



MEETING DATE: October 19, 2016

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **SUP-003-16 (Dudleyville Monopole Wireless Facility)**

CASE COORDINATOR: Enrique Bojorquez

Executive Summary:

This is a Special Use Permit request for the operation of an 80-foot tall monopole wireless communication facility on a 0.35± acre parcel in the General Rural Zone.

If This Request is Approved:

This Special Use Permit would allow the property owner to operate an 80-foot tall monopole wireless communication facility in the town of Dudleyville.

Staff Recommendation/Issues for Consideration/Concern:

Staff recommends approval of the request with the attached stipulations.

LEGAL DESCRIPTION: A 0.35± acre parcel situated in a portion of the SW¼ of Section 16, T6S, R16E, G&SRB&M (legal on file).

TAX PARCELS: 300-26-089B

LANDOWNER/APPLICANT: Century Link, 3640 E. Indian School Road, Phoenix, AZ 85016

REQUESTED ACTION & PURPOSE: Century Link, landowner, Michael Baker International Inc., agent, requesting approval of a Special Use Permit to operate an 80-foot tall monopole wireless communication facility.

LOCATION: Located adjacent to the west side of Highway 77, in the Dudleyville area.

SIZE: 0.35± acres.

HISTORY: In 1983, Mountain States Telephone & Telegraph Company (then owner) split the property 300-26-089 into two parcels (A & B). Presently, the subject property is zoned GR. Currently, it operates as a central office and an unmanned telecommunications facility. No other entitlements have been granted to the subject property.

COMMISSION ACTION/RECOMMENDATION: At the hearing, after discussion with the applicant, staff and the Commission, together with evidence presented, & public testimony the Commission voted **unanimously** to recommend **Approval** of **SUP-003-16** based upon the record as presented.

Should the Board wish to approve the requested Special Use Permit, staff has included recommended stipulations.

**SUP-003-16
Stipulations**

- 1) The permit is issued to CenturyLink, not to the land;
- 2) the permit is issued for ten (10) years from date of the Board of Supervisors approval;
- 3) the layout, design and set up of the 80 foot monopole wireless communication facility shall be as shown and set forth on the applicant's submittal documents and site plan and shall be an unmanned telecommunication facility;
- 4) any changes, modifications, alterations and/or additions to the 80 foot monopole and/or the antenna dish as shown and set forth on the applicant's submittal documents and site plan will require a new special use permit;
- 5) the 80 foot tall monopole and antenna arrays shall conform and be limited to the engineering standards set forth on the applicant's submittal documents;
- 6) submit a R.F. Engineer's certification that radiation meets FCC requirements;
- 7) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 8) the applicant shall keep the area free of trash, litter and debris;
- 9) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 10) all Federal (FCC), State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building permits, fencing and security lighting; and
- 11) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.
- 12) any change or expansion of use shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.150.020 of the Development Services Code;

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1 us their views on what they want to do. Thank you, Enrique.
2 If you will.

3 BOJORQUEZ: Thank you. Good morning, Mr. Chair,
4 Members of the Commission. This first case, SUP-003-16,
5 requests approval for a Special Use Permits. Give me one
6 second here. There it is. Requests approval of a Special Use
7 Permit to operate a 80 foot monopole wireless communication
8 facility on a 0.35 acre parcel. To date, no letters of
9 support or opposition have been received. The site is located
10 adjacent to the west side of Highway 77 in the Dudleyville
11 area, and the applicant is Century Link. As you can see from
12 the County map, the location of the site is on the eastern
13 part of the County between Winkelman and Mammoth. Excuse me
14 one second, here. From the aerial map you can see the sites
15 and the other landowners in the vicinity. You can see State
16 Land to the east side of Highway 77. You have San Carlos
17 Apache Tribal Land on different areas surrounding the
18 property, the closest to the south and to the west. You have
19 BLM land to the southwest. In the Comprehensive Plan, the site
20 was designated as Major Open Space. This designation attempts
21 to preserve land for recreational, cultural and/or ecological
22 purposes. The existing zoning on the site is General Rural
23 and as you can see on the map, the red line shows a 600 foot
24 buffer from the site. This aerial photo shows the sites and
25 also some of the other residences to the west side of

1 Dudleyville Road. Once again, the site is located between
2 Dudleyville Road and Highway 77. This site plan and elevation
3 submitted by the applicant shows the existing unmanned
4 facility in the middle of the screen there. Also to the east
5 of the that, you have the proposed location for the monopole.
6 On the eastern elevations to the top right, you have the
7 height of the monopole, with reference to the existing
8 facility there. You also have some of the dimensions for the
9 antenna and the width of the monopole. This photo simulation
10 is also provided by the applicant. It shows some current
11 images of the site, both from the ground and aerial images as
12 well. To the right-hand side you can see the simulation of a
13 monopole and how it would interact with the facility there.
14 The southwest view is showing the monopole and how it would
15 appear from the west side of Dudleyville Road. The picture to
16 the bottom, you can see this is how the monopole would look
17 like from Highway 77. The following images were taken from
18 this particular location from the sites, during one of my site
19 visits. This is the north view. This is the south view.
20 This is looking east into the site, into the existing building
21 there, and you can see Highway 77 right behind there. This is
22 looking west across Dudleyville Road to a residential area.
23 In conclusion, staff has included a recommendation of denial,
24 but should the Commission want to make a recommendation of
25 approval, staff has included ten stipulations. One

1 stipulation, stipulation number 3 as you can see from your
2 packets, this mentions a layout and the design of the
3 monopole, and if approved, this facility would become
4 federally exempt, meaning that it would be allowed to increase
5 in height up to 10 percent, and also include 20 feet from the
6 edge of the monopole - pardon me - allow the antennas to
7 protrude 20 feet from the edge of the monopole without
8 Commission approval. And this concludes my presentation. I'd
9 like to turn it back to the Commission for any questions or
10 comments.

11 HARTMAN: Commission Members, questions? Smyres, if
12 you - Commissioner Smyres.

13 SMYRES: I'm looking at the write-up that we have.
14 Says that this will be federally exempt under Title 47, blah-
15 blah-blah. I have not seen that come up before on any of the
16 monopoles we've looked at. What is different about this one
17 that it does under that jurisdiction, and could you just give
18 me a brief overview of what that means?

19 BOJORQUEZ: Yes, Mr. Chair, Commissioner Smyres.
20 Essentially the FCC has included a regulation that would
21 exempt similar facilities from some of the regulations you
22 know, from the County for example, and I haven't been here for
23 the other SUPs so I don't know if that information was
24 included or not, or maybe it was exempt from the (inaudible).
25 But this facility would be exempt under FCC regulation, I

1 believe it's Title 47, and it would allow the facility to
2 increase in height up to 10 percent, and also any antennas
3 mounted on there could protrude from the edge of the monopole
4 up to 20 feet, and that really summarizes that.

5 ABRAHAM: If I could add to that for just a moment,
6 Mr. Chair. The last two monopoles that we looked at were
7 submitted before this particular regulation came into effect,
8 so long story short, there was some notification that the FCC
9 needed to do and it delayed the effective date. So those last
10 two that were at the fire station off of I-10 were not subject
11 to this regulation.

12 SMYRES: So this stipulation will affect any future
13 monopoles that we look at, is that correct?

14 ABRAHAM: That is correct. And Seth was
15 contemplating having a discussion with the Commission on how
16 that declaratory ruling affects your decision-making on cell
17 towers that, long story short, that if you approve an
18 unstealthed facility, with meaning this doesn't look like a
19 cactus or a pine tree or if it isn't co-located, the
20 provisions of that requirement allow expansion without having
21 to come back to the Commission. And basically it's not - the
22 County, you know, will review it. You shall approve it is
23 basically how that, how that reads.

24 SMYRES: Okay. One other question. In your
25 recommendation, one of the recommendation was possibly move

1 the pole basically across the road onto the San Carlos
2 Reservation. If that were the case, since that is a sovereign
3 nation, does the County have any input into what they do as
4 far as making that pole 150 feet tall or anything like that?

5 ABRAHAM: We have no input at all.

6 SMYRES: Thank you.

7 HARTMAN: Commission Members, any other questions?
8 If not, (inaudible).

9 SALAS: Mr. Chairman?

10 HARTMAN: Yes. Frank - Commissioner Salas.

11 SALAS: In what proximity is that pole from the
12 reservation? What's the -

13 HARTMAN: Distance.

14 BOJORQUEZ: Mr. Chair, Commissioner Salas, the
15 nearest San Carlos Apache parcel of land there would be within
16 500 feet to the south.

17 SALAS: Is it close to where they're going to build
18 that casino?

19 BOJORQUEZ: The casino would be located to the south
20 of the site, to the east side of Highway 77, but I do not know
21 the exact location of the casino. I just know that it's north
22 of the Central Arizona College that's on there, so between
23 Dudleyville and the Central Arizona College.

24 SALAS: Oh, it would be south of that casino then.

25 HARTMAN: All right. At this time I'll call the

1 applicant to come forward. If you'll sign in and state your
2 name and address for us, the Commission.

3 HAKE: Yes. Thank you very much. Good morning.

4 HARTMAN: Good morning.

5 HAKE: My name is Matthew Hake. I'm an architect
6 with Michael Baker International. Our firm has been hired by
7 Century Link on behalf of the Apache Gold Casino organization
8 to seek approval for the installation of an 80 foot monopole
9 adjacent to the existing Century Link Central Office facility
10 that's on Dudleyville Road. The purpose of having the
11 monopole adjacent to the Century Link facility is really the
12 crux of the matter. The Century Link facility has within it
13 the equipment to provide high speed internet service that can
14 be transmitted via radio antenna to the Apache Gold Casino
15 organization's site for the casino. The site of the casino is
16 not at the parcel that is 500 feet, or that small portion of
17 land that's owned by the Apache Community; rather it's about,
18 I think, two and a half or three miles directly south on the
19 east side of Highway 77. I don't, I don't know if you have
20 the full packet or not, but there is within our packet a
21 review comment response where we had a graphic that
22 represented - do you folks have this?

23 HARTMAN: We have it.

24 HAKE: You have that, okay. So that graphic has a
25 kind of a 3D map view that shows Highway 77, with north being

1 on the left side and south being on the right side of that
2 image. So the Apache Sky would - casino - would have a small
3 monopole on its side and then there would be the 80 foot
4 monopole adjacent to the Century Link Central Office facility
5 in Dudleyville, along Dudleyville Road. Now the reason that
6 the monopole needs to be adjacent to the Century Link Facility
7 is that the high speed internet has to be connected to the
8 radio antenna that then transmits it to the smaller monopole
9 at the Apache Casino site. The monopole has to be within a
10 very close proximity to the Century Link facility, because the
11 antenna is connected to the equipment within the facility via
12 Cat 5 cable. The Cat 5 cable has a limitation in terms of its
13 technical capability to work properly. I believe it's 150
14 feet is the maximum length at which the connectivity from the
15 antenna to the equipment within the Central Office facility
16 can work. I think that's been our explanation all along as to
17 why the monopole needs to be adjacent to the Century Link
18 facility, versus having an antenna on the lattice tower that's
19 1.9 miles to the north of this site. It's also been
20 suggested, perhaps, that the support light pole fixtures at
21 the park across from the fire station might be another
22 alternative. Those sport light pole fixtures, or the sport
23 light poles are - they're not the type of pole that is
24 appropriate for the antenna that transmits the service. For
25 one, the distance from the Century Link Central Office

1 facility is too great; and two, there's a very stringent
2 requirement for a lack of swaying to have this direct line of
3 sight. There can only be, I believe, a one degree sway
4 permitted to allow this signal to be maintained. So the light
5 pole fixtures are not the type of, rigid enough pole to
6 support such an installation. Regarding the federal, the
7 federal Title 47, I have a letter with me today from our
8 structural engineer. Our structural engineer states that the
9 monopole, as designed by our office - by his office, the
10 structural engineer - is/will be founded on a 16 foot deep
11 cast in place concrete pier. The pier design has been
12 prepared to support only the loads as specified in the design
13 drawings. As such, any additions to the proposed pole height
14 and pole equipment configuration would result in an overloaded
15 foundation. So the co-location is something that's always
16 part of telecommunications facilities, within the facilities
17 as well as monopoles and such. However, it would be very
18 difficult for co-locaters to utilize this pole simply because
19 the design. And we've already submitted four building permits
20 for this at-risk, and have already received those permits as
21 well. So the design as it exists isn't designed to
22 accommodate additional height or additional antennae or
23 equipment applied to the pole. I think one final thing on
24 that realm is Century Link would have to, since they own the
25 parcel where the Central Office is, and where the monopole

1 would be located, would have to provide an easement for anyone
2 who wants to run power to their equipment that's on the pole,
3 and Century Link, I believe, can provide a letter that says,
4 you know, that they don't intend to, or would not grant
5 easements to other co-locators to give them power and
6 easements to get to their equipment. So there's no additional
7 equipment that would be sited on the grounds of the Century
8 Link site. It would simply be one cable that comes down the
9 monopole and enters into the Century Link Central Office
10 Facility. Any questions?

11 HARTMAN: All right, Matthew, I did read in the
12 literature there that 911 is going to be accessible to this?

13 HAKE: That is correct. Yeah. This is - I think
14 the internet, high speed internet connection, or ability that
15 it provides to the Apache Gold job site is - you know, they'll
16 have the capability for voiceover IP, so they will have the
17 capability to have emergency cellphone-type and internet-type
18 service from the site. I think the overall goal of this has
19 been to facilitate the construction of the casino. I believe
20 that there's a strong approval or desire for the casino to be
21 built in that community. I guess I'll have to purport my
22 evidence is anecdotal, but when I waited for community members
23 to attend the community meeting, there was no - there were no
24 members from the immediate notified property owners that are
25 in an adjacency to the site that - who showed up, but I

1 happily explained why I was there to all the customers at the
2 gas station where I was waiting for the meeting, and got four
3 community members that - who - after they heard it, they said
4 oh we'll happily sign this and say we are in support of this.
5 I think overall the end purpose of this is to facilitate the
6 construction of the casino. I think the casino, you know,
7 will bring, several, you know, hundreds of construction jobs,
8 it'll bring hundreds of jobs for employment in the community.
9 It will grow the area in terms of people need to have, you
10 know, groceries and people will need to have housing and other
11 amenities of that nature. So with me today is Kurt Schmidt
12 who is a representative, he's the CFO for the Apache Gold
13 organization, as well as Kurt Cook, who's a representative
14 from Century Link. So I'd be happy to let either or both of
15 them also have - offer you their opinions and comments if that
16 would be permitted.

17 HARTMAN: Commission Members?

18 PUTRICK: So the attenuation on this cable is pretty
19 bad then, if it only - you can only use it up to 150 feet?

20 HAKE: That is correct.

21 PUTRICK: And you're using 80 feet of it to get up
22 to the antenna. Approximately 80 feet. The question is, from
23 my perspective, is if they're building the casino, why don't
24 you do that on the casino site where the service is going to
25 be required?

1 HAKE: There would be a 20 foot monopole on the
2 casino site.

3 PUTRICK: No, no, I understand. But you're
4 transmitting from your station to the casino, why don't you
5 build that on the casino site?

6 HAKE: If you're talking about the Apache site
7 that's approximately 500 feet to the south of the Century Link
8 site along Dudleyville Road?

9 PUTRICK: I'm talking about the one that wants to
10 use this for high speed internet.

11 HAKE: Well the, the point of origin from which the
12 high speed internet service is available is at the Century
13 Link Central Office facility. So it's the small building
14 that's on the site that has - it'll have a piece of equipment
15 installed in there to which the Cat 5 cable would be
16 connected.

17 PUTRICK: I guess what I'm asking is what's so magic
18 about this particular spot? If the casino needs high speed
19 internet and they need to connect with Century Link, and
20 Century Link's going to build a building to house this
21 equipment, why don't you build it at the casino and do away
22 with the towers?

23 HAKE: Oh, the building is an existing building that
24 is on Dudleyville Road and it's been there for I think about
25 60 years. It was previously Mountain Bell and Telegraph

1 Corporation facility. So this is somewhat of the data hub in
2 the area of Century Link equipment. Does that make sense?

3 PUTRICK: I'm not trying to be difficult, I'm trying
4 to understand, I'm trying to understand why you would make it
5 as complicated as this when you could do it right at the
6 casino and do the link with Century Link at the casino,
7 despite all the buildings and everything. You're going,
8 you're going to end up putting equipment in, you're going to
9 run it up on an antenna and then you're going to broadcast to
10 another antenna at the casino, and you're subject to weather
11 and you're subject to wind, and you know, if you can only move
12 one degree before you lose continuity between the two
13 antennas, an 80 foot tower, you can't make it rigid enough not
14 to move.

15 HAKE: There is existing fiber optic utility that
16 runs to the Century Link Central Office facility. To get
17 fiber optic from that facility, we'll call that (inaudible)
18 point of the fiber optic utility to the new Apache Gold Casino
19 site, it's a - it's several miles, and that's something that
20 would be likely a several year process.

21 PUTRICK: Yeah I think, you know, digging a trench
22 for -

23 HAKE: It's also the -

24 PUTRICK: Okay, I understand. (Inaudible).

25 HAKE: (Inaudible), correct. Yes.

1 PUTRICK: And I think that's all I have.

2 HARTMAN: Commission Members. Oh, Ault?

3 AULT: Yes, (inaudible - mic not turned on) your
4 tower in connection to the existing Century Link facility, is
5 the primary target to provide service to the new casino being
6 built? Does that also allow for expanded internet access for
7 the local citizens (inaudible) Dudleyville? Does that -

8 HAKE: That's a great question. Not directly by the
9 monopole, however I think that I could say that with the
10 construction of the casino and as the community builds up
11 because of this large project, that there would then be an
12 increased demand at which point a provider such as Century
13 Link, you know, it would evaluate whether to, you know,
14 whether it's a good economic model or it's a model that makes
15 sense. You know, I'm not Century Link, I can't entirely speak
16 on their behalf for that, but that's my understanding is as
17 the community grows more, there'll be a greater demand for
18 better and high speed internet service near - I understand the
19 internet service in the area is very intermittent and, you
20 know, that's a - all of the people who provided their support
21 at the gas station all said can we get better internet service
22 out here. So with more people moving into the area, or with
23 more housing, those needs of that nature, I would presume that
24 increasing, you know, services to the area would be the
25 natural next step.

1 AULT: So that's the crux of my question, I guess.
2 Dudleyville, like all communities large or small has an
3 education (inaudible - mic not turned on) education needs, and
4 the internet plays an important role in education today and
5 will do so more in the future, and if this facility could
6 enhance the internet access capabilities for the Dudleyville
7 (inaudible - mic not turned on) that could be a positive
8 (inaudible - mic not turned on).

9 HAKE: And the monopole itself is - it's strictly
10 for the purposes of the casino and casino construction.
11 Because there are no - there's no internet access out there,
12 and there's, you know - so that's, that's the primary purpose
13 of this. So I don't want to suggest otherwise, so that's the
14 most honest answer.

15 AULT: (Inaudible - mic not turned on).

16 HARTMAN: Matthew, my question is what does the
17 college currently use for internet service?

18 HAKE: They have a monopole.

19 HARTMAN: They have their own service? Does it go
20 to your provider?

21 HAKE: Actually, let me, let me refine my answer. I
22 know that there's a monopole that exists on the college
23 campus. I've been out there, I looked at it. I can't - I
24 don't know if that's how they get their internet, and I do not
25 know if they get their internet some other way. I don't know

1 the detail of that. I'm an architect.

2 HARTMAN: Okay, my other question is, auxiliary
3 power. What do you currently use for auxiliary power? Do you
4 have your own generator in other words?

5 HAKE: There would be no new auxiliary power
6 installed to this site. I do not believe -

7 ??: (Inaudible).

8 HAKE: Okay, so there's a DC power system, which is
9 a battery backup system inside of the existing facility.
10 That's pretty common with the telecommunications facilities,
11 so should the power, you know, go down, that is the backup.
12 And then after a period of time, the batteries can only, you
13 know, discharge for so long, then Century Link's contingency
14 plan is as a temporary emergency generator that they bring
15 into the site.

16 HARTMAN: Okay. Commission Members, any further
17 questions? If not, Matthew, I'll excuse you from the podium
18 and call to the public, and then if the public brings up any
19 points that you would like to address, I will be able to call
20 you back.

21 HAKE: Thank you very much.

22 HARTMAN: Thank you Matthew. At this time I'd like
23 to call to the public anyone that would like to speak either
24 for or against this case. Case SUP-003-18. Seeing none, or
25 hearing none, we'll turn to the Commission.

1 AGUIRRE-VOGLER: I have a question.

2 HARTMAN: Yes, Mary?

3 AGUIRRE-VOGLER: So, as he explained it, is staff
4 okay with that and can we - you're asking for a recommendation
5 of denial from us, so I thought he explained it rather well,
6 so what is your opinion now?

7 ABRAHAM: Mr. Chairman, Commissioner Aguirre-Vogler,
8 that's an interesting development of that they are basically
9 promising not to co-locate. The way we currently understand
10 it, I believe that even if they promise not to co-locate, they
11 still have rights under that declaratory ruling, so the
12 decision not to co-locate could be changed at some point in
13 the distant future during the life of the facility. That's
14 something we could certainly look at between, you know, what -
15 how does that - does that become a stip or does that get
16 merged into the document somehow between this meeting and the
17 Board of Supervisors? We could talk about that with our legal
18 counsel and certainly their legal counsel and see how does
19 that affect that declaratory ruling. The tough part with this
20 is that due to a previous declaratory ruling by the FCC,
21 requests of this nature have a shot clock associated with them
22 that the jurisdiction needs to render a decision within a
23 certain time period or they get - they go through another
24 process. So there isn't much time to actually contemplate
25 that at this level, but there's certainly time to contemplate

1 that at the Board of Supervisors level. So -

2 AGUIRRE-VOGLER: Well what do you suggest?

3 ABRAHAM: I would stick with staff's current
4 recommendation, based on the facts we have at hand.

5 AGUIRRE-VOGLER: So do we need an opinion from our
6 attorney?

7 ABRAHAM: Well, I think we were going to talk about
8 that after you rendered your decision, but if Mark would like
9 to chime in.

10 LANGLITZ: Mr. Vice Chair, Commissioner, I think
11 what I've heard is that the applicant has indicated that they
12 do not intend to use that tower for co-location, and it sounds
13 to me like that's something that staff would go along with.
14 I'm hearing that rather than try to quickly address that issue
15 through a stipulation, perhaps some additional thought will
16 need to go into that, and hopefully it'll be addressed before
17 the SUP is heard by the Board of Supervisors. I don't know
18 legally whether it would be more beneficial or not to send a
19 recommendation of approval or denial. If the Commission were
20 to send it to the Board with a recommendation of approval, I
21 think the applicant would understand that before it's heard by
22 the Board of Supervisors, there would be some additional
23 stipulation put in about co-location. So my recommendation is
24 to send it either way - with denial or approval, however you
25 see fit - but the understanding is going to be even if it's

1 sent with denial, the County is stating that they're going to
2 work with the applicant to address that issue, and if that is
3 addressed, I think then the opposition would be withdrawn. I
4 know I've been very lengthy in my response.

5 AGUIRRE-VOGLER: That's all right. So, based on
6 that, I feel personally that if I could make a motion?

7 HARTMAN: We're still discussing.

8 AGUIRRE-VOGLER: Okay.

9 HARTMAN: Yes.

10 AULT: Yes, to legal staff. Given that they - the
11 Century Link (inaudible - mic not turned on) some flexibility
12 in this permitting process, federal permitting process, could
13 they subordinate their flexibility to the contractual
14 agreement with the County that they will not expand the
15 capacity beyond what is described in the original permit
16 request?

17 LANGLITZ: Mr. Vice Chair, Commissioner, I don't
18 know that the issue is whether or not to expand, they may
19 always want to expand. I don't know that anybody can make
20 that prediction. I understand the concern from the County
21 perspective is the possibility of co-location. So I don't, I
22 don't see expansion as a problem.

23 HARTMAN: Okay, let me say one thing. Commission
24 Members, this is an SUP and we do make the stipulations that
25 guide this case to the Supervisors, and Mark I would think

1 that maybe a number 11 stipulations say co-location be
2 addressed before going to the Supervisors as a recommendation
3 from this Commission? Do you think that that would be
4 appropriate, because that's the concern.

5 AGUIRRE-VOGLER: I just thought stating further
6 dialogue needs to, to it.

7 LANGLITZ: Yeah, Mr. Vice Chair. We've put in
8 stipulations similar to that before in different cases, like
9 requiring an applicant reach an agreement with staff on
10 particular issues. I don't - I think that - I don't see any
11 issue with that stipulation.

12 HARTMAN: Okay, thank you. Commission Members,
13 that's something to think about when we make our motion.
14 Okay, Smyres?

15 SMYRES: Our major concern here is the co-location
16 or co-whatever. What, what happens if they decide to
17 cohabituate or whatever the heck it's called, to that tower?
18 What does it do to that tower and why is it so objectionable
19 to the County?

20 ABRAHAM: It's objectionable because of the amount
21 of facility expansion that can occur without Commission, staff
22 or Board of Supervisors review. So the issue is not
23 necessarily co-location, but how much co-location can occur
24 that imagine if you will, a 20 foot diameter array being
25 mounted on this facility, and being increased in height by ten

1 percent without any additional modification to the Special Use
2 Permit, without any additional public hearing, without any
3 additional public notice, it would all happen internally to
4 the County. So if I could break it down a little bit, is that
5 the code and staff's opinion on this is that if we have to get
6 a new facility, we'd prefer it to be stealthed. If that
7 doesn't work, then we'll take, you know, an unstealth
8 facility. But once it's there, we would actually encourage
9 location, just not to the extent that's allowed under the
10 federal regulations. So that's kind of where the negotiation
11 need to occur with Century Link and the property owners.

12 SMYRES: Okay, thank you.

13 AGUIRRE-VOGLER: Again -

14 HARTMAN: Putrick did -

15 PUTRICK: Yes. For the applicant, there is a
16 technical, a technological reason why you can't do a lot of
17 co-location, is that not correct?

18 HAKE: That is correct. I'd like to say a couple -

19 HARTMAN: State your name, for the record.

20 HAKE: Matthew Hake from Michael Baker

21 International. Foremost, co-location, just so it's clear, is
22 - I believe it's a provision from anti-trust laws when they're
23 breaking up telecommunication facilities, they don't want to
24 have ten companies earning ten, you know, replications of
25 cables, fiber optics, utilities, etc. So co-location

1 requires, say for example, Century Link within their equipment
2 space to have some space available for other telecommunication
3 companies to connect to the backbones or the main utilities in
4 the area. Co-location is, as I understand, you know if it's a
5 federal law we can't - we or Century Link can't prevent
6 someone from co-locating because - so I don't know how a
7 stipulation would work in that sense, because preventability
8 is, you know, it - they have to allow what can be allowed.
9 But we do have a sealed and signed letter from our structural
10 engineer that speaks to the design of this monopole, saying
11 that it's only been designed right now for - the foundation is
12 only designed to support the load specified in the design
13 drawings, and the load specified are - is the, you know, one
14 80 foot monopole, as well as the single antenna. Further I'd
15 like to say, you know, if this had been submitted as an 88
16 foot monopole in the first place versus 80 foot, I think it's
17 slightly, or it's hardly discernably different. So eight feet
18 would be the additional ten feet in height if someone were to
19 increase the foundations and somehow increase the monopole
20 itself, for increased height. As for the sizes of antennae
21 that are attached to it, antennas or maybe their cellphone
22 repeaters or things of that nature, I have to defer to the my
23 structural engineer who says that this is only designed for
24 the load specified in the design drawings. So I don't know
25 what it would take for someone to modify this installation to

1 make it accommodate additional antennae or, you know,
2 cellphone repeaters or things of that nature.

3 PUTRICK: It seems to me it's kind of difficult, but
4 the thing I was referring to is RFI and RMI, between
5 something, something that somebody adds, I don't know how
6 tight you are, or on protecting your equipment from that kind
7 of interference, but it seems to me that you can't just go
8 stick up a bunch of antennas willy-nilly on this monopole.
9 Another part of it is the height, you know, you have to be up
10 high enough for it to see something else, because these are
11 higher frequencies and it's line of sight, so you can't go
12 through a mountain to get to another antenna, so there's a
13 height restriction in terms of how much you could put on top
14 of this thing. So I think it's pretty - technologically it's
15 already kind of restrictive anyways, so I don't have a problem
16 with it. Thanks, appreciate it. Thank you.

17 HAKE: Thank you very much.

18 HARTMAN: Okay, Commission Members, any further
19 discussion? If not, I will call for a motion. Mary, do you -

20 AGUIRRE-VOGLER: I will make the motion to recommend
21 SUP-003-16 to the Board of Supervisors with a recommendation
22 of approval.

23 HARTMAN: Wait.

24 AGUIRRE-VOGLER: If we needed another stipulation as
25 far as a dialogue, I don't - if I can continue?

1 HARTMAN: Yes.

2 AGUIRRE-VOGLER: I don't know how much weight the
3 recorded information that we have, but it's on file, so I'm
4 making the recommendation for approval. If the attorney here
5 thinks that we need another dialogue, another stipulation, so
6 be it.

7 HARTMAN: I think we heard from Steve say that if
8 there was more dialogue needed, that they would go ahead and
9 address that, even without our recommendation. So we have a
10 second from Commissioner Salas. Is there any further
11 discussion on the motion? If not, call for a voice vote. All
12 those in favor say aye.

13 COLLECTIVE: Aye.

14 HARTMAN: Opposed? Motion carried. Matthew, you
15 heard the decision of this Commission. You go to the
16 Supervisors with a recommendation for approval. All right.
17 With that, we will move into the - time for a break? No.
18 Let's take (inaudible). Okay, let's take a ten minute break.
19 [Break.] Thank you. Our next item on the agenda is item
20 number 7. Public Hearing/Discussion/Action on the Following
21 Major Amendment Request to the 2009 Pinal County Comprehensive
22 Plan. The two cases are PZ-PA-003-16 and PZ-PA-004-16. With
23 that, I'll turn it to Steve.

24 ABRAHAM: Thank you Mr. Chair. So this is the 2016
25 Major Comprehensive Plan Amendment cycle. We took a look at

SUP-003-16



MEETING DATE: September 15, 2016

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **SUP-003-16 (Dudleyville Monopole Wireless Facility)**

CASE COORDINATOR: Enrique Bojorquez

Executive Summary:

This is a Special Use Permit request for the operation of an 80-foot tall monopole wireless communication facility on a 0.35± acre parcel in the General Rural Zone.

If This Request is Approved:

This Special Use Permit would allow the property owner to operate an 80-foot tall monopole wireless communication facility in the town of Dudleyville.

Staff Recommendation/Issues for Consideration/Concern:

Staff recommends denial of the request based on the current information provided and the fact that the proposed monopole if approved will be federally protected thus exempt from Pinal County regulations on wireless communication facilities, under Title 47 Part 1 and 17 of the 10/14 Federal Communication Commission Declaratory Ruling (FCC-14-153), which would allow an increase in tower height and colocation up to 20 feet in width without Commission approval. Furthermore, there appear to be existing vertical elements in the area that could accommodate the proposal and/or be located on San Carlos Apache Native American Community property 500 feet to the south.

LEGAL DESCRIPTION: A 0.35± acre parcel situated in a portion of the SW¼ of Section 16, T6S, R16E, G&SRB&M (legal on file).

TAX PARCELS: 300-26-089B

LANDOWNER/APPLICANT: Century Link

REQUESTED ACTION & PURPOSE: Century Link, landowner, Michael Baker International Inc., agent, requesting approval of a Special Use Permit to operate an 80-foot tall monopole wireless communication facility.

LOCATION: Located adjacent to the west side of Highway 77, in the Dudleyville area.

SIZE: 0.35± acres.

COMPREHENSIVE PLAN: The site is designated as Major Open Space. The surrounding properties are designated Major Open Space. The proposed use is in conformance with the Comprehensive Plan.

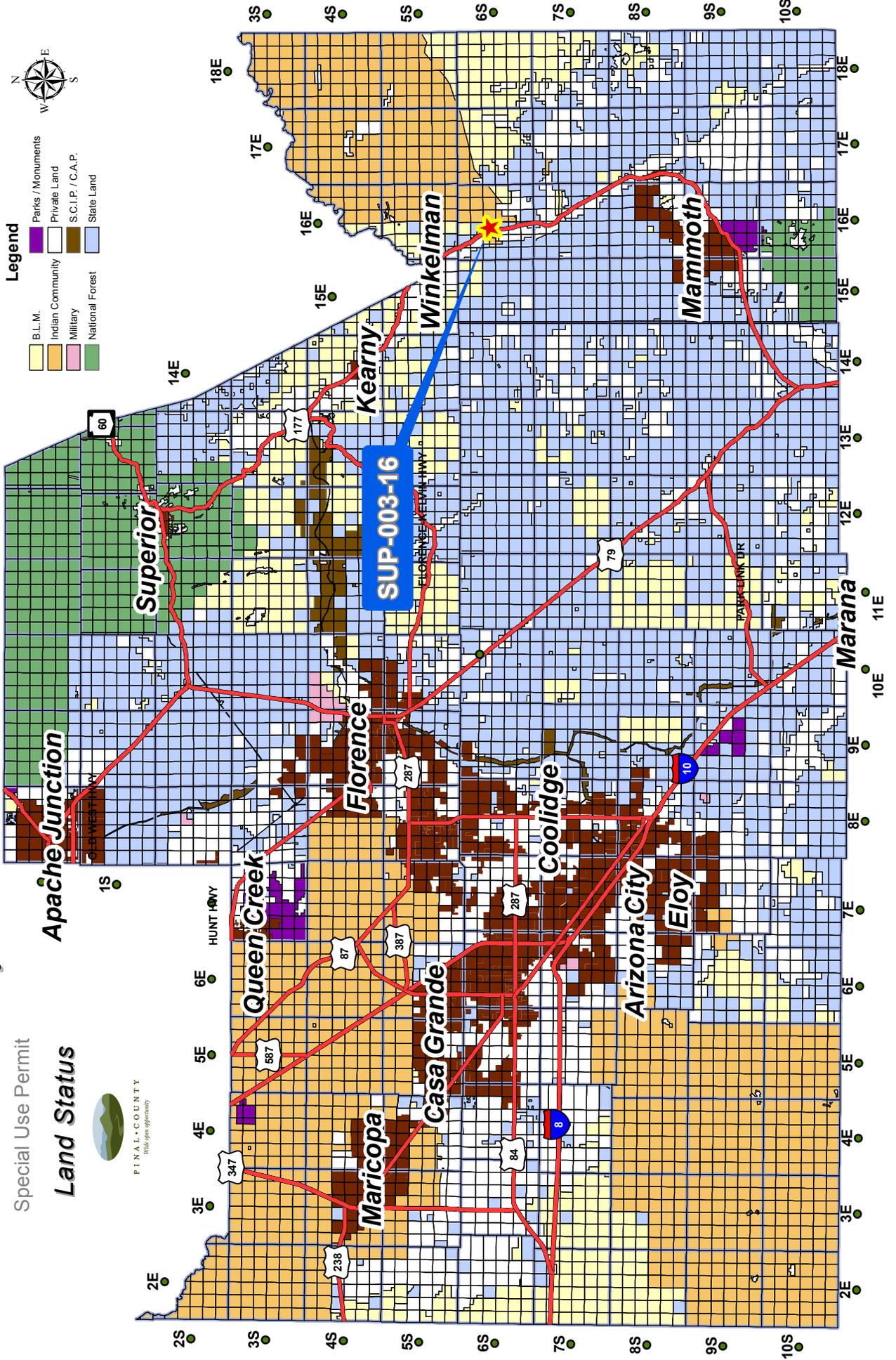
Pinal County

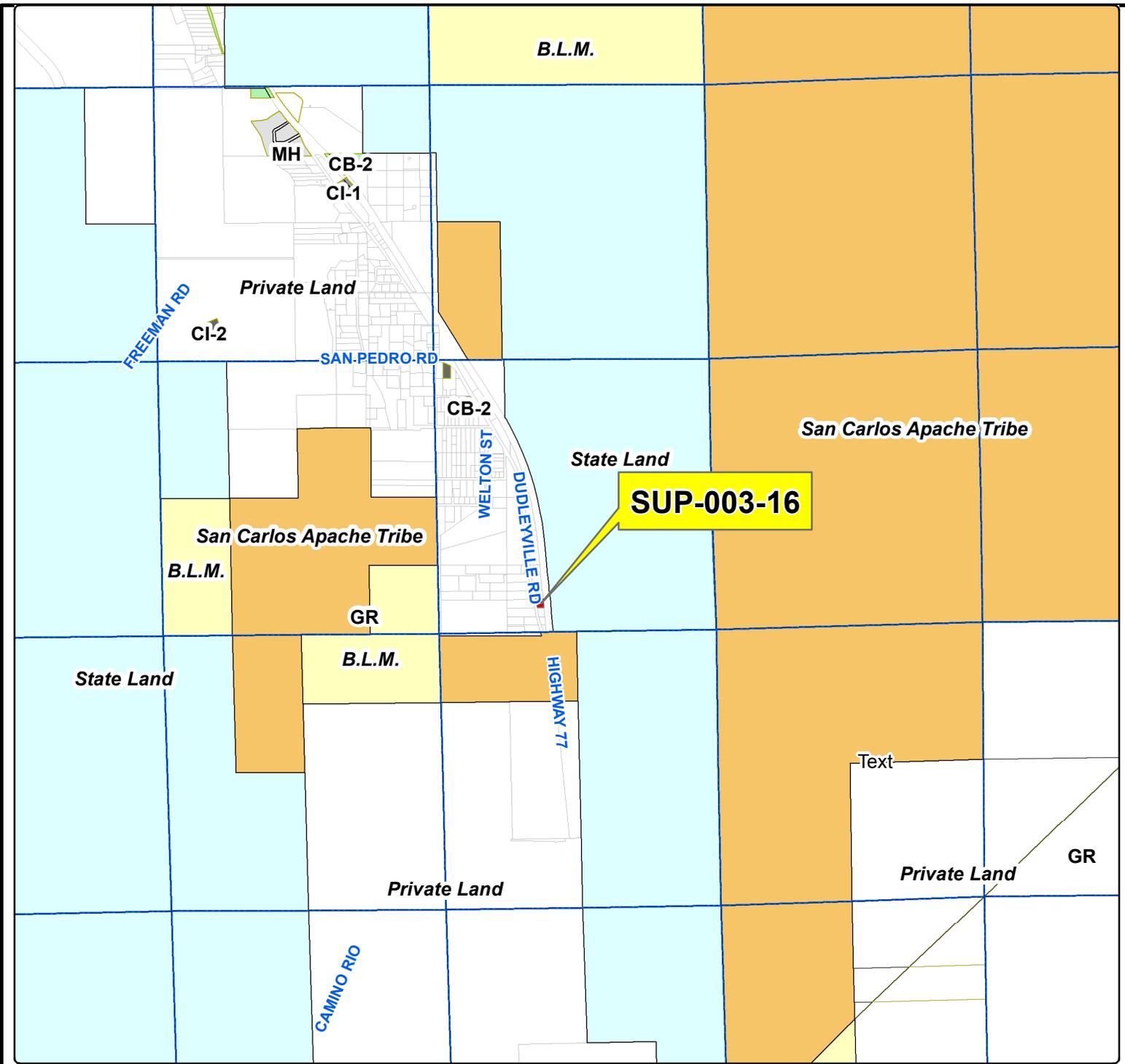
Special Use Permit

Land Status



PINAL COUNTY
Wild Open Opportunity





Special Use Permit

Community Development



PINAL COUNTY

Wide open opportunity

Century Link

Legal Description:

Situated in a portion of the Section 16, T06S,R16E, G&SRB&M, Parcel 300-26-089B. (legal on file) (located approximately five miles southeast of the Town of Winkelman adjacent to the west side of State Route 77).

T06S-R16E Sec 16



Sheet No.
1 of 1

Century Link

Drawn By: GIS / IT / LJT Date: 7/29/2016

Sections 16	Township 06S	Range 16E
----------------	-----------------	--------------

Case Number: SUP-003-16



Special Use Permit

SUP-003-16 – PUBLIC HEARING/ACTION: Century Link, landowner, Michael Baker International, Inc., agent, requesting approval of a Special Use Permit to operate a 80' tall monopole wireless communication facility on a 0.35± acre parcel in the General Rural Zone; situated in a portion of the SW½ of Section 16, T6S, R16E G&SRB&M, tax parcels 300-26-089B (legal on file) (located approximately five miles southeast of the Town of Winkelman adjacent to the west side of State Route 77).

Current Zoning: GR
 Request Zoning: Special Use Permit
 Current Land Use: Major Open Space



PINAL COUNTY
 Wide open opportunity

Legal Description:

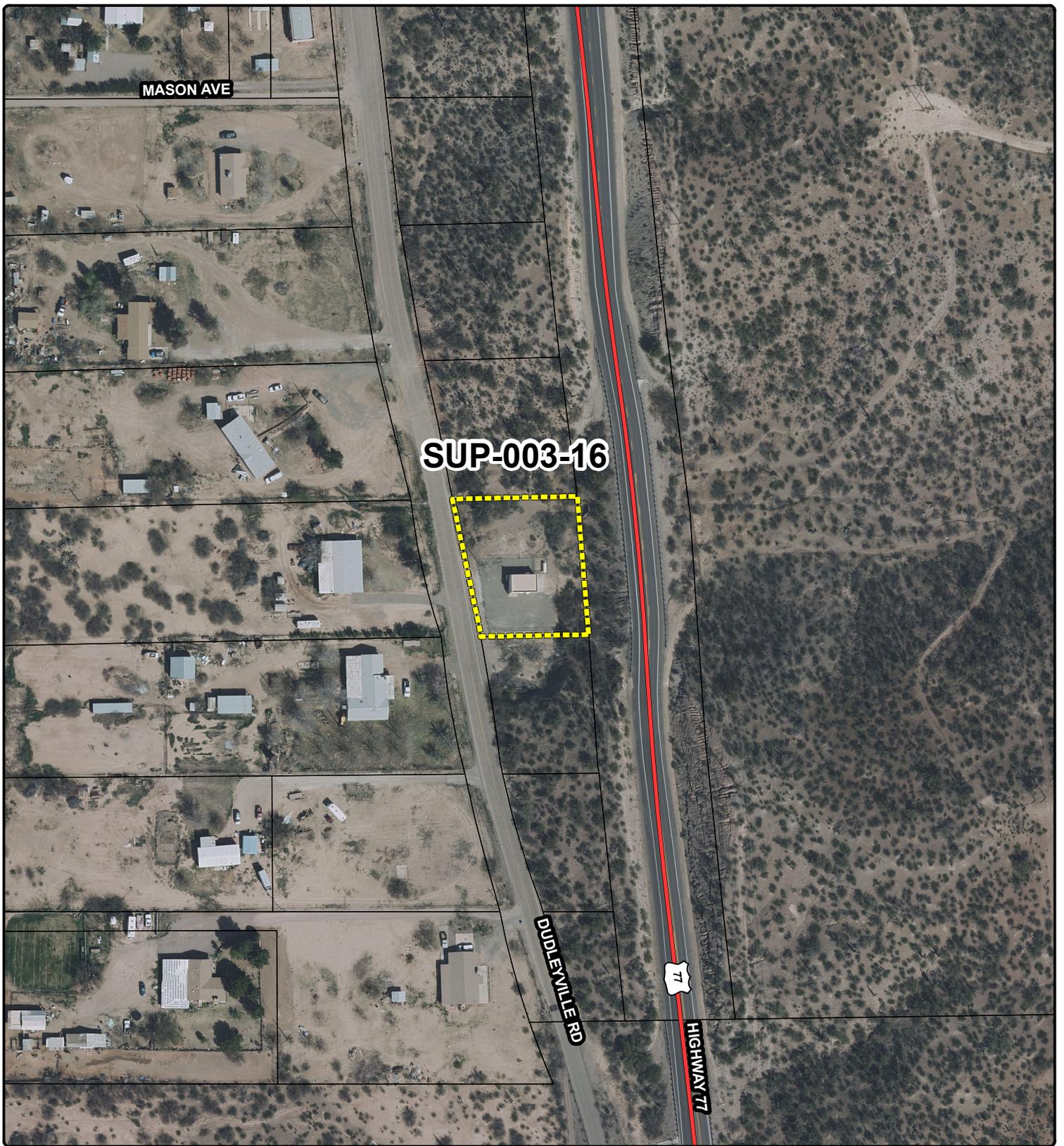
Situated in a portion of Section 16, T06S, R16E, G&SRB&M, Parcel 300-26-089B, (legal on file) (located approximately five miles southeast of the Town of Winkelman adjacent to the west side of State Route 77).

T06S-R16E Sec 16



Sheet No.
1 of 1

Owner/Applicant: Century Link		
Drawn By: GIS / IT / LJT	Date: 7/28/2016	
Sections: 16	Township: 06S	Range: 16E
Case Number: SUP-003-16		

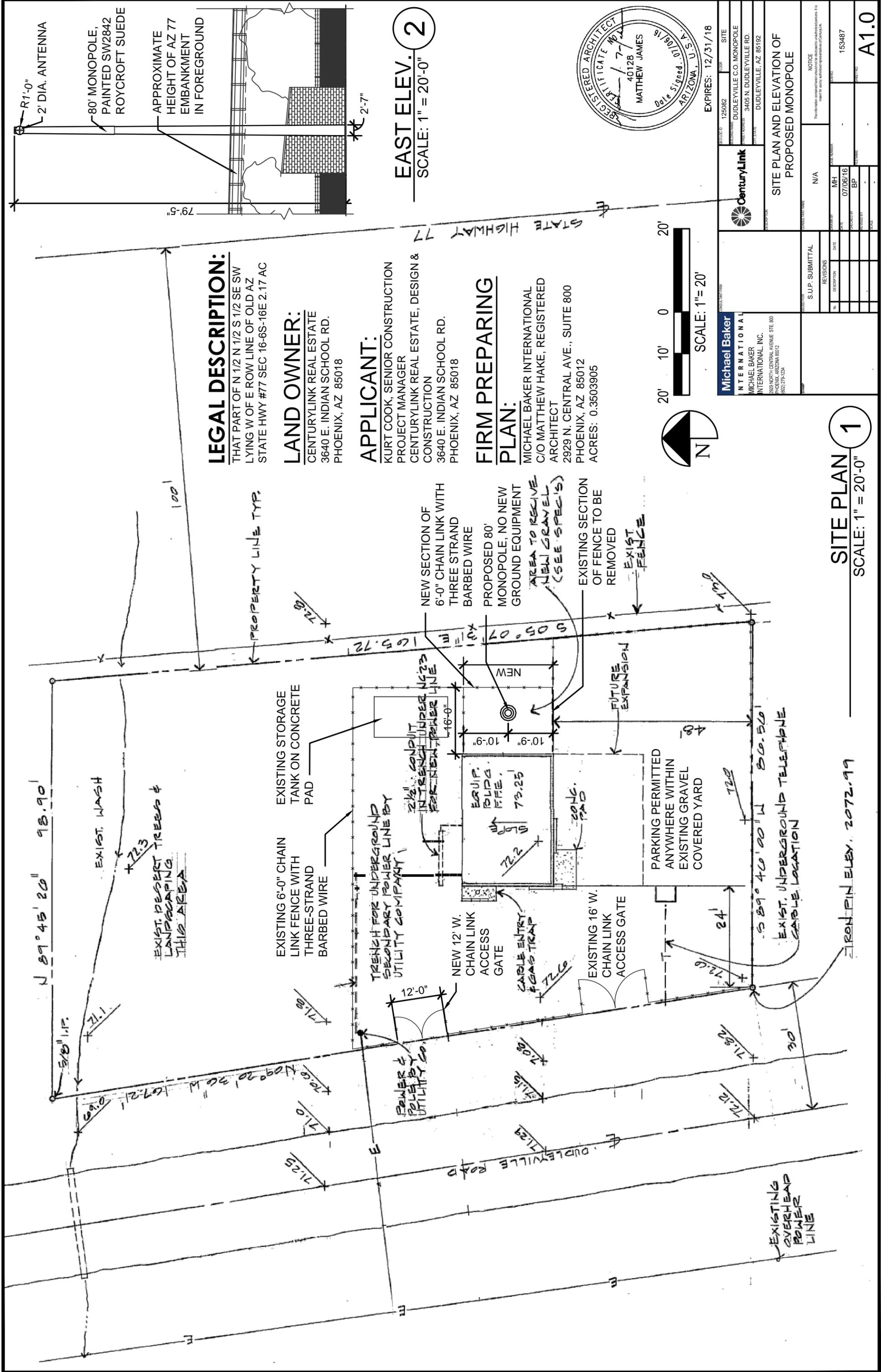


Special Use Permit



PINAL COUNTY
Wide open opportunity

SUP-003-16



LEGAL DESCRIPTION:

THAT PART OF N 1/2 N 1/2 S 1/2 SE SW LYING W OF E ROW LINE OF OLD AZ STATE HWY #77 SEC 16-6S-16E 2.17 AC

LAND OWNER:

CENTURYLINK REAL ESTATE
3640 E. INDIAN SCHOOL RD.
PHOENIX, AZ 85018

APPLICANT:

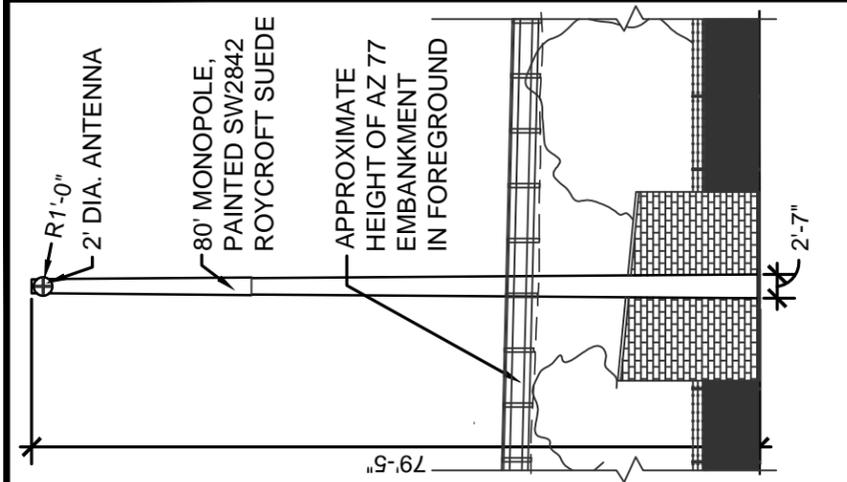
KURT COOK, SENIOR CONSTRUCTION PROJECT MANAGER
CENTURYLINK REAL ESTATE, DESIGN & CONSTRUCTION
3640 E. INDIAN SCHOOL RD.
PHOENIX, AZ 85018

FIRM PREPARING PLAN:

MICHAEL BAKER INTERNATIONAL
C/O MATTHEW HAKE, REGISTERED ARCHITECT
2929 N. CENTRAL AVE., SUITE 800
PHOENIX, AZ 85012
ACRES: 0.3503905



EAST ELEV. 2
SCALE: 1" = 20'-0"



EXPIRES: 12/31/18

Michael Baker INTERNATIONAL		CenturyLink	
2929 NORTH CENTRAL AVENUE, SUITE 800 PHOENIX, ARIZONA 85012 (602) 278-1254		DUDLEYVILLE CO. MONOPOLE 3405 N. DUDLEYVILLE RD. DUDLEYVILLE, AZ 85192	
SUP. SUBMITTAL		SITE	
REVISIONS		NO. 125082	
NO.	DESCRIPTION	DATE	BY
1		07/06/16	MH
2			BP
3			
4			
5			
NOTICE		153487	
The information contained herein is intended to be used by a professional engineer, architect, or other qualified professional in accordance with applicable laws and regulations.		A1.0	

SITE PLAN 1
SCALE: 1" = 20'-0"

IRON PIN ELEV. 2072.99

EXISTING ZONING AND LAND USE: The subject property is zoned GR (General Rural). The existing land use is a central office and an unmanned telecommunications facility.

SURROUNDING ZONING AND LAND USE:

North: GR – Vacant
East: GR – State Route 77
South: GR – Vacant
West: GR – (Residences)

FINDINGS:

Site data:

Flood zone: “x” an area that is determined to be outside the 100 year floodplain.
Access: The site is accessed only from Dudleyville Road.

PUBLIC PARTICIPATION:

Neighborhood Meeting: June 21, 2016
Neighborhood and agency mail out: August 12, 2016
Newspaper Advertising: Week of August 8 & 15, 2016
Site posting: Applicant: August 11, 2016
Site posting: County: August 19, 2016

HISTORY: In 1983, Mountain States Telephone & Telegraph Company (then owner) split the property 300-26-089 into two parcels (A & B). Presently, the subject property is zoned GR. Currently, it operates as a central office and an unmanned telecommunications facility. No other entitlements have been granted to the subject property.

ANALYSIS: The applicant is requesting a Special Use Permit to allow for the operation of an 80-foot tall monopole. This project is located in the Dudleyville area. The site is located adjacent to the west side of State Route 77 and is accessible from Dudleyville Road.

In general, the site is relatively flat with State Route 77 running along a high ridge that borders the eastern boundary of the property. The site is located in a residential area and is sparsely populated. On the east side of State Route 77 is Arizona State Land. Approximately 500 feet south of the property is land owned by the San Carlos Apache Tribe.

If the proposed 80-foot monopole is approved, this type of facility would become federally exempt under Federal Communications Commission Title 47 (CFR), Parts 1 and 17. This exemption would enable the monopole to increase in height up to 10-percent and allow the addition of appurtenances protruding 20-feet beyond the monopole edge.

After reviewing the application and documentation provided by the applicant, it is staffs opinion that other viable alternatives could have been feasible. One alternative could have been to place the two foot diameter antenna on an existing 100 foot tall lattice tower located north of the site. A second alternative would have been to locate the 80-foot tall monopole on San Carlos Apache Tribal property, which is within 500 feet south of the proposed site. No evidence was submitted by the applicant to show attempts at seeking either alternatives.

To date, no letters of support or opposition have been received regarding the requested Special Use Permit.

The SUP the Commission is considering is for an 80-foot monopole wireless communication facility. The zoning ordinance identifies factors for consideration when reviewing special use permit requests under section 2.151.010 (N). These factors include, but are not limited to:

- **traffic conditions;**
- **provision of services and utilities to the site;**
- **the relationship of the proposed special use and surrounding uses;**
- **whether the proposed use is beneficial to the public health, safety and general welfare of the community;**
- **access to streets that are adequately designed and constructed to handle the volume generated by the use;**
- **does not result in the use of a residential street for non-residential through traffic;**
- **whether adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights or storm water runoff;**
- **the need for the proposed special use in the neighborhood/community;**
- **public input.**

If the Commission deems there is sufficient evidence to grant this SUP staff has included stipulations relating to the operation and permitting of the facility.

After review and analysis of the proposed application. Staff supports a recommendation of denial for the Special Use Permit by the Planning and Zoning Commission. Staff feels that the applicant has not taken the necessary steps to mitigate negative impacts to the surrounding area based largely on the federal exemption this facility would receive if approved.

The proposal was sent to the Town of Winkelman. The town did not provide any comments in regards to the requested Special Use Permit.

To date, no letters in support or opposition have been received regarding the requested Special Use Permit.

The **Pinal County Community Development Department Engineering Division** reviewed the proposal and had no comments.

The **Pinal County Air Quality Control District** reviewed the proposal and had no comments.

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted by this Special Use Permit under Planning Case **SUP-003-16**. Furthermore, the Commission must determine that this Special Use Permit will promote the orderly growth and development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan.

THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:

- A) LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING
- B) PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE
- C) NEIGHBORHOOD IMPACT
- D) FLOOD CONTROL
- E) TRAFFIC IMPACT
- F) COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN
- G) BENEFITS/DETRIMENTS TO PINAL COUNTY

STAFF SUMMARY: The applicant, Century Link, has submitted the proper application, but lacks sufficient evidence to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This Special Use Permit will allow for the operation of an 80-foot tall monopole in the Town of Dudleyville.
2. To date, no letters in support or opposition have been received regarding the requested Special Use Permit.
3. The property is accessed from Dudleyville Road.
4. Granting of a Special Use Permit will require, after the time of approval, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.
5. Granting of a Special Use Permit would allow the construction and the facility would then be federally exempt from Pinal County regulations on wireless communication facilities, under Title 47 Part 1 and 17 of the 10/14 Federal Communication Commission Declaratory Ruling (FCC-14-153).
6. No sufficient evidence was provided by the applicant regarding other alternatives for the placement of the two foot diameter antenna.

STAFF RECOMMENDATION:

After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), Staff recommends denial of this request.

However, in addition to staff recommendations, should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this special use permit request is not needed and not necessary at this location and time, will negatively impact adjacent properties, will not promote orderly growth and development of the County and will be not compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-003-16** to the Board of Supervisors

with a recommendation of denial with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of approval.

- 1) The permit is issued to CenturyLink, not to the land;
- 2) the permit is issued for ten (10) years from date of the Board of Supervisors approval;
- 3) the layout, design and set up of the 80 foot monopole wireless communication facility shall be as shown and set forth on the applicant's submittal documents and site plan and shall be an unmanned telecommunication facility;
- 4) submit a R.F. Engineer's certification that radiation meets FCC requirements;
- 5) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 6) the applicant shall keep the area free of trash, litter and debris;
- 7) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 8) all Federal (FCC), State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building permits, fencing and security lighting; and
- 9) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.
- 10) any change or expansion of use shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.150.020 of the Development Services Code;



MEMORANDUM FROM AIR QUALITY

Date: August 26, 2016
To: Steve Abraham
Cc: P & Z Review Committee
From: Anu Jain – Air Quality Engineer
Re: Planning & Zoning Cases

I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
9/15/16	SUP-003-16	Kurt Cook	80 feet Steel Monopole	See Comment 1

***Comments:**

1. An Air Quality Industrial permit may be required if there is a generator on site.



CenturyLinkTM

**CenturyLink Dudleyville Central Office
Monopole Installation**

Special Use Permit Application

Z-PA-026-16

July 6, 2016

July 6, 2016

Pinal County Planning & Zoning Commission

**RE: CenturyLink Dudleyville Central Office – Monopole Installation
Special Use Permit Application – APPLICATION CHECKLIST ITEMS**

- A. Hold a Neighborhood/Community Meeting
1. All property owners within 1200' were notified of the Neighborhood/Community Meeting. The meeting was held on June 22, 2016 at the Minit Market at 6466 Arizona 77, Winkelman, AZ 85192, at the NW corner of the Arizona 77 and North Valentine Rd. (**Attachment A**)
 2. That location was within five miles of the subject property.
 3. The meeting was held from 5-6 p.m.
 4. Attached are the following:
 - a. A copy of the Notice of the Neighborhood/Community Meeting (**Attachment B**)
 - b. The list of property owner within 1200' who were copied (**Attachment A**)
 - c. Minutes of the meeting: none of the property owners attended the meeting. There were no comments submitted by post or by e-mail per the instructions on the Notice of the Neighborhood/Community Meeting.
 - d. The meeting sign-in sheet is included. The facilitator, Matthew Hake, passed the time in the Minit Market parking lot actively inquiring among the vehicles that pulled-up if any were present to attend the meeting. None of the property owners showed up, but four community members were curious about the meeting purpose. After the purpose was explained and plans and the photo simulation exhibited, those four community member enthusiastically expressed support for this effort understanding that it is part of the effort to advance the Apache Sky development. (**Attachment C**)
- B. The Agency Authorization and Consent to Permit forms are provided.
- C. Written narrative.
1. The title page is at the beginning of this document.
 2. The Purpose of this request is as follows:

CenturyLink's client, the Apache Sky Casino, requested to receive high-speed internet service via a monopole installation with an antenna dish sited at the existing CenturyLink Dudleyville Central Office site. At present, there is no fiber utility to the Apache Sky development site, and getting fiber to it is a significant endeavor that would likely be a multi-year effort. The proposed monopole is an existing 80' Valmont pole anticipated to have one 2' diameter Andrew VHLP2-180 antenna attached to it near the top of the pole.

The self-supporting monopole is to be sited and installed at the existing CenturyLink Central Office site at 3405 N. Dudleyville Rd, Dudleyville, AZ 85192. That existing site is zoned General Rural (GR) and is surrounded by GR zoned residential parcels. The existing site is enclosed with a 6' chain link fence with three strands of barbed wire (approximately 18" higher than the top rail of the chain link fence). The monopole installation will require minor modification of the fence enclosure (a small, additional section to enclose the monopole site within the greater enclosed

yard). There is an existing Central Office, an unmanned facility, housing telecommunications equipment on this site. The monopole will be sited on the east side of the existing building to provide some screening of the installation from the adjacent Dudleyville road and the General Rural zoned parcels across the street. There is an embankment ascending up from the site to the AZ 77 highway that is about 30' high on the east side of the parcel. The embankment will shield or obscure some of the monopole as the site is well below the highway. The three parcels north and three parcels south of the site on the project's side (east side) of Dudleyville Road are all vacant.

3. Description of Proposal.

- a. Nature of the Project: This is a project to extend high speed internet service from the existing telecommunications utility building to the Apache Sky Casino project site via a monopole.
 - b. Proposed Land Use: The Land Use is existing for public/semi-public utility (CenturyLink telecommunications facility).
 - c. Conformance to adopted Comprehensive Plan: not applicable (uncertain if there exists a Comprehensive Plan for this area).
 - d. Special circumstance or conditions: Existing telecommunication facilities are on this parcel making it the logical location for connectivity to existing fiber delivered high-speed internet/data services. The tri-pod tower 1.9 miles north of this site does not have proximity to the existing telecommunications equipment similar to that which is in the CenturyLink Dudleyville Central Office, so an antenna on that tower would not have the service to transmit (i.e. co-location on an existing installation is not an option). Installing fiber from this facility or to the proposed Apache Sky site involves one or any of the following: AZ State Trust Land, BLM Land, Private Land, Public Land, and Tribal Land. Getting the easements and permissions to bring fiber through these is likely a multi-year endeavor. For the Apache Sky organization to enjoy the full use of their property and to improve it, this is the solution that is deemed necessary.
 - e. Impact on:
 - 1) Traffic – none
 - 2) Nearby properties – monopole is partially screened by the building and by the highway embankment. The properties directly north and south of the site are vacant. The monopole will be visible to some properties on the west side of Dudleyville Road near the site and it will be visible from various locations on the AZ 77.
 - 3) Health & Safety – none
 - f. The SUPPORTING INFORMATION questions are addressed on those pages of the application.
4. Location & Accessibility: not applicable – this is a monopole installation
 5. Factors for section 2.151.010(N): q. Such other uses as the Planning Commission may deem appropriate in the public interest.
 6. Utilities & Services: no new utilities or service affected
 7. Appendix: not applicable

Additional Information Required for Special Use Permit Applications

1. A map showing other wireless communications monopoles and towers is provided (A1.2 MAP OF OTHER WIRELES TOWERS WITHIN TWO MILES OF PROPOSED SITE).

2. Written narrative describing any neighborhood opposition, written or verbal. There were neither written nor verbal expressions of opposition. See item A. 4. a.-d. above from the APPLICATION CHECKLIST ITEMS.
3. A scale elevation drawing with the height and configuration of the monopole including the location of the antenna is represented on A1.0 SITE PLAN AND ELEVATION.
4. A scale site plan is depicted on A1.0 SITE PLAN AND ELEVATION. There is no ground based equipment as the single antenna will be routed to equipment internal to the existing telecommunications Central Office.
5. The proposed color for the monopole is Sherwin Williams Roycroft Suede, SW 2842, selected to blend the monopole with the hues of the desert earth and flora prevalent at and around the embankment of the SR 77. The back and sides of the antenna can be painted the same color. The Teglradome cover will be the manufacturer's brown, color no. 20040.



Brown No. 20040



Roycroft Suede, SW 2842



6. Contemporary camouflage solutions for monopoles generally make the pole appear like a palm tree, a pine tree, a substantial faux site light fixture, or a church spire. Relative to this particular site and the general lack of tall appurtenances in the environs, we contend the solution we are proposing is more subtle and less conspicuous.

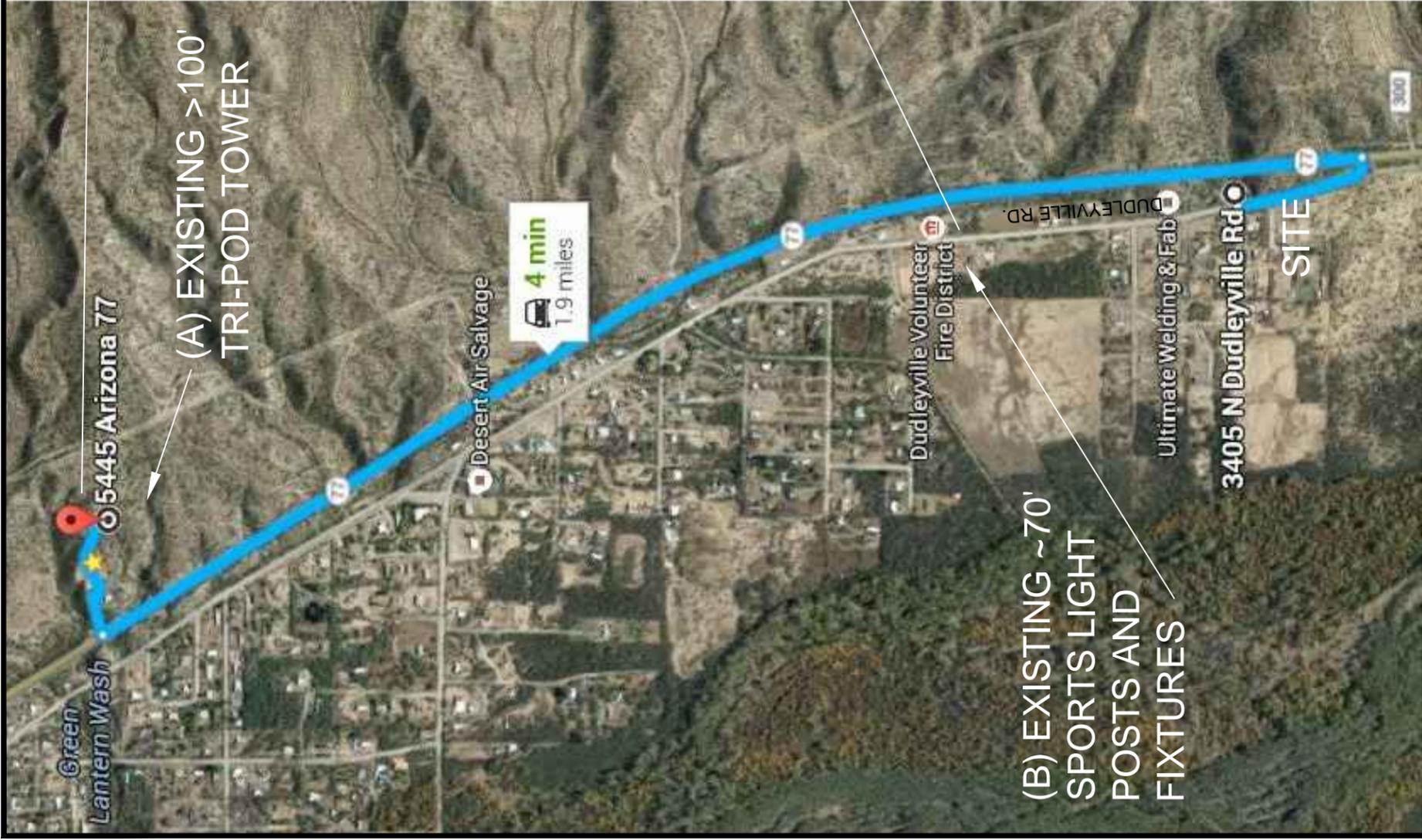


7. There are no alternative sites that both share a similar proximity to the Apache Sky site and have fiber infrastructure for connectivity and subsequent transmission of high speed internet and data.
8. Regarding the possibility for co-locations on existing towers, there is a tower owned by a cellular company but CenturyLink would still need a monopole to shoot a signal to that tower making this a “two hop” service instead of “one hop.”
9. A description of possibilities for using a greater number of shorter monopoles or towers in place of the proposed facility. Geographical location (ridges in the surrounding grades) restricts the use of a shorter pole. The proposed height is the minimum for this wireless service to work in this area.
10. Information on provisions for removal of the monopole or tower after it is no longer being used. This tower will be a permanent asset at the Central Office for this service.
11. Information on the willingness of the landowner and the service provider to allow other service providers to co-locate on the proposed facility. CenturyLink would be willing to share the monopole with another provider but CenturyLink is willing to restrict sharing if that is the desire of the County.
12. A description of potential gaps that could impede the provision of emergency services if this monopole or tower is not approved. This wireless service will be providing telephone service to the site which will provide 911 access. Internet access will also be provided with this service.
13. Certification from the Structural Engineer that the tower will meet the International Building Code is provided as **Attachment D**.

SITE:



THAT PART OF N 1/2 N 1/2 S 1/2 SE SW LYING W OF E ROW LINE OF OLD AZ STATE HWY #77 SEC 16-6S-16E 2.17 AC



(A) EXISTING >100'
TRI-POD TOWER

(B) EXISTING ~70'
SPORTS LIGHT
POSTS AND
FIXTURES

TOWER STRUCTURES WITHIN 2 MILES

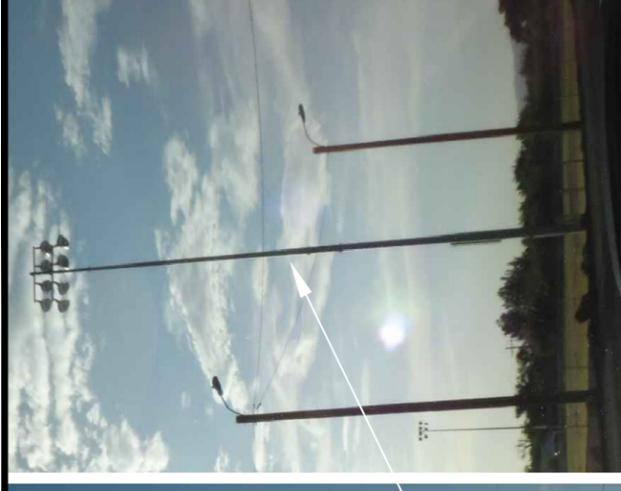


(C) EXISTING
APPROX. 40'
MONOPOLE @
CENTRAL
ARIZONA
COLLEGE

MONOPOLE WITHIN 5 MILES



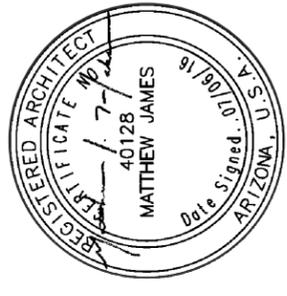
(A) EXISTING >100' TRI-POD TOWER



(B) EXISTING ~70' SPORTS LIGHT
POSTS AND FIXTURES



(C) EXISTING APPROX. 40' MONOPOLE @ CENTRAL ARIZONA COLLEGE



EXPIRES: 12/31/18

Michael Baker INTERNATIONAL		CenturyLink	
2525 NORTH CENTRAL AVENUE STE. 800 PHOENIX, ARIZONA 85012 (602) 278-1234		DUDLEYVILLE C.O. MONOPOLE 3405 N. DUDLEYVILLE RD. DUDLEYVILLE, AZ 85192	
SUP. SUBMITTAL		N/A	
REVISIONS		N/A	
NO.	DESCRIPTION	DATE	BY
1		07/06/16	MH
2			BP
NOTICE		153487	
The information contained herein is intended to be used by the client and is not to be distributed to other parties without the written consent of CenturyLink.		A1.2	

June 8, 2016

RE: Notice of Neighborhood/Community Meeting

Property owner(s) and head of homeowners' or community association:

This is a notification inviting the addressee(s) to attend a neighborhood/community meeting for citizen review in conjunction with the application for a Special Use Permit and/or a Temporary Use Permit for a telecommunications monopole installation at an existing CenturyLink building site located in Dudleyville.

The meeting will include a forum at which the project intent will be explained and a period for comment.

Date: Tuesday, June 21, 2016

Time: 5:00 p.m.

Location: Parking lot of the Minit Market at 6466 Arizona 77, Winkelman, AZ 85192 at the NW corner of the Arizona 77 and North Valentine Rd.

Description of Project: This project will be the installation of an 80' monopole behind (east of) the existing CenturyLink building between the building and the embankment of the Arizona 77.

Location of Project: The project site is at 3405 N Dudleyville Road, Dudleyville, AZ 85192.

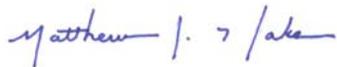
Submission of written or verbal comments:

Written comments may be sent via e-mail, mail, or provided in person at the neighborhood/community meeting. To send by e-mail, address to matthew.hake@mbakerintl.com with the subject: Dudleyville Monopole Comments, by June 24, 2016. To send comments by mail, please send, postmarked by June 23, 2016, to:

Michael Baker International, Inc.
Attn: Matthew Hake, Architect
2929 N. Central Avenue, Suite 800
Phoenix, AZ 85012

Written comments provided in person will be recorded as having been submitted on a sign-in sheet adjacent to the commenter's name. A record of any/all comments will be provided to Pinal County's Planning and Zoning Department with the submission of the permit application. Verbal comments will be noted at the meeting by the meeting facilitator. The expectation is that the meeting will last 15-30 minutes. Thank you.

Sincerely,



Matthew Hake, Architect

June 21, 2016

RE: CTL Dudleyville - Neighborhood/Community Meeting
Sign-In Sheet and Community Comments

Name: Address: Contact information (phone and/or e-mail):

- * Mike Dalton 1520 Calle Valencia 876-2957 I support
- * Alfred DeNose 80530 E Cactus 85192 405-8934 I support

* NEITHER COMMUNITY MEMBER ABOVE WERE A PART OF THE MAILING, BUT BOTH WERE ENTHUSIASTIC ABOUT THE PROPOSED CASINO.

- * Vanessa Harris 70415 E Indian Hills Dr 928-275-0349 Support
- * Rosa Romero 6890 N. Valentine Rd. 520-395-5719 Support

* ibid.

July 6, 2016

Mr. Matthew Hake
Michael Baker International
Phoenix Plaza Tower II
2929 N. Central Avenue, 8th Floor
Phoenix, AZ 85012

Subject: Century Link Dudleyville Monopole
Design Specification

Mr. Hake,

Century Link proposes the installation of a new monopole structure to support communications equipment at their Dudleyville facility.

The monopole will be designed by our office per requirements of the 2012 International Building Code and its reference specification TIA-222-G, "*Structural Standard for Antenna Supporting Structures and Antennas*".

Regards,



Glen L. Hunt III, MS/PE
Principal Engineer

August 5, 2016

Mr. Enrique Bojorquez, Planner I
Pinal County Community Development
31 North Pinal Street, Building F
PO Box 2973
Florence, AZ 85132

RE: Special Use Permit – 8/5/16 Review Comments – **Engineer Letter** (Case SUP-003-16)

Dear Mr. Bojorquez:

Co-location on the existing sports lights post to the North of the proposed monopole site is not feasible.

This location will not work. The Dudleyville CO tower is designed specifically for the frequency being utilized. The radio system is operating at 18GHz and can only handle 1 degree of sway. With the lights and antenna system atop the light fixture pole located at the ball field, the pole would sway outside the limits of the radio system and disrupt service.

Also, the distance between the Radio system and the Dudleyville CO is beyond the limits to be operational. CenturyLink needs to have the radios and the electronics as close as possible for functioning radio performance.

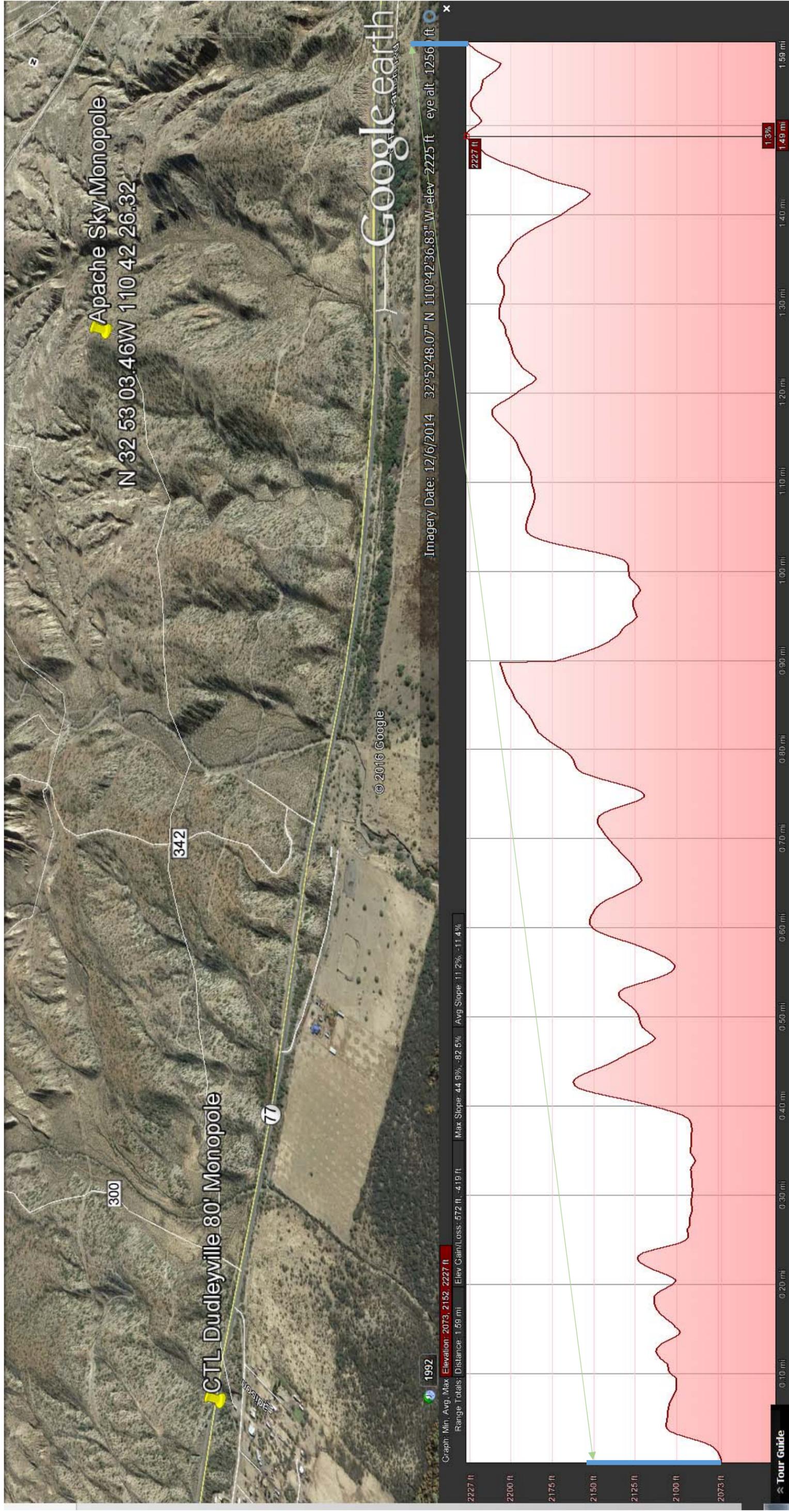
In addition, there may be direct clear line to the Apache Sky Casino but, the radio signal does not travel in a direct line. It travels in an ellipsoid pattern. This would cause a higher sport light fixture pole to be required.

Sincerely,



Dean Levorsen, Electrical Engineer
Michael Baker International





Pinal County Review Comment Response to General, item 2:

The 80' monopole proposed for the CenturyLink Central Office site located at 3505 N. Dudleyville Rd. is not a broadcast system; it is a direct point-to-point system. There is no coverage map to convey. Instead, we are offering an elevational profile with the CenturyLink 80' monopole depicted at the left end of the direct path and the receiving point at the Apache Sky location on the right side of the elevational profile representation.

APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All applications must be typed or written in ink.)

- 1. Pinal County Staff Coordinator: Mr. Steve Abraham, AICP, MPA Planning Manager
2. Date of Concept Review: 05 / 24 / 2016 Concept Review No.: CR - Z-PA-026-16
3. The Legal Description of the Property: THAT PART OF N 1/2 N 1/2 S 1/2 SE SW LYING W OF E ROW LINE OF OLD AZ STATE HWY #77 SECT 16-6S-16E 2.17 AC
4. Tax Assessor Parcel No(s): 300 26 089 B
5. Current Zoning: General Rural (GR)
6. Parcel size: 2.17 acres (handwritten 0.35 +/-)
7. The existing use of the property is as follows: This property has a telecommunications facility owned by CenturyLink called the Dudleyville Central Office.
8. The exact use proposed under this request: Provision of an 80' monopole on the existing site, partially screened by the existing building and highway embankment, to provide dedicated high-speed internet service to the proposed Apache Gold organization...
9. Is the property located within three (3) miles of an incorporated community?
10. Is an annexation into a municipality currently in progress?
11. Is there a zoning violation on the property for which the owner has been cited?
12. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted Comprehensive/Area Plan(s) or similar changes.
13. Explain why the proposed development is needed and necessary at this time.

RECEIPT #:

AMT: 500.00 DATE: 7/31/14 CASE: Sup-003-13

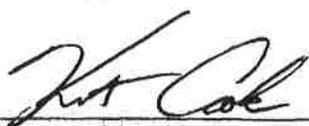
SUPPORTING INFORMATION

1. Provide information as to the use and evidence that it is in accordance with the intent of Section 2.151.010: "Such other uses as the planning commission may deem appropriate in the public interest" to support development and job creation near the Dudleyville community.
2. Note any services that are not available to the site. Discuss and improvements of services that would be paid for by the public: High-speed fiber service is not available to the Apache site. There is nothing in this Use Permit anticipated to be funded by the public.
3. What is the amount of traffic to be generated (# of trips/day, deliveries/week)? Show ingress/egress on the site plan: There will be no change in traffic/trips per day. As is already the case, there will continue to be an occasional technician visiting the site for routine maintenance.
4. How many parking spaces are to be provided (employees and customers)? Indicate these parking spaces on the site plan: Parking can accommodate more than the required number of spaces for this use (at least five spaces).
5. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors? There is no potential for excessive noise, smoke, fumes, dust or glare with the installation of the monopole.
6. What type of landscaping are you proposing to screen this use from your neighbors? Not applicable. The monopole will be behind (east of) the existing building and at the bottom of the embankment of the AZ 77.
7. What type of signage are you proposing for the activity? Where will the signs be located? There will be no signage associated with the monopole installation.
8. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative: This is not applicable.

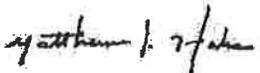
9. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested: The proposed monopole will be sited to minimize the visual exposure to the adjacent property owners and will be no more intrusive than existing amenities like the tall sport light fixtures at the Lionel D. Ruiz Park and Playground located one-quarter mile north of the CenturyLink site.
10. Have you discussed possible conditions that may be placed on the permit with the Planning Department? Painting the monopole. YES NO
11. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void? YES NO

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

Kurt Cook, Sr. Construction Project Manager 3640 E. Indian School Rd., PHX, AZ 85018 602 716-3308

Name of Applicant	Address	Phone Number
		Kurt.Cook@centurylink.com
Signature of Applicant		E-Mail Address

Matthew Hake c/o Michael Baker International, Inc.	2929 N. Central Ave. Suite 800 Phoenix, AZ 85012	602 294 2244
Name of Agent/Representative	Address	Phone Number

		Matthew.Hake@MBakerInt.com
Signature of Agent/Representative		E-Mail Address

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Mountain Bell (per 1992 Quit Claim Deed 730054) a.k.a. CenturyLink 3640 E. Indian School Road, Phoenix, AZ 85018 602.716-3308

Name of Landowner	Address	Phone Number
		Kurt.Cook@centurylink.com
Signature of Landowner		E-Mail Address

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.
AGENCY AUTHORIZATION

TO: Pinal County Planning & Development Services
P.O. Box 2973
Florence, AZ 85132

The Mountain States Telephone and Telegraph Company (a.k.a. CenturyLink Corporation, Colorado)

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]
hereinafter referred to as "Owner," is/are the owner(s) of 2.17 acres located at
3405 N. Dudleyville Rd., Dudleyville, AZ 85192
[Insert Address of Property]
and further identified as assessor parcel number 300 26 089 B and legally
[Insert Parcel Number]
described as follows:

THAT PART OF N 1/2 N 1/2 S 1/2 SE SW LYING W OF E ROW LINE OF OLD AZ STATE HWY #77 SECT 16-6S-16E 2.17 AC

Said property is hereinafter referred to as the "Property."

Owner hereby appoints
Matthew Hake of Michael Baker International, Inc.

[Insert Agent's Name. If the Agent is a Company, Insert Company Name Only]
hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

[Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]

[Signature]
Dated: _____

[Signature]
Dated: _____

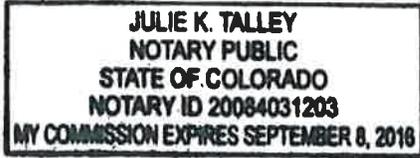
STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
By _____
[Insert Name of Signor(s)]

My commission expires _____

Notary Public

[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]



Mountain Bell a.k.a. CenturyLink
[Insert Company or Trustee's Name]

By: [Signature]
[Signature of Authorized Officer or Trustee]

Its: Vice President
[Insert Title]

Dated: 7/5/16

STATE OF Colorado)
City and) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me, this 5th day of July, 2016 by LARae D. Dodson, Vice President Real Estate of Mountain Bell AKA Century Link, an Colorado [Insert Name of Company or Trust] [Insert Title] [Insert State of Incorporation, if applicable] and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

[Signature]
Notary Public

My commission expires: Sept 8, 2016

ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:

STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of _____, _____, before me, the undersigned, personally appeared _____ Who acknowledged himself/herself to be

_____ of _____ [Insert Signor's Name] [Title of Office Held] [Second Company]

As _____ for _____, and who being [i.e., member, manager, etc.] [Owner's Name] authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

Notary Public

My commission expires: _____

[If a corporation or company, use the following signature block and acknowledgment]

Mountain Bell a.k.a. CenturyLink
[Insert Company Name]

By: [Signature]
[Signature of Authorized Officer]

Title: Vice President

Dated: 7/5/16

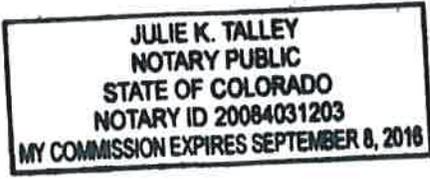
STATE OF Colorado)
city and) ss.
COUNTY OF Denver)

On this 5th day of July, 2016, before me, the undersigned Notary Public, personally appeared LARAE D. DODSON who
acknowledged himself/herself to be VP-Real Estate of Mountain Bell/ AKA CenturyLink
[Insert Signor's Name] [Insert Title] [Insert Name of Company]

a(n) Colorado, and being authorized to do so on
[State of Incorporation or Formation]
behalf of said entity, executed the foregoing instrument for the purposes therein contained.

[Signature]
Notary Public

My Commission Expires: Sept 8, 2016



AFFIDAVIT OF POSTING OF BROADCAST SIGN

I LARRY WAYNE LONG Applicant for case SUP-003-16 (Case number), personally caused 1 sign(s) to be posted in a visible place on or near the proposed project site on 8-11-16 (Date), at least 28 days before the Planning and Zoning Commission Public Hearing, regarding the proposed PUBLIC HEARING (Type of application), in unincorporated Pinal County

The notice was posted as indicated on the attached map and photograph.

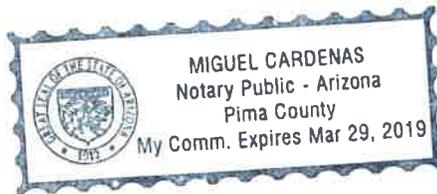
Larry W. Long 8-12-16
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF PINAL)

Subscribed and sworn to me by LARRY W. LONG this 12 day of AUGUST, 2016.

[Signature]

Notary Public
My Commission Expires:



When recorded return to:
Clerk of the Board Office
P.O. Box 827
Florence, Arizona 85132

**CASE NO. SUP-003-16
SPECIAL USE PERMIT
RESOLUTION**

WHEREAS, THE PINAL COUNTY PLANNING AND ZONING COMMISSION HAS RECOMMENDED TO THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, THAT A SPECIAL USE PERMIT (BE) GRANTED FOR THE PURPOSE DESCRIBED BELOW; ON THAT PROPERTY DESCRIBED BELOW; AND,

WHEREAS, AFTER A PUBLIC HEARING AS PROVIDED BY LAW, THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, IS OF THE OPINION THAT THE ADOPTION OF SUCH RECOMMENDATION FOR A SPECIAL USE PERMIT FOR THE PURPOSE DESCRIBED BELOW WOULD BE IN THE BEST INTEREST AND WELFARE OF PINAL COUNTY.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, THAT THE SPECIAL USE PERMIT IS GRANTED WITH THE STIPULATIONS ATTACHED AS EXHIBIT "A".

PROPERTY DESCRIPTION: See Exhibit "B"

TAX PARCEL #: 300-26-089B

PURPOSE: To operate an 80' tall monopole wireless communication facility on a 0.35± acre parcel in the General Rural (GR) zone.

DATED THIS 19th DAY OF OCTOBER, 2016.

PINAL COUNTY BOARD OF SUPERVISORS

Chair of the Board

ATTEST:

Clerk of the Board

EXHIBIT "A"
Stipulations (SUP-003-16)

- 1) The permit is issued to CenturyLink, not to the land;
- 2) the permit is issued for ten (10) years from date of the Board of Supervisors approval;
- 3) the layout, design and set up of the 80 foot monopole wireless communication facility shall be as shown and set forth on the applicant's submittal documents and site plan and shall be an unmanned telecommunication facility;
- 4) any changes, modifications, alterations and/or additions to the 80 foot monopole and/or the antenna dish as shown and set forth on the applicant's submittal documents and site plan will require a new special use permit;
- 5) the 80 foot tall monopole and antenna arrays shall conform and be limited to the engineering standards set forth on the applicant's submittal documents;
- 6) submit a R.F. Engineer's certification that radiation meets FCC requirements;
- 7) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 8) the applicant shall keep the area free of trash, litter and debris;
- 9) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 10) all Federal (FCC), State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building permits, fencing and security lighting; and
- 11) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department; and
- 12) any change or expansion of use shall require the approval of the Board of Supervisors under the procedures pursuant to Section 2.150.020 of the Development Services Code.

EXHIBIT "B"
Legal Description (SUP-002-16)

THAT PART OF N 1/2 N 1/2 S 1/2 SE SW, LYING W OF E ROW LINE OF OLD AZ STATE HWY #77, SEC 16 T06S R16E.

Parcel Number: 300-26-089B