

**MEETING MINUTES  
OF THE  
CITY OF ELOY  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, August 19, 2009  
7:00 P.M.**

**I. CALL TO ORDER**

Chairperson Larry Brown called the meeting to order at 7:05 PM.

**II. ROLL CALL**

**Members Present:** Chairperson Larry Brown  
Commissioner Jose Garcia  
Commissioner Marlo Schuh  
Commissioner Manuel Medina  
Commissioner Richard Horton  
Alternate Commissioner Manuel Salas (non-voting)  
Alternate Commissioner John Peterson (non-voting)

**Members Absent:** Ex-Officio Council Member Joel Belloc

**Staff Present:** Joseph Blanton, Community Development Director  
Belinda Cota, Planner  
Christina Leon, Clerical Assistant

**III. INVOCATION**

The Invocation was given by Alternate Commissioner Manuel Salas

**IV. PLEDGE OF ALLEGIANCE**

Chairperson Brown led the Pledge of Allegiance.

**V. MOTION TO APPROVE THE JULY 15, 2009 MEETING MINUTES OF THE CITY OF ELOY PLANNING AND ZONING COMMISSION**

Commissioner Horton made a motion to approve the July 15, 2009 meeting minutes of the Planning and Zoning Commission. Commissioner Schuh seconded the motion. Motion was approved unanimously. The vote was (5-0).

**VI. COMMUNICATIONS**

Mr. Blanton stated there were no new communications.

**VII NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:**

**A. NOMINATION/MOTION TO ELECT A VICE-CHAIRPERSON FROM AMONG THE MEMBERS OF THE PLANNING AND ZONING COMMISSION.**

Mr. Blanton stated that there was a nomination made by Commissioner Horton to elect Jose Garcia as Vice-Chairperson at the previous Planning and Zoning meeting but it was tabled since Commissioner Garcia was not present to accept the nomination. Commissioner Horton nominated Jose Garcia as the new Vice-Chairperson. The motion was second by Chairperson Brown. The motion was passed 4-1.

**B. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: GPA09-40: APPLICATION BY ROSE LAW GROUP, PC ON BEHALF OF WALTON INTERNATIONAL GROUP (USA) INC. FOR A MINOR GENERAL PLAN AMENDMENT ON APPROXIMATELY 1,224.37 ACRES OF LAND FROM 58 ACRES OF MEDIUM-HIGH DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. SUBJECT PROPERTY IS LOCATED EAST OF DOWNTOWN ELOY BETWEEN TRYON AVENUE AND HIGHWAY 87, BOUNDED BY BATTAGLIA DRIVE TO THE NORTH AND EXTENDS SOUTH OF ALSDORF ROAD TO STATE HIGHWAY 84 (ASSESSOR'S PARCEL NUMBERS: 411-10-001, -013A, -014, 411-01-003B, -001D, -001E, -001F, -001G, AND -002) IN PORTIONS OF SECTIONS 5 AND 4, T8S, R8E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: PALMILLA)**

Chairperson Brown opened the public hearing.

Mr. Blanton stated that Palmilla is a proposed master planned community east of Downtown Eloy. The applicant is requesting to change 58 acres of the 1,224.37 acres from medium-high density residential to high density residential. Mr. Blanton also noted that La Palma Ranch, which consists of 154 acres and the Picket Family property which consists of 134 acres were added to the acreage of the original Palmilla master planned community. Mr. Blanton introduced Carolyn Oberholtzer with the Rose Law Group representing Walton International. Mrs. Oberholtzer provided the Commissioners with more detail. Commissioner Horton stated that he has heard that Walton International wants to convert some of their water rights on property they own in Pinal County. Commissioner Horton stated that he would be upset if this was to happen on this particular property; essentially taking it out of farm production a number of years before development occurs. Mrs. Oberholtzer stated that she is aware that there have been some changes to the rules that apply to irrigated grandfathered water rights. The water rights longevity is scheduled to be reduced incrementally over a period of years. Rose Law Group is actually looking to change it, postpone or to dispose of it. This would be the only reason for early termination of water rights; otherwise they have every intention of continuing the farming on this property until it is developed. Alternate Commissioner Peterson asked what the projected timeline for this project was. Mrs. Oberholtzer responds as soon as possible. When the market for housing goes back up then that will be the perfect time for development; so in about three years or so. Alternate Commissioner Peterson asked exactly how long will it take for this project to be completed. Mrs. Oberholtzer responded that the estimated time once development occurs will be about fifteen years for the project to be fully completed.

Hearing no other comments, Chairperson Brown closed the public hearing.

**C. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: GPA09-40 (PROJECT NAME: PALMILLA).**

Commissioner Horton made a motion to approve Case No.: GPA09-40. Motion was seconded by Commissioner Medina. The motion was passed unanimously 5-0.

**D. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: GPA09-41: APPLICATION BY THE ROSE LAW GROUP PC ON BEHALF OF WALTON INTERNATIONAL GROUP (USA) INC. FOR A MINOR GENERAL PLAN AMENDMENT ON APPROXIMATELY 1,224.37 ACRES OF LAND TO DESIGNATE AS PLANNED COMMUNITY AREA ("PCA"). SUBJECT PROPERTY IS LOCATED EAST OF DOWNTOWN ELOY BETWEEN TRYON AVENUE AND HIGHWAY 87, BOUNDED BY BATTAGLIA DRIVE TO THE NORTH AND EXTENDS SOUTH OF ALSDORF ROAD TO STATE HIGHWAY 84 (ASSESSOR'S PARCEL NUMBERS: 411-10-001, -013A, -014, 411-01-003B, -001D, -001E, -001F, -001G, AND -002) IN PORTIONS OF SECTIONS 5 AND 4, T8S, R8E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: PALMILLA).**

Chairperson Brown opened the public hearing.

Mr. Blanton stated that this project also pertains to the proposed master planned community, Palmilla. Walton International is now requesting for this proposed project to contain a planned community area "PCA" overlay. This will allow flexibility for the developer to move land uses around as long as they do not change the allocation of land uses that have already been approved. Mr. Blanton stated that staff recommends approval as presented.

Hearing no other comments, Chairperson Brown closed the public hearing

**E. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: GPA09-41 (PROJECT NAME: PALMILLA).**

Vice-Chairperson Garcia made a motion to approve Case No.: GPA09-41. Motion was seconded by Commissioner Medina. The motion was passed unanimously 5-0.

**F. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: TA09-42: (ZONING TEXT AMENDMENT): THE COMMUNITY DEVELOPMENT DEPARTMENT IS PROPOSING AMENDMENTS TO THE TEXT OF THE ELOY ZONING ORDINANCE THAT CLARIFIES, UPDATES, SPECIFIES CHANGES AND/OR ELIMINATES INFORMATION IN CHAPTER 21, AS PRESENTED BELOW:**

**CHAPTER 21, ARTICLE XVI, SIGN PROVISIONS: ADD LANGUAGE TO SECTION 21-233.A.9.: GENERAL SIGN REGULATIONS: SIGNAGE WITHIN APPROVED PADS AND IN THE COMMUNITY CORE OVERLAY DISTRICT MAY DEVIATE FROM THE REQUIREMENTS OF THIS ARTICLE PROVIDED THE PAD AND COMMUNITY CORE OVERLAY DISTRICT HAS**

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**AN APPROVED COMPREHENSIVE SIGN PACKAGE AND ALL PROPOSED SIGNAGE WITHIN THE PAD AND COMMUNITY CORE OVERLAY DISTRICT IS IN COMPLIANCE WITH THAT COMPREHENSIVE SIGN PACKAGE.**

Chairperson Brown opened the public hearing.

Mr. Blanton stated that this text amendment was initiated by our downtown coordinator, Maralyn Hutchins. This will allow the downtown or community core overlay area to have a different sign ordinance. Mrs. Hutchins is reviewing different downtown design standards for signage. We believe there is a more appropriate signage theme for the downtown district. We are not asking for a specific signage at this time but only asking for the opportunity to design a more appropriate comprehensive sign package that can be presented before the Planning and Zoning Commission and City Council. Vice-Chairperson Garcia asked if we are talking about allowing more flexibility. Mr. Blanton responded with a "yes." Commissioner Horton asked if the signage on existing businesses will be grandfathered in and not have to change there signage. Mr. Blanton stated yes the current businesses in the Community Core Overlay District will be grandfathered in.

Hearing no other comments, Chairperson Brown closed the public hearing

**G. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: TA09-42 (PROJECT NAME: ZONING TEXT AMENDMENT-CHAPTER 21, ARTICLE XVI, SIGN PROVISIONS).**

Commissioner Horton made a motion to approve Case No.: TA09-42. Motion was seconded by Vice-Chairperson Garcia. The motion was passed unanimously 5-0.

**H. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: CUP09-43: APPLICATION BY. OLSON DIVERSIFIED SERVICES ON BEHALF OF ALTELL WIRELESS FOR A CONDITIONAL USE PERMIT FOR SIX (6) WIRELESS COMMUNICATION ANTENNAS TO BE COLLOCATED ON AN EXISTING 256'-0" HIGH GUYED TOWER AND TO BE INSTALLED AT APPROXIMATELY 240'-0" HIGH, AND A 2 FOOT MW DISH TO BE INSTALLED AT APPROXIMATELY 46' HIGH AND A GROUND CABINET (12' X 20') TO BE LOCATED IN A 24' X 18' LEASE AREA AT THE BASE OF THE GUYED TOWER. SUBJECT PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ALSDORF ROAD AND TOLTEC HIGHWAY, ½ MILE EAST FROM THE CITY OF ELOY LANDFILL (PROPERTY IS OWNED BY VERIZON WIRELESS) IN A PORTION OF SECTION 3, T8S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA ON ASSESSOR'S PARCEL NUMBER: 408-01-004B (PROJECT NAME: ALLTEL AZ5 ELOY).**

Chairperson Brown opened the public hearing.

Mr. Blanton stated that this request is to collocate on an existing 256 foot tower that is east of the Eloy Landfill. The existing tower is owned by Verizon Wireless and Alltel has the opportunity to collocate. Alltel has an agreement with Verizon Wireless to install six antennas and a microwave dish on the existing tower. Alternate Commissioner Salas

asked if there will be any additional weight to the existing tower. Steve Olsen who is representing Alltel introduced himself to the Commission and stated that there will be a stronger guide buckle installed that will take care of the additional weight. Alternate Commissioner Salas asked if there is a culvert under the driveway and is it blocked because the drainage does not appear to be flowing along the channel. Mr. Blanton stated he is not sure but will have Public Works take a look at the driveway crossing.

Hearing no other comments, Chairperson Brown closed the public hearing.

**I. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: CUP09-43 (PROJECT NAME: ALLTEL AZ5 ELOY).**

Commissioner Horton made a motion to approve Case No.: CUP09-43. Motion was seconded by Vice-Chairperson Garcia. The motion was passed unanimously 5-0 with the following fourteen stipulations:

1. That development of the conditional use shall be in substantial conformance to the Site Plan dated 04/16/2009;
2. That the property is currently designated on the FEMA Floodplain map as Zone A, which requires review and approval by the Pinal County Flood Control District;
3. That a copy of the Phase 1 Environmental Assessment report shall be provided prior to the issuance of building permit;
4. That the six wireless communication antennas shall be installed on the existing 256'-0" high guyed tower between the 230-foot and 240-foot high level centerline of the guyed tower;
5. That the 2 foot diameter microwave dish shall be installed on the existing 256'-0" high guyed tower at the 46-foot high level;
6. That the six wireless communication antennas shall be painted or treated to minimize the contrast of the antennas against the existing guyed tower and/or the horizon;
7. That the 18' x 24' lease area shall be enclosed by a security fencing not less than six (6) feet in height and no more than eight (8) feet in height and shall be non-climbable;
8. That all equipment shall be unmanned and that the equipment cabinets shall comply with all applicable building codes;
9. That any proposed parking space and driveway shall be dust proofed;
10. That any exterior lighting shall be fully shielded within the walled or fenced area and shall be mounted on poles or on the equipment cabinets below the height of the wall or screening fence;
11. That no signs shall be allowed on the antennas, tower or any portion of the lease area except for the identification of a permanently installed plaque or marker, no larger than

4" x 6", clearly identifying the provider's name, address, and emergency phone number(s);

12. That the Conditional Use Permit shall become null and void if the use permit has not been exercised and the use established within twelve (12) months of the date of Council approval (a Conditional Use Permit is exercised when the use has been established or when a building permit has been issued, construction commenced, and the building permit remains valid);
13. That the use shall meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with authority to regulate towers and antennas; and
14. That amendments to the Conditional Use Permit shall be processed in the same manner as the original permit and this subsequent permit, except that the Zoning Administrator may authorize minor amendments.

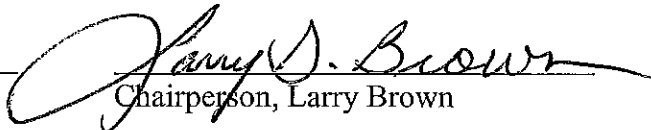
#### VIII. MOTION TO ADJOURN

Chairperson Brown asked for a motion to adjourn. Motion was made by Commissioner Schuh and was seconded by Commissioner Horton. The meeting was adjourned at 7:47 PM.

**ATTEST:**

**APPROVED:**

  
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City Manager/Community Development Director

  
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Chairperson, Larry Brown