

**PLANNING AND ZONING COMMISSION
MINUTES FOR October 1, 2020**

In Attendance:

Commissioners

Oscar Miranda, Chairman
John Freeman, Vice-Chairman
Dan Muth (Absent)
Kay Hauser (Absent)
Carey Dobson (Absent)
Bobby Fite
Jim Thornhill
Brad Peterson (Absent)
Traegen Knight
Michael Bragiel, Alternate

Staff

Ryan Patterson, County Manager
Joe Young, Chief Deputy Attorney
Shanna Pearce, Executive Assistant

Working Lunch Session

No Items discussed.

Regular Meeting

Item #1 Call to Order

Chairman Oscar Miranda called the meeting to order at 1:00 p.m.

Item #2 Roll Call/Determination of a Quorum

Chairman Oscar Miranda determined a quorum was present; six (6) commissioners were present. Welcomed new Commissioner, Traegen Knight.

Item #3 Call to the Public

No comments.

Item #4 Approval of the minutes from the July 9, 2020.

Chairman Oscar Miranda opened for a motion.

Vice-Chairman John Freeman motioned to approve.

Commissioner Jim Thornhill seconded the motion and noted the date was incorrect; should be July 9, 2020 and not May 7, 2020.

No discussion regarding the requested change.

Vote, unanimous.

Item #5 PUBLIC HEARING, consideration and possible recommendation for approval to allow Cellular One to replace a 40' foot wood pole tower with a 180' foot self-support lattice tower along with associated radio equipment on the ground and enclosed by a 50' x 50' x 7' chain-link fence. The new tower will provide better communication and First Net emergency services to the community. Property is located at the Community Center in Greer, AZ. A.P.N 102-11-001J.

Chairman Oscar Miranda opened the public meeting & presented the item.

Shanna Pearce provided staff report, recommended approval with conditions and any other as deemed by the commission.

1. The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate with the area's natural surroundings.
2. Applicant needs to follow FAA guidelines for this height of tower in the area.
3. Require that the tower be built to a 90-mph wind load with .25 factor of safety.
4. Require that if use is discontinued, the tower be removed, and the property restored.

Dennis Baker, representative for CellularOne, presented CUP to replace the existing wood pole tower and the need for better cell coverage in Greer to provide better EMS services and communication, 4G and then to 5G, and reason for the height. The tower will bring in CellularOne services, FirstNet Services, AT&T services, and the ability to co-locate other carriers.

Mr. Miranda and Mr. Baker discussed FirstNet services and equipment.

Mr. Baker provided results from the community meeting. Approximately 30 people attended the meeting were positive, there were a couple opposed to the location.

Commissioner Michael Bragiel & Mr. Baker discussed safety concerns with the placement. Mr. Baker did not have any concerns, explained that the tower is engineered and built to jurisdictional code and industry standards.

Mr. Freeman questioned if with the analysis the structural requirements of the tower, per code, it turns out you cannot do it, what will you do? Mr. Baker stated it can always be done and explained the structural engineering considered.

Mr. Freeman and Mr. Baker discussed the safety factors dependent on height in the code that would possibly change the ability to construct the tower. Mr. Baker could not think of any that would but agreed there could be a possibility. Mr. Freeman added that if this were the case, they would need to find a different location or some other way to address that issue. Mr. Baker agreed.

Mr. Miranda and Mr. Baker discussed meetings with the property owners. Mr. Baker advised that it falls within their existing lease agreement with the Community Center. Mr. Miranda questioned that with approval he would address any amendments with the community center. Mr. Baker agreed.

Mr. Miranda questioned if Mr. Baker had any discussion with the area in making the fencing and tower compatible with the area. Mr. Baker responded he had and added his concerns were not of theft or destruction of the equipment but for the safety of the community, i.e. kids climbing the tower. He explained the difficulty of doing a stealth tower with the height and explained the concerns with the long-term effect of painting the tower but would leave the decision to the residents and community center board.

Commissioner Bragiel asked how hard it would be to move the tower to a different location on the proposed property. Mr. Baker stated that at this point there would be no issues and noted they would lose 30-45 days with a new FFA application and new survey. Mr. Baker agreed.

Mr. Freeman questioned 2.5 of the project specifications item E, applying soil herbicides and the location being next to the memorial garden. Mr. Baker stated there wasn't a lot of prep required for this area.

Mr. Freeman confirmed the tower would allow for co-locating other antenna sites. Mr. Baker stated that the tower was engineered with four RAD centers; CellularOne and AT&T would each have one center and that there would be two extra centers available.

Mr. Miranda read for the record letters received from the Greer Fire District signed by Fire Chief Mark Wade in support and need for the tower; the Greer Civic Center signed by GCA President Lorraine Shumway and from the Business Council of Greer signed by BCG President Nancy Diepstraten both in support of the tower and services it will provide. Letter also received from Paul Meka with signatures from the community supporting the need for the cell tower and requested that the tower be re-located to the north of the property, so not to obstruct the views of the valley and memorial butterfly garden. Letter from Phill and Kayleen Kellis in support of the new cell tower but did not support the proposed location, requested that other sites be explored and that the fence and tower be designed so that it would not detract from the beauty of Greer.

Mr. Miranda opened the public meeting, acknowledged Bill Kurtz attending via ZOOM, asked if he had any questions, no response.

Paul Meka 69 Wiltbank Ave, Greer, AZ spoke in favor of the tower but opposed the proposed location of the tower. Mr. Bragiel asked if he had any concerns with the delays it would cause for CellularOne with the re-location of the tower. Mr. Meka stated he would not.

Michelle Iddings 73 ACR 1324, Greer, AZ spoke in favor of the tower and noted her discontent with some of the comments made during the neighborhood meeting and with the order of the meeting. Mr. Freeman provided his recollection and hostility of the meeting

and provided clarity of the events. Mr. Baker provided his recollection. Mrs. Iddings wanted it known that she did not believe that the associations in Greer were properly representing all of the residents in Greer.

Bill Kurtz via ZOOM asked about the second survey when completed; his understanding was that CellularOne will then present the best choice of location for this site. Mr. Baker handed out a sitemap with the two locations noted, added that he did not feel it was a big deal to move the site. He described the north location and stated they would make it work out and would go with the county's recommendation.

Steve Williams 9 Roy Road, Greer, AZ spoke in favor of the tower, regardless of location and the need for the tower for emergency and commercial needs within the area and the effects of today's technology on the views in Greer.

Mark Wade Greer Fire Chief spoke in favor of the tower to enhance public safety and personal safety throughout the Greer area. He Explained that relocating the tower to the fire station would not be an option due to the footprint of the tower, and that the monopole tower currently on site had no room to co-locate. He provided statistics from 2010 to 2015 in the increase of call volume and projected the increase would continue, added that its vital for emergency response.

Mr. Miranda questioned how many of the calls for service were for medical vs. fire. Mr. Waded reported that 78% were medical, 23-25% are medical (called Mr. Wade to clarify, 75% were medical, 22-25% are fire.)

Mr. Miranda questioned if they have received any FirstNet training from AT&T. Mr. Wade stated not at this time but had attended other FirstNet training. He also noted that was the issue with them being in the area, there was no infrastructure at this time.

Mr. Freeman asked if the process for the tower installation at the fire station was a similar process as today. Mr. Wade agreed.

Patricia Mosher 49 CR 1212 Greer, AZ spoke in favor of the tower and its need in the area. She also advised of the community center boards role with CellularOne and the position of the board regarding the tower locations and of the memorial garden.

Mr. Miranda clarified that the community center board had no objection to the location of the tower but preferred the south side. Mrs. Mosher stated that the board had approved the south location and still considering the north side based upon how it will affect the site lines from the building and how they could make it more attractive; she felt they could be resolved very quickly. Mr. Miranda confirmed that the board and CellularOne could work together to keep the aesthetics of Greer to be compliant and pleasant and pleasing for everybody to live in harmony, that if the commission moved it to the north side that the board would be willing to work with CellularOne. Mrs. Mosher agreed.

No closing comments from the applicant.

Mr. Miranda closed the public hearing.

Commission discussed the two proposed sites and the boards role in approving the alternate site.

Mr. Thornhill asked if they would have to come back for approval if moved from the initial proposed location. Joe Young, Deputy County Attorney, advised the commission could add as one of the conditions, as long as the APN did not change, they would not have to come back to the commission.

Mr. Bragiel asked if a new notification would need to be sent to neighbors if the tower was re-located on the north side, as they may have a different feeling. Mr. Freeman explained the purpose of public hearings and the possible adjustments made during those meetings, he also noted the property use and added that the Greer plan designated those properties as future Greer Commercial.

Mr. Bragiel confirmed that if the site were changed that the community center board would have to approve the change. Mrs. Mosher agreed. Mr. Freeman added that the commission could add stipulations to address those contingencies.

Mr. Miranda recommended to add a condition that the tower would be able to co-locate at least two more vendors. He also recommended adding a condition that the community center staff work with the community members concerning the aesthetics of the tower so the tower fits within the Greer community.

No further discussion.

Chairman Oscar Miranda opened for the questions.

Mr. Freeman motioned to approve with stipulations as recommended by staff:

1. The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate with the area's natural surroundings.
2. Applicant needs to follow FAA guidelines for this height of tower in the area.
3. Require that the tower be built to a 90-mph wind load with .25 factor of safety.
4. Require that if use is discontinued, the tower be removed, and the property restored, and added
5. Construct a wall to shield the view; either of slump brick wall material or other as agreed to by the community center board
6. Painting, per the community center board discussion
7. Co-locate at-least two other cellular vendors.
8. Move the location of the tower to the north property unless determined unfeasible by CellularOne and the community center board.

Commissioner Jim Thornhill seconded.

Mr. Bragiel recommended changing the word “feasible” so if the board decided they preferred to have it on the south end or CellularOne said it was more advantageous to have it on the south end; we know it’s feasible, he felt it was lacking that it only needed to stay on the north end.

Mr. Miranda stated he already told us that its feasible there, the only hang-up is that it’s going to be between them and their landlord and that he was looking out for the people of Greer and not CellularOne or the community center. He noted that if it’s feasible and they can’t negotiate it, they have to come back to the commission. No further discussion.

Chairman Oscar Miranda called the question.

Vote, unanimous

Item #6 Report from Staff to the Commission.

No report.

Item #7 Adjourn

Chairman Oscar Miranda opened for a motion to adjourn.

Vice-Chairman John Freeman motioned to adjourn

Commissioner Bobby Fite seconded the motion.

Vote, unanimous

Adjourned 2:15 p.m.