

**MEETING MINUTES OF
THE CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, December 18, 2019
6:00 p.m.**

I. CALL TO ORDER

Chairperson Marlo Schuh called the meeting to order at 6:04 p.m.

II. ROLL CALL

*One or more members of the Planning and Zoning Commission may attend by telephonic means.

Members present:

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|------------------------------|------------------------------|
| ▪ Chairperson Marlo Schuh | ▪ Commissioner John Peterson |
| ▪ Commissioner Steve Paulson | ▪ Ex-Officio Daniel Snyder |
| ▪ Commissioner Kirk Tatom | |

Members Absent:

- Vice-Chairperson Larry Brown (excused)
- Commissioner Allen Crawford (excused)

Staff present:

- | | |
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| ▪ Jon Vlaming, Community
Development Director | ▪ Belinda Lopez, Planner |
| | ▪ Jerry Stabley, Planning Manager |

Others present:

- J.W. Tidwell, Council Member
- Natasha Tidwell, Board of Adjustment
- Jordan Levin, sPower
- Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer Law
- Chris Morgan, United Engineering

III. INVOCATION

Chairperson Schuh led the Invocation and requested a moment of silence.

IV. PLEDGE OF ALLEGIANCE

Chairperson Schuh led the recitation of the Pledge of Allegiance.

V. MOTION TO APPROVE THE OCTOBER 16, 2019 MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION.

Chairperson Schuh asked for a motion to approve the meeting minutes of the Planning and Zoning Commission. Commissioner Peterson made a motion to approve the October 16, 2019 meeting minutes as presented. Commissioner Paulson seconded the motion. The motion was approved with a vote of 4-0.

VI. OLD BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

None.

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

A. CONDUCT A PUBLIC HEARING ON THE REQUEST BY UNITED ENGINEERING, INC. TO AMEND AND AUGMENT THE EXISTING VILLAGES OF ELOY PLANNED AREA DEVELOPMENT (PAD) TO ALLOW THE INCLUSION OF SOLAR GENERATION FACILITIES FOR APPROXIMATELY 995.23 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF ESTRELLA ROAD AND HANNA ROAD WITHIN SECTIONS 1, 11 AND 12 OF TOWNSHIP 7 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN (G&SRB&M), CITY OF ELOY, PINAL COUNTY, ARIZONA (CASE NO. RZPAD19-015 SPOWER)

Chairperson Schuh opened the public hearing. Mr. Vlaming gave a brief description of the application to the Planning and Zoning Commission and a number of stipulations that they may discuss on the next agenda item.

Ms. Levin introduced herself as a representative of sPower and expressed their company is involved and participates in job training, work with schools, tours and are involved in the communities such as Eloy, Coolidge, Pinal County. Their project in Eloy comprises of approximately 1,000 acres and would be able to power/connect to the north at the Pinal Substation. Mrs. Oberholtzer introduced herself. She explained that she spent a lot of time working to rezone the property back in 2008 to single-family development and supportive commercial, but the national and regional economy had other plans. The property has subsequently changed ownership and now sPower will be the owner. The new owner did not want to dismantle the existing Planned Area Development (PAD) and the applicant request is to amend the existing entitlement to allow Solar on this entire PAD as a permitted use that would continue to remain intact for what they see as a 30 year timeframe. Down the road, the PAD will exist to replicate the development.

Ms. Levin explained that with their aggressive construction schedule, they must be able to meet their SRP commitment without disrupting the underlying entitlements

approved back in 2008. She added that they brought their whole team (sPower, United Engineering, Inc. and BFSO Law) to answer any questions.

Mr. Tatom asked when the project would be completed. Ms. Levin responded that they expect to have the site operational by the fourth quarter of 2022. Ex-Officio Snyder mentioned he is new to the solar concept. He asked if there would be any noise generated that might impair the radio station located at the Baha'i property to the immediate south. Ms. Levin responded that their proximity to any electromagnetic or voltage would not pose any major concern. It has been a minimal issue. She explained the noise that will be emitted is a minor humming when the panels move, so it would only be heard when one is on-site that the tilting could be heard.

Mr. Tatom asked how the City of Eloy would benefit from this project. Ms. Levin explained through property taxes, 2-years of sales taxes during contiguous construction such as dining, hotel, gas, and all of the activities that would be utilized during construction. She indicated that they would prefer to utilize local businesses, and locally sourced construction materials. She added they would be here for the next 35 years. Ms. Levin explained that the majority of the power generated on this property would be serving Intel located in Chandler, Arizona. Commissioner Peterson asked if the solar panels would require any type of cooling. Ms. Levin responded no. Mrs. Oberholtzer wanted to address Commissioner Tatom's previous question, she added sPower would be responsible for the construction of the perimeter roadways, landscaping to enhance aesthetics, and increased setbacks. During operations and maintenance, there will not be any full time employees on-site. Commissioner Peterson asked if there would be any proposal to widen the roads. Ms. Levin responded that there would be chip seal improvements. Chairperson Schuh expressed concerns about any commitments. Mrs. Oberholtzer explained that the impact fees would pay for the roads. Commissioner Paulson asked what type of fencing was being proposed. Mr. Vlaming responded it would be chain-link perimeter fence powder coated with a sage green color with landscaping along Estrella Road, around the Baha'i property, Cornman Road and Eleven Mile Corner Road. sPower is also proposing security cameras at their main entrance. Chairperson Schuh asked about water availability. Mr. Vlaming commented that there is existing water service through Estrella Road that would be extended through the property to serve the irrigation needs along the selected areas where landscaping would be included.. As there were no other comments or questions, Chairperson Schuh closed the Public Hearing.

B. CONSIDERATION, DISCUSSION AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, APPROVAL WITH CONDITIONS, DENIAL OR CONTINUANCE OF CASE NO.; RZPAD19-015, GENERALLY LOCATED AT THE NORTHEAST CORNER OF ESTRELLA ROAD AND HANNA ROAD WITHIN SECTIONS 1, 11, AND 12 OF TOWNSHIP 7 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN (G&SRB&M), CITY OF ELOY, PINAL COUNTY, ARIZONA.

Chairperson Schuh asked for a motion. Commissioner Paulson made a motion to approve Case No.: RZPAD19-015 with Staff's stipulations. Commissioner Peterson seconded the motion. The motion passed with a vote of 4 to 0.

C. CONDUCT A PUBLIC HEARING TO ALLOW COMMENTS FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED REVISIONS TO THE ELOY ZONING CODE PERTAINING TO PORTIONS OF SECTIONS 2-2.5, 2-2.6, 2-3.5, 2-5.5, 3-2.8, 2-7.20, 3-1.22 AND 6-6.3. (CASE NO.: TA19-029 AMENDMENTS TO CHAPTER 21-ZONING ORDINANCE)

Chairperson Schuh opened the public hearing. Mr. Stabley introduced to the Planning and Zoning Commission a proposed text amendment to Chapter 21-Zoning of the Eloy City Code through a power point presentation. He explained that the Staff goal is to remove unneeded roadblocks to approvals and to clarify requirements versus guidelines-Sections 21-2-2.5, 21-2-2.6, 21-2-3.5, and 21-2-2-5.5: Both can appear in the Zoning Ordinance. Guidelines provide direction with flexibility for unique designs and situations and typically use the word "should". Requirements must be followed and use the word "Shall". It appeared that all of the statements were called a guideline, even when it needed to be a standard. He indicated that there are over 60 edits identified to be changed .

- Section 2-2.5: Single-Family Residential will remove ~~design~~ and add **Development Requirements and Guidelines**.
- Section 3-2.8: Animals-Chicken Hens and Pullets: All lots less than (remove ten add twelve thousand (10,000) (12,000) square feet) shall be limited to no more than five (5) chickens per lot. With this change, there would be consistency between Downtown Eloy and Toltec Area and it would prevent impacts on smaller lots.
(This text proposal of Section 21-3-2.8 was removed from the approval of Agenda item VII.D. as it needed it be clarified, as that was not the intention.)
- Table 2.73 Downtown Core (DCO) Overlay Zoning District
- Section 21-3-1.22 Home Occupations: A home occupation shall not include, **remove** ~~but shall not be limited to~~, the following uses:
 1. Medical offices, clinics, and laboratories, except for psychologists, speech therapists, acupuncturists, licensed massage therapists, and other professionals with one-on-one counseling, therapy, or treatment that do not exceed six (6) clients within twenty four (24) hours.
 2. Motor vehicle sales, repair, painting, storage, restoration or conversion, engine repair or similar uses conducted outside (remove ~~and/or~~) on vehicles not registered to a person currently residing at the home.
- Parking Requirements-currently, the parking requirements are too strict resulting in higher cost, heat island, thus discourage development. It is also too lenient: impacting adjacent properties, including neighborhoods. For example, the City of Scottsdale Code balances the wishes of a strong development community with the desires of equally strong citizen groups.
- Table 4.1-1 Parking Space, required updating the square footage.
- Section 6-6.3 B Rezone application process language

- Planned Area Development (PAD) Submittal 21-6-6.3 C – include a separate page that lists out all of the proposed development standard amendments. Commission and Staff can easily find what is being proposed.

Being no other comments, Chairperson Schuh closed the public hearing.

D. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON THE PROPOSED MINOR REVISIONS TO THE ELOY ZONING CODE PERTAINING TO PORTIONS OF SECTIONS 2-2.5, 2-2.6, 2-3.5, 2-5.5, 3-2.8, 2-7.20, 3-1.22 AND 6-6.3. (CASE NO.: TA19-029 AMENDMENTS TO CHAPTER 21-ZONING ORDINANCE)

Chairperson Schuh asked for a motion. Commissioner Peterson made a motion to recommend approval of Case No.: TA19-029 with removal of Section 3-2.8 Animals, as that section needs clarification. Commissioner Paulson seconded the motion. The motion passed with a vote of 4 to 0.

VIII. INFORMATIONAL ITEMS:

Mr. Vlaming mentioned that the City of Eloy is working on a new Public Safety (Police Department) building, a Hotel Feasibility Study. He noted that the consultant visited the City two weeks ago and interviewed every single hotel/motel in the City. He indicated that this study would be completed by the end of January 2020. He also noted that there is also an Airport Analysis under way-City staff is working with ASU to identify the direct/indirect fiscal impacts of the Airport in the Eloy area. The finished report will guide the City Council with partnerships in coordinating future airport events. Commissioner Tatom commented that it looked like there has been some use with the parking lot the City leases from the Hills. Chairperson Schuh asked if the Airport belong to City of Eloy. Mr. Vlaming responded yes.

Mr. Vlaming continued with his informational items, and mentioned that the City Council approved both Major General Plan Amendments., One was a request for the Interstate 10-8 Business Park and the second being Staff Initiated amendments to the General Plan;

He noted that Staff in the Community Development Department has been busy through this year, as there were approximately 135 housing permits issued at Robson Ranch ; the City Council also approved a Final Plat for Robson Ranch-Arizona Unit One A (1A) for 84 additional residential lots located west of the entry guard gate.

No cases pending on schedule for January 15, 2020 for the Planning and Zoning Commission other than to re-elect a Chair and Vice-Chair person for calendar year 2020; and Commissioner's Term set to expire February 2020 for the following: Vice-Chairperson Larry Brown, Commissioner Allen Crawford and Commissioner Steven Paulson.

IX. COMMUNICATIONS:

A. EX-OFFICIO MEMBER REPORT-COUNCILMAN DAN SNYDER

- Ex-Officio Snyder reported that Eloy's Santa Cruz Valley Historic Museum Grand Opening Day is scheduled to be on January 24th at 10:00 a.m. He also mentioned that the City is conducting a citizen survey and residents of Eloy should already have received a post card with an identification number that may be used on-line using a link provided on the postcard or via telephone call. He noted that they are also reaching out by calling the residents.
- The Eloy Chamber of Commerce is accepting nominations for a City Employee of the Year (Mr. Vlaming was selected for 2018) and nominations for Volunteer of the Year.

B. GOOD OF THE ORDER

- None.

X. MOTION TO ADJOURN.

Chairperson Schuh asked for a motion to adjourn. Commissioner Peterson made a motion to adjourn and was seconded by Commissioner Paulson. The adjournment passed 4-0 and the meeting adjourned at approximately 7:36 p.m.