

AGENDA ITEM \_\_\_\_\_  
DATE \_\_\_\_\_

Regular Meeting  
December 3, 2015

**MINUTES OF A REGULAR MEETING OF THE CASA GRANDE  
PLANNING AND ZONING COMMISSION HELD ON THURSDAY,  
DECEMBER 3, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS AT  
CITY HALL, 510 E. FLORENCE BOULEVARD, CASA GRANDE,  
ARIZONA.**

**I. Call to Order/Pledge:**

Chairman Henderson called the meeting to order at 6:00 p.m.

**II. Roll Call:**

**Members Present:**

Chairman Mike Henderson  
Vice-Chairman David Benedict  
Member Ruth Lynch  
Member Fred Tucker  
Member Stephen Gentzkow  
Member Paul Zalewski  
Member Mikel McBride

**Absent:**

**City Staff Present:**

Leila DeMaree, Senior Planner  
Jim Gagliardi, Planner  
Joe Horn, Planner  
Linda Harris, Administrative Assistant

**III. Approval of Minutes:**

November 5, 2015

Member Benedict moved to approve the minutes dated November 5, 2015, Member Lynch seconded, a voice call vote was called, and all were in favor.

**IV. Changes to the Agenda:**

There were no changes to the agenda.

## V. New Business:

**Request by Justin Eller** for the following land use request located at the SWC of Trekell Road and O'Neil Drive; APN's 504-35-0170 and 504-35-0140:

1. **DSA-15-00126: Preliminary Plat** for a re-subdivision of Lots 4 and 7, SWC Trekell Rd. & O'Neill Dr. (Planner Joseph Horn)

Joseph Horn, Planner, came forward and presented a brief overview of the case as detailed in the Staff Report. Mr. Horn stated that the applicant is requesting a preliminary plat for a re-subdivision of Lots 4 and 7 of the Safeway Plaza located at the southwest corner of Trekell Road and O'Neil Drive. The request is to adjust the existing lot lines of 4 and 7, and further subdivide the lots in order to add one additional lot. The lots will be reclassified as Lot 1, 2 and 3 of Safeway Plaza. This request will also clarify the division between two existing buildings. The current plat has a lot line crossing through one of the existing buildings. Mr. Horn stated that the conformance review criteria were addressed in the staff report. Mr. Horn explained that all three proposed lots exceed the 150' minimum lot width in portions of the lot. However, the lot width of the previously approved lot 4 is 68.5 feet when measured from the front setback. Further evaluation shows that this dimension is unchanged from the previously approved Final Plat of the site, and is regarded as being legal non-conforming or "grandfathered". Mr. Horn stated that there is currently an entrance to the site located on Lot 4. As a condition of approval, staff is asking for cross access easement for all the lots to share access. The applicant will also be required to submit a variance request for the front lot width of the existing Lot 4. Mr. Horn stated that on the original plat, most of the retention lies on the proposed lot 2, with a small area on lot 3. Staff is requiring that the three lots (1, 2 & 3) of the Safeway Plaza and existing lots located in the Safeway Store final plat have an agreement allowing for shared drainage and retention facilities. The applicant will also be required to have an agreement to address access, parking and maintenance of the entire site.

Mr. Horn stated that staff has not received any inquiries from the public regarding this request.

Mr. Horn stated that staff recommends the Commission approve DSA-15-00126 the re-subdivision of a Preliminary Plat, and subsequent variance to the lot width for the re plat of lots 4 and 7, located at the southwest corner of Trekell Road and O'Neil Drive for Safeway Plaza, with the conditions as stated in the staff report. Staff did add the final condition which is to provide a letter requesting the variance for the lot width prior to the final plat submittal. Mr. Horn stated that according to city code, the commission has the ability to forward a recommendation for the variance to City Council during the final plat process; the City Council will have the ability to approve or deny the variance.

Chairman Henderson questioned if the commission would not be approving the variance but accepting the grandfathered status of the variance.

Mr. Horn replied that the commission would be forwarding a recommendation to council for the variance request. He explained that the recommendation would not be accepting the grandfathered clause but saying, that the commission understands that there is less than the required width, and that the commission agrees that under the conditions of the current plat, they can forward to council with approval

Chairman Henderson commented that the staff report suggests that the commission approve instead of forwarding a favorable recommendation to the council for the variance.

Mr. Horn replied that staff report recommends approval of the preliminary plat and then in conjunction with that, the city code does require that applicant provide a letter to request a variance, which is one of the stipulations added to conditions of approval. At that time, the variance request would be forwarded to City Council with the final plat submittal.

Member Lynch asked if the commission would be approving the preliminary plat before the variance has been approved.

Mr. Horn replied that the commission would be approving a recommendation to be forwarded to City Council and Council has the authority to approve or deny the variance.

Member Lynch further questioned if this would be two separate items; approving the preliminary plat and recommending approval of the variance to council.

Chairman Henderson suggested that a motion be made to forward a recommendation to council to recommend approval of the preliminary plat and the variance together.

Mr. Horn stated that technically the re-plat of Lot 4 did not need to be re-platted. Staff required it, due to the fact that a lot line was running through the building. The applicant is not actually changing any portion of the lot, and the only lot that is being split is lot 7, where they are adding an additional lot.

Member Gentzkow questioned what will happen to parking on the proposed lot 1.

Mr. Horn replied that it is a large enough site to where they could handle their own parking requirements.

Vice-Chairman Benedict asked for clarification on how to tie the preliminary plat and the variance together when making their recommendation. He asked if it would require two separate DSA numbers.

Chairman Henderson replied that he did not think there needed to be separate DSA numbers. He added that he feels that the commission would recommend approval and forward the preliminary plat and variance to council.

Member Lynch commented that staff revised DSA-15-00126 as presented in the staff presentation included the variance which is not in the written staff report.

Mr. Horn replied that the applicant would be required to request a variance in writing and staff will present the request with the submittal of the final plat to council.

Chairman Henderson made a call for the applicant to come forward.

Eric Whitehurst, 7740 N. 16<sup>th</sup> St., Phoenix came to podium to address the commission.

Chairman Henderson asked if Mr. Whitehurst was in agreement with the conditions.

Mr. Whitehurst replied "Yes".

Chairman Henderson made a call to the public.

Member Lynch made a motion to forward a favorable recommendation to City Council for the Preliminary Plat with the Variance as presented.

Vice-Chairman Benedict seconded the motion.

The following roll call vote was recorded:

Member McBride	Aye
Member Zalewski	Aye
Member Gentzkow	Aye
Member Tucker	Aye
Member Lynch	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 7 – 0.

**Request by Adam Brixius for Pinnacle Consulting on behalf of K&D Farms**, for the following land use approval affecting approximately 174.22 acres of land within the Overfield Farms Planned Area Development (PAD), generally bounded by Azurite Way alignment to the west, Overfield Rd to the east, Kortsen Rd to the south, and Overfield Dr to the north, APNs #401-01-020A, 401-05-005B, 401-05-005C:

- 1. DSA-15-00121: Major Amendment to a PAD** revising the low-density residential land use area within the K&D Farms ownership area of Overfield Farms PAD to allow stealth/camouflaged wireless telecommunication facilities as a conditionally permitted use. (Planner James Gagliardi)

James Gagliardi, Planner, came forward and presented a brief overview of the case as detailed in the Staff Report. Mr. Gagliardi stated that the request involves a portion of property located within the Overfield Farms PAD. This PAD is a very large planned area development approximately 3700 acres in size. It is made up of a variety of different land use designations including various densities of residential, commercial, and some areas designated for schools and parks. The specific area that is proposed to be amended is K&D Farms. K&D Farms is slightly over 200 acres of area owned by a specific family within Overfield Farms PAD. Mr. Gagliardi explained that the applicant is proposing three requests which are the Major Amendment to a PAD, a Conditional Use Permit, and a Major Site Plan. The proposed Major Amendment to a PAD is to allow wireless telecommunications facilities within the Low Density Residential designated areas within K&D Farms, with the issuance of the Conditional Use Permit. The second request is for a Conditional Use Permit contingent upon City Council's approval of the PAD Amendment to allow a specific wireless facility. The third request is the Major Site Plan, which would also be contingent upon City Council's approval of the PAD Amendment. Mr. Gagliardi explained that there are two low density residential areas within K&D Farms, of which the amendment would allow for wireless telecommunications facilities as a conditionally permitted use within this land use designation. Mr. Gagliardi overviewed the review criteria which were addressed in the staff report. He explained that Overfield Farms is largely agricultural at the present, but it is also designed to have an agricultural theme to be carried out through its residential and commercial areas as it develops. The inclusion of wireless telecommunication facilities to be stealth or camouflaged will help maintain the cohesiveness of the Overfield Farms PAD. It will also make these facilities to not appear as a telecommunications facility but rather as a water-tower, windmill, etc. so they can maintain an agriculture-looking theme that is compatible with present and future development.

Mr. Gagliardi stated that any proposed additional wireless telecommunication facilities would be subject to a Conditional Use Permit which would be reviewed by the Planning Commission, to ensure the specific site is appropriate for the proposal. He stated that this area of Overfield Farms is within the "Neighborhoods" land use designation. There is a criterion within the General Plan designation that calls for non-residential use buffering. Sufficient buffering is provided because of the development standards proposed in the PAD amendment. The amendment requires that the nearest lot line of platted residential lots or unplatted parcels from a wireless facility is to be one foot for every foot of height from the base of the tower. For commercial areas, it is .25 feet of setback for every foot of tower height. Mr. Gagliardi stated that a Major Site Plan would also be required for each proposal.

Mr. Gagliardi advised that the Planning & Zoning Commission recommend that City Council approve the PAD Major Amendment.

Mr. Gagliardi stated that the DSA-15-00122 is the Conditional Use Permit that is subject to City Council approval of the PAD amendment. The Conditional Use Permit is to allow a 100 ft. tall wireless telecommunications facility within a Low Density Residential area

in the northwest portion of K&D Farms. This area is currently a field. The applicant is proposing that this wireless telecommunication facility be disguised as a water-tower. Mr. Gagliardi overviewed the review criteria which have been addressed in the staff report. He stated that the tower is proposed as a water-tower on a 50 ft. X 50 ft. lease area. He explained that it would be required to meet 100 ft. setbacks from all property lines. The closest property line is 110 ft. away from base of the facility. Mr. Gagliardi stated that there is a proposed 12 ft. wide access easement to access site. He explained that this facility would be a low traffic generator. He stated that this was reviewed by the fire department, and it was felt that there was adequate space for emergency response. The roadway surface is also adequate as there is travel from heavy farm equipment and it is densely compacted. Mr. Gagliardi stated that staff has added 10 conditions of approval as they are deemed necessary to protect public health, safety and welfare.

Mr. Gagliardi advised the Planning & Zoning Commission approve the Conditional Use Permit and it's associated resolution pending City Council approval for the PAD Major Amendment with the conditions as stated in the staff report.

Mr. Gagliardi stated that DSA-15-00120 is the Major Site Plan. The Major Site Plan is to specifically detail where the tower is being located and that it meets the setbacks proposed within the PAD amendment. This will also allow staff to evaluate for any necessary items such as easements. Mr. Gagliardi overviewed the review criteria which were addressed in the staff report. Mr. Gagliardi stated that staff recommends approval of the Major Site Plan pending approval of the PAD amendment and the Conditional Use Permit.

Mr. Gagliardi stated that no comments were received from the public.

Member Gentzkow questioned if the lease area of 50 ft. X 50 ft. is adequate considering staff is requiring 100 ft. setbacks.

Mr. Gagliardi replied "Yes, because required setbacks can exist beyond the leased area and needn't match the lease area"

Member Lynch questioned if access road currently exists.

Mr. Gagliardi replied that is currently there as a path for farm equipment. When the telecommunication facility is placed, the path may have to be refined a bit.

Member Lynch questioned if there would need to be an agreement for joint access.

Mr. Gagliardi replied that a proposed 12 ft. access easement is noted on the plan which would grant the users of the wireless telecommunication facility access across that land.

Chairman Henderson made a call for the applicant to come forward.

Adam Brixius, 1426 N. Marvin St. Suite 101, Gilbert AZ came to podium to address the Commission.

Chairman Henderson asked Mr. Brixius for any additional comments.

Mr. Brixius stated that Mr. Gagliardi had summed it up and asked for questions from the commission.

Member Gentzkow questioned what kind of reception will be served with the 100 ft. tall tower.

Mr. Brixius replied that it would be accurate to estimate a 2-mile radius.

Chairman Henderson commented that there is one access from a telephone company on the utility easement, and asked if it were going in wirelessly.

Mr. Brixius replied that the access easement off of Kortsen Road is assumed today where the fiber and power will be pulled from. He stated that the details have not been finalized as of yet, and the utility easement may be modified. If fiber exists on the telephone line that runs on the property line on the western boundary, the fiber might be pulled from the air. He believes that it is in Kortsen Road and runs underground.

Chairman Henderson made a call to the public.

Member Tucker made a motion to forward a favorable recommendation to the City Council regarding DSA-15-00121, Major PAD Amendment revising the low-density residential land use area within the K&D Farms ownership area of Overfield Farms PAD, to allow stealth/camouflaged wireless telecommunication facilities as a conditionally permitted use.

Member Gentzkow seconded the motion

The following roll call vote was recorded:

Member McBride	Aye
Member Zalewski	Aye
Member Gentzkow	Aye
Member Tucker	Aye
Member Lynch	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 7 – 0.

- 2. DSA-15-00122: Conditional Use Permit:** to allow a proposed 100 ft. tall stealth-designed wireless telecommunication facility use (pending approval of DSA-15-

00121) to accommodate Verizon Wireless within a water-tower. (Planner James Gagliardi)

Member Zalewski made a motion to approve Resolution DSA-15-00122, Conditional Use Permit to allow a proposed 100ft. tall water-tower stealth-designed wireless telecommunication facility use to accommodate Verizon Wireless with the conditions as stated below.

- a. The Conditional Use Permit is subject to City Council approval of the PAD Major Amendment DSA-15-00121, and the passage of an ordinance to this effect.
- b. The Conditional Use Permit shall be maintained in accordance with the approved Major Site Plan, including but not limited to its elevations.
- c. Placement and operation of the facility shall be in conformance with any applicable requirements of the Federal Communications Commission (FCC) and/or the Federal Aviation Administration (FAA).
- d. The granting of this Conditional Use Permit does not relieve applicant from compliance with applicable building and fire codes and other applicable regulations.
- e. The maximum height of the facility is to be 100 (one hundred) feet.
- f. The minimum setback from all property lines shall be one foot for every foot of height of the facility.
- g. The structure is to be stealth/camouflaged as a water tower.
- h. Appropriate measures shall be used to screen any exposed mechanical equipment such as, but not limited to cables, etc.
- i. Appropriate landscaping and other screening shall be required along any abutting street frontage,
- j. If possible, service provider is encouraged to co-locate (share) facility with another service provider.

Vice-Chairman Benedict seconded the motion.

The following roll call vote was recorded:

Member McBride	Aye
Member Zalewski	Aye
Member Gentzkow	Aye
Member Tucker	Aye

Member Lynch	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 7 – 0.

- 3. DSA-15-00120: Major Site Plan** to allow the placement of a stealth-designed wireless facility within a 50 ft. X 50 ft. lease area (pending approval of DSA-15-00122) located approximately 175 ft. north of Kortsen Rd, and 100 ft. east of Azurite Way alignment upon parcel 401-01-020A. (Planner James Gagliardi)

Member Lynch made a motion to approve case DSA-15-00120 Major Site Plan to allow the placement of a stealth-designed wireless facility within a 50 ft. X 50 ft. lease area with the condition as stated below:

1. The Major Site Plan is subject to the City Council's approval of the PAD amendment and the Planning & Zoning Commission's approval of the Conditional Use Permit.

Member Tucker seconded the motion.

The following roll call vote was recorded:

Member McBride	Aye
Member Zalewski	Aye
Member Gentzkow	Aye
Member Tucker	Aye
Member Lynch	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 7 – 0.

**Request by Timothy Donhauser of AZ Sourcing, LLC**, for the following land use approval for the PhoenixMart located at 3578 E Florence Blvd, APN #401-11-009D:

- 1. DSA-15-00130: Conditional Use Permit** to allow a 6 ft. high special purpose fence for the purpose of placing development signs and graphics along the Florence Blvd frontage of the PhoenixMart construction site within the NALTEC (PhoenixMart) Planned Area Development Zone District. (Planner James Gagliardi)

James Gagliardi, Planner, came forward and presented a brief overview of the case as detailed in the Staff Report. Mr. Gagliardi stated that the Conditional Use Permit request is for a special purpose fence along the Florence Blvd. frontage of the PhoenixMart construction site beginning at Toltec Buttes Road eastward. This special

purpose fence entails 110 ft. long chain link fence that will have a vinyl wrap around it. The fence is proposed to display vibrant visual interest to site while under development. It will contain 576 sq. ft. of copy and logos to be considered as the project's development signage, which is entitled to any project that is under development. The amount of square footage that is given to a particular development is contingent upon how large of lot or lots that are being developed. In this case, the ration works out to be 576 sq ft. where there can be logos and copy placed on the fence. The remaining portion of this fence is proposed to consist of colors and graphic images, but won't be identifiable recognizable logos or copy. The colors and graphic images will add to visual interest of construction site while PhoenixMart is under development. Mr. Gagliardi stated that in 2014, the Board of Adjustment approved a Temporary Use Permit allowing the temporary signage prior to the Comprehensive Sign Plan for the PhoenixMart PAD being approved. As a condition of approval of the Temporary Use Permit was that, the signage had to be removed by July of 2016 unless otherwise incorporated into a Comprehensive Sign Plan by that date. Mr. Gagliardi stated that there is currently not a Comprehensive Sign Plan, but the existing signage may end up being incorporated into that. The Conditional Use Permit is being proposed specifically for a 110 ft. special purpose fence that can allow conditioned signage. Mr. Gagliardi overviewed the review criteria as addressed in the staff report. He stated that all of this area is undeveloped with some farm lands and a few single family homes on very large properties. As the PhoenixMart PAD develops, there will be a wide variety of different uses. At some point, this is no longer going to be a wide open farm area, so at that point, the fence of this nature would not be appropriate. As a condition of approval, this Conditional Use Permit will be deemed expired in five years from date of approval or upon issuance of the Certificate of Occupancy for the PhoenixMart building whichever is first. Mr. Gagliardi explained the site visibility triangle was not being impeded for construction vehicles exiting the site. This ensures that the fence isn't blocking the view of oncoming cars. He stated that the fence is proposed to be setback 27 ft. from the street which would be outside of the site visibility triangle, and staff felt this is not an issue. Mr. Gagliardi stated that special conditions have been added as a condition of approval which was deemed necessary to protect the health, safety and welfare of the public.

Mr. Gagliardi stated that no comments were received from the public.

Mr. Gagliardi stated that staff recommends that the Planning and Zoning Commission approve DSA-15-00130: Conditional Use Permit and its associated resolution, to allow a 6-ft. high special purpose fence, for the purpose of placing development signs and graphics along the Florence Blvd. frontage upon the PhoenixMart construction site, within the NALTEC (PhoenixMart) Planned Area Development Zone District.

Member Zalewski questioned why the condition was for five years as this was a long time for the temporary sign to be up.

Mr. Gagliardi stated that the commission could upon approval of the Conditional Use Permit amend the time frame to a shorter period of time. He was proposing five years because it will accommodate any delays to construction as this is a complex project.

Vice-Chairman Benedict questioned how this relates to the Comprehensive Sign Plan once it is submitted.

Mr. Gagliardi replied that they are required as part of the PAD to have an approved Comprehensive Sign Plan for signage on the site. The applicant will be required to submit their Comprehensive Sign Plan for their site by July 2016, when the Temporary Use Permit will expire or remove their signage associated with the TUP. When the Comprehensive Sign Plan is submitted, this temporary fencing could be incorporated into the plan, however, it is likely that it wouldn't be, because the nature of this signage is to only be for the development of the site.

Member Tucker questioned who will be responsible for maintenance and repairs to the vinyl signage in the event that they are faded or ripped.

Mr. Gagliardi replied that it is staff's expectation that the applicant would do their own routine maintenance.

Member Tucker then questioned what is expected of the applicant.

Mr. Gagliardi replied that if a complaint was received regarding a sign that was faded or torn, the complaint would potentially be given to the Code Enforcement officers.

Member Zalewski stated that he was ok with everything, except the 5-year time frame. He commented that if the time frame was on a yearly basis, this would give the commission a little more control to make sure that the signs stay up to standards that are required by the city.

Mr. Gagliardi stated that the commission could propose to modify the condition.

Chairman Henderson stated that if a motion is made to approve the Conditional Use Permit, the five years could be amended to a shorter period, and the Resolution would be changed.

Vice-Chairman Benedict asked how the commission would feel about recommending three years.

Member Zalewski replied that he would like to see two years.

Chairman Henderson suggested having the applicant speak, and then the two years could be added as a condition when a motion is made.

Vice-Chairman Benedict questioned if the calculation allowing the 576 sq. of sign area and the screening in general is part of city policy.

Mr. Gagliardi stated that any construction site is subject to an allotted sq. footage for signage depending on lot size for displaying "Coming Soon" etc., while the site is developing. Mr. Gagliardi explained that per the Sign Code, the 576 sq. ft. of allowed signage would be made up of six different signs. By requiring the applicant to request a Conditional Use Permit, it allows the city to work with the applicant with the conditions within the Conditional Use Permit regarding the signage, to allow deviations to this as a special purpose.

Chairman Henderson questioned if the current temporary fence that is there is being replaced with this proposed fence.

Mr. Gagliardi replied that he will have the applicant respond to this question.

Chairman Henderson made a call for the applicant to come forward.

Rob Kobierowski, AZ Sourcing, 7047 E. Greenway Pkwy. Suite 190, Scottsdale AZ came to podium to address the Commission. Mr. Kobierowski stated that, there is an existing construction temporary fence that the contractor installed. They are proposing to enhance that fence to make it look nicer. He stated that, they would be fine with reducing the time period as he understands that UV rays are tough, and the fence does need to be looked at periodically.

Chairman Henderson asked Mr. Kobierowski if he is ok if the commission amends the five years to two years.

Mr. Kobierowski replied "Yes".

Chairman Henderson made a call to the public.

Vice-Chairman Benedict made a motion to approve Resolution DSA-15-00130, Conditional Use Permit to allow a 6-ft. high special purpose fence, for the purpose of placing development signs and graphics along the Florence Blvd. frontage of the PhoenixMart construction site within the NALTEC (PhoenixMart) Planned Area Development Zone District, with the added condition to modify the five years to two years.

Member Lynch seconded the motion.

The following roll call vote was recorded:

Member McBride	Aye
Member Zalewski	Aye
Member Gentzkow	Aye

Member Tucker	Aye
Member Lynch	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 7 – 0.

**VI. Call to the Public:**

There were no comments received from the public.

Mrs. DeMaree asked for clarification on the motion that was made for DSA-15-00126 Preliminary Plat. She questioned if the motion was made to approve the preliminary plat and forward a favorable recommendation to council for the variance. There was a discussion regarding the commission approving the preliminary plat contingent upon a variance that the council will be approving. The commission felt that they recommended approval of the preliminary plat and to forward a favorable recommendation to council for the preliminary plat and the variance. Commission did not change their motion.

Member Gentzkow voiced his support for PhoenixMart.

John McGuire, 941 E Penny Lane addressed the commission. Mr. McGuire expressed his support for PhoenixMart.

**Vii. Report by Planning Director:**

- A. Administrative Approvals**  
None
- B. Board of Adjustment Decisions**  
None
- C. Monthly Development Center Reports**  
Distributed

**VIII. Adjournment:**

Chairman Henderson called for adjournment at 7:13 p.m.

Submitted this 17<sup>th</sup> day of December 2015, by Linda Harris, Administrative Assistant to the Casa Grande Planning & Zoning Commission, subject to the Commission's approval.

Approved this 7<sup>th</sup> day of Jan, 2016, by the Casa Grande Planning & Zoning Commission.

  
Chairman Henderson