

**MEETING MINUTES  
OF THE  
CITY OF ELOY  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, April 15, 2009  
7:00 P.M.**

**I. CALL TO ORDER**

Chairperson Larry Brown called the meeting to order at 7:02 PM.

**II. ROLL CALL**

**Members Present:** Chairperson Larry Brown  
Vice-Chairperson Glinda Weddle  
Commissioner Jose Garcia  
Commissioner Manuel Medina  
Commissioner Marlo Schuh  
Alternate Commissioner Manuel Salas (participated in  
discussion only; did not vote)  
Ex-Officio Council Member Joel Belloc

**Members Absent:** Alternate Commissioner Richard Horton

**Staff Present:** Joseph Blanton, Community Development Director  
Belinda Cota, Planner

**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 MARCH 18, 2009 MEETING MINUTES OF THE  
CITY OF ELOY PLANNING AND ZONING COMMISSION**

Commissioner Garcia made a motion to approve the March 18, 2009 meeting minutes of the Planning and Zoning Commission. Vice-Chairperson Weddle seconded the motion. Motion was approved unanimously. The vote was (5-0).

**VI. COMMUNICATIONS**

Mr. Blanton welcomed Manuel Salas as a second Alternate for the Planning and Zoning Commission. Mr. Blanton stated that on Thursday, April 16, 2009 there will be a GPAC meeting in regards to the General Plan Update with Larry Harmer of W.C. Scoutten, Inc. at 6 PM at the Eloy Library. Also, a Technical Advisory Committee (TAC) meeting for the Small Area Transportation Study (SATS) has been scheduled for Tuesday, April 21.

The SATS document will form the basis of the Circulation Element of the General Plan Update. Mr. Blanton informed the Commissioners that he received news about the Decades Theme Park. The principals of Decades stated that they are looking at other properties outside of Pinal County. They indicated that some of the potential investors they've been talking with would like to see the theme park closer to the Metro Phoenix area. Mr. Blanton stated that while it is unfortunate news for Eloy, the principals are not ruling out Eloy but would like to keep their options open.

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

- A. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: CUP08-66: APPLICATION BY AMERICAN DESIGN CONSULTANTS WEST ON BEHALF OF ARIZONA CARE FACILITY, LLC FOR A CONDITIONAL USE PERMIT FOR A SECURED TEACHING AND REHABILITATION JUVENILE FACILITY. THE FACILITY IS RUN BY THREE SPRINGS, ADOLESCENT TREATMENT PROGRAMS IN YOUTH SERVICES. THE PROPOSED FACILITY IS APPROXIMATELY 17,900 SQUARE FEET AND IT IS PLANNED TO BE BUILT ON ASSESSOR'S PARCEL NUMBERS: 403-06-003A, -006, -007, -008, -009 AND -010 IN A PORTION OF SECTION 21, T7S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: TEACHING AND REHABILITATION JUVENILE FACILITY).**

Chairperson Brown opened the public hearing.

Mr. Blanton stated that representatives from Three Springs introduced themselves to the City of Eloy about a year ago when they were looking for property within the Eloy area. They made an official application toward the end of 2008. Mr. Blanton stated that as a planner, there are certain land uses that have the potential to create opposition such as the proposed juvenile rehabilitation facility. However, to date, most of the feedback has been positive. The subject property is currently vacant desert land located west of Toltec Road and south of the Union Pacific Railroad. Mr. Blanton requested that the applicant send notification to residents/property owners within 1,200 feet instead of the typical 300 feet, which they agreed to do. Mr. Blanton also requested that the applicant make direct contact with the school districts. The applicant held a neighborhood meeting at which a total of eight people attended. Out of the eight attendees, only one made negative comments about the proposed facility. Mr. Blanton then introduced Mr. George Holguin. Mr. George Holguin introduced the proposed facility in more detail. Mr. Holguin then introduced the Western Region Director of Three Springs, Kris Heindel. Mr. Heindel gave a brief overview of the company and his background. He stated that this facility will be operational 24/7, self-contained, include 30 beds, and will employ 20 to 30 staff. The purpose of this program is to help youth from ages 13 to 17 years old dealing with a variety of issues and with the goal of helping them get back into their community where they came from. The residents will have behavior, family, legal, alcohol or drug problems. Only Arizona residents will reside at the facility. Families will be able to visit, with family therapy as an option. Commissioner Medina asked what percentage of the residents will be sex offenders. Mr. Heindel answered about forty percent but also stated that they will typically have some other issues as well. Commissioner Medina asked if this facility is a level one rehabilitation center and, if so, there should be more

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communication with the school districts. Mr. Blanton stated to the Commissioners that Three Springs has approximately thirty days before their request for a Conditional Use Permit is presented to the Mayor and City Council and that conditions can be added. Commissioner Medina stated that he would like to add that as a condition. Vice-Chairperson Weddle asked exactly how long the teens need to stay in the rehab center before they are released back into the community. Mr. Heindel stated that it depends on their problems, however, they can stay anywhere from 3 months to one year or even up to a year and a half. Vice-Chairperson Weddle asked what the average time of stay is. Mr. Heindel responded that with sex offenders it can be a year but on behavioral problems it's typically 90 days. Chairperson Brown asked if there was anyone from the public who would like to make any comments. Mr. Tim Klontz, property owner to the west, stated that he is very excited about the proposed rehab center; he believes this will be very positive for this part of Eloy. Mr. Dick Davenport, property owner to the south, stated that if this rehab center is good for today's children then it is good for us property owners and that he is 100% in support

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

**B. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: CUP08-66 (PROJECT NAME: TEACHING AND REHABILITATION JUVENILE FACILITY).**

Commissioner Garcia made a motion to approve Case No.: CUP08-66 with the stipulations included in the staff report and with the additional stipulation suggested by Commissioner Medina. Motion was seconded by Vice-Chairperson Weddle. The motion was passed unanimously (5-0) with the following eleven stipulations:

1. That approval of the Conditional Use Permit shall be subject to City Council approval;
2. That development of the conditional use shall be in substantial conformance to the Site Plan dated 11/14/08, including all conditions/red-line comments made by the Technical Review Committee of the City of Eloy;
3. 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);
4. If such use is abandoned or discontinued for a period of twelve (12) consecutive months, it may not be reestablished unless reauthorized by the Planning and Zoning Commission and the Mayor and City Council;
5. That a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) process shall be undertaken with Pinal County Flood Control District and with FEMA to remove the developed area from the FEMA Zone A floodplain;

6. That upon development of the site, the developer/builder shall improve the adjacent roadways (half-sections) to City of Eloy standards and complete other off-site improvements as required by the City Engineer;
7. That the construction of any occupied building or structure within the airport overlay area shall comply with the sound attenuation standards in order to achieve an exterior to interior noise level reduction (NLR) of twenty five (25) decibels. Certification of such NLR measures, by a registered engineer or a registered architect, shall be required to be submitted along with the application for a building permit;
8. That at the time of development or as a building permit is required the owner of property within the airport overlay district shall dedicate an avigation easement to the city over and across that property. This easement shall hold the city, public and airport harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the airport, not including the physical impact of aircraft or parts thereof;
9. That compliance with the Design Guidelines and Standards of the Eloy Zoning Ordinance and the Eloy Subdivision Ordinance, as may be amended from time to time, shall be required;
10. Amendments to the Conditional Use Permit shall be processed in the same manner as the original permit, except that the Zoning Administrator may authorize minor amendments; and
11. **That the applicant shall meet with the Toltec Elementary and Villa Oasis School Districts and submit a summary report of the meetings to staff before this case is presented to the Eloy City Council.**


#### VIII. MOTION TO ADJOURN

Chairperson Brown asked for a motion to adjourn. Motion was made by Vice-Chairperson Weddle and was seconded by Commissioner Garcia. The meeting was adjourned at 7:44 PM.

ATTEST:

APPROVED:

  
 City Manager/Community Development Director

  
 Chairperson, Larry Brown