jefferson Street, Suite 170
> Phoenix, AZ 85003
> Desk: 602-506-8150
> sean.watkins@maricopa.gov
> P&D is now 100% digital.
> Find information on our new permit process here:
> https://www.maricopa.gov/1629/Construction-Permit-Information
>
> -----Original Message-----
> From: Sean Watkins (PND)
> Sent: Tuesday, June 1, 2021 10:57 AM
> To: Janet Mendenhall <janetmendenhall@gmail.com>
> Cc: DesertHillsAZ@gmail.com
> Subject: RE: Proposed WCF at 3rd Ave in Desert Hills
>
> Hello Ms. Mendenhall,
> Your comment has been added to the project record for consideration by Staff, the Planning and Zoning Commission and the Board of Supervisors.
>
> Thank you!
>
> Sean Watkins
> Planner
> Maricopa County Planning & Development Department
> 301 W. Jefferson Street, Suite 170
> Phoenix, AZ 85003
> Desk: 602-506-8150
> sean.watkins@maricopa.gov
> P&D is now 100% digital.
> Find information on our new permit process here:
> https://www.maricopa.gov/1629/Construction-Permit-Information
>
> -----Original Message-----
> From: Janet Mendenhall <janetmendenhall@gmail.com>
> Sent: Tuesday, June 1, 2021 10:37 AM
> To: Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov>
> Cc: DesertHillsAZ@gmail.com
> Subject: Proposed WCF at 3rd Ave in Desert Hills
>
> As property owners that would have to view and hear the noise generated by the proposed WCF, my husband and
I am against this installation. Desert Hills is located in an unincorporated area of Maricopa county—no water service, no sewer, poor internet. We live here because we enjoy the natural surroundings of the area, horse properties etc. We did not invest in a home here to coexist with a T-mobile cell tower that will serve to be an eyesore to our neighborhood.

> We vote NO! Thank you.
>
> Janet Mendenhall
> 38860 N 7th Avenue
> Phoenix 85086
>
> Sent from my iPhone
As property owners that would have to view and hear the noise generated by the proposed WCF, my husband and I are against this installation. Desert Hills is located in an unincorporated area of Maricopa county—no water service, no sewer, poor internet. We live here because we enjoy the natural surroundings of the area, horse properties etc. We did not invest in a home here to coexist with a T-mobile cell tower that will serve to be an eyesore to our neighborhood.

We vote NO! Thank you.

Janet Mendenhall  
38860 N 7th Avenue  
Phoenix 85086

Sent from my iPhone
Sean,

My name is Lisa Paffrath and this email is to inform you that we are not in support of the proposed T-Mobile site across from our home. We are asking that you deny the SUP referenced in the subject line of this email. Our parcel number is: 211-73-135. Our address is: 520 W Desert Hills Dr, Phoenix, AZ 85086.

Thank you,
Lisa Paffrath
602-418-6301
Sean, the meeting last night regarding the 5G tower proposed to go up near residents in Desert Hills, was an absolute disaster. Our voices deserve to be heard. Gary beat around the bush on every issue brought before him. Maybe we could get a meeting with someone who can, or will address our concerns. There is a definite health risk to the public, not to mention property values. This concerns us all. Not just the parties that stand to gain the most money. I will be emailing Debbie Leskos office regarding this matter, as well as the rest of Legislative District 1. This matter will not be swept under the rug easily. I would Greatly appreciate a response on this matter. In the meantime I will continue enlightening the residents of desert hills, and emailing my representatives.

Sincerely, Jessica Johnson
Committeeman- Legislative District 1
Hello,
We do not want the SUP in the location that was picked for the 80 foot tower for T-Mobile.

Regards:
Pat and Mary Huels
39306 N 7th Ave
Parcel #211-50-344
Sent from my iPhone
Sean,

Although we attended the meeting held by Gary Cassel on June 1, 2021. Many of the concerns the attendees had were not answered, specifically if this cell tower was going to be placed on the property at North 3rd Ave and Desert Hills Drive.

Our major concerns regarding this proposed development are as follows:

1. Is this a done deal? What can be done to stop it?
2. Zoning changes to accommodate this tower, changing from R-43 to something else, especially if it becomes a commercially zoned property, setting a precedence for other towers to be put in a primarily residential area.
3. Esthetics - the proposed tower is planned to be 80 feet in height. The APS poles are generally no more than 60 feet in height. The exterior of the pole is not planned to match the APS poles should it be placed.
4. Is it safe? - what studies have been done to ensure there are no unseen damages to human life, animals or plants based on the RF or other electrical emissions? None were provided at the meeting. But it was said there was a 2-year study done and 'turned in'. Gary did not know to whom the study was 'turned into to' or how to get a copy of this study.
5. Light pollution from maintenance or security activities
6. Impact to Property values?
7. Why wouldn’t this cell tower be put on State Land instead of residential land?

Above all, we are asking you to NOT TO APPROVE THIS SUP

Sincerely, concerned residents of Desert Hills
David & Pamela Packman
Mr. Watkins,

This e-mail is to voice my concerns about having a new cell tower near me. I live at Desert Hills and 7th Ave. First of all, considering that we are surrounded by very high hills in every direction around us, why does it need to be built this near the people who live here? And it doesn’t matter how pretty the structure is made, the noise and light contamination will be considerable.

Thank you your consideration,

Monte Mlekush

Sent from Mail for Windows 10
My Husband and I are concerned neighbors living in the area of the proposed wireless communication facility. We feel the need to voice our concerns over this project.

We understand growth, we have seen lots of it here in beautiful Desert Hills in the 12 years we have lived here.

The County has standards in place when it comes to zoning that protects existing communities such as ours.
Standards such as, setback from property lines and array diameters.

If a special use permit is given for this project it can and may very well set a new precedent for the next WCF in our community.

We are asking you to not approve this SUP.
If approve please implement items that have been suggested;

pole height
matching the existing APS poles in the area, for a uniform look
height of attenuation walls
shaded lighting within the compound

Respectfully,
Harry Decker
Vivian Decker
6-2-2021

To: Sean Watkins, The Maricopa County Planning & Zoning Commission, & The Maricopa County Board of Supervisors
Cc: Gary Cassel

This letter is in regard to the Special Use Permit Case #Z2021044 for the Proposed T-Mobile Cell Phone Tower at the following address:

39212 N. 3rd Avenue
Phoenix, AZ 85086 locations
Maricopa County
Accessors Parcel # 211-23-014F

I would like to oppose the Special Use Permit and oppose the cell phone tower being built.

First, it will be an eyesore! I don’t want to look out my front window at an 80 foot cell phone tower! I also do not want to have any excess lighting from the tower, nor do I want to listen to any excess noise being made from the cell tower or things used to run it. It is bad enough that I already have to listen to the water trucks go back and forth down Desert Hills Road all day long and hear them engine break all too often! I moved out here to get away from the lights and the noise of the city. I do not want any additional lights or noise added! I do not want it built here!

Second, I am concerned that it is going to drastically reduce our resale value of our home & the other homes in the surrounding area. No one is going to want purchase a house across the street from and/or look right out the front window at an 80 foot cell tower! For this reason, I do not want it built here!

Third, I am concerned for my health and the health of my neighbors. I do not believe that there has been enough long term testing on the health risks of living so close to a cell phone tower. I do believe that there will be increased health risks & issues from a cell phone tower being so close, therefore, I do not want it built here!
Fourth, I am concerned that there will be interference if a new cell phone tower is built with my current cell phone service through Verizon. I am also concerned it will interfere with my Digital Television reception. I do **not** want it built here!

In closing, I would just like to say again that **I oppose the special use permit and I oppose the cell phone tower being built!**

Please keep me informed of the dates to any upcoming dates, times and the locations of meetings regarding this issue.

Sincerely,

Renee Hunter
Sean Watkins,

I am a resident at Desert Hills Drive and 7th Ave. The proposed Tower is to be constructed near 3rd Ave and Desert Hills Drive.

It is not acceptable to put a tower in a residential neighborhood when there are hills that are above and away from housing.

An 80’ cell tower, 15’ higher than any of the APS poles with a broad reaching impact of many miles to penetrate the air space we live in.

I purposely chose to live in Desert Hills, with no street lights, minimal contamination of electrical energy and no 5g in the area.

Your proposed WCF requires cooling, using A/C units which generate a constant noise factor. Put this noise pollution on a local mountain top. Not where it will infiltrate into our brain thru the waves that penetrate thru all matter, meaning our homes and cellular structure.

I Angry my land and home is being infiltrated with this technology which has been proven to be harmful.

Ina

Ina Mlekush “Speaks Simply” MFCC
Marriage, Relationship Counselor- Traditional & Alternative
Sex Counselor ASSECT Member
623 465-9151
Ina@Talktolna.com
Ina@SpiritualSexuality.com
From: Rick Kreutzberger  
To: Sean Watkins (PND)  
Subject: objection to cellular T mobile cell tower  
Date: Saturday, June 5, 2021 12:09:03 PM

Az-5068-special use permit case# Z2021044

We live across the road from the proposed location.

This is not only ugly but adds unnecessary lights besides not being good for our health and the value of our property..

My wife has Multiple Sclerosis and the idea of having this tower so close to where we live is devastating!!
Deny SUP

Choose a non residential location!!!!!

Our parcel # is 211-73-058-D
Fredrick Kreutzberger
Alice Felice
39426 N 4th Ave Phoenix Arizona
85086
To whom it may concern. My name is Susan Marsman. I live and own 39512 N. 4th Ave. Parcel #211-73-058B. I’m opposed to the structure that is supposed to go in on Desert Hills Dr. It will not only put all around it in danger, it will significantly drop the value of our properties! Not to mention the eyesore of this monstrosity. Thank you for your time.

Susan Marsman
Gary, here is the email I sent to over 540 names. I had 34% open and no phone calls. The Board had no objection to the SUP.

---

Public Comment

Gary Cassel of Clear Blue Services has asked the Dept. of Planning and Development for additional public comment on the proposed cell site to be located on the south side of Desert Hills on 3rd Ave (SUP Z2021044). Mr. Cassel has requested additional public comment over and above the P&Z requirements. If you would like to ask questions please contact Mr. Cassel.

Gary Cassel  
Site Acquisition Specialist  
Clear Blue Services  
O: 602.762.8809  
E: GaryCassel@clearblueservices.com 

Site Acquisition*Architecture*Engineering*Construction

www.clearblueservices.com  
3530 E. Atlanta Avenue  
Phoenix, Arizona 85040

New River/Desert Hills Community Association | PO Box 75068, New River, AZ 85087-1000

Unsubscribe {recipient's email}
THIS IS A TEST EMAIL ONLY.
This email was sent by the author for the sole purpose of testing a draft message. If you believe you have received
the message in error, please contact the author by replying to this message. Constant Contact takes reports of
abuse very seriously. If you wish to report abuse, please forward this message to abuse@constantcontact.com.
Hey Sean:
Please see the NRDHCA & DMAAA PUBLIC NOTICE sent out to all the New River Community to Invite them to call me if there any concerns!
NO ONE CALLED
As you can see the NRDHCA & DMAAA BOARD had no objection to the SUP.

I THINK THIS TELLS THE STORY

Gary Cassel
Site Acquisition Specialist
Clear Blue Services
O: 602.762.8809
E: GaryCassel@clearblueservices.com

Site Acquisition * Architecture * Engineering * Construction

www.clearblueservices.com
3530 E. Atlanta Avenue
Phoenix, Arizona 85040

Hey Ed:
Thank you so much for your EXTRA effort in sending out to the 540 addresses in the New River Community, and Thank the NRDHCA BOARD for their consideration and their vote of NO OBJECTION to the Vertical Bridge / T-Mobile Telecommunication Project;
AZ-5068-Special Use Permit Case #Z2021044!
From: estentinc ent <etaylor@estentinc.com>
Sent: Saturday, June 26, 2021 3:14 PM
To: Gary Cassel <garycassel@clearblueservices.com>
Subject: Emails Sent

I sent you a copy of the notice I sent out Wednesday to over 540 addresses. It has a 34% open rate and I have had no phone calls. We discussed the SUP at the Board meeting and there were no objections. Thank you for the extra effort but I see no need for any more meetings. Continued success with your project and let me know if you need any other assistance.

Thank you for the opportunity
Ed Taylor, President
NRDHCA
602-739-1235 cell

..."You shall love your neighbor as yourself."

Gary Cassel
Site Acquisition Specialist
Clear Blue Services
O: 602.762.8809
E: GaryCassel@clearblueservices.com

Site Acquisition*Architecture*Engineering*Construction

www.clearblueservices.com
3530 E. Atlanta Avenue
Phoenix, Arizona 85040
Hey Ed:
As per our Great conversation about 2 weeks ago you were going to send out as the Board President for NRDHCA the invitation for the Board meeting to be held on 6/24/21, and I believe you were going to mention if there were any concern Association Members as to the Vertical Bridge / T-Mobile Telecom site off of Desert Hill Dr and 3rd Ave.

I believe from our conversation, you were going to see what if there were concerns and if you found enough response to your asking the question, that there maybe a reason for another New River Community Meeting as we already had one on 6/1/21 at the Choice Church. The attendees were from a list provided by Alan Muller.

The reason why I am asking is if you feel that the same people attending your Board Meeting or writing with their concerns from what you can tell are some of the same people as attended the first meeting, which means they are from the same list provided by Alan Muller, who we know also is a member of the NRDHCA, then there may not be a reason to have a 2nd Community Meeting??

YOUR THOUGHTS ARE IMPORTANT TO ME

We also discussed that you were going to ask the New River Board for their consideration on the Vertical Bridge / T-Mobile project.
Please confirm if the Board did meet on 6/24/21, and their consideration for this project??

Please note there is a real need for a T-Mobile presents in the New River Community as there is only one carrier right now that has any kind of presents, and you and I both know that the FCC, FAA and all the carriers from the Federal Law standpoint are required to have a presents everywhere in the US including New River!

Please let me know that there was a Board Meeting and the consideration they are giving to Vertical Bridge / T-Mobile Telecom site, and also if you feel like there is a need for a 2nd New River Community Meeting?

PLEASE ADVISE, as the County has a deadline for me to let them what the Board status is on both a 2nd meeting potential and consideration from the Board.

Thank you and the NRDHCA Board for consideration in this matter!

Gary Cassel
Site Acquisition Specialist
Dear Ed:

I am writing the NRDHCA to see if there is a way to have a Community Meeting with the Community as per the request of Maricopa County on the Special Use Permit that Vertical Bridge has submitted for an 80’ monopole (Brown in Color) within an 30’ x 35’ walled in compound which is 10’ in height painted and textured BROWN located at the APN 211-23-014F, (Reid Ranch), off 3rd Ave & Desert Hills Dr. about 450’ away from the residential community in that area.

As to the history of the County Submittal, there has already been a Community Meeting held on 6/1/21, at the Crossroads Church in New River, and was provided a list of the Community in opposition from Alan Muller.

At that meeting you will see below in this email what was discussed and the answers that were given, except for the question “How do we stop this from going forward”?, which I told all of the attendees that it is not up to one person it is the County and the Federal Communications System (FCC).

Vertical Bridge is requesting another Community Meeting requested by the County to make sure VB has communicated to as much of the Community as to what is being submitted to the County by Vertical Bridge. The only area of concern is that Vertical Bridge (as they have no obligation by the county for a Community Meeting) wants to 1. To make sure VB does the best they can to inform the parcel owners around the site and its location, 2. That VB is speaking to the community members, BUT now that there has been one Community Meeting with over 65 parcel owners sent out invitations from the list provided by Alan Muller, that there is a reason for another meeting with new attendees present? If that makes sense?

If the NRDHCA is interested in allowing Vertical Bridge to have another Community Meeting, and you think the list that you could provide would be a different list than what was provided by Alan Muller with address and maybe even email address (does not have to have emails), I can try to coordinate another Community Meeting. Please understand the Community I speak of is the community that is directly affected and in the vicinity of the submitted application.
I am looking forward to working with you, and if it is possible to have this meeting BEFORE the Planning and Zoning Commission – Thursday, July 8, 2021, 9:30 a.m. THAT WOULD BE GREAT!

If your offices have room we can have it there, or I can ask again the Crossroads Church Pastor if he would consider a 2nd meeting place?

The key to having this meeting is if the County, you, and I think we are all talking to the same group of parcel ownership within the affected area of the location of the submitted VB application.

YOUR THOUGHTS

Gary Cassel  
Site Acquisition Specialist  
Clear Blue Services  
O: 602.762.8809  
E: GaryCassel@clearblueservices.com

Site Acquisition*Architecture*Engineering*Construction

www.clearblueservices.com  
3530 E. Atlanta Avenue  
Phoenix, Arizona 85040

From: Gary Cassel  
Sent: Monday, June 7, 2021 1:11 PM  
To: 4daisymountain@gmail.com  
Cc: DesertHillsAZ@gmail.com; Renee Hunter <renee_hunter_2005@yahoo.com>; alrakofsky@gmail.com; Jessica Johnson <jhnmom1976@gmail.com>; Vivian Decker <vdecker3@gmail.com>; janetmendenhall@gmail.com; mhuels@msn.com; rogerrayaz@protonail.com; cj4fun51@aol.com; marberry2014@outlook.com; charryzip@gmail.com; bats_az@hotmail.com; marchelle-johnstone@gmail.com; amordarakotsk@gmail.comy; cabrio1937@gmail.com; fakbeye3@yahoo.com; azfirecop@gmail.com; Lisa Paffrath <tchryzajane@gmail.com>; Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov>; 'Morris Michelson' <mmickelson@verticalbridge.com>  
Subject: RE: AZ-5068-Special Use Permit Case #Z2021044 -UPDATE TO COMMUNITY MEETING HELD ON 6/1/21

Hey All:  
As I promised I would do, and am sending you the hearing dates

Planning and Zoning Commission – Thursday, July 8, 2021, 9:30 a.m.
TO ALL THAT ATTENDED THE COMMUNITY MEETING ON 6/1/21
GOOD AFTERNOON
Thank you so much to all of you for your discussions and concerns as to the proposed Vertical Bridge Telecommunication site at the community meeting held on 6/1/21.

I wanted to write you directly if you don’t mind, as I really do care and want all of you to be as much informed as possible especially as to answer to your concerns directly that you brought up, and also in writing so everyone is clear on what was asked and the answers that were given at the meeting. , and I am also including the County Planner.

There is no update yet as to the dates for any of the hearings sorry to say.

I did not prioritize the concerns, but wanted to answer I believe every concern we discussed at the community meeting.

1. **NOISE**
There is very little or No noise as the individual cabinets are internally cooled within, and the cabinets holding the radios are built to allow for no noise or the decibels of any noise would be blocked by the compound walls height, as mitigated to 10’ and not the initial 8’ that was applied for. As the walled in compound walls are now proposed to be 10’ tall, and if there were any noise it would be blocked by the 10’ wall.

2. LOCATION
I know you are concerned with the location of the site, and want you to know that after considering over 13 different property owners in a .5 mile radius of the proposed site, because of washes and limited space along with ownership considerations, Vertical Bridge thought the site needed to be as far away from the residences as possible, and still stay within the T-Mobile required search area. As there are no residences anywhere in the vicinity of the site location, as the nearest home is over 400’+ to the East (2) parcels East, and the WCF site build located in the Northwest Center of the existing parcel where the setbacks to the nearest ROW’s are over 350’+ to Desert Hills Rd. with residences even further, and over 500’+ to 7th Ave, where the site is surrounded by existing APS Electrical poles, the site location was the furthest we could be away from the residences. The real challenge was to find a parcel where the WASHES on the property did not conflict with the location as the water rises and could wipe out the whole site!!

3. SET BACKS
The zoning of the subject property is RU-43. (Reid Ranch RU-43); The location of the zoning where the site is proposed and around the site which is allowed by the county is West RU-43 and existing raw landowner is located in Cornville AZ, North is RU-43 and AZ State Land then ROW-Desert Hills Dr., and South is RU-43 and AZ State Land, East is ROW-3rd Ave. and beyond is RU-43. North distance is 330’ from site parcel line, and then (ROW) Desert Hills Dr., then the residences on the other side North. South is RU-43 and Arizona State Land 250’-3”, East is (ROW) 3rd Ave 523’ from site location. and beyond is RU-43. West is existing raw landowner is located in Cornville AZ, and then (ROW) and then 7th Ave over 501’ West.

4. FIRE STATION & SURROUNDING PARCELS
The fire station (I tried to locate the site at the tower at the fire station and was DENIED due to no room for equipment space and no room on the existing pole, and the area behind the fire station is environmentally off limits to any building) with their own tower mast (which is way over 2400’ away West) from (VB) proposed site location, Per Section: 1202.3.1.(k).
There are no other towers in the 2400’ radius area; Per Section: 1202.3.1.(k), (fire station denied the VB request and does not have space either on the tower or the ground space) and due to the T-Mobile mature system build they really need this proposed site location to improve the services as there are many blocked calls due to the weak signal in the surrounding area. The existing right of way power poles, light standards and stop light pole have been thoroughly investigated by T-Mobile’s Radio Frequency Engineers which are found does not work for the RF objectives, as they are too close to residences and not tall enough or strong enough to incorporate the required antennas. Furthermore, there is already and has been a Verizon Telecommunication site Pole at the County Fire Station just down off of Desert Hills Dr to the West of our proposed site location less than 2400’ away, and has been there for many years.

5. PROPERTY VALUES
I think you will find the attachment on PROPERTY VALUES and the affect as to the proposed site and its location very informative as to (Property Values Fact Sheet, 2021). You will note that the FCC and all the carriers have researched and found that 75% of phones used by the public are wireless phones, as they allow the freedom to communicate where ever they are! When someone wants to
buy property these days they actually consider if their phones will work so as to communicate with work and loved ones, data transfer, streaming live and TV events. T-Mobile actually has very poor and in some cases there is no coverage in the area where the site is proposed.

6. **HEIGHT OF THE PROPOSED TOWER REQUIRED BY VERTICAL BRIDGE, T-MOBILE AND THIER RADIO FREQUENCY ENGINEERS.**

Both Vertical Bridge and T-Mobile are requiring the height of the proposed tower to be at 80’. The reason is to directly communicate uninterrupted with the existing T-Mobile site locations in the vicinity. This requirement is so as to accomplish a system build or the 5G Network and not just a stand-alone towers where the 4G network use to be. This height of 80’ (where the antennas will be at) will allow T-Mobile’s network to accomplish the even flow of radio frequency, which will stop the poor coverage, block calls, or capability of calls in or out, including the 911 Emergency calls, both in or out.

T-Mobile’s Primary antennas for transmitting wireless telephone service, including cellular and personal communications service (PCS), are usually located outdoors on towers, the combination of antenna towers and associated electronic equipment is referred to as a "cellular or PCS cell site" or "base station." Cellular or PCS cell site towers are typically and, in this case, will be 80’ high Antennas are usually arranged in groups of three, with one antenna in each group used to transmit signals to mobile units, and the other two antennas used to receive signals from mobile units.

The Carrier considers the use of each telecom site to be interconnected with the other existing carrier sites, as that is the whole premise for the carriers system build, and now that there are radios for all the carriers including T-Mobile to the 5G Network it is imperative that each site coordinates and interconnects as 5G is a system build, and not like what you are used to from before, which allows the actual radio frequency to be less than 4G as it blends with the existing towers.

7. **911-EMERGENCY CALLS**

The cell towers including this cell tower within the County are registered with the Federal Communication Commission and part of the EAS program, **911- EMERGENCY CALLS**. Each cell tower is mandated as part of the EAS national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service (SOARS) providers, and direct broadcast satellite (DBS) providers to provide the communications capability to the President to address the American public during a national emergency. The system also may be used by state and local authorities to deliver important emergency information, such as AMBER alerts and weather information targeted to specific areas. The FCC, in conjunction with Federal Emergency Management Agency (FEMA) and the National Oceanic and Atmospheric Administration’s National Weather Service (NWS), implements the EAS at the federal level.

Every one of these Agencies require as part of the FCC Licensing to each carrier that they MUST be able to broadcast their radio frequencies incorporating these systems as part of their obligation to have the license. So when there is very little coverage or in this site location there is the potential of no coverage, where there is the possibility of a 911-call not going through or a Federal Emergency broadcast that is why Vertical Bridge / T-Mobile really needs the site to bridge the gap of NO Coverage in this area between the existing T-Mobile sites, which the T-Mobile RF Engineers are requiring their antennas to be at 80’ to accomplish the most important RF coverage objectives, which is to link up with the existing sites.
8. **FEDERAL GUIDELINES**

From the FCC.

Decision May Not Be Based on or Regulate Radio Frequency Emissions Cities may not regulate placement, construction of modification of WCFs based on radio frequency ("RF") emissions if the proposed wireless facility complies with FCC RF emissions regulations. Cities may also not attempt to regulate the operation of WCFs based on these 8 City of Palos Verdes Estates, 583 F.3d at 725; City of Anacortes, 572 F.3d at 994, citing, Sprint II, 543 F.3d at 580 [stating that the zoning board may consider "other valid public goals such as safety and aesthetics"]; T-Mobile Cent., LLC v. Unified Gov't of Wyandotte County (10th Cir. 2008) 546 F.3d 1299, 1312 [noting that "aesthetics can be a valid ground for local zoning decisions"]; Cellular Tel. Co. v. Town of Oyster Bay (2d Cir. 1999) 166 F.3d 490, 494 [recognizing that "aesthetic concerns can be a valid basis for zoning decisions"]; Voice Stream PCS I, LLC v. City of Hillsboro (D. Or. 2004) 301 F.Supp.2d 1251, 1255.

The FCC and Local and State Advisory Committee of the FCC published a guide for local officials to help determine whether a facility complies with FCC standards. It can be found online at [http://www.fcc.gov/encyclopedia/radio-frequency-safety](http://www.fcc.gov/encyclopedia/radio-frequency-safety).

<table>
<thead>
<tr>
<th>Antenna Centerline (ft - AGL)</th>
<th>Antenna Bearing (°)</th>
<th>Hori. Beamwidth (°)</th>
<th>Frequency or Band Use (MHz or GHz)</th>
<th>Effective Radiated Power (W or dBm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-Mobile</td>
<td>Vertical Bridge LLC/ Gary Cassel</td>
<td></td>
<td>Tx/Rec: LTE1990MHz, LTE2100MHz</td>
<td>30W(L21)+30W(L19)</td>
</tr>
<tr>
<td>Ant 1: 616</td>
<td>0</td>
<td>90</td>
<td>Tx/Rec: GSM1900MHz, LTE700MHz, LTE800MHz</td>
<td>15W(G19)+20W(L7)+20W(L6)</td>
</tr>
<tr>
<td>Ant 2: 618</td>
<td>0</td>
<td>65</td>
<td>Tx/Rec: GSM1900MHz, LTE700MHz, LTE800MHz</td>
<td>15W(G19)+20W(L7)+20W(L6)</td>
</tr>
<tr>
<td>Ant 3: 618</td>
<td>120</td>
<td>90</td>
<td>Tx/Rec: LTE1900MHz, LTE2100MHz</td>
<td>30W(L21)+30W(L19)</td>
</tr>
<tr>
<td>Ant 4: 618</td>
<td>120</td>
<td>65</td>
<td>Tx/Rec: LTE1900MHz, LTE2100MHz</td>
<td>30W(L21)+30W(L19)</td>
</tr>
<tr>
<td>Ant 5: 618</td>
<td>240</td>
<td>90</td>
<td>Tx/Rec: GSM1900MHz, LTE700MHz, LTE800MHz</td>
<td>15W(G19)+20W(L7)+20W(L6)</td>
</tr>
<tr>
<td>Ant 6: 618</td>
<td>240</td>
<td>65</td>
<td>Tx/Rec: GSM1900MHz, LTE700MHz, LTE800MHz</td>
<td>15W(G19)+20W(L7)+20W(L6)</td>
</tr>
</tbody>
</table>

9. **Radio frequency exposure**

No communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. There are FAA & FCC height restrictions to keep the radio frequencies above and away from potential exposure. To that end, no communication facility or combination of facilities shall produce, at any time, power densities that exceed the current FCC adopted standards for human exposure to RF fields. Certification that a facility meets this standard is required. A copy of the certification from the FCC shall be submitted to the city.

10. **LIGHTING**

Please see the actual lighting specification on the actual site plans the were submitted to the County. This will show that the lighting for the site is going to be located below the top of the 10’ wall and will be shaded to only light the lease space area inside the compound where both the pole and the equipment will be located to work on in the case of an emergency.
11. **COLOR OF THE POLE AND COMPOUND WALLS & ASTHETICS**

The proposed VB site does not substantially change the physical aesthetics of the surrounding area which includes existing APS poles, and also the raw land between the ROW’s which is owned by Arizona State Land.

The physical aesthetics of the proposed pole is commensurate with the area that has many other like electrical poles which are the same color existing BROWN (APS POLE COLOR) color poles so as to reduce visual obstructiveness, as being suggested by the surrounding community.

**COLOR OF POLE; ASTHETICS:**

Towers and antennae shall meet the following requirements:

a. Towers shall maintain, subject to any applicable standards of the FAA to be painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding towers. painted a BROWN (APS POLE COLOR) color so as to reduce visual obstructiveness, as being suggested by the surrounding community.

12. **NO HEALTH HAZARDS**

There are NO known health hazards to the telecommunication sites. (Please See attachment Cellsites_public_health_final-2021). As we discussed at the community meeting, the radio frequency waves have been researched since the 1950’s when TV broadcasting off South Mountain was built, and the wireless telephones for all the carriers have been existence since the late 1980’s, where everyone in the U.S. and your area has been living and working within all of these wireless frequencies on a constant basis. This includes the existing wireless carrier site locations that are all around you now, including the fire station, the **schools**, and **churches** in your immediate area!

13. **NO INTERFERANCE WITH EXISTING TELEPHONES, TV, OR CABLE**

There will be NO interference if a new cell phone tower is built with any current cell phone service through any other carrier. There will not be any interference with any Digital Television reception. The FCC sells individual licenses for specific radio frequencies to each carrier or wireless companies so there will not be any interference or cross-talk.

14. **TRAFFIC-UNMANNED FACILITY**

The use is an un-manned telecommunications facility defined as “Monopole” and will not cause any adverse impact on adjacent property or properties in the area. As this is an un-manned facility and we only maintain the property around once a month, but in the case of an emergency it would be sooner. There will be no increase in Vehicular or pedestrian traffic in adjacent residential areas, emissions of any
order, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions; contribution in a measurable way to the deterioration of the area or contribution to the lowering of property values, Per Sections 1202.1 & 1202.2, 1202.5 & 1202.6.

15. **EXISTING AND REMOVING LANDSCAPING**

The location of the proposed Vertical Bridge proposed site location including compound and building the road to the site from N 3rd Ave. East.

a. There is no existing endangered cactus within the area of the proposed site location and/or the road that Vertical Bridge will need to build within the existing 30’ wide dedicated Access & Utility Easement on all parcels East to N. 3rd Ave. If there are found to be endangered cactus, they will be replaced on the parcel to save them.

b. There is only brush that will be removed to allow for the proposed site location and as part of the road is already existing there will be a limited removal of bushes to get to the site through the dedicated 30’ Access & Utility Easement.

Vertical Bridge is working with your concerns of both you and the neighborhood and REALLY DO CARE! Vertical Bridge has over 300,000 sites in the United States, and coordinates each site with the needs for both the neighborhoods, county (jurisdictions), and the carriers.

Vertical Bridge is working with your concerns of both you and the neighborhood and REALLY DO CARE! Vertical Bridge has over 300,000 sites in the United States, and coordinates each site with the needs for both the neighborhoods, county (jurisdictions), and the carriers, which I explained in both the community meeting and now in writing.

Hope this helps in the understanding of the new age of Cellular Telecommunications sites, but I really do appreciate your concerns, and hope I have reiterated in writing now from the discussion we had at the community meeting.

---

**Gary Cassel**  
Site Acquisition Specialist  
Clear Blue Services  
O: 602.762.8809  
E: GaryCassel@clearblueservices.com

---

**Site Acquisition*Architecture*Engineering*Construction**

www.clearblueservices.com  
3530 E. Atlanta Avenue  
Phoenix, Arizona 85040
Eligible parcels: 5
Supporting parcels: 0
Opposition parcels: 0
Supporting parcels sq ft: 0
Opposition parcels sq ft: 0
Subject parcels sq ft: 72,545.91
All area inside the 300' buffer: 685,063.05

All area inside the 300' buffer - excluding subject parcel,
ROW and excluded parcels: 609,819.16
No-response parcels sq ft: 609,819.16
Super Majority opposed parcel acres: 0%
Super Majority opposed parcel number: 0%
Z2021044
Local Responses

DECLARATION: This map is a graphical representation designed for general informational purposes only. No one has agreed to indemnify, defend and hold harmless Maricopa County, its officers, departments, employees and agents from and against any and all suits, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature arising out of the use of this map, or the data contained herein, in its actual or altered form.

Maricopa County OET, GIS Division, 6/29/2021
Z2021044
All Responses

DISCLAIMER: This map is a graphical representation designed for general informational purposes only, is not meant to convey or impose any rights, duties, or obligations on or against any and all users, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature arising out of the use of this map, or the data contained herein, in its actual or altered form.

501 North 44th Street, Phoenix, Arizona 85008, (602) 506-3601
www.maricopa.gov/planning

Document Path: T:\JohnsonS\PlanningandDevelopment\OppositionCases\Z2021044\Z2021044.aspx
DATE:       July 8, 2021

TO:         Planning and Zoning Commission

FROM:       Sean Watkins, Planner

SUBJECT:    ZZ2021044 – Vertical Bridge/T-Mobile AZ5068
            Agenda Item: 7

Since the publishing of the staff report for the above case, staff received 2 statements of
opposition to the case from 3 area residents (1 email and 1 letter). The opposition
comments are attached to this handout.

The “Opposition and Support” Super Majority map (and 2 related maps) included in the
staff report have been revised to reflect both of the new opposition comments. One of
the new opposition comments is from a property within 300 ft. of the subject property.
The revised maps (3) are also attached to this handout.

Attachments:  Two new statements of opposition (2 pages)
                 Revised opposition and support maps (3 pages)
Dear Sean -

This email represents Amanda and Michael Rakofsky at 39212 N 3rd Ave, Phoenix, AZ 85086 Parcel # 211-23-014E. We are formally submitting our request to DENY this SUP. We live barely 300 feet from where this will be constructed and having an 80 pole (15 feet taller than all the other utility poles) will create an eyesore. With the unknown risks of a 5G tower this is very concerning; especially having the extra 15 feet will allow the lessee to agree to put other carriers on the tower.

The owner of the parcel that is being put on does not even live in the area, he rents to two tenants. The homes they rent of the property owner are within approximately 150 of said tower.

Sincerely!

Amanda and Michael Rakofsky
6025107991
To: Rachel Applegate, The Maricopa County Planning & Zoning Commission, & The Maricopa County Board of Supervisors

This letter is regarding the Special Use Permit Case #Z2021044 for the Proposed T-Mobil Cell Phone Tower at the following address:

39212 N. 3rd Avenue
Phoenix, AZ 85086 locations
Maricopa County
Accessors Parcel # 211-23-014F

I would like to oppose the Special Use Permit and oppose the cell phone tower being built.

First, it will be an eyesore! I don’t want to look out my front window at an 80 foot cell phone tower! I already have to look at the 65 foot tall APS poles out the window. I do not want to have any excess lighting from the tower, nor do I want to listen to any excess noise being made from the cell tower or things used to run it. I already have to listen to the water trucks go back and forth down Desert Hills Road all day long and hear them engine break all too often! I moved out here to get away from the lights, the noise and the sights of the city. I do not want any additional lights, noise, or an even taller pole added! I OPPOSE this Special Use Permit and the cell phone tower!

Second, I am concerned that it is going to drastically reduce our resale value of our home & the other homes in the surrounding area. No one is going to want purchase a house across the street from and/or look right out the front window at an 80 foot cell tower! For this reason, I do not want it built here! I OPPOSE this Special Use Permit and the cell phone tower!

Third, I am concerned for my health and the health of my neighbors. I do not believe that there has been enough long term testing on the health risks of living so close to a 5G cell phone tower. I do believe that there will be increased health risks & issues from a cell phone tower being so close, therefore, I do not want it built here! I OPPOSE this Special Use Permit and the cell phone tower!

Fourth, I am concerned that there will be interference if a new cell phone tower is built with my current cell phone service through Verizon. I am also concerned it will interfere with my Digital Television reception. I do not want it built here! I OPPOSE this Special Use Permit and the cell phone tower!

In closing, I would just like to say again that I OPPOSE the special use permit and I OPPOSE the cell phone tower being built!

Sincerely,

Renee Hunter
39504 N. 4th Avenue
Phoenix, AZ 85086
Parcel number 211-73-058A
Eligible parcels: 5
Supporting parcels: 0
Opposition parcels: 1
Supporting parcels sq ft: 0
Opposition parcels sq ft: 26315.43
Subject parcels sq ft: 72,545.91
All area inside the 300' buffer: 685,063.05

All area inside the 300' buffer - excluding subject parcel,
ROW and excluded parcels: 609,819.16
No-response parcels sq ft: 583,503.73
Super Majority opposed parcel acres: 4%
Super Majority opposed parcel number: 20%
Z2021044
All Responses
To All Concerned,

It seems this case is being deliberately kept from the public. Making it an online meeting so that most of the concerned residents won't take the time to figure out how to attend, is a tactic. Hiding behind old illegal mandates is dispicable of you all. Gary Cassels extensive email was a beat around the bush sham. It gives no real information and only infuriates the situation further. Let start and end with #12 in the email.

#12 NO HEALTH HAZARDS
There are NO known health hazards to the telecommunication towers. My computer is even flagging this debacle! Nice try Gary. But the public is not as stupid as you think. We can read.

So are you saying we should wait for ten years down the road when all surrounding neighbors are diagnosed with strange cancers or birth defects? If the towers are so great, why does there need to be so many? Why do they have to be right next to residents? What is wrong with just updating the towers on the hill on 7th ave? Other than harming the hikers.

The neighborhood absolutely denies SUP and its unknown side effects. Not to mention ruining the surrounding neighbors property values.

At the very least the truth needs to be told to all Desert Hills residents. Perhaps mailers? With actual details, and a fair risk assessment which you clearly cannot provide. I will keep moving forward with my efforts to inform as many as possible. I implore you all to do the right thing!

Copying all of LD1, and Congresswoman Lesko.

Jessica Johnson LD1 committeeman
Hi Sean,

I am writing to strongly oppose the special use permit request referenced above.

I believe the 80’ 5G tower will be an eyesore in our community. 7th Avenue is a main corridor into Desert Hills and we don’t need more unattractive features spoiling our desert neighborhood.

If the Special Use permit is approved, I ask that the height be limited to 65’ or less and the contractor be required to use Corten steel for construction.

Thank you for your consideration and I hope you have a nice day.

Ali Godsey
1832 W. Tamar Rd
Phoenix, AZ 85086
480-363-6081
Jul 7 2021
from John H Williams, Carol A Williams at 39714 N 3rde Ave, Phoenix AZ 85086 nearby about 1500 feet north of proposed T Mobile cell antenna tower location.  We adamantly oppose this project for following reasons:
1. other more3 open areas are nearby to the north.
2. we will ne near unknown radiation RF levels emitting from antennas.
3. Tower proposed to be 80 fees high which make3s it visible from our neighborhood.
4. finish is only painful instead of the cortex finish
5. cars on desert hills road will be blasted by RF emission from antennas day and night.
6. sound levels from equipment / housing will be heart by us, our neighbors.
7. We feel this project has been strung on us without much chance to have adequate time to review all aspects of proposal (radiation, sound, etc.
8 We dont have time to take part the meeting Jul 8 in downtown PHX to intelligently deal with this. PS looks like we are excluded anyway.
9. Added parts of the plan is to add more antennas, equipment with further impacts (RF, etc)
10 for this we soundly oppose this project as many of our neighbors do !!

John H. Williams, Carol A Williams  July 7 2021 PM
Hello,
My name is Kori Zarinegar. I am a home owner in Desert Hills. My home is located within the 300 ft vicinity of the proposed 80 ft Tower project.
I never received any mail with notification of this project, nor did my 2 neighbors. This information has not been properly brought to the communities attention.
I just found out about this, via word of mouth. I am livid that this is being considered. Please do not allow this hideous 80 foot brown painted tower of metal to go up! NO ONE in Desert Hills would be ok with this.
I am not comfortable with the health risks involved with a 5G tower so close to our homes. I would like to see proof that it will not cause mental and physical health issues in the long term or short.

I read line #7. Regarding Property values are not a basis for project evaluation, rather projects are evaluated on the basis of their compliance with the code (which this project is NOT, given the offset amendment they are requesting) Or the Code which is to achieve a balance of benefits and costs for the community as a whole.
Property Values Do effect the community as a whole and it will cost our community greatly in health and financially. NO ONE wants to live next to a high powered Frequency Tower.

PLEASE DO NOT DO APPROVE THIS

Name: Kori Zarinegar Desert Hills Resident
Address 37815 10th Ave
Phone: 480-258-7344
Position: OPPOSED!!
Case # Z2021044
Vertical Bridge / T MOBILE AZ - 5068
Hearing Date: 7/8/2021

Kori Zarinegar
480-258-7344
Dear Sir,

My name is Alice Felice and I live at 39426 N 4th Ave, Desert Hills AZ 85086. Parcel # 211-73-058-D

I oppose the T-Mobile 5G tower for many reasons. 80 foot metal monstrosity, depreciation of property value and the effect on one's health is a major concern.

I have multiple sclerosis and this is the last thing I need!!

This is a lovely residential neighborhood where people take care of their properties and are kind to each other.

What right has an outsider got to buy a property to put this tower just for his financial gain?? He is not going to move in and inflict these problems on his life and family but he is willing to do so to this neighborhood with no concern what so ever.

“I agree with the denial issued by the Planning & Zoning Commission “

Thank you for your time,

Alice Felice

Sent from my iPhone
Mr Watkins and Board of Supervisors,

We previously stated our STRONG opposition to this SUP in the July 8th meeting; where it was unanimously denied! I would like to request a speaking opportunity as well.

I am writing again to ensure we are heard. I believe there were many "intentional missteps" in communication from the moment Gary Cassel spoke to my husband the day the signs were placed on our property. All communication with Mr Cassel is tiresome and he talks in circles. At our June community meeting he was condescending and rude to the 19 of us that were present. As far as answering any questions - he talked in circles and never answered a single question.

We live at 39212 N 3rd Ave, Phoenix, AZ 85086; Parcel # 211-23-014E where the first sign was placed in our ingress/egress. We were not aware or notified by Gary Cassel that this sign would be placed. We addressed this with Gary and he "gravely" apologized and stated it was his "oversight" and we should have been notified. The second sign was placed due west of the first sign on the property where the tower is proposed to be placed. (see attached) This sign was NOT at all visible to any community members. I proceeded to post the information on social media and within a couple of days the sign was moved on to Desert Hills Dr between 7th and 3rd Ave. This placement is still ineffective if the purpose is to notify the public. In my opinion, for the most exposure, the sign should have been placed at 7th Ave and Desert Hills. I believe the signs were strategically placed. only to satisfy Maricopa County guidelines and to minimize sightings.

All of the communication from Gary Cassel to the public was minimal at best. He stated that some 540 emails went to the public with no response; I never received such email and I am certain my husband and I are near the top of this opposition; mostly because of the way we were NOT communicated to.

In addition to the UNNECESSARY 80' pole being an eyesore; there will be noise and light issues. The owner of this property does not live in Desert Hills and has 2 renters on said property. It is unfortunate that this was not disclosed to us before we closed on our property (which was purchased from the current owner of the subject lot). Our property values will decline. We do not know the depth or long term health effects on humans and livestock (which is prevalent in our area).

For Mr. Cassel to state that an extra 15' of height on the pole will not be noticable is absolutely absurd. For him not wanting to comply with the Corten Steel and the reasons given are uneducated. I believe this comes down to money and what he proposes will be much cheaper. The extra 15' allows Gary and the property owner, Reid Steward of Stewart L&L llc, the opportunity to put other carriers on the tower, thus making more money. The potential addition of antennas, I believe, will bring another set of unknown issues - will need more power, will produce more noise, will produce more light and more radio waves (with unknown health risks).

We moved our family out here to get out of the "rat race" and live in a residential area NOT A BUSINESS LOT.
If this gets approved, what kind of precedent will be set for other OUT OF AREA property owners to engage in business such as this; with no regard to the full time residents in this area.

Michael and Amanda Rakofsky
6025107991
MARICOPA COUNTY NOTICE OF
SPECIAL USE PERMIT REQUEST
and PUBLIC HEARINGS
PLANNING & ZONING COMMISSION: 9:30 a.m. on TBD
BOARD OF SUPERVISORS: 3:30 p.m. on TBD
 solicitud. PROPOSAL: Vertical Bridge / Mobile Home Monopole 86'
(producible) within a CMU walled in 30' x 30' compound
General Location: APN: 274-301-001 Approx. 714 ft.
NE of SEC of Desert Hills Dr. & 170 Ave
SIZE: 1.16 acres
CASE #: 232044
AUTHORIZED AS-CLT: Barry Benzel
PHONE: 602-762-8819
EMAIL: BarryBenzel@MaricopaCounty.gov
PLANNINGS & ZONING DIVISION: 602-508-3381
Website: CoMaricopaCountyAZ.gov/permit
Posting Date: 4/28/2021
Dear Mr. Watkins,

Thank you so much for the follow-up email dated July 29, 2021 regarding the above referenced subject.

As we indicated in a previous email to you we are residents of the Desert Hills area and in direct line of this proposed cell tower. The reason we chose this area and our home is because of the rural-ness and the quality of life represented in this area.

This proposed cell tower will be a blight on the landscape and a total eyesore. At 80 feet tall, this is too much and is more than double the height of all the existing power poles. The zoning of the area will be changed which will set a precedence for any future developments.

We strongly oppose the development of this proposed project and adamantly agree with the denial issued by the Planning and Zoning Commission Board of July 8th.

Herb and Barbara Kwan
121 W Fernwood Drive
Parcel # 211-23-016G

Sent from my iPad

Herb Kwan

C: 925-321-2928
Hi Sean,

This email was received by the Office of the Clerk of the Board in regards to SUP Case# Z2021044. We are forwarding it to your attention.

Please let us know if we may assist in any way.

Thank you,
Mireya Vargas
Clerk of the Board Assistant
Maricopa County Board of Supervisors
301 W Jefferson St., 10th Floor
Phoenix, AZ 85003
602-506-7947 Desk

-----Original Message-----
From: Bert Marsman <bertmarsman@yahoo.com>
Sent: Friday, July 30, 2021 4:49 PM
To: Sean.Watkins@maricopa.gov
Cc: Clerk of the Board of Supervisors - COBX <clerkboard@maricopa.gov>
Subject: SUP. Cell Tower

To the Maricopa County Board of Supervisors. I am writing to say that I disagree with the proposal of the Cell Tower to be put up in Dessert Hills AZ. This is a danger to all that live in the area. Also to see the Tower Daily, would be a eyesore. Not only will it deeply affect the Value of our Properties, I have Neighbors that already suffer from disabilities and Illnesses. Please don’t allow this OBJECT to interfere with our daily routines. Thank you, Lambert Marsman.
Parcel Number: 211-73-058B 39512 N. 4Th Ave. Phoenix AZ 85086 Sent from my iPhone
Sean,

With regards to the Special Use Permit case# Z2021044 for a proposed 5G cell tower near 7th Ave and Desert Hills.

I agree with the denial that was issued by the Planning and Zoning Commission on July 8th of this year for the following reasons. The height and size of the proposed 5G tower will make it an overwhelmingly distracting and visually unappealing fixture on the landscape. For residents of this area it will lower property values and reduce the aesthetics of the natural landscape and views.

Once again I support the denial that was issued by the Planning and Zoning Commission.

Regards,

Bryan Smith
39808 N 3rd Ave
Phoenix, AZ  85086
Parcel Id: 211-73-040-D
To Whom It May Concern:

We agree with the denial of Special Use Permit Case #Z202-1044 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit for agenda item #12. VERTICAL BRIDGE/T-MOBILE AZ-5068.

This tower would be located deep inside a residential area zoned R43 and would be an eyesore to the nearby residents and inconsistent to the community’s rural lifestyle.

Thank you for your consideration.

Jeff & Candy Gadd
924 W. Cloud Rd., Desert Hills 85086
Parcel #211 51 034B
Home Phone/Fax 623 582 2782
Cell Phone 602 228 8805
jeffgadd@jeffgadd.com
July 21, 2021

Good morning,

We learned of this T-Mobile cell phone tower (or is sub-station a better designation) request too late to watch the meeting. We live on N. 3rd Ave and received no notification of this request even though they said they sent out 450 letters. My next door neighbor did not receive anything either. I looked for minutes of the meeting and could not find anything posted.

Could you please advise me of the status of this special permit request?

What was the decision?
Was the decision made final?
Can it be appealed?
If denied, can T-Mobile revise and re-submit their request?
If so, how can I be made aware of their new revision?
Is their special permit going to the county supervisors for a vote, and if so, when will be brought to them?

Thank you for any information you can give me.

Carol Williams
39714 N. 3rd Ave.
PHX, AZ 85086
Good morning Sean,

Thanks for checking. The Carefree Hwy/17 tower is the only one I've seen with a large block enclosure and it appears to be the same height as the other poles. Even though I'm more than 300 ft from the proposed tower, I can see the electric poles from my front windows and door. I also have a T-Mobile cell phone with no issues.

Hopefully the Supervisors will agree with the Planning Commission and deny it. It doesn't seem appropriate to have such a massive tower in the middle of a residential area.

Thanks for your information.
Have a wonderful day.
Carol Williams

Sent from the all new AOL app for Android

On Thu, Jul 22, 2021 at 6:28 AM, Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov> wrote:

Good morning Ms. Williams,

You’re very welcome and I’m glad I could provide helpful information.

I believe the cell tower you’re referring to is the one located south of the Carefree HWY, just east of the I-17 and North Valley PKWY, right? That’s actually City of Phoenix jurisdiction, so I don’t have any permitting information on the tower that would tell me the height. The other cell towers I’ve worked on since joining the County have been in remote locations, usually far from public roads and on top of hills, so not really accessible for getting a feel for the height. Our project database isn’t set up I a way that responds to a search for cell towers in particular, so I couldn’t find one to direct you to using a search of our records.

Finally, I scanned around the area using aerial photos and I did find a few towers, but they were all 60 – 65 ft tall. So, also not good references.

Don’t hesitate to ask if you have any other questions and have a great day!

Sean Watkins
Planner
Thank you Sean for responding so quickly with the information on the cell tower request. Do you know where there's an 80' tower in this area that I could drive by to get an idea of what it would look like. Is the tower at 17& Carefree Hwy 80'?

Thanks so much for your information. It was very helpful.

Carol Williams
hearing date and materials submitted for the item by going to this web site:

https://www.maricopa.gov/AgendaCenter

Scroll about 2/3rds down the screen to find the Planning and Zoning Commission (PnZ) Hearing dates by line item. At the right of the line item there is a “Download” button and that’s where you’ll find the Hearing Agenda (with attendance instructions), Staff Reports and other attachments for each of the items on the agenda for that date. The minutes are also posted there, but it takes a while for the minutes to be written up, approved and posted. This project was on the 7/22/21 agenda and you can still download the materials, although, the minutes for the 7/22/21 PnZ are not done yet. We have some staffing issues recently, so it will be at least a week before those minutes are posted.

The PnZ voted 9-0 on 7/22/21 to recommend denial of Z2021044.

The case will be before the Board of Supervisors (BOS) on 8/4/21 with the PnZ recommendation of denial.

Similar to above, you can see the BOS Hearing Agenda (including attendance instructions), Staff Report and related materials by going to the “Board of Supervisors” Meetings page, shown at the very top of the Agenda Center page (the link above). That link takes you here:

https://www.maricopa.gov/324/Board-of-Supervisors-Meeting-Information

The 8/4 BOS Hearing Agenda and materials are not posted yet, but will be there about 1 week prior to the hearing (7/28 or so).

The BOS makes the final decision about the Special Use Permit request and that decision will be effective on 8/4. It can be appealed, but that is extremely unlikely to occur due to the requirements of the appeal process. If denied by the BOS the case could not be heard again for 1 year, unless the PnZ determines that there is something substantially different about the circumstances of the request.

Requests of this kind are subject to notification requirements including: postcard notifications mailed to properties within 300 ft. of the boundary of the subject property (you’re more than 300 ft. away), people registered as “Interested Parties” to receive notifications of all developments of this kind within Supervisor District 3 (you’re not an interested party for D3, but you could be by completing this registration request: https://www.maricopa.gov/FormCenter/Regulatory-Planning-Development-15/Register-as-an-Area-of-Interest-Group-fo-184), and the subject property will always be posted with at least 2 signs as was done in this case (one sign is hard to see because it’s on the subject parcel, which is required, but the other sign is on Desert Hills Dr.).

I hope this information is helpful.
From: carolw1995@aol.com <carolw1995@aol.com>  
Sent: Wednesday, July 21, 2021 10:39 AM  
To: Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov>  
Subject: AZ-5068 special permit case #Z2021044

July 21, 2021

Good morning,

We learned of this T-Mobile cell phone tower (or is sub-station a better designation) request too late to watch the meeting. We live on N. 3rd Ave and received no notification of this request even though they said they sent out 450 letters. My next door neighbor did not receive anything either. I looked for minutes of the meeting and could not find anything posted.

Could you please advise me of the status of this special permit request?

What was the decision?  
Was the decision made final?  
Can it be appealed?  
If denied, can T-Mobile revise and re-submit their request?  
If so, how can I be made aware of their new revision?  
Is their special permit going to the county supervisors for a vote, and if so, when will be brought to them?

Thank you for any information you can give me.

Carol Williams  
39714 N. 3rd Ave.  
PHX, AZ 85086
The Clerk of the Board of Supervisors Office received the below comment regarding:

VERTICAL BRIDGE/T-MOBILE AZ-5068
Case #: Z2021044

Thank you,

Maria Ceaglske
Maricopa County – Office of the Clerk of the Board of Supervisors
301 W. Jefferson Street, 10th Floor, Phoenix, AZ 85003
Phone: 602-506-3766

---

I agree with the unanimous denial issued by the Planning & Zoning Commission. This is not "just" a cell tower. This is a massive transmission station in the middle of a rural residential area and is incompatible with the zoning. To grant permission would set a precedent for this area and other residential areas.

Carol Williams
39714 N 3rd Ave
Phoenix AZ 85086
Parcel # 211-73-079

Sent from the all new AOL app for Android
RE: Special Permit Use Case #Z2021044

To the Maricopa Board of Supervisors:

I agree with the denial issued for SUP case #Z2021044 for the proposed T-Mobile 5G 80’ cell tower by the Maricopa Planning and Zoning Commission.

I live approximately .5 miles north of the proposed tower. I disagree with T-Mobile’s stated lack of coverage. According to the map that was submitted in their request (page 3 of the planning report) the area in yellow suffers from blocked calls or dropped calls indoors but has full strength coverage outside. I live within that area and have experienced no blocked or dropped calls in the 4 years we have lived in our house.

I have a T-Mobile sim card in my mobile phone and our house phone has been converted to T-Mobile cell coverage with a ZTE converter gadget for the last 4 years. I have had no trouble with my mobile phone or my house phone system which has an answering machine and 3 phones in 3 different areas of the house. I can make and receive phone calls with all the phones from every room in my house. I receive Amber Alerts and Severe Weather alerts. I have upgraded my mobile phone and still have had no issues with T-Mobile coverage or receiving alerts.

Secondly when I look out my front windows and door I see 4-8 feet of the electric poles on Desert Hill Rd. The tower will extend this view another 15 feet above that. This is not compatibles with rural property. I choose to live here for the rural atmosphere, peacefulness and abundance of wildlife. Away from commercial reminders. I would not have chosen to buy my house had there been a cell tower or chance of a cell tower staring me in the face. It is zoned rural residential and should stay that way.

I believe this is the first 80’ (plus 4’ lightning rod) tower request in a residential rural area. It is not only the tower height but also the large 30’x35’x10’ equipment enclosure to consider. It will set a precedent for other SUP requests.

It appears to be a massive cell tower request in a rural residential area which will increase coverage over only a small area. And as I stated above, I have excellent T-Mobile coverage in an area that T-Mobile says is not very good. There are other carriers that provide service to this area.

I strongly urge you to deny Special Permit Case #Z2021044.

Thank you for considering my information.

Carol Williams

39714 N. 3rd Ave

Phoenix AZ 85086

Parcel #211-73-079
The Clerk of the Board of Supervisors Office received your request to speak on the following item on the Wednesday, August 4, 2021 formal agenda:

12. **VERTICAL BRIDGE/T-MOBILE AZ-5068**  
   Case #: Z2021044

If you wish to speak on a public hearing item, please fill out the attached form and return it by 5:00 p.m. Tuesday, August 3, 2021.

- The Board of Supervisors meetings continue to be held remotely in accordance with CDC guidelines regarding recommendation to limit social gatherings.
- You will need to pre-register for the webinar for that meeting. Instructions on how to register for that meeting will be available on the following website at least 24 hours before the meeting:  
  https://www.maricopa.gov/324/Board-of-Supervisors-Meeting-Information
- After you register, you will receive a GoToWebinar confirmation email message with instructions on how to join the meeting.

Thank you,

Maria Ceaglske
Maricopa County – Office of the Clerk of the Board of Supervisors  
301 W. Jefferson Street, 10th Floor, Phoenix, AZ  85003  
Phone: 602-506-3766

---

**From:** Cindi Palmer <cindipalmer8@gmail.com>  
**Sent:** Tuesday, August 3, 2021 10:50 AM  
**To:** COB Agenda Comments <Agenda.Comments@maricopa.gov>  
**Subject:** Agenda #12

Please send me a form to fill out concerning the vertical Bridget/T-Mobile AZ 5068 case #22021044

I do not wish to speak but would like to register my position in opposition.

Please for to above cindipalmer8@gmail.com

Thank you

Cindi Palmer
I, David Hachey, property owner at 39448 N 7th Street, Phoenix, AZ, 85086. Parcel # 211-73-115-C, strongly agree with the denial of Special Use Permit case #Z2021044 issued by the Planning & Zoning Commission on 7/8/21 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit agenda item # 12. VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044 as well.

Dave Hachey
To whom it may concern,
CBF Enterprises LLC members Elga L FitzSimons and Conor B. FitzSimons owners of parcel number 211-23-014D, 39212 3rd Avenue, Phoenix Az, 85086.
We are in full agreement of the DENIAL for the proposed T-Mobil 5G cell tower for the 80 foot located at 7th Avenue and Desert Hills.
We can be reached through email if you have any questions.
Thank you,
Elga and Conor FitzSimons
Members of CBF Enterprises LLC
208-599-1770
To the Maricopa County Board of Supervisors
my name is Fredrick Kreutzberger my address is 39426 N. 4th Ave Phoenix Arizona 85086 parcel #211-73-058D.
I am in total agreement with the denial issued by the Plannig & Zoning Commisions decision on July 8 th 2021 . My wife has M.S. and am concerned with the effects of this tower on her health, besides being a huge eyesore to our community!
Would you honestly want this eyesore in your front yard because someone wants to make a profit?
Please DENY SUP case # Z2021044
Thank you
Fredrick Kreutzberger
The Clerk of the Board of Supervisors Office received the below comment regarding:

VERTICAL BRIDGE/T-MOBILE AZ-5068
Case #: Z2021044

Thank you,

Maria Ceaglske
Maricopa County – Office of the Clerk of the Board of Supervisors
301 W. Jefferson Street, 10th Floor, Phoenix, AZ 85003
Phone: 602-506-3766

I live at 39426 N. 4th Ave Phoenix Az 85086 parcel #211-73-058-D I oppose the T-Mobile 80 ft tower for many reasons. My wife has multiple sclerosis. This is the last thing she needs. What right does an outsider have to buy a property to put this monstrosity of a tower in our neighborhood just for his own financial gain? He has already stated that he is not going to live on the property. I agree with the Denial issued by the Planning and zoning Commission.
Thank you for your time
Fredrick Kreutzberger
Good Afternoon,

I agree with the denial of Special Use Permit case #Z2021044 issued by the Planning & Zoning Commission on 7/8/21 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit for agenda item # 12. VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044 as well. This is very close to my residence (Parcel #211-23-308) and it will be an eye-sore to our neighborhood. We value being AWAY from the busy hustle of the city, and this is NOT a pleasant addition. I am also concerned with the possible health issues related to being so close to cell phone towers. We walk dogs and ride our bikes with kids in this particular area; installing cell phone towers will not be an improvement!!! I also believe it will lower property values by obstructing mountain and sunset views (the main reason we will here!).

I appreciate your time,

Jamie Davis
39208 N 2nd Pl, Phoenix, 85086
Parcel #211-23-308
Hi Sean,

This email was received by the Office of the Clerk of the Board in regards to SUP Case# Z2021044. We are forwarding it to your attention.

Please let us know if we may assist in any way.

Thank you,

Mireya Vargas
Clerk of the Board Assistant
Maricopa County Board of Supervisors
301 W Jefferson St., 10th Floor
Phoenix, AZ 85003
602-506-7947 Desk

From: synergstx@aol.com <synergstx@aol.com>
Sent: Friday, July 30, 2021 4:26 PM
To: Clerk of the Board of Supervisors - COBX <clerkboard@maricopa.gov>
Subject: Special Permit Use Case#Z22021044

RE: Special Permit Use Case#Z22021044 July 30 2021

To: Maricopa County Board of Supervisors:

I fully agree with the denial issued by the Maricopa Planning Commission for the SUP case# Z22021044 for the proposed T-Mobile5G 80 foot cell antenna tower facility proposed by T Mobile. Besides the fact that we already do have good T-Mobile coverage and performance with our T mobile configured cell here in our residence and nearby. The claim by T Mobile that folks here are getting blocked and/ or dropped calls is to me incorrect. We still get our weather and other alerts.

The other concern I have as I have 50 years experience in the RF/propagation /link performance areas is as follows:

We frequently use Desert Hills Road to enter or leave our nearby residence on North 3rd Ave somewhat less than ½ mile from Desert Hills Road. The large multi antenna tower being 80 feet tall must simultaneously transmit from all these antennas with a strong aggregate EIRP (Effective Isotropic Radiated Power) down to folks walking or driving, bikng, horse back riding on desert Hills road, especially when going past this proposed facility. With all the antennas radiating at once the aggregate signal strength (volts / meter) from these I would surmise could be quite high. I do not think this has been looked at seriously, if at all, now with all the fervor over getting new business for RF (like 5G) based internet services.

RF emission techniques are beginning to be evident in State Dept employees working in Cuba, and
Russia and Chinese based areas in increasing numbers. We also may be doing without intention such similar damage to ourselves. The human brain has been seen to suffer with the State Dept symptoms observed as the brain is basically an electrical system.

In summary, I very strongly feel this proposal should be summarily rejected as it appears:

1. A rushed PR job pulled by T mobile on the County and the already serviced T Mobile users with no regard at all to physical hazards to citizens in this area.

2. This large facility is a violation to the rural atmosphere we moved here for

3. T mobile was not correct by stating T Mobile users here were getting blocked or poor performance

John H. Williams
39714 N. 3rd Ave Phoenix AZ 85086
Parcel#211-73-079
From: Maria Ceaglske (COB) on behalf of COB Agenda Comments
To: Sean Watkins (PND); Darren V. Gérard (PND)
Cc: COB Agenda Comments
Subject: Comment Regarding VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044
Date: Monday, August 2, 2021 4:18:04 PM

The Clerk of the Board of Supervisors Office received the below comment regarding:

VERTICAL BRIDGE/T-MOBILE AZ-5068
Case #: Z2021044

Thank you,

Maria Ceaglske
Maricopa County – Office of the Clerk of the Board of Supervisors
301 W. Jefferson Street, 10th Floor, Phoenix, AZ  85003
Phone:  602-506-3766

From: Kaihley Reiner <1knesha@gmail.com>
Sent: Monday, August 2, 2021 4:16 PM
To: COB Agenda Comments <Agenda.Comments@maricopa.gov>
Subject: Case #Z2021044 Vertical Bridge/T-Mobile AZ-5068

To All of those who are deciding on this issue:

My husband, Mike, and myself, beseech thee to oppose the 80-foot cell tower at 7th Ave and Desert Hills Dr in the N. Phoenix community of Desert Hills.

We have lived here almost 19 years and are NOT in need of more cell towers that will subsequently affect all the property values in the immediate area. This tower would be a half block from our home and neighbors! There are beautiful properties and scenery out here that this tower will violate.

Surely there must be some land where there are no homes in the area where a tower of this size could be placed.

I feel certain that you would not want this going up in your own neighborhoods.  No one truly knows the long-term effects of what these towers can have on young and old alike.

Please please oppose this proposal and protect our communities.

Thank you for your time and consideration in this matter.
Sincerely,
Mike & Kaihley Reiner
Registered voters in Maricopa County
To The Board of Supervisors,

I am writing in advance of the meeting scheduled for August 4th, 2021 in which there is an agenda item for a proposed cellular tower in the unincorporated area of the north county known as Desert Hills. I will be brief and summarize what I said at the meeting on July 8th, 2021 by the Maricopa County P&Z Commission. They voted unanimously to deny the SUP and echoed the sentiments and concerns of our community. In short, I AM ASKING THAT YOU ALSO DENY THE REQUESTED CHANGE and all future requests for this site.

The location for this site is less than ideal for several reasons, not the least of which is the rural homes adjacent to the proposed location. Additionally, the land which surrounds the proposed location, while currently vacant and State-Owned, was and is still zoned for residential. This means that eventually the land value for that specific area, and others nearby, will be diminished. Further, there are currently residents on either side of the proposed site and others just a few hundred feet away in every direction.

The pole request, at 80' in height, would be the tallest structure north of Carefree Highway. The current APS power poles are 65'. Our community was forced to change the old wooden poles with these monstrosities years ago and promised better electrical coverage and service. That has not come to fruition and in fact, the outages are far worse than they were with the prior poles, but then I digress. These poles were routed through our community to keep the Carefree Highway a "Scenic Corridor". Our community does not appreciate the rampant disregard for our peaceful, quiet, dark skies, and our own scenic beauty.

The company, T-Mobile, would have the public and the Board believe they need the height for their network but in fact they want to put their equipment at the top of the pole and "sell space" below to other providers, thus increasing their profits and their costs of the pole installation. All of this at the detriment, aesthetically and otherwise, to our community. There is much published about the harmful effects of cellular towers and their proximity to people, animals and vegetation. Many can and will argue the safety of the cellular traffic via these towers. The cellular towers which were originally placed at fire stations in L.A. were removed and denied due to proximal location to sleeping quarters and for the safety of the personnel inside.

In summary, this tower is an infill for T-Mobile which is not needed in our community. There are numerous commercial locations available for which they should be seeking out. Their scare tactics of 911 coverage and such are despicable. Their notification process of the community was an outright lie and deceptive. Their "Slick-Willy Salesman" would have everyone believe that he only speaks the truth when he would not give straight answers at the community meetings.

This is not a precedent the Board needs to set in allowing these entities to trample and suppress the voices of the community. Prior Supervisor Kunasek made this community a promise to keep the rural feel and not stifle the community's voices. Our current Supervisor Gates has continued that promise and I implore you to support the denial.
I am urging you to unanimously vote against this proposal, whether the tower is 80' or cut down to 65', it needs to be denied.

Respectfully,

Keith Paffrath
azfirecop@gmail.com
520 W. Desert Hills Drive
My property line is approximately 466'NW of the proposed location
Maricopa County Board of Supervisors,

Regarding the Special Use Permit for the 80’ Cell Tower by T-Mobil I request you follow the Maricopa County Planning & Zoning Commission and deny their application for the permit. Thank you.

My parcel # = APN 211-50-009J

Ken Lawless  
39212 N. 11th Ave  
Desert Hills, AZ  
Ph: 623.465.1034  
Cell: 602.697.6277  
email: ken@kandrdesign.com
Mr Watkins:

I am against the construction of the 5G tower that is being proposed:

I agree with the denial issued for SUP Case #Z2021044 for the proposed T-Mobil 5G Cell Tower by the Planning and Zoning Commission.

Sincerely
Kent Hayek

PLEASE READ THE FOLLOWING:

“Numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines. Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plant and animal life.”

The scientists who signed this appeal arguably constitute the majority of experts on the effects of nonionizing radiation. They have published more than 2,000 papers and letters on EMF in professional journals.
The FCC’s RFR exposure limits regulate the intensity of exposure, taking into account the frequency of the carrier waves, but ignore the signaling properties of the RFR. Along with the patterning and duration of exposures, certain characteristics of the signal (e.g., pulsing, polarization) increase the biologic and health impacts of the exposure. New exposure limits are needed which account for these differential effects. Moreover, these limits should be based on a biological effect, not a change in a laboratory rat’s behavior.

The World Health Organization's International Agency for Research on Cancer (IARC) classified RFR as "possibly carcinogenic to humans" in 2011. Last year, a $30 million study conducted by the U.S. National Toxicology Program (NTP) found “clear evidence” that two years of exposure to cell phone RFR increased cancer in male rats and damaged DNA in rats and mice of both sexes. The Ramazzini Institute in Italy replicated the key finding of the NTP using a different carrier frequency and much weaker exposure to cell phone radiation over the life of the rats.

Based upon the research published since 2011, including human and animal studies and mechanistic data, the IARC has recently prioritized RFR to be reviewed again in the next five years. Since many EMF scientists believe we now have sufficient evidence to consider RFR as either a probable or known human carcinogen, the IARC will likely upgrade the carcinogenic potential
of RFR in the near future.

Nonetheless, without conducting a formal risk assessment or a systematic review of the research on RFR health effects, the FDA recently reaffirmed the FCC’s 1996 exposure limits in a letter to the FCC, stating that the agency had “concluded that no changes to the current standards are warranted at this time,” and that “NTP’s experimental findings should not be applied to human cell phone usage.” The letter stated that “the available scientific evidence to date does not support adverse health effects in humans due to exposures at or under the current limits.”

The latest cellular technology, 5G, will employ millimeter waves for the first time in addition to microwaves that have been in use for older cellular technologies, 2G through 4G. Given limited reach, 5G will require cell antennas every 100 to 200 meters, exposing many people to millimeter wave radiation. 5G also employs new technologies (e.g., active antennas capable of beam-forming; phased arrays; massive multiple inputs and outputs, known as massive MIMO) which pose unique challenges for measuring exposures.

Millimeter waves are mostly absorbed within a few millimeters of human skin and in the surface layers of the cornea. Short-term exposure can have adverse physiological effects in the peripheral nervous system, the immune
system and the cardiovascular system. The research suggests that long-term exposure may pose health risks to the skin (e.g., melanoma), the eyes (e.g., ocular melanoma) and the testes (e.g., sterility).

Since 5G is a new technology, there is no research on health effects, so we are “flying blind” to quote a U.S. senator. However, we have considerable evidence about the harmful effects of 2G and 3G. Little is known the effects of exposure to 4G, a 10-year-old technology, because governments have been remiss in funding this research. Meanwhile, we are seeing increases in certain types of head and neck tumors in tumor registries, which may be at least partially attributable to the proliferation of cell phone radiation. These increases are consistent with results from case-control studies of tumor risk in heavy cell phone users.

5G will not replace 4G; it will accompany 4G for the near future and possibly over the long term. If there are synergistic effects from simultaneous exposures to multiple types of RFR, our overall risk of harm from RFR may increase substantially. Cancer is not the only risk as there is considerable evidence that RFR causes neurological disorders and reproductive harm, likely due to oxidative stress.

As a society, should we invest hundreds of billions of dollars deploying 5G, a cellular technology that requires the installation of 800,000 or more new
cell antenna sites in the U.S. close to where we live, work and play?

Instead, we should support the recommendations of the 250 scientists and medical doctors who signed the 5G Appeal that calls for an immediate moratorium on the deployment of 5G and demand that our government fund the research needed to adopt biologically based exposure limits that protect our health and safety.

The views expressed are those of the author(s) and are not necessarily those of Scientific American.

ABOUT THE AUTHOR(S)

Joel M. Moskowitz, PhD, is director of the Center for Family and Community Health in the School of Public Health at the University of California, Berkeley. He has been translating and disseminating the research on wireless radiation.
I am writing to oppose Special Use Permit Case #Z2021044 for the 5G T-Mobile Cell Tower at 7th Avenue & Desert Hills.

This tower would be in my direct view looking out my kitchen window and would be an eyesore as well diminishing surrounding property values. We have no current issues with cell service in our area so dont see the need for the tower.

I agree with the denial issued by the Planning & Zoning Commission for the Special Use Permit Case #Z2021044 for the Proposed T-Mobil Cell Phone Tower.

Thanks for your time in denying a permit for this tower.

Regards, Kevin Palmer

Kevin Palmer
422 W. Desert Hills
Phoenix, AZ 85086

Parcel # 211-73-058C
Good afternoon,

My name is Kimberly Penrod. I was writing to say that my husband, Reese Penrod, and I agree with the denial issued for SUP Case # Z2021044 for the proposed T-Mobil 5G Cell Tower by the Planning & Zoning Commission. Please do not put that tower in our area. We are on parcel 211-51-052B and do not want to see 5G here. Please let us know what we can do to not have the tower here.

Thank you,
Kimberly Penrod
Mr. Watkins,

I agree with the denial of Special Use Permit case #Z2021044 issued by the Planning & Zoning Commission on 7/8/21 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit for agenda item # 12. VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044 as well.

Thank you,

Lauren Rawlings
I agree with the denial of Special Use Permit case #Z2021044 issued by the Planning & Zoning Commission on 7/8/21 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit for agenda item # 12. VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044 as well

I am concerned about the health benefits. It is also an eyesore to our community.

Please uphold the denial of this tower in our community.

Leslie Briefman
Desert hills resident.

Sent from my iPhone
Attn: Sean Watkins & The Maricopa County Board of Supervisors

I am writing this e-mail regarding the SUP Case # Z2021044 for the proposed 5G T-Mobile Cell Phone Tower located near Desert Hills & 7th Avenue.

I strongly agree with the denial issued by the Planning & Zoning Commission for this SUP (Case # Z2021044) and I ask that the Maricopa County Board of Supervisors deny this SUP as well.

I want to be sure that it is perfectly clear to you and the entire Board that cell phones work just fine in our area. It's not a dead zone.

There are plenty of cell towers already around, and they are in more appropriate places. It seems that this is just big business trying to cram in more towers, anywhere they can, to gain some kind of edge on the competition. It's not needed, and not wanted by anybody in the community.

It will certainly be detrimental to property values, and be an eyesore that will dominate the skyline view out my own front window.

For all these concerns, and the concerns of many others in our community, I ask that you deny the SUP as well.

Thank you for your time.

Lincoln Hunter
39504 N 4th Ave
Phoenix, AZ 85086

Parcel # 211-73-058
I Lynn Hachey, property owner at 39448 N 7th Street, Phoenix, AZ, 85086. Parcel # 211-73-115-C

Strongly agree with the denial of Special Use Permit case #Z2021044 issued by the Planning & Zoning Commission on 7/8/21 and ask that the Maricopa County Board of Supervisors deny the Special Use Permit agenda item # 12. VERTICAL BRIDGE/T-MOBILE AZ-5068 Case #: Z2021044 as well.

Lynn Hachey

"Inspirational, May, Know It is not in the stars to hold our destiny but in ourselves." - William Shakespeare.

Please consider your environmental responsibility. Before printing this e-mail message, ask yourself whether you really need a hard copy.
Greetings All,
As this meeting comes up tomorrow, we would like to reiterate our position of asking to deny this SUP proposal for the following reasons:

1. Zoning changes to accommodate this tower, changing from R-43 to something else, especially if it becomes a commercially zoned property, setting a precedence for other towers to be put in a primarily residential area.
2. Esthetics - the proposed tower is planned to be 80 feet in height. The APS poles are generally no more than 60 feet in height. The exterior of the pole is not planned to match the APS poles should it be placed.
3. Is it safe? - what studies have been done to ensure there are no unseen damages to human life, animals or plants based on the RF or other electrical emissions? None were provided at the meeting. But it was said there was a 2-year study done and 'turned in'. Gary did not know to whom the study was 'turned into to' or how to get a copy of this study.
4. Light pollution from maintenance or security activities
5. Impact to Property values
6. Tenants on the proposed location have no say in this matter other than leaving which may result in hardships for them for a host of reasons. The proposed location of the tower would be right on top of their residence (not sure if this would even be legal)
7. Other options that may be more feasible and not impact the residential community (yes, we are aware of the noted other attempts)
8. Poor communication of this proposal did not allow the area residents to either know of the proposed SUP and/or voice their opinion/comments. Although there are pieces of information that indicated differently, many never received the notices to respond so the assumption there were no objections is falsely noted

Thank you
David & Pamela Packman
113 W Desert Hills Dr
RE Parcels 211-23-012 & 211-23-13

Paul A. Wetzel and Grace Chapel hereby give notice of their opposition to T-Mobile's application for approval of an 80 foot cell tower in the area of 7th Ave and Desert Hills. Our opposition stems from information indicating possible injury to persons within the impacted area.
Respectfully submitted.
Paul A. Wetzel & Grace Chapel
I agree with the denial issued for SUP Case #Z2021044 for the proposed T-Mobile 5G Cell Tower by the Planning and Zoning Commission. It would be an eye sore and decrease our property value. My biggest concern is over health issues resulting from 5G.

"Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plant and animal life."

We do not need this or want it in our neighborhood.

Rebecca Hayek
39805 N 3rd Ave, Phoenix, AZ 85086
Parcel #211-73-040-F
To: Maricopa County Board of Supervisors  
   CC: Sean Watkins

I am writing this e-mail regarding the SUP Case # Z2021044 for the proposed T-Mobile 5G Cell Phone Tower located at Desert Hills & 7th Ave.

I strongly agree with the denial issued by the Planning & Zoning Commission for this SUP (Case # Z2021044) and I request that the Maricopa County Board of Supervisors do the same...deny the SUP!

Our cell phone and internet service is just fine. We do not need the tower, nor do we want it!

I already have to see the ugly 65 foot APS poles out my front window. I don't want to have to look at an 80 foot (or any other size) cell phone tower as well. This will be an 80 foot eyesore coming out of our beautiful desert landscape. For this reason, I ask that you deny the SUP.

I am concerned that our property values will drop. If and when we try to sell, nobody is going to want to buy a home with an 80 foot tall cell tower out the front window! For this reason, I ask that you deny the SUP.

I am concerned about the long term health risks associated with having a 5G cell tower right across the street. There has not been enough long term testing done on what the effects might be on both humans and animals in the direct vicinity. For this reason, I ask that you deny the SUP.

I am concerned that an 80 foot cell tower in between my house and the transmitters on South Mountain will interfere with my digital TV reception. I am also concerned that it will interfere with my current Verizon cell phone service. For this reason, I ask that you deny the SUP.

Thank you for your time & consideration.

Renee Hunter  
39504 N. 4th Avenue  
Phoenix, AZ 85086  

Parcel # 211-73-058A
Hello again Mr. Watkins & Members on Maricopa Board of Supervisors,

I have voiced my opposition on this SUP previously, as I am STRONGLY OPPOSED to this SUP and the 5G Cell Tower being built.

I would like to submit some additional information about how deceptive I think that the placement of the signage that was posted for the Maricopa County Notice of Special Use Permit Request & Public Hearings was. These signs were poorly placed to where no one would see them.

In the previous meeting on July 8th with the planning committee, a homeowner on 3rd Avenue spoke at the meeting about how one of the signs was placed near where the tower would actually go and it was not visible at all! She said that it wasn’t until she posted on social media that it got moved to Desert Hills.

The second sign was placed (and still is located) off of Desert Hills and 3rd Avenue which is a Dead End road! The only people that would see that sign would be the people that live at the houses on the 2 parcels on that road and no one else! How is this supposed to be a "Notice of Public Hearings" when it is placed where the PUBLIC doesn’t even see it?

The second sign should have been placed on the main road, 7th Avenue near Desert Hills where members of our neighborhood would actually see it and have the option to voice their opinion on the matter! I believe that the signs were deliberately placed where no one could see them so that our neighborhood had no idea what was being proposed until it was too late.

I have attached photos for your review.

Thank you,

Renee Hunter
39504 N. 4th Avenue
Phoenix, AZ 85086

Parcel # 211-73-058A
MARICOPA COUNTY NOTICE OF
SPECIAL USE PERMIT REQUEST
and PUBLIC HEARINGS

PLANNING & ZONING COMMISSION: 9:30 am on 7/08/2021
BOARD OF SUPERVISORS: 9:30 am on 8/04/2021
(BOS date subject to change - contact the P & Z Div. for verification)

LOCATION OF HEARINGS: ATTENDANCE AT THE HEARINGS SHALL BE
ONLINE/TELEPHONIC ONLY. INSTRUCTIONS ON ATTENDANCE AND HOW TO SUBMIT
QUESTIONS/COMMENTS MAY BE FOUND AT WWW.MARICOPA.GOV/797 ONE WEEK PRIOR
TO THE HEARING DATE OR BY CONTACTING THE PLANNER AS NOTED BELOW.

REQUEST: Special Use Permit

PROPOSAL: Vertical Bridge / T-Mobile New Monopole 80'
colloccatable) within a CMU walled in 30' x 35' compound

GENERAL LOCATION: APN: 211-23-014F - Approx. 725 ft.
southeast of SEC of Desert Hills Dr. & 7th Ave.
SIZE: 1.66 acres CASE #: Z2021044

AUTHORIZED AGENT: Gary Cassel
PHONE: 602-762-8809
EMAIL: Garycassel@clearblueservices.com

PLANNING & ZONING DIVISION: 602-506-3301
https://apps.pnd.maricopa.gov/contact/
Posting Date: 4/28/2021
July 20, 2021

Attention: Maricopa County Board of Supervisors

Re: Desert Hills Cell Tower

I live at 148 West Fernwood Drive Phoenix, AZ 85086 which is approximately 600-feet from the proposed cell tower. This tower is an 80-foot abomination placed directly in the middle of a sprawling neighborhood. Desert Hills is full of acre lots with large homes primarily made up of a retired community who moved out of the city to enjoy the beautiful views and quietness of the neighborhood.

This cell phone tower was denied unanimously by the planning and zoning commission. I fully agreed with this decision as the cell phone tower was being placed only for a money grab by T-Mobile. The proposed tower was said to be for emergency phone calling, yet as shown in the meeting this was a blatant lie as the area is already well covered as is.

This proposal received over 500 complaints from the neighborhood not wishing for the eye sore in the middle of their community. This tower is not needed in the area other than for T-Mobile to make an additional profit. They are wishing to put it on a rental property where the owner is not a part of the community and thus should not be able to ruin the remainder of the residence’s beautiful views for a few dollars.

In conclusion Desert Hills has great cell service as is and a wonderful community. This area does not need an 80-foot tower that was fed by lies, propaganda and attempted nauseating talk arounds during the entire process. Please agree with the planning and zoning commission by denying this abomination of a tower.

Sincerely

Steve Zimpelman
To whom it may concern. I am in complete agreement with the Maricopa County Planning and Zoning Commission who voted against the Cell Tower. Not only will this be an Eyesore, it is also harmful to the community. The values of our houses will decrease. Although my main concern is about the Health Risks it can or will impose on those around it!
Hello Mr. Watkins,

My name is Theresa Smith. I am a taxpayer, a registered voter, and a homeowner. I live at 39808 N. 3rd Ave, Phoenix, 85086. **My Parcel ID # is: 211-73-040D.**

I am writing to inform you and the Maricopa County Board of Supervisors that I do **NOT** want an 80-foot, 5G, cell tower installed in my neighborhood. I agree with the Maricopa County Planning and Zoning Commission, who voted unanimously to deny this special use permit, during their hearing held back on 07/08/2021.

The health concerns associated with long-term exposure to radio frequency radiation (RFR) has **NOT** been thoroughly researched by the scientific community and has **NOT** been proven to be safe -- far from it! I have had three immediate family members die from various cancers within my lifetime. Dying from cancer is a horrible death.

I moved into my current **North 3rd Avenue** residence back in 2005. I chose to live on the fringe of the city, even though I knew I was moving into a part of Maricopa County that came with limitations in regards to conveniences and infrastructure.

I am asking the Maricopa County Board of Supervisors to **DENY** the Special Use Permit, Case # Z2021044, for the proposed T-Mobile 5G Cell Tower that was also unanimously rejected by the Maricopa County Planning and Zoning Commission on 07/08/2021.

Respectfully,

**Theresa Smith**
Taxpayer
Registered Voter
Property Owner: Parcel # 211-73-040D
Hello Mr. Watkins,

As I look through the materials submitted by Gary Cassel of Clear Blue Services to promote the case for an 80-foot high, 13-foot diameter, 5G, T-Mobile cell tower, I am stunned that Clear Blue Services is allowed to use older, low-res maps to apply for this special use permit.

I have lived on parcel # 211-73-040D (39808 N. 3rd Ave., 85086) since 2004. My husband, Bryan Smith, has lived on the parcel even longer—since 2001. These aerial maps supplied by Gary Cassel of Clear Blue Services are older and of poor quality and are extremely misleading as a result. The area of Desert Hills surrounding the intersection of 7th Avenue and Desert Hills Drive is MUCH more developed with homes than appears in these deceptive materials. Additionally, this area is much more populated than some regions of "New River"—which is indicated as the proposed Site on page 1 of the WCF tower's application.

If Clear Blue Services et al are resorting to this level of deceptive tactics, what else are they hiding?

This North Phoenix neighborhood is called "Desert Hills" for a reason: It is surrounded by hills. Surely Gary Cassel and Clear Blue Services can apply for a permit to install this 80-foot high, 13-foot diameter, 5G, T-Mobile cell tower ON TOP of one of the area mountains instead of in a residential neighborhood? Who knows? Given the enormous size of this monstrosity, the tower might even function more effectively perched on a mountaintop than planted on the floor of a valley. Additionally, the level of public protest will likely drop significantly if this tower is installed away from residences populated with people.

- The health concerns associated with long-term exposure to radio frequency radiation (RFR) has NOT been thoroughly researched by the scientific community and has NOT been proven to be safe—far from it.
- I chose to live on the outskirts of Metro-Phoenix, even though I knew I was moving into a part of Maricopa County that came with limitations in regards to access to "conveniences" and infrastructure. Living in the scenic Sonoran Desert beauty with unobstructed views is of MUCH greater importance to me than making sure I have uninterrupted data transfer services (cell phone, texting, Internet streaming, etc.).
- I also made it a point NOT to purchase property near towers due to the health risks and the eyesore. Other prospective homeowners will feel the same way, meaning—not only is our health and quality of life at risk—but the property values will drop accordingly.
I am asking the Maricopa County Board of Supervisors to **DENY** the Special Use Permit, Case # Z2021044, for the proposed T-Mobile 5G Cell Tower that was unanimously rejected by the Maricopa County Planning and Zoning Commission on 07/08/2021.

I have attached a PDF containing two maps. One map is the older, low-quality map submitted by Gary Cassel and Clear Blue Services. The other map is a newer, higher-quality map which better illustrates the number of homes immediately impacted by the proposed 80-foot high, 13-foot diameter, 5G, T-Mobile cell tower.

Respectfully,

Theresa Smith  
Taxpayer  
Registered Voter  
Homeowner: Parcel ID # 211-73-040D

On Thu, Jul 29, 2021 at 2:59 PM Sean Watkins (PND) <Sean.Watkins@maricopa.gov> wrote:

Hello,

You are receiving this email because you submitted at least one comment to me regarding this proposal.

The case is scheduled to be heard by the Maricopa County Board of Supervisors (BOS) on August 4, 2021, beginning at 9:30 a.m.

The hearing will be virtual (online/telephonic) via GoToWebinar and you may listen only or register to speak at the hearing by following the directions in the Maricopa County Clerk of the Board webpage on Monday, August 2, 2021. The agenda, staff reports and related materials will be available from the following web link on Monday, August 2, 2021.

https://www.maricopa.gov/324/Board-of-Supervisors-Meeting-Information

Some comments were received after the publication of the hearing staff report, so you may not see your comment in the hearing materials if you submitted it recently. Please rest assured that ALL comments received by me to date (and up to the day before the hearing) will be provided to the BOS as a handout.

Thank you!
Sean Watkins

Planner

Maricopa County Planning & Development Department

301 W. Jefferson Street, Suite 170

Phoenix, AZ 85003

Desk: 602-506-8150

sean.watkins@maricopa.gov

P&D is now 100% digital.

Find information on our new permit process here:

https://www.maricopa.gov/1629/Construction-Permit-Information
Map submitted for special use permit,
Case #/Title: Z2021044 – Vertical Bridge / T-Mobile AZ-5068

The poor quality of the map and its age makes the immediate area appear less populated.
Newer, higher-quality map paints a much more accurate picture of the number of homes immediately impacted by the proposed 80-foot WCF tower.
Dear Mr. Watkins and all others involved;

Please do NOT allow this tower to be built in our area of Desert Hills. You may or may not be aware of the type of lifestyle we have in Desert Hills but an 80’ tower and compound definitely does not fit in here at all. This is a horse type community with many people having many different types of animals. We, along with lots of wildlife have already been impacted by the massive amount of building that has gone on here in the last few years. We are supposed to have 1 acre minimum lots and generally have horse privileges. Builders have been granted variances and we see many homes with what appears to be less than 1 acre lots. We are already dealing with increased traffic while many roads are not even paved. We don't have street lights, my road is unpaved and some services are limited BUT that's the lifestyle out here. Some people are trying to turn Desert Hills into a CA suburb, while this is not what this AZ neighborhood is all about. This tower and its compound will adversely affect coyotes and javelina that live in the very area of this proposed tower. The tower will be an eyesore and be taller than anything existing. It will lower home values near it and may have other negative effects.

Desert Hills has seen an increase of people from other states that want faster this and faster that, yet they chose to move to this area. How have we been able to survive all this time without 5G or anything else that is being proposed? How am I able to write this email to you from Desert Hills without the almighty 5G? There are people that are commenting about this tower and compound for Desert Hills, yet they don't live in Desert Hills. Well, if they think it's a good idea, let them put the tower in their neighborhoods. I've seen people write that they want to be able to download pictures faster on their phones. Is that what is really important, or is preserving a semi-rural area that has already been infested with people that don't care about the land or the water issues or anything that doesn't bring them convenience? PLEASE don't allow Desert Hills to be turned into a city type environment or have an eyesore within a beautiful neighborhood. This is a beautiful place with horses and coyotes and bobcats and javelina, etc. We've already been taken advantage of by money grabbing builders, please let us keep whatever is remaining of our beautiful Arizona neighborhood. It's almost funny how people leave one area because they've ruined it and then move to another area that they obviously like how it is being managed, then they turn around and try and make it like the failed place they fled from.??. Please, let's do what's right and say NO to this monstrosity. Thank you very much for your consideration.

Sincerely,
Thomas Dana Sr.

Thomas Dana Sr.
38906 N Central Ave
Desert Hills, AZ 85086

NO!!!! NO !!!!! NO TO SPECIAL USE PERMIT FOR AGENDA ITEM #12. VERTICAL BRIDGE/T-MOBILE AZ 5068 CASE# Z2021044
(845) 238-9357
My Husband and I are concerned neighbors living in the area of the proposed wireless communication facility. We feel the need to voice our concerns over this project.

We understand growth, we have seen a lot of it here in beautiful Desert Hills in the 12 years we have lived here.

The County has standards in place when it comes to zoning that protects existing communities such as ours. Standards such as, setback from property lines and array diameters.

If a special use permit is given for this project it can and may very well set a new precedent for the next WCF in our community.

Residents here in Desert Hills place a high priority on the preservation of the natural environment, its washes, hillsides, and **mountain views**.

My Husband and I agree with the denial issued by the Planning & Zoning Commission. We are asking you to **not** approve this SUP.

If approve please implement items that have been suggested;

- pole height
- matching the existing APS poles in the area, for a uniform look
- height of attenuation walls
- shaded lighting within the compound

Our address is 519 W Ridgecrest Rd, Phoenix, AZ 85086
Parcel # 211-73-031H

Respectfully,

Harry Decker

Vivian Decker
PS: The photo map is obsolete by many years, which tells me of misleading behaviour. our house built in 2001 wasnt even on there.
John W.

-----Original Message-----
From: synergstx@aol.com
To: synergstx@aol.com
Sent: Wed, Jul 7, 2021 9:45 pm
Subject: Fwd: reference: AZ-5068-special use permit case Z2021044

-----Original Message-----
From: synergstx@aol.com
To: sean.watkins@maricopa.gov <sean.watkins@maricopa.gov>; synergstx@aol.com
Sent: Wed, Jul 7, 2021 9:44 pm
Subject: reference: AZ-5068-special use permit case Z2021044

Jul 7 2021
from John H Williams, Carol A Williams at 39714 N 3rde Ave, Phoenix AZ 85086 nearby about 1500 feet north of proposed T Mobile cell antenna tower location. We adamantly oppose this project for following reasons:
1. other more open areas are nearby to the north.
2. we will be near unknown radiation RF levels emitting from antennas.
3. Tower proposed to be 80 feet high which makes it visible from our neighborhood.
4. finish is only paint instead of the cortex finish
5. cars on desert hills road will be blasted by RF emission from antennas day and night.
6. sound levels from equipment / housing will be heart by us, our neighbors.
7. We feel this project has been strung on us without much chance to have adequate time to review all aspects of proposal (radiation, sound, etc)
8. We dont have time to take part the meeting Jul 8 in downtown PHX to intelligently deal with this. PS looks like we are excluded anyway.
9. Added parts of the plan is to add more antennas, equipment with further impacts (RF, etc)
10 for this we soundly oppose this project as many of our neighbors do !!

John H. Williams, Carol A Williams July 7 2021 PM
Hello Rachel and Sean,

I am in opposition to building the new wireless communication facility special use permit Z2021044 on parcel 211-23-014F.

I live in Anthem at 40713 N Territory Trail and we do not want this 5G technology brought to this area in North Phoenix.

We have serious concerns about the safety of this and do not want it here in Desert Hills.

Thank you,
Garrett Frix

Sent from my iPhone
Hello Sean,

I hope you and yours are doing well. I have lived in Desert Hills since April of 2006. I oppose any new cell tower installations in Desert Hills. Please have new providers use existing sites. Keep the visual disturbance in those areas. Thank you for your consideration.

Sincerely,
Paul Buff
## Appeal of Planning and Zoning Commission Recommendation

If the Planning & Zoning Commission recommends approval of a particular case, it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within **15 calendar days** following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

- Submit this form to the Maricopa County Planning & Development Department:
  501 N. 44th Street, Suite 200 Phoenix, Arizona 85008
  Fax Number: 602-506-3711
  Hours of Operation: Monday – Friday 8:00 a.m. – 5:00 p.m.

- This appeal can also be submitted via e-mail at the following e-mail address:
  PZAppeal@mail.maricopa.gov

- Appeal of Planning & Zoning Commission Recommendation

- The Appeal Form can also be submitted on the Maricopa County Planning & Development website at the following web address:

### Please print clearly.

<table>
<thead>
<tr>
<th>Case Number/ Project Name:</th>
<th>Z2021044–Vertical Bridge / T-Mobile AZ-5068</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date:</td>
<td>July 8, 2021</td>
</tr>
<tr>
<td>Appellant Name:</td>
<td>Alan &amp; Candy Muller</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>39307 N 9th Ave</td>
</tr>
<tr>
<td>City, State, Zip Code:</td>
<td>Desert Hills, AZ 85086-0505</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>(602) 432-2800</td>
</tr>
<tr>
<td>E-mail:</td>
<td><a href="mailto:4DaisyMountain@gmail.com">4DaisyMountain@gmail.com</a></td>
</tr>
</tbody>
</table>

**Reason for the Appeal of the subject case:**

This is a commercial property in the middle of a residential community. If the tower was 65’, and cortens rust was used (like the APS poles) it would blend into the community.

Also the safety protocol of 2’ out for every foot up would be closer in distance to the lot line. The only reason T-Mobile needs 80’ is so they lease space below. The community would prefer no commercial WCF in the middle of our residential community. Let’s do the 65’ and make this the example if need be!

<table>
<thead>
<tr>
<th>Appellant Signature:</th>
<th>Alan Muller</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>July 2, 2021</td>
</tr>
</tbody>
</table>
NOTES:
1. Contractor to coordinate & provide private locating service prior to construction.
2. All cabling to run inside pole.

HONDABOW
211-23-014F
PHOENIX, AZ 85086
US-AZ-5068
PRELIMINARY UNLESS SIGNED
I am absolutely apposed to the cell tower near my property. My parcel number is 211-23-014D. I have submitted home plans to the county to be approved to build a home for my children and I. My daughters are 6 years old, 7 years old, 21 years old and my grandson is 1.5 years old. Here are my reasons why I’m opposed:

- there is not enough research to know if the energy or 5G affects human cells, my kids are so young and still growing.

- it does Not belong in a residential community! Until there is proof that it is safe to humans and live stock, protect your community and children from the exposure and potential harm!

- value of property- mine will severely depreciate!

- undesirable visual impact

- It would change the character of the neighborhood of single-family homes, in the open and silent desert, with views of mountains and natural habitat!

- The Board should ensure that the use will be harmonious with and will not adversely affect the use or development of neighboring properties! The location, size, and height of proposed tower is not conducive with our community!

- the board must consider, this will hinder and discourage the use or development of adjacent properties or impair the value of those properties!

- the board’s job is to preserve the character of an area by preventing harmful effects of potentially dissimilar uses.

- safety issues to homeowners and workers! NO notice when the service men will be servicing the tower could result in a homeowner defending their home from potential threats and trespassing while on our easements. Hours of 12am-5am!

 ALL 3 parcels (including the parcel the tower is going on- which is a rental property) have single women living there. Having men and trucks coming through at night on a dead end road, where no traffic but the three residents should be, is not ok!

- No notice was ever given to any of us who recently purchased the neighboring parcels.

In conclusion, renting out private land for commercial business and profit is wrong!!! Put it on commercial land and get it out of private residential land! Taking away value from residential homeowners, jeopardizing the community’s health, negatively impacting the visual esthetics of the area, and creating a safety issue for the individuals maintaining the tower as well as homeowners is Reprehensible!

Sincerely,
Brandi Huczel Suderback
602-586-0528
Board Members,

The NR/DHCA is an all-volunteer community organization that has been representing residents in the north valley since 1985. This area includes the unincorporated portion of Maricopa County roughly from Dove Valley Road (Phoenix) to the county northern border and from 24th Street (Cave Creek) to 43th Avenue (Phoenix). Our mission is dedicated to the preservation of our community and its rural lifestyle. The NR/DHCA board and association members have researched this case by studying the proposal, and talking with various county officials. Residents at our community meeting, expressed comments and concerns that were overwhelmingly against the location, access, and appearance of the property. While NR/DHCA supports responsible growth and development, our research indicates the rezoning of these parcels will have serious negative effects on the surrounding neighborhoods.

We have discussed this item in open meetings, made personal visits to the site, and talked to surrounding residents. The Board feels that There are alternative sites that are already used for this purpose, better suited both logistically and aesthetically. Therefore we would ask that the board deny the application.

Thank you,

Edward Taylor, President

New River / Desert Hills Community Association
I am absolutely apposed to the cell tower near my property. Please do not move forward with this project in this community.
Sure, my address is:

813 W. Tamar Road  
Phoenix, AZ 85086

Thank you for including my opposition.

Jennifer Wright

On Mar 25, 2022, at 1:08 PM, Sean Watkins (PND) <Sean.Watkins@maricopa.gov> wrote:

Hello Ms. Wright,
Your comment has been added to the project record for consideration by the Applicant, County Staff and the Board of Supervisors.
Would you care to identify your address or parcel number? I ask because your distance from the subject property is part of how your opinion is weighed.

Thank you!

Sean Watkins
Planner
Maricopa County Planning & Development Department
301 W. Jefferson Street, Suite 170
Phoenix, AZ 85003
Desk: 602-506-8150
sean.watkins@maricopa.gov
P&D is now 100% digital.
Find information on our new permit process here:
https://www.maricopa.gov/1629/Construction-Permit-Information
Mr. Gates and Mr. Watkins,

I would like to voice my opposition to the T mobile cell tower proposed to pollute my neighborhood. Not only is it an eyesore, but it will also ruin resale value, it is a known health hazard and the reason we live rural, is because we don't want to be near equipment such as this. There is no issue with coverage in the area, and where it is an issue, they can have the tower erected in their neighborhood. Either Anthem or New River, who are actually those that are complaining about coverage but don't want the unsightly monstrosity in their view.

I am not aware of anyone in the vicinity that supports this matter, who would?

I will attend next Thursday and let my voice be heard in person, along with many others that I will assemble to oppose it as well.

Not in my neighborhood,

Jennifer Wright
Mr. Gates and Mr. Watkins,

I would like to voice my opposition to the T mobile cell tower proposed to pollute my neighborhood. Not only is it an eyesore, but it will also ruin resale value, it is a known health hazard and the reason we live rural, is because we don’t want to be near equipment such as this. There is no issue with coverage in the area, and where it is an issue, they can have the tower erected in their neighborhood. Either Anthem or New River, who are actually those that are complaining about coverage but don’t want the unsightly monstrosity in their view.

I am not aware of anyone in the vicinity that supports this matter, who would?

I will attend next Thursday and let my voice be heard in person, along with many others that I will assemble to oppose it as well.

Not in my neighborhood,

Jennifer Wright
Dear Sirs:

I write to you as a concerned neighbor who lives in the vicinity of this proposed tower installation at 7th Ave & Desert Hills Drive.

Approval for this structure was requested and disallowed a couple of years ago, things have not changed within the community, it is still not something our community needs or desires. We, in Desert Hills, do not need this eyesore added to our beautiful desert area.

As a local REALTOR® I have concerns that this will bring a decrease in value of real property, in addition to the visual upset in the area due to the gigantic height of the proposed structure. These towers bring known health hazards and we are not in need of them in our community. If residents in Anthem or nearby New River are requesting additional towers for their own use to poor service or signal strength, please have the tower brought to them for their approval.

Sincerely,

Elaine Whyte
9 E Tanya Road
Phoenix, AZ 85086
602/309-2802
Hello Mr. Watkins,

I am writing this e-mail to oppose the Special Use Permit Case # Z2021044 at Desert Hills and 7th Avenue for the Proposed T-Mobil Cell Phone Tower at the following parcel: Accessors Parcel # 211-23-014F. I would like to oppose the Special Use Permit and oppose the cell phone tower being built.

It will be an eyesore! I don’t want to look out my front window at a 65 foot cell phone tower! It will be the only thing sticking up out of the ground, a giant ugly brown tower coming up out of the middle of our beautiful desert landscape. I also do not want to have any excess lighting nor do I want to listen to any excess noise being made from the cell tower or things used to run it. This is a dark, peaceful, quiet neighborhood, which is why I moved here. I want to keep it that way. I do not want a cell tower built here!

I am concerned that it is going to drastically reduce our resale value of our home & the other homes in the surrounding area. No one is going to want purchase a house where when you out the front window, there is a big, ugly, brown 65 foot cell tower! For this reason, I do not want it built here!

I am concerned for my health and the health of my neighbors, our pets and our livestock. I do not believe that there has been enough long-term testing on the health risks of living so close to a cell phone tower. I do believe that there will be increased health risks & issues from a cell phone tower being so close, therefore, I do not want it built here!

Please keep me informed of the dates to any upcoming dates, times and the locations of meetings regarding this issue.

Sincerely,
Renee Hunter
39504 N. 4th Avenue
Phoenix, AZ 85086
Parcel number 211-73-058A
Z2021044

Opposition and Support

Eligible parcels: 5
Supporting parcels: 0
Opposition parcels: 4
Supporting parcels sq ft: 0
Opposition parcels sq ft: 268,831.93
Subject parcels sq ft: 72,545.91
All area inside the 300' buffer: 685,063.05

All area inside the 300' buffer - excluding subject parcel, ROW and excluded parcels: 609,819.16
No-response parcels sq ft: 340,987.21
Super Majority opposed parcel acres: 44%
Super Majority opposed parcel number: 80%
Hello Sean,

Daisy mountain has no concerns or comments regarding this project.

Respectfully,
Dave Nielsen
Assistant Chief - Fire Prev.
DaisyMountainFire.org
623-465-7400 x119

---

From: Sean Watkins (PND) <Sean.Watkins@Maricopa.Gov>
Sent: Friday, March 18, 2022 2:10 PM
Subject: Z2021044 - Vertical Bridge / T-Mobile AZ-5068 - Scheduled for Board of Supervisors Hearing April 20, 2022

Hello,

You are receiving this email because you are registered as an interested party in District 3 or you submitted at least one comment about Special Use Permit (SUP) Z2021044 – Vertical Bridge / T-Mobile AZ-5068. The subject Wireless Communication Facility (cell tower & compound) is proposed south of Desert Hills Drive and east of 7th Avenue, on parcel 211-23-014F.

Z2021044 is currently scheduled for the Board of Supervisors (BOS) Hearing on April 20, 2022, beginning at 9:30 a.m. You may attend the hearing in person at the BOS Auditorium 205 W. Jefferson St., Phoenix or online, via GoToWebinar.com. To attend online, follow the directions in the hearing agenda to be published on about April 15, 2022 at this web address: https://www.maricopa.gov/324/Board-of-Supervisors-Meeting-Information

Z2021044 went before the Planning and Zoning Commission on July 8, 2021 where the vote was 7-0 for denial. Z2021044 then went before the BOS on August 4, 2021 where the case was indefinitely continued by a vote of 4-0.

Since then the plans have been revised and the proposal now includes a 65 ft. tall tower (formerly 80 ft.), treated with a rust (CORTEN) finish (formerly painted brown) and a 9.5 ft. antenna array diameter (formerly 13 ft.), per the attached sheets from the current, revised site plan.
In addition to speaking at the BOS Hearing, you may submit comments to me to be made part of the project record.

Thank you!

Sean Watkins
Planner
Maricopa County Planning & Development Department
301 W. Jefferson Street, Suite 170
Phoenix, AZ 85003
Desk: 602-506-8150
sean.watkins@maricopa.gov
P&D is now 100% digital.
Find information on our new permit process here:
https://www.maricopa.gov/1629/Construction-Permit-Information
his fellow commissioners, this is not an appropriate use. Not only does it harm property values but day-to-day life. He is strongly opposed to this case. Chairman Arnett said the use is okay and there is probably a need, but zoning this to C-2 changes this area. Those in opposition want a neighbor not a business next to them, even though it could look like a house, it’s not a neighbor.

COMMISSION ACTION: Commissioner Schlosser motioned to deny Z2021021. Commissioner Hernandez second. 7-0.

Special Use Permit - Z2021044

Project name: Vertical Bridge/T-Mobile AZ-5068
Applicant: Gary Cassel, Clear Blue Services
Request: Special Use Permit for a new wireless communication facility in the Rural-43 RUPD zoning district
Location: Approx. 750 ft. southeast of the SEC of 7th Ave. and Desert Hills Dr. in the New River area

Mr. Watkins presented Z2021044 and noted the 80 foot tower would be in a new 30'x35' compound. The tower will be painted brown and the compound will be enclosed by a 10 ft. tall CMU wall. The T-Mobile wireless level of service in the area is characterized by full-strength signal for calls made outdoors, but inside most calls would be blocked or dropped. The signal strength is improved with the 65 ft. tall tower; however, the 80 foot tower provides the strongest signal coverage. The SUP includes three development standard modification requests, the proposed 80 ft. setback from the west and north and 140 ft. setback from the east subject property boundary to the tower, where 160 ft. setback is required. The proposed antenna array is 13 ft. in diameter where 8 ft. is the maximum diameter allowed. Eliminating two Sight Visibility Triangles (SVTs) that would be required with driveway meets the public street. The applicant complied with the citizen review process including site postings and notifications. As of this morning staff is aware of 89 opposing parties. One of the opposition lives within 300 feet of subject site. The applicant held a public meeting on June 1, 2021 with 19 attendees. Meeting announcements were sent to more than 200 addresses in the area. Staff believes the SUP request is reasonable and necessary to maintain and expand cell phone service in the area. Local jurisdiction cannot by statute regulate aspects of wireless communication facilities, they are already regulated by federal communication regulations. Staff recommends approval subject to conditions ‘a’ – ‘i’.

Mr. Gary Cassel with Clear Blue Services said this will be a 30' x 35' walled compound, and it was going to be an 8' wall but the community requested it to be 10' high. The pole and the compound wall will be in the same texture and painted brown in color, since the corten steel could bleed onto the equipment. He had a ½ mile radius to find the right location in order for the 5G system to work within the framework that is already there. Most of the other properties had washes and it can’t be that close to the washes, so they had to find a place away from residents and the washes. They had a community meeting with 19 attendees and they answered their questions and concerns. After the meeting he sent out a re-cap of all the questions, concerns and answers that were discussed to help them understand. They outreached Ed Taylor with the New River / Desert Hills HOA and a notice went out to 540 addresses to deliver as much information as they could.
They took in consideration to what kind of coverage is there now, and this is a mandate from the FCC. Sprint was bought by T-Mobile and all the people with Sprint and T-Mobile phones are affected the same way. There is a real need to have the improvements in that area for every reason like 911 calls and blocked calls. You have to go outside to actually get an emergency phone call made or it won’t go through. With a 65 feet pole we don’t have anywhere near the capability, and it starts to fail the 5G networking system. The 5G system gives T-Mobile and Sprint the opportunity to connect up so there isn’t a disconnection, and causes a lesser power amount from each one of those sites. Out of all the different types of radio frequency people use on a daily basis, this tower would have the least amount of radio frequency emissions. The public had concerns of the wall and pole height, and the corten color.

Mr. Lincoln Hunter said he lives across the street from the proposed site, and nobody wants to stare at an 80 foot tall eyesore. It has little to do with the color or the height of the wall. Nobody wants this. Our cell phones work just fine out here we can make and receive calls without a problem. They are just trying to bring in more towers for the 5G network. It is more like an optional thing and our choice is we don’t want this tower here because it is not necessary.

Ms. Renee Lincoln said she is concerned with their property values, and nobody wants to look out the window and see an 80 feet cell tower. Also concerned about health issues. Not enough studies have been done for long term 5G health effects for animals and people.

Mr. Keith Paffrath said he lives a few hundred yards north of the proposed cell tower. There is nothing in their community that is 80 foot tall, and it would make it the tallest structure in the Desert Hills / Cave Creek area. There is no need for it. The applicant wants it taller with more antennas so they can add other cell companies to increase their profit while exposing the community to 5G waves. That property was zoned to be residential several years ago and it is a matter of time for homes to come in. This would make them less desirable because of the proximity of this 80 foot tower. There is an entire Carefree Highway corridor these companies can look at where they are commercially zoned, and we do not need this in our community.

Mr. David Packman said he echoes the previous speakers’ comments with the property value issues and health issues. Where they want to place this tower is literally in the back yard of one of the residents. He lives east of the property and is one of the closest people to it. He doesn’t think this is the best option for this tower and they can find someplace else for it. If they get one of these to go up it will set a precedent and other will spring up.

Ms. Amanda Rokofsky said she move on her property in February and it was unknown to them that this tower was going to be built. She has issues with the 80 foot tower that they would have to look at every day. She never received any information for a second community meeting. They moved out of the city to live healthy and get away from all of this with their livestock and kids. Her family would feel betrayed if this gets approved. There many other places this could go than 284 feet from her property.
Mr. Steven Zimpelman said 500 people signed a petition to stop this, and nobody wants this. There were low numbers at the meeting because of COVID and nobody wanted to be exposed especially the elderly in our community. The pole is within 100 feet of a few of the closest houses and within a few hundred feet of his house. Nobody cares about the paint color, we don’t want an 80 foot tower which would be the tallest structure in the neighborhood. People moved out here to get away from everything, to have some land, nice views, and not have an 80 foot tower right out your door.

Mr. Alan Muller said he is a community leader and he was the president of the HOA until mid-2019. He asked a few neighbors to collect signatures for the petition requesting denial of the SUP, and sent letters to the residents of the surrounding community. When he was a Planning and Zoning commissioner he assisted in updating the Wireless Communication Facilities (WCF), there was no by-right. Maricopa County maintains zoning in order to protect its unincorporated communities. The array antenna limited to 8 feet and for every foot up there must be two feet out to the property line. Lighting must be inside the compound and shielded to protect the dark sky ordinance. The standards in 1202.2.6 in the zoning ordinance regarding height, diameter and concealment elements to ensure structures do not have an adverse visual impact or harm public welfare. T-Mobile is attempting to erect a WCF in our area without consideration of the community by not complying with county zoning. We have two of the three major carriers servicing Desert Hills and the 5G Verizon tower down the street does not have a 15 foot array. He requests the Planning and Zoning Commission and the Board of Supervisors deny this SUP.

Commissioner Gress asked if the poles were 65 feet would that satisfy the community? Mr. Muller said the height is the biggest issue. Two miles away is a 65 foot AT&T pole made out of the corten material with no problems. Sixty-five feet is a good negotiating term, except the salesman did not want to negotiate anything.

Commissioner Gress asked was the public participation consistent from what you’ve seen in the past. Mr. Muller said the mailing went out, but the 530 e-mails did not go out to everybody in our area. They considered mostly the New River area, not the Desert Hills area. The amount of people that attended the meeting is common plus with COVID and others that are handicapped.

Commissioner McGee asked if he did in fact offer a compromise solution of the corten steel and the 65 feet as opposed to the 80 foot. Mr. Muller said that is correct and they didn’t want to listen to it.

Commissioner McGee said she is opposed to the project as it has been presented. She would consider the compromise but she would rather start with a no. She also has significant process concerns related to the request.

Ms. Amanda Rakofsky said when the posting signs were first placed facing east, and unless you were coming to her house for dinner or a visit you would not see the notification. The second one was placed at the site hidden by brush and trees, and it wasn’t moved to Desert Hills until she notified them. Some people still couldn’t see it because it was angled east. The notifications have been a struggle from the beginning.
Chairman Arnett asked was this noticed properly per the Maricopa County guidelines. Mr. Watkins said yes it was posted and notified according to the rules. The requirements are every site should be posted every quarter mile on its frontage. This property is tucked away, and one sign was on the site and a second sign was posted in Desert Hills. We put it up there to overcome the shortcomings of the property in terms of posting notification. Pretty quickly after the first submittal of the project it was done at staff’s request, and the applicant had to work with MCDOT to get a permit to place it there.

Mr. Cassel said we have Sprint and T-Mobile involved and they have different radio equipment and we are trying to make that into one antenna structure. The antennas as large as they are cannot be close together or they cause a cross-talk and the new 5G system requires a greater distance than what is allowed by the county. We are asking for an exception on the basis of that. The lights only come on when a technician is there, and the location of the light is lower than the 10 foot wall, and it would only light up within the framework of the compound. They only visit the site once a month. There won’t be interference since they are specific radio frequencies, and not much of a possibility for anything else to affect it.

Chairman Arnett asked if anyone else from the public wished to speak. None.

Vice Chair Swart said he knows a lot about this topic and he read an extensive article about a race for 5G. He is offended the presenter alleged people can’t call 911, which is not true. Others said they have plenty of cell phone coverage. He does not support this nor a 65 foot pole. This is an egregious misuse of this piece of land.

Commissioner McGee said this is in the middle of the desert and there is a lot of development yet to come. They were offered a reasonable compromise and the community were not heard. She believes this needs to be denied.

COMMISSION ACTION: Commissioner Gress motioned to deny Z2021044. Commissioner McGee second. Denied 7-0.

Chairman Arnett adjourned the meeting at 12:08 p.m.

Prepared by Rosalie Pinney
Recording Secretary
July 8, 2021
DATE: April 20, 2022
TO: Board of Supervisors
FROM: Darren Gérard, AICP Planning Manager
SUBJECT: Z2021044 – Vertical Bridge / T-Mobile AZ 5068

After the publication of the staff report, the Clerk’s Office received written opposition to the proposed Wireless Communication Facility. The concern raised included setting a new precedent for wireless communication facilities in community. The e-mail states as residents of Desert Hills they place a high priority on preservation of the natural environment, washes, hillside and mountain views.

Staff notes the parcel is not within the 300’ buffer of the proposed wireless communication facility.

Staff notes that the total figures in opposition are as follows:

71 opposition petition signatures
53 additional opposing parties
124 Total opposed

4 opposition comments are within 300’ of subject site – triggered super majority vote with 44% opposed parcel acreage and 80% opposed parcel numbers

Attachment: E-mail Opposition Decker Property (2 pages)
The Clerk of the Board of Supervisors Office received the below comment for the following item:

**Vertical Bridge/T-Mobile AZ-5068**

Case #: Z2021044

Thank you,

Maria Ceaglske

Maricopa County – Office of the Clerk of the Board of Supervisors
301 W. Jefferson Street, 10th Floor, Phoenix, AZ 85003
Phone: 602-506-3766

From: Vivian Decker <vrdecker3@gmail.com>
Sent: Thursday, April 7, 2022 6:15 AM
To: SeanWatkins@maricopa.gov; Clerk of the Board of Supervisors - COBX <clerkboard@maricopa.gov>
Subject: Z2021044 – Vertical Bridge / T-Mobile AZ-5068

Cell Tower

My Husband and I live in the area of the proposed wireless communication facility. We feel the need to once again voice our concerns over this project.

Special Use Permit (SUP) Z2021044 – Vertical Bridge / T-Mobile AZ-5068. The Wireless Communication Facility (WCF) that is proposed south of Desert Hills Drive and east of 7th Avenue, on parcel 211-23-014F.

Maricopa County has standards in place when it comes to zoning that protects existing communities such as ours and when the special use permit Z2021044 went before the Planning and Zoning Commission on July 8, 2021 the vote was 7-0 for denial because of this.

If a special use permit is given for this project it can and may very well set a new precedent for the WCF in our community, how many more are on the way?

As residents of Desert Hills for 13 years, we place a high priority on the preservation of the natural environment, its washes, hillsides, and our beautiful mountain views

We are asking you, Board of Supervisors to NOT approve this SUP

Our address is 519 W Ridgecrest Rd, Phoenix, AZ 85086
Parcel # 211-73-031H
Respectfully,
Harry Decker
Vivian Decker
Board Hearing Date: April 20, 2022 (Continued from April 6, 2022)

Case #/Title: Z2021034 – Luxury Storage RV & Boat

Supervisor District: 3

Applicant/Owner: Shaine Alleman, Tiffany & Bosco, P.A. / Shawn Schwanbeck, Luxury Storage RV & Boat, LLC

Request: Special Use Permit (SUP) for commercial storage of RVs, boats and vehicles in the Rural-43 zoning district

Site Location: 600’ east of the SEC of Carefree Hwy. and 12th St. in the Desert Hills area

Site Size: Approximately 8.7 acres

County Island Status: Yes (City of Phoenix)

Additional Comments:

The applicant is requesting a Special Use Permit (SUP) for a commercial storage facility for the storage of RVs, boats and vehicles on an approximately 8.7-acre site in the Rural-43 zoning district. The site is located 600-feet east of the southeast corner of Carefree Hwy. and 12th St. in the Desert Hills area. There are no outstanding concerns from reviewing agencies.

The site is within the Municipal Planning Area of Phoenix. The General Plan for Phoenix designates the site as Large Lot Residential with densities of one to two residences per acre. Although the proposal appears to conflict with this plan, the City was provided the opportunity to review and comment on this proposal. However, to date Phoenix has not provided comment on this SUP request.

The site is within a corridor designated in the Daisy Mountain/New River Area Plan for commercial uses and in the Carefree Hwy. Scenic Corridor. The outdoor storage will be screened from view of the Highway by landscaping in front of screening walls and vehicles will placed under canopies. Moreover, the architectural design of the facility with an office with parking along the street has an appearance of a mini-storage facility and is not a design typical of an outdoor storage facility with
large open areas with very little screening. Staff are in support of this SUP for commercial storage on the 8.7-acre property.

Staff received nine support letters and five opposition letters for this proposal prior to the Commission hearing. One individual spoke in support and two individuals in opposition at the hearing. Staff received 15 appeals (opposition) to the Commission’s recommendation, and two additional opposition letters from area residents. The opposition generally states this commercial use will be incompatible to the surrounding rural residential land uses, an increase of area traffic including cutting through neighborhoods to avoid a U-turn on Carefree Highway to return westward to I-17, and possible negative environmental impacts (e.g. lighting, flooding, stormwater runoff and pollution from the RV wash runoff); however, this is an environmental/health item that is separately addressed during the commercial construction permitting stage.

On April 5, 2022, staff received a letter from an adjacent property owner rescinding his previous opposition. His earlier concern was that his western view would be obscured by tall walls, parked RVs, and tall metal shade canopies. To alleviate his concern the applicant has modified the project to add evergreen desert trees planted 30-feet on center along the site’s eastern perimeter. The applicant has offered an additional condition for SUP approval:

Condition ‘r’: Landscaping along the eastern boundary of the site inside the 15-foot wide east side yard shall include a mixture of Seedless Hybrid Mesquite (Prosopis Hybrid AZT Podless) and Sonoran Palo Verde (Parkinsonia Preacox AZT) trees planted every 30-feet on center.

Staff would suggest the Board consider further modifying the new proposed condition so that screening is proposed along both the eastern and southern perimeter of the site:

Condition ‘r’: Landscaping shall include a mixture of Seedless Hybrid Mesquite (Prosopis Hybrid AZT Podless) and Sonoran Palo Verde (Parkinsonia Preacox AZT) trees planted 30-feet on center along the eastern and southern boundary of the site.

Prior to the April 5, 2022, letter rescinding opposition by the eastern property owner, a super-majority vote (four affirmative) had been triggered with opposition calculated as 62% of property owners by number and 50% by acreage within 300 feet of the site registering written opposition. The trigger is 20% or more by both number and area. However, at present only 19% of surrounding property ownership by
acreage remains opposed and therefore a super-majority vote is not required for SUP approval.

On April 6, 2022, the Board continue this case to April 20,2022 BOS Hearing by a vote of 5-0.

**Commission Recommendation:**

On 3/10/22, the Commission voted 7-0 to recommend approval of Z2021034 subject to conditions ‘a’ – ‘q’:

a. Development of the site shall be in substantial conformance with the Site Plan entitled “Luxury Storage RV & Boat, LLC”, consisting of three full-size sheets, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Luxury Storage RV & Boat, LLC”, consisting of eleven pages, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions.

c. The following Planning Engineering conditions shall apply:

   1. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.

   2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.

   3. The entire site and adjacent half-streets’ runoff shall be retained onsite. If portions of adjacent right-of-way are controlled by other jurisdictions, the adjacent half-streets’ runoff shall be retained unless separately addressed by the other jurisdictions.

   4. Retention basins with stormwater depths exceeding one foot shall provide one foot of freeboard and all retention basins shall drain within 36 hours per County requirements.

d. The Following MCDOT conditions shall apply:

   1. There shall be a Right-In/Right-Out access only to the site and there shall be no left turn from the site or left turn from westbound Carefree Hwy. thru traffic to the site.
2. There shall be a right-turn deceleration lane at the main entry driveway to limit site traffic impact to eastbound thru traffic on Carefree Hwy.

e. This special use permit is valid for a period of ten years and shall expire on April 6, 2032, or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

f. There shall be no repair of RVs or boats on the site.

g. There shall be a maximum lot coverage of 50% on the site.

h. There shall be minimum interior side and rear yards of 15-feet on the site.

i. There shall be a minimum front yard adjacent to the Highway right-of-way of 50-feet with no average front setback.

j. All landscaping shall consist of indigenous trees, plants, shrubs, and groundcover typical of the Upper Sonoran Desert, preserving existing vegetation where possible and any landscaping used shall be drought tolerant with low water consumptive landscaping materials.

k. Any rooftop mechanicals, ground mechanicals, parking areas, trash enclosures, and transformers shall be screened.

l. All materials and colors used in screening walls, buildings, covered RV wash bay, and parking shade canopies must be muted and compatible with the desert environment and the architecture of the main office.

m. There shall be no reflective glass used in any building.

n. All outdoor lighting shall be dark sky compliant, low intensity, fully shielded, and directed downward at least 20% below the horizontal plane at bottom of light fixture so that no illumination occurs off site. All light poles or standards shall have a maximum height of 16-feet from surface grade of the parking lot, treated to minimize glare, placed at intervals, and setback a minimum of 20-feet from adjacent properties.

o. The developer must complete habitat and special status species evaluation and submit to the Arizona Game and Fish Department for review prior to the submission of building permits.

p. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

q. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the
property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

Presented by: Martin Martell, Planner
Reviewed by: Darren Gérard, AICP, Planning Manager

Attachments:
3/10/22 P&Z Packet (37 pages)
3/10/22 P&Z Handout (2 pages)
3/10/22 Opposition Letters received before PZ hearing (5 pages)
3/11/22 Appeal of P&Z Commission Recommendation (1 page)
3/14/22 Appeal of P&Z Commission Recommendation (2 pages)
3/15/22 Support & Opposition Map (1 page)
3/15/22 All Responses Map (1 page)
3/22/22 Appeals of P&Z Recommendation (3 pages)
3/28/22 Appeal of P&Z Recommendation (6 pages)
3/29/22 Appeal of P&Z Recommendation (3 pages)
3/30/22 Opposition Letter (7 pages)
3/30/22 Appeal of P&Z Recommendation (1 page)
3/31/22 Appeal of P&Z Recommendation (3 pages)
4/1/22 Appeal of P&Z Recommendation (1 page)
4/1/22 Opposition Letter (1 page)
4/4/22 Appeal of P&Z Recommendation (1 page)
4/4/22 Support and Opposition Maps (2 pages)
4/5/22 Rescinded Opposition Letter (1 page)
4/5/22 Landscape Exhibit (1 page)
4/6/22 Support/Opposition Map (2 pages)

Note: 3/10/22 Draft P&Z Minutes are not available as of the writing of this report but can be provided upon request later when available.
Case: Z2021034 – Luxury Storage RV & Boat

Hearing Date: March 10, 2022

Supervisor District: 3

Applicant: Thomas Hart, RA/ Thomas A. Hart Architecture & Planning, LLC

Owner: Shawn Schwanbeck, Luxury Storage RV & Boat, LLC

Request: Special Use Permit (SUP) for commercial storage of RVs, boats and vehicles in the Rural-43 zoning district

Site Location: 600’ east of the SEC of Carefree Hwy. and 12th St. in the Desert Hills area

Site Size: Approx. 8.7 acres

Density: N/A

County Island: Yes (City of Phoenix)

County Plan: Daisy Mountain/New River Area Plan – Rural Densities (0-1 du/ac)/Carefree Hwy. Scenic Corridor

Municipal Plan: Phoenix – Large Lot Residential (0-2 du/ac)

Municipal Comments: None received to date

Support/Opposition: Nine letters of support

Recommendation: Approve with conditions
Project Summary:

1. The applicant is requesting a Special Use Permit (SUP) for a commercial storage facility for the storage of RVs, boats and vehicles on an approximately 8.7-acre site in the Rural-43 zoning district. The site is located 600-feet east of the southeast corner of Carefree Hwy. and 12th St. in the Desert Hills area. The facility will consist of one office building, eight parking shade canopies (with a total of 254 storage spaces) and one RV wash bay. The site will be enclosed with eight-foot-tall solid walls with one entry gate and one emergency gate adjacent to Carefree Hwy. Hours of operation will be from 6 a.m. to 9 p.m. daily with 24-hour access for customers with access codes and the site will have a total of three employees.

2. On November 24, 2020, the applicant first met with staff to discuss this proposal. During the meeting, staff recommended the applicant apply for a SUP for commercial storage (PA2020167). After the formal SUP submittal, the applicant met with staff for a second time in the Technical Advisory Committee Meeting on April 20, 2021, to discuss staff’s first review of this request.

3. The site is located within the Rural-43 zoning district and the Carefree Hwy. Scenic Corridor (CHSC). The applicant is requesting to vary the following Rural-43 development standards and CHSC design guidelines:

   - Increase the maximum lot coverage from 25% to 50%;
   - Reduce the required rear yard from 40-feet to 15-feet;
   - Reduce the required interior side yards from 30-feet to 15-feet;
   - Eliminate the CHSC design guideline’s average 100-foot deep front yard, keeping the CHSC suggested 50-foot deep front yard.

4. The applicant is requesting to vary the three Rural-43 development standards to create a facility that will reflect the site’s commercial aspect. Even though both the side and rear yards will be reduced to 15-feet there will be landscaped buffers from the adjacent rural residential land uses. The applicant and developer will abide with all of the CHSC design guidelines, except for the suggested average front yard depth, which create a facility that will blend into the existing environment. All buildings, fences, parking areas will be setback 50-feet from the Highway. Within this 42,498 square foot street frontage setback area will be fully landscaped retention areas with typical native vegetation that will provide an undulated, natural appearance.
Existing On-Site and Adjacent Zoning / Land Use:

5. On-site: Rural-43/ Natural desert
   North: Rural-43 SUP/ Natural desert
   South: Rural-43 / Single-family residences
   East: Rural-43 / Natural desert
   West: Rural-43 / Natural desert

Utilities and Services:

6. Water: Town of Cave Creek
   Wastewater: Private septic system
   School District: Deer Valley Unified School District
   Fire: Daisy Mountain Fire District
   Police: MCSO
Right-of-Way:

7. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Half-width Existing R/W</th>
<th>Half-width Proposed R/W</th>
<th>Future Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carefree Hwy.</td>
<td>60-feet</td>
<td>65-feet</td>
<td>Principal Arterial</td>
</tr>
</tbody>
</table>

Adopted Plans:

8. **Daisy Mountain/New River Area Plan** (updated November 20, 2019): The Daisy Mountain/New River Area Plan designates the site as Rural Densities (0-1 du/acre). The Rural Densities land use designation promotes low-density single-family residences at or below one home per acre where the natural environment may determine a home’s location to avoid disruption of natural washes or steeper slopes. Further, the designation recognizes that public water and sewer services may not be available or may be limited. Unlike the majority of residences in the area, this site will have access to a water main extension agreement with the Town of Cave Creek and access possibly to municipal sewer in the future, although that is still undetermined. Thus, this proposal would be appropriate for this area with a small number of employees/visitors and will have access to public water.

9. Additionally, the site is located within the CHSC which is designed to preserve the uniqueness of the area around the Carefree Highway. The CHSC has design guidelines developed to guide and enhance planning of this unique setting as development occurs. The intent of these guidelines is to highlight, promote and preserve the Highway’s scenic characteristics. This proposal will be incorporating the majority of the design guidelines of the Carefree Highway Scenic Corridor with the following:

- All buildings and shade canopies within 50-feet of the edge of the Highway right-of-way will be at or below 20-feet in height;
- Any rooftop/ground mounted mechanical, trash enclosure, or parking area will be screened from view from the Highway;
- All screening materials used will be compatible with the architecture of the main office of the site and any accessory structure will match the materials/colors of the main office;
- All materials and finish will be neutral, earth tone colors with textures compatible with the surrounding desert environment;
- Outdoor lighting will be low intensity, fully shielded, and directed downward;
- The height outdoor lighting poles/standards will have a maximum height of 16-feet from surface grade of parking/storage areas;
- The two driveways on site will be spaced 318-feet apart exceeding the 150-foot minimum;
- All landscaping materials will consist of native indigenous trees, plants, and shrubs to foster a natural aesthetic of the CHSC.

10. **City of Phoenix General Plan:** The General Plan for Phoenix designates the site as Large Lot Residential with densities of one to two residences per acre. Although the proposal appears to conflict with this plan, The City was provided the opportunity to review and
comment on this proposal. However, to date Phoenix has not provided comment on this SUP request.

Public Participation Summary:

11. The applicant notified property owners within 300-feet of the site and interested parties in the area. During the applicant’s Citizen Participation process the applicant received four phone calls from neighbor’s with questions in regards of the proposal. The applicant responded to each inquiry promptly and was able to provide answers to their questions. Additionally, the applicant received nine letters of support from the neighbors. The City of Phoenix was notified about this SUP request but as of the writing of this report staff has not received any comments regarding this proposed project.

Outstanding Concerns from Reviewing Agencies:

12. There are no outstanding concerns from reviewing agencies. During the review process the applicant received support for the proposal by New River/Desert Hills Community Association Board (NRDH) with the following requests:

- Outdoor Lighting must be dark sky compliant;
- No median cut on the Highway to prevent any left turning vehicles from the facility;
- The existing wash remain in a natural state;
- Limiting the SUP timeframe to 10-years.

The developer will be incorporating all of the suggested requests from NRDH in this project, except for keeping the existing wash untouched. If the existing wash remains in its natural state on the site, this will take up over half of the site, making this request unrealistic for this project. The CHSC Article 6.9, states where possible washes should be kept in their natural state and in this case this is not possible. The developer has redesigned the exiting wash by channelization and retention basins approved by Planning Engineering designed to keep water flow through the site without negatively affecting the site or surrounding properties. The City of Phoenix was notified on March 30, 2021, and staff have not received any comments regarding this proposed project.

Staff Analysis:

13. Staff is in support of this SUP for commercial storage on the 8.7-acre property. The proposed use is appropriate for a site located along Carefree Hwy., just five miles east of the Interstate-17 and Hwy. 74 interchange. There is an apparent need for covered RV storage in the area and this use would satisfy that demand. The applicant will follow the majority of the CHSC design guidelines which will allow the facility to compatible with the surrounding environment, which will be a condition of approval. Even though the CHSC average 100-foot deep front yard will be eliminated in this SUP request, by keeping the front yard along the Highway at a depth of 50-feet will still lessen the impact of the facility along the Highway’s viewshed. The request to vary the underlying Rural-43 required yards and lot coverage will be appropriate to develop a commercial storage facility. The developer will provide landscaped buffers in the required yards adjacent to neighboring properties and will pave the driving surfaces of the site. The development will also
incorporate the majority of the suggestions of NRDH demonstrating the developer’s intention to create a facility in harmony with the area.

Recommendation:

14. Staff recommends the Commission adopt a motion recommending that the Board of Supervisors approve Z2021034 subject to the following conditions ‘a’ – ‘q’:

a. Development of the site shall be in substantial conformance with the Site Plan entitled “Luxury Storage RV & Boat, LLC”, consisting of three full-size sheets, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Luxury Storage RV & Boat, LLC", consisting of eleven pages, dated December 14, 2021, and stamped received December 28, 2021, except as modified by the following conditions.

c. The following Planning Engineering conditions shall apply:

1. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.

2. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.

3. The entire site and adjacent half-streets' runoff shall be retained onsite. If portions of adjacent right-of-way are controlled by other jurisdictions, the adjacent half-streets' runoff shall be retained unless separately addressed by the other jurisdictions.

4. Retention basins with stormwater depths exceeding one foot shall provide one foot of freeboard and all retention basins shall drain within 36 hours per County requirements.

d. The Following MCDOT conditions shall apply:

1. There shall be a Right-In/Right-Out access only to the site and there shall be no left turn from the site or left turn from westbound Carefree Hwy. thru traffic to the site.
2. There shall be a right-turn deceleration lane at the main entry driveway to limit site traffic impact to eastbound thru traffic on Carefree Hwy.

e. This special use permit is valid for a period of ten years and shall expire on April 6, 2032, or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

f. There shall be no repair of RVs or boats on the site.

g. There shall be a maximum lot coverage of 50% on the site.

h. There shall be minimum interior side and rear yards of 15-feet on the site.

i. There shall be a minimum front yard adjacent to the Highway right-of-way of 50-feet with no average front setback.

j. All landscaping shall consist of indigenous trees, plants, shrubs, and groundcover typical of the Upper Sonoran Desert, preserving existing vegetation where possible and any landscaping used shall be drought tolerant with low water consumptive landscaping materials.

k. Any rooftop mechanicals, ground mechanicals, parking areas, trash enclosures, and transformers shall be screened.

l. All materials and colors used in screening walls, buildings, covered RV wash bay, and parking shade canopies must be muted and compatible with the desert environment and the architecture of the main office.

m. There shall be no reflective glass used in any building.

n. All outdoor lighting shall be dark sky compliant, low intensity, fully shielded, and directed downward at least 20% below the horizontal plane at bottom of light fixture so that no illumination occurs off site. All light poles or standards shall have a maximum height of 16-feet from surface grade of the parking lot, treated to minimize glare, placed at intervals, and setback a minimum of 20-feet from adjacent properties.

o. The developer must complete habitat and special status species evaluation and submit to the Arizona Game and Fish Department for review prior to the submission of building permits.

p. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

q. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply
with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

Presented by:    Martin Martell, Planner
Reviewed by:    Matthew Holm, AICP, Planning Supervisor

Attachments:
Case Map (1 page)
Site Plan (reduced 8.5"x11", 3 pages)
Narrative Report (11 pages)
MCDOT comments (1 page)
MCESD comments (1 page)
Planning Engineering comments (1 page)
NRDH comments (1 page)
Support Letters (9 pages)
**Application Name:** Luxury Storage RV & Boat EDR

**Legal Description**

1, TT5N RR3E 09

**Applicant**

Thomas A Hart for Thomas A. Hart Architecture & Planning

**Applicant Phone/Email**

602.647.2407

TOM@HART-RA.COM

**Case Address**

1331 E CAREFREE Hwy

PHOENIX AZ 85085

**Parcel Primary:**

211-74-002A

**Gross Acres:** 8.7 approx.

**Map scale:** 1:1,635

**Superintendent District No.3**

SPECIAL USE PERMIT APPLICATION BY LUXURY STORAGE RV & BOAT, LLC FOR 311 STALL RV & BOAT STORAGE FACILITY. EXTERIOR COVERED STORAGE ONLY, NO INTERIOR STORAGE.

*Maricopa County Planning & Development - Phoenix, AZ*
NOTE: SCREENING MATERIALS ALONG DEVELOPMENT EDGE WILL FOLLOW SITE CONTOURS HORIZONTALLY AND VERTICALLY. MATERIALS AND FINISH OF SCREENING WALL WILL BE NEUTRAL, EARTH TONED COLORS WITH TEXTURES THAT BLEND INTO SURROUNDING DESERT ENVIRONMENT.
8' HIGH SQ. TUBE STEEL FENCE, 2"X2" TOP AND BOTTOM RAIL, 1" VERTICALS @ 4" O.C.

8X8X16 SINGLE SCORE, CMU BLOCK COLUMN

16" SQUARE, 8X8X16 SINGLE SCORE, CMU BLOCK COLUMN

SIGN AREA WILL BE 17.4 SQ. FT

10" HIGH LETTERS

8X8X16 SINGLE SCORE CMU

8X8X16 FLUTED, CMU BLOCK

16" SQUARE, 8X8X16 SINGLE SCORE, CMU BLOCK COLUMN

CASE # Z2021034
LUXURY STORAGE RV & BOAT, LLC

1/4 MILE WEST OF THE SOUTHEAST CORNER OF CAREFREE HIGHWAY & 16TH STREET IN THE DESERT HILLS AREA

PREPARED FOR:
Narrative Report

Luxury Storage RV & Boat, LLC

Request:
Special Use Permit

Location:
APN 211-74-002A
¼ Mile West of Southeast corner of Carefree Highway & 16th Street
in the Desert Hills Area

Case/Tracking Number:
Z2021034

Submittal Date:
March 26, 2021 (1st Submittal)
May 21, 2021 (2nd Submittal)
October 12, 2021 (3rd Submittal)
December 14, 2021 (4th Submittal)
Owner:
Luxury Storage RV and Boat, LLC
Shawn Schwanbeck
3854 East Bruce Avenue, Gilbert, AZ 85234
480-309-1106  shawn-trisha@cloud.com

Civil Engineer-Survey-Planning:
Everett Alan Group
Jim Loftis / George Everland / Ed Reichenberg
6300 East Cave Creek Rd, Suite 202  Cave Ctreek AZ 85331
480-990-0545  rap1948@gmail.com

Architect:
Thomas A. Hart Architecture and Planning, LLC
Thomas Hart RA LEED AP
215 E. McKinley St., Tempe, AZ 85281
602-647-2407  Tom@Hart-RA.com

Traffic Engineer:
Civtech Inc.
Dawn Cartier, PE PTOE
10605 North Hayden Rd, Suite 140  Scottsdale, AZ 85260
480-908-7400  dcartier@civtech.com

Zoning Attorney:
Tiffany & Bosco, P.A.
Shaine T. Alleman
2525 E. Camelback Road, Floor 7  Phoenix, AZ 85016
602-452-2712  sta@tbleaw.com

Landscape Architect:
Gilmore Planning & Landscape Architecture
Jack Gilmore, RLA
2211 N. 7th St. Phoenix, AZ 85006
602-266-5622  jgilmore@getgilmore.com
Purpose of the Request:
The purpose of this submittal is to request the approval of a Special Use Permit (“SUP”) on a 379,518 S.F., 8.71 acre parcel, generally located south of Carefree Highway and situated between 12th Street and 14th Street and identified by the Maricopa County Assessor as APN 211-74-002A (the “Property”). The Property is currently zoned Rural-43. [See attached Figures #1 and #2]

Section 1301.1.15 of the Maricopa County Zoning Ordinance (“MCZO”), allows for the approval of a Special Use Permit for the “commercial storage of....travel trailers, recreation vehicles, (and) boats...on sites of not less than one acre.” As such, the Applicant is proposing to develop a Recreational Vehicle and Boat Storage Facility that will consist of 311 space facility will be for storing small and large non-commercial vehicles including RVs, Boats, and Automobiles. The only enclosed building will be the manager’s office.

The Property owner is aware of the discussions and approval in this area surrounding the Daisy Mountain/New River Subarea Plan and are committed to meeting the applicable development standards associated with this project. The Applicant has also done productive outreach work prior to this Application submittal, as described in this narrative, and has positive feedback thus far. We have also been told by residents in the area that the proposed use is much needed in the area and will provide a great service to the area residents.

Description of Proposal:

Proposed Use:

The proposed use will be for the commercial storage of recreational vehicles, travel trailers, and boats. Customers’ vehicles, trailers, and boats will be stored within a secure, shaded parking facility with perimeter walls and secured access and egress points served by a single driveway from Carefree Highway. Landscape Improvements, Customer, Employee Parking and Trash/Recycling Enclosure will be provided.

Business Operations / Hours of Operations:

The facility will be open to customers every day between 6:00 AM and 9:00 PM. Cutomers will use electronic access control to enter and exit the gates. Each customer will be identified by a coded entry or exit to the facility.

After dark movements will be made safer by having motion activated lighting. Lighting is planned to be at a minimum level and will abide by the County’s Outdoor Lighting provisions outlined in Section 1112 of the County’s Zoning Ordinance.

Number of Employees:

No more than three (3) staff personnel will be on the Property at one time, a business manager, plus one or two employees for peak-time customer service and part-time maintenance during the week.
Description / location of buildings:

There will be an office for management and customer targeted sales items, a service area, and the series of canopies to shade the vehicles located on the premises. RV & Boat Repairs will not be completed on the Property.

The Special Use Permit Site Plan shows the location of an entry driveway, customer parking, the office and the entry/exit gate. Behind the Secure Gate are Employee Parking Stalls, Trash/Recycling Enclosure, Rental Space Parking Stalls, Access Drives, and Wash and Dump Station Service Areas. Storm water retention will be provided on the surface and in underground tanks.

The Parking surface areas will meet or exceed the required asphalt millings compacted with a asphaltic binder or emulsifier. All driveways will be paved. New Cool Pavement Options will be considered.

The required parking has been exceeded by providing ten (10) spaces over the four (4) required. Landscaping requirements have been met or exceeded with interior landscaping at 1,218 SF and exterior landscaping to the perimeter screen walls at 90,062 SF. The Property falls within the Carefree Highway Scenic Corridor, landscaping will be as the Corridor landscaping is intended.

Color palette:

The color palette that has been prepared for the SUP submittal. Earth Tone Colors were selected to blend with the nature desert setting, see Figure #5 at the end of this Narrative Report.

Construction Materials:

The shading canopies will be pre-engineered steel structures. Site walls will be constructed of masonry products. The sales office building will be designed to comply with international building and energy codes using sustainable materials (Masonry or Frame).

Eight (8) feet high perimeter screen walls will be provided, exceeding the required 80% opacity.

Sign Detail / Descriptions and Screen Wall / Fence Detail:

Business Signage is proposed as part of this development. Per Landscape Plans, the walls, sign and landscaping areas are shown for the general character and design. Signage will be behind the 50 foot CHSC Front Setback on a North facing wall next to the Office. Signage will be a perimeter wall sign located outside the required front yard on a North facing wall next to the office.

Carefree Highway Scenic Corridor:

This Property is within the Carefree Highway Scenic Corridor (CHSC). The Applicant has reviewed the following guidelines from New River / Daisy Mountain Area Plan and have ensured that they are incorporated as part of this SUP Application, except for the requested design guideline variations listed:

1. Height: Maximum 20’ height including rooftop parapets and roof peaks when 50’ to 100’ away from the Highway right-of-way edge. 1’ height increase allowed with 5’ additional setback with a maximum height of 30’.
2. Slope Revegetation & Preservation of Washes/Natural Features
3. Setback: The recommendation is a 50' front yard with an average setback of 100'. This request will eliminate the recommended 100' average setback, keeping this as a 50' recommended front yard.

4. Screening: All mechanical rooftop equipment, trash enclosures, loading docks, transformers, and other mechanical and/or electrical equipment must be screened. 8’ high perimeter wall proposed.

5. Driveways must be located 400’ away from a major street and must be spaced 150’ from another driveway.

6. All structures, fences, parking areas, and other improvements (except for driveways, walkways, & underground Septic System) must be setback an average of 100’; minimum of 50’ from the property line adjacent to Carefree Hwy.

7. Lighting: Shielded, conforming w/ Section 1112 & not greater than 16’ high

8. Utilities: Must Be Underground

**Relationship to Surrounding Properties:**

**How will the proposal benefit the community or area:**

The facility will be integrated into a generally rural character area. The Daisy Mountain/New River Subarea Plan shows the Property within a commercial use area along the Carefree Highway. This area is the only commercial area shown in the Daisy Mountain/New River Subarea Plan. *(See attached Figures #3)*

The Property is also located near a concentrated commercial node and commercially developed parcels along Carefree Highway. Additionally the surrounding residential areas are primarily larger lots with many residents that have large recreational, travel trailers, and boats and are need of an area that can store these vehicles off-site. Additionly, the Property is located on one of the main routes to Lake Pleasant where residents in North Scottsdale and the greater Phoenix Valley will have a need to store their boats and vehicle be between their residence and the Lake Pleasant.

With Luxury Storage RV & Boat offering covered vehicle storage, this will provide a highly needed and desired location for the proposed use. Additionally, the Applicant has reached out to several of the area interest groups including the New River Preservation Group, New River/Desert Hills Community Association, and New River Desert Hills. Initially, their responses have been generally positive and we have incorporated details into this SUP Application to address some of their comments.

**Discussion of the recent changes in the area of the request that support the application:**

The Daisy Mountain/New River Subarea Plan shows the Property as one of the very limited areas with allowed commercial uses. Also, the facility is located one of the most significant arterials in the area. The area has had exelleralated growth since the 2000’s and has transitioned from manufactured homes to million dollar site built homes.

While some large estate homes may include an RV garage, it is still common for area resident to not have an area to store their additional vehicle such as boats, RVs, extra cars and trucks located on their properties. These expensive vehicles are rarely covered and the residents desire a quality place store their RV’s, travel trialers, and boats away from single family residential sites.
Location and Accessibility:

Luxury Storage RV & Boat is located on Carefree Highway, within a commercially designated planned area and a scenic corridor. The access will be directly to Carefree Highway and will be limited to one (1) main driveway along Carefree Highway. There will be 1 main driveway and 1 emergency driveway along Carefree Highway.

Carefree Highway has a center median at this location. Per MCDOT Traffic Impact Analysis Approval with the following three (3) Stipulations: There will be right turn in and right turn out access only for this parcel; no left turn lane in at center median for west bound traffic; right turn deceleration lane required at main driveway for east bound thru traffic.

There is no contact with access to either 12th Street or 14th Street. There are intervening neighboring parcels between the Property and each of those streets. The washes in the area generally flow on either side of the Property with no designated floodplains on the Property.

Varied Development Standards and Justifications

The Luxury Storage RV & Boat Site Plan proposes a commercial use as allowed under a Special Use Permit. As such, the use is commercial in nature, so this Application reflects Commercial Zoning Development Setbacks for the Side and Rear Yard Setbacks. The use is not a noxious commercial in any way and does require additional buffering associated with other noxious commercial uses. Vegetation will be appropriately placed on the Property perimeter, as required to provide aesthetics to any adjacent properties.

Applicant is requesting to eliminate the CHSC Guideline’s average 100’ deep front setback and keep this recommended front setback as a minimum of 50’. The site is in the Carefree Highway Scenic Corridor (CHSC) and this development will keep 95% of the site’s front yard as open space including a storm water retention basin and a natural drainage path which routes storm water from the north through the property along the west property line exiting on the south property line.

An additional request to vary the maximum lot coverage from 25% to 44%. The Applicant’s Justification for an increase in Lot Coverage reflects basis for the SUP Application converting the Land Use from Residential to Commercial.

The South Rear Yard will have a 15’ Minimum Setback to the Shade Canopies and Pavement; the Shade Canopies will occupy 46% of the required southern rear yard with the balance 44% maintained as open space including the storm water retention basin. The Shade Canpies will be screened from view on adjacent parcels by the existing trees on the adjacent property north property line.

The West Side Yard will have a 15’ Minimum Setback to the Shade Canopies and Pavement; the Shade Canopies will occupy 72% of the required western side yard with the balance 28% maintained as open space.

The East Side Yard will have a 15’ Minimum Setback to the Shade Canopies and Pavement; the Shade Canopies will occupy 83% of the required eastern side yard with the balance 17% maintained as open space.
Circulation System:

Luxury Storage RV & Boat is a walled facility with one (1) main driveway and one (1) emergency driveway access with gates. Upon entering the facility, there are a series of thirty five (35) feet wide drive aisles accessing angled storage spaces. The submitted Site Plan shows access, circulation and dimensions.

The design will comply with access and turn radius requirements for fire trucks. It will also comply with the pick-up and 3-point turn requirements for sanitation trucks.

Grading and drainage solutions often impact land use and circulation. The proposed Civil Site Plan has incorporated all the requirements into a cohesive design. The Property is impacted by regional surface storm water flows on adjacent washes and piped under Carefree Highway. The drainage flows from these culverts have been taken into account with the submitted Grading and Drainage Plan. On-Site Storm Water Retention is proposed to be in a surface basins. Historical Flows have been taken into account with the submitted design.

A Traffic Statement has been provided with this SUP Application. The proposed development is anticipated to generate 106 weekday daily trips, with 17 trips during the AM peak hour and 20 trips during the PM peak hour.

Development Schedule:

The Property owner intends to build and operate the facility as soon as the required permits are received. Luxury Storage RV & Boat will be built in a single phase.

Community Facilities and Services:

The Luxury Storage RV & Boat facility does not need community facilities to support its operation more than what is currently available in the immediate area. Fire services are close by and responsive and as a non-residential use it requires very little community support services.

Public Utilities and Services:

The Owner has entered into a Water Main Extension Agreement with the Town of Cave Creek for Water Service, approval pending. A Sewer Line will be stubbed out for future connection to municipal sewer. Sewer will be provided by a private vendor and the sales office will be served by an on-site septic system. There will be public restroom facilities in the sales office that will be available during business hours. The manager will not have a residence on the Property. Any required gas service will be provided via propane. Electricity will be obtained from Arizona Public Service.

Daisy Mountain Fire Department is the nearest fire services as well as the paramedics. The Property is also in the area served by the Maricopa County Sheriff’s Department, which has made this a very safe community for many years.
Location Map

Figure #1
Aerial Map

Figure #2
New River Subarea Plan

Figure #3

Legend
- New River Area Boundary
- Scenic Corridors
- Tonto National Forest
- Anthem
- BLM
- County or Local Parks
- Kiwanis Park
- Single Family Rural
- Single Family Large Lot
- Commercial
- Slope of 15% or Greater
- Hillside Development Restrictions Apply

Property Location
Proposed Color Palette

Figure #5

PRIMARY COLOR
DUNN EDWARDS
“OAK HARBOR DE6179”

ACCENT COLOR
DUNN EDWARDS
“THATCHED ROOF DE6177”

ACCENT COLOR
DUNN EDWARDS
“ASPARAGUS FERN DE5551”
### MCDOT -- TRAFFIC ENGINEERING
### REVIEW COMMENT SHEET

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Sheet Number</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>= = =  = = = = = = = = = = = = = = = = = = = = =</td>
<td>3rd REVIEW (TIS)</td>
</tr>
<tr>
<td>1</td>
<td>= = =  = = = = = = = = = = = = = = = = = = = =</td>
<td>Consultant: Please use the code and respond to each comment in the Consultant Reply Column. This sheet is for our record, please answer every question and sign and date your acknowledgement or the plans will be sent back to complete the process. Send back the marked-up plans and a new set of plans along with this comment sheet. Thank you for your cooperation.</td>
</tr>
</tbody>
</table>

**General Comments:**

Project has changed from the original plan submitted for review 1 and 2. New study increases the storage spaces by 2 (to 313) and changes the allocation of RV/Boat and automobile stalls. The revised TS also adds an emergency access near the northeast corner of the property.

**Review Comments:**

The TIS is approved with the following stipulations:
1. There will be Right in/Right Out access only.
2. There will not be any Left in option to this parcel.
3. As per review comments (First Review), county requires a right-turn deceleration lane at the proposed site driveway to limit site traffic impact on eastbound thru traffic.

**Traffic Impact Analysis is Approved with Above Stipulations.**

---

Signature: _______________________________  Date: ___________
DATE: March 31, 2021

TO: Martin Martell, Planning & Development Dept.
    Planner

FROM: Souren Naradikian, P.E.
      Senior Civil Engineer

SUBJECT: Luxury Storage RV and Boat EDR. Z2021034

The Maricopa County Environmental Services Department (MCESD) has reviewed revised documents received from the Maricopa County Planning and Development Department for the above referenced projects. This request is for SUP at APN # 211-74-002A. Water service Town of Cave Creek and sewer service will be provided by septic system, MCESD has concerns, ATC for water must be obtained if applicable and because it is Carefree scenic corridor septic system are not allowed unless the BOS approve it.

Based on the above, MCESD raised no objection to this project to the Planning & Development Department in Accela Automation on March 31, 2021 and can allow the project to proceed at this time subject to the following stipulations:

Stipulations: None

It should be noted that this document does not approve the referenced project. Comments are provided only as advisory to Maricopa County Planning and Development Department to assist staff to prepare a staff report. Other Maricopa County agencies may have additional requirements. Final review and approval will be made through Planning and Development Department procedures. Applicant may need to submit separate applications to the Maricopa County Environmental Services Department for approval of proposed facilities regulated by the Department. Review of any such application will be based on regulations in force at the time of application.
Date: January 31, 2022

Memo To: Darren Gerard, AICP, Deputy Director, Department of Planning & Development

Attn: Martin Martell, Planner, Planning & Development Services

Via: Bob Fedorka, P.E., Drainage Engineering Supervisor, Development Services

From: Kevin Bischel, P.E., Drainage Engineer, Development Services

Subject: Z2021034 – Luxury Storage Boat & RV

APN: 211-74-002A

I have reviewed the submittal date routed 01/07/2022 for this Planning & Zoning case. Drainage engineering has no further objections with the following stipulations:

- Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.

- All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.

- The entire site and adjacent half-streets’ runoff shall be retained onsite. If portions of adjacent right-of-way are controlled by other jurisdictions, the adjacent half-streets’ runoff shall be retained unless separately addressed by the other jurisdictions.

- Retention basins with stormwater depths exceeding one foot shall provide one foot of freeboard.

- All retention basins shall drain within 36 hours per County requirements.
Consultant(s) to:
New River/Desert Hills Community Association Board

Date: 1.22.21
To: County Reviewer
Review by date: 

Case: Not Assigned Yet
Related Case: 
Planner: Not Assigned Yet

Type Case: □ P & Z □ BOA
TAC
Other

Current Zoning: RU-43
Current Use: 

Property APN: 211-74-002A
Owners: KENNETH L ABRAMS SELF-DIRECTED ROLLOVER IRA
Applicant: Ed Reichenburg
Developer: unknown

Request for: Special Use Permit (SUP) for an RV Storage Center

Background: The lot is currently vacant and directly adjacent to Carefree Hwy. The applicant wishes for a SUP for the purposes of an RV Storage Center. The site will be completely walled in and only used for vehicles (no enclosed storage lockers).

Opinion: Since the Daisy Moutain/New River Area plan allows for future commercial along Carefree Hwy, the NRDHCA does not object to this proposal/SUP. NRDHCA would like to request the following:
- Lighting in the facility should follow the dark sky guidelines.
- Leaving the facility should be a right turn only. The current median is not open to left turns. Left turns at this location can be a traffic hazard since the intersections of 12th and 14th St are close by.
- The wash thru the property should remain undisturbed.
- The SUP should be for 10 years, not 20.

Recommendation: □ Denial □ Approval □ Other

Respectfully submitted,

Darren Forstie
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.
This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.
We are interested in your response, if you have no objection to this development at this location please sign below.

Thank you,

Ed Reichenberg

Name:

Date: 1/10/2022
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.
This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.
We are interested in your response, if you have no objection to this development at this location please sign below.
Thank you,

Ed

Reichenberg

Name: 

Date: 

1/19/02

1806 - 570 - 8134
Dear Neighbor,

The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.

This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.

The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.

We are interested in your response, if you have no objection to this development at this location please sign below.

Thank you,

Ed Reichenberg

Name: Donna Shirley  
Date: 1/10/2022 

1024 E Desert Hills Drive  
Phoenix, AZ 85080
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.
This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.
We are interested in your response, if you have no objection to this development at this location please sign below.
Thank you,

Ed

Reichenberg

Name: __________________________

Date: 1-9-22
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.
This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13'-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.
We are interested in your response, if you have no objection to this development at this location please sign below.
Thank you,

                                Ed

Reichenberg

Name: John Smith

Date: 1-6-92
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor. This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours. We are interested in your response, if you have no objection to this development at this location please sign below.
Thank you,

Ed

Reichenberg

Name: 

Date: 1-6-2022
Dear Neighbor,

The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.

This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.

The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.

We are interested in your response, if you have no objection to this development at this location please sign below.

Thank you,

Ed

Reichenberg

Name: Jonathan Cheimack

Date: 1-6-22

541322 N 14th st. Phoenix
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.
This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.
The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.
We are interested in your response, if you have no objection to this development at this location please sign below.
Thank you,

Ed
Reichenberg

Name: Jessica Buchanan
Date: 2-3-22
Dear Neighbor,
The applicant will submit an application for a Special Use Permit, SUP, with the Maricopa County Planning and Development. The purpose is to create a high quality and secured RV Storage Center. The site will be walled, security gated, and monitored to the County Standards as well as the neighborhood standards. The site will have low output or motion activated lighting, and it will provide the setbacks and landscaping that is expected and required within the Carefree Highway Scenic Corridor.

This site will be for non-commercial vehicles, no enclosed storage, or any activities other than storage or vehicle convenience services. There will be no maintenance, repairs, or business unrelated to the storage of vehicles allowed. There will be covers for a majority of the spaces no higher than 13’-6” high.

The site will have one access point directly to Carefree Highway. There will be no access to 12 or 14th Street. The development will have dust free surfaces, and the operation will be limited to generally daylight hours.

We are interested in your response, if you have no objection to this development at this location please sign below.

Thank you,

Ed

Reichenberg

Name: Budget Charnock
Date: 1-09-22

Budget Charnock
DATE: March 10, 2022

TO: Planning and Zoning Commission

FROM: Martin Martell, Planner

SUBJECT: Z2021034 - Luxury Storage RV & Boat
Agenda Item: #2

Since the publishing of the staff report for the above case, staff received an e-mail of opposition to the case from an area resident that resides within 300’ of the site. The e-mail has been attached to this handout.

Attachment: 1 e-mail of opposition (1 page)
RE: Case Z20211034

Opposition to Case Z202134

We are the owner of the property (APN# 211-74-001A) directly to the east of the subject property where the application is filed for Luxury Storage.

Our family purchased this property to build a house which we are currently working on the plans. We originally called & talked to Applicant's representative voicing our concern & objection about the noise, height of carports, visibility of vehicles over the fence, height of fence, vegetation, etc,... Applicant's representative promised to send us additional plans addressing our concerns. We have not heard from applicant to date and are very concern to view bunch of parked vehicles, rows of carport structure & other items visible over the fence to reduce value of our property and completely ruining our backyard views and comfort. We purchased in this area to have peace, quiet & enjoy the wide open rural space.

We respect our neighbors and try hard not to intrude on their privacy and enjoyment of their ownership. We just expect the same respect for our privacy and enjoyment of our ownership.

We hereby oppose and object to the approval of such permit and wish the applicant find a better suitable space where it does not impact the neighbors.

My wife & I are out of town during the hearing time & won't be able to attend the hearing. We will be available for phone call should that option be available.

Sincerely,
---nick noghrechi
623-252-5292
8868 W. Bell Road #101
Peoria, AZ 85382
Dear Planning Zone Commission & BOS,

This is a Formal Objection Letter to the proposed 8.7 acre RV and boat storage SUP: Case: Z2021034 – for a Luxury Storage RV & Boat in the Rural-43 zoning district. APN 211-74-002A

It was suggested that this potential business; located clearly in Carefree Hwy. Scenic Corridor (CHSC), is “highly needed” and “benefits” the neighborhood. It was also stated that there are 9 supporting letters.

Firstly, we as neighboring properties do not agree and do not consider this proposal “highly needed” as was stated in the application - this was the singular primary benefit. Also acknowledged in the proposal was that the properties affected by the decision have acreage & can store their own boats and RVs. It is a stretch to say we need to pay for covered storage to keep our investment protected. Frankly the $200-450 monthly fee that can be charged per space (assuming they charge what their neighbor RV & storage just a few streets away at 7th street does) a property owner could erect their own Storage on their own property.

The owner, with a Gilbert address, will not be impacted negatively by granting this SUP and neither would 7 of the 9 support letters who do not live nearby. The neighboring sites are negatively impacted. **OF NOTE** in the proposal 2 of the “support” letters are falsified. Jonathan Charnock who signed Jan 6 sold the property Aug of last year so he is not at that address. His sister Bridget who signed 1/9 has never owned property here (she rented the casita prior to covid). It leads us to wonder how they were contacted to sign such support letters?

We ask the BOS & planning commission to consider the negative impacts to the neighborhood & a “Scenic HWY” before making this decision. We ask them to vote down both changing zoning to commercial and vote down the approval of the SUP.

**Negative impacts:**

1. Our property values will drop considerably
2. Traffic: the 100+ cars/boats, RVs entering and exiting weekly (as stated in proposal) would require forced “UTURNS” during rush hour which we know **have to happen** in order to head west towards lake pleasant. These UURNS would have to happen at 14th or 16th streets - in which already had deaths. **Note memorial**

3. The Scenic Corridor will look more and more like a whse district – not a scenic hwy – if approved this would be the 3rd approved large Boat & RV storage between 7th & 14th st.
4. Noise will increase
5. Environmentally, we who live here know how badly the area floods and the water retention pond cannot offset the water created by the hardpack or blacktop runoff that will enter the washes. Even if it did, the water in the pond will leach to the washes affecting local wells. The chemicals from the RV wash station or from runoff during rains of whatever is on the blacktop enter the basin leaching into the washes
6. Cave creek sends out frequently water shortages and moratorium letters and has halted new access. So why would we approve a wash station thus wasting more water?
7. Appearance – for those of us who moved here because it was zoned residential and for the scenery, we are against the requests to change zoning to commercial. We are against amending the Carefree Hwy. Scenic Corridor (CHSC) design guidelines of:
   - Increase the maximum lot coverage from 25% to 50%
   - Reduce the required rear yard from 40-feet to 15-feet
   - Reduce the required interior side yards from 30-feet to 15-feet
   - Eliminate the CHSC design guideline's average 100-foot deep front yard, keeping the CHSC suggested 50-foot deep front yard

As an additional note, the SUPs granted in the area had to accommodate changes to their proposals that required them to be “invisible” in appearance to the neighborhood. They are invisible. This Project is not invisible. It is clearly a commercial venture (254 spots – yielding $600k-$1.2M annually) trying to manipulate commercial rules & also trying to circumvent/loosen residential rules.

Property Owner: FRANK DE GEORGE
Address: 34318 n 14th st phoenix, az, 85085 (1 property over) parcel 211-74-005Q
Date: 3/10/2022
Dear Planning Zone Commission & BOS,

This is a Formal Objection Letter to the proposed 8.7 acre RV and boat storage SUP: Case: Z2021034 – for a Luxury Storage RV & Boat in the Rural-43 zoning district. APN 211-74-002A

It was suggested that this potential business, located clearly in Carefree Hwy. Scenic Corridor (CHSC), is "highly needed" and "benefits" the neighborhood. It was also stated that there are 9 supporting letters.

Firstly, we as neighboring properties do not agree and do not consider this proposal "highly needed" as was stated in the application - this was the singular primary benefit stated. Also acknowledged in the proposal was that the properties affected by the decision have acreage & can store their own boats and RVs. It is a stretch to say we need to pay for covered storage to keep our investment protected. Frankly the $200-450 monthly fee that can be charged per space (assuming they charge what their neighbor RV & storage just a few streets away at 7th street does) a property owner could erect their own Storage on their own property.

The owner, with a Gilbert address, will not be impacted negatively by granting this SUP and neither will 7 of the 9 senders of the support letters, who do not live nearby. OF NOTE in the proposal, 2 of the "support" letters are falsified. Jonathan Charnock who signed Jan 6, '22 sold the property Aug 2nd of last year, does not reside at that address listed in his support letter. His sister Bridget, who signed 1/9, has never owned property here (she rented the casita on the property for a short period prior to the pandemic). I lived next to Jonathan for 8 years and know this to be true. This fact, along with the rather disingenuous manner in which the proposal has grown in size, then shifted from a commercial proposal to a SUP proposal with recommendation to change to a commercial property after the fact, should raise serious questions as to the owner's promise to follow the proposal's good intentions.

We ask the BOS & Planning Commission to consider the following negative impacts to the neighborhood & a "Scenic HWY" before making this decision. We ask them to vote down both changing zoning to commercial and vote down the approval of the SUP.

**Negative impacts:**

1. Area property values will drop by changing the property from residential to commercial use. This is a well known causality in the real estate industry that directly impact property values due to the increased traffic, noise, odors, vagrancy and nighttime lighting associated with commercial businesses. It is why zoning laws were implemented in the first place.

2. Traffic safety: The 100+ Trucks/cars/boats/trailers and RVs entering and exiting weekly (as stated in proposal) would require forced "UTURNS" on Carefree HWY during rush hour in order to head west towards Lake Pleasant. These UURNS would have to happen at 14th or 16th streets - which already had several fatalities. Note the memorial to previous fatality at that intersection.

3. The Scenic Corridor will look more and more like a warehouse and industrial district – not a scenic hwy – if approved this would be the 3rd approved large Boat & RV storage along Carefree HWY between 7th & 14th St.

4. Noise will greatly increase because of the additional traffic, RV owners running engines and generators, servicing their RVs. This noise will be substantially greater than a small neighborhood consisting of single family homes the lot is currently zoned.

5. Environmentally, we who live here know how badly the area floods and the water retention pond cannot offset the water created by the hardpack or blacktop runoff that will enter the washes. Even if it did, the water in the pond will leach to the washes affecting local wells. The chemicals from the RV wash station or from runoff during rains of whatever is on the blacktop enter the basin leaching into the washes. There are EPA regulations required for carwash businesses to contain all contaminated runoff and separate out the contaminated waste into a containment tank which is pumped out on a routine basis by a waste disposal company, before any the water enters any water recovery system. There is no provision for any such measures in this plan because this would show this permit request is for a commercial enterprise. Additionally, there are serious concerns that the RV owners will use the wash station as a black water dumping station believing the water to enter a septic system or sewage system.

6. Water conservation is going to be a pivotal concern for Arizona in the near future. Cave Creek Water frequently sends out water shortage and moratorium letters and has halted new access. There are several other cities in the Valley who are now implementing stricter water management regulations and practices. Why would you approve a RV wash station wasting more water?
7. The lighting associated with these facilities are exceptionally bright to provide the additional security RV owners promised at a "luxury facility". It only takes one look at night at any of the numerous RV storage facilities in our area to realize the amount of light these properties emit into the surrounding neighborhoods. This large amount of lighting will be shining directly into neighboring yards despite "covers or shading". The lights of 7th St RV facility and of the pot plant business named ANC at 10th St are visible at night already. Now another 8.7 acres of that? The City of Cave Creek is a "Dark Sky City" and has pledged to promote limited lighting in order to maintain the ability to view the night sky. This is part of Cave Creek's small town tourism experience. It is also why no roadway lighting has been installed along Carefree Highway.

8. Appearance – for those of us who moved here because it was zoned residential and for the uninterrupted scenery, we are against the requests to change zoning to commercial. We are against amending the Carefree Hwy. Scenic Corridor (CHSC) design guidelines of:
- Increase the maximum lot coverage from 25% to 50%
- Reduce the required rear yard from 40-feet to 15-feet
- Reduce the required interior side yards from 30-feet to 15-feet
- Eliminate the CHSC design guideline's average 100-foot deep front yard, keeping the CHSC suggested 50-foot deep front yard

in order to install a facility with limited beneficial aspects that negatively impacts the beauty of our landscape for a select few RV owners, many of whom do not reside in the area and only store their RV here for winter use.

As an additional note, the SUPs granted in the area had to accommodate changes to their proposals that required the SUP to be "invisible" in appearance to the neighborhood. They are invisible. There are no signs, or other indications to other residents that a SUP is at the residence, and very limited increased traffic per Maricopa County zoning requirements. This SUP will not be invisible by any standards. It is clearly a commercial venture (254 spots – yielding $600k-$1.2M annually) and trying to manipulate commercial regulations while also trying to circumvent/loosen residential zoning regulations for their own gain with little regard for the residents already living in the area.

Property Owner  Kelly Charms  Kelly Charms
Address  34326 n 14th st phoenix, az, 85085 (adjacent property) parcel 211-74-005J
Date:  3/10/2022
Hi Rachel,

I have some concerns with the Planning & Zoning Commission Hearing Date on Thursday, March 10th at 9:30am for Agenda item #2 Case #Z2021034 Luxury Storage RV & Boat.

My name is Steve Villarreal and I am in opposition of this project, email is Steve.Villarreal@outlook.com and my phone number is 602-397-7203. I own parcel #211-74-140, which is within 300 feet of this proposed project.

Opposition
I wish to speak at the hearing.

My concerns are: you have 9 supporting letters which are from homeowners that aren't even in the vicinity of this proposed project. One letter in particular from Jonathon Charnock, address 34322 N 14th St., Phoenix, which is my direct neighbor. You have a signed support letter dated 1/6/22 from him, however, he sold this house sometime around July 2021. Phil, the new neighbor is totally against this project and it is very concerning with how many other fraudulent letters of support you may have received.

My second concern is: drainage from this property is tremendously going to affect my property as the wash runs directly in the middle of my land.

Third concern: Traffic. Will 12th and 14th Street now become an area where individuals will be making a U-Turn to access and exit the facility an most likely will be towing trailers, making these very dangerous intersections.

Fourth concern: Cave Creek Water District is not supplying any more water meters for new developments; so what is your main source of water?

Lastly, how does an RV and Boat Storage Facility benefit any resident in the Desert Hills / New River area, when we all have ample room for storage of RV and boats on our property?

Thank you,
Steve Villarreal
TO: Maricopa County Planning Zone Commission,  
Board of Supervisors, et al.  
Attn: Martin Martell

SUBJ: Formal Objection Letter to the proposed 8.7 acre RV and boat storage SUP. Case: Z2021034 – for a Luxury Storage RV & Boat in the Rural-43 zoning district. APN 211-74-002A

The following contains an outlined formal opposition to the proposed SUP and rezoning of the lot listed above. The proposal for this venture has suggested that this potential business; located clearly in Carefree HWY Scenic Corridor (CHSC), is “highly needed” and “benefits” the neighborhood. It was also stated that there are 9 supporting letters.

Firstly, we as neighboring properties do not agree and do not consider this proposal “highly needed” as was stated in the application - this was the singular primary benefit stated. Also acknowledged in the proposal was that the properties affected by the decision have acreage & can store their own boats and RVs. It is a fantastical stretch to say we need to pay for covered storage to keep our investment protected. Frankly the $200-450 monthly fee that can be charged per space (assuming they charge what their neighbor RV & storage just a few streets away on 7th street and Carefree HWY does) a property owner could erect their own Storage on their own property.

The owner, with a Gilbert address, will not be negatively impacted by granting this SUP and neither will any of the 9 senders of the support letters, none of whom live nearby. OF NOTE in the proposal, 2 of the “support” letters are falsified.  Jonathan Charnock who signed Jan 6, ’22 sold the property Aug 2nd of last year, does not reside at that address listed in his support letter. His sister Bridget, who signed 1/9, has never owned property here (she rented the casita on the property for a short period prior to the pandemic). I am the current owner of the property most directly affected by the proposal and was never contacted to address any concerns about the proposed project. This fact, along with the rather disingenuous manner in which the proposal has grown in size, then shifted from a commercial proposal to a SUP proposal with recommendation to change to a commercial property after the fact, should raise serious questions as to the owner’s promise to follow the proposal’s good intentions.

We ask the BOS & Planning Commission to consider the following negative impacts to the neighborhood & a “Scenic HWY” before making this decision. We ask them to vote down both changing zoning to commercial and vote down the approval of the SUP.

Negative impacts:
1. Area property values will drop by changing the property from residential to commercial use. This is a well-known causality in the real estate industry that directly impacts property values due to the increased traffic, noise, odors, vagrancy and nighttime lighting associated with commercial businesses. It is why zoning laws were implemented in the first place.

2. Traffic safety: The 100+ trucks/cars/boats/trailers and RVs entering and exiting weekly (as stated in proposal) would require forced “UTURNS” on Carefree HWY during rush hour in order to head west towards Lake Pleasant. These UTURNS would have to happen at 14th or 16th streets - which already had several fatalities. Note the memorial to previous fatality at that intersection.

3. 

4. The Scenic Corridor will look more and more like a warehouse and industrial district – not a scenic hwy – if approved this would be the 3rd approved large Boat & RV storage along Carefree HWY between 7th & 14th St.

5. Noise will greatly increase because of the additional traffic, RV owners running engines and generators, servicing their RVs. This noise will be substantially greater than a small neighborhood consisting of single-family homes the lot is currently zoned to develop.

6. Environmentally, we who live here are fully aware of how badly the area floods and the proposed water retention pond cannot offset the water created by the hardpack or blacktop runoff that will enter the washes. Any water in the pond will overflow and leach to the washes affecting local wells. The chemicals from the RV wash station, or from runoff during rains of chemicals that drain off of so many vehicles parked on the blacktop, will enter the basin leaching into the washes and overflowing into the surrounding properties. Additionally, there are EPA regulations required for carwash businesses to contain all contaminated runoff and separate out the contaminated waste water into a containment tank which is pumped out on a routine basis by a waste disposal company, before the water enters any water recovery system. There is no provision for any such measures in
this plan because this would show this SUP proposal is for a commercial enterprise. Additionally, there are serious concerns that the RV owners will use the wash station as a black water dumping station believing the water to enter a septic system or sewage system.

7. Water conservation is going to be a pivotal concern for Arizona in the near future. Cave Creek Water frequently sends out water shortage and moratorium letters and has halted new access. There are several other cities in the Valley who are now implementing stricter water management regulations and practices. Why would you approve a RV wash station wasting more water?

8. The lighting associated with these facilities are exceptionally bright to provide the additional security RV owners promised at a “luxury facility”. It only takes one look at night at any of the numerous RV storage facilities in our area to realize the amount of light these properties emit into the surrounding neighborhoods. This large amount of lighting will be shining directly into neighboring yards. The City of Cave Creek is a “Dark Sky City” and has pledged to promote limited lighting in order to maintain the ability to view the night sky. This is part of Cave Creek’s small town tourism experience. It is also why no roadway lighting has been installed along Carefree Highway.

9. Appearance – for those of us who moved here because it was zoned residential and for the uninterrupted scenery, we are against the requests to change zoning to commercial. We are against amending the Carefree Hwy. Scenic Corridor (CHSC) design guidelines of:
   - Increase the maximum lot coverage from 25% to 50%
   - Reduce the required rear yard from 40-feet to 15-feet
   - Reduce the required side yards from 30-feet to 15-feet
   - Eliminate the CHSC design guideline’s average 100-foot deep front yard, keeping the CHSC suggested 50-foot deep front yard

   in order to install a facility with limited beneficial aspects that negatively impacts the beauty of our landscape for a select few RV owners, many of whom do not reside in the area and only store their RV here for winter use.

As an additional note of importance, the SUPs granted in the area had to accommodate changes to their proposals that required the SUP to be “invisible” in appearance to the neighborhood. This direction from MC Planning and Development has been strictly followed. There are no signs, or other indications to other residents that a SUP is at the residence, and there has been very limited increased traffic per Maricopa County zoning requirements. This SUP will not be invisible by any standards. It is clearly a commercial venture (254 spots – yielding $600k-$1.2M annually) and is trying to manipulate commercial regulations while also trying to circumvent/loosen residential zoning regulations for their own gain with little regard for the residents already living in the area. I ask that the Board disapprove the proposed SUP and not allow any changes to the current: RU43 zoning of the property.

Property Owner: Philip L Palmer
Address: 34322 N 14th St, Phoenix AZ 85085 (Parcel 211-74-005R) (adjacent property)
Date: 9 Mar 2022
## Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**

*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Georgia Ehmann</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:jgehmann@gmail.com">jgehmann@gmail.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1232 east tumbleweed drive</td>
</tr>
<tr>
<td>City</td>
<td>phoenix</td>
</tr>
<tr>
<td>State</td>
<td>az</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>3025264391</td>
</tr>
<tr>
<td>Fax Number</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>Thursday, March 10, 2022</td>
</tr>
</tbody>
</table>
| Reason for the Appeal of the Subject Case | Area residents were not properly informed. This zoning is not what has been allowed in residential neighborhoods. This is a rural area. It will be a detriment to our community, and our home. You did not allow anyone to speak at your so-called virtual hearing. Others who have agreed to this, do not live in the area. 24 hr. access, lighting and fencing will be a constant nuisance to those who live nearby. Respectfully, Georgia and Joseph Ehmann.  
Regarding case: Z2021034. parcel number 211-74-002a. Our home is parcel number 211-74-004s. Directly south of said project. |
| Electronic Signature Agreement | I agree.                          |
| Electronic Signature | georgia ehmann                  |
Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**

*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Kenneth Mah</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:izziepointer@gmail.com">izziepointer@gmail.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>3877 Pell Pl Unit 220</td>
</tr>
<tr>
<td>City</td>
<td>San Diego</td>
</tr>
<tr>
<td>State</td>
<td>CA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>92130</td>
</tr>
<tr>
<td>Phone Number</td>
<td>858-752-0755</td>
</tr>
<tr>
<td>Fax Number</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034/Luxury Storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>March 10, 2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>The major opposition to the Special Use Permit is the proposed project seems incompatible to the surrounding area of residential and rural use. Because of the project size, people living in the Desert Hills area would lose a sense of a community. The Storage does not meet the community needs. Also there is an environmental concern that the density of RVs will result in numerous septic leakage, chemicals and fuel spillage. How is parcel drain? The aerial view indicates a watercourse through the parcel.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Kenneth Mah</td>
</tr>
</tbody>
</table>
Eligible parcels: 13
Supporting parcels: 0
Opposition parcels: 5
Supporting parcels sq ft: 0
Opposition parcels sq ft: 311,902.8
Subject parcels sq ft: 370,901.35
All area inside the 300' buffer:
1,397,169.63

All area inside the 300' buffer - excluding subject parcel,
ROW and excluded parcels: 852,591.1
No-response parcels sq ft: 540,688.2
Super Majority opposed parcel acres: 37%
Super Majority opposed parcel number: 38%
# Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**

*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Terri Giles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:terrigiles@yahoo.com">terrigiles@yahoo.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>City</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>State</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6236805492</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>April 6th 2022</td>
</tr>
</tbody>
</table>

**Reason for the Appeal of the Subject Case**

I live nearby and don’t want this on our corner as we moved out in this area to be away from busy city life this will lower our property value for us residents in the area and also take away our beautiful view of the mountains.

**Electronic Signature Agreement**

I agree.

**Electronic Signature**

Terri I Giles
Appeal of Planning and Zoning Commission Recommendation

Appeal Form
If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Bart Higley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:Bart@homeselectinteriors.com">Bart@homeselectinteriors.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1223 E. Tumbleweed Dr.</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ.</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6027228377</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/10</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>Blocks the neighborhoods view of mountains. It's ugly to look at and you should put where it doesn't block our views!!!!!!</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Bart Higley</td>
</tr>
</tbody>
</table>
**Appeal of Planning and Zoning Commission Recommendation**

**Appeal Form**
*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Robyn Higley</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:Rlbird@q.com">Rlbird@q.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1223 E. Tumbleweed Dr.</td>
</tr>
<tr>
<td>City</td>
<td>Phx</td>
</tr>
<tr>
<td>State</td>
<td>AZ.</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6026253801</td>
</tr>
<tr>
<td>Fax Number</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/6</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>Blocks the view and LOOKS BAD. Put your Ugly storage where it doesn't block our neighborhoods view. How dare you try to sneak a hideous structure in the neighborhood!!!!</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Robyn Higley</td>
</tr>
</tbody>
</table>
Apartment of Planning and Zoning Commission Recommendation

Appeal Form
If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Steve Villarreal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:Steve.villarreal@outlook.com">Steve.villarreal@outlook.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1308 E Tumbleweed Dr</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>602-397-7203</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034 Luxury RV Storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>3/10/2022</td>
</tr>
</tbody>
</table>

Reason for the Appeal of the Subject Case
I have several reasons why I am opposed to this “luxury rv storage” going in. First, the letters and people the owner has that are for the project aren’t even near the development area. The claims that this type of business is needed in this area is absurd. We all have at least acre properties in this area and are fully able to store our RVs and boats on our property. So I’m not sure how this would benefit anyone in the Desert Hills / New River area. Second, the amount of traffic it will create on Carefree Hwy and the amount of trucks towing large TVs and boats making a U turn at 12th street to enter the facility if they are headed west and then making a u turn at 14th street after exiting the facility to head west is just insane. Those two intersections are very dark and will be even more dangerous with the added traffic towing items entering and exiting the facility. We are also really concerned about the water drainage.
We have a wash that flows thru our yard and worry their plans have not fully taken into account the amount of water that will be pushed to both the east and west of the facility only causing more flooding in the neighboring houses. The fact that there will be a wash station is beyond troubling because how will it be monitored what people are dumping in the drains? The amount of oil and gas and possible black waste is not going to be able to be 100% stopped and we don’t want those sort of items flowing thru our yards when it does rain. All of the surrounding neighbors are against it since again, this does not benefit us one bit. Please vote no against this. We do not want our area and Carefree Hwy to be lined with nonstop storage facilities.

Electronic Signature Agreement  I agree.

Electronic Signature  Raul Steve Villarreal
Appeal of Planning and Zoning Commission Recommendation

If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

Name
Philip Palmer

Email Address
philo36@gmail.com

Address
34322 N 14th St

City
Phoenix

State
AZ

Zip Code
85085-7791

Phone Number
7602132706

Fax Number
Field not completed.

Case Number / Project Name
Z2021034 – Luxury Storage RV & Boat

Planning & Zoning Commission Hearing Date
10 March 2022

Reason for the Appeal of the Subject Case
This is an appeal to the recommendation by the Planning and Zoning Commission voted on 10 Mar 2022 concerning Case # Z2021034 for property 211-74-002R (SUP application for interim storage of RVs and boats). I, Philip Palmer, reside on the adjacent property due south (APN 211-74-005R) and I am the resident most affected by this proposed venture. I have been the owner and resident of this property since Aug 2nd, 2021. The grounds for this appeal are as follows:

1. I was not afforded all of the required due process, a tenet of our state law, during the preliminary steps preceding the Commission’s vote. I did not receive any written communication from the property owner or their representation as to the nature of the permit request or the project as a whole. The project’s representation did incorrectly contact the previous owner (Jonathan Charnock) and obtained a support letter from
him, signed Jan 2nd 2022 (5 months after selling the property) and fraudulently used this letter in support of the permit request. The Representation also fraudulently used a letter from Charnock’s sister Bridget, who has never been a property owner nor permanently resided at the home. Whether the misuse of these letters was intentional or not, this error supplanted any of my initial concerns and feedback of this permit, and could have been avoided had the Representation properly vetted the adjacent landowners for support or opposition.

2. Judging from the information supplied to me from various neighbors, the proposed permit request has greatly changed through several iterations. (The current plan has several conflicting statements) The recent changes include a request for offset variances at the rear and side property boundaries requesting the variances be greatly reduced from 40’ and 30’ respectively, to 15’ on the rear and sides of the property. This greatly reduced distance would have a substantial increase in the noise (engines, generators etc.), and people servicing, loading and (dis)connecting their RVs and boats, as well as the exhaust fumes from those vehicles on a 24/7 access. The permit request states “landscaped buffers” of “typical native vegetation” will be retained. The vegetation typical for this area consists of creosote shrubs and miscellaneous small vegetation, none of which will provide any decrease in the noise or light emanating from the business. The existing trees on my north property line are composed of palo verde trees which do not provide any significant light or noise filtering as evident by the large amount of vehicle noise light from Carefree Highway and light from surrounding properties. Any additional trees planted by the owner will not provide any noise reduction for a decade, and only if they are provided irrigation and maintenance. People standing inside their RV will have a direct view over the fence down into my front and rear yard and pool area. Any fence line put 15’ behind my west neighbor’s (APN 211-074-rear property line will block my westerly mountain view, and my sunset views for half the year.

3. The lighting proposed in the permit request is set at 16’ and, if it is similar to any of the nearby RV and boat storage yards, will have significant impact to the darkness of the neighborhood because the lighting will not be just shining on the ground. It will be illuminating the RVs and boats, and due to the reflective nature of the vehicles, the lack of tall light barrier from 8’ fencing, and a reduced 15’ offset, and proposed 24/7 access to
property, will all have a serious impact on the neighboring properties quality of life because of the light intrusion on them. The City of Cave Creek actively promotes they are a Dark Sky City and routinely asked residents in the area in and around the city to reduce the lighting on their property. Blinders on the lights will not reduce the reflected light from the 250+ vehicles on the property. It should be noted there are no street lights along Carefree Highway in support of it being a Scenic Corridor.

4. The 24 hours/7 days a week access proposed in this request is of particular concern as will extend every concern about the venture’s operations throughout the night. There will not be any on-site staff after 9pm to maintain security and prevent any late-night owner periodic maintenance, pre-use testing on boats, and unauthorized use of the RVs (residing in, partying etc.) after hours.

5. The permit request delineates a “need” in the area to provide RV storage but fails to mention there are already two other approved permits (not adjacent to neighborhoods) in the immediate area as yet undeveloped in spite of the length of time since their approval. Because the zoning in the area is one acre and larger, the residents have more than enough room to park their vehicles on their own property. Nearly all RV storage business throughout the County are commercial ventures on commercially zoned property outside of residential neighborhoods. County residential zoning is designed to minimize the impact of commercial ventures on homeowner’s property values and quality of life while allowing developers to use commercial property in manner more suited to its zoning. I understand the desire to change properties for uses outside the normal zoning, however measures have to be taken to reduce the impact on the surrounding residents and conform to the area’s needs when residentially zoned property is allowed to used in a commercial manner. Completely disregarding the nature of the area’s zoning and planning in order to maximize the use of the property for its commercial return is a commercial ideology and not in keeping with the spirit of residential zoning laws or their intents and purposes.

The factors I have listed above demonstrate little regard for the impact on neighboring property values and residents’ quality of life and contradict the verbiage of supposed neighborly consideration in the permit request. These factors should be mitigated to conform more with zoning requirements prior to approval by the board.
I am not completely against the proposed use permit of this property but I have not been afforded any input prior its development. Rather I have been pointedly denied this. I would be willing to support this venture only if all of my concerns and objections are addressed and mitigated with a new plan prior to approve by the Board. Thank you for your time and consideration.

<table>
<thead>
<tr>
<th>Electronic Signature Agreement</th>
<th>I agree.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic Signature</td>
<td>Philip L Palmer</td>
</tr>
</tbody>
</table>
## Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**

*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Kelly Charais</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:kelly@theteacherspet.com">kelly@theteacherspet.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>34326 N 14TH ST</td>
</tr>
<tr>
<td>City</td>
<td>PHOENIX</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6232561707</td>
</tr>
<tr>
<td>Fax Number</td>
<td><em>Field not completed.</em></td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034 / Luxury RV and Boat storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/06/2022</td>
</tr>
</tbody>
</table>

### Reason for the Appeal of the Subject Case

What we are appealing, ie asking for, is that the BOS hear our concerns and support us in doing what is in the best interest of the "neighborhood", Desert Hills, and not just one individual in the neighborhood, to the detriment of all others. I am providing a separate document plus drone footage and pics to Martin Martell at the planning & dev dept. We have many unaddressed concerns and requests. There are 17 opposition letters coming. We all have separate concerns Mine are on teh following topics: Adhere to CHSC design guidelines

a. Do not Reduce the required rear yard from 40-feet to 15-feet.

b. Do not Reduce the required interior side yards from 30-feet to 15-feet - this puts the boats and RV up against our yards – literally privacy and viewing is directly affected – people standing on boats or RV are looking into the yards and we are...
staring at boats and RVs where we once had mountain views

c. Do not Increase the maximum lot coverage from 25% to 50%;

2. No 24-hour access for customers – This is both for privacy, noise, safety & theft concerns. SUP hours proposed are already long 6am-9pm; 7 days a week. So no break for those that live next to this. With no staff there to monitor, there are no controls over the actions of anyone coming and going … Also with every entrance / exit; the motion lighting proposed would be turning on and off lighting up neighboring yards

3. No lighting after 9 when employees leave - like originally proposed - only motion triggered lighting after 9pm – ie retain existing neighborhood darkness

4. Tree Planting - require trees be planted along all neighboring properties & that tree selections be dense and watered by the SUP landowner to give us privacy and noise and light reduction.

5. Traffic/Safety – One premise of the SUP benefit was for folks going to lake pleasant. Estimated a 100 vehicles a week during rush hour… since lake pleasant is WEST, where are all these vehicles turning around to go west? There is no decision on no u-turns from MCDOT – please address this as there have already been deaths at both 14th & 16th

6. No RV wash bay unless there is a containment system – Reason is that all those detergents will enter the washes affecting the local wells

7. Idling cars, trucks, rvs and generators do cause noxious fumes – will there be restrictions on idling vehicles?

CONCLUSION

We ask that our concerns be taken seriously and addressed at the meeting by the BOS. The recommended changes above are also intended to help abate the 10%+ property value decreases that come from a commercial property next door (pls see confirmation letter per Phil Palmer’s realtor).

<table>
<thead>
<tr>
<th>Electronic Signature Agreement</th>
<th>I agree.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic Signature</td>
<td>kelly a charais</td>
</tr>
</tbody>
</table>
### Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**

*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>Frank DeGeorge Jr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:rdrun1945@yahoo.com">rdrun1945@yahoo.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>515 E Carefree Hwy, 1247</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6235871587</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034 / Luxury RV and boat storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/06/2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>I do not support the changes to the CHSC Guidelines for the setbacks. I do not support the 24 hour access, continuous lighting, additional traffic hazard from U-turns. The potential creation of mosquito breeding ground from the standing water in the water retention pond. The potential for RV Wash chemicals and oil run-off affecting washes and ground water wells. Also the personal impact to the property valuation. I moved into this area knowing that all surrounding properties were zoned residential.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Frank DeGeorge Jr</td>
</tr>
</tbody>
</table>
Dear Mr. Martel & BOS,

We all understand nothing stays the same. We understand the legality of this project i.e. it is “allowed” in R-43, but for the reasons noted below, we do not want this approved.

What we are appealing, i.e asking for, is that the BOS hear our concerns and support us in doing what is in the best interest of the “neighborhood”, Desert Hills, and not just one individual in the neighborhood, to the detriment of all others.

FOR YOUR CONSIDERATION: please review 2 drone videos attached before the remainder of letter https://drive.google.com/drive/folders/12sJLYN9LbugWk-3KK8i-asfKUJVmPjAO

As can be seen in the Aerial Videos and pictures submitted; the SUP property is 1 parcel away from Sonoran preserve and on the scenic corridor. All local SUP’s are small and “invisible” and completely blend into the neighborhood (including the one at 16th st which is RV storage). This effort is to keep a quiet, unobstructed style of living; consistent with cave creek guidelines and environmentally in line with preserving this pristine area. This area of hwy has no street lights for this reason. It is completely dark at night as evident in the pics attached.

Daytime Drone VIDEO 1 (30 seconds) “named 12th st” (it highlights 7th-12th st moving eastbound)
  - Starts with 7th street, showing in the lower left of the video, a current example of RV & Boat storage spanning 7th-10th st
  - As video moves east on carefree hwy, you can clearly see it transitions quickly from commercial to residential to Sonoran preserve
  - Video stops at the neighborhood at 12th st; which is the visual beginning of this proposed SUP
  The takeaway: The 7th st facility is a clear functioning example of what is being proposed for 12th – 14th st. in R-43.

Daytime Drone VIDEO 2 (26 seconds) “named14th st” (it highlights 12th -14th st moving eastbound)
  - Continuing eastbound from 12th where video 1 left off… video pans the SUP on 16th (left side), the preserve, and sweeps around at 14th to face west… the area being proposed to become 8.7 acres of metal roof, boats and RVs spanning from 12th-14th.
  The takeaway: project is 1 property away from preserve and spectacularly scenic
  Carefree hwy is not designed to accommodate U-turns at 14th or 16th. It should be posted no U-turn.

Nighttime PICS from 14th st, looking west (Drones are restricted from flight at night - only pics allowed)
  - Night view from 14th st of current storage @ 7th st. – super bright, glowing for acres and acres even with Dark Sky.
vs

- our neighborhood, near Sonoran preserve, completely dark where this proposed facility would be.

Please consider what a travesty this would be to ruin the area with another 8.7 acre storage so close to the preserve.

There are already 3 approved Storage facilities on north side from 7th-16th. Does it really make sense to have a 4th on the south? This project will alter a pristine area to look like the whse district downtown. Please vote NO on this SUP.

Additional considerations:
- Below is a site map showing all the neighbors who object to the SUP. **There are 16 that say NO.**
  Some have submitted individually and others have signed this document on last page.
- Until recently, no supporting letters are from our neighborhood. The “yes's” are not directly affected.
- This is our **first** opportunity to be truly heard. There was no outreach to us by those seeking this SUP.
CONCERNS / REQUESTS for changes which are very important to the neighbors:

1. **Adhere to CHSC design guidelines** that are designed to preserve the uniqueness of the area around the Carefree Highway. The CHSC has design guidelines developed to guide and enhance planning of this unique setting as development occurs. The intent of these guidelines is to highlight, promote and preserve the Highway’s scenic characteristics.
   a. Do not reduce the required rear yard from 40-feet to 15-feet.
   b. Do not reduce the required interior side yards from 30-feet to 15-feet - this puts the boats and RV up against our yards – literally privacy and viewing is directly affected – people standing on boats or RV are looking into the yards and we are staring at boats and RVs where we once had mountain views
   c. Do not increase the maximum lot coverage from 25% to 50%;
2. **No 24-hour access for customers** – This is both for privacy, noise, safety & theft concerns. SUP hours proposed are already long 6am-9pm; 7 days a week. So no break for those that live next to this. With no staff there to monitor, there are no controls over the actions of anyone coming and going … They can perform repair of RVs/boats, rev engines, start generators, wash boats/RVs. And if arriving as a group, can continue the party or sleep over. Also with every entrance / exit; the motion lighting proposed would be turning on and off lighting up neighboring yards
3. **No lighting after 9 when employees leave - like originally proposed** - only motion triggered lighting after 9pm – i.e. retain existing neighborhood darkness
4. **Tree Planting** - require trees be planted along all neighboring properties & that tree selections be dense and watered by the SUP landowner to give us privacy and noise and light reduction. Suggestion Sonoran Emerald (native, don’t need staking & have a 20’x20’ canopy). We are asking that our mountain views not be replaced with boats and RV’s
5. **Traffic/Safety** – One premise of the SUP benefit was for folks going to lake pleasant. Estimated a 100 vehicles a week during rush hour… since lake pleasant is WEST, where are all these vehicles turning around to go west? There is no decision on no u-turns from MCDOT – please address this as there have already been deaths at both 14th & 16th
6. **No RV wash bay** unless there is a containment system – Reason is that all those detergents will enter the washes affecting the local wells
7. **Idling cars, trucks, RVs and generators** do cause noxious fumes – will there be restrictions on idling vehicles?

CONCLUSION
We ask that our concerns be taken seriously and addressed at the meeting by the BOS.

The recommended changes above are also intended to help abate the **10%+ property value decreases** that come from a commercial property next door (pls see confirmation letter per Phil Palmer’s realtor).

We have all invested heavily in our properties ($100K+) in keeping with & reflecting the beauty of the environment.

**We are simply asking for your help in continuing honoring those efforts.**

Signatures from parcels surrounding APN 211-74-002A indicating “NO” VOTES, ie opposition, are on the next pages.
<table>
<thead>
<tr>
<th>parcel</th>
<th>CONTACT INFO:</th>
<th>Signature / status:</th>
</tr>
</thead>
</table>
| 1 | **APN 211-74-003**  
Abuts to west | Ken Mah | |
| 2 | **APN 211-74-001A**  
Undeveloped parcel  
Abuts to east | Mehrzad (Nick) & Cathy Noghrehchi  
ARROWHEAD ESTATE, LLC.  
Mailing Address:  
8868 W. Bell Rd. Peoria, AZ 85382  
623- 252-5292  
Email: | Presented objection letter @ P&Z mtg 3/10/22 |
| 3 | **APN 211-74-004P**  
Within 300 ft S/SW | Derrek & Tracey Amerson  
1210 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
| 4 | **APN 211-74-004Q**  
Abuts to southwest | Jesse & Terrie Herbert  
1218 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
| 5 | **APN 211-74-004R**  
Abuts to southwest | Steve & Jill Hixenbaugh  
1224 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
| 6 | **APN 211-74-004S**  
Abuts to southwest | Joe & Georgia Ehmann  
1232 E Tumbleweed, Phoenix, AZ 85085  
602-526-4391  
Email: jgehmann@gmail.com | Presented objection letter @ P&Z mtg 3/10/22 APPEAL FILED |
| 7 | **APN 211-74-005R**  
Abuts to south | Phil Palmer  
34322 N 14th St Phoenix, AZ 85085  
760-213-2706  
Email: philo36@gmail.com | Presented objection letter @ P&Z mtg 3/10/22 APPEAL FILED |
| 8 | **APN 211-74-005J**  
Abuts to south/SE | Kelly Charais  
34326 n 14th st Phoenix, AZ 85085  
623-256-1707  
Email: kelly@theteacherspet.com | Presented objection letter @ P&Z mtg 3/10/22 APPEAL FILED |
| 9 | **APN 211-74-005Q**  
Within 300 ft south | Frank De George Jr  
34318 N 14th St Phoenix, AZ 85085  
602-402-2067; 623- 587-1587  
Email: Rdrun1945@yahoo.com | Presented objection letter @ P&Z mtg 3/10/22 APPEAL FILED |
| 10 | **APN 211-74-005S**  
Within 300 ft southeast | Janet & Vern Wittenberg  
34314 N 14th St, Phoenix, AZ 85085  
602-571-3348; 602-571-3349  
Email: Vern1030@Hotmail.com | APPEAL FILED |
| 11 | **APN 211-74-004W**  
southwest | Aaron Bailey  
1209 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
| 12 | **APN 211-74-004V**  
southwest | Ken Wallace & Dana Haudek  
1217 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
| 13 | **APN 211-74-004U**  
south | Bart & Robin Highley  
1223 E Tumbleweed, Phoenix, AZ 85085 | APPEAL FILED |
<table>
<thead>
<tr>
<th></th>
<th>APN 211-74-004</th>
<th>Terri &amp; Brad Giles</th>
<th>APPEAL FILED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>south</td>
<td>1235 E Tumbleweed, Phoenix, AZ 85085</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>APN 211-74-140</th>
<th>Steve &amp; Chelsey Villarreal</th>
<th>Presented objection letter @ P&amp;Z mtg 3/10/22 APPEAL FILED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Within 300 ft S/SW</td>
<td>1308 E Tumbleweed, Phoenix, AZ 85085</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>602-397-7203 Email: <a href="mailto:Steve.Villarreal@outlook.com">Steve.Villarreal@outlook.com</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>APN 211-74-005U</th>
<th>Milton Schuur</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Within 300 ft S/SE</td>
<td>1316 E Tumbleweed, Phoenix, AZ 85085</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>507-227-1093 Email: <a href="mailto:schuurconcrete@hotmail.com">schuurconcrete@hotmail.com</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>APN 211-74-005Z</th>
<th>Eric &amp; Sherry Uphold</th>
<th>APPEAL FILED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>south</td>
<td>1307 E Tumbleweed, Phoenix, AZ 85085</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>APN 211-74-005Y</th>
<th>Bill &amp; Brandi Mostowy</th>
<th>APPEAL FILED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Southeast</td>
<td>1315 E Tumbleweed, Phoenix, AZ 85085</td>
<td></td>
</tr>
</tbody>
</table>
Appeal of Planning and Zoning Commission Recommendation

Appeal Form

If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>vernon e wittenberg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:vern1030@hotmail.com">vern1030@hotmail.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>34314 n 14th st</td>
</tr>
<tr>
<td>City</td>
<td>PHOENIX</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6025713348</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034 Luxury RV/Boat Storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/06/2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>decrease in home value, lighting, noise, &amp; traffic</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>vernon e wittenberg</td>
</tr>
</tbody>
</table>
 Appeal Form

If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Jayne Jensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:gjjaynerj@gmx.com">gjjaynerj@gmx.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1036 E Tumbleweed Dr</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6232065736</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034 / Luxury RV and boat storage</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/06/2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>We do NOT want the boat &amp; rv storage like at 7th st approved. It would not be good for the neighborhood. There is already a storage place on the north side of Carefree Hwy.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Jayne Jensen</td>
</tr>
</tbody>
</table>
### Appeal of Planning and Zoning Commission Recommendation

**Appeal Form**  
*If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.*

<table>
<thead>
<tr>
<th>Name</th>
<th>R or T Johnson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:sonorandesertrats2@gmail.com">sonorandesertrats2@gmail.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1037 E Tumbleweed Dr</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>6235164727</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04/06/2022</td>
</tr>
</tbody>
</table>

**Reason for the Appeal of the Subject Case**  
It is our understanding that the Carefree Highway is a designated SCENIC CORRIDOR. If that is the case, why are multiple requests for zoning variances/permits for storage facilities being considered and approved????? As natives of Arizona and Phoenix we live in this area because it speaks to the beauty of our desert environment - an environment which is QUICKLY becoming extinct because of the thoughtless approvals of cases like the one at hand. It is ridiculous that we and our neighbors have to constantly fight for a desert environment that quite frankly, the council should be proud of and preserving. Please consider more than a commercial entities pocketbook and do the right thing in this and any future decisions.

**Electronic Signature Agreement**  
I agree.

**Electronic Signature**  
R or T Johnson
Appeal of Planning and Zoning Commission Recommendation

Appeal Form
If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Jesse Newport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:Huey@horsepowersales.com">Huey@horsepowersales.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>1218 E Tumbleweed Dr, Phoenix, AZ 85085</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>Arizona</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>16239990044</td>
</tr>
<tr>
<td>Fax Number</td>
<td>N/A</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>April 6th 2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>This is a rural residential zone area and this RV station will bring many more businesses to the area and very soon we'll have another Bell RD look in our beautiful residential area.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Jesse H Newport</td>
</tr>
</tbody>
</table>
Appeal of Planning and Zoning Commission Recommendation

Appeal Form
If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Carolyn Johnson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:Debjohn7@yahoo.com">Debjohn7@yahoo.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>City</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>State</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Zip Code</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Phone Number</td>
<td>602 578 8891</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Z2021034</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>04 06 2021</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>24 hour rv storage with lights does not belong in a rural residential area.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Carolyn D Johnson</td>
</tr>
</tbody>
</table>
Phil,

It was nice speaking with you a few days ago. I am sorry to hear the property behind you is changing what its original use was supposed to be….Residential Homes!!

If the landowner were to use the property for RV storage, it will definitely impact your home value. Without doing an extensive study, I can tell you it would be at least 5% decrease in your value and as high as 10% and maybe even higher. By changing the use, it has impacted how you will enjoy your own property. Hopefully the perimeter walls can be increased in height and lighting that exceeds the height of the fence have blinds on the backside so your lot isn’t always lit up at night!! You don’t want to look at a bunch of RV’s in your backyard when you bought in a residential area. Maybe the land owner will invest in some landscaping, trees, whatever, to take your eye away from all the vehicles.

Please let me know if you need anything else and good luck!! Keep me posted.

Sincerely,

Sheryl Bowden
Realty Executives
602-686-7653
### Appeal of Planning and Zoning Commission Recommendation

If the Planning & Zoning Commission recommends approval of a particular case it will be placed on a consent agenda for the Board of Supervisors hearing. However, if this appeal form is received within 15 calendar days following Commission hearing, then the agenda item will be placed on the regular agenda for the Board of Supervisors hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Bill Mostowy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td><a href="mailto:Bmost2015@yahoo.com">Bmost2015@yahoo.com</a></td>
</tr>
<tr>
<td>Address</td>
<td>315 E Tumbleweed Dr</td>
</tr>
<tr>
<td>City</td>
<td>Phoenix</td>
</tr>
<tr>
<td>State</td>
<td>AZ</td>
</tr>
<tr>
<td>Zip Code</td>
<td>85085</td>
</tr>
<tr>
<td>Phone Number</td>
<td>434-632-3093</td>
</tr>
<tr>
<td>Fax Number</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>Case Number / Project Name</td>
<td>Luxury RV Storage on Carefree Highway/14th St</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission Hearing Date</td>
<td>Apr 6, 2022</td>
</tr>
<tr>
<td>Reason for the Appeal of the Subject Case</td>
<td>Concerned with property devaluation and excess traffic flow.</td>
</tr>
<tr>
<td>Electronic Signature Agreement</td>
<td>I agree.</td>
</tr>
<tr>
<td>Electronic Signature</td>
<td>Bill T Mostowy</td>
</tr>
</tbody>
</table>
Eligible parcels: 13
Supporting parcels: 0
Opposition parcels: 8
Supporting parcels sq ft: 0
Opposition parcels sq ft: 425,399.9
Subject parcels sq ft: 370,901.35
All area inside the 300' buffer: 1,397,169.63

All area inside the 300' buffer - excluding subject parcel, ROW and excluded parcels: 852,591.1
No-response parcels sq ft: 427,191.2
Super Majority opposed parcel acres: 50%
Super Majority opposed parcel number: 62%
Hi Martin:
As previously mentioned, the Applicant’s representative worked with us to address our concerns for the visual impact of the structures showing over the proposed fence. The landscape architect has made a proposal of certain tall trees, 30’ OC along the setback on eastern property line. We, thereby withdraw our objection at this time for the upcoming hearing tomorrow.

thank you
---nick noghrechi
PLANT SCHEDULE - EAST BUFFER

BOTANICAL/COMMON NAME

TREES:
- Parkinsonia preacox 'AZT' Palo Brea
- Prosopis hybrid 'AZT podless' AZT Podless Mesquite

SHRUBS:
- Asclepias subulata Desert Milkweed
- Calliandra eriophylla Pink Fairy Duster
- Calliandra californica Red Fairy Duster
- Cassia xeriophylla Desert Cassia
- Cordia myrtifolia Little Leaf Cordia
- Dodonaea viscosa Hopseed Bush
- Encelia farinosa Desert Lavender
- Justicia californica Chilopsis
- Larrea tridentata Creosote
- Leucophyllum langmanii 'Rico Bravo'
- Rio Bravo Sage
- Simmondsia chinensis jojoba
- Sphaeralcea ambigua Louis Hamilton
- Viguierea parnishii Goldmeyer

ACCCENTS:
- Agave parryi Variety Truncata
- Aristida purpurea Purple Three Awn
- Cereus giganlea Saguaro
- Dasyficus wheeleri Desert Spoon
- Enchinocephalus engelmannii Hedgehog Cactus
- Fecocactus wislizeni Redshank Barrel
- Fouquieria splendens Desert Holly

GROUNDCOVER:
- Bajaea multiflora Desert Marigold

MATERIAL:
- Decomposed Granite "Express Brown"

2" Depth in all Landscape Areas
Weathered Granite Boulders
Surface Select

1. All outdoor lighting will be compliant with Section 1112 of the M.C.Z.O.
2. Screening materials along development edge will follow site contours horizontally and vertically. Materials and finish of screening wall will be neutral, earth toned colors with textures that blend into surrounding desert environment.
3. Typical light pole to be 16' high maximum. Shade canopies will have motion sensor lights under the structure.
4. Per owner, the monument sign will be illuminated. Final design will be prepared and permitted per MC sign permit requirements. Assume the sign to have internal LED lights per design build sign contractor.
Eligible parcels: 13
Supporting parcels: 0
Opposition parcels: 7
Supporting parcels sq ft: 0
Opposition parcels sq ft: 267,225.6
Subject parcels sq ft: 370,901.35
All area inside the 300' buffer: 1,397,169.63
All area inside the 300' buffer - excluding subject parcel, ROW and excluded parcels: 852,591.1
No-response parcels sq ft: 427,191.2
Super Majority opposed parcel acres: 19%
Super Majority opposed parcel number: 54%