**PUBLIC NOTICE**
**PLANNING & ZONING COMMISSION**
**Meets**
**Thursday, June 20, 2024**
**6:00 PM**
**ELOY CITY COUNCIL CHAMBERS**
**595 NORTH C STREET**
**ELOY, ARIZONA 85131**

# AGENDA

**I. Call to Order**

**II. Roll Call**

**III. Invocation**

**IV. Pledge of Allegiance**

**V. Public Appearances**

Those wishing to **ADDRESS THE PLANNING & ZONING COMMISSION** may do so by signing in on a form provided by the Community Development Director, identifying the topic(s) or agenda item(s). **ACTION** taken as a result of public comment regarding non agenda items will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date. **SPEAKERS SHALL BE LIMITED TO THREE (3) MINUTES**.

**VI. Motion to approve the January 17, 2024 meeting minutes of the Planning and Zoning Commission**

A. January 17, 2024, Regular meeting minutes.

**VII. Old Business: Possible discussion and/or action on the following:**

**VIII. New Business: Possible discussion and/or action on the following:**

A. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. GPA2024-001: Sawtooth Energy Center, an application for a Minor General Plan Amendment to change the land use designation from Medium Density Residential to Estate Residential on approximately 50.61 acres located approximately 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.

B. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2024-001: Eloy Valley Specific Plan PAD - Sawtooth Energy Center, an

application for a Zoning Map Amendment to rezone approximately 50.61 acres of land from Single-family (R1-43) to Single-family (R1-43) PAD situated about 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road and to incorporate the property into the Eloy Valley Specific Area Plan Planned Area Development (PAD). In addition, the proposed Zoning Map Amendment is to permit a Solar, Utility Scale Generation, and Battery Energy Storage System Facility as an allowed use on the northern approximately 2,055 gross acres of the PAD located on an irregularity-shaped site located between W. Shay Road and W. Alsdorf Road, and S. Toltec Buttes Road and S. Curry Road, in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.

C. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2009-018.A1: Cooley Eloy 640 Planned Area Development – Shay Solar. The proposed Zoning Map Amendment is to modify the Cooley Eloy 640 Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facility as an allowed use on a site located between W. Shay Road and W. Phillips Road, and S. Tweedy Road and S. Eleven Mile Corner Road, in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.

**IX. Informational Item:**

A. Information and discussion on the City Council initiated Zoning Text Amendment to incorporate requirements for walls and fences on residential lots.

B. Planning and Zoning Commission members and Staff will give updates on relevant events and activities they have attended since the last meeting and any future events, activities, potential future agenda items. These items are for information only - no action will be taken.

**X. Motion to Adjourn**

**POSTED BY JUNE 13, 2024 AT ELOY CITY HALL, ELOY POST OFFICE, AND CITY WEBSITE:** www.eloyaz.gov

**THE FACILITY WILL BE OPEN TO THE PUBLIC 30 MINUTES PRIOR TO THE START OF THE MEETING AND SEATING WILL BE AVAILABLE FOR "REASONABLY ANTICIPATED ATTENDANCE."**

Mary Myers

Mary Myers, MMC, CPM
City Clerk

INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT LORENA LaSALDE-RIOS, ADA COORDINATOR FOR THE CITY OF ELOY AT 520-466-9201 OR 520-466-7455 (TDD). IF POSSIBLE, SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE. ONE OR MORE MEMBERS OF THE COMMISSION AND/OR STAFF MAY PARTICIPATE BY TELEPHONIC OR VIDEO MEANS.

**ELOY PLANNING AND ZONING COMMISSION**
**CITY HALL**
**595 NORTH C STREET**
**ELOY, AZ 85131**

**WEDNESDAY, JANUARY 17, 2024**
****SUMMARIZED MEETING MINUTES****

**PRESENT:** Chairperson Steven Paulson
Vice-Chairperson Conrad Tolson
*Commissioner Allen Crawford
Commissioner Edward Sauceda
Ex-Officio Andrew Sutton

**ABSENT:** Alternate Commissioner Kathryn Meyers

**STAFF:** Dan Symer, Community Development Director
Belinda Cota, Planner

**I. Call to Order**
Chairperson Steven Paulson called the meeting to order at 6:00 p.m.

**II. Roll Call**
*One or more Planning and Zoning Commission members may attend by telephone.
As stated above, a formal roll call was conducted to confirm the members present.

**III. Invocation**
Chairperson Paulson led the Invocation and requested a moment of silence.

**IV. Pledge of Allegiance**
Chairperson Paulson led the recitation of the Pledge of Allegiance.

**V. Public Appearances**
None.

**VI. Motion to approve the December 20, 2023, meeting minutes of the Planning and Zoning Commission**
Commissioner Crawford moved to approve the December 20, 2023, Regular meeting minutes. Second, by Commissioner Sauceda, the motion was carried by a vote of three (3) to one (1) by Chair Paulson, Commissioner Crawford, and Commissioner Sauceda. Vice-Chairperson Tolson abstained.

Note: These are summary action minutes only. A complete copy of the meeting audio is available on the City of Eloy website, search agendas, minutes and public notices: Agendas, Minutes & Public Notices | Eloy, AZ - Official Website (eloyaz.gov)

**VII. Old Business: Possible discussion and/or action on the following:**
None.

**VIII. New Business: Possible discussion and/or action on the following:**

**A. Conduct a public hearing of an application submitted by Architecture All & Associates on behalf of Martha Rios for a Conditional Use Permit for a proposed restaurant with a drive-through. This application specifically requests the following use under the general Commercial District (C-2) zoning district: Restaurant With A Drive-Through. The subject property is located at 3910 W. Shedd Road, Eloy, AZ 85131. Pinal County Assessor's Parcel Number (APN#) 404-02-0090, in a portion of Section 22, Township 7 South, Range 7 East of the Gila & Salt River Baseline & Meridian, Pinal County, Arizona. Case no. CUP2023-038. (Project Name: Filiberto's Drive-Thru Window.)**

Mr. Slatewala with Architecture All & Associates presented that application and requested approval of a Conditional Use Permit for the drive-through window.

**B. Consideration, discussion, and recommendation to the Eloy City Council for approval, approval with conditions, denial, or continuance of Case No.: CUP2023-038. (Project Name: Filiberto's Drive Thru Window.)**

The Vice-Chairperson addressed his concerns about the crosswalk in front of the drive-through lane. Mr. Symer explained whether the Commission wishes to add a condition requiring the applicant to reorient the pedestrian access way in a configuration that would comply with that specific requirement as part of the Conditions of approval, subject to the satisfaction of the Zoning Administrator.

Commissioner Crawford moved to approve Case No. RZ2023-066 as is. Second, by Commissioner Sauceda, the motion was carried by a vote of four (4) to zero (0) by Chair Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Sauceda.

**C. Conduct a public hearing for an application submitted by Mecca Energy, LLC on behalf of Shavell Gounod to rezone approximately 0.52 acres from Single-Family Residential (R1-6) with the Downtown Core Overlay (DCO) to Multiple Family Residential (R-3) (10-24 Dwelling Unit/Acre) with a Downtown Core Overlay (DCO). The subject parcel is located at 211 E. 4th Street (Between Stuart Boulevard and Sunshine Boulevard, Pinal County Parcel Number 405-03-0331A) in a portion of Section 6, Township 8 South, Range 8 East of Gila & Salt River Baseline & Meridian, Pinal County, Arizona. (Project Name: Autumn Cottages @ Eloy).**

Mrs. Shavell Gounod, with Mecca Energy, LLC, introduced herself and gave a PowerPoint presentation of the application.

**D. Consideration, discussion, and recommendation to the Eloy City Council for approval, approval with conditions, denial, or continuance of Case No.: RZ2023-066. (Project Name: Autumn Cottages @ Eloy).**

Commissioner Sauceda moved to approve the Case No. RZ2023-066 as presented. Second, Commissioner Crawford carried the motion unanimously by a vote of four (4) to zero (0) by Chair Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Sauceda.

## IX. INFORMATIONAL ITEM:

- Mr. Symer stated that moving forward with the meeting minutes, and to save staff time, the meeting minutes will be summarised, and the meeting audio will be available on the City's website: www.eloyaz.gov.

## X. COMMUNICATIONS:

Ex-officio Council member Andrew Sutton communicated the following:

- The City Council meeting on January 8, 2024, approved the Comprehensive Sign Package, Case No. CSP2023-056.

## XI. MOTION TO ADJOURN

With no further business to discuss, the regular meeting of the Planning and Zoning Commission adjourned at 6:52 p.m.

# CITY OF ELOY
# REQUEST FOR COMMISSION ACTION

**Agenda Item: VIII.A.**
**Date: 6/20/2024**

| | | |
|---|---|---|
| **Date submitted:** 05/17/2024<br><br>**Date requested:** 6/20/2024 | **Action:** Formal | **Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. GPA2024-001: Sawtooth Energy Center, an application for a Minor General Plan Amendment to change the land use designation from Medium Density Residential to Estate Residential on approximately 50.61 acres located approximately 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.** |

**TO:** Planning and Zoning Commission

**FROM:** Dan Symer, Belinda Cota

**RECOMMENDATION:**

The staff recommends that the Planning and Zoning Commission, after reviewing the Issues for Consideration for a General Plan Amendment and the Amendment Guidelines specified in the General Plan, recommend to the City Council that it finds the Amendment Guidelines have been met and approves the General Plan Amendment as outlined in Case No. GPA2024-001 (Sawtooth Energy Center).

**DISCUSSION:**

**Request:**
The applicant, Rose Law Group, PC, c/o Court Rich, on behalf of Sawtooth Solar, LLC, a subsidiary of EDF Renewables, Inc., has submitted an application for a Minor General Plan Amendment from Medium Density Residential to Estate Residential on approximately 50.61 acres located approximately 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road. The purpose of this application is to allow the property to be rezoned to Estate Residential (R1-43) with the Planned Unit Overlay (PAD) zone as part of a Zoning Map Amendment to incorporate the property into the Eloy

Valley Specific Plan PAD (Case No. RZPAD2024-001). Also incorporated as part of the related Zoning Map Amendment is a provision to allow the development of the property for a utility-scale solar generation facility with related equipment on the property.

**General Plan:**
As indicated above, the General Plan's Land Use Element designates the property as Medium Density Residential. This land use category includes areas designated for single-family detached and attached residential homes with a density ranging between three (3) and six (6) dwelling units per gross acre. Furthermore, the existing designation is intended to accommodate areas suitable for single-family, townhome, patio home, and duplex-type dwelling unit developments. The development potential of properties within this designation is determined by location, access, availability of existing or proposed public facilities and utilities, existing land use patterns, and natural or human-made constraints.

The applicant's proposed land use designation for the site is Estate Residential. This land use category includes areas designated for large-lot, single-family residential developments with a density range of 0.05 dwelling units per acre (du/ac) (i.e., 1 dwelling unit per 20 acres) to 1 du/ac. In addition, the Estate Residential land use category is intended to portray a rural setting with home sites and development providing a more open environment. The category may also serve as a transitional land use buffer between lower-density residential uses and higher residential-density developments.

**Context:**
Located approximately 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road, the site is surrounded by undeveloped and vacant land. The land uses adjacent to the site and areas are primarily medium-density residential, with limited areas designated Commercial, Medium-High Density Residential, and Parks/Open Space. The General Plan land use map designations, zoning, and land uses of the property abutting and adjacent to the property are identified in the table below.

| Direction | General Plan Land Use Map Designation | Existing Property Zoning | Existing Use of the Property |
|---|---|---|---|
| North | Medium Density Residential and Community Commercial | Single-family Residential (R1-6) PAD and General Commercial (C-2) PAD | Vacant land |
| South | Medium Density Residential | Single-family Residential (R1-43) and Single-family Residential (R1-6) PAD | Vacant land |

| | | | |
|---|---|---|---|
| East | Medium Density Residential and Community Commercial | General Commercial (C-2) and Single-family Residential (R1-43) | Vacant land |
| West | Medium Density Residential | Single-family Residential (R1-43) | Vacant land |

**General Plan Amendment Criteria and Guidelines**
Based upon the criteria outlined in Section 2.2 of the General Plan, the applicant's request is considered a Minor General Plan Amendment. Furthermore, in accordance with Section 2.3 of the General Plan, changes to the General Plan must also meet the following guidelines outlined below (Staff's analysis of the guidelines is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

1. That the City has not provided adequate land uses [*sic*] designated [*sic*] that would allow the proposed use to be sited as proposed.

- ***The property currently has a land use designation of Medium Density Residential and the proposed land use designation of Estate Residential. With the adoption of Solar, Utility Scale Generation and Battery Energy Storage System Facilities (hereafter, "Utility Scale Solar") provisions into the Zoning Ordinance, the regulations limit the use to properties with the Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20 zones, which corresponds to the General Plan's Estate Residential land use designation. It should be noted that the Utility Scale Solar may also be allowed in other land use designations when incorporated as an allowed use of a PAD zone.***

  ***Currently, approximately 52% of the city's total planning area is designated with Estate Residential land use designation, although approximately 13.4% of the current City of Eloy's corporate limits has this designation. A substantial amount of land with the Estate Residential designation that is in Eloy's Planning Area is not contiguous with Eloy's corporate limits, which significantly limits the ability of property owners to annex into Eloy. Therefore, there currently exists a limited amount of property with the Estate Residential land use designation in the City to allow the associated zoning designations and allowed uses. Although not substantial, the area of the proposed Estate Residential land use designation would be increased by 50.61 acres - which is an increase of 0.06%. The amount of Medium Density Residential would be decreased by 0.1%. Even though the proposed use of the property will be for Utility Scale Solar, according to the applicant, the use is interim until such time that the development of the property as residential use is more viable, and utilities are available. Also, since the property would be incorporated in the Eloy Valley Specific Plan PAD as part of the associated Zoning Map Amendment (Case No.***

***RZPAD2024-001), the addition of the Estate's Residential land use would provide additional diversity of residential development options and land uses within the PAD. By adding the additional Estate Residential land use designation within Eloy's corporate limits and to the area containing the Eloy Valley Specific Plan PAD, the proposed amendment directly contributes to the General Plan's Goal 3.1.1.1. to "provide a range of residential ... and uses to encourage and maintain a sustainable community," and Goal 3.5.1.2. to "encourage a variety of housing types".***

2. That the amendment constitutes an overall improvement to the General Plan and will benefit the City in general.

- ***The proposed 50.61 acres, 0.02%, increase in the Estate Residential land use designation within Eloy's Planning area is not anticipated to have a substantial impact on the land use diversity that is currently planned. On a macro level, the property that is to contain the Estate Residential land use designation is proposed to be added to the Eloy Valley Specific Plan PAD with the concurrent rezoning application (Case No. RZPAD2024-001). Therefore, the additional Estate Residential land use designation incorporation of the proposed amendment directly contributes to the General Plan's Goal 3.1.1.1. (GP 3.1.1.1.) to "provide a range of residential ... uses to encourage and maintain a sustainable community," and Goal 3.5.1.2. to "encourage a variety of housing types".***

3. The amendment will not adversely impact any portion of the community, by:

a. Creating incompatible land use patterns;
b. Requiring additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems that are needed to support the prevailing land uses unless mitigated by the applicant and demonstrated to benefit the City;
c. Adversely impacting existing or planned land uses through an unreasonable increase in traffic generated by the proposed use unless mitigated by the applicant; or
d. Adversely affecting the livability of an area or the health and safety of existing residents.

- ***The proposed Estate Residential land use designation change from the Medium Density Residential designation actually decreases development intensity and aligns with the property's current zoning designation. In addition, the property owner/developer is responsible for constructing all infrastructure improvements required to serve the property. Therefore, the proposed Estate Residential land use designation and associated uses are not anticipated to require additional and more expensive infrastructure improvements, adversely impact the area with unreasonable traffic, or affect the livability of an area or the health and safety of existing residents.***

4. That the amendment is consistent with the General Plan's overall intent and other adopted plans, codes, and ordinances.

- ***The proposed Estate Residential land use designation change from Medium Density Residential will assist in providing a range of residential and uses that are allowed within the implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20) to encourage and maintain a sustainable community (GP 3.1.1.1. and Goal 3.5.1.2.).***

**Zoning Ordinance Issues for Consideration:**
In determining whether to approve, approve with conditions, or deny proposed General Plan amendments, issues for consideration shall include but not be limited to (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. Whether the development pattern contained in the future land use plan provides appropriate optional sites for the use proposed in the amendment.

- ***Currently, approximately 52% of the city's total planning area is designated with Estate Residential land use designation, although approximately 13.4% of the current City of Eloy's corporate limits has this designation. A substantial amount of land with the Estate Residential designation that is in Eloy's Planning Area is not contiguous with Eloy's corporate limits, which significantly limits the ability of property owners to annex into Eloy. Therefore, there currently exists a limited amount of property with the Estate Residential land use designation in the City to allow the associated zoning designations and allowed uses.***

B. That the amendment constitutes an overall improvement to the Eloy General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

- ***The proposed Estate Residential land use designation change from the Medium Density Residential would allow an additional increase in the amount of property within Eloy's corporate limits to be developed with one of the implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20). In addition, the proposed amendment would bring the plan into conformance with the property's existing zoning designation. Contextually, in conjunction with the associated Zoning Map Amendment (Case No. RZPAD2024-001), the proposed amendment is an overall improvement since it would assist in providing a range of residential and uses that are allowed within the implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20) to encourage and maintain a sustainable community (GP 3.1.1.1. and Goal 3.5.1.2.).***

C. The degree to which the proposed amendment will impact the City as a whole or a portion of the City by:

1. Significantly altering acceptable existing land use patterns.
2. Requiring larger and more extensive improvements to roads, sewer, or water systems than are needed to support the prevailing land uses in which, therefore, may negatively impact development of other lands. The commission and/or the City Council may also consider the degree to which the need for such improvements will be mitigated pursuant to binding commitments by the applicant, a public agency, or other sources when the impacts of the uses permitted pursuant to the General Plan amendment will be realized.
3. Adversely impacting existing uses due to increased traffic on existing systems.
4. Affecting the livability of the surrounding area or the health and safety of present or future residents.

- ***The proposed Estate Residential land use designation change from the Medium Density Residential designation is anticipated to decrease the development intensity in the area and align the property with its current zoning designation. In addition, the proposed land use is anticipated to have a lower impact on infrastructure improvements and traffic since the associated zoning districts of the Estate Residential have lower density allowance (1.0 to 3.0 du/ac) and allow less intensive uses when compared to the associated zoning districts (Single-family R1-6, R1-12) density (3.0 to 6.0 du/ac) and uses. Also, the Estate Residential land use designation is not anticipated to affect the livability in area or effect the health and safety of present or future residents.***

D. That the amendment is consistent with the overall intent of the adopted Eloy General Plan.

- ***The proposed amendment appears to be consistent with the overall intent of the General Plan and will assist in providing a range of residential and uses that are allowed within the implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20) to encourage and maintain a sustainable community (GP 3.1.1.1. and Goal 3.5.1.2.*)**.

E. Whether there was an error or oversight in the original Eloy General Plan adoption that did not fully consider facts, projects or trends which could reasonably exist in the future.

- ***The proposed amendment does not correct or address an error or oversight in the General Plan, although it should be noted that the Plan did***

***not contemplate the use of any property within Eloy for a utility-scale solar generation facility. The proposed interim use of the property as a utility-scale solar generation facility is contemplated until such time as the development of the property as residential use is more viable and utilities are available.***

F. Whether events subsequent to the Eloy General Plan adoption have superseded the original premises and findings made upon plan adoption.

- **After the adoption of the General Plan, the City Council has adopted provisions into the Zoning Ordinance that allow properties zoned *Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20* or with the PAD to be used as a *utility-scale solar generation facility. The General Plan's Estate Residential land use designation is implemented by the Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20 zoning districts.***

G.Whether events subsequent to the Eloy General Plan adoption may have changed the character and/or condition of the area so as to make the application acceptable.

- **The area's character and/or condition have remained unchanged since the adoption of the general plan. The proposed Estate Residential land use designation and the allowed uses of the associated implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20 zoning districts) would contribute to the area's rural and agricultural character*.***

H. The extent to which the benefits of the plan amendment outweigh any of the impacts identified in subsections A through G of this section.

- ***The proposed Estate Residential land use designation would allow the future development of residential uses in a development pattern that would provide a broader range of densities associated with the implementing Zoning Districts (Single-family R1-43, R1-54, RR2.5, RR-5, or RR-20) and assisting in contributing to maintaining a sustainable community (GP 3.1.1.1. and Goal 3.5.1.2.*)*. Furthermore, the Estate Residential zone would allow the property to maintain its existing zoning designation of Single-Family (R1-43) and be used as a utility-scale solar generation facility - which would also contribute to maintaining a sustainable community (GP 3.1.1.1.).***

**FISCAL IMPACT:**

There are no anticipated fiscal impacts associated with this discussion.

# Minor General Plan Amendment

Justification Narrative

**Case #:**

**GPA2024-001**

***Submitted to:***

**City of Eloy, AZ**

***Final Submittal*:**

**June 5, 2024**

# Sawtooth West Energy Center

***Applicant, prepared on behalf of Sawtooth Solar, LLC:***


ROSE LAW GROUP pc

RICH ▪ CARTER ▪ FISHER

**Court Rich, Attorney**

Attn: Nate Tonnemacher

Land Use Planner & Project Manager

(480) 240-5642 | (480) 291-0737

ntonnemacher@roselawgroup.com


***Prepared for:***

**Sawtooth Solar** LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

# Table of Contents

**Purpose of Request** ..... 3
**General Plan Analysis** ..... 3
**Summary of Findings:** ..... 4
**Justification** ..... 4
**General Plan Amendment Criteria** ..... 7
**Zoning Ordinance Criteria** ..... 10

## List of Exhibits:

**Exhibit 1:** *Vicinity & Project Parcel Map*

**Exhibit 2:** *Existing General Plan Land Use Map*

**Exhibit 3:** *Proposed General Plan Land Use Map*

**Exhibit 4:** *Open Space Conservation Plan*

# Purpose of Request

EDF Renewables, inc. requests to change the existing General Plan land use designations of two (2) parcels (APNs: 408-23-022 & 408-23-021A) proposed to be incorporated into the adjacent Eloy Valley PAD (herein "Project Area") from ***Medium Density Residential to Estate Residential*** to comply with the General Plan's Goals, Objectives and Policies for this area of Eloy.

This request would support utility-scale Solar Development within the Project Area and ensure compatibility with the both the base zoning and Eloy Valley PAD overlay. Please refer to **Table 1** of this document which provides a complete accounting of a relevant Eloy General Plan Elements, their attendant policies, and the consistency of the Solar Project with these policies and see **Exhibit F:** Existing Land Use Designations Map and **Exhibit G:** Proposed Land Use Designations Maps to see the subject parcels of this request.

Through the Site Planning phase of the Solar Project these two parcels shall reserve approximately 10.6 acres of land for Open Space Conservation or Open Space Recreation along much of the parcel boundary. This reserved Open Space area is set aside to meet the 15% minimum open space conservation standard set forth within the Eloy Valley PAD, meeting the intent of the overlay district and ensuring consistency, compatibility, and conformance to the Planned Development of Eloy Valley and future land use of the Project area. Please see **Exhibit H**, attached in Appendix "I" under separate cover to illustrate the Open Space Reserve area on these Parcels.

# General Plan Analysis

The City of Eloy Zoning Ordinance sets forth the intent, general requirements, and applications of base zoning district, also providing a regulatory framework for implementing alternative zoning methods and development approaches to areas that demonstrate unique development opportunity or characteristics that achieve certain goals of the City's General Plan and facilitate specific future land use objectives, such as the Eloy Valley PAD.

The future land uses designated for much of the Project Area is covered by a range of land use categories illustrated within the City of Eloy's General Plan Land Use Map (LU-3), including:

1) Medium Density (3-6 dwelling units per acre), Medium-High Density (6-10 dwelling units per acre), and limited sections zoned for High Density residential use (10-24 dwelling units per acre);
2) Community Commercial

This map serves as a strategic framework for directing the growth and future development across all areas of Eloy. Each land use category is governed by specific criteria and policy directives aimed at maintaining compatibility between existing and potential future developments within the city limits. These policy guidelines are detailed within the General Plan Elements, tailored to address the unique aspects of each land use or development model under consideration.

The existing land use designations across much of the Project Area were intentionally selected to align with the envisioned uses within the originally planned area. The planned alignment is significant, especially as these designations will undergo a transition as part of an independent zoning initiative.

## Summary of Findings:

*Provided in the forthcoming "Justifications" section of this report are responses to the General Plan criteria of Section 21-6-4.5: (Issues for Consideration of the Zoning Ordinance), and the Amendment Guidelines of Section 2.3 of the General Plan. This analysis and the subsequent responses to the criteria make the following findings:*

The requested amendment to the General Plan is appropriate and constitutes an overall improvement to the General Plan and will benefit the city in general. Furthermore, once amended, the Project demonstrates consistency with the General Plans overall intent and adopted Ordinances and Codes. Finally, this request is proven to not adversely impact any portion of the surrounding community and will not create a condition incompatible with future development. This request will not require additional city services or infrastructure, or negatively impact the livability of the area or the health of the current residences or uses of land existing within the area of the Project.

# Justification

**Table 1** (below) provides a complete accounting of relevant Eloy General Plan Elements, their attendant policies, and the consistency of the Solar Project with these policies.

Responses to the Zoning Ordinance Criteria of Section 21-6-4.5 applicable to this request, and General Plan Amendment Criteria Section 2.3 are also provided in this section, justifying that this request has met the applicable criteria for adoption.

**Table 1:** *Consistency with the City of Eloy General Plan*

| General Plan Elements | General Plan Policies | Consistency with General Plan |
|---|---|---|
| **Land Use Element** | | |
| **Goal #1** | Provide a range of residential, employment and supportive land uses to encourage and maintain a sustainable community. | **Response***: Consistent*<br>The Solar Project is an innovative and quality development of renewable solar energy generation and battery storage that will help the community reach sustainability goals. The Solar Project is located near existing high voltage transmission infrastructure and will interconnect into the Milligan 230kV Substation.<br>Siting the Solar Project near existing infrastructure (e.g., roads, transmission lines, substations) achieves balance between the Solar Project needs and minimization of impacts. A PAD Amendment to allow for solar energy storage |

| | | |
|---|---|---|
| | | and grid connection in this location represents compatible land use strategy and efficient development patterns near existing electric utilities and in areas of the city reserved for utility scale solar and BESS use and development. |
| **Objective #1** | Maintain transitional buffers between high and lower impact land uses. | **Response:** *Consistent*<br>The Solar Project will help maintain transitional buffers between high and lower impact land uses in the areas north and east of the Project Site. The Solar Project is located near existing high voltage transmission lines and complies with the Location Criteria outlined in the Eloy City Code of Ordinances Section 21-3-1.39.<br>Sufficient buffers, as directed by the city, to provide safety exclusion zones/distancing will be incorporated to not interfere with these existing land uses. The Solar Project acts as an efficient buffer by providing further separation from these existing electrical features and surrounding agriculture and rural land uses. |
| **Environmental Planning Element** | | |
| **Goal #1** | Encourage the preservation of the paloverde-saguaro plant community to retain high value vegetation that also provides natural area habitat. | **Response:** *Consistent*<br>The Solar Developer will coordinate closely with all applicable local, county, state, and federal agencies throughout development of the Project, including environmental, land, and resource management agencies to protect sensitive species and habitats. The Project site and surrounding area is characterized as predominately agricultural with some open desert lands.<br>Any native plants protected under Arizona Native Plant Law, administered by the Arizona Department of Agriculture, will be identified on the site prior to construction and relocated or salvaged as required. Native plant removal, relocation, or sale will be noticed as required by Arizona Administrative Code Title 3, Chapter 3, Article II. |
| **Goal #2** | Strive to enhance and maintain regional and local air and water quality. | **Response:** *Consistent*<br>The Project will provide renewable energy storage that could result in improved air quality through reduced emissions from fossil fuel electric generation. The Project would be considered a low-intensity use. Improving roads and reducing agriculture operations will provide a beneficial reduction in the area's particulate matter (PM10) levels. |

| | | |
|---|---|---|
| **Goal #4** | Continue to enforce zoning code and building code provisions to protect life and property from wind and fire hazards. | **Response:** *Consistent*<br>All applicable Eloy Fire District code policies and regulations will be complied with, and all reasonable measures will be taken to prevent fires or safety concerns within the Project Site. Fire Apparatus Access Roads would be developed onsite meeting the 75,000 lbs. load requirement to the BESS areas and other facility use areas found on site. An on-site water supply source will be provided meeting NFPA 1142 for firefighting in a rural setting.<br>All construction personnel will be instructed on emergency response to fire events; clear away all flammable material for a minimum of 10 feet from areas of operations where a spark, fire, or flame could be generated; equipment parking areas and small stationary engine sites would be cleared of all flammable materials prior to use; "No Smoking" signs would be posted, gas and oil storage areas will be clearly marked, cleared of all flammable material, and all used and discarded oil filters, oily rags, or other waste would be disposed of in an approved manner. |
| **Goal #5** | Work with the Pinal County Flood Control District to minimize the risk and hazards associated with flooding on existing and future development and human life within the City's floodplains. | **Response:** *Consistent*<br>The Solar Project will not be developed in any floodway area. Further, the Solar Project will comply with Pinal County, State and Federal regulations associated with development in a floodplain.<br>The Solar Developer is currently in the process of obtaining approval of a Floodplain Use Permit (FUP) with Pinal County. |
| **Water Resources Element** | | |
| **Goal #2** | Encourage conservation measures that foster efficient potable water use. | **Response:** *Consistent*<br>The Solar Project will require very little water use during operations, except for dust mitigation, as-needed maintenance for cleaning equipment and other water uses associated with the O&M building, including for on-site restrooms and facilities as needed.<br>Water for construction and O&M would be supplied from onsite water wells as needed and will provide adequate service to any onsite facilities requiring such water supply. The City of Eloy will incur no costs for any infrastructure improvements related to the Project. |
| **Public Facilities Element** | | |

| | | |
|---|---|---|
| **Goal #2**<br><br>**Goal #2** | Continue to provide high quality municipal services, administration, public works, community development, community services (parks and recreation), library, aviation, police and municipal court, and coordinate with non-municipal service providers-fire, education, electrical, natural gas, fiber to provide adequate services. | **Response: *Consistent***<br>This Solar Project will enable the city to situate utility-scale solar generation and storage uses and associated infrastructure near other existing electrical infrastructure, in an area that development will result in limited impact to the environment and will provide benefits to the community through improved air quality, while providing electricity for the regional grid – a demonstration of efficient, sustainable growth in the city.<br>This Solar Project provides services and infrastructure that urban growth areas utilize and will provide a foundation for future urban growth patterns to consider. The Solar Project will be funded by private capital and investment and all necessary infrastructure improvements required for the development of the Solar Project shall be paid for by the Solar Developer, not requiring any funding to be provided by the city. |
| **Economic Prosperity Element** | | |
| **Goal #2** | Brand Eloy as a prime regional location for business, community growth and capital investment. | **Response:** *Consistent*<br>The high solar irradiance of Arizona, in addition to the availability of highly suitable land for development and the proximity to existing electrical infrastructure, are prime factors that attracted the Solar Developer to this area.<br>The Solar Project is a utility-scale solar generation and battery storage development that the city can use to leverage their leadership in this industry to attract other renewable energy industries and additional development to this area of Eloy. |

## General Plan Amendment Criteria

The following analysis is provided, responding to Chapter 2.3: (Amendment Guidelines) of the Eloy General Plan. This includes justification for changes to the General Plan through this request:

1) **That the city has not provided adequate land uses designated that would allow the proposed use to be sited as proposed:**

   **Response:**
   *The Sawtooth West Project area and the area surrounding includes a variety of residential land use designations, each with differing density levels, such as Medium Density (3-6 dwelling units per acre), Medium-High Density (6-10 dwelling units per acre), and limited sections zoned for*

*High Density residential use (10-24 dwelling units per acre), along with areas designated as Community Commercial.*

*The two subject parcels, which are to be incorporated into the Eloy Valley PAD, are currently designated as Medium- Density Residential. While this future land use designation is compatible with some of the intended uses of the Eloy Valley PAD, this designation is not compatible with the utility-scale Solar and BESS land uses planned for this area of the city.*
*With that being said, the requested Estate Residential Designation is still a residential land use designation and is entirely consistent with the General Plans future land use plan for this area. Therefore, this request is appropriate and compatible with the General Plan.*

**2) That the amendment constitutes an overall improvement to the General Plan and will benefit the city in general.**

**Response:**
*In August of 2023 the Eloy City Council adopted Resolution 23-950, which amended Article III of the Eloy Zoning Ordinance Sec. 21-3-1.39 pertaining to future development of utility-scale Solar and Battery Energy Storage System facilities within the city.*

*This amendment of the code focused on first establishing criteria for the appropriate placement of proposed utility-scale Solar and BESS facilities within the city and revising development standards to ensure compatibility with existing or planned future land uses located within this area. The introduction of location criteria adopted through the amendment of Sec. 21-3-1.39(A) established a "utility-scale Solar and BESS overlay area", which set aside areas within the city appropriate for Solar Development.*

*The subject parcels in question meet the location criteria referenced above and are located within this Solar overlay area, being deemed appropriate by the city for utility-scale Solar & BESS use from a zoning perspective. However, a change to a more appropriate future land use designation to ensure consistency with the General Plan and support the intended future use of the Project area and incorporation of these Parcels into the Eloy Valley Pad Area is warranted.*

**3) The amendment will not adversely impact any portion of the community, by:**

- **Creating incompatible land use patterns;**

  **Response:**

  *This requested amendment will not create incompatible land use patterns. This request and the incorporation of the subject parcels will help facilitate the Solar Project, which is proposed on nearly 2,055 acres with the Eloy Valley PAD area.*

  *The recent adoption of the amendment to Article III Sec. 21-3-1.39 of the ZO will help maintain transitional buffers between high and lower impact land uses in the areas north and east of the Project Site. The Solar Project is located near existing high voltage transmission lines and complies with the development standards set forth in Sec. 21-3-1.39 of the ZO.*

*Sufficient buffers, as directed by the city, to provide safety exclusion zones/distancing will be incorporated to not interfere with these existing land uses. The Solar Project acts as an efficient buffer by providing further separation from these existing electrical features and surrounding agriculture and rural land uses.*

- **Requiring additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses unless mitigated by the applicant and demonstrated to benefit the city;**

  **Response:**

  *The Solar Project, which is the catalyst for this request, will not require additional infrastructure, sewer, water or other associated city services. Utility-scale solar and BESS Facilities are incredibly low impact land uses. The Project will only require the minimum water supply to support the operation and maintenance of the facility and for fire fighting and dust mitigation purposes. Water will be stored on Site and recharged as needed from off-site sources, not requiring city sewer or water sources.*

  *The Solar Project will comply with Article III Sec. 21-3-1.39 of the ZO as it relates to city rights-of-way dedication and roadway improvements and will not require any additional infrastructure improvements or additional rights-of-way to appropriately access and service the Project Area.*

- **Adversely impacting existing or planned land uses through an unreasonable increase in traffic generated by the proposed use unless mitigated by the applicant, or**

  **Response:**

  *Utility-scale Solar & BESS development and its ongoing operations and use of land do not require full-time operations and maintenance staff to always be present on Site. In fact, grid-scale Solar & BESS Developments, such as the Project proposed as part of this request, only requires full-time O&M staff to visit the Site periodically (usually 1-3 times every few months). Consequently, the Project is not expected to generate any additional traffic at all and will have no negative or adverse impact on the current uses found currently existing in the immediate surrounding area.*

- **Adversely affecting the livability of an area or the health and safety of existing residents.**

  **Response:**

  *The Project Area is located within an area of Eloy that is set aside for utility-scale Solar and BESS land uses. Through the adoption of Resolution 23-950, which amended Article III Sec. 21-3-1.39 pertaining to Solar & BESS projects, the city evaluated the most appropriate location for utility-scale Solar & BESS developments such as the Solar Project proposed as part of this request. In determining the current and planned future uses and development of the city the city identified the area in which the Solar Project is currently located as not only compatible with the existing uses of the area (which mostly consists of agricultural,*

*incidental industrial storage, and utility land uses), but also determined that this area is compatible with the planned future use and development of the area.*

*Therefore, based on the current conditions of this area of Eloy, the current uses found in the area and the fact that there are only a handful of residential homes or homesteads found within 2 miles of the Project Area, this request appropriate and will not have any affect upon the livability of the surrounding area or the continued health and safety of the existing residences found in the vicinity.*

**4) That the amendment is consistent with the General Plan's overall intent and other adopted plans, codes, and ordinances.**

**Response:**
*The request and the Solar Project as proposed are consistent with the General Plans overall intend and is entirely consistent with all other adopted plans, codes and ordinances. As stated above the introduction of location criteria adopted through the amendment of Sec. 21-3-1.39(A) established a "utility-scale Solar and BESS overlay area", which set aside areas within the city appropriate for Solar Development. Among the criteria adopted as it pertains to the future development of this area is Sec. 21-3-1.39(A.3), which states in part:*

> *"…the project must be located contiguous to an existing and/or approved utility scale solar generation facility for a minimum distance of two thousand six hundred feet (2,600') (south of Interstate 10 only) and Section 21-3-1.39 (Acreage Limitation and Expansion) has not been exceeded"*

*The Project Area and the subject parcels not only meet this criteria requirement (see **Exhibit 1:** Vicinity & Parcel Map) but was a catalyst for the proposed amendment.*

## Zoning Ordinance Criteria

The following analysis is provided, responding to Section 21-6-4.5 of the Eloy Zoning Ordinance. This includes justification to the issues for consideration in determining the request for an amendment to the General Plan:

***Note: Criteria A through D of ZO Section 21-6-4.5 are the same as the Criteria provided above (Chapter 2.3 of the General Plan). The responses and justification described above are also the same. Additional responses to the Criteria of Section 21-6-4.5 are provided below:***

**E. Whether there was an error or oversight in the original Eloy General Plan adoption that did not fully consider facts, projects or trends which could reasonably exist in the future.**

**Response:** *Not applicable*

**F. Whether events subsequent to the Eloy General Plan adoption have superseded the original premises and findings made upon plan adoption.**

**Response:** *Not applicable*

**G. Whether events subsequent to the Eloy General Plan adoption may have changed the character and/or condition of the area so as to make the application acceptable.**

**Response:** *Not applicable*

**H. The extent to which the benefits of the plan amendment outweigh any of the impacts identified in subsections A through G of this section.**

**Response:** *Not applicable*

Sawtooth West Energy Center Project Parcel (2,004.7 ac)
Incorporated Parcel (50.6 ac)
City of Eloy Owned Parcel (1.7 ac)
Sawtooth West Energy Center
PLSS Township
PLSS Section

Pinal County Unincorporated Areas
Eloy Valley PAD Area
Sawtooth West Energy Center

Arizona City
Eloy
W Frontier St
Sawtooth West Energy Center

09 10 11 14 15 16 17 20 21 22 23 24

S Toltec Rd
S Curry Rd
S Toltec Buttes Rd
W Milligan Rd
W Phillips Rd
W Shay Rd
Shay Rd
S Tweedy Rd
W Cameo Rd
Eleven Mile Corner Rd

408-23-002 408-23-001
408-23-003 408-23-004
408-23-021A
408-23-022
408-23-005
408-23-008 408-23-007 408-23-006
408-23-028 408-23-009 408-23-010 408-23-011 408-23-012
408-23-076
408-23-030 408-23-029 408-23-016 408-23-015 408-23-014 408-23-013
408-23-034 408-23-035 408-23-036 408-23-017 408-23-018 408-23-019 408-23-020
408-23-077
408-23-075
408-23-069 408-23-070 408-23-071 408-23-073
408-23-074
408-28-001 408-01-031B 408-24-017
408-24-010 408-24-011 408-24-012 408-24-016
408-28-002 408-01-031C 408-24-018A
408-28-003
408-24-013 408-24-014 408-24-015
408-28-004

Project site encompasses 43 parcels and is approximately 2,055.3 acres

8S 7E

N W E S

0 0.5 1 Miles

Source: NAIP, Corelogic, BLM | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth_Cleaned_202405.aprx | Layout: Land Control Sawtooth 20240207 | Last Updated 5/8/2024 by Tayler.Robertson

EDF renewables

# Minor General Plan Amendment - Sawtooth West Parcel & Vicinity Map - 5/8/2024

## Exhibit 1 Vicinity & Project Parcel Map

Sawtooth Solar Energy Center | Pinal County, Arizona

-

Sawtooth Solar Energy Center Project Boundary
PLSS Township
PLSS Section

City of Eloy Land Use

Estate Density Residential
Low Density Residential
Medium Density Residential
Medium-High Density Residential
High Density Residential
Community Commercial
Light Industrial
General Industrial
Parks/Open Space
Public/Institutional

S Toltec Buttes Rd
S Toltec Hwy
S Curry Rd
S Tweedy Rd
W Milligan Rd
Philips Rd
Milligan Rd
Pony Circle Rd
Jewel Rd
Gold Dust Rd
Lazy Acres Dr
Kettle Dr
Equestrian Dr
Desert Park Dr
S Overfield Rd
W Phillips Rd
Phillips Rd
W Cameo Rd
S Eleven Mile Corner Rd
8S 7E
8S 8E
Shay Rd
W Shay Rd
W Kenyon Rd

09 10 11 12
17 16 15 14 13
19 20 21 22 23 24
29 28 27 26 25

N W E S

0 0.5 1 Miles

Source: City of Eloy | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth.aprx | Layout: GP Land Use Designation Sawtooth 20240207 | Last Updated 2/7/2024 by Tayler.Robertson

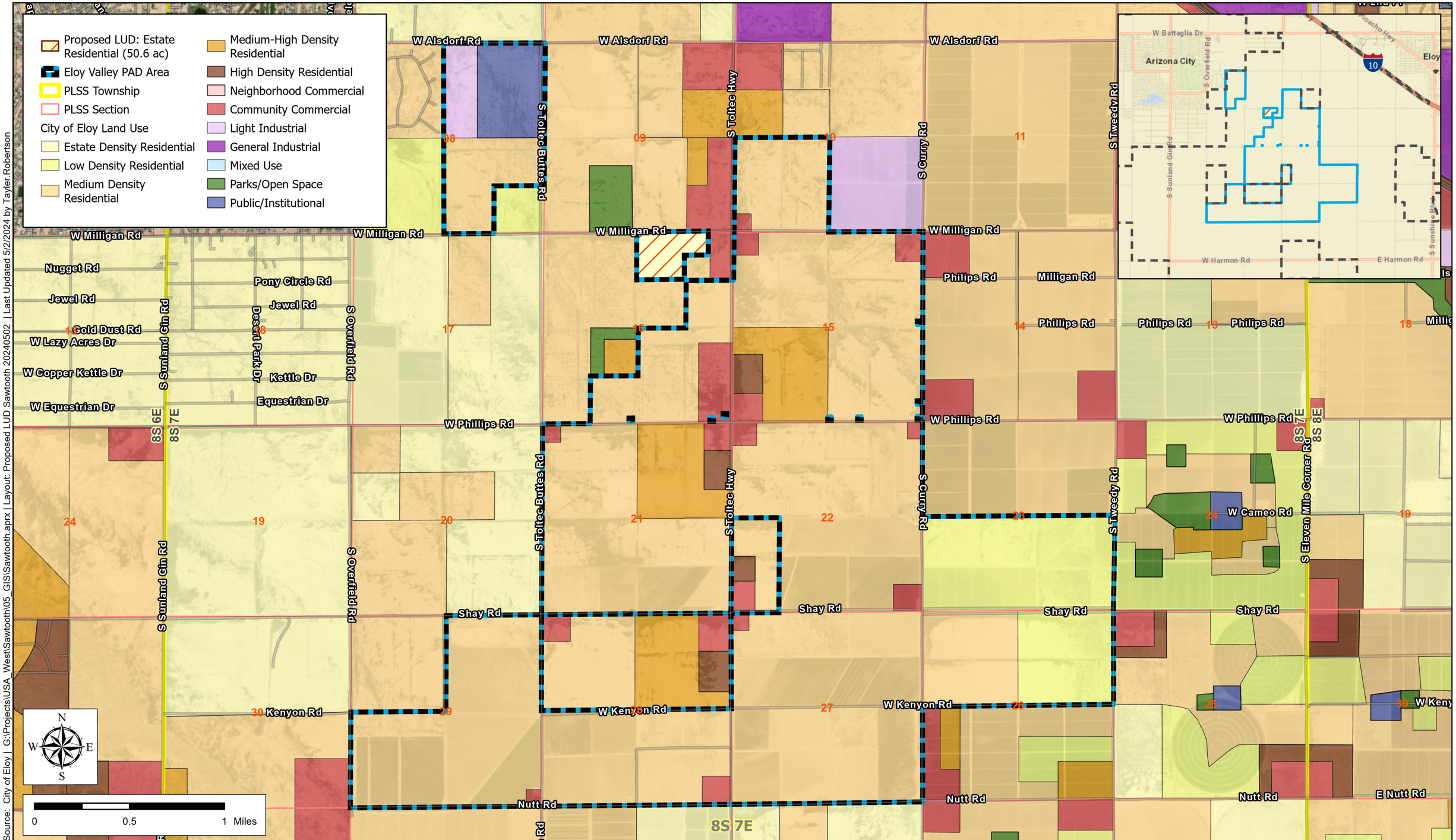
EDF renewables

# Exhibit 2 Existing General Plan Land Use Map

## Existing Land Use Designation - 2/7/2024

Sawtooth Solar Energy Center | Pinal County, Arizona

-




Source: City of Eloy | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth.aprx | Layout: Proposed LUD Sawtooth 20240502 | Last Updated 5/2/2024 by Tayler.Robertson

EDF renewables

# Interim Development Plan Proposed Land Use Designation Map - 5/2/2024

## Exhibit 3 Proposed General Plan Land Use Map

Sawtooth Solar Energy Center | Pinal County, Arizona

-

Centerline of Milligan Rd
55ft Minor Road ROW Dedication
Site Drive Access Point
10ft Landscape Buffer
Open Space Reserve Area (10.6 ac)
83ft Major Road ROW Dedication
Sawtooth West Energy Center
Parcel Line

Map Extent
W Milligan
S Tweedy Rd
Phillips Rd
S Toltec Rd
Green Rd
W Shay Rd
W Shay Rd

R1-6
408-010-130

50-ft fence setback

55-ft 1/2 street dedication

Centerline of the road

W Milligan Rd
W Milligan Rd

S Toltec Hwy

W

408-23-021A

408-23-022

75-ft BSL

75-ft BSL

R1-43
408-23-230

R1-43
408-23-021C

100-ft BSL from R1-6

R1-6
408-230-270

S Toltec Hwy

N
W E
S

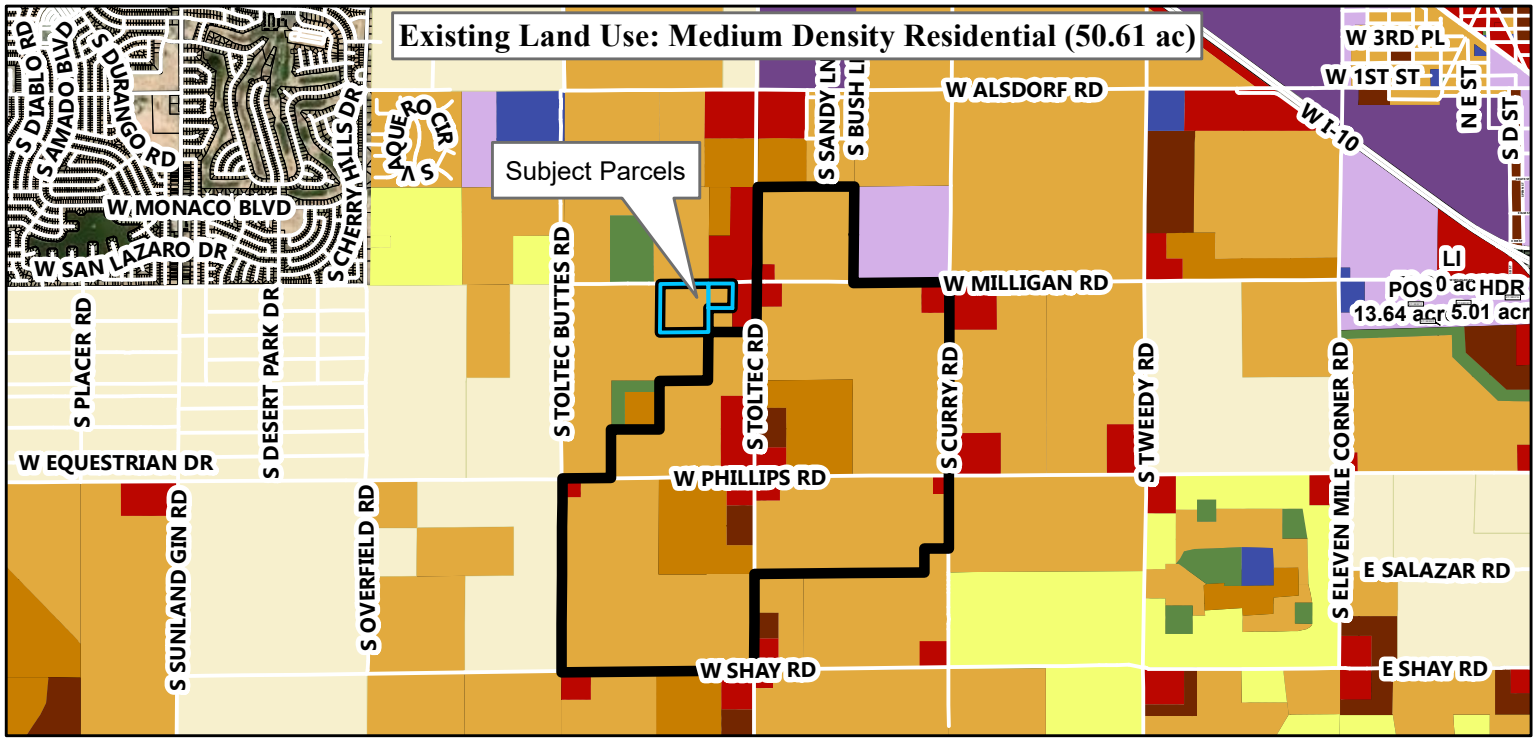
0 100 200 US Feet

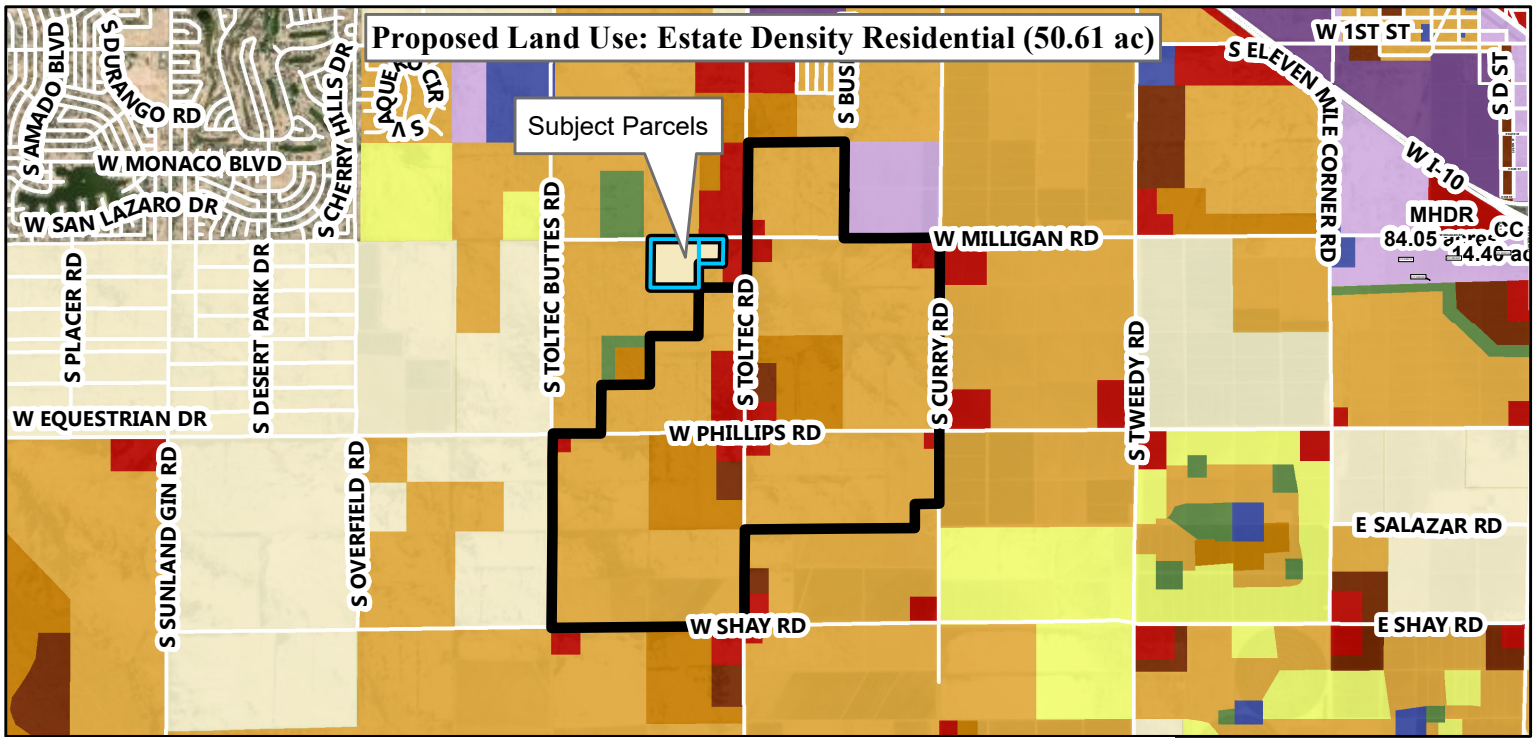
0 50 100 Meters

Source: ESRI, SAM | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth_Cleaned_202405.aprx | Layout: Open Space Area Sawtooth 20240506 | Last Updated 5/7/2024 by Tayler.Robertson



# Exhibit 4 Open Space Conservation Plan




**Existing Land Use: +/- 50.61 acres - MDR**
**Proposed Land Use +/- 50.61 acres - EDR**

## Sawtooth Solar Energy Center
## General Plan Amedment Exhibit - Case No: GPA2024-001

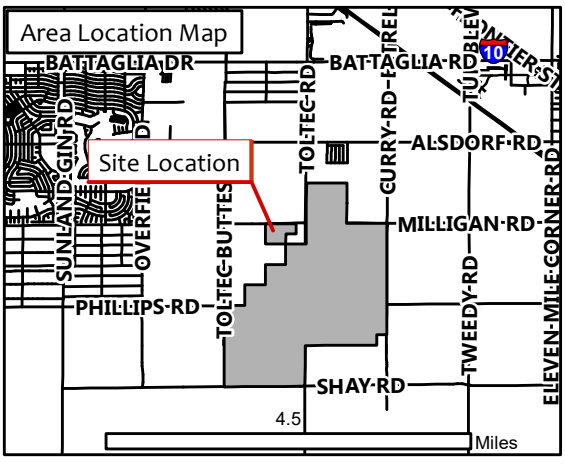
**Land Use**

**Residential**
- Estate Density Residential (0.2 - 1.0 du/ac)
- Low Density Residential (1.0 - 3.0 du/ac)
- Medium Density Residential (3.0 - 6.0 du/ac)
- Med-High Density Residential (6.0 - 12 du/ac)
- High Density Residential (10 - 24 du/ac)

**Commercial**
- Neighborhood Commercial
- Community Commercial

**Industrial**
- Light Industrial
- General Industrial

**Other**
- Parks/Open Space
- Mixed Use
- Public/Institutional




Disclaimer: This map is for reference purposes only and is not suitable for legal, financial, engineering, or surveying purposes or commitments. The City of Eloy assumes no responsibility for errors, omissions, or inaccuracies presented, and shall have neither liability nor responsibility for any direct or indirect loss or damage in connection with, or arising from, the information on this map. Any conclusions derived from this map are the responsibility of the user.

# Citizen Review Plan & Report

1st Amendment to the

## Eloy Valley Specific Plan (PAD)

**Case Number:** RZ-PAD2024-001

## Minor General Plan Amendment

**Case Number:** GPA2024-001

# Sawtooth West Energy Center

**Eloy, Arizona**

***2nd Submittal:***

**May 8th, 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

## Sawtooth Solar LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

# Citizen Review Plan:

***NOTE:*** *The following sections of this report will be updated and resubmitted for review as efforts commence.*

## Contact Dates and Methods

Notification letters will be mailed via First Class U.S. Mail to property owners within 300ft of the Sawtooth West PAD boundary.

The letter will contain all required and pertinent information regarding the application along with an invitation to join the Development Team for an Open House meeting in the City of Eloy. A copy of the 300-ft buffer map and list of the property owners within the boundary are attached with this report.

A copy of the notification letter and an Affidavit of Notification will be submitted with this report as evidence that the letters were mailed as required.

## Site Posting

The site will be posted as required by the City of Eloy with application and public hearing information once the case has been scheduled. Photos and an affidavit of posting will be attached with the updated report as evidence of sign posting.

## Open House

A Open House meeting will be held, in-person, at a future time to be determined. This meeting will be held in the Community Room at Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public will be invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. A copy of the sign-in sheets with the attendees' contact information, questions asked by the public and the applicant's responses, and all collected public comments will be included as part of this Citizen Review Report.

The Citizen Review Report shall be submitted and approved by the Community Development Director prior to the application being scheduled for a Planning and Zoning Commission hearing.

## Ongoing Communication with Neighbors

Any comments and feedback received will be documented and submitted to the city in the updated report a minimum of 15 days before the Planning and Zoning Commission Hearing.

## Public Notification

Select or search for a feature in the map

Apply a search distance

300 Feet

Addressee Layer

Property Mail

Format

PDF label 1 x 2-5/8 inches; 30 per page

92 addressees found; do you want to continue?

ELOY ASSOCIATES LLC
6720 N SCOTTSDALE RD STE 2 ...
SCOTTSDALE, AZ 85253

ARIZONA STATE LAND DEPART ...
1616 W ADAMS ST
PHOENIX, AZ 85007

SWERTFEGER JERRY L
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

PERFECT INVESTMENTS LLC
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

CITY OF ELOY
595 NC ST STE 104
ELOY, AZ 85131

CHACON JOSE ANTONIO
101 COUNTY ROAD 4717
RHOME, TX 76078

LIEN BIN FU

5905 WOODWIND DR
PLANO, TX 75093

DAI VANDU VUONG
11711 HILLCREST RD
DALLAS, TX 75230

SHEDD DANIEL F & ELAINE K T...

.2948 E RIVER BUSH RD
ELOY, AZ 85131

ARAGON CHERYL JEAN

PO BOX 1511

ARIZONA CITY, AZ 85123

CHIU HARRY H & CHIU JOSEPH...
8989 N GAINEY CENTER DR UN...
SCOTTSDALE, AZ 85258

LEE YUE-CHIANG & CHEN CHIN...
6 PADUA

IRVINE, CA 92614

LINMARK LLC

13125 N 75TH PL

SCOTTSDALE, AZ 85260

GRANDILLA (ARIZONA) INC
8711 E PINNACLE PEAK RD ST...
SCOTTSDALE, AZ 85255

BENHAM JAMES TR

13125 N 75TH PL
SCOTTSDALE, AZ 85260

SHEDD JAMES & SHARON FAM ...
12832 S OVERFIELD RD

CASA GRANDE, AZ 85193

KEMPE FRED W & KIMBERLY J
3024 E GRANDVIEW ST

MESA, AZ 85213

RILEY JACK

7180 E REED RD

COAL CITY, IL 60416

MUSULIN IRREVOCABLE EDUC...
PO BOX 13565

SCOTTSDALE, AZ 85267

JACKSON WALTER H & ELLA L 564 E
NAVAJO TRL

SAN TAN VALLEY, AZ 85143

NAA PARTNERS LLC

10497 E ACACIA DR
SCOTTSDALE, AZ 85255

JVB INVESTMENTS LLC
4601 S KACHINA DR
TEMPE, AZ 85282

TOLTEC THOMAS HOLDINGS L...
600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

SAIGANA LLC

2009 W TOMBSTONE TRL
PHOENIX, AZ 85085

EDF RENEWABLES DEVELOPM...
15445 INNOVATION DR

SAN DIEGO, CA 92128

TOLTEC THOMAS HOLDINGS L...

600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

CASON TYLER LLC
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

## Affidavit of Notification

**Application No:** RZ-PAD2024-001 & GPA2024-01

**Applicant Name:** Sawtooth Energy Center, LLC, subsidiary of EDF Renewables Inc., North America

**Location:** west of Curry Road, south of Milligan Road, east of Toltec Buttes Road, north of Shay Road

**I confirm that notice as required for the case noted above has been mailed or delivered to the attached list of property owners and neighborhood associations at the addresses noted.**

**Applicant/Representative Signature** — **Date** 5/22/24

**This instrument was acknowledged before me on this** 22nd **day of** May,

**20_____, by** Kayla Amado**. In witness whereof**

**I hereunto set my hand and official seal.**

Angelica Van Balen
**Notary Public**

**My commission expires** June 5, 2027

ANGELICA VAN BALEN
Notary Public - Arizona
Maricopa County
Commission # 650098
My Comm. Expires Jun 5, 2027

ATTACHMENT 3

## Public Notification

Select or search for a feature in the map

Apply a search distance

300 Feet

Addressee Layer

Property Mail

Format

PDF label 1 x 2-5/8 inches; 30 per page

92 addressees found; do you want to continue?

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NAVAJO TRL

SAN TAN VALLEY, AZ 85143

NAA PARTNERS LLC

10497 E ACACIA DR
SCOTTSDALE, AZ 85255

JVB INVESTMENTS LLC
4601 S KACHINA DR
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BAINBRIDGE ISLAND, WA 9811...

SAIGANA LLC

2009 W TOMBSTONE TRL
PHOENIX, AZ 85085

EDF RENEWABLES DEVELOPM...
15445 INNOVATION DR

SAN DIEGO, CA 92128

TOLTEC THOMAS HOLDINGS L...

600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

CASON TYLER LLC
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

NATE TONNEMACHER
7144 E. Stetson Drive, Suite 300
Scottsdale, AZ 85251
Phone 480.240.5642 Fax 480.505.3925
NTonnemacher@RoseLawGroup.com
www.RoseLawGroup.com

**May 22, 2024**

***Zoning Map Amendment (RZ-PAD2024-001) & Minor General Plan Amendment (GPA2024-01)***
***Neighborhood Meeting:***

Dear Property Owner or Neighborhood Association Representative:

The purpose of this letter is to inform you that Rose Law Group pc ("Applicant") on behalf of Sawtooth Energy Center, LLC, a wholly owned subsidiary of EDF Renewables Inc., North America ("Operator") is requesting to amend the Eloy Valley PAD to permit utility-scale solar & battery energy storage uses on 2,055 acres consisting of 43 parcels within the City of Eloy (the Sawtooth "West" Energy Center Project).

The Applicant is also requesting to change the existing General Plan land use designations of two (2) parcels (APN's: 408-23-022 & 408-23-021A), requested to be incorporated into the Eloy Valley PAD, from Medium Density Residential to Estate Residential. The requested changes of the land use designation would support utility-scale solar development within the parcel boundaries and ensure General Plan compatibility with the proposed land uses once incorporated into the Eloy Valley Planned Area.

The Sawtooth "West" Energy Center Project is located west of S. Curry Road, generally south of Milligan Road, directly east of S. Toltec Buttes Road and north of E. Shay Road. A Map of the Project location is enclosed with this letter.

The Applicant team would like to invite you to an Open House meeting to learn more about the requests and the proposed development.

**Wednesday, June 5, 2024**

Any time between 5:00PM - 6:00PM

Eloy City Hall

In the Community Room

595 N. C Street, Eloy, AZ 85131

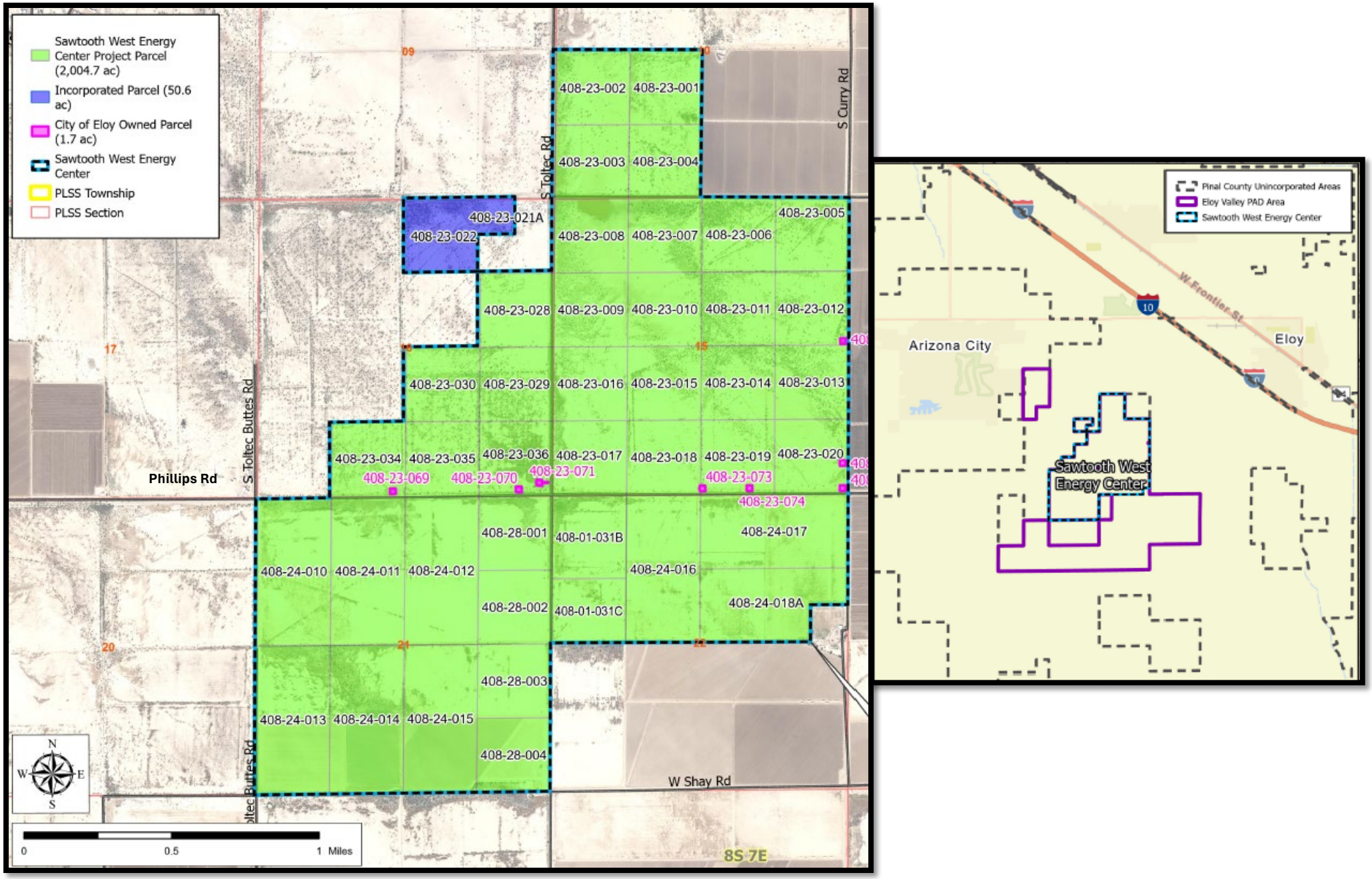
*I would be happy to answer any questions or collect any comments that you may have regarding this proposal. You are welcome to contact me directly at NTonnemacher@RoseLawGroup.com or 480.240.5642.*

Sincerely,

*/s/:* ***Nate Tonnemacher***
Planner & Project Manager

# SAWTOOTH- WEST ENERGY CENTER

## Vicinity & Parcel Map



8-ft

4-ft

# City of Eloy Public Notice

**Request (1):** *Insert Application Request*

**Request (2):** *Insert Application Request*

**Project Location:** *Insert General Location*

**Project Size:** *Insert area (acres)*

**Proposed Use:** *Insert Proposed Use*

**Applicant Contact:**
*(Insert applicant name)*
*(Phone number)*
*(Email address)*

**City Contact:**
**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

*Insert Project Map/ Site Location*

**PLANNING & ZONING COMMISSION HEARING:**
**When:** June 20th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**CITY COUNCIL HEARING:**
**When:** July 8th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**Case No(s):** *Insert Case Number(s)*

**Font size: 2-inch minimum**

**1-inch space minimum**

**1-inch margin on all**

**Font size: Typical, ¾ inch minimum**

**All sign information is to be provided on both sides of the sign (Front & Back)**

## Sign Specifications:

1. **Minimum Sign Size:** 4-foot x 8-foot
2. **Sign Material:** Laminated Plywood, medium density overlay panel (MDO) board, or another city approved equal;
3. **Sign Background:** Front, back and all edges painted with two coats of white acrylic exterior enamel, or other suitable durable finish;
4. **Lettering: Color:** Black.
5. **Location Map:** 16-inhg x 16-inch minimum size with minimum 3/8-in black border**.**
6. **Sign Posts:** Two 4-inch x 4-inch x 8-inch nominal wood posts or other sturdy material. The sign shall be attached to the posts with multiple screws or bolts;
7. **Corners and Edges:** Corners and edges shall be dulled.

# City of Eloy Public Notice

**Request (1):** Zoning Map Amendment to amend the Eloy Valley- Planned Area Development (PAD) to ***permit utility-scale solar & battery energy storage uses*** on 2,055-acres; & incorporate two (2) parcels (APN(s): 408-23-022 & 408-23-021A) into the existing PAD boundary;

**Request (2):** A Minor Amendment to the City of Eloy General Plan- Future Land Use Map to change the land use designation(s) of two (2) parcels (APN(s): 408-23-022 & 408-23-021A) from ***Medium-Density Residential*** to ***Estate Residential***

**Project Location:** West of S. Curry Rd., generally south of Milligan Rd., directly east of S. Toltec Buttes Rd. and north of E. Shay Rd.

**Project Size:** Approximately 2,055-acres

**Proposed Use:** A stand alone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility in support of renewable energy development in the City of Eloy

**INSERT MAP**

## Applicant Contact:

**Rose Law Group pc**
Court Rich
Attn: Nate Tonnemacher
480.240.5642 | ntonnemacher@roselawgroup.com

## City Contact:

**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

## PLANNING & ZONING COMMISSION HEARING

**When:** June 20th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

## CITY COUNCIL HEARING

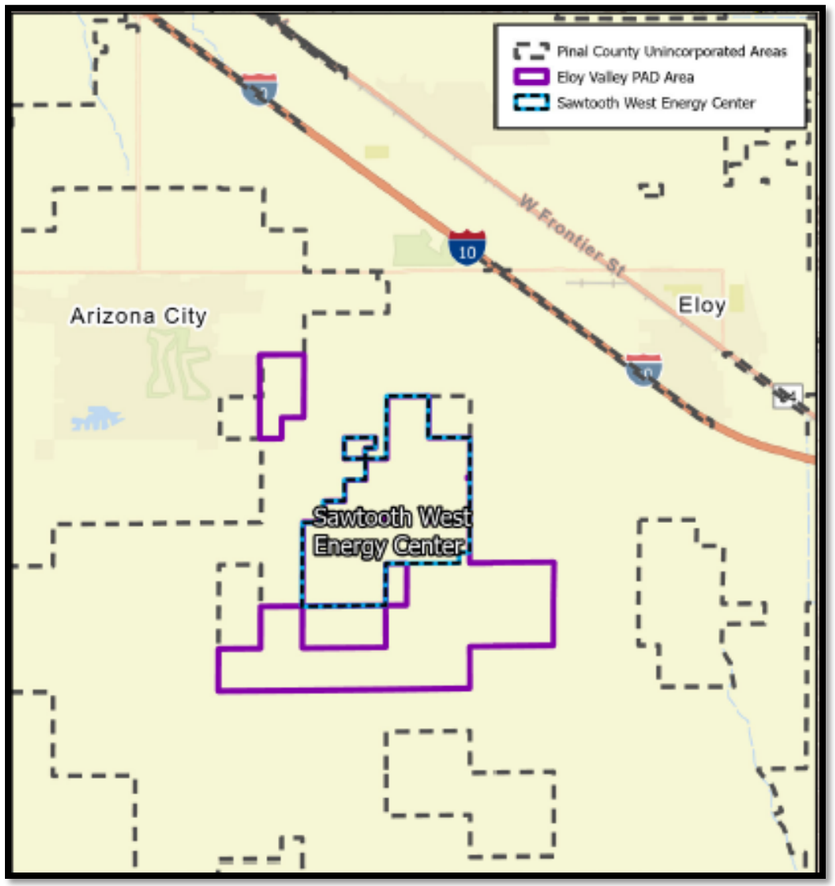
**When:** July 8th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

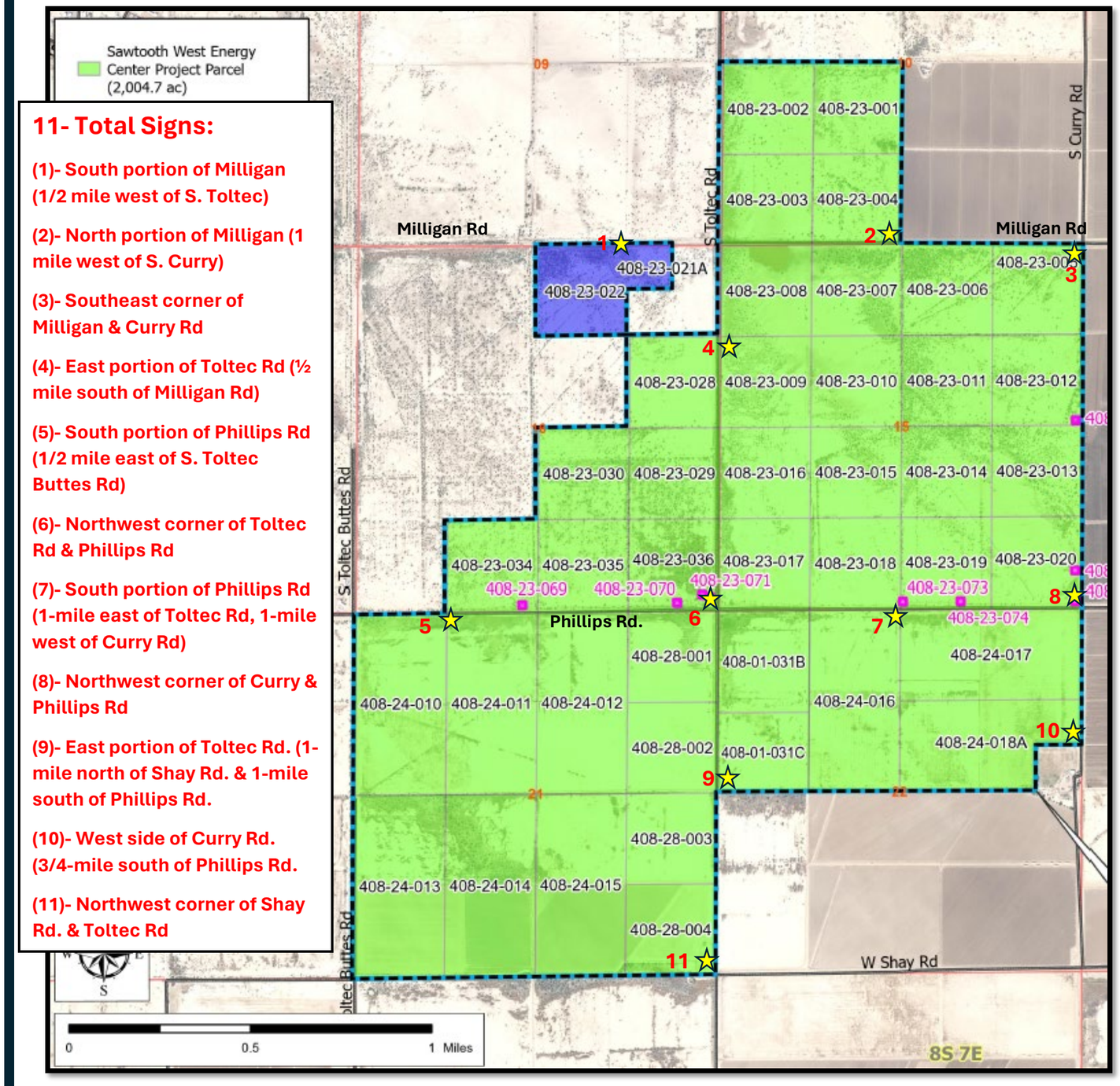
**Case No(s):** **RZ-PAD2024-001** (Zoning Map Amendment)
**GPA2024-01** (Minor General Plan Amendment)

# INSERT MAP OF SITE LOCATION

## Upper right-hand corner of the sign




# INSTALL SIGNS IN THE FOLLOWING LOCATIONS:




**11- Total Signs:**

**(1)- South portion of Milligan (1/2 mile west of S. Toltec)**

**(2)- North portion of Milligan (1 mile west of S. Curry)**

**(3)- Southeast corner of Milligan & Curry Rd**

**(4)- East portion of Toltec Rd (½ mile south of Milligan Rd)**

**(5)- South portion of Phillips Rd (1/2 mile east of S. Toltec Buttes Rd)**

**(6)- Northwest corner of Toltec Rd & Phillips Rd**

**(7)- South portion of Phillips Rd (1-mile east of Toltec Rd, 1-mile west of Curry Rd)**

**(8)- Northwest corner of Curry & Phillips Rd**

**(9)- East portion of Toltec Rd. (1-mile north of Shay Rd. & 1-mile south of Phillips Rd.**

**(10)- West side of Curry Rd. (3/4-mile south of Phillips Rd.**

**(11)- Northwest corner of Shay Rd. & Toltec Rd**

ATTACHMENT 6

# AFFIDAVIT OF SIGN POSTING

The undersigned Applicant has complied with the City of Eloy's posting requirements for Case # RZ-PAD2024-001 & GPA2024-01 Sawtooth West Energy Center on June 3, 2024

See attached photo exhibit.

For applicant:

Rose Law Group

_Dynamite Signs, Inc._____
Sign Company Name

Meghan Liggett
_____
Sign Company Representative

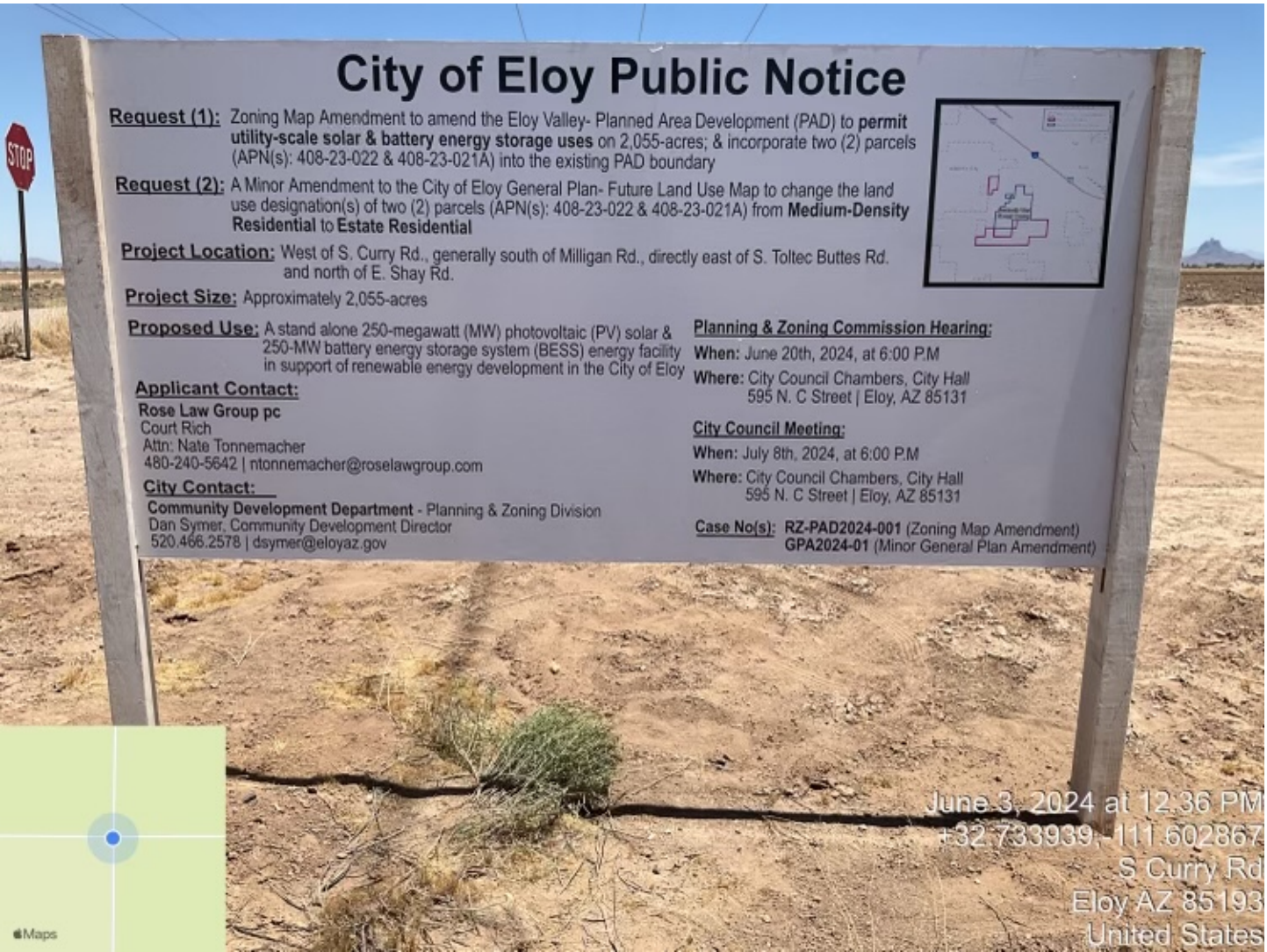
Subscribed and sworn to be on this _3rd_ day of _June_, 2024 by Meghan Liggett.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

_____
Notary Public

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 591461
My Comm. Expires Oct 25, 2024

My Commission expires: 10-25-24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Court Rich
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480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
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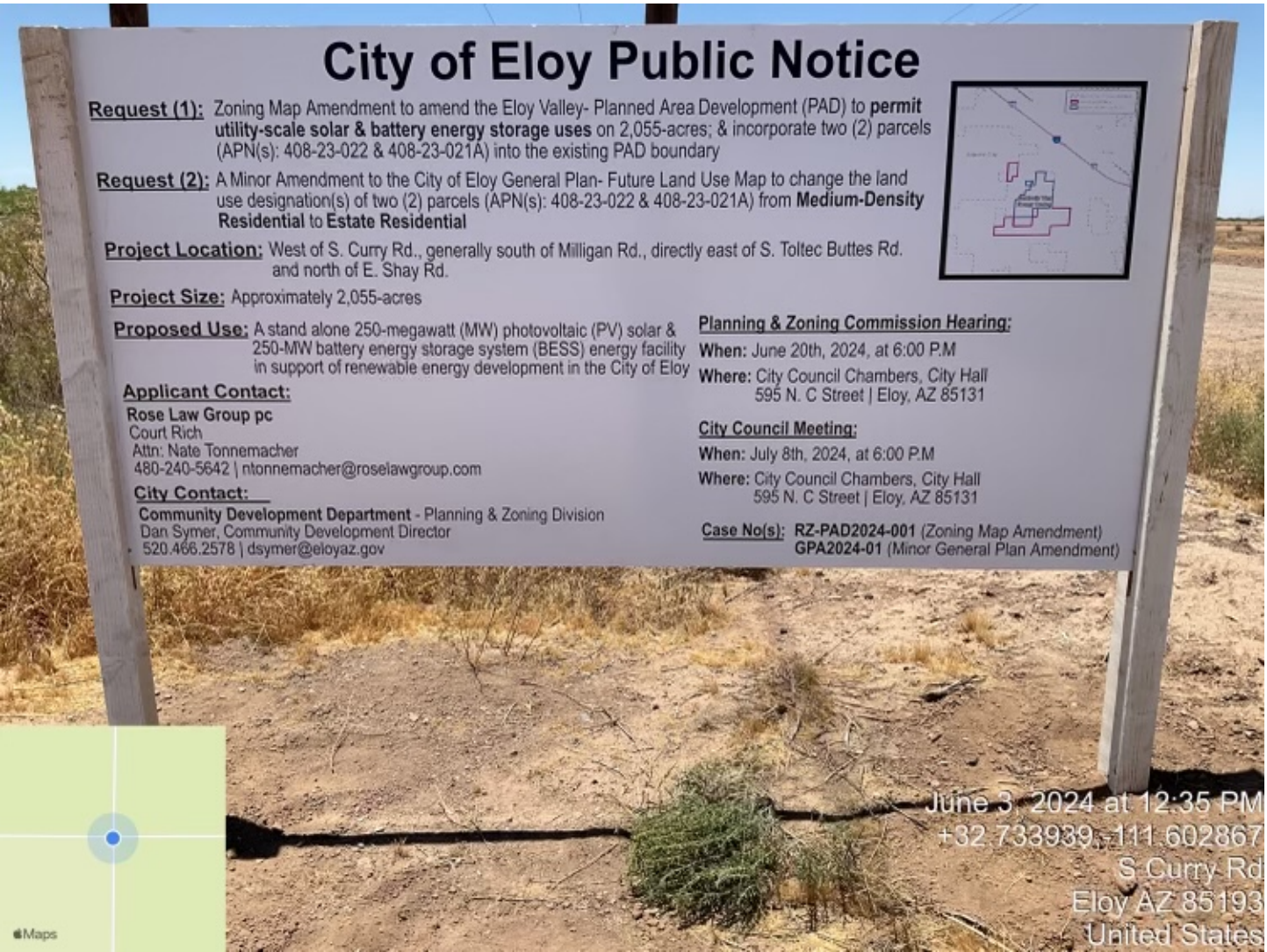
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
City Council Meeting:
When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
STOP
Maps
June 3, 2024 at 12:36 PM
+32.733939, -111.602867
S Curry Rd
Eloy AZ 85193
United States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GPA2024-01 (Minor General Plan Amendment)
June 3, 2024 at 12:35 PM
+32.733939, -111.602867
S Curry Rd
Eloy AZ 85193
United States
Maps

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+32.734203, -111.611801
W Milligan Rd
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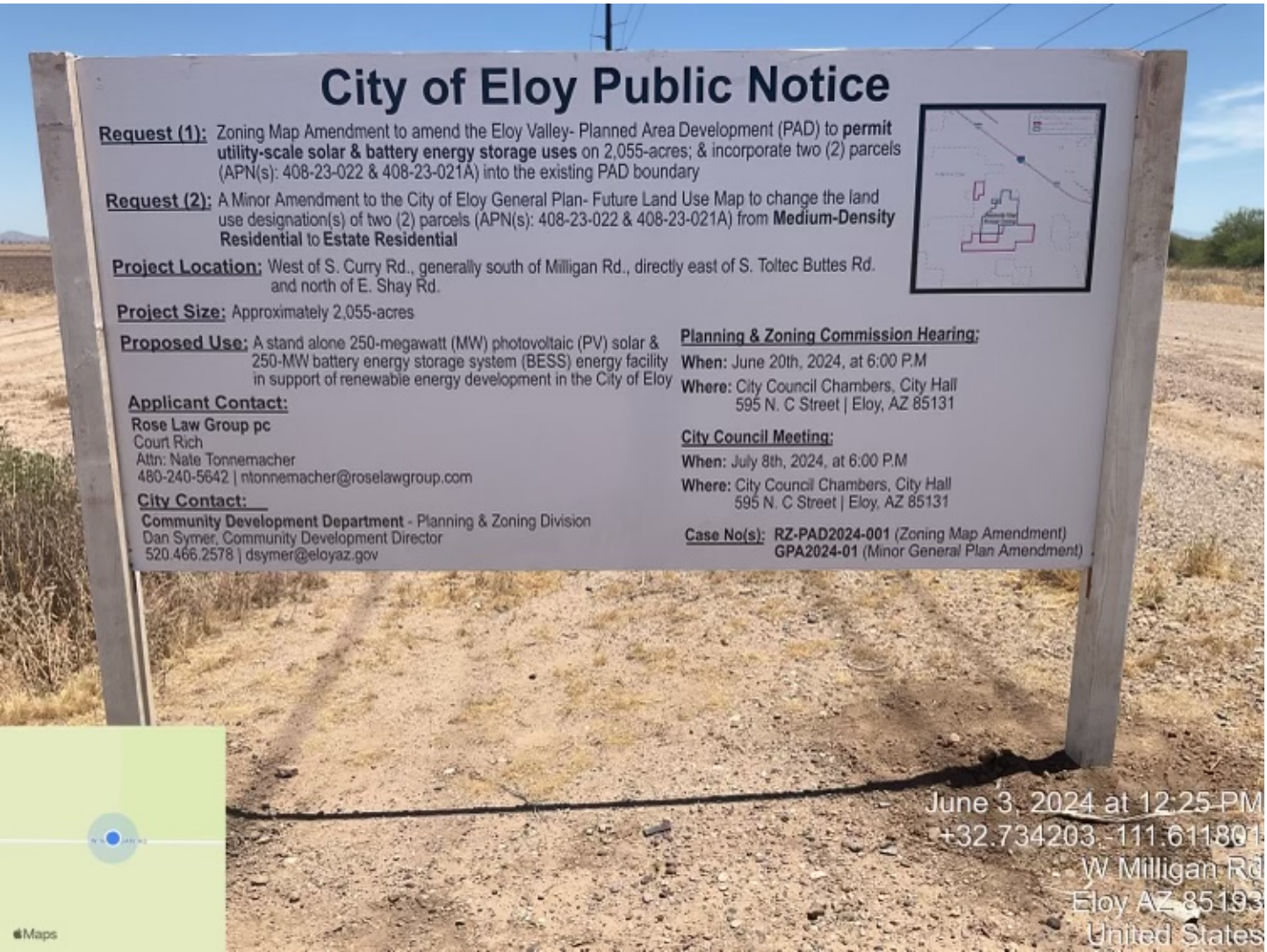
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June 3, 2024 at 12:13 PM
+32.734012, -111.624408
Eloy AZ 85193
United States
Maps

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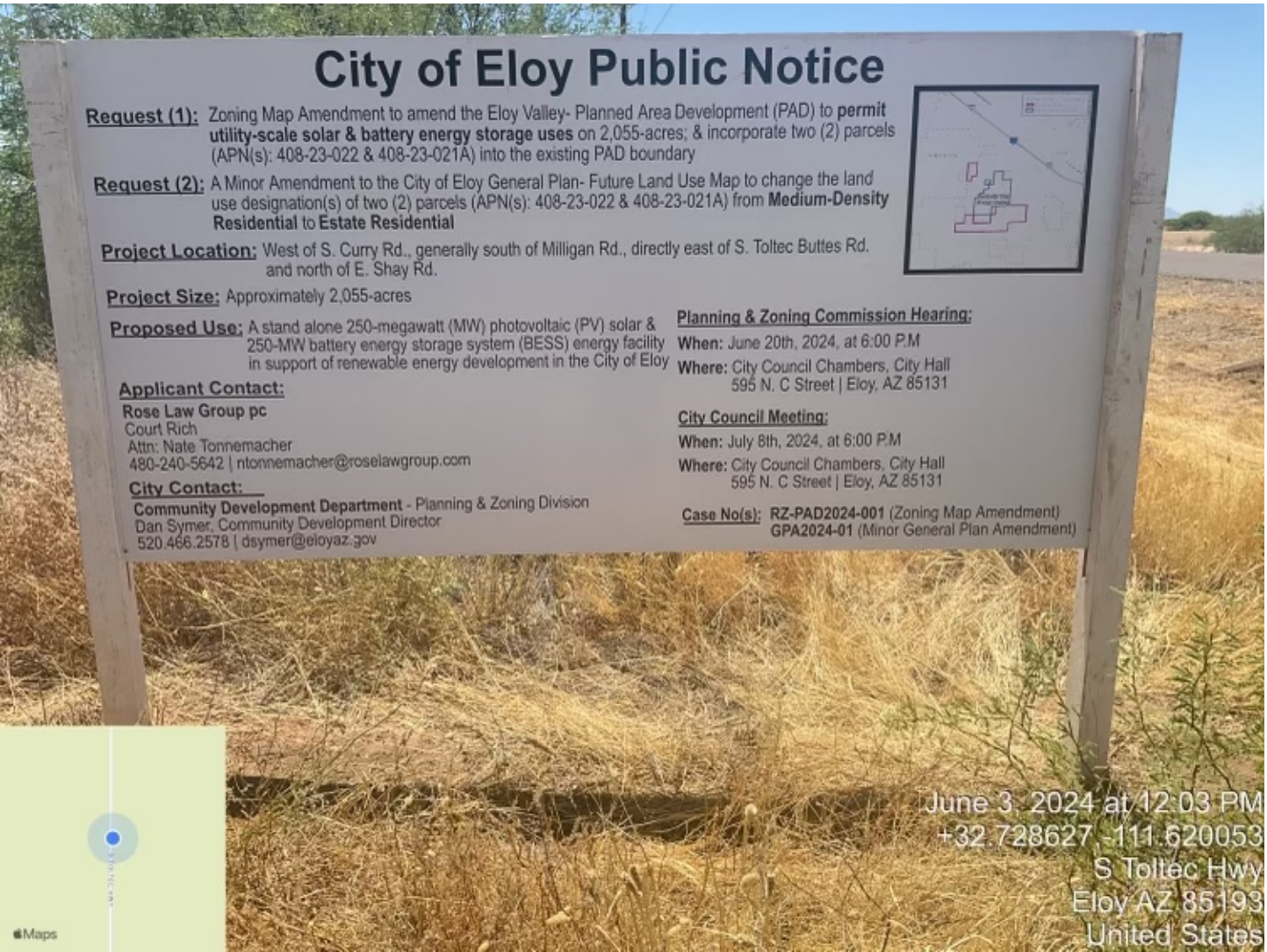
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+32.728627, -111.620053
S Toltec Hwy
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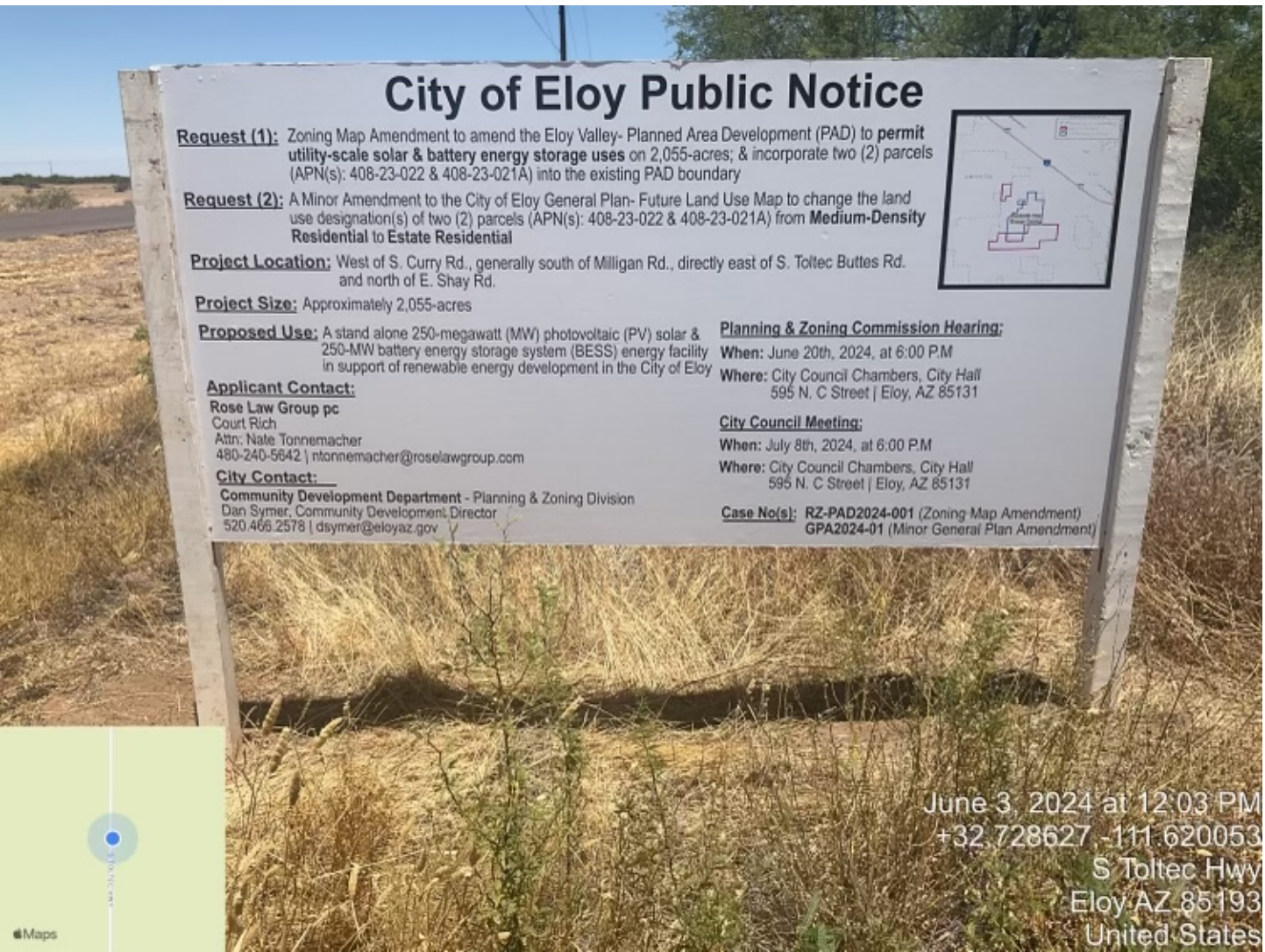
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+32.728627 -111.620053
S Toltec Hwy
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Phillips Rd
S Curry Rd
Google
Jun 3, 2024 12:15:57 PM
32°43'10.914"N -111°36'10.896"W
South Curry Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
Request (1): Zoning Map Amendment to amend the Eloy Valley- Planned Area Development (PAD) to permit utility-scale solar & battery energy storage uses on 2,055-acres; & incorporate two (2) parcels (APN(s): 408-23-022 & 408-23-021A) into the existing PAD boundary
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Project Size: Approximately 2,055-acres
Proposed Use: A stand alone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility in support of renewable energy development in the City of Eloy
Applicant Contact:
Rose Law Group pc
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
Community Development Department - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall 595 N. C Street | Eloy, AZ 85131
City Council Meeting:
When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall 595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
Phillips Rd
S Curry Rd
Google
Jun 3, 2024 12:16:05 PM
32°43'10.974"N -111°36'10.962"W
South Curry Road
Eloy
Pinal County
Arizona

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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
BEAT PERSON IN AREA
S Curry Rd
Google
Jun 3, 2024 1:24:50 PM
32°42'51.42"N -111°36'11.136"W
2200 South Curry Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
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595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
S Curry Rd
Google
Jun 3, 2024 1:24:43 PM
32°42'51.312"N -111°36'11.088"W
2200 South Curry Road
Eloy
Pinal County
Arizona

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Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
E Phillips Rd
Google
Jun 3, 2024 11:39:25 AM
32°43'9.78"N -111°36'42.246"W
East Phillips Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
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When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall 595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Monaco Blvd
W Torreon Dr
W Valdez Dr
Google
Jun 3, 2024 11:39:05 AM
32°43'9.93"N -111°36'42.432"W
8517 West Torreon Drive
Arizona City
Pinal County
Arizona

City of Eloy Public Notice
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595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
Google
Jun 3, 2024 10:10:00 AM
32°43'9.408"N -111°37'58.14"W
4701 West Phillips Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
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Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
Google
Jun 3, 2024 10:09:49 AM
32°43'9.462"N -111°37'58.404"W
4701 West Phillips Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
E Phillips Rd
S Toltec Rd
Google
Jun 3, 2024 9:47:28 AM
32°43'10.722"N -111°37'13.728"W
4501 West Phillips Road
Casa Grande
Pinal County
Arizona

City of Eloy Public Notice
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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
E Phillips Rd
S Toltec Rd
Google
Jun 3, 2024 9:47:16 AM
32°43'10.656"N -111°37'13.512"W
4501 West Phillips Road
Casa Grande
Pinal County
Arizona

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W Shay Rd
S Toltec Rd
Google
Jun 3, 2024 9:17:23 AM
32°42'17.49"N -111°37'13.77"W
19387 South Toltec Road
Eloy
Pinal County
Arizona

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W Shay Rd
S Toltec Rd
Google
Jun 3, 2024 9:16:57 AM
32°42'17.706"N -111°37'13.782"W
19210 South Toltec Road
Eloy
Pinal County
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Jun 3, 2024 2:23:28 PM
32°42'44.628"N -111°37'12.798"W
South Toltec Road
Eloy
Pinal County
Arizona
Google

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GPA2024-01 (Minor General Plan Amendment)
S Toltec Rd
Google
Jun 3, 2024 2:23:48 PM
32°42'44.328"N -111°37'12.87"W
South Toltec Road
Eloy
Pinal County
Arizona

Sawtooth West Energy Center | Open House Meeting Sign-in Sheet

*Located at Eloy City Hall* *Wednesday, June 5, 2024 - 5:00 to 6:00PM* *RZ-PAD2024-001 & GPA2024-01*

| Name | Address | Email | Phone | Y/N to receive project updates |
|---|---|---|---|---|
| (JVB Investments) Vance Varholdt | 4601 S. Kachina Dr. Tempe, AZ 85282 | jvarholdt@cox.net | (480)326-7502 | Y |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| | | | | |

EDFR Sawtooth West
Energy Center
Neighborhood Meeting
Wednesday, June 5, 2024
5:00PM - 6:00PM
LOCATED IN THE
COMMUNITY ROOM
PLEASE USE SOUTH
DOOR ENTRANCE

NEIGHBORHOOD
MEETING
CITY HALL ENTRANCE
COUNCIL CHAMBERS
SUITE 102: COMMUNITY DEVELOPMENT
SUITE 103: FINANCE I UTILITIES
SUITE 104: CITY CLERK I ADMINISTRATION
SUITE 101: PINAL COUNTY FEDERAL CREDIT UNION

Sawtooth West
Energy Center
Preliminary Site Plan
Preliminary Open Space Plan
Sawtooth West
Energy Center
Existing vs Proposed
Base Zoning Districts
Existing Zoning
Proposed Zoning
Sawtooth West
Energy Center
Existing vs Proposed
General Plan Land Use Designations
Sawtooth West
Energy Center
Visual Simulations
SWCA
Sawtooth West
Energy Center
Visual Simulations
Proposed Project
Proposed Project

EXIT

## Overview

**EDF Renewables North America is a project developer, owner, and operator with end-to-end solutions for every market...**

As developer, owner and operator of one of the largest renewable energy portfolios and second largest project pipeline on the continent, EDF Renewables is active in every market across North America.

With our history of innovation, and deep experience developing and operating renewable energy assets, we bring a full-suite of solutions for grid-scale, distribution-scale, asset optimization and onsite energy.

Our outstanding capabilities allow us to utilize our in-house experts, providing maximal efficiency and end-to-end oversight of any size of energy project.

**...with the capabilities, financial strength and global footprint to help you secure your energy future.**

**EDF Renewables North America**

- 18 GW development
- 14.6 GW service contracts
- 42 GW pipeline
- 35+ years experience
- 1,800+ employees

Grid-Scale Power
Distribution-Scale Power
Onsite Solutions
Asset Optimization

as of 12/31/23

© EDF Renewables North America 2024

## Sawtooth West Energy Center

*Supporting renewable energy development in the City of Eloy*

A standalone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility on 2,055 acres

**Request 1:** *Zoning Map Amendment*

- Amendment to the Eloy Valley- Planned Area Development (PAD) to *permit utility-scale solar & battery energy storage uses* on 2,055-acres;
- Incorporation of two (2) parcels (APNs): 408-23-022 & 408-23-021A) into the existing Eloy Valley PAD boundary

**Request 2:** *Minor General Plan Amendment*

- A Minor Amendment to the Future Land Use Map to change the land use designation(s) of two (2) parcels (APNs): 408-23-022 & 408-23-021A) from *Medium-Density Residential* to *Estate Residential*

EDF renewables

## Sawtooth West Energy Center

*Ideally located within Eloy's Utility-Scale Solar Overlay Area*

City of Eloy
Utility-Scale Solar Overlay

Utility-Scale Solar & BESS Overlay

## Sawtooth West Energy Center

EDF renewables

Sawtooth West Energy Center Vicinity & Parcel Map

Interim Development Plan Context Map

th West
Center
EDF

Environmental Impact

We take pride in the impact of the 16 GW we have developed since our inception.

18 GW of renewable energy is equivalent to:

30,259,946 metric tons of carbon dioxide emissions avoided annually

7,292,457 passenger vehicles driven for one year

4,379,188 US homes could be powered with this much electricity generated

Economic Benefits – Sawtooth Solar + Storage Project

$104.7 million in economic activity over the life of the project within Ada County

Direct jobs and generate millions in new local earnings during the construction period

1-4 + new permanent full-time jobs

In total, the State, Ada County, City of Kuna and its school and special districts will receive an estimated $14.9 million in tax revenue

Local Economic Benefits

Direct benefits

The project will result in increased job opportunities for the local area. Some of these job opportunities may include:

- Surveying
- Civil engineering
- Geotechnical work
- Electrical work
- Road construction
- Transportation equipment
- Earthwork activities
- Maintenance of vehicle fleet
- Maintenance of gates
- Snow removal
- Other related services

Indirect benefits

- Increased spending on goods and services during construction and operational phases

EDF renewables

Local Community Benefits

We value the long-term benefits of working with the local stakeholders. Community benefits will include:

- Employment opportunities during the construction and operational phases of the project. The project is anticipated to generate 200 jobs at peak construction, and 1-4 + permanent positions during operations.
- Multiple contract opportunities for local businesses.
- Local businesses like hospitality and construction services during the development, construction and operational phases of the project.
- Tax revenues throughout the life of the project.
- Reduction in air pollution and greenhouse gases.

EDF renewables

Environmental Impact
Local Economic Benefits
Local Community Benefits

***Updated: 06/07/2024***

# Sawtooth West Energy Center

**Eloy, AZ**

**Calls & Emails Tracker:**

### Fred Kempe

Sq1america@gmail.com
480.205.9425
Property Curry north of Milligan
APN: 408.26.0030

- Received 1st phone call on 5/31 (comments & applicants' responses provided below):
- ***Comments:*** concerns about the adjacency of his property to such a large Solar Development; had concerns about the BESS fire risk and possibility of the chemicals leaking into the groundwater in the event of a fire.
  ***Responses:*** Explained the community and economic benefits of the project; the setbacks & screening required & the reality that the project will not have much negative effects on his property; explained where we are in the development process (entitlements phase);
  - ***The caller has asked for a Zoom meeting with the developer and a Fire Consultant to discuss further.***
  - ***Emailed Mr. Kempe on 6/07 indicating that the applicants' team will be providing a virtual meeting option during the week of June 16th, prior to the P&Z Hearing.***

### No Name

435.922.9236

- Received a call on 5/30, caller did not leave a message.
- Returned call on 5/30; caller did not answer- left a voice message providing contact information and information regarding the Project Scope;
- Phone call attempt #2 on 5/31- left an additional message; RLG has not received a return phone call to date.

### Ella Jackson

wejackson@yahoo.com
602.469.0551- cell
Daja Mitchell- daughter
520.709.3225

- Received a call from Ella Jackson, the caller left a message on 5/29, however, did not provide any details or ask any questions in the message.
- Returned call on 5/29- leaving a message and providing contact information for a return phone call.
- Phone call attempt #2 on 5/30- was unable to reach the caller, left another message providing contact information and details regarding the Project;
- Phone call attempt #3: successfully reached the caller on 5/31 (see comment & responses below):

***Comments:***
- The caller owns property near the project site, did not provide a specific location (said it was 7.5 acres).
- Her property is an investment property and was concerned that the potential of a Solar Project affecting her property prices

***Responses:***
- Explained the community and economic benefits of the project;
- Described the setbacks & screening required & the reality that the project will not have much negative effects on his property;
- Explained where we are in the development process (entitlements phase);

- The caller said they may come to the neighborhood meeting; but may also request a zoom meeting if possible.
- Received an email from Ella Jackson on 6/04/24 requesting to arrange a Zoom call in lieu of attending the in-person meeting; returned email on 06/07 indicating that the applicants team will be providing a virtual meeting option during the week of June 16th, prior to P&Z.

**Vishnu Kotta**
Vishnu.kotta@gmail.com
732.423.3666
- Received a call on 5/29; caller did not leave a message;
- Returned call on 5/29 without a response; left a message providing contact information
- Received an email on 5/29; returned an email to Mr. Kotta on 5/29, providing requested information;
- Phone attempt #2: successfully reach the caller on 5/30:
  ***Comments:*** Property owner of one of the parcels involved in the Sawtooth Project; asking for more information regarding the MGPA- supportive

**Perry Mathis**
mathis@casontyler.com
602.947.881
- Received an email on 5/31 asking about the potential to sell his property to the developer; had no comments about the project itself;
- Received a call from Mr. Mathis on 5/31; indicating that he is "fully in support of the project" and had no concerns about the project itself.
- Received a follow-up email from Mr. Mathis on 5/31; reinforcing that he is "fully in support of the project" and had no concerns about the project itself.

**Jack Riley**
815.252.5354
jackriley@cardinaltransport.com
- Received a call on 5/28 asking about the potential to sell his property to the developer;
- Have not received any follow-up comments, calls or emails from Mr. Riley since initial contact.

## Re: Sawtooth West Energy Center Project

Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Fri 6/7/2024 3:29 PM

To:wejackson <wejackson@cox.net>;Patterson Mitchell <daja.mitchell@gmail.com>

Good afternoon, Ella,

Thank you for reaching out! We are in the process of arranging follow-up virtual meetings with some neighbors as we speak.

Our plan at this point is to host a joint Zoom call with all interested parties the first couple day of the week of June 16th. Please let me know if you have any availability on either Monday, June 17th or Tuesday, June 18th.

Thank you again for your interest in the Project and reaching out, I look forward to hearing back from you and we can arrange that virtural meeting.

Have a wonderful weekend!

Nate Tonnemacher

Planner/Project Manager

CELEBRATING 21 Years

ROSE LAW GROUP pc

RICH • CARTER • FISHER

**7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251**

Direct: **480.240.5642** Fax: **480.505.3925** Mobile: **805.345.8074**

roselawgroup.com roselawgroupreporter.com

@roselawgroup @roselawgroupmeta

RLG is Service :: Winner "Best places to work in Arizona"

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Think green, please don't print unnecessarily

---

**From:** wejackson <wejackson@cox.net>
**Sent:** Tuesday, June 4, 2024 10:11 AM
**To:** Nate Tonnemacher <NTonnemacher@roselawgroup.com>; Patterson Mitchell <daja.mitchell@gmail.com>
**Subject:** Sawtooth West Energy Center Project

Hello Nate,
My name is Ella. My daughter's name is Daja. We spoke with you on the phone last Friday. Thank you for answering the questions that we had so far. We will not be attending the meeting on tomorrow at the Eloy City Hall. We would like to be updated with all that is going on with this project. I have included Daja's email also. Zoom meetings would work better for us. Is that possible?

Regards,
Ella Jackson

# EDFR: Sawtooth West Energy Center (Follow-up)

Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Fri 6/7/2024 4:03 PM

To:Sq1america@gmail.com <Sq1america@gmail.com>
Cc:Kayla Amado <kamado@roselawgroup.com>;Court Rich <CRich@roselawgroup.com>;Henry Smith <Henry.Smith@edf-re.com>

Good afternoon, Mr. Kempe,

It was very nice discussing the Sawtooth West Energy Center Project proposed in Eloy, AZ, on the phone last week.

As you requested, I am following up via email to provide an update on the opportunity to meet virtually with the Developer and myself.

We are currently arranging follow-up virtual meetings with some neighbors. Our plan is to host a joint virtual call with all interested parties during the first couple of days of the week of June 16th. Please let me know your availability on either Monday, June 17th, or Tuesday, June 18th.

Thank you again for your interest in the Project. I look forward to hearing back from you to arrange the virtual meeting.

Have a wonderful weekend!

Best regards,
Nate Tonnemacher

## Sawtooth Energy - Eloy

mathis@casontyler.com <mathis@casontyler.com>

Fri 5/31/2024 1:22 PM

To:Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Nate, I received your notice regarding this project, and I'm fully supportive of the plan. I'm reaching out to see if my adjacent property would be of interest to the solar developers. My company Cason Tyler LLC owns Parcel 408-23-023 (40 acres). Please forward this on to your contact at EDF to see if there is interest.

Thanks,

Perry Mathis
Cason Tyler Companies
5080 N. 40th Street, Suite 205
Phoenix, AZ 85018
Tel: 602-957-1799
Cell: 602-647-8881
Email: mathis@casontyler.com

## Eloy Parcel 408-23-022

vishnu.kotta@gmail.com <vishnu.kotta@gmail.com>

Wed 5/29/2024 11:20 AM

To:Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Hello Nate, I am trying to reach you but not connecting your phone, please call me when you get a chance. I am the owner of the subject parcel.

Thank You,
Vishnu Kotta
7324233666 M

# Citizen Review Plan & Report

**1st Amendment to the**

## Eloy Valley Specific Plan (PAD)

**Case Number:** RZ-PAD2024-001

## Minor General Plan Amendment

**Case Number:** GPA2024-001

# Sawtooth West Energy Center

Eloy, Arizona

***Report Updated:***

**June 7th, 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

## Sawtooth Solar LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

# Citizen Review Report:

**NOTE:** *A copy of the previously submitted Citizen Review Plan is attached to this Report, please see* ***Attachment 1***

## Contact Dates and Methods

A total of *twenty-seven (27) Notification letters* were mailed via First Class U.S. Mail on May 22nd, 2024, to all property owners within 300ft of the Sawtooth West PAD boundary (see: **Attachment 2:** Affidavit of Notification & **Attachment 3:** Notice Buffer Map & Lables).

The letter provided all required and pertinent information regarding the application, including a description of the two (2) application requests by the applicant and a Project Map. An invitation to join the Development Team for a Neighborhood Outreach meeting that took place on June 5th in the City of Eloy was also included in this report and contained all meeting details and the location of the meeting. A copy of the notification letter is attached to this Report (see **Attachment 4**) along with the 300-ft buffer map and list of the property owners located within the noticing boundary.

## Site Posting

The Project Site was posted on June 3rd, as required by the City of Eloy, providing application details, city and applicant contact information, project numbers, a Project Vicinity Map and all upcoming public hearing information.

Eleven (11) total sign we're posted within the 2,055-acre Project area, strategically located along the project boundary and within areas internal to the Project demonstrating the most appropriate viewing opportunity for the public (see **Attachment 5**: Sign Specifications & Locations). Each sign is double sided and was placed perpendicular to the road adjacent to the project boundary. Photos and an affidavit for posting is attached to this Report as **Attachment 6**.

## Neighborhood Outreach Meeting

A Neighborhood Outreach meeting was held, in-person, on June 5th, 2024, from 5:00 pm to 6:00 pm in the Community Room of the Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public was invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. The applicant and their representatives were available for the entire meeting

The Community Room was accessible to the public through a main entrance leading outside. A comment table was positioned at the entrance, with a member of the Applicant's team stationed to welcome visitors. The meeting space was well-lit, with signs placed around the entrance, including the parking areas and pathways leading to the space. A team of three representatives from Rose Law Group PC, including the Applicants' Land Use Attorney and two (2) Land Use Planners, joined the Applicants' Development Team as hosts of the meeting.

Two (2) members of the public attended the meeting: a neighboring property owner and his business

partner. They did not provide comments but were interested in learning more about the Project. The Applicant and their representatives guided them through the twelve (12) exhibits, illustrating all pertinent aspects of the Project, placed around the room. The Applicants' Representatives and Development Team described the purpose of the requests, provided context and background relating to the Project scope, explained all applicable community and public outreach requirements, described some of the immediate next steps for the project, and provided information pertaining to the upcoming public hearings for the Project.

Additionally, the Applicant Team described the various Project components, and community and economic benefits of the Project. Finally, the participants asked some follow-up questions regarding the Text Amendment update to the Eloy Ordinance relating to utility-scale solar and BESS development within the city. The Applicants' Team described the increase setbacks and R/W dedication improvement standards as well as the other development standards placed upon the Project.

A copy of the sign-in sheets with the attendees' contacts information and pictures of the meeting are provided as **Attachment 7** to this Report.

## Ongoing Communication with Neighbors

The Applicants' Representatives are the listed contact on all notification postings and mailers and have collected all information and details regarding public engagement on behalf of EDFR. To date, the Applicants' Representatives have received no formal comments from the public but have fielded emails and phone calls from neighbors.

In total the Applicants' representatives have received six (6) calls from members of the public and four (4) emails (including the formal comment mentioned above). A detailed summary of all calls and emails received & copies of all emails are provided in **Attachment 8** (*Calls and Emails Tracker*), which is included in this report.

# CITY OF ELOY
# REQUEST FOR COMMISSION ACTION

**Agenda Item: VIII.B.**
**Date: 6/20/2024**

| | | |
|---|---|---|
| **Date submitted:** 05/17/2024<br><br>**Date requested:** 6/20/2024 | **Action:** Formal | **Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2024-001: Eloy Valley Specific Plan PAD - Sawtooth Energy Center, an application for a Zoning Map Amendment to rezone approximately 50.61 acres of land from Single-family (R1-43) to Single-family (R1-43) PAD situated about 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road and to incorporate the property into the Eloy Valley Specific Area Plan Planned Area Development (PAD). In addition, the proposed Zoning Map Amendment is to permit a Solar, Utility Scale Generation, and Battery Energy Storage System Facility as an allowed use on the northern approximately 2,055 gross acres of the PAD located on an irregularity-shaped site located between W. Shay Road and W. Alsdorf Road, and S. Toltec Buttes Road and S. Curry Road, in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.** |

**TO:** Planning and Zoning Commission

**FROM:** Dan Symer, Belinda Cota

**RECOMMENDATION:**

The staff recommends that the Planning and Zoning Commission, after reviewing the Issues for Consideration for a Zoning Map Amendment and the Approval Criteria for a PAD, recommend to the City Council the approval of the specified Zoning Map Amendment outlined in Case No. RZPAD2004-001 (Eloy Valley Specific Plan PAD—

Sawtooth Energy Center-EDF Renewables) in accordance with the attached Conditions of Approval.

**DISCUSSION:**

**Request:**
The applicant, Rose Law Group, PC, c/o Court Rich, on behalf of Sawtooth Solar, LLC, a subsidiary of EDF Renewables, Inc., has submitted an application for a Zoning Map Amendment to modify the existing Eloy Valley Specific Area Plan Planned Area Development (PAD). The purpose of the amendment is to incorporate approximately 50.61 acres of land situated about 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road into the PAD and to permit a Solar, Utility Scale Generation, and Battery Energy Storage System Facility, also known as Solar Generation Facility in the Zoning Ordinance (hereafter, "Utility Scale Solar") as an allowed use on the northern approximately 2,055.3 gross acres of the PAD. This application has been submitted in conjunction with a Minor General Plan Amendment (Case No. GPA2024-001) to change the land use designation on the 50.61-acre property from Medium Density Residential to Estate Residential, which is necessary for the approval of this Zoning Map Amendment.

**Context (50.61 Acre Site)**
Located approximately 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road, the site is surrounded by undeveloped and vacant land. The General Plan land use map designations adjacent to the site are primarily Medium-Density Residential, with limited areas designated Commercial, Medium-High-Density Residential, and Parks/Open Space. The General Plan land use map designations, zoning, and land uses of the property abutting and adjacent to the site are identified in the table below and in the attachments.

| Direction | General Plan Land Use Map Designation | Existing Property Zoning | Existing Use of the Property |
|---|---|---|---|
| North | Medium Density Residential and Community Commercial | Single-family Residential (R1-6) PAD and General Commercial (C-2) PAD | Vacant land |
| South | Medium Density Residential | Single-family Residential (R1-43) and Single-family Residential (R1-6) PAD | Vacant land |
| East | Medium Density Residential and | General Commercial (C-2) and Single- | Vacant land |

| | | | |
|---|---|---|---|
| | Community Commercial | family Residential (R1-43) | |
| West | Medium Density Residential | Single-family Residential (R1-43) | Vacant land |

**Context (Eloy Valley Specific Area Plan Planned Area Development - Northern 2055.3 Acre Site of the PAD)**

Located on an irregularly shaped site between W. Shay Road and W. Alsdorf Road and S Toltec Buttes Road and S. Curry Road, the site is surrounded by undeveloped and vacant land. The land uses adjacent to the site are primarily Medium-Density Residential, with limited areas designated Commercial, High-Density Residential, Low-Density Residential, Light Industrial, Medium-High Density Residential, and Parks/Open Space. The General Plan Land Use Map designations, zoning, and land uses of the property abutting and adjacent to the site area are identified in the table below.

| Direction | General Plan Land Use Map Designation | Existing Property Zoning | Existing Use of the Property |
|---|---|---|---|
| North | Community Commercial, Medium Density Residential, Medium-High Density Residential, Light Industrial, and Parks/Open Space | General Commercial (C-2) PAD, Open Space Recreational (OSR PAD, Single-family, Residential (R1-6) PAD, Single-family Residential (R1-43), Small Lot Residential (R-2), and | Vacant land |
| South | Community Commercial, Medium Density Residential, and Medium-High Density Residential. | Neighborhood Commercial District (C-1) PAD, Single-family Residential (R1-6) PAD, Single-family Residential (R1-12) PAD, Single-family Residential (R1-43), and Single-family Residential (R1-43) PAD | Vacant land |
| East | Community Commercial, High Density Residential, Medium Density Residential, and Light Industrial. | General Commercial (C-2), General Commercial (C-2) PAD, Residential (R1-6) PAD, and | Vacant land |

| | | | |
|---|---|---|---|
| | | Single-family Residential (R1-43) | |
| West | Community Commercial, Low Density Residential, Medium Density Residential, Medium-High Density Residential, and Parks/Open Space | General Commercial (C-2), Open Space Recreational (OSR PAD, Single-family Residential (R1-43) | Vacant land |

**Zoning Ordinance Issues for Consideration:**
In determining whether to approve, approve with conditions, or deny the proposed Official Zoning Map amendments, issues for consideration shall include but not be limited to: (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. Consistency (or lack thereof) with the adopted Eloy General Plan and other adopted plans;

- ***The proposed Zoning Map Amendment change of the 50.61 acres of land situated about 1,325 feet west of the southwest corner of West Milligan Road and South Toltec Road will be consistent with the General Plan upon approval of the associated General Plan Amendment (Case No. GPA2024-001). Even though the property is currently zoned Single-family (R1-43), the current General Plan (GP) land use designation for the property is Medium Density Residential, which necessitates the need for the aforementioned General Plan Amendment to change the land use designation of the property to Estate Residential. The Single-family (R1-43) zone is one of the implementing zoning districts for the Estate Residential land use designation, and its approval will assist in providing "a range of residential ... uses to encourage and maintain a sustainable community," and to "encourage a variety of housing types" (GP Goals 3.1.1.1. and 3.5.1.2.)***

- ***The Utility Scale Solar use is allowed with a Conditional Use Permit in the Single-family R1-43, R1-54, RR-2.5, RR-5, or RR-20 zones, corresponding* to the General Plan's Estate Residential land use designation. It should be noted that the Utility Scale Solar may also be allowed in any zoning district and land use designations when incorporated as an allowed use of a PAD zone. The addition of the Utility Scale Solar use to the PAD will assist in providing for a more sustainable community as specified in the GP Goal *3.1.1.1.* It should be noted that according to the applicant, the Utility Scale Solar use is interim until such time that the development of the property for the zones and uses specified in the PAD is more viable and utilities are available.**

B. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

- ***The proposed Zoning Map Amendment and associated uses are consistent and compatible with the abutting and adjacent properties and character of the area/neighborhood.***

C. Suitability of the subject property for uses permitted by the proposed zoning district;

- ***The approximate 50.61 gross-acre property that is proposed to be rezoned to Single-family (R1-43) PAD and the additional northern approximately 2,055.3 gross acres of the Eloy Valley Specific Plan PAD is relatively flat undeveloped/vacant land that has limited marks. With the development of the property as a Utility Scale Solar use and its future development in accordance with its designated zoning, the property owner/developer will be required to provide all necessary infrastructure improvements to serve the property.***

D. Suitability of the subject property for uses permitted by the existing district; and

- ***The approximate 2105.91-acre subject site is currently zoned in various districts. The property may be developed under its existing zoning designations, provided that the property owner/developer provides all necessary infrastructure improvements to serve it.***

E. Availability of sewer and water facilities.

- ***The approximate 2105.91-acre subject site currently does not have Eloy water or sewer/wastewater service. The nearest water and sewer/wastewater service is located at the corner of N. Toltec Road and W. Cowboy Tr. There exist several private and public well locations in and near the site area. With the development of the property as a Utility Scale Solar use, the property owner/developer will be required to provide septic infrastructure for sewer/wastewater and a minimum of 25,000-gallon water storage tank for landscaping, restrooms, fire suppression, etc. purposes. When the property is developed for any other use, the property owner/developer will be required to provide all sewer/wastewater and water facilities to serve the development in accordance with city, county, and state requirements.***

**Approval Criteria for a PAD**
In determining whether to approve, approve with conditions, or deny a proposed Zoning

Map Amendment for a PAD, the City Council shall make a determination in accordance with the provisions specified below (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the City as a whole than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties. Such greater benefits may include the implementation of adopted planning policies/design standards, natural resource preservation/conservation, enhanced provision of utilities, urban design, neighborhood/community amenities, or an overall level of increased development quality.

- ***The approximate 50.61 gross-acre property that is proposed to be rezoned to Single-family (R1-43) PAD and incorporated into the northern approximately 2,055.3 gross acres of the Eloy Valley Specific Plan PAD will assist in providing "a range of residential ... uses to encourage and maintain a sustainable community," and "encourage a variety of housing types" (GP Goal 3..1.1.1. and 3.5.1.2.). In addition, the incorporation of the Utility Scale Solar facility across the north section of the Eloy Valley Specific Plan PAD will assist in providing a sustainable community through the provision of enhanced/alternative utility-scale solar energy production (GP Goal 3.1.1.1.). The proposed modifications to the PAD are not anticipated to alter the City Council's previous determination of the PAD Approval Criteria when the Eloy Valley Specific Plan PAD was originally approved.***

**FISCAL IMPACT:**

There are no anticipated fiscal impacts associated with this discussion.

# Zoning Map Amendment

Justification Narrative

1st Amendment

## Eloy Valley Specific Plan

Planned Area Development

Submitted to:

**City of Eloy, AZ**

***2nd Submittal*:**

**May 8, 2024**

# Sawtooth West Energy Center

***Applicant, prepared on behalf of Sawtooth Solar, LLC:***


ROSE LAW GROUP pc

RICH ▪ CARTER ▪ FISHER

**Court Rich, Attorney**

Attn: Nate Tonnemacher

Land Use Planner & Project Manager

(480) 240-5642 | (480) 291-0737

ntonnemacher@roselawgroup.com


***Prepared for:***

**Sawtooth Solar** LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

## Table of Contents

**1. Introduction** ..... 2
**2. Purpose of Request** ..... 2
*Development Standards* ..... *2*
*Justification of the Amendment Request* ..... *3*
**3. Background** ..... 4
**4. Site Location and Conditions** ..... 4
*Site Location* ..... *4*
*Site Conditions* ..... *5*
*Responsible Land Planning* ..... *5*
*Community Benefits* ..... *5*
**5. Zoning Map Amendment Criteria** ..... 6
*Criteria Analysis:* ..... *6*
**6. Planned Area Development (PAD) Approval Criteria** ..... 8

## List of Exhibits

**Exhibit A:** *Vicinity & Project Parcel Map*

**Exhibit B:** *Eloy Valley PAD Interim Development Context Map*

**Exhibit C:** *Conceptual Site Plan- Sawtooth West Energy Center*

**Exhibit D:** *Existing Underlying Zoning Map*

**Exhibit E:** *Proposed Zoning Map*

**Exhibit F:** *Existing General Plan Land Use Map*

**Exhibit G:** *Proposed General Plan Land Use Map*

**Exhibit H:** *Open Space Conservation Plan*

**Exhibit I:** *Conceptual Sections for Utility Scale Solar Development*

**Exhibit J:** *Eloy Fire District Service Boundary Map*

# I. Introduction

Rose Law Group pc., as the applicant on behalf of Sawtooth Solar LLC, a subsidiary of EDF Renewables, inc. ("EDFR") (herein the "Solar Developer"), desires to construct and operate an electrical generation facility consisting of solar photovoltaic (PV) modules and a battery energy storage system (BESS) facility, collectively referred to as the Sawtooth West Energy Center (the "Solar Project") within the City of Eloy, Arizona ("city") as an interim use of the land until such time that market conditions warrant the development of the Eloy Valley Specific Plan PAD, as envisioned.

The Solar Project's generation capacity will be up to 250 megawatts of alternating current (MWac); and, the BESS would have a net power storage capacity of up to 250 MWac. It should be noted that the 230 kilovolt (kV) Arizona Public Service (APS) Milligan Substation is located at the southeast corner of West Milligan Road and Eleven Mile Corner Road, located approximately 2.1-miles directly east of the Project's northwestern corner (adjacent to Milligan Dr).

The Solar Project will be located on approximately 2,055.3 gross acres of land, consisting of forty-three (43) parcels (herein the "Project Site"). All but two (2) parcels: (APNs 408-23-022 & 408-23-021A), included as part of the proposed Solar Project are within the existing Eloy Valley Planned Area Development (hereafter the "PAD"). (See **Exhibit A**: *Vicinity & Project Parcel Map* within "*Appendix I" of the 1st Amendment to the Cooley Eloy 640 PAD* (filed under separate cover).

# II. Purpose of Request

The purpose of this Zoning Map Amendment application is to amend the previously approved Eloy Valley PAD to:

1) Permit the Solar, Utility Scale Generation and Battery Energy Storage System Facility (hereafter the "Solar Project") land use in all underlying zoning districts of the PAD; and

2) Incorporate two (2) parcels encompassing approximately 50.6-acres (APNs: 408-23-022 & 408-23-021A) of land (hereafter "incorporated parcels") adjacent to the northwestern Project boundary into the Eloy Valley PAD Planned Area to be included as part of the Solar Project Site. Please see **Exhibit B:** *Interim Development Plan Context Map* & **Exhibit E:** *Proposed Zoning Map*).

**Development Standards**

*Below is the additional use, property development standards and definitions for the Utility Scale Solar land use in the Eloy Valley Specific Plan PAD:*

1. **Utility Scale Solar is allowed in all underlying zoning districts of the Eloy Valley PAD overlay zone, and the development of the use shall conform with the following:**

   a. ***Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the City of Eloy Zoning Ordinance ("ordinance"), as amended, except as modified below:***

i. The facilities shall be limited to the locations indicated on the Interim Project Development Plan: Conceptual Site Plan (See: "Appendix I" **Exhibit C)**

ii. Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iii. Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iv. Perimeter fence color: sage green color that has color equivalency with a LVR of 40% or less.

v. The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the ordinance, as amended, except that only the landscape provisions of 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39. of the ordinance.

vi. Perimeter fencing, including gated access through the fence, shall be setback a minimum of 50 from the right-of-way dedicated in accordance with Section 21-3-1.39. of the ordinance.

**2. Definition of Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities):**

***Utility Scale Solar and Battery Energy Storage Systems (BESS):*** A solar-generated electrical power plant, inclusive of the equipment necessary to generate, store, and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system.

Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as an interim use within the PAD.

In addition to the modifications above, several clerical updates to the development and use standards have been made in the Eloy Valley Specific Plan PAD document. These updates clarify the PAD's applicable standards and reduce the need for future interpretation of the provisions when development of the PAD occurs as originally envisioned.

### Justification of the Amendment Request

*This Project narrative is separated into three main discussions summarized below, each justifying the request to amend the Eloy Valley Specific Plan PAD, based upon the intended future use of the Planned area:*

**1.** First, providing a brief background of the land uses proposed within the Eloy Valley PAD, which provides the necessary context to introduce the purpose of this amendment request.
**2.** Next, discussing the location and current conditions of the Site and surrounding area, thereby further describing the intended future use and compatibility of the Site as a Solar Project. Specifically, through describing the various approaches to responsible community planning

accomplished through the amendment request and highlighting the community benefits of the Solar Project.

3. Finally, this document provides an analysis of how the amendment request complies with the ordinance criteria for Zoning Map Amendments, including the proposed modification of the Eloy Valley PAD to allow utility-scale solar and BESS uses within its boundaries. Additionally, a brief analysis and response to the ordinance approval criteria for the establishment of PADs is provided, describing how this amendment aligns with the city's current and future development and land use standards and goals for the area in which the Eloy Valley PAD is situated and justifies the request to incorporate the two (2) adjacent parcels requested to be part of the Solar Project Site area.

## III. Background

In 2003, the city approved the Eloy Valley PAD, which is a 4,509-acre master-planned community comprised of residential, commercial, industrial park, and recreational activity centers. The conceptual PAD divided the PAD into multiple land use planning areas, which consisted of 10 different land use categories, including five residential, three commercial, one open space and one industrial. As part of PAD approval, the Site was zoned to allow for development of the proposed land uses under the PAD and the city established the Eloy Valley PAD zoning overlay of the entire site.

While the Eloy Valley PAD was approved in 2003, no aspects of the PAD development plan have ever been pursued and no development projects have been considered for the Site. **Exhibit D:** *Existing Zoning Map*, within "Appendix I" of the 1st Amendment to the Eloy Valley PAD illustrates the existing zoning of the project site and immediate surrounding area.

## IV. Site Location and Conditions

### Site Location

As previously mentioned, the Solar Project will be located on approximately 2,055.3 gross acres of land, consisting of forty-three (43) parcels, all but two (2) of these parcels (incorporated parcels encompassing approx. 50.6-acres) are currently within the Eloy Valley PAD area.

The Solar Project is generally located within the City of Eloy's undeveloped southeastern area, just southwest of Interstate 10. The Project area is specifically located west of S. Curry Road, south of W. Altdorf Road, south and west of Milligan Road, and generally north and west of W. Shay Road, and east of S. Toltec Buttes Road (See **Exhibit A**: *Vicinity Map, within "Appendix I" of the 1st Amendment to the Eloy Valley PAD*). Currently, the entire Sawtooth Energy Center project area is undeveloped and entirely vacant, situated within parts of the city designated for utility scale solar land use.

Regionally, the Site is located approximately 5 to 7 miles to the south and east of the smaller unincorporated community of Arizona City within Pinal County. The City of Casa Grande is located approximately 14.6 miles to the northwest of the Project Site and much of the urbanized center of the City of Eloy is located approximately 4 to 6 miles to the east and north of the Project area.

The areas immediately adjacent to the Project Site, including the incorporated parcels, are also either currently vacant or mostly underutilized. Aside from the undeveloped larger parcels existing in the area, the land use activity is largely agricultural or small-scale on-site storage operations supporting the agricultural uses. Parcels situated immediately north and east of the Project Site are unincorporated Pinal County land, not within the city limits or under its regulatory jurisdiction.

While much of the surrounding area has not yet developed, much of this area has been rezoned into planned area overlays since their original incorporation into the city to allow future residential and commercial development through the following PAD zoning overlays:

- **Tierra Del Sol PAD**: The parcel immediately northwest of the proposed project site contains this PAD overlay, which conceptually proposes 1,110 single-family residential lots.
- **Rancho Del Sol Brillante PAD**: The parcel immediately northeast of the proposed project site contains this PAD overlay, which is a conceptual 1,600-acre, master-planned community of residential, school, park, and community service uses.
- **Eloy Acres PAD**: The parcel immediately east of the proposed project site contains this PAD overlay, which conceptually proposes a mix of residential and commercial development.
- **Cooley Eloy 640 PAD**: The parcels east and south of the Project area include this 650-acre PAD, that features a mix of residential and commercial zoning and open space.

It should be noted that much of the land encompassing each of these PAD's is also slated for utility scale solar and BESS development. Similar to this request to amend the Eloy Valley Specific Plan PAD, each PAD mentioned above is also in the process of being amended to support utility scale solar and BESS land uses, subject to the provisions set forth in Section 21-3-1.39.D of the ordinance.

## Site Conditions

Since its incorporation into the City of Eloy, the Site has either been completely vacant or severely underutilized with only minimal agricultural activity operating within its boundaries. The Site has remained largely vacant and underutilized. As previously discussed, the Site is currently zoned as part of the Eloy Valley PAD overlay with underlying zoning of residential (R1-6 Single Family 6,000-sf/lot, R-3 Multiple Family 10-24 du/ac), Community Commercial (C-2) land uses and Open Space Recreational. The three (3) parcels proposed to be incorporated into the Eloy Valley PAD boundary have a base zoning of Estate Residential (R1-43) and is proposed to retain its base zoning entitlements (See **Exhibit B:** *Existing Zoning Map*).

## Responsible Land Planning

As indicated above, Utility Scale Solar will use the Site for the Solar Project as an interim use until market conditions warrant the development of the Eloy Valley PAD as originally envisioned. The approval of the proposed amendment to the PAD ensures responsible planning through comprehensive and thoughtful land use strategies.

### Community Benefits

Through the amendment request, the Project will bring significant tax revenue to Eloy and the local school district, while saving precious water resources, creating hundreds of construction jobs, and generating much needed electricity to support the growth of the local and regional economy. While solar generation is exempt from some forms of tax, the Solar Project will pay significant business personal property taxes that benefit local taxing authorities in proportion to the tax rate they charge.

In addition, the Applicant looks forward to becoming an active member of the Eloy community and looks forward to assisting the community in addressing local needs over the next several decades while the Solar Project is in operation.

This amendment to the Eloy Valley PAD establishes a reliable, flexible, and cost-effective framework for development of this property. This amendment is the best planning tool for maintaining the structure of the City of Eloy's zoning provisions while allowing the flexibility to respond to future development conditions.

## V. Zoning Map Amendment Criteria

The following is analysis of the Zoning Map Amendment Criteria of Section 21-6-6.4 of the ordinance, and includes issues for consideration, as it pertains to the proposed amendment changes to the Eloy Valley PAD and the Modified PAD's conformance to criteria.

### Criteria Analysis

***Section 21-6-6.4 City of Eloy Zoning Ordinance:***

**Issues for Consideration:** *In determining whether to approve, approve with conditions, or deny proposed Official Zoning Map amendments, issues for consideration shall include:*

1. ***Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;***

   **Responses:** *Consistent*

   - The Solar Project, as amended, is entirely consistent with specific goals and policies in the Eloy General Plan and constitutes an overall improvement to the local and regional economy via regional energy production that is not solely for the good or benefit of a particular landowner or other Solar Project proponent.
   - The Solar Project will assist the City of Eloy in promoting its goals to create a community with adequate infrastructure and utilities as well as striving to enhance and maintain regional and local air quality and encourage the creation of jobs—both temporary construction jobs and permanent O&M jobs—associated with these types of projects.

2. ***Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;***

**Responses:**

- Despite most of the Project site and surrounding area being zoned residential or community commercial, much of the area is almost entirely vacant or severely underdeveloped, with almost no residential or significant community commercial land uses found within the vicinity.
- Nearly all land use activity found in the area is limited to agricultural operations or incidental on-site storage supporting the agricultural uses. Therefore, the utility scale solar and BESS use proposed as part of this amendment will have no adverse impact on the current uses in the area and is considered compatible with the current character of the area.
- Much of the land that is slated for development within the immediate vicinity of the Project Site is also proposed utility scale solar projects, therefore the proposed use of the Project Site, in the interim, is entirely compatible with the future planned use and development of the surrounding area.

***3. Suitability of the subject property for uses permitted by the proposed zoning district;***

**Responses:**

- The Project Site, along with much of the immediate vicinity is situated within areas south of the I-10, reserved for utility-scale solar development in the city:
  - Recent amendments to Article III of the Zoning Ordinance, which included updates to Section 21-3-1.39 (Supplemental Use Standards) for utility-scale solar and BESS development within the city, introduced new provisions, development standards and approval criteria for utility scale solar projects.
  - The location criteria for utility scale solar and BESS uses are set forth in Section 21-3-1.39.A of the ordinance and designated areas south of the I-10 for future development of utility-scale solar and BESS projects within the city. The Project Site and much of the immediate area meets this criteria and the development of utility scale solar and BESS Projects is an appropriate use of land within the current PAD.
- Furthermore, as described in Section 4 'Site Location,' much of the surrounding area is also within separate Planned Area Development (PAD) overlays. Each overlay is proposed to be amended to allow utility-scale solar and BESS land uses, subject to the provisions of Section 21-3-1.39.D of the ordinance. Therefore, similar to the PAD's found within the immediate vicinity, the project is entirely suitable for the proposed utility-scale solar and BESS use as part of this amendment.

***4. Suitability of the subject property for uses permitted by the existing district; and***

***5. Availability of sewer and water facilities.***

**Responses to Criteria 4 & 5:**

- As detailed in Section 4 'Site Location and Conditions,' the project area is within the Cooley Eloy 640 PAD overlay, zoned for residential (R1-6 Single Family 6,000-sf/lot, R-3 Multiple Family 10-24 du/ac) and Community Commercial (C-2) uses. Since its incorporation into the city, the PAD area has remained largely underutilized due to inadequate residential and commercial infrastructure and services, limiting development as initially planned.
- Despite the constraints of the PAD area for residential and commercial development, utility-scale solar and BESS land use have become viable interim development options, supported by the existing utility and electrical transmission infrastructure in the area.

## VI. Planned Area Development (PAD) Approval Criteria

The following is analysis responding to the general purpose of the Planned Area Development (PAD) Overlay District of Section 21-2-7.2 of the ordinance and includes an analysis of the goals of establishing the Eloy Valley PAD Overlay, as it pertains to the proposed amendment changes to the Cooley Eloy 640 PAD and the Modified PAD's conformance to criteria.

### Criteria Analysis

***Section 21-6-6.4 City of Eloy Zoning Ordinance:***

**Issues for Consideration:** *In determining whether to approve, approve with conditions, or deny proposed Official Zoning Map amendments, issues for consideration shall include:*

i. A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the city than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties.

ii. Such greater benefit may include implementation of adopted planning policies/design standards, natural resource preservation/conservation, enhanced provision of utilities, urban design, neighborhood/community amenities or an overall level of increased development quality.

**Responses:**

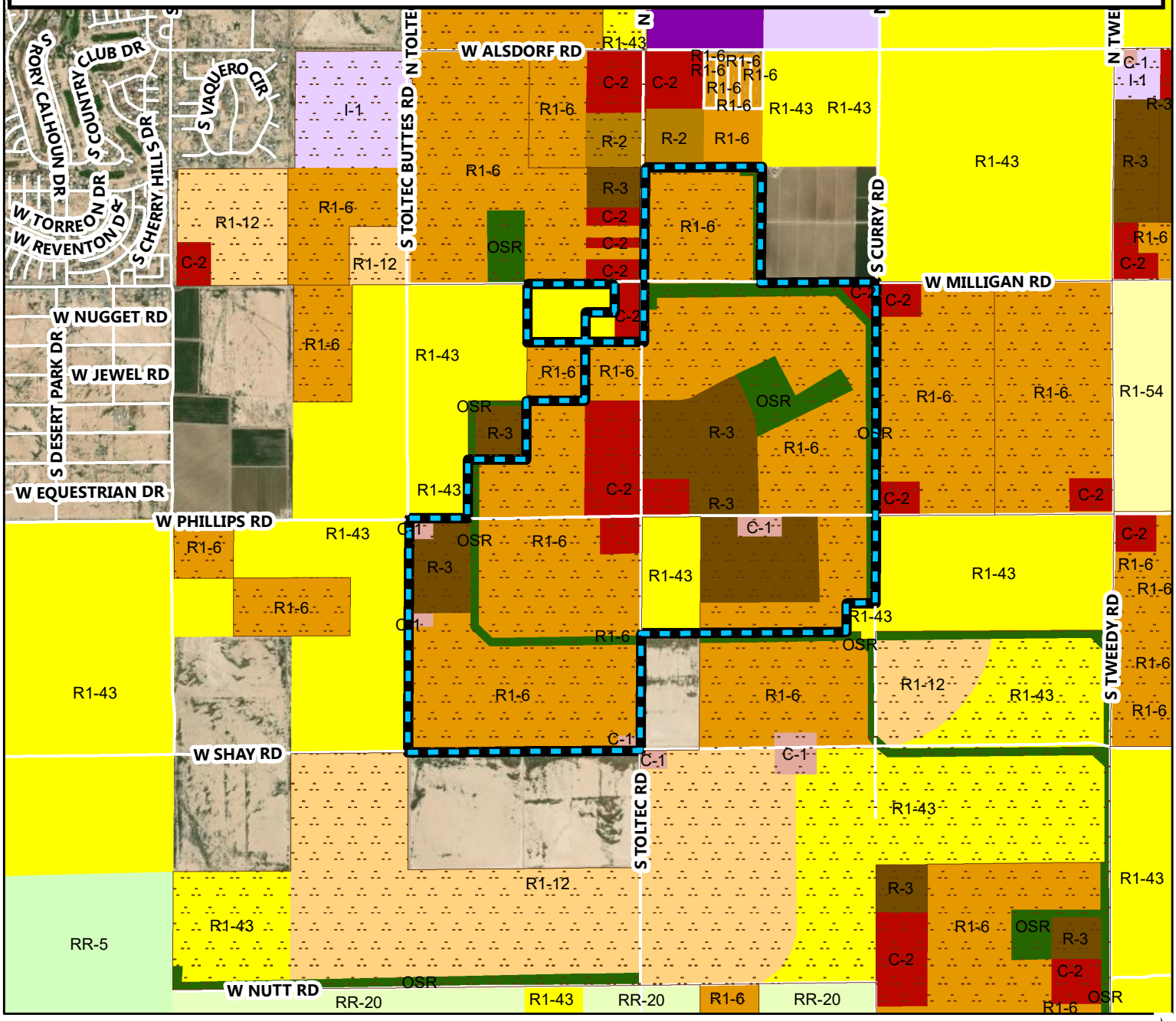
This amendment provides the necessary zoning flexibility for the PAD to adapt to future community needs and promote orderly development in this part of the city. Included in this request (filed as "Appendix I", under a separate cover) is an "Interim Project Development Plan", which includes the proposed Conceptual Site Plan (See **Exhibit C**). Also included as part of this request is the amended PAD of the proposed Solar Project, with the property development standards for the use, which substantially comply with the utility scale solar provisions of Section 21-3-1.39 of the ordinance as described in Section 2: "Purpose of Request" of this document.

Filed concurrently with this Zoning Map Amendment request is also a request to Amend the Eloy General Plan to change the existing land use designation of the two (2) parcels requested to be incorporated into the PAD from Medium Density Residential to Estate Residential to comply with the General Plan's Goals, Objectives and Policies for this area and the future use of the parcels incorporated into the Eloy Valley PAD area. Note: the current base zoning of the incorporated parcels shall remain as R1-43, which is compatible with the density requirements & permitted uses set forth in the Eloy Valley Specific Plan PAD. Furthermore, through the Site Planning phase of the Solar Project these two parcels shall reserve approximately 10.6 acres of land for Open Space Conservation or Open Space Recreation along much of the parcel boundary. This reserved Open Space area is set aside to meet the 15% minimum open space conservation standard set forth within the Eloy Valley PAD, meeting the intent of the overlay district and ensuring consistency, compatibility, and conformance to the Planned Development of Eloy Valley. Please see **Exhibit H**, attached in Appendix "I" under separate cover to illustrate the Open Space Reserve area on these Parcels.

Where traditional zoning rarely promotes coordinated development of large areas with multiple parcels or property owners or provides the necessary flexibility to adapt to future community needs or market conditions, this amendment aims to ensure quality and coordinated development of the Solar Project within this are of Eloy. Therefore, implementation of conventional zoning, which applies to the entire city and in practice is generally not appropriate for centralized land planning, is not appropriate in this case.

Simply put, exercising the entitlements of the original PAD in chorus with this amendment by simply adding solar, utility-scale generation and BESS facilities as a permitted use within the planned area is the most effective method for accomplishing the goals of the city's recently approved Zoning Ordinance update.

**Current Zoning Designation: C-1, C-2, R1-6, R1-43 & OSR with a PAD Overlay is proposing the 1st Amendment to the Eloy Valley Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facility land use within the northern portion of the previously approved (Specific Plan for the Eloy Valley.) on approximately 2,060 acres of land**




## Sawtooth Solar Energy Center
## PAD Amendment - Case No: RZPAD2024-001

0 1,350 2,700 5,400 Feet

PAD Overlay

**Zoning Designations**

**Single Family**
- RR-20 Rural Residential (20 acres/du)
- RR-5 Rural Residential (5 acres/du)
- RR-2.5 Rural Residential (2.5 acres/du)
- R1-54 Estate Residential (1.25 acres/du)
- R1-43 Estate Residential (43,560 sq. ft.)
- R1-12 Single Family Residential (12,000 sq. ft.)
- R1-6 Single Family Residential (6,000 sq.ft.)

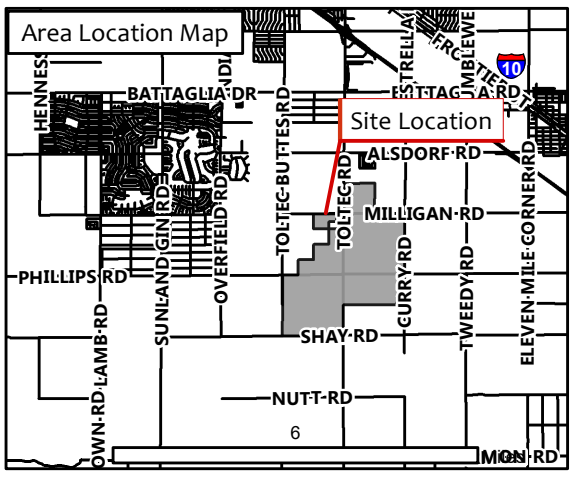
**Multi-Family**
- R-2 Small Lot Residential (6-10 du/acre)
- R-3 Multiple Family Residential (10-24 du/acre)

**Commercial**
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- MU Mixed Use

**Industrial**
- BP Business Park
- I-1 Light Industrial
- I-2 General Industrial

**Public Facility**
- PF Public Facility

**Open Space**
- OSC Open Space Conservation
- OSR Open Space Recreational




Disclaimer: This map is for reference purposes only and is not suitable for legal, financial, engineering, or surveying purposes or commitments. The City of Eloy assumes no responsibility for errors, omissions, or inaccuracies presented, and shall have neither liability nor responsibility for any direct or indirect loss or damage in connection with, or arising from, the information on this map. Any conclusions derived from this map are the responsibility of the user.

# ELOY VALLEY SPECIFIC PLAN

**October 2003**

*Original PAD*

*Prepared For:*

**City of Eloy**
595 N. C Street, Suite 102
~~628 N. Main Street~~
Eloy, Arizona 85231

*Original PAD Narrative*

*Prepared By:*

**Marklin Properties LLC,**
**and AXIS CORP.**

*Prepared By:*

**Markin Properties, LLC**
15770 N. Greenway/ Hayden Loop
Scottsdale, AZ 85260

AXIS CORP.
Realty & Engineering Group
801 Placita de Arnoldo
Tucson, AZ 85718

*With Assistance From:*

**ARROYO ENGINEERING**
5675 N. Oracle Road
Tucson, AZ 85704

**CURTIS LUECK & ASSOCIATES**
5780 W. El Camino del Cerro
Tucson, AZ 85745

**ENSIGN DESIGN GROUP**
801 Placita de Arnoldo
Tucson, AZ 85718

**GALLAGHER & KENNEDY**
2575 E. Camelback Road
Phoenix, AZ 85016

**WESTLAND RESOURCES**
2342 E. Broadway Blvd. Suite 202
Tucson, AZ 85719

# Zoning Map Amendment

## 1st Amendment to the

## Eloy Valley Specific Plan

## A "Planned Area Development"

***Submitted to:***

**City of Eloy, AZ**

595 N. C. Street Ste. 104
Eloy, AZ 85131

**Case #: RZPAD2024-001**

**Final:**
**June 11, 2024**

***Applicant, prepared on behalf of Sawtooth Solar, LLC***


ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

**Court Rich, Attorney**
Attn: Nate Tonnemacher
Land Use Planner & Project Manager
(480) 240-5642 | (480) 291-0737
ntonnemacher@roselawgroup.com


***Prepared for:***

**Sawtooth Solar LLC**

***A Subsidiary of:***

**EDF Renewables, North America**


**Attn: Kelsey Knoche**
Development Director, West Region
15445 Innovation Dr. | San Diego, CA 92128

# APPROVALS

## Eloy Valley Specific Plan

**A "Planned Area Development"**

**Approved: November 24, 2003**

**Ord. No. 03-550**

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**1st Amendment to the**

## Eloy Valley Specific Plan

**A "Planned Area Development"**

**Case: No. RZPAD2024-001**

**Approved: TBD**

**Ord No. TBD**

# TABLE OF CONTENTS

**I. STATEMENT OF FINDINGS**

A. Introduction ..... 01
B. Plan Objectives ..... 02
C. Alternate Planning Tools ..... ~~02~~03
D. Plan Consistency..... ..... 03
E. Zoning Code Consistency ..... 03
F. Community Benefits ..... 03
G. Context Compatibility..... ..... 04
H. Environmental Suitability ..... 04
I. Public Services Suitability ..... 05

**II. SITE ANALYSIS AND INVENTORY**

A. Existing Land Use ..... ~~08~~09
B. Topography ..... ~~08~~09
C. Hydrology ..... 09
D. Vegetation ..... 11
E. Wildlife ..... 12
F. Soils ..... 13
G. Traffic ..... 14
H. Sewers ..... 14
I. Schools ..... 14
J. Recreation, and Trails ..... 14
K. Cultural/Archaeology/Historic Resources ..... 14
L. Air Quality ..... 15
M. Electric and Gas Utilities ..... 16

**III. DEVELOPMENT PLAN**

A. Purpose and Intent ..... 17
B. Goals ..... 17
C. Land Use Plan ..... 18
D. Circulation Concept Plan ..... 21
E. Public Facilities ..... 22
F. Water Resources Concept Plan ..... ~~25~~24
G. Grading Concept ..... ~~27~~26
H. Landscape Concept ..... 27
I. Parks, Recreation and Trails Concept ..... 27

**IV. DEVELOPMENT REGULATIONS**

A. Purpose and Intent. ..... ~~30~~29
B. Definitions ..... ~~30~~29
C. General Provisions ..... ~~33~~32
D. Land Use Plan Designations ..... ~~35~~34
E. Development Area Categories ..... ~~35~~34
F. Public Facilities Regulation ..... 38
G. Hydrology/Drainage Regulations ..... 38

H. Archaeological Regulations ..... ~~39~~38
I. Vegetation Preservation/Salvage Regulations..... ~~39~~39
J. Cellular Telephone Monopoles ..... ~~40~~39

**V. DESIGN GUIDELINES**

A. Design Review..... ~~41~~40
B. Site Planning..... ~~43~~41
C. Architectural Guidelines..... ~~46~~44
D. Landscape..... ~~49~~46
E. Monumentation and Signage..... ~~51~~49

**VI. SPECIFIC PLAN IMPLEMENTATION**

A. Purpose ..... 53
B. Definitions ..... 53
C. General Implementation Responsibilities ..... 53
D. Roadway Phasing ..... 53
E. Drainage and Flood Control Phasing ..... 54
F. Public Facilities Phasing ..... 54
G. Transfer of Density ..... 55
H. Site Plan Review Procedures ..... 56
I. Specific Plan Administration ..... 57

# APPENDICES

Appendix A: Ownership and Tax Code
Appendix B: Legal Description
Appendix C: Arizona Game & Fish Letter
Appendix D: Arizona State Museum Letter
Appendix E: West Land Resources Cultural Resources Overview
Appendix F: Plant Palette List
Appendix G: Will Serve Letter from Arizona Public Service Company
Appendix H: Will Serve Letter from Southwest Gas Corporation
Appendix I: Interim Project Development Plan- Sawtooth West Energy Center
Exhibits to the Interim Development Plan: **Exhibits A- F**

# LIST OF EXHIBITS


**Exhibit l:** ~~Specific Plan Study Area Map~~ (Intentionally not included)
**Exhibit 2:** Regional Map
**Exhibit 3:** Vicinity Map
**Exhibit 4:** City of Eloy General Plan (As Approved in Case No. GPA2024-001)
**Exhibit 5:** Existing Zoning (Context Plan)
**Exhibit 6:** Existing Utilities Plan - Water and Sewer
**Exhibit 7:** Soils and Topography Map
**Exhibit 8:** Offsite Watershed Map
**Exhibit 9:** Existing Utilities Plan - Electric and Gas
**Exhibit 10:** ~~Land Use Plan (Site Plan)~~ Existing and Proposed Zoning Map
**Exhibit 11:** Circulation Plan
**Exhibit 12:** Street Cross-Sections (intentionally left blank)
**Exhibit 13:** Water Resources Concept Plan
**Exhibit 14:** Typical Channel Cross-Sections Exhibit 15: Concept Grading Plan
**Exhibit 16:** Landscape Concept Plan
**Exhibit 17:** Parks, Recreation, and Trails Map

**Appendix I: Interim Project Development Plan:**

**Exhibit A:** *Vicinity & Project Parcel Map*

**Exhibit B:** *Eloy Valley PAD Interim Development Context Map*

**Exhibit C:** *Conceptual Site Plan- Sawtooth West Energy Center*

**Exhibit D:** *Open Space Conservation Plan*

**Exhibit E:** *Conceptual Sections for Utility Scale Solar Development*

**Exhibit F:** *Eloy Fire District Service Boundary Map*

# I. STATEMENT OF FINDINGS

## A. Introduction

Eloy Valley is a master-planned community comprised of residential, commercial, industrial park, and recreational activity (See Exhibit 1: Specific Plan Study Area Map). Located within the City of Eloy in Pinal County, the approximately 4,509-acre site is located south of Interstate 10 and is roughly bisected by Toltec Highway. The Specific Plan area is approximately 40 miles south of the City of Phoenix and just minutes east of the City of Casa Grande. The plan is located about 40 miles northwest of the City of Tucson metropolitan area (See Exhibit 2: Regional Map).

The Specific Plan project area includes portions of T8S, R7E Sections 8-10, 14-17, 20-23, 26-29, 34, and 35. The Pinal County Assessor tax parcel numbers are indicated in Appendix A, and the Legal Description is provided in Appendix B.

The availability of suitable land and accessibility to transportation corridors will attract Pinal County's growing population to Eloy Valley. Eloy Valley is readily accessible via existing and proposed roadways. Currently, access is available from Interstate 10 and Toltec Highway. The site is also accessible via Milligan Road (See Exhibit 3: Vicinity Map).

This plan focuses on optimizing the site by creating recreational opportunities, a mix of housing products and densities, a City Recreational Lake Park (which will furnish all the Eloy area residents with a social and cultural core), public services, opportunity for interim utility scale solar uses and business and retail centers. The community will provide vitality and foster a high quality of life. Development will be balanced with open space and public recreational amenities. The City Center and adjacent office and retail areas will reduce the need for excessive travel and provide opportunities for alternative transportation modes, such as pedestrian and bike travel.

Responsible planning will be ensured through the adoption of this Specific Plan, which reflects thorough and comprehensive land use planning. This Plan includes the flexibility to anticipate and adequately adapt to future needs of the community.

Eloy Valley is environmentally suitable for development. The parcel is relatively flat, with no major geologic formations on site.

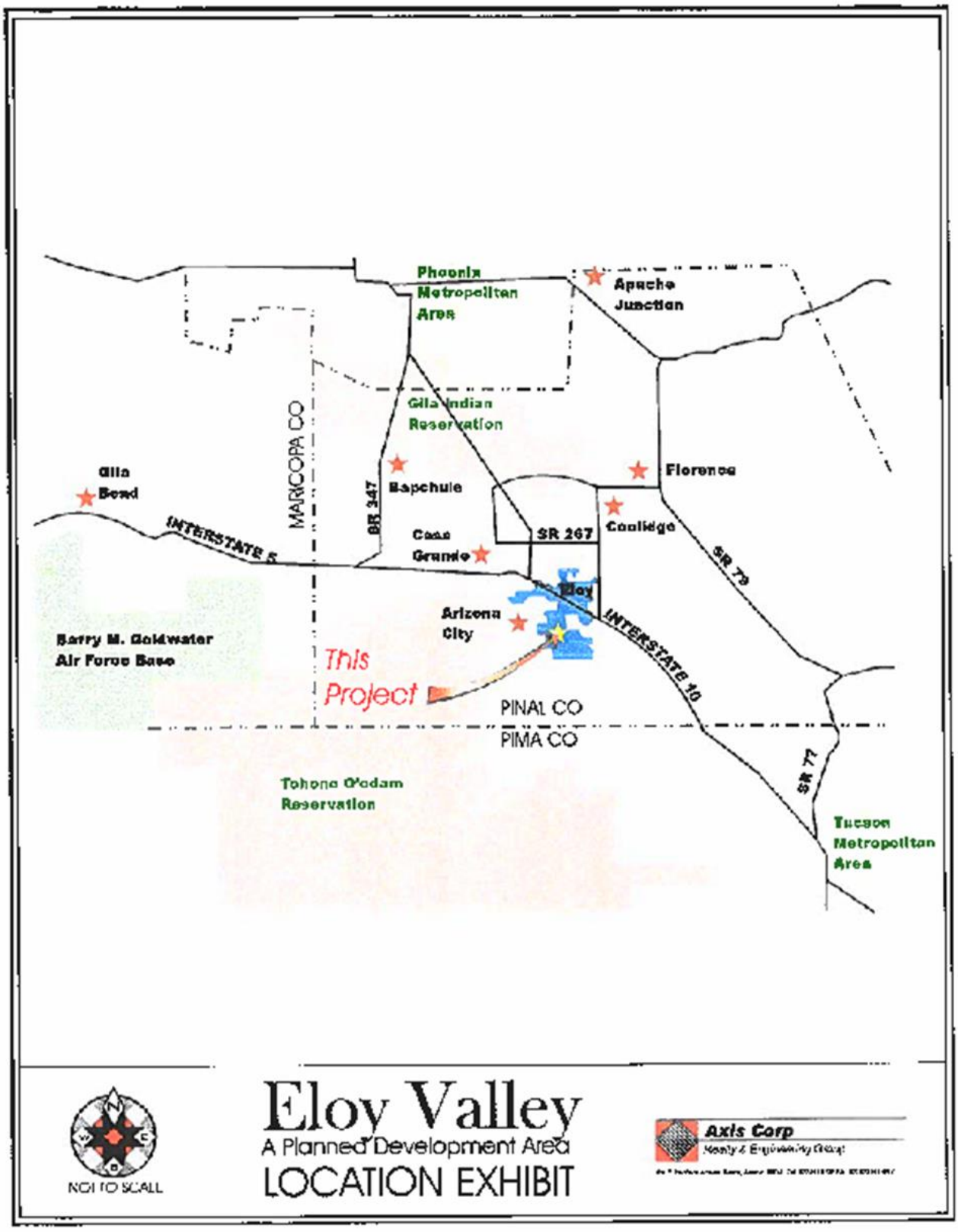



**Exhibit 2:** Regional Map

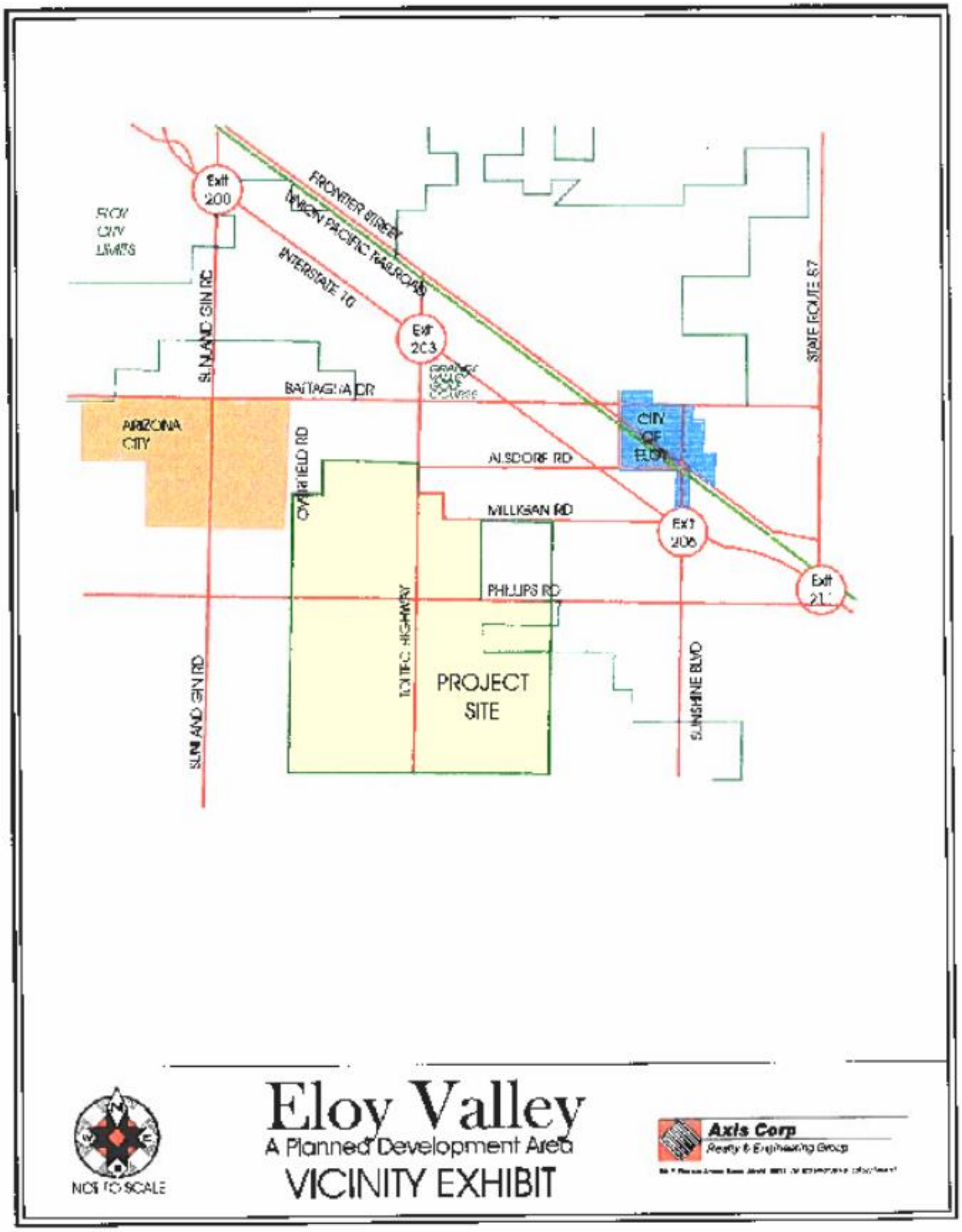



**Exhibit 3:** Vicinity Map

## B. Plan Objectives

As in the adoption of the Ordinance No. 03-550, the Eloy Valley Specific Plan PAD was found to comply with the applicable criteria of the City of Eloy Zoning Ordinance establishing the Eloy Valley PAD overlay district with underlying zoning of, R1-6, R-3, C-2 & OSR.

***The first amendment to the Eloy Valley PAD has three parts, which is to incorporate:***

1) The Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Appendix "I");

2) Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter "Utility Scale Solar") as an allowed use to the underlying base zones of the PAD overlay in accordance with the provisions of Section 21-2.7.4. A. of the Eloy Zoning Ordinance (hereinafter "Ordinance"), and limited to the properties located on Exhibit "A" of Appendix "I",

3) Modification to the existing provisions of this PAD, including reducing interior and rear building setbacks to properties within the PAD to zero; applying Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the City of Eloy Zoning Ordinance, as amended.

~~2)~~4) Finally, incorporate two (2) parcels (APNs: 408-23-022 & 408-23-021A) encompassing approximately 50.6-acres into the Eloy Valey PAD boundary as shown on Exhibit "A" of Appendix "I", with Single-Family (R1-43) zoning, as part of this Zoning Map Amendment.

Additional objectives of the Eloy Valley Specific Plan include, but are not limited to, the following:

- Utilize the City of Eloy's Planned Area Development Process to plan and promote the development of a large-scale, master-planned, intergenerational community.
- Facilitate a compact development pattern.
- Manage and control growth through efficient development community.
- Opportunities for affordable housing will be provided.
- Opportunities for a variety of single-family residential developments, including large lots and custom homes, will be provided.
- New, high-quality residential environments will be provided.
- Multi-family housing will be developed near community parks and open space areas.
- Construct developer-financed City parks in conjunction with new residential development by providing infrastructure, housing density, and development agreement assurances.
- Residential developments will be located in suitable areas.

- Residential developments shall provide pedestrian linkages to schools, parks, and community services through the community's roadway and park/ trail system.
- Commercial, light industrial, and office employment centers will be scaled and located to complement the community.
- Plan neighborhood commercial nodes convenient to residential areas.
- Provide a low-density residential transition between developed areas and agricultural land uses.

## C. Alternate Planning Tools

The Eloy Valley Specific Plan establishes a reliable, flexible, and cost-effective framework for the development of this property. The Specific Plan is the only planning tool capable of maintaining the structure of the City of Eloy's regulations while allowing the flexibility to respond to future development conditions. The Specific Plan includes development regulations and design guidelines which are compatible with the City of Eloy Development Code to ensure quality and coordinated development.

Traditional zoning does not promote coordinated development, nor does it provide the flexibility to responsively adapt to future community needs or market conditions. Conventional zoning categories apply to the entire city and can be less appropriate for land planning than a detailed Specific Plan designed for the site and surrounding land uses.

## D. Plan Consistency

This plan is consistent with the City of Eloy General Plan adopted in May 2020, as subsequently modified, and further amended in Case No. 2024-001 (See Exhibit 4: General Plan). ~~The City's General Plan designates the area encompassing the Eloy Valley Specific Plan as the "Specific Plan Study Area". This Specific Plan furthers the City's goal of implementing the study area (See Exhibit 4: General Plan).~~

This Specific Plan is being adopted in conformance with the City of Eloy ordinance 98-442, Eloy Planned Area Development District.

## E. Zoning Code Consistency

The Eloy Valley Specific Plan is consistent with the City of Eloy Zoning Code regarding relative importance of surrounding public and private interests (See Exhibit 5: Existing Zoning). The City of Eloy has adopted zoning ordinances. The Specific Plan provides needed zoning and regulatory guides that supplement these ordinances.

## F. Community Benefits

The Specific Plan will enhance the broad-based planning efforts in the region and should increase surrounding property values by providing homes priced at or above comparable values in the general area. Creating a quality recreational facility and improving the overall street and utility infrastructure will enhance property values on- and off-site. It

will also address long-range community goals regarding transportation, school sites, concentration of recreational activities, and wastewater treatment. The proposed uses within this Specific Plan will provide needed long-range residential and recreational opportunities for the City of Eloy.

The share of the tax-supported cost of public services for the Specific Plan area will be effectively reduced. This development will pay its fair share of all necessary public improvements. Its approval will lock in a long-term public and private commitment to a regional growth scenario. The Eloy area is experiencing rapid growth and will continue to do so for some time. The area is currently impacted by piecemeal development. This plan will set the trend towards more precise planning and integrate all development components into a comprehensive, phased package. It will contribute to upgrading regional facilities as well as assuring a long-term commitment to a designated set of land uses.

As the population of Eloy increases, the demand for housing and services increases. The community's needs will be met with this residential development, which includes a city lake amenity, schools, commercial facilities, H.O.A. swim and fitness recreation center, and related amenities.

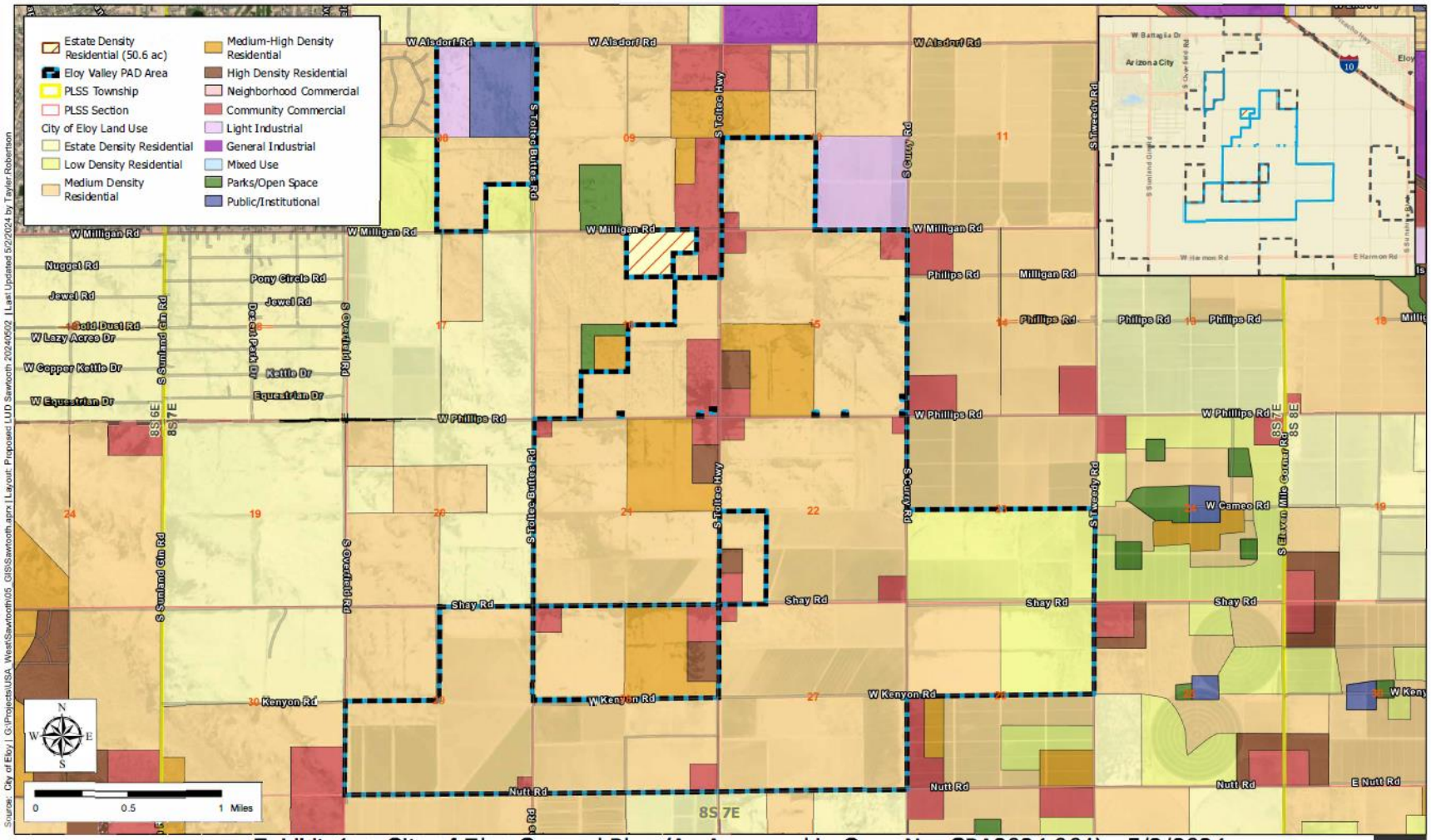
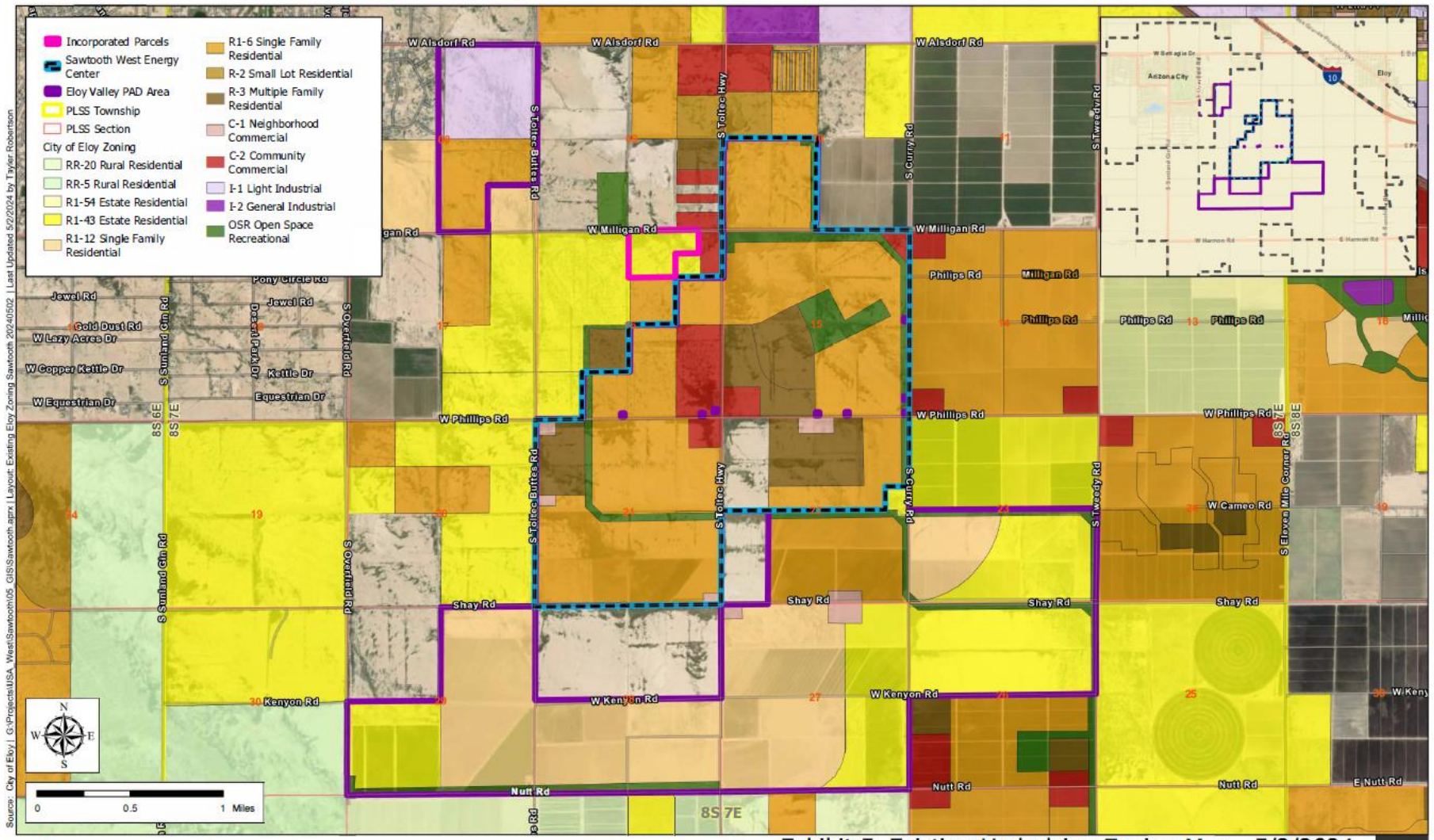



Exhibit 4: City of Eloy General Plan (As Approved in Case No. GPA2024-001) - 5/2/2024

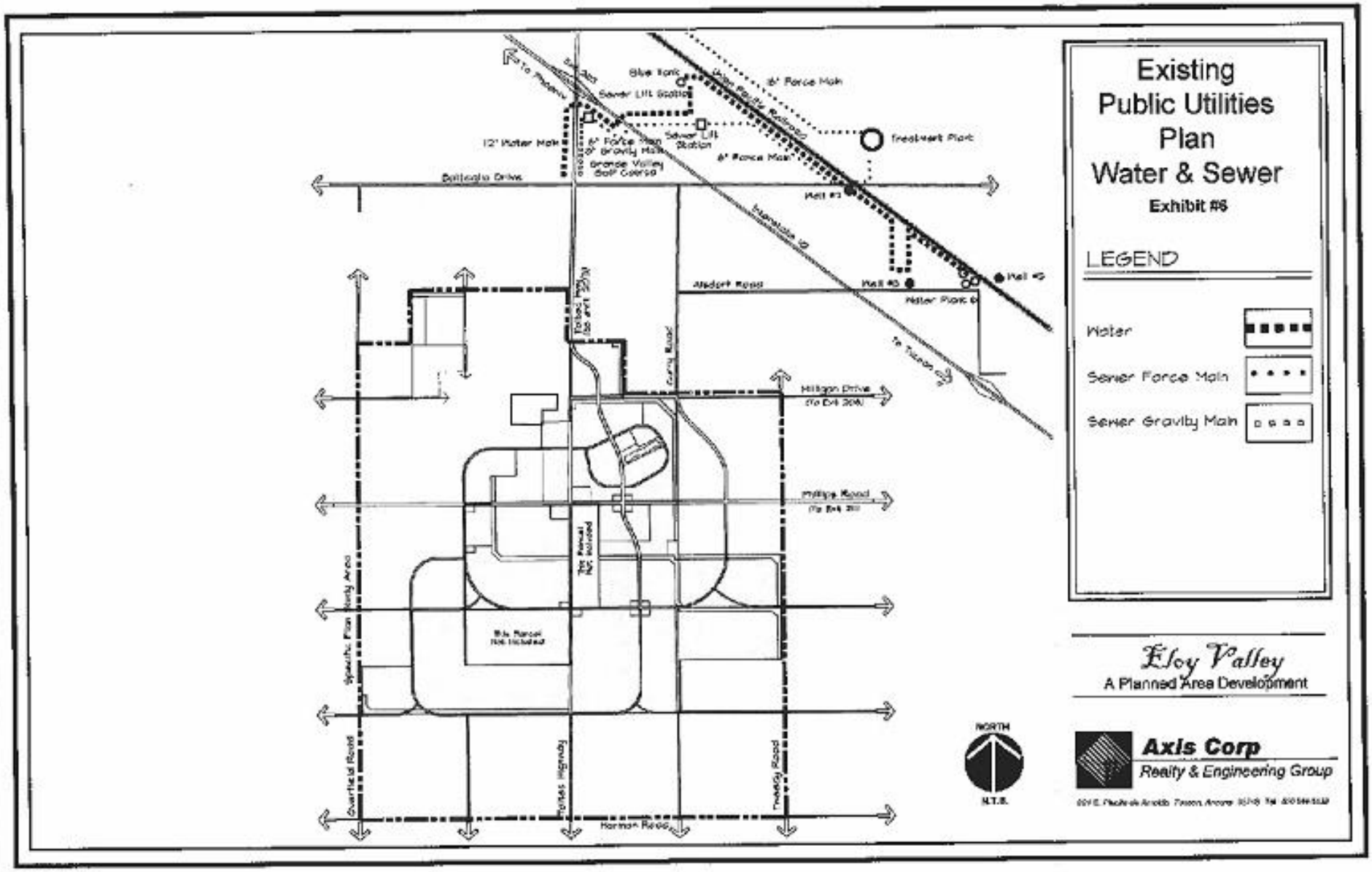
Sawtooth Solar Energy Center | Pinal County, Arizona

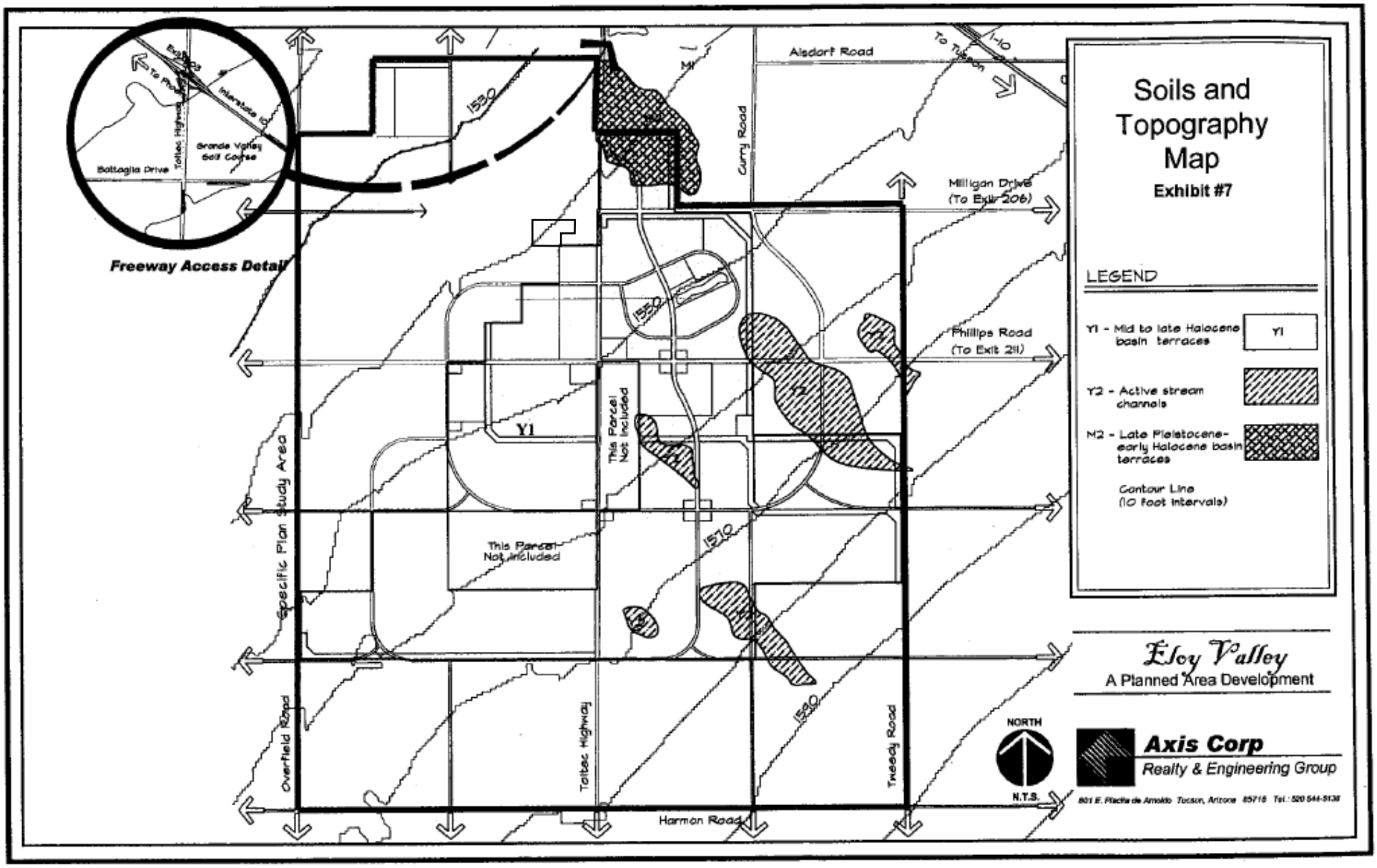


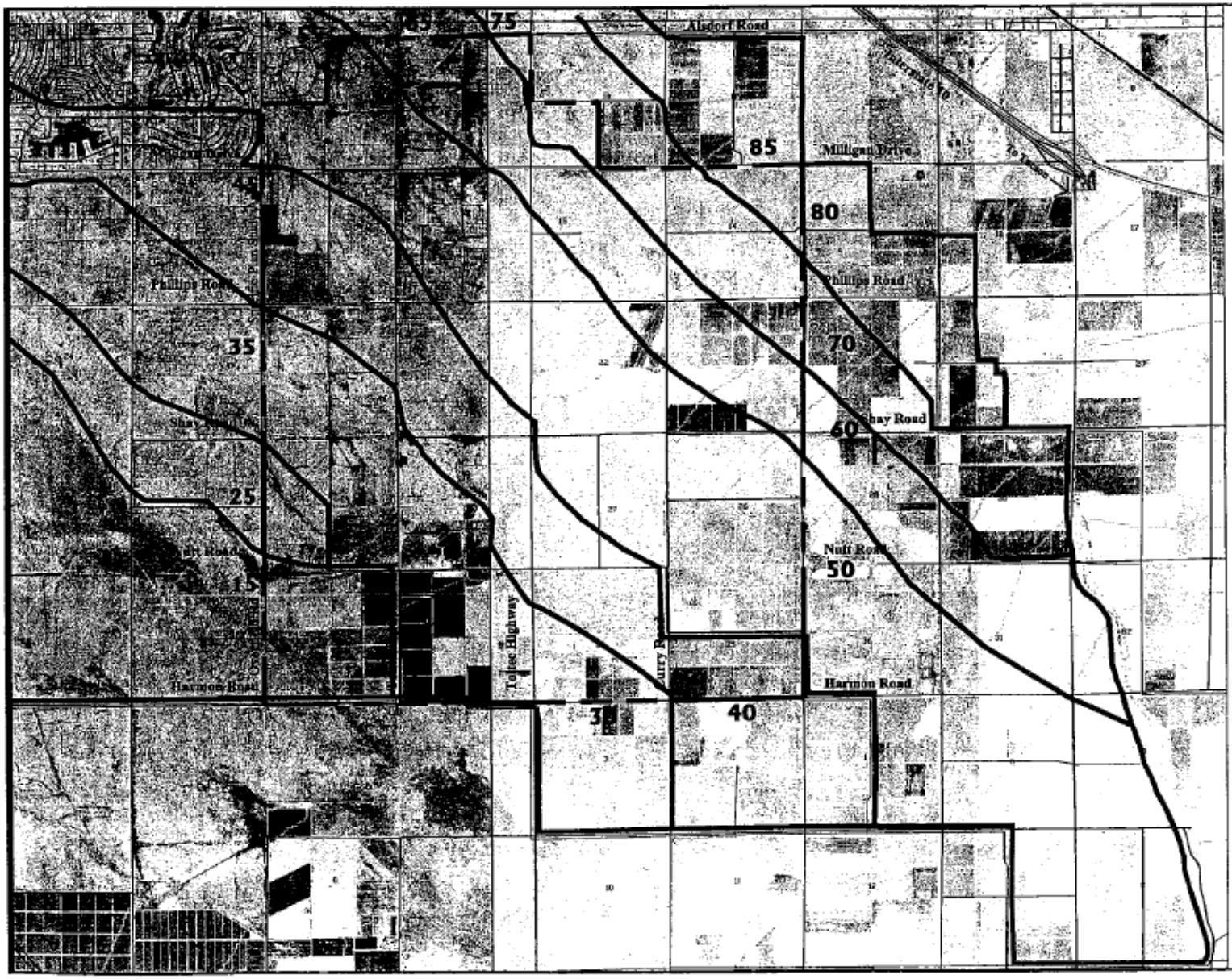

EDF renewables

Exhibit 5: Existing Underlying Zoning Map - 5/2/2024

Sawtooth Solar Energy Center | Pinal County, Arizona


Existing
Public Utilities
Plan
Water & Sewer
Exhibit #6
LEGEND
Water
Sewer Force Main
Sewer Gravity Main
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group
NORTH
N.T.S.
Sewer Lift Station
Treatment Plant
Well #1
Well #2
Well #3
Well #4
Water Plant
Aldorf Road
Hillgan Drive
Phillips Road
Overfield Road
Tweedy Road
Harmon Road
Specific Plan Study Area
Curry Road
Tolbert Way
Grande Valley Golf Course
Sewer Lift Station
Blue Tank
12" Water Main
6" Force Main
6" Gravity Main
Bellagio Drive
Interstate 10
To Phoenix
To Tucson
Union Pacific Railroad


Soils and Topography Map
Exhibit #7
LEGEND
Y1 - Mid to late Holocene basin terraces
Y1
Y2 - Active stream channels
M2 - Late Pleistocene-early Holocene basin terraces
Contour Line (10 foot intervals)
Freeway Access Detail
Alsdorf Road
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
This Parcel Not Included
This Parcel Not Included
Specific Plan Study Area
Overfield Road
Tollec Highway
Treeby Road
Harmon Road
Battaglia Drive
Grande Valley Golf Course
Interstate 10
To Phoenix
To Tucson
1530
1550
1570
1590
Eloy Valley
A Planned Area Development
NORTH
N.T.S.
Axis Corp
Realty & Engineering Group
801 E. Plaza de Arnoldo Tucson, Arizona 85715 Tel: 520 544-5138




# Watershed Boundary Map (Existing Conditions)

**Exhibit# 8**

LEGEND

Watershed Divide

Topographic Contours, Intict Contours and Intermediate Contours (10-foot intervals)

Existing Irrigation Canals (Operated by the Central Arizona Irrigation and Drainage District, Eloy, AZ, CAIDD)

Drainage Concentration Point — 85

Base Map: U.S. Geological Survey 7.5 Minute Orthophoto and Topographic Maps of: Eloy North, Eloy North, Ariz. City, and Casa Grande Mtns.

Summary of Estimated Flood Peaks
Based on USGS Generalized Regression Equat
For Region 13 (Southern Arizona)

| Watershed ID | Drainage Area (Sq.Mi.) | Estimated Flood Peaks 2-Year (cfs) | 10-Year (cfs) | 100-Year (cfs) |
|---|---|---|---|---|
| 10 | n.a. | n.a. | n.a. | n.a. |
| 15 | 0.95 | 119 | 443 | 1216 |
| 20 | n.a. | n.a. | n.a. | n.a. |
| 25 | 0.33 | 62 | 220 | 570 |
| 30 | 0.98 | 122 | 451 | 1242 |
| 35 | 4.29 | 281 | 1074 | 3076 |
| 40 | 1.51 | 157 | 589 | 1647 |
| 45 | 5.30 | 315 | 1205 | 3459 |
| 50 | 4.84 | 300 | 1147 | 3290 |
| 55 | 10.64 | 454 | 1733 | 4987 |
| 60 | 2.00 | 184 | 696 | 1964 |
| 65 | 4.45 | 287 | 1096 | 3140 |
| 70 | 1.62 | 163 | 614 | 1722 |
| 75 | 2.84 | 224 | 853 | 2426 |
| 80 | 1.53 | 158 | 593 | 1661 |
| 85 | 1.79 | 173 | 652 | 1834 |

NORTH

1"=4000'

*Eloy Valley*

A Planned Area Development


ARROYO ENGINEERING, INC.
Water Resources & Civil Engineering Consultants
5675 N. ORACLE ROAD, SUITE 3201, TUCSON, ARIZ. 85704
PH. (520) 882-0206, FAX (520) 882-8674


January, 2003

## G. Context Compatibility

The Eloy Valley Specific Plan is a project which addresses present and future growth in the City of Eloy and provides the framework for appropriate land uses and the provision of needed services. The plan provides for sensitivity to the region, the neighborhood, and the site.

Some of the properties in the City of Eloy are in the initial planning phases of development. Undeveloped land adjoins the Specific Plan property to the south. The property to the north is privately held and undeveloped. Properties to the east and west are largely undeveloped, apart from Arizona City. Existing zoning in the area is primarily agricultural.

## H. Environmental Suitability

The Eloy General Plan classified the Eloy Valley Specific Plan Area as part of a larger assessment to identify those areas least and most suitable for urban development and to focus urbanizing development on those areas where impact on the environment was minimized.

The examination of these features utilized a Geographic Information System (GIS) platform to perform an analysis of seven key environmentally suitable layers. The layers selected include:

- Topography and Slope
- Soil Conditions
- Land Subsidence
- Vegetation and Habitat
- Rivers, Streams, and Canals
- 100-Year Floodplain
- Natural Resource Land Ownership (where BLM and State Trust Lands may limit development)

The key development characteristics of each environmental feature were assigned a "development suitability" rating ranging from 0 to 3. The rating is based on the presence of positive or negative attributes to guide future development. The suitability ratings were as follows:

0 – Not suitable for development

1 – Least suitable for development

2 – Moderately suitable for development

3 – Highly suitable for development

The conclusion of the Eloy General Plan indicated that the Eloy Valley Specific Plan Area rated a "3" or was "highly suitable for development".

## I. Public Services Suitability

Transportation System

Primary access to the proposed development will be through I-10 and the interchanges that provide access into the area. At this time, there are three interchanges that are expected to be used by residents of this development. They are Exit 200 – Sunland Gin Road, Exit 203 – Toltec Highway, and Exit 206 – Sunshine Blvd. Other roadways that will be impacted by the project are Battaglia Drive, Frontier Street, and SR 87. Milligan Road and Phillips Road are also proposed to provide access for the project. These roadways are described below. They are currently discontinuous, mostly unpaved roadways with very low traffic volumes in the study area. A physical inventory of these roadways is as follows:

Existing Roadways

- Sunland Gin Road is a paved, two-lane collector roadway that extends south from Frontier Street, connecting to I-10 with a diamond interchange and continuing south through Arizona City to serve the agricultural areas beyond the community. Freeway commercial services are located on both sides of the interstate and interchange. The stop control is on Sunland Gin Road at Frontier Street and Battaglia Drive, which is a four-way stop.
- Toltec Highway is located three miles east of Sunland Gin Road. It is a paved, two-lane collector roadway that extends south from Frontier Road through the project site and beyond to serve the agricultural area. Toltec Road also has a traffic interchange with I-10 and freeway commercial services located on both sides of the freeway. Toltec Highway is stop-controlled at Frontier Street and at Battaglia Drive, which is a four-way stop.
- Sunshine Boulevard is located three miles east of Toltec Highway and provides connection to I-10. This roadway is also a paved, two-lane roadway that continues south through the agricultural area. The roadway provides access to commercial uses north of I-10 and continues into the town center. It is designated as an arterial roadway between I-10 and Frontier Street and a collector between Frontier and Battaglia. Sunshine Blvd is stop-controlled at Frontier Street.
- Battaglia Drive is a paved, two-lane collector roadway that extends from Wheeler Road on the east to Chuichu Road, five miles west of Sunland Gin Road, providing alternate access to Interstate 8 and the west side of Casa Grande. Battaglia Drive crosses over I-10 without connection to the freeway. A major area employment center is located along both sides of the roadway between I-10 and Frontier Street.
- Frontier Street is an arterial roadway that extends from SR 87 on the east side of the study area into the City of Casa Grande, northwest of the area. It is a two-lane, divided roadway from SR 87 to Tryon Avenue, a four-lane, divided roadway

from Tryon Avenue to Eleven Mile Road, a five-lane section with center left-turn lane to Battaglia Drive, and then continues northwesterly into Casa Grande as a two-lane, undivided roadway. This roadway serves as a primary access into the center commercial district of Casa Grande and is used as an alternate route to Interstate 10.

- State Route 87 is a paved, two-lane state highway that provides access to the Cities of Coolidge and Florence, north of Eloy. This state highway extends north from Florence, providing a connection to State Route 60 that continues east to the New Mexico state line and west to the Quartzsite area.

Water Facilities[1]

The existing City of Eloy water system consists of the following facilities:

- Three – 1.0-million-gallon reservoirs
- Two – booster stations
- Four – well sites

These four wells are named as follows:

  - New Well # 3
  - Old Well # 3 (available for use during emergencies or maintenance of primary wells)
  - Well # 5
  - Well # 6

The Eloy area is served entirely by two booster stations, Public Works and Blue Tank (See Exhibit 6: Existing Utilities Plan – Water and Sewer). Three of the existing wells (New Well # 3, Old Well # 3, and Well # 6) can pump to either water plant while Well # 5 pumps only to the Public Works facility. Currently, the entire Eloy system is served by pressure due to the lack of elevation difference across the city. The Eloy water service area has been divided into two pressure zones, roughly separated by the 1,535-foot contour.

Public Works is located in the upper pressure zone and consists of two 1.0-million-gallon reservoirs, a Well (# 6), and three booster pumps, as well as an emergency booster pump that can service both Public Works and Blue Tank in the event of a power failure.[2] The pressure range at the booster pumps is set at approximately 64 pounds per square inch (psi). Public Works is at an approximate elevation of 1,562 feet. This equates to an average high-water elevation of 1,690 feet.

Blue Tank is located in the lower pressure zone and consists of one 1.0-million-gallon reservoir and three booster pumps, as well as an emergency booster pump that can

[1] Overview of Existing Water System, Water System Master Study, City of Eloy (February 2007), https://eloyaz.gov/DocumentCenter/View/229/Water-System-Master-Study-PDF.
[2] Water System Master Study, *supra* note 1, at 2-1.

service both Public Works and Blue Tank in the event of a power failure.[3] The pressure range at the booster pumps is set at approximately 64 psi. Blue Tank is at an approximate elevation of 1,523 feet. This equates to an average high-water elevation of 1,652 feet.

The existing pressure zones encompass only half of the Eloy Valley Specific Plan area. New pressure zones would need to be developed to serve the entire project.[4]

The nearest water main to the Eloy Valley property is located approximately one mile north of the boundary in Toltec Road.[5] This is a 12-inch main that is tied to the Blue Tank booster system.

Sewer Facilities[6]

The existing City of Eloy sewer system consists of the following facilities:

- One – 2.0-million-gallon-per-day treatment plant
- Six – sewer lift stations[7]
- A combination of gravity and pressure mains

Eloy is primarily served by individual septic systems in the older areas and by a 2.0-million-gallon-per-day extended aeration treatment facility (See Exhibit 6: Existing Utilities Plan – Water and Sewer). Two sewer lift stations and approximately 7 miles of force main (10 and 16-inch HDPE) have been constructed to convey flows to the existing treatment facility. The first lift station is located east of Sunland Gin Road behind the Petro truck wash and pumps to a second lift station located at Highway 84 and Maricopa Road. The second lift station pumps directly to the wet well at the head of the treatment plant. These lift stations have been designed to serve the Petro truck stop, Blue Beacon truck wash, some existing commercial and residential areas which are currently on individual septic systems, and some future platted communities.

There are two smaller lift stations that currently convey flow from Toltec Road and the I-10 area to a gravity main that leads to the treatment plant. Both of these force mains are six-inch.

The nearest sewer main to the Eloy Valley property is located approximately one mile north of the boundary in a subdivision east of Toltec Road.[8] This is an eight-inch main that conveys flows to the first of the two lift stations that feed the treatment plant.

[3] *Id.*
[4] *Id.* at Fig. 4.
[5] Water and Sewer Availability Map, City of Eloy, https://eloyaz.maps.arcgis.com/apps/webappviewer/index.html?id=25aba7d58ca04ae4b8c38761c5cd287b (last visited Aug. 29, 2022).
[6] Existing WWTP Evaluation and Expansion Planning, Wastewater Master Plan, City of Eloy (September 2007), https://eloyaz.gov/DocumentCenter/View/270.
[7] Wastewater Master Plan, *supra* note 6, at Fig. 10.
[8] Water and Sewer Availability Map, *supra* note 5.

# II. SITE ANALYSIS AND INVENTORY

## A. Existing Land Uses

1. **Site Location in Regional Context:** The project site consists of approximately 4,509 acres, located primarily within the incorporated city limits of Eloy, Arizona (See Exhibit 3: Vicinity Map). The Eloy Valley Specific Plan site is currently zoned for agricultural uses (See Exhibit 5: Existing Zoning).
2. **Existing Land Uses on Site:** The site is currently vacant and undeveloped agricultural land. Several paved and unpaved roads, utility easements, and irrigation ditches are located on the site.
3. **Surrounding Property Within ¼ Mile Radius:** Existing land uses within ¼ mile include several small "pockets" of development, such as Arizona City, with much of the adjacent land vacant or agricultural.

## B. Topography

1. **General:** Eloy Valley is an area of land approximately 4,509 acres in size located on the south side of I-10 and southeast of Arizona City in Eloy, Arizona. The area topography ranges in elevation from 1,600 feet to 1,525 feet and slopes to the northwest at a rate of approximately 0.23%.
2. **Restricted Peaks & Ridges:** There are no restricted peaks or ridges designated in the Pinal County Zoning Code.
3. **Rock Outcrops:** There are no rock outcrops on the site. This information was compiled from examination of aerial photographs at 1" =40' scale and verified by on-site investigation.
4. **Slopes of 15% or Greater:** The topography of the site is generally flat, gradually sloping from the east to the west (See Exhibit 7: Soils and Topography Map). There are no significant slopes greater than 15%, and the average slope of the area is 0.23%.

## C. Hydrology

1. **Off-Site Hydrology:** The Eloy Valley area is often referred to as the Santa Cruz Flats. It is in the area where the broad, sandy channel of Santa Cruz River disappears, and consequently, relatively large floods in the past have overtopped the remaining banks of the Santa Cruz River and spread out over the valley floor. However, the recent extreme floods of 1983 and 1993 did not cause widespread flooding of the Eloy Valley area. Instead, those extreme floods followed the Greene Canal and bypassed this area. Consequently, neither the Santa Cruz River nor the Greene Canal currently flows through the Eloy Valley area.

   The topography is relatively flat, with slopes averaging less than three percent and trending toward the west and northwest. In general, there are no well-defined

watercourses within the Eloy Valley area, and the locally derived flood waters spread out over wide areas as shallow sheet flow.

Exhibit 8 is an aerial photograph of the Specific Plan Study Area and shows the off-site watershed boundaries upstream from the subject property. Eight watersheds are shown, only five of which originate off-site.

2. **Off-Site Features That May Affect, or May be Affected by, the Site:** Two off-site features that may affect this project are the Lower Santa Cruz Levee and the Greene Canal.

   In 2001, the U.S. Army Corps of Engineers and the Pima County Flood Control District completed the construction of a seven-mile-long levee along the right-hand bank of the Santa Cruz River, between Sanders Road and Avra Valley Road. This flood-control project removed approximately 4,500 acres from the 100-year flood plain and may have increased flood peaks downstream from Sanders Road. The increase in flooding caused by this flood-control project is not known.

   During the 1983 flood, the Greene Canal, located south of Picacho Peak and near the Pinal Air Park, became much wider and deeper and resulted in capturing nearly all of the flow in the Santa Cruz River. Consequently, the Eloy Valley area received little flooding in 1983, and later during the 1993 flood, except locally along roadways and irrigation ditches.

   ~~The federal emergency Management Agency (FEMAI is currently restudying the flood plain along the Santa Cruz River, including the segment passing the northern end of the Eloy Valley area, to see what effects, if any, these two factors may have on flood hazards within this area. This FEMA study is expected to be completed by January 2004.~~

   From 2003 to 2008, the Federal Emergency Management Agency (FEMA) restudied the flood plain along the Santa Cruz River, including the segment passing the northern end of the Eloy Valley area, to see what effects, if any, these two factors may have on flood hazard within this area. Updated digital flood maps from this study became effective in December 2011.

3. **Upstream Watersheds With 100-Year Discharges Greater Than 100 cfs:** Exhibit 8 lists the five off-site watersheds having existing 100-year flood peaks greater than 100 cfs.

4. **On-Site Hydrology:**

   a. 100-Year Floodplains Less Than or Equal to 100 cfs: Flood plains from watersheds producing 100-year flood peaks less than 100 cfs were not delineated.

   b. Sheet Flooding Areas with Their Average Depth: The control and elimination of sheet flow will be overcome prior to the development of the Eloy Valley area. During relatively small, frequent storms, sheet flow is generally intercepted and conveyed by roads and irrigation canals. However, during relatively large,

infrequent storms, it is believed that floodwater-carrying capacities of these roadway ditches and irrigation canals may be exceeded, and widespread flooding may occur. Consequently, it is believed that the entire Eloy Valley area is subject to shallow sheet flooding. Although the depths of flooding have not been computed, it is believed that flow depths will generally vary from 0.5 feet to two feet during a 100-year flood.

c. Federally Mapped Floodways and Floodplains: Based on the current FEMA Pinal County FIRM[9], most of the Eloy Valley area is designated in an unshaded Zone C, meaning these areas are outside the 100-year flood plain and will experience only minimal flooding. Additionally, there are areas in the north end of the Eloy Valley area that are designated as being within an unnumbered Zone A, meaning these areas are within the 100-year flood plain.

d. Peak Discharges Entering and Leaving the Site: Exhibit 8 lists the eight existing watersheds that exit the north and west sides of the Eloy Valley area.

5. **Existing Drainage Conditions Along Downstream Property Boundary:** There are two significant constructed features located along, or near, the downstream property boundary that may be affected by the site. These are Arizona City and a portion of the CAIDD Canal located immediately west of, and running parallel to, Lamb Road.

   Both Arizona City and the CAIDD Canal are similar to the Eloy Valley area in that they are also subject to shallow sheet flow. However, it is also believed that drainage conditions in Arizona City and near the CAIDD Canal will improve as a result of the development of Eloy Valley because future flood peaks will be significantly reduced by the construction of on-site stormwater retention basins, as well as the construction of regional drainage channels that will deliver flood waters to specific drainage channels that will then deliver flood waters to specific downstream locations where they can be picked up at the edge of this development and carried farther downstream for disposal.

## D. Vegetation

1. **Vegetation Inventory and Description:** The subject area is within the Lower Colorado River Valley subdivision of the Sonoran Desert scrub biotic community. However, the subject area consists mainly of agricultural lands. As such, diversity of vegetation generally is less than that found in typical Lower Colorado River Valley subdivision habitats, creating an open canopy and bare ground throughout significant portions of the area. Vegetation that was commonly noted in the subject area includes mesquite (*Prosopis velutina*), Mexican palo verde (*Parkinsonia aculeata*), burroweed (*Isocoma tenuisecta*), Russian thistle (*Salsola* sp.), desert broom (*Baccharis sarothroides*),

[9] Flood Control Viewer, Pinal County, https://pinal.maps.arcgis.com/apps/webappviewer/index.html?id=9259e1779114435e91fe31026b1e8f11 (last visited Aug. 29, 2022).

mustard species (*Sisymbrium* sp.), Johnson grass (*Sorghum halepense*), and aster species (*Helianthus* sp.). Generally speaking, irrigation canals occur along the Section gridlines throughout the subject area. Vegetation diversity and tree density and stature increase along these canals due to the presence of ephemeral water supply provided there. Vegetation noted only along these canals includes cottonwood (*Populus* sp.) and arrowweed (*Pluchea purpurascens*). The subject area has been highly disturbed due to agricultural activities, with large areas of monoculture (cotton) present and many disturbance-type species present along roadways (i.e., Russian thistle, desert broom, and Johnson grass). No saguaros (*Carnegiea gigantea*) were noted within approximately ¼ mile of the ROW.

2. **Vegetative Densities:** Vegetative densities on-site were measured from aerial photographs and verified during field investigations. Densities are expressed as percent canopy coverage. Vegetative canopy coverage for shrubs and trees was calculated. Grasses and other groundcovers were not considered. Vegetation densities were divided into three categories:

    - High Density 71%-100%
    - Medium Density 31%-70%
    - Low Density 0%-30%

    Vegetation densities found on the project were classified as Low Density (0%-30%), and therefore, the Eloy Valley site is well suited for development. The site's natural drainage patterns have been altered by agricultural activities, and consequently, the quantity and quality of vegetation have been significantly decreased. Most of the site contains very low-density coverage. Due to the low vegetative density, the site's desert scrub vegetation and negligible riparian communities provide negligible wildlife value.

## E. Wildlife

1. **General Wildlife:** Wildlife that was noted during the site evaluation included black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), common raven (*Corvus corax*), red-winged blackbird (*Agelaius phoeniceus*), American kestrel (*Falco sparverius*), prairie falcon (*Falco mexicanus*), red-tailed hawk (*Buteo jamaiccensis*), loggerhead shrike (*Lanius ludovicianus*), turkey vulture (*Cathartes aura*), and mourning dove (*Zenaida macroura*).

2. **Endangered Species Investigation:** The USFWS lists 18 special-interest species (federally endangered, threatened, proposed, and candidate species, and species with federal conservation agreements) as occurring or suspected to occur within Pinal County. Upon initial review of the list and subject area, it was determined that there is low to no potential for the occurrence of any of the species found on this list, and there is no designated critical habitat within the subject area. These species have

ranges that do not include the project area and/or are found in habitats dissimilar to those within the proposed project area and therefore, are not expected to occur within the proposed project area. These determinations were based upon field habitat analysis and review of information available regarding the species, comparisons of information with habitats available at the project site, and the known ranges of the species. Therefore, no adverse effects are expected to occur due to proposed project activities.

**3. Letter from the Arizona Game and Fish Department:**

***(See Appendix C)***

## F. Soils

**1. Soil Testing:**

a. Soil Types: Descriptions of the soil types found on the property and shown on Exhibit 7: Soils and Topography Map are as follows:

1. Y2 – Active stream channels
2. Y1 – Mid to late Holocene basin terraces
3. M2 – Late Pleistocene – early Holocene basin terraces
4. M1 – Oldest terrace in the basin; mid-Pleistocene in age

b. General Description of the Picacho Basin: The Eloy Valley Specific Plan is within the Picacho Basin, a large and complex graben surrounded by horsts and half-horsts, which are now the Picacho, Casa Grande, Silverbell, and Sacaton mountains. It formed mainly in response to late Miocene extension. Internal drainage probably persisted until about 3 million years ago. Several thousand meters of sediments fill the basin; 2,000 meters of evaporites and claystone form the bulk of the basin fill (Scarborough and Pierce, 1978). The upper 200 meters or so of basin fill was deposited by a gradually ag-grading, regionally integrated drainage system. Young alluvium of the Santa Cruz River is up to 30 meters thick and is found within 3.2 kilometers of the modern channel (Pool, 1986). Although the Picacho Basin does have external drainage, extremely low stream gradients and a lack of long-term downcutting have resulted in playa-like sediments, eolian deposits, and a lack of significant elevation differences between terraces. Unlike basins upstream, the Picacho Basin did not increase significantly during the Quaternary.

Compaction-related earth fissures can be found in the Picacho Basin. However, the highest densities of fissures can be found around the perimeter of the Picacho Basin. The highest potential for fissure development is probably in those areas.

Soil shrink-swell and soil collapse are potential design issues in the Picacho Basin. This is due to the high percentage of montmorillonite clay on the terraces. The potential for collapsing soils in the basin can be inferred from landforms in other

basins known to have these soils. Holocene fan skirts and aprons commonly have collapsing soil (S. Slaff, 1986, unpub. Report).

## G. Traffic

1. **Existing and Proposed Off-Site Traffic:** The Eloy Valley Master Plan Transportation Study, prepared by CLA, addresses the existing and proposed off-site traffic counts.

## H. Sewers

1. **Location of Existing Public Sewers:** There are no existing public sewer facilities within the plan area that allow for a permanent long-term solution for wastewater treatment (See Exhibit 6: Existing Utilities Plan – Water and Sewer). Preliminary investigations indicate the potential for a preferred treatment method consisting of the following:

   a. Initially, a relocatable package plant could be used and moved as needed.

   b. Ultimately, a phased, on-site treatment plant. This appears to be the best long-term solution for the sewer basin of Eloy Valley.

## I. Schools

1. **Existing Schools:** The Eloy Valley Specific Plan area is served by the Eloy Elementary School District, the Santa Cruz Valley Union High School District, the Toltec School District, and the Casa Grande Union High School District.

## J. Recreation and Trails

1. **Parks, Recreation Areas, and Trails:** There are currently no parks or trails in the Specific Plan Area. The nearest recreation area is Tumble Weed Park, located approximately one mile from the northern border of the Eloy Valley project.

## K. Cultural/Archaeology/Historic Resources

1. **Cultural Resources:**

   Westland Resources, Inc. conducted a Class I Cultural Resources overview for the vicinity of the Specific Plan Area located within Township 8 South, Range 7 East, S ½ and NE ¼ of section 8, Section 9, SW ¼ of Section 10, Section 14-17, and 20-23. A Class I Cultural Resources Study is a records review that is implemented to locate cultural resource sites that have been already uncovered within the proposed project area. The records review was conducted by the staff at the Arizona State Museum (ASM) Site Files Department and included those areas within the Specific Plan Area.

   The records review of the area, conducted at the ASM, revealed that one survey had been conducted, 1990-63.ASM, and two sites had been previously recorded for Township 8 South, Range 7 East, S ½ and NE ¼ of Section 8, Section 9, SW ¼ of Section 10, Section 14-17, and 20-23. There are two known archaeological sites within this

area that may contain significant archaeological remains, AZ AA:6:3 (ASM) and AZ AA:6:35 (ASM).

The Arizona State Museum recommends an archaeological surface inspection, prior to grading operations, to determine if additional important prehistoric or historic sites are on the land. The requirement to conduct an archaeological survey for clearance pertains only to projects that fall under federal nexus (i.e., National Pollutant Discharge Elimination System (NPDES) or Section 404 of the Clean Water Act.

Additionally, pursuant to Arizona Revised Statute 41-844, should mortuary remains be uncovered during project clearance activities, work should stop at that location, and a qualified archaeologist should be brought in to examine the remains.

2. **Archaeological Resources:**

   File records of past archaeological surveys and recommendations for future reports are addressed in the letter from the Arizona State Museum found in Appendix D.

## L. Air Quality

Air quality is an important concern in Pinal County. Seasonal winds and continued farming present challenges for the area's particulate matter ($PM_{10}$) condition, as well as unpaved roads and shoulders. These are a few of the factors that have contributed to the area's air quality issues. The standard for $PM_{10}$ is currently a 24-hour measure under the Environmental Protection Agency's (EPA) requirements.[10] Under this standard, the Phoenix metropolitan area and parts of the Tucson metropolitan area are designated "non-attainment" areas for particulate matter ($PM_{10}$). To enforce the requirements of the Clean Air Act (CAA) and its subsequent amendments, the EPA is charged with administering national ambient air quality standards. In Pinal County, there are four air quality monitoring stations surrounding and within the study area. The local monitoring sites are at the Casa Grande Department of Economic Security Building in Casa Grande, the Casa Grande Municipal Airport in Casa Grande, the Pinal County Housing Complex in Casa Grande, and the County Complex in Eloy.[11]

The Arizona Department of Environmental Quality recommends paving or providing topical treatment on dirt roads when they exceed 250 trips per day. The Environmental Planning Element seeks to mitigate this problem proactively by discouraging new development that will place additional traffic burdens on dirt roads.

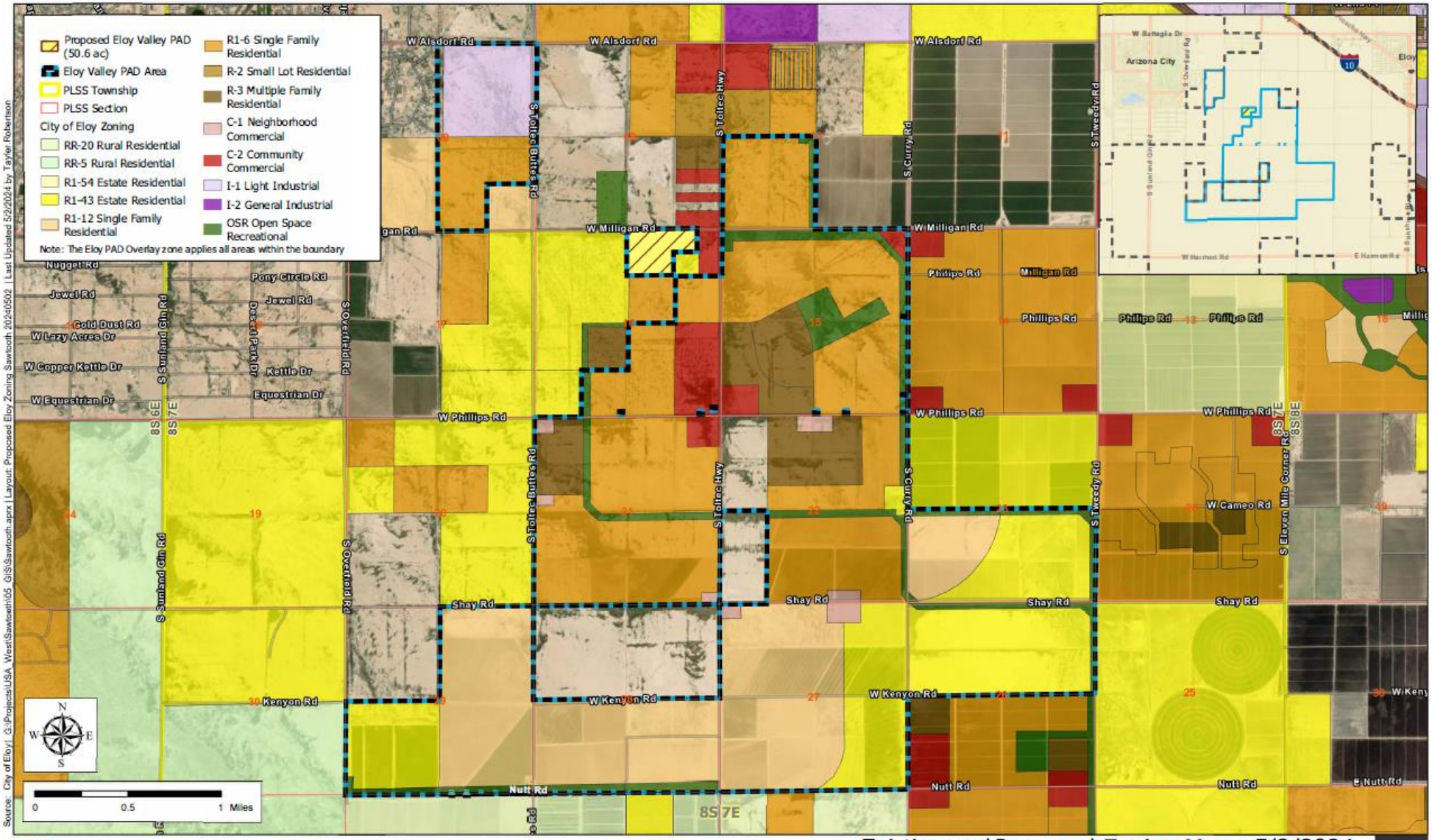
[10] What Are the Air Quality Standards for PM?, Environmental Protection Agency, https://www3.epa.gov/region1/airquality/pm-aq-standards.html (last visited Aug. 29, 2022).
[11] eMaps, Arizona Department of Environmental Quality, https://adeq.maps.arcgis.com/apps/webappviewer/index.html?id=e224fc0a96de4bcda4b0e37af3a4daec&showLayers=Counties;Air%20Monitors; (last visited Aug. 29, 2022).

Land use designations and urban area patterns included in the Land Use Plan endeavor to reduce unnecessary automobile trips that increase carbon monoxide levels. Bicycle lanes and trail systems are included to help decrease automobile trips. However, even with these land use strategies to minimize air quality impacts from new development, the continued presence of irrigated farming, travel on dirt roads, and seasonal winds will continue to dominate as the source of $PM_{10}$.

Eloy Valley lies within an "attainment" area for air quality. Localized air quality impacts result from elevated PM levels that originate from farming, automobile, and industrial dust and particulate matter. While Pinal County meets air quality standards today, future development may be impacted as the result of a stricter PM standard the EPA imposed within the Phoenix and Tucson metropolitan areas.

## M. Electric and Gas Utilities

Existing electric and gas utilities found on or within proximity to Eloy Valley are depicted on Exhibit 9. The project falls within the service areas of Arizona Public Service Company, and Southwest Gas Corporation. "Will Serve" letters from these companies can be found in Appendices G and H.

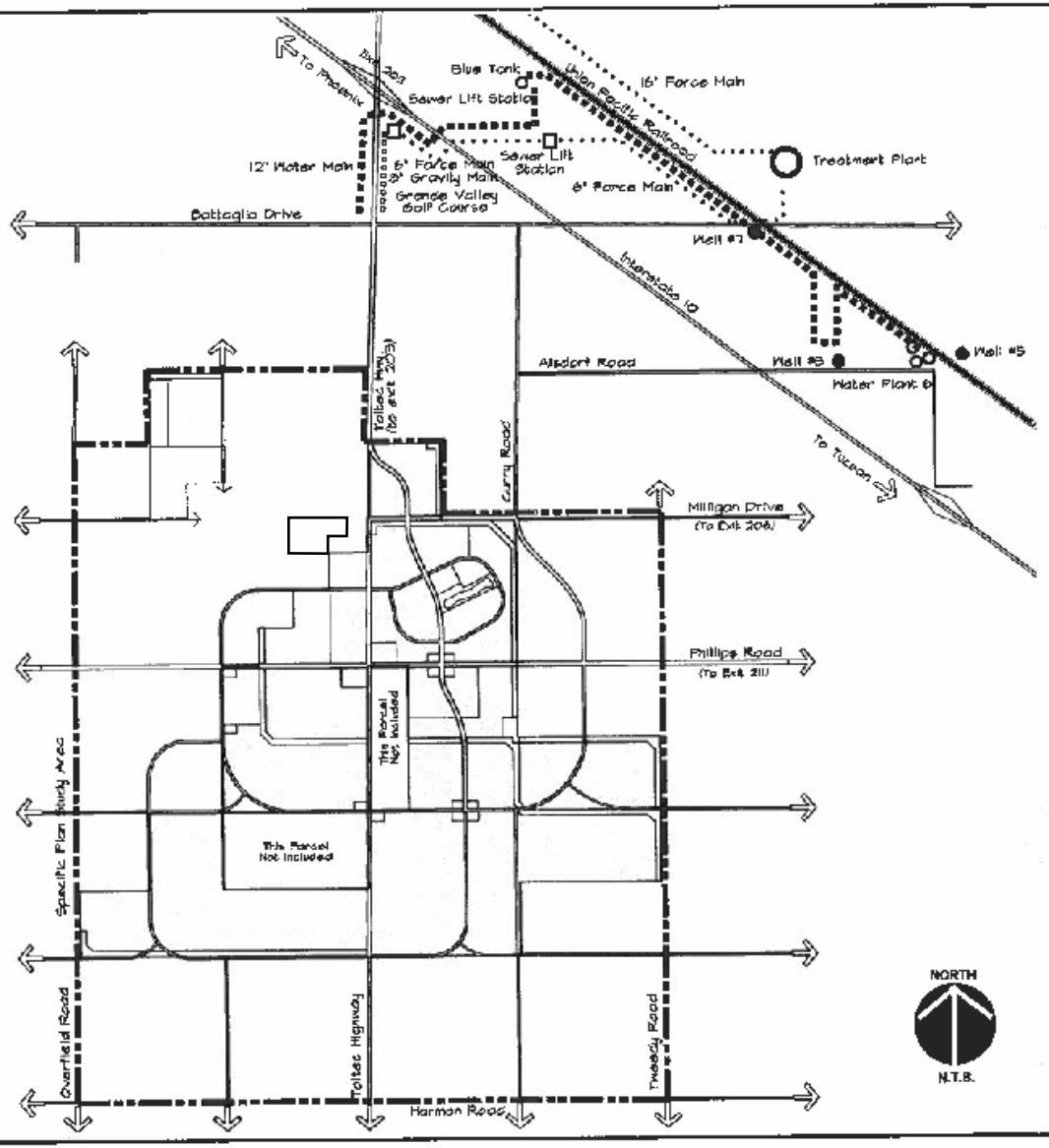



Source: City of Eloy | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth.aprx | Layout: Proposed Eloy Zoning Sawtooth 20240502 | Last Updated 5/2/2024 by Tayler Robertson

# Existing and Proposed Zoning Map - 5/2/2024

Sawtooth Solar Energy Center | Pinal County, Arizona

EDF renewables




# Existing Public Utilities Plan Water & Sewer

**Exhibit #6**

LEGEND

- Water
- Sewer Force Main
- Sewer Gravity Main

NORTH

N.T.S.

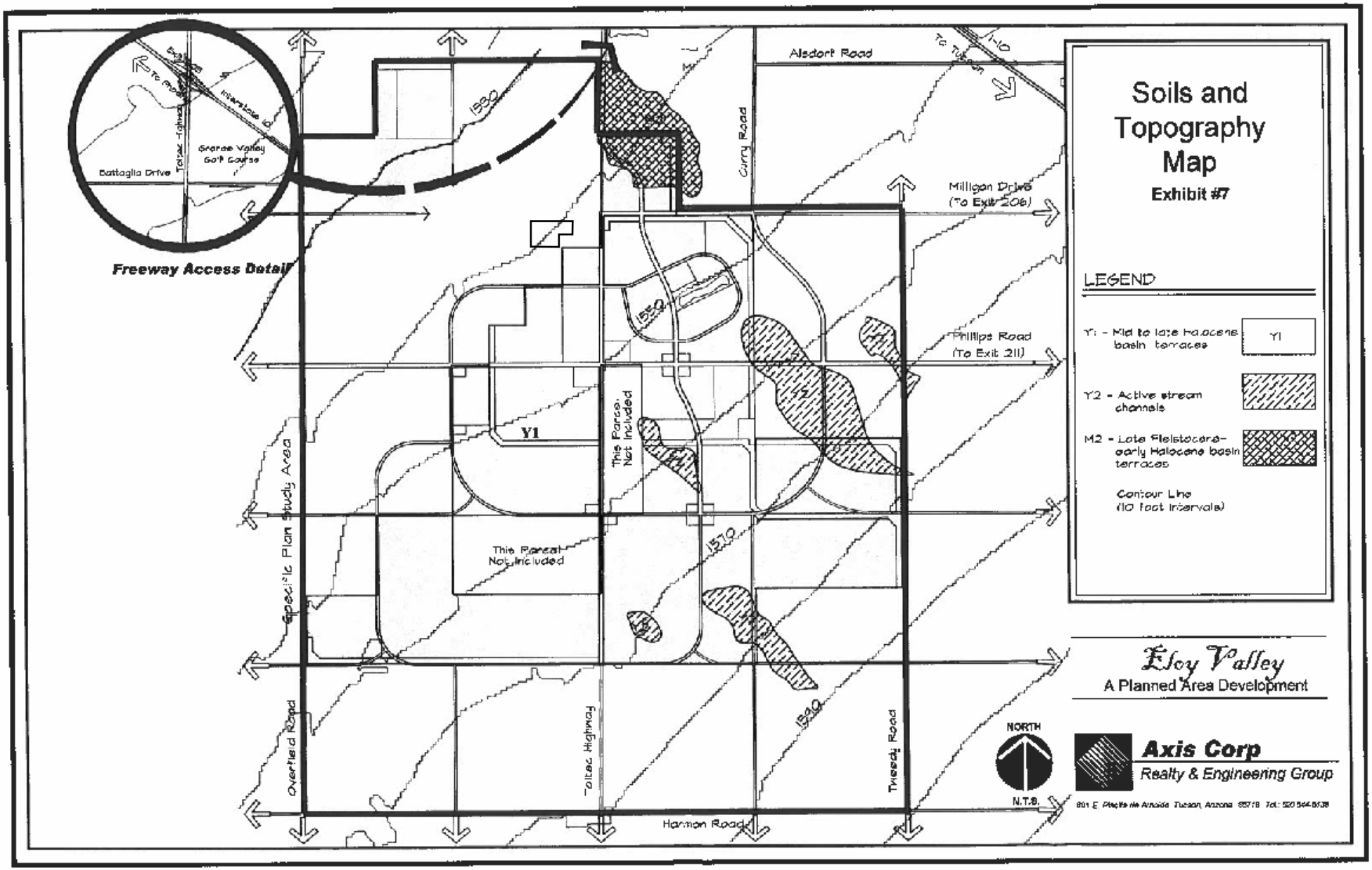
*Eloy Valley*

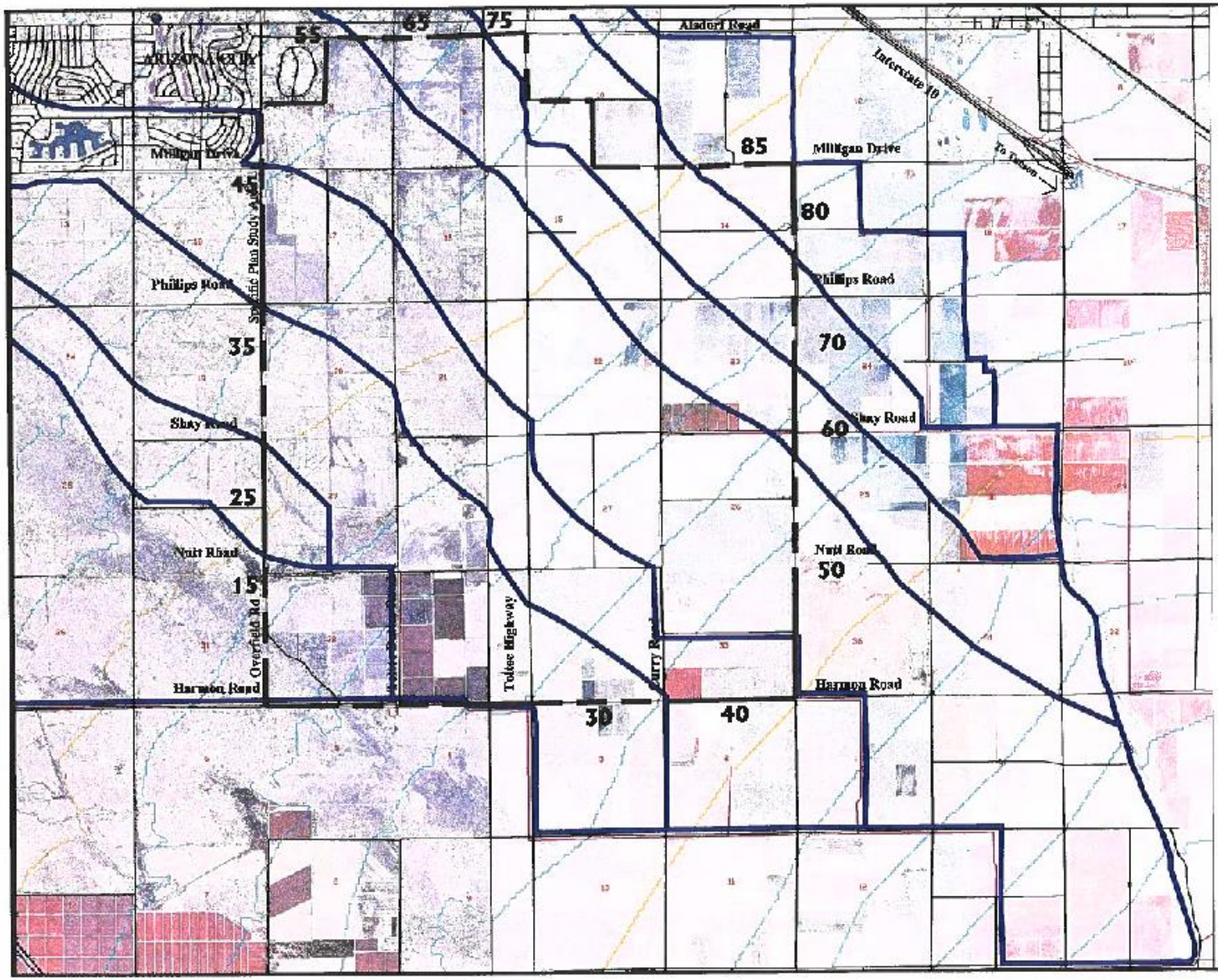
A Planned Area Development

**Axis Corp**

*Realty & Engineering Group*

801 E. Placita de Arnoldo Tucson, Arizona 85718 Tel: 520 544-5138


Soils and Topography Map
Exhibit #7
LEGEND
Y1 - Mid to late Holocene basin terraces
Y1
Y2 - Active stream channels
M2 - Late Pleistocene-early Holocene basin terraces
Contour Line (10 foot intervals)
Freeway Access Detail
Battaglia Drive
Grande Valley Golf Course
Interstate 10
Alsdorf Road
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
Y1
This Parcel Not Included
This Parcel Not Included
Specific Plan Study Area
Overfield Road
Toltec Highway
Tweedy Road
Harmon Road
1550
1570
1590
NORTH
N.T.S.
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group




# Watershed Boundary Map (Existing Conditions)

**Exhibit# 8**

LEGEND

Watershed Divide

Topographic Contours, Index Contours and Depression Closure (Hatched Contour)

Drainage Concentration Point

85

Base Map: U.S. Geological Survey 7.5 Minute Valley View and Tucson Basin Quadrangle Maps of Avra Valley, Avra Valley Area, City, and Cow Creek Mtns.

Summary of Estimated Flood Peaks
Based on USGS Generalized Regression Equat
for Region 13 (Southern Arizona)

| Watershed ID | Drainage Area (Sq.Mi.) | Estimated Flood Peaks 2-Year (cfs) | 10-Year (cfs) | 100-Year (cfs) |
|---|---|---|---|---|
| 10 | N.A. | N.A. | N.A. | N.A. |
| 15 | 0.95 | 119 | 443 | 1218 |
| 20 | N.A. | N.A. | N.A. | N.A. |
| 25 | 0.70 | 92 | 320 | 870 |
| 30 | 0.98 | 122 | 451 | 1242 |
| 35 | 4.29 | 281 | 1074 | 2976 |
| 40 | 1.21 | 157 | 589 | 1647 |
| 45 | 5.30 | 315 | 1205 | 3458 |
| 50 | 4.84 | 309 | 1147 | 3298 |
| 55 | 10.64 | 454 | 1773 | 4987 |
| 60 | 2.50 | 184 | 696 | 1964 |
| 65 | 4.15 | 287 | 1096 | 3140 |
| 70 | 1.62 | 168 | 618 | 1722 |
| 75 | 2.83 | 224 | 853 | 2426 |
| 80 | 1.53 | 158 | 583 | 1653 |
| 85 | 1.70 | 173 | 642 | 1834 |

NORTH

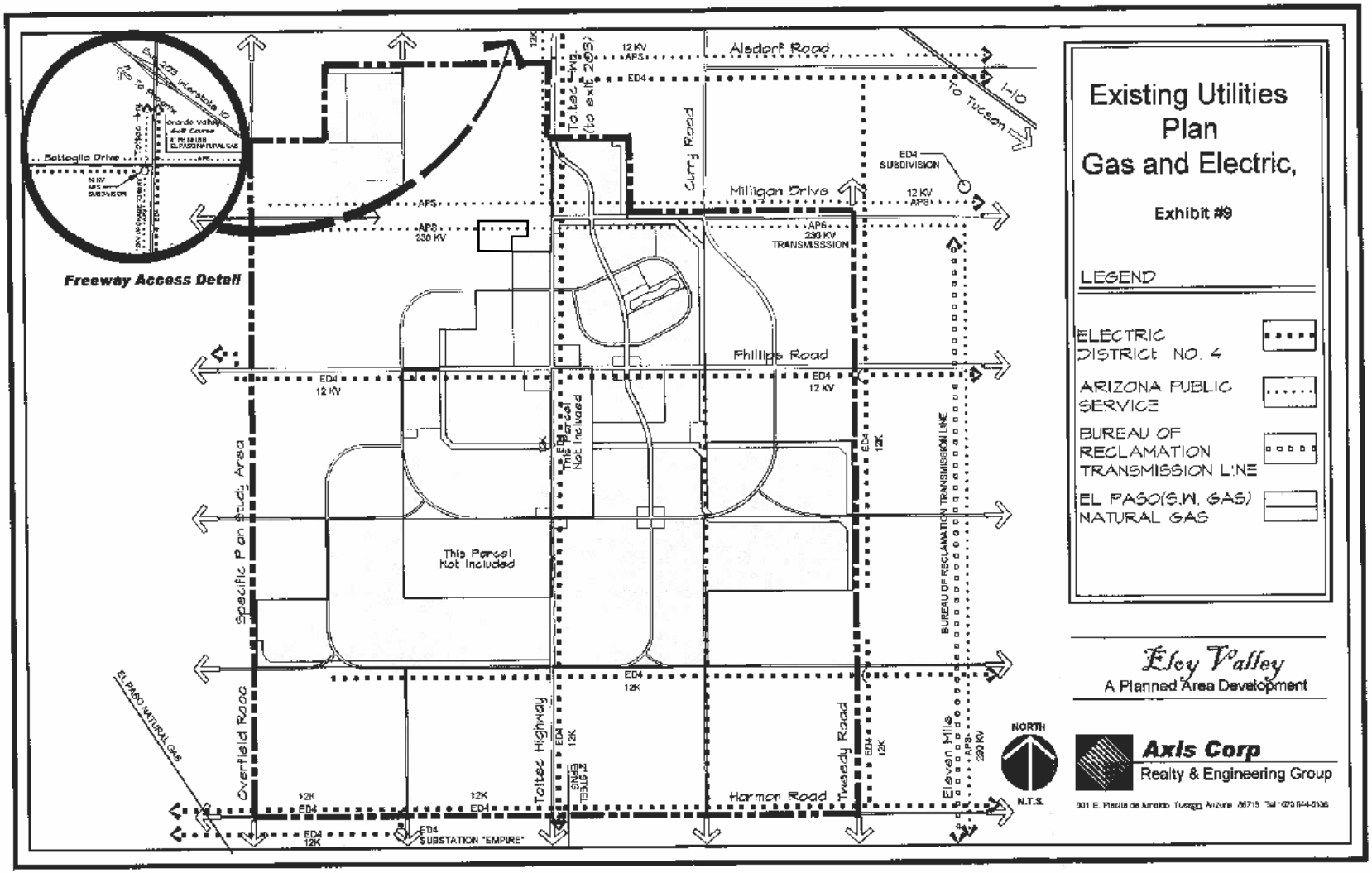
1"=4000'

*Eloy Valley*

A Planned Area Development

ARROYO ENGINEERING, INC.
Water Resources & Civil Engineering Consultants
5675 N. ORACLE ROAD, SUITE 300, TUCSON, ARIZ. 85704
PH. (520) 888-0206, FAX (520) 888-3674

January, 2003


Existing Utilities Plan
Gas and Electric,
Exhibit #9
LEGEND
ELECTRIC DISTRICT NO. 4
ARIZONA PUBLIC SERVICE
BUREAU OF RECLAMATION TRANSMISSION LINE
EL PASO(S.W. GAS) NATURAL GAS
Freeway Access Detail
Battaglia Drive
Alsdorf Road
Milligan Drive
Phillips Road
Harmon Road
Curry Road
Tolteca Hwy. (to exit 203)
Tolteca Highway
Tweedy Road
Eleven Mile
Overfield Road
Specific Plan Study Area
This Parcel Not Included
This Parcel Not Included
BUREAU OF RECLAMATION TRANSMISSION LINE
EL PASO NATURAL GAS
SUBSTATION "EMPIRE"
ED4 SUBDIVISION
12 KV APS
ED4
APS
APS 230 KV
APS 230 KV TRANSMISSION
ED4 12 KV
12K
NORTH
N.T.S.
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group

# III. DEVELOPMENT PLAN

## A. Purpose and Intent

Eloy Valley is a planned residential, recreational, and commercial/retail centered community. The proposed development plan includes open space, recreational facilities and one or more 18-hole golf courses, Recreational facilities are planned as an integral part of all residential development areas, as well as at future school sites. Private recreational facilities will also be provided throughout the project in conjunction with residential subdivisions. A system of pedestrian, bicycle, and equestrian trails is also provided throughout the project.

This section contains a description of plan goals, combined with various Specific Plan components. These components provide the rationale for development regulations found in Section IV.

The project development plan is the result of thorough site analysis and research. As a result, the plan resolves, as much as possible, the development related issues in the form of proposed physical plans, improvements, guidelines for future development, technical information, and regulations.

## B. Goals

In recognizing the major development issues, the landowners' objectives and the City of Eloy's requirements, a set of development plan goals has been established:

- Implement and clarify the goals and the policies of the City of Eloy
- Ensure coordinated, responsible planning using cohesive procedures, regulations, standards, and guidelines
- Provide a development plan which is a general and logistical estimate of how development will occur
- Process and adopt a Specific Plan which will provide a conceptual understanding of development and future growth for the region and the Specific Plan area
- Provide land uses, based on current, anticipated, and future demands with a range of opportunities
- Provide a backbone infrastructure system and public facilities to support development in an efficient manner
- Utilize the drainage-ways as a community amenity for recreation and open space
- Provide a land use plan that not only respects the adjacent land uses, but will contribute to the overall quality of the community
- Incorporate and implement standards that are economical for the developer, are consistent with the City of Eloy's standards, and can be reasonably accommodated in the project

- Provide an infrastructure system, including, but not limited to, sewer, water, and drainage systems that will adequately serve full build-out of the development
- Provide, within the Specific Plan, a community image that enhances the existing surrounding neighborhood
- Establish Design Guidelines covering four topic areas including site planning, landscape architecture, architecture, and signage to ensure a quality appearance and identity for Eloy Valley
- Establish a conceptual landscaping treatment with recurring elements to unify the development and reinforce the circulation and open space components of a project
- Enhance the existing City of Eloy community atmosphere
- Promote the new development as a pedestrian oriented community
- Develop Design Guidelines for the project that will provide for and encourage variations in the design of all structures

## C. Land Use Plan

The Eloy Valley Specific Plan encompasses approximately 4,509 acres and is divided into multiple land use planning areas (See Exhibit 10: Land Use Plan). The proposed primary land use allocation is summarized in Table 1. The acreage of the planning areas are gross acreages and include land to be allocated to the residential circulation system. As much as possible, the design of the project presents the areas as planned residential/recreational areas adjacent to the centralized Eloy Valley Lake Park and retail/office center. All land uses are integrated regarding circulation, infrastructure, open space, drainage-ways, environmental resources, visual setting, development standards, and guidelines.

There are a total of 10 different land use categories, including five residential, three commercial, and one industrial. Residential densities vary depending on their location. The lowest densities are located at the perimeter of the site to provide a buffer to adjacent properties, with a clustering of more intense residential uses adjacent to the community center.

A golf course(s) may be developed to provide a portion of the community's recreational focus and could include buildings which provide activities such as dining, meeting space, pool/health spa, tennis, casitas, timeshare units, and social activities. In addition, open space found within and along the drainage-ways may provide additional area for the community's recreation, open space, and possibly golf.

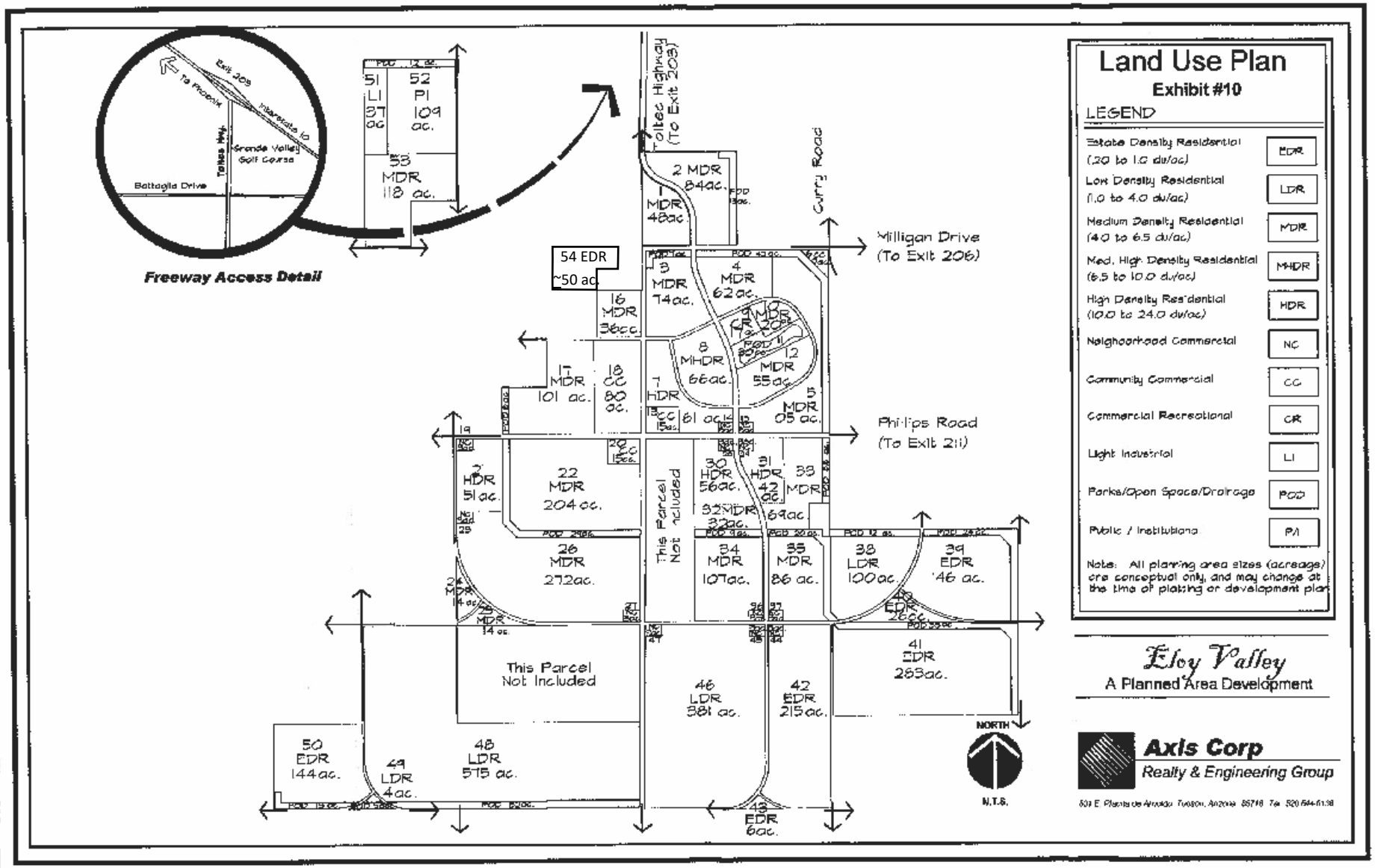

Freeway Access Detail
Exit 309
To Phoenix
Interstate 10
Tohono Hwy
Grande Valley Golf Course
Battaglia Drive
Toltec Highway (To Exit 203)
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
54 EDR ~50 ac.
This Parcel Not Included
This Parcel Not Included
NORTH
N.T.S.
Land Use Plan
Exhibit #10
LEGEND
Estate Density Residential (.20 to 1.0 du/ac) EDR
Low Density Residential (1.0 to 4.0 du/ac) LDR
Medium Density Residential (4.0 to 6.5 du/ac) MDR
Med. High Density Residential (6.5 to 10.0 du/ac) MHDR
High Density Residential (10.0 to 24.0 du/ac) HDR
Neighborhood Commercial NC
Community Commercial CC
Commercial Recreational CR
Light Industrial LI
Parks/Open Space/Drainage POD
Public / Institutional PI
Note: All planning area sizes (acreage) are conceptual only, and may change at the time of platting or development plan
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group
503 E. Placita de Arruda Tucson, Arizona 85716 Tel 520 544-6138

**TABLE III-1A**
**ELOY VALLEY SPECIFIC PLAN LAND USE BY POD**

| POD | ZONING | ACRES | MINIMUM LOT SIZE (SQ. FT.) | RAC | DWELLING UNITS |
|---|---|---|---|---|---|
| 1 | MDR | 48 | | 6.5 | 312 |
| 2 | MDR | 84 | | 6.5 | 546 |
| 3 | MDR | 74 | | 6.5 | 481 |
| 4 | MDR | 62 | | 6.5 | 403 |
| 5 | MDR | 105 | | 6.5 | 682 |
| 6 | CC | 7 | | 0 | 0 |
| 7 | HDR | 61 | | 24 | 1464 |
| 8 | MHDR | 66 | | 10 | 660 |
| 9 | CR | 17 | | 0 | 0 |
| 10 | MDR | 20 | | 6.5 | 130 |
| 11 | POD | 30 | | 0 | 0 |
| 12 | MDR | 55 | | 6.5 | 357 |
| 13 | CC | 15 | | 0 | 0 |
| 14 | NC | 3 | | 0 | 0 |
| 15 | NC | 3 | | 0 | 0 |
| 16 | MDR | 36 | | 6.5 | 234 |
| 17 | MDR | 101 | | 6.5 | 656 |
| 18 | CC | 80 | | 0 | 0 |
| 19 | NC | 3 | | 0 | 0 |
| 20 | CC | 15 | | 0 | 0 |
| 21 | HDR | 51 | | 24 | 1224 |
| 22 | MDR | 204 | | 6.5 | 1326 |
| 23 | NC | 3 | | 0 | 0 |
| 24 | MDR | 14 | | 6.5 | 91 |
| 25 | MDR | 14 | | 6.5 | 91 |
| 26 | MDR | 272 | | 6.5 | 1768 |
| 27 | NC | 3 | | 0 | 0 |
| 28 | NC | 3 | | 0 | 0 |
| 29 | NC | 3 | | 0 | 0 |
| 30 | HDR | 56 | | 24 | 1344 |
| 31 | HDR | 42 | | 24 | 1008 |
| 32 | MDR | 32 | | 6.5 | 208 |
| 33 | MDR | 69 | | 6.5 | 448 |
| 34 | MDR | 107 | | 6.5 | 695 |
| 35 | MDR | 86 | | 6.5 | 559 |
| 36 | NC | 3 | | 0 | 0 |
| 37 | NC | 3 | | 0 | 0 |

*Note: Acreages are approximate. Actual Acreages will change at the time of individual plats due to the conceptual nature of the land plan measurements, and the accuracy by which the final plats are surveyed and prepared.*

**TABLE III-1B**
**ELOY VALLEY SPECIFIC PLAN LAND USE BY POD**

| | | | | | |
|---|---|---|---|---|---|
| 38 | LDR | 100 | | 4 | 400 |
| 39 | EDR | 146 | | 1 | 146 |
| 40 | EDR | 26 | | 1 | 26 |
| 41 | EDR | 283 | | 1 | 283 |
| 42 | EDR | 215 | | 1 | 215 |
| 43 | EDR | 6 | | 1 | 6 |
| 44 | NC | 3 | | 0 | 0 |
| 45 | NC | 3 | | 0 | 0 |
| 46 | LDR | 381 | | 4 | 1524 |
| 47 | NC | 3 | | 0 | 0 |
| 48 | LDR | 575 | | 4 | 2300 |
| 49 | LDR | 4 | | 4 | 16 |
| 50 | EDR | 144 | | 1 | 144 |
| 51 | LI | 37 | | 0 | 0 |
| 52 | PI | 109 | | 0 | 0 |
| 53 | MDR | 118 | | 6.5 | 767 |
| 54 | EDR | 50 | | 1 | 50 |
| | | | | | |
| | Subtotal | ~~3962~~4012 | | | |
| POD | | 268 | | | |
| RIGHT OF WAY | | 286 | | | |
| TOTAL ACRES | | ~~4509~~4566 | | | |
| TOTAL DWELLING UNITS | | | | | ~~20748~~20798 |
| GROSS DENSITY | | | | | 4.~~60~~55 |

*Note: Acreages are approximate. Actual Acreages will change at the time of individual plats due to the conceptual nature of the land plan measurements, and the accuracy by which the final plats are surveyed and prepared.*

A minimum of one public or private 18-hole golf course is proposed for the Eloy Valley community. Additional courses, up to a maximum of three, may be provided as demand and market feasibility dictate in conjunction with other recreational opportunities. The course provides a major site amenity fulfilling recreational needs as well as providing open space. It will also allow for residential/resort opportunities in the form of casitas and/or timeshare units. The golf courses will be watered by well water in accordance with Arizona Department of Water Resources policies. The proposed golf course may provide opportunities to integrate the fairways into the overall drainage system, incorporating flood control and detention techniques within designated floodplain areas.

## D. Circulation Concept Plan

1. **General Description:** All internal roads will be designated for City or District ownership, operation, and maintenance unless designated as a private roadway in the subdivision process and will be sized according to both their scale and character. The general alignment for the primary street network for the Plan Area has been delineated on Exhibit 11: Circulation Plan.

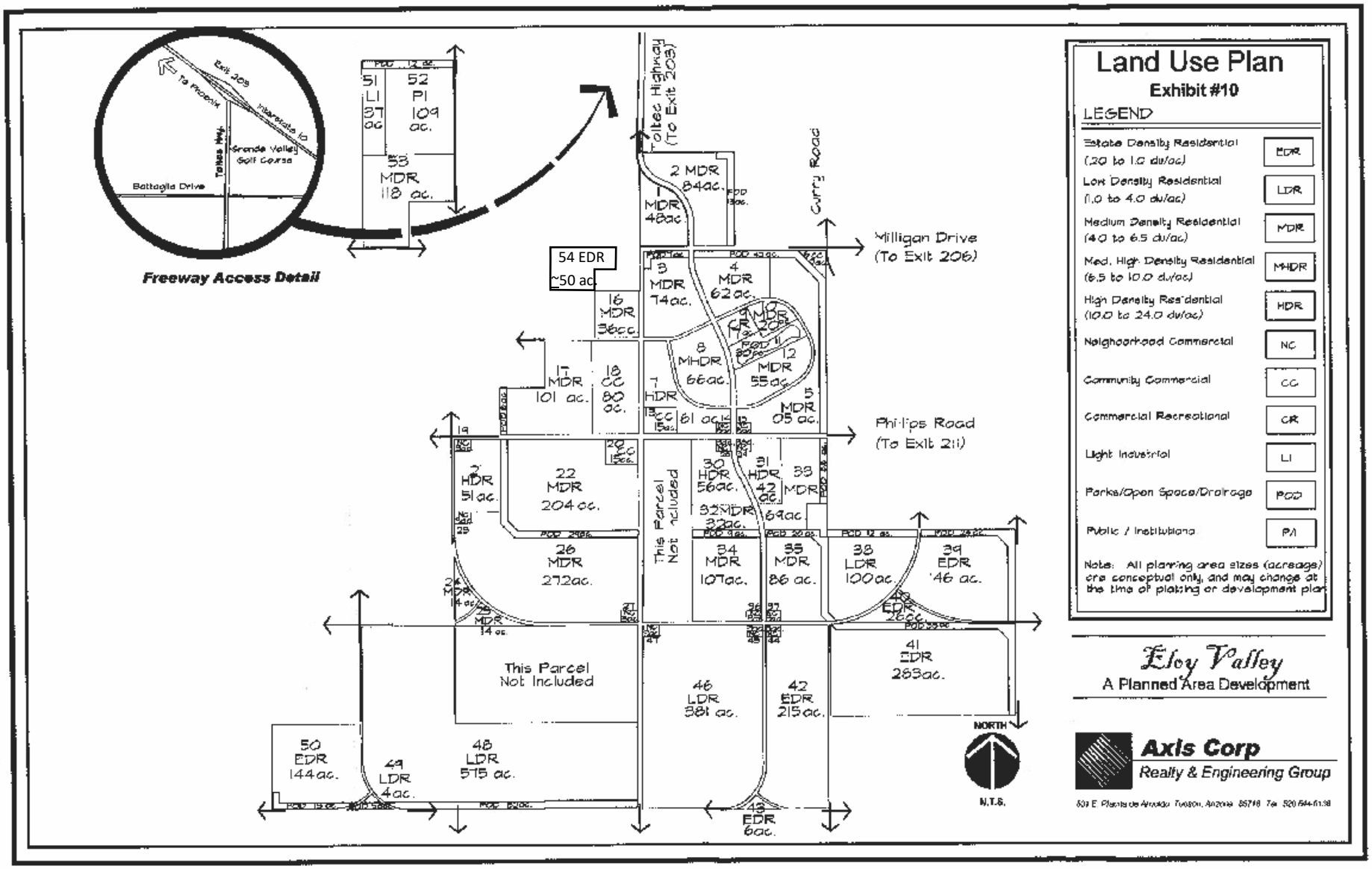
   Private streets would be identified on a case-by-case by the individual builder. Private streets would be appropriate in cases such as gated communities and will be built to City Standards.

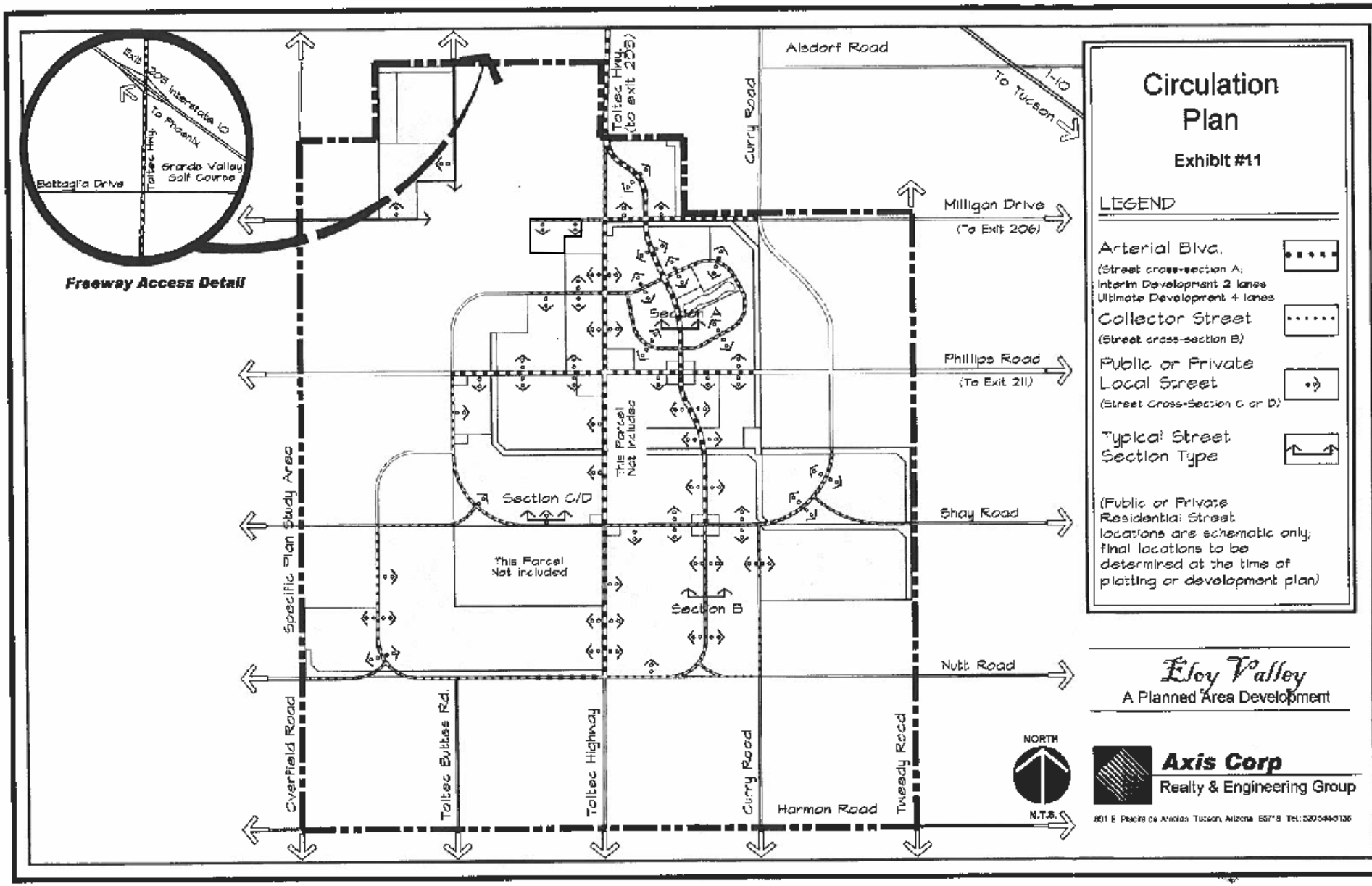
   The private street cross-sections may vary depending upon their functional requirements and specific settings. For example, private streets for courtyard and cluster residential projects can be served by a relatively narrow street having a minimum 32’ right-of-way width. Private streets may also have sidewalks on one side of the street and off-street parallel visitor parking.

   In addition, innovative design is encouraged for local streets and development to minimize automobile traffic and place emphasis on pedestrian-oriented communities. Such innovations include multiple use private drives and hammerhead designs for clustered projects.

2. **Proposed Street Cross-Sections:** The project will utilize four different street cross-sections. Pavement widths (curb-to-curb) will be in accordance with the City of Eloy Small Area Transportation Study, or as approved by the City Engineer.

   The Arterial Blvd. will be the widest utilized in the community and will initially be comprised of two travel lanes. This street section allows two separate 5’ bike lanes within the curb-to-curb width. Curbs will be vertical.


Land Use Plan
Exhibit #10
LEGEND
Estate Density Residential (.20 to 1.0 du/ac) EDR
Low Density Residential (1.0 to 4.0 du/ac) LDR
Medium Density Residential (4.0 to 6.5 du/ac) MDR
Med. High Density Residential (6.5 to 10.0 du/ac) MHDR
High Density Residential (10.0 to 24.0 du/ac) HDR
Neighborhood Commercial NC
Community Commercial CC
Commercial Recreational CR
Light Industrial LI
Parks/Open Space/Drainage POD
Public / Institutional PI
Note: All planning area sizes (acreage) are conceptual only, and may change at the time of platting or development plan
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group
Freeway Access Detail
Exit 209
To Phoenix
Interstate 10
Battaglia Drive
Toltec Highway
Grande Valley Golf Course
Toltec Highway (To Exit 203)
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
54 EDR ~50 ac
This Parcel Not Included
This Parcel Not Included
NORTH
N.T.S.


Freeway Access Detail
Exit
203 Interstate 10
To Phoenix
Tollac Hwy
Grande Valley Golf Course
Battaglia Drive
Aldorf Road
Tollac Hwy. (to exit 255)
Curry Road
To Tucson
I-10
Milligan Drive
(To Exit 206)
Section A
Phillips Road
(To Exit 211)
This Parcel Not Includes
Specific Plan Study Area
Section C/D
Shay Road
This Parcel Not Included
Section B
Nutt Road
Overfield Road
Tollac Buttes Rd.
Tollac Highway
Curry Road
Harmon Road
Tweedy Road
Circulation Plan
Exhibit #11
LEGEND
Arterial Blvd.
(Street cross-section A;
Interim Development 2 lanes
Ultimate Development 4 lanes
Collector Street
(Street cross-section B)
Public or Private Local Street
(Street Cross-Section C or D)
Typical Street Section Type
(Public or Private Residential Street locations are schematic only; final locations to be determined at the time of platting or development plan)
Eloy Valley
A Planned Area Development
NORTH
N.T.S.
Axis Corp
Realty & Engineering Group
801 E Placita de Arriba Tucson, Arizona 85718 Tel: 520-546-0136

## Exhibit 12 Street Cross Sections (Intentionally Left Blank)

1. The developer shall construct all street improvements and property owner shall dedicate all right-of-way prior to, of concurrent with, the development of a Solar, Utility Scale Generation and Battery Energy Storage System Facility in accordance with Section 21-3-1.39 of the Zoning Ordinance, as amended.

2. For any other utilization of the property as outlined in this Planned Area Development (PAD), such as residential or commercial purposes, which hasn't been covered in the number 1. above or pertains to farming activities, all necessary street improvements and right-of-way dedications shall comply with the requirements of the City Code at the time of development to accommodate the respective project shall be constructed currently, or prior to, the development of the property.

If traffic demands warrant, the Arterial Blvd. will be widened to accommodate four or six divided traffic lanes, median, utility easements, and pedestrian walks.

Collector Streets will provide direct access to many of the planned areas. This street cross-section will consist of two travel lanes, two bike lanes within the curb-to-curb width, and a sidewalk on both sides of the street.

The public Local Street will be utilized within most of the planned areas and will be the predominant subdivision street and provide direct access to individual residential lots. Curbs may be wedge, vertical, or roll. This street cross-section will consist of two travel lanes and may accommodate off-street visitor parking. Curbs in this case will be wedge or roll, and no-parking signs will be posted opposite the designated visitor parking areas. Sidewalks will be provided on both sides of the street.

Private Residential Streets consist of two travel lanes and may accommodate visitors to off-street parking. Curbs in this case will be rolls, ribbon, or wedge.

3. **Change in ADT:** The Project will generate additional ADTs over the course of development as described in the Traffic Analysis Study prepared by CLA.

   Evaluation of the interim roadway cross-sections included within the Circulation Plan indicate the capacity of the interim Primary Blvd. can convey up to 15,000 ADTs with restricted access and at level of service "C".

4. **Transit Routes:** No mass transit bus routes or attendant facilities are proposed.

5. **Emergency Access:** Emergency access will be provided to all planning areas. Emergency access may consist of graded, all-weather access roads, with a minimum width of 16 feet.

## E. Public Facilities

### 1. Water System:

The Eloy Valley community will be served by multiple wells, surface storage tanks, and booster systems. The distribution will consist of main lines of sufficient size to serve both domestic demand and fire flow. Existing farming supply wells may be incorporated into the water system to the extent allowed by physical condition and water quality. Additional wells may be drilled to augment the water supply and add reliability to the overall distribution system. As facilities are completed, they will be owned and operated by the City of Eloy.

The project is located within the Eloy Sub-basin of the Pinal Active Management Area (AMA). The depth-to-groundwater within this zone is approximately 2200 feet (670.096 meters).[12] While there are several water zones within the sub-basin, the

[12] Overview of Groundwater Levels in Arizona's Basins & Sub-Basins, Arizona Department of Water Resources, https://new.azwater.gov/hydrology/depth-water-data (last visited Aug. 29, 2022).

Upper Main Water Zone is the most productive source within the study area.[13] Soil conditions here are so favorable to groundwater withdrawal that wells may yield more than 2,000 gallons of water a minute. Additionally, groundwater depth in this zone ranges from 53~~20~~ feet bls (16.15~~6.09~~ meters) to over 400~~50~~ feet bls (121.92 ~~137.16~~ meters).[14]

Water Quality:[15] The Arizona Department of Water Resources (DWR) manages groundwater quality in the Eloy Sub-basin. The DWR completed its ~~third~~ fifth Management Plan for the Pinal County Active Management Area in ~~December 1999~~ July 2022. In the Pinal County Active Management Area, most of the groundwater supplies are of acceptable quality for most uses. The quality of groundwater from the City wells is generally good, and secondary treatment is not required for most wells. Eloy's proposed water sources meet the water quality standards established by the Arizona Department of Environmental Quality.

Water Availability: As of April 2010, ~~T~~the existing supply of groundwater within the Eloy Sub-basin was approximately ~~21.5~~ 22.6 million acre-feet to a depth of 1,000 feet bls.[16] The supply is adequate for future needs.

The City of Eloy provides water to a certificated area that includes approximately 79 square miles.[17] The City would expand its service area to include Eloy Valley.

Assured Water Supply: The City has Designation of Assured Water Supply and has the authority to deliver water to customers within its service area.[18] The City has demonstrated the physical and continuous availability of 3,319 acre-feet per year of groundwater for a minimum of 100 years.

The city has an existing annual allocation of 2,171 acre-feet of municipal CAP water.[19]

2. **Sewer Service:** The Eloy Valley project will include installation of significant sewage infrastructure, treatment facilities, and effluent reuse systems using recovery wells. Each phase or portion of the project will include design and installation of its own

[13] Ambient Groundwater Quality of the Pinal Active Management Area: A 2005-06 Baseline Study – October 2007, Arizona Department of Environmental Quality, https://legacy.azdeq.gov/environ/water/assessment/download/pinal_fact.pdf (last visited Aug. 29, 2022).
[14] Arizona Water Atlas, Vol. 8, Active Management Area Planning Area, Arizona Department of Water Resources (April 2010), https://infoshare.azwater.gov/docushare/dsweb/Get/Document-10433/Volume_8_final.pdf, at 12-13.
[15] Quality, Pinal Active Management Area Fifth Management Plan, Arizona Department of Water Resources (July 2022), https://new.azwater.gov/sites/default/files/media/PAMA5MP.pdf.
[16] Arizona Water Atlas, *supra* note 13, at 12.
[17] Service Area Overview, Potable Water System Master Plan, City of Eloy (Feb. 2007), https://eloyaz.gov/DocumentCenter/View/229/Water-System-Master-Study-PDF?bidId=, at Fig. 4.
[18] List of Municipal Water Providers Designated as Having an Assured or Adequate Water Supply as of February 2, 2022, Arizona Department of Water Resources (Feb. 2, 2022), https://water.az.gov/sites/default/files/media/List_of_Designated_Providers_2-2-2022.pdf.
[19] CAP Subcontracting Status Report, Central Arizona Project (Apr. 1, 2022), https://library.cap-az.com/documents/waterops/04-01-2022-Subcontract-Status-Report.pdf.

sewage collection system. Each substituent collection system will then be connected to laterals and mains which may be connected to an interim package plant.

Ultimately, an on-site treatment facility capable of processing the entire Eloy Valley project will be constructed. The rate of development and phasing of build-out has a direct effect on the economic viability and feasibility of various technologies and capacities which can be provided. The City and the Master Developer, or District, will cooperate on a phased approach of constructing the plant. The first phase of the plant is anticipated to be at least 300,000 gallons per day of capacity. Sewer connection fees collected from the first 300,000 gallons per day capacity would then be used to fund the next phase of the on-site treatment facility. All subsequent facility expansions would utilize connection fees as the funding mechanism.

The on-site sewage treatment facility will present a unique opportunity for recharge and reuse of effluent close to the source of generation. Potable waters which are created or derived from other sources and used within the Eloy Valley Specific Plan can be reclaimed in the on-site sewage treatment facility.

3. **Community Facilities District (District):** If deemed economically feasible, the Master Developer or Builder may petition the City to form a Community Facilities District to acquire existing public facilities or construct new public facilities.

4. **Other Utilities:** Gas, electric, and telephone services exist in the vicinity of the Plan Area. For conceptual layout of these utilities, see Exhibit 9: Existing Utilities Plan –Gas and Electric. Final design will take place at the time of actual construction, subdividing, and site development. Actual service facility design will be coordinated with the individual utility companies.

5. **Public Schools:** The maximum population of Eloy Valley is not expected to exceed 71,000 residents. Using the actual City of Tucson public school ratios of 47,000 residents per high school, 25,000 residents per middle school, and 6,800 residents per elementary school, there could be approximately two high schools, two middle schools, and 10 elementary schools located within the community. Based on the above estimates, up to 240 acres for future public-school sites may be reserved, at the time of platting, anywhere in the Specific Plan Area.

## F. Water Resources Concept Plan

### 1. Response to Existing Conditions:

The Drainage Concept Plan represents a conceptual approach for addressing the major off-site and on-site stormwater flows which traverse the site (See Eloy Valley Master Drainage Study, prepared by Arroyo Engineering). Planning-level analysis indicates that the overall drainage scheme should function in a manner which will provide for the adequate collection, conveyance, and discharge of major flows within

and across the Eloy Valley property. The Drainage Concept Plan is comprised of the following drainage-infrastructure:

There are four major components to the Drainage Concept Plan: Regional Drainage Channels, Roadside Drainage Channels, On-Site Stormwater Retention/Detention Basins, and Regional Stormwater Basins. All these major drainage components must be constructed as part of a unified plan, on a sub-watershed basis, prior to development and construction.

The regional drainage channels generally consist of a continuous channel that intercepts sheet flow at the upstream side of the project and then conveys this runoff through the development until it releases these flows at the downstream side of the project. These regional drainage channels will maintain the existing flow patterns by not diverting runoff to other nearby drainage basins. Furthermore, these regional drainage channels will also serve as the outfall for the roadside drainage channels, described more fully below.

Roadside drainage channels generally consist of a network of relatively small channels that parallel the major roadways, and which will serve as the drain into which roadways runoff will be discharged. These roadside drainage channels will serve as a replacement for an underground storm drain system. Furthermore, these roadway drainage channels will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Excess runoff that flows in and along these roadside drainage channels will be disposed of in the regional drainage channels mentioned briefly above. A key element needed to ensure the success of this Drainage Concept Plan is the construction of on-site retention/detention basins, all of which will be designed to hold the entire volume of runoff produced on-site during a 100-year, one-hour storm. Off-site runoff produced elsewhere will be allowed to bypass these basins without having to be retained or held. In addition, these basins will be designed so that they will be emptied within 36 hours, either by percolation, dry wells, or by draining into an approved drainage way after the storm has passed. Furthermore, these on-site retention/detention basins will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Individual lot retention/detention basins may be used in residential subdivisions when the minimum lot size exceeds one standard acre, otherwise the basins will be built within common areas owned and maintained by the Homeowner's Association.

The regional drainage channels will be designed so that they release floodwater substantially at the location and with equal or smaller magnitude as found under existing conditions. To help accomplish this goal, the downstream ends of each of the regional drainage channels will be designed to include a regional stormwater basin that will provide an open-space area where floodwaters can be allowed to spread out and then discharge onto the adjoining downstream areas. These regional stormwater

basins will also provide areas of hydroseeded open space that will be irrigated by seasonal rains.

All these systems and facilities will be phased in as adjacent or affected development occurs. Since these conceptual systems were prepared at a planning level of analysis, details regarding the specific sizes of the individual elements have not been prepared beyond what is indicated on each typical cross-section. A range of possible widths and depths of these systems has been provided. A preliminary design and phasing scheme, incorporating a detailed assessment of the steps required to fully implement these systems, will be necessary at the improvement plan review and approval stage.

If constructed channels require some form of bank stabilization, a range of potential options are rock, soil cement, or concrete. Constructed drainageways will include revegetation by hydroseeding within or adjacent to the channel. The drainageway design will provide for maintenance access (16' wide) along one side of the channel unless the channel bottom is drivable. Maintenance access will also serve as part of the overall community's pedestrian trail system.

2. **Effect Upon Site Drainage Patterns:** The Eloy Valley Specific Plan anticipates overall improvement in the efficiency of drainage patterns of the site. Creation of detention basins and on-site washes will help to alleviate substantial and long-standing flooding problems for the site.

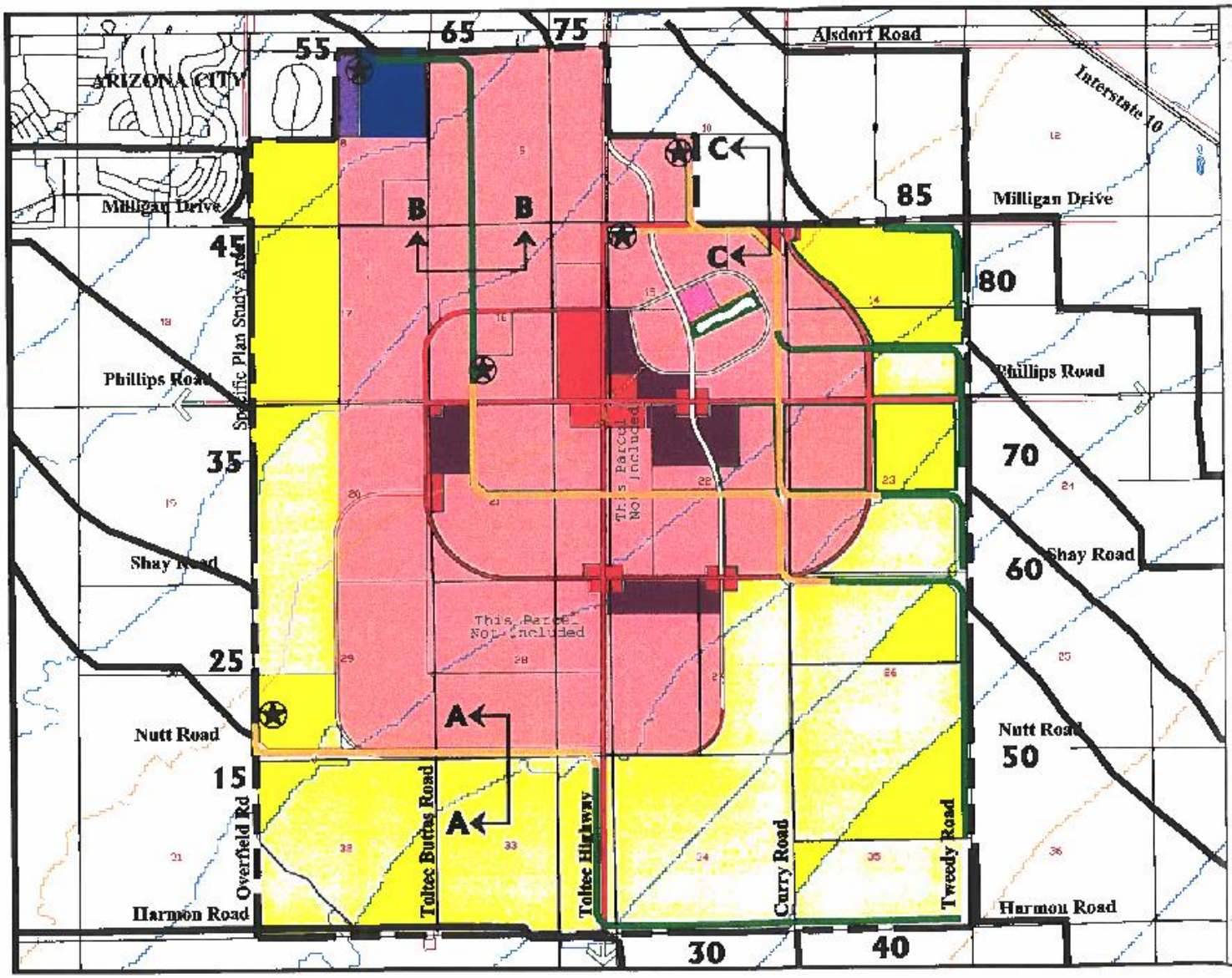
   A drainage report for the Eloy Valley phase, region, or plat area must be approved by the City Engineer prior to the issuance of grading permits or any other permits for development activity within a particular phase, region, or plat. Said report should be in general conformance with the Master Concept Drainage Plan.

## G. Grading Concept

1. **Mass Grading:** Development within the Specific Plan Area may be mass graded as necessary to implement infrastructure and home site development (See Exhibit 15: Concept Grading Plan).

2. **Open Space Resources:** The Eloy Valley Specific Plan is designed as a recreational and retail/commercial based residential community. Open space is an important opportunity from an environmental perspective as well as an amenity in terms of quality of life. This plan has identified areas of open space and has attempted to utilize a "multiple use" of open space. Multiple use may consist of drainage, retention basins, recreation, trails, utility systems, and irrigation channels.

   Revegetated (by hydroseeding) drainageways will help maintain aesthetics, and some of the gold course fairway areas may be located adjacent to such drainageways. The recreational/open space land use in conjunction with the drainageways will provide a larger area for community benefit.




# Water Resources Concept Plan

**Exhibit# 13**

Eloy Valley

A Planned Area Development

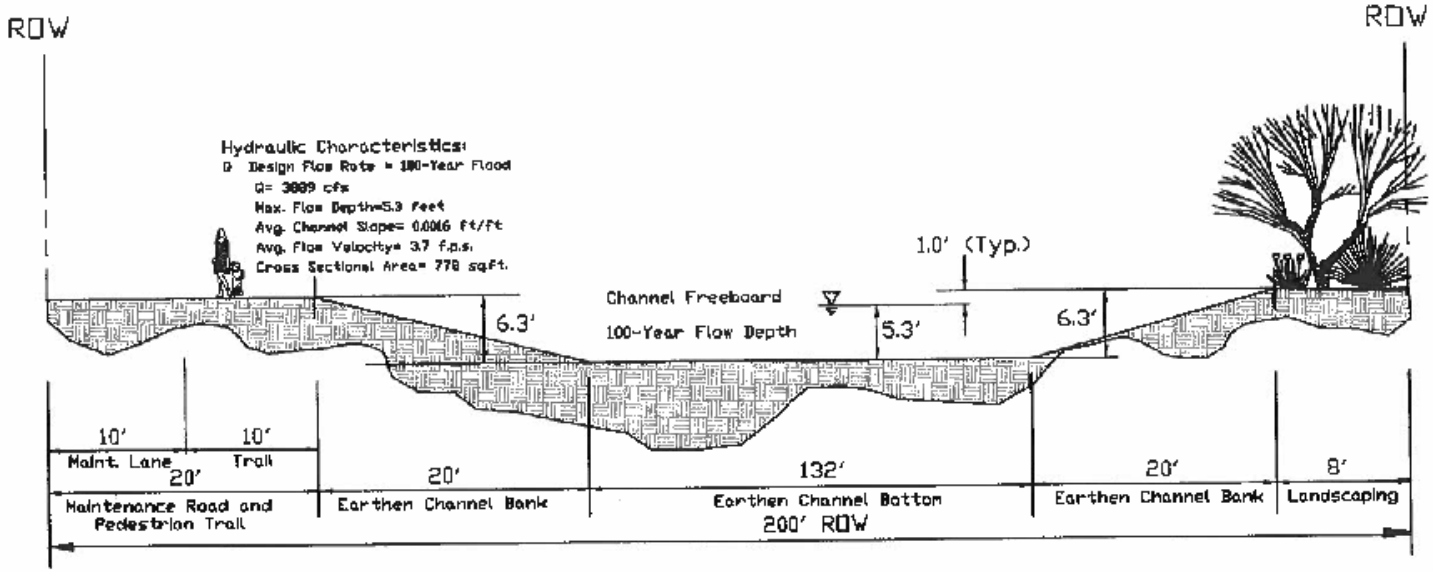
ARROYO ENGINEERING, INC.
Water Resources & Civil Engineering Consultants
5675 N. ORACLE ROAD, SUITE 208, TUCSON, ARIZ. 85704
PH. (520) 882-0206, FAX (520) 882-8674

January, 2003

# Cross Section AA

TYPICAL 200'-WIDE FLOOD-CONTROL CHANNEL

TYPICAL CROSS SECTION N.T.S.




## Channel Cross Sections

**Exhibit #14 a**

Eloy Valley

A Planned Area Development


Axis Corp

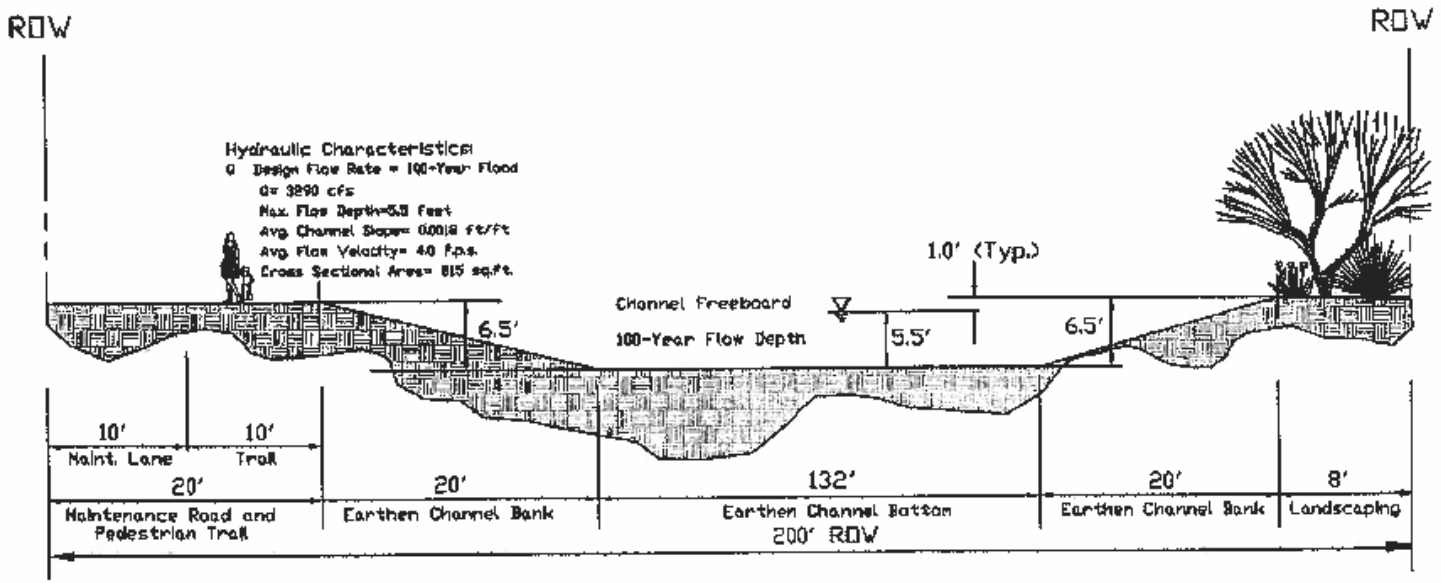
Realty & Engineering Group

501 E. Placita de Arnoldo Tiznado, Arizona 85748 Tel: 520 514-5138

# Cross Section BB

TYPICAL 200'-WIDE FLOOD-CONTROL CHANNEL

TYPICAL CROSS SECTION N.T.S.




## Channel Cross Sections

**Exhibit #14 b**

Eloy Valley

A Planned Area Development


Axis Corp

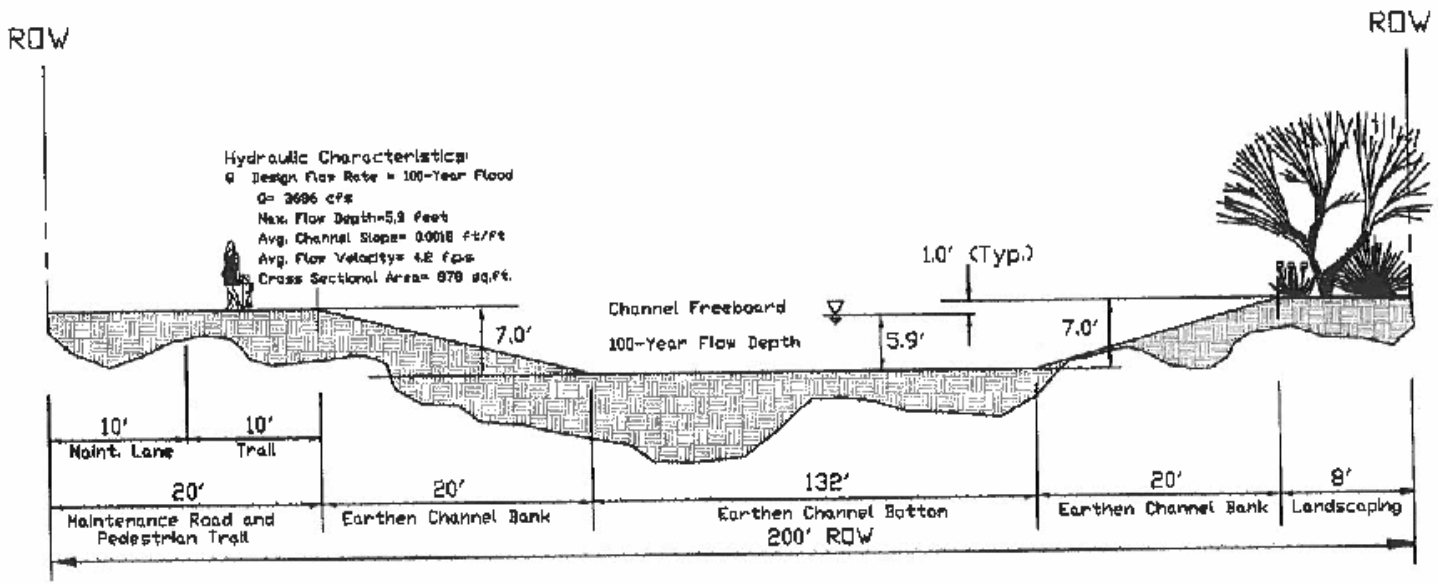
Realty & Engineering Group

801 E. Placita de Arnaldo Tucson, Arizona 85718 Tel: 520.544.3138

# Cross Section CC

TYPICAL 200'-WIDE FLOOD-CONTROL CHANNEL

TYPICAL CROSS SECTION N.T.S.




## Channel Cross Sections

**Exhibit #14 c**

Eloy Valley
A Planned Area Development


Axis Corp
Realty & Engineering Group
821 E. Fifteenth de Arnoldo Tucson, Arizona 85716 Tel.: 520 544-5130

## H. Landscape Concept

Consistent with the overall project, areas of revegetation will include drought-tolerant and indigenous plant materials. All plats and development plans will require a concept landscape plan that is approved by a registered Landscape Architect retained by the Master Developer and the Architectural Review Committee (ARC) and is in general conformance with the Landscape Concept Plan (See Exhibit 16: Landscape Concept Plan).

Retention basins will be hydroseeded or landscaped per Master Developer standards with suitable plant materials. The Eloy Valley plant palette includes plant species identified and listed in the Recommended Plant Palette List.

All plant materials for Eloy Valley are to be selected from nursery stock selected from the Recommended Plan Palette List (See Appendix F). In addition, prohibited plants for the Eloy Valley Specific Plan are also identified in Appendix F.

## I. Parks, Recreation, and Trails Concept

The Eloy Valley Specific Plan is a recreation-based community. The major recreational elements for Eloy Valley include open space, regional and neighborhood parks, golf course, and the pedestrian/bike path system associated with the entry drive and the local collectors (See Exhibit 17: Parks, Recreation, and Trails Map). Trails will be non-lighted, meandering paths, made of compacted earth or decomposed granite. All recreational facilities may be non-lighted, except for those owned and operated by the City of Eloy.

**Regional Park:** The Specific Plan designated a regional park located in the heart of the master-planned community (See Exhibit 17: Parks, Recreation, and Trails Map). This park will be constructed at the Master Developer's expense and will be owned and operated by the City of Eloy for the benefit of all residents of the City. This regional park will consist of a "catch and release" lake surrounded by a landscaped pedestrian walkway. Additional recreational amenities located at the park will include an outdoor/open air amphitheater, a public restroom, and an exercise par-course. Parking requirements will be met using a combination of on street and off-street parking.

**Neighborhood and Mini Parks:** Neighborhood and mini parks of approximately one acre in size will be provided for every 220 homes. Two or more parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes or a large subdivision exceeding 220 homes. All parks will consist of a professionally landscaped play area including trees and grass. Play equipment is mandatory, including barbeques, a ramada, and a picnic table as a minimum. Those parks exceeding two acres in size will include either soccer or baseball fields to the greatest extent that their size will permit. In addition to the above, those parks exceeding three acres will provide for off-street parking. All parks may be non-lighted unless owned and operated by the city.

**rail Systems:** Multi-purpose trails serving walking, biking, and equestrian modes of transportation are shown on Milligan Road (Southside) and Toltec Highway (Eastside). In addition, walking trails are shown located within the regional drainage channels (See Exhibit 17: Parks, Recreation, and Trails Map).

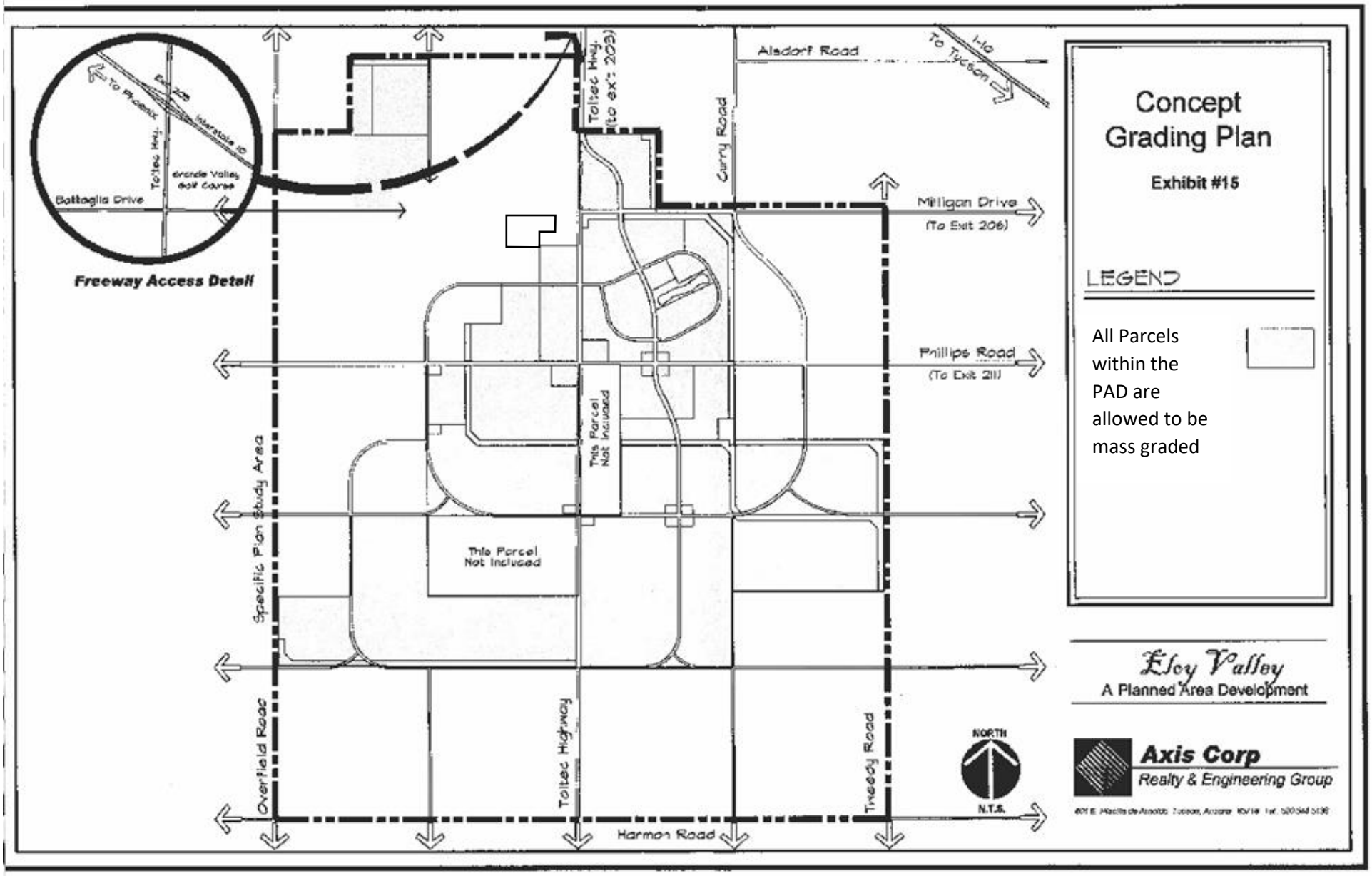
**Paseos:** Paseos, averaging 60 feet in width and containing an eight-foot-wide sidewalk, will be located by the Master Developer at the time of platting. They will generally be located between major subdivision developments of 1,000 units or more, and where subdivision drainage and/or utility easements can be incorporated, and street sidewalks do not provide access to a regional park.

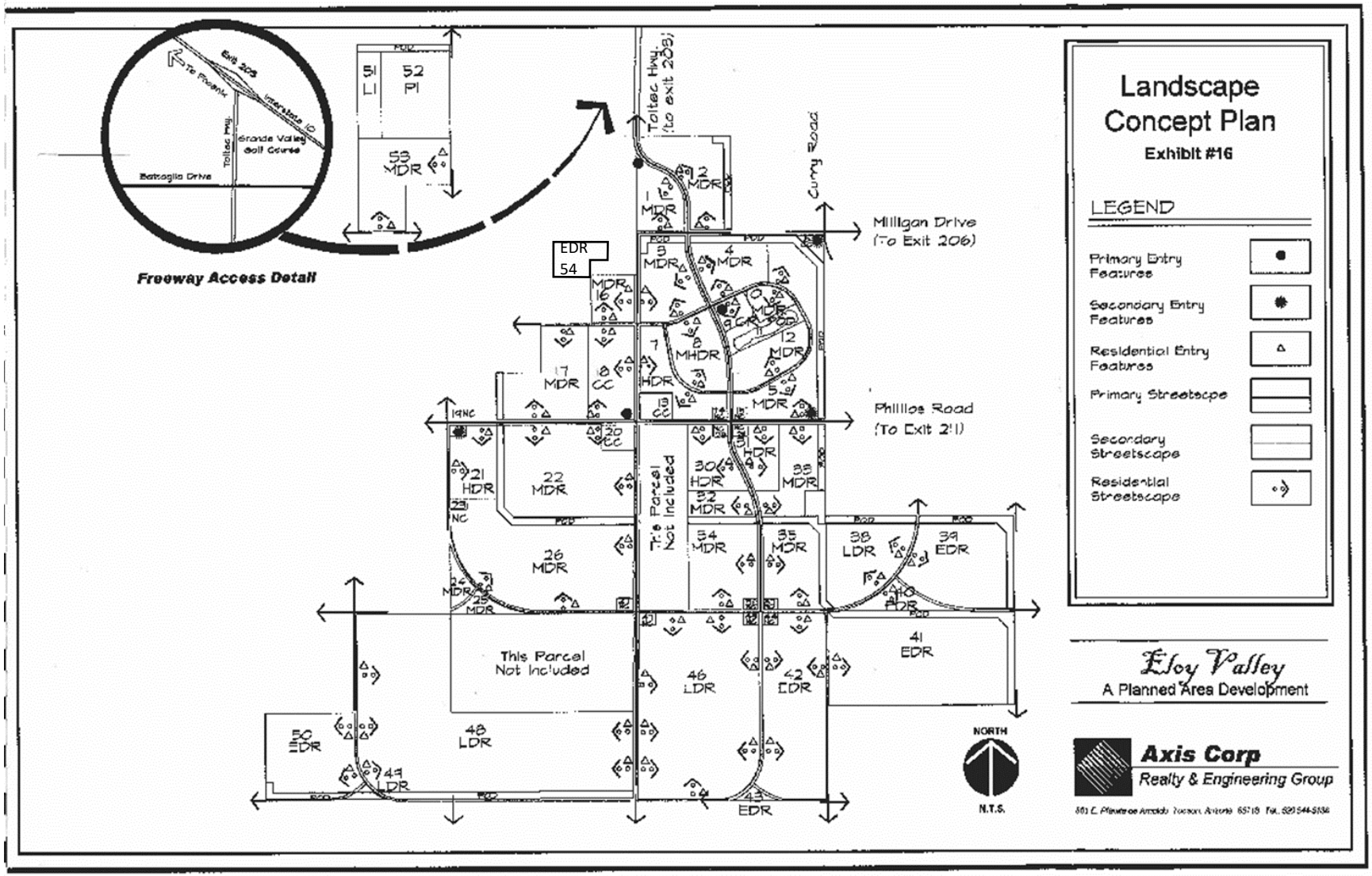
**Pedestrian and Bike Paths:** Pedestrian and bike paths and/or refuge areas will be provided. These facilities will be within the project's major boulevards as indicated on the proposed street cross-sections.

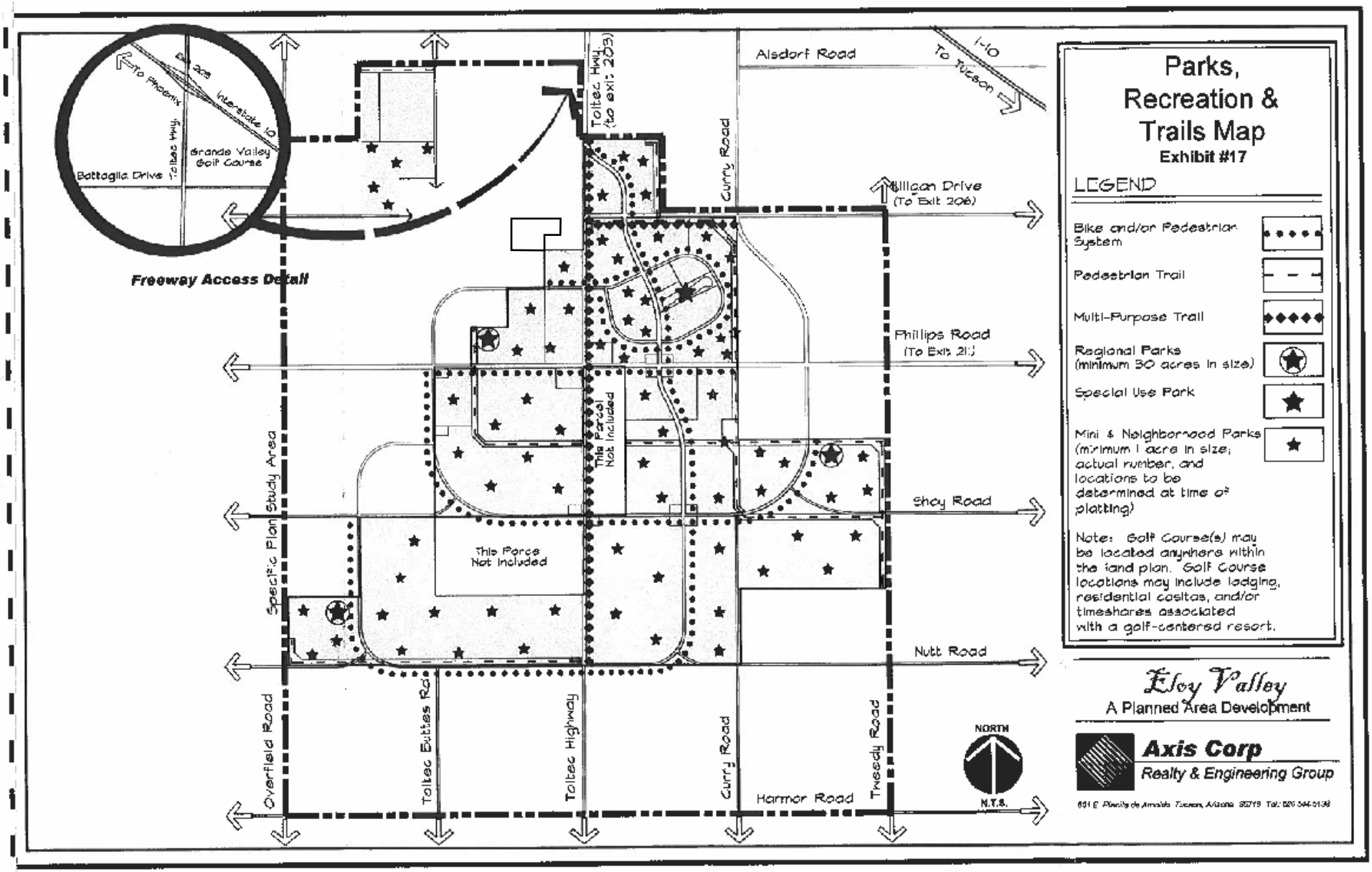
Sidewalks along arterial and collector streets should be designed and located no closer than 3' to automobile travel lanes. Sidewalks in subdivisions may be located against the curbs.

A cart path separate from the public street network will be associated with golf courses and will not be allowed in conjunction with public streets except at crossings. The final alignment of this path through the course will be determined at the final golf course phase design. The golf cart path may be parallel to the streets but must be physically separated by a minimum of 3'-0" wide landscape buffer.

**Open Space:** The Eloy Valley community will contain at least 15% usable open space comprised of the parks, the regional drainage/trail system, paseos, stormwater retention/detention areas which provide passive/active recreation uses, and other uses described in the Usable Open Space definition (See Definitions, IV.B)


Concept
Grading Plan
Exhibit #15
LEGEND
All Parcels within the PAD are allowed to be mass graded
Freeway Access Detail
Battaglia Drive
Toltec Hwy.
Grande Valley Golf Course
Interstate 10
Exit 205
To Phoenix
Toltec Hwy. (to ex't 203)
Curry Road
Alsdorf Road
I-10
To Tucson
Milligan Drive
(To Exit 206)
Phillips Road
(To Exit 211)
This Parcel Not Included
This Parcel Not Included
Specific Plan Study Area
Overfield Road
Toltec Highway
Tweedy Road
Harmon Road
NORTH
N.T.S.
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group


Landscape
Concept Plan
Exhibit #16
LEGEND
Primary Entry Features
Secondary Entry Features
Residential Entry Features
Primary Streetscape
Secondary Streetscape
Residential Streetscape
Freeway Access Detail
Exit 203
To Phoenix
Interstate 10
Tortac Hwy.
Grande Valley Golf Course
Battaglia Drive
Tortac Hwy. (to exit 208)
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
EDR 54
This Parcel Not Included
This Parcel Not Included
NORTH
N.T.S.
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group


Parks, Recreation & Trails Map
Exhibit #17
LEGEND
Bike and/or Pedestrian System
Pedestrian Trail
Multi-Purpose Trail
Regional Parks (minimum 30 acres in size)
Special Use Park
Mini & Neighborhood Parks (minimum 1 acre in size; actual number, and locations to be determined at time of platting)
Note: Golf Course(s) may be located anywhere within the land plan. Golf Course locations may include lodging, residential casitas, and/or timeshares associated with a golf-centered resort.
Eloy Valley
A Planned Area Development
Axis Corp
Realty & Engineering Group
Freeway Access Detail
Battaglia Drive
Toltec Hwy.
Grande Valley Golf Course
Interstate 10
To Phoenix
Exit 203
Toltec Hwy. (to exit 203)
Alsdorf Road
I-10
To Tucson
Curry Road
Milligan Drive (To Exit 206)
Phillips Road (To Exit 211)
Shoy Road
Nutt Road
Harmor Road
Tweedy Road
Overfield Road
Toltec Buttes Rd
Toltec Highway
Specific Plan Study Area
This Parcel Not Included
This Parcel Not Included
NORTH
N.T.S.

# IV. DEVELOPMENT REGULATIONS

## A. Purpose and Intent

These regulations will serve as the primary mechanism for implementation of the land uses for the Eloy Valley Specific Plan area after adoption by the City of Eloy. This Specific Plan will abide by applicable City of Eloy Regulations currently adopted, and later amended, that are not included or specifically addressed within this document or the recorded Development Agreement. Primary land use designations for the Specific Plan will be as follows:

- Residential (EDR, LDR, MDR, MHDR, HDR)
- Commercial Center (NC, CC, CR)
- Light Industrial (LI)
- Public/Institutional (PI)
- Park/Open Space/Drainage (POD)

## B. Definitions

The terms and definitions used in this Plan will meet those defined in the Eloy Zoning Code, with the following exceptions:

**1.** Builder: The purchaser of a development area, or portions of a development area, who will either build or provide for buildings within their areas of leasehold interest or ownership.

**2.** Building Coverage (Lot Coverage): Building coverage includes all buildings; excludes driveways, service walks, porches, balconies, trellises.

**3.** Building Height: The vertical distance between the level of the average finished grade measured 5' out from foundation and the highest point of the parapet of a flat roof; or the mean average point between the eaves and ridge of the highest gable, hip, gambrel, or other such roof element—provided, that the ridge line of the roof will not exceed four feet above the maximum permitted building height within the development pod.

**4.** Building Story: The portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story will be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

**5.** Commercial Recreation: Any land designated for the establishment of structures or areas in which to provide recreational activities such as resort, health club/spa, country club, golf course, club house, pool(s), restaurant, lounge permitting liquor sales, kiosks, plazas, trails, etc.

**6.** Density: $D = \frac{DU}{Ac-(C+S+Ar+P)}$

D = Residential Density
DU = Total number of dwelling units in proposed development
Ac = Total size area (acres)
C = Total Commercial land area (acres)
S = Reserved but undedicated school sites (acres)
Ar = Arterial rights of way (acres)
P = Park and open space (acres)

**7.** Desert Trees: Mesquite, Palo Verde, Ironwood, Live Oak, and other trees listed in the Southern Arizona Water Resource Association.

**8.** Design Review Committee (DRC): A committee consisting of three regular members to be formed by the Master Developer. The committee may consist of representatives from the landowners, home builders, homeowners' association, and land planner/landscape architect consultants. Duties include the review of all proposals for construction and ensuring that such proposals meet the intent and development philosophy of the community.

**9.** District: Community Facilities District (CFD) or Municipal Improvement District (MID), or other financing district.

**10.** Dwelling Unit Cap: The maximum number of dwelling units permitted within the Specific Plan.

**11.** Floor Area: Floor area includes the sum of the enclosed horizontal areas of each floor of a building measured from the exterior faces of the exterior walls, excluding areas used for elevator shafts, stairwells, floor space used for mechanical equipment room, attic space, off-street parking and loading, ways for ingress and egress from vehicular parking and loading areas.

**12.** Floor Area Ratio: The floor area ratio is the proportion of building square footage permitted for each square foot of land area of the development site or lot. It is computed by dividing the floor area by the lot area. (For example, a 30,000 square foot building area on a ten thousand square foot lot has a floor area ratio of 3.0)

**13.** Golf Course: Those areas established for playing golf and associated activities, including fairways, lighted driving range, clubhouse, and maintenance facilities.

**14.** Gross Acres: The total number of acres within a planning area or subdivision, including schools, roads, parks, drainage, retention, and easements.

**15.** Master Developer: The owner/primary developer or assigns responsible for overall community development, planning and construction of basic infrastructures such as roads, water, sanitary sewer, dry utilities, and drainage facilities.

**16.** Mini Park: A small neighborhood park, approximately one acre in size, which will be provided for every 220 homes. Two or more mini parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes.

**17.** Multi-Family: A building or portion thereof containing two or more dwelling units.

**18.** Neighborhood Services: Locally oriented services such as grocery stores, day care facilities, etc. that provide pedestrian oriented support commercial services for the immediate neighborhood.

**19.** Office: Any land designated for the establishment of structures in which to provide a service done for another; a place where work or business that is administrative, professional, etc. is carried out.

**20.** Open Space: Any parcel of land, public or private, which is undeveloped (i.e., excludes structures) that is valued for its conservation or active/passive recreational uses.

**21.** Usable Open Space: Land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseos and promenades, fountains and sitting areas meant to provide an open park-like atmosphere. It also includes playgrounds, retention/detention areas which can be used by residents, golf courses, bicycle trails (but not bike lanes), pedestrian trails (not residential sidewalks), and trailheads. Usable open space does not include parking areas and vacant or undeveloped residential lots.

**22.** Planning Areas: A designated sub-area of the Specific Plan with Specific permitted uses and regulations covering development; also referred to as "pods" in the Specific Plan.

**23.** Public Facilities: Any non-commercial land use (whether publicly or privately owned) which is to be used and/or allocated for the general good of the public. These uses would include, but are not limited to, parks, utilities, treatment facilities, community activity centers, detention basins, Homeowners' Association, District, etc. Privately owned facilities will be subject to applicable land use regulations.

**24.** Recreation: Any private or public land use which relates to the pursuit of active or passive movement to refresh the body or mind, such as tennis, golf, baseball, soccer, swimming, walking, jogging, throwing a frisbee, etc.

**25.** Residential: Any land designated for the establishment or structures in which to live.

**26.** Single Family: A building containing only one dwelling unit.

~~**26.**~~**27.** Solar, Utility Scale Generation and Battery Energy Storage System Facilities: is a solar electrical power plant, inclusive of the equipment necessary to generate, store and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and

adjacent properties that are planned as a single development as interim use in the Eloy Valley PAD.

~~27.~~28. Sub-Planning Area: Sometimes referred to as "sub-pod" or "sub-area." A further breakdown of a Planning Area or Pod such as in the event caused by subdividing or platting the larger planning area.

## C. General Provisions

**1.** If an issue, condition, or situation arises or occurs that is not addressed by this plan, those regulations of the City of Eloy Zoning Code that are applicable and would allow the maximum density to be attained, will govern for the following land use designations:

| | |
|---|---|
| EDR: Estate Density Residential | (0.20-1.0 du/ac) |
| LDR: Low Density Residential | (1.0-4.0 du/ac) |
| MDR: Medium Density Residential | (4.0-6.5 du/ac) |
| MHDR: Medium High Density Residential | (6.5-10.0 du/ac) |
| HDR: High Density Residential | (10.0-24.0 du/ac) |
| NC: Neighborhood Commercial | |
| CC: Community Commercial | |
| CR: Community Recreational | |
| LI: Light Industrial | |
| P.O.D.: Park/Open Space/Drainage | |
| PI: Public/Institutional | |
| Solar/ Utility Scale Generation and Battery Energy Storge Systems | |

**2.** If an issue, condition, or situation arises or occurs that is not covered or provided for in this Specific Plan, those regulations of the City of Eloy Zoning Code that are applicable for the most similar issue, condition, or situation will be used by the Planning Director as guidelines to resolve the unclear issue, condition, or situation. This provision will not be used to permit uses or procedures not specifically authorized by this Specific Plan or the City of Eloy Zoning Code.

**3. Factory Built Homes:**

Factory Built homes will be allowed in all residential designations. Factory Built and site-built housing may be mixed within the same subdivision. Architectural review by the Master Developer's DRC will be required. Factory Built homes must be 960 square feet or larger.

**4. Golf Course and Resort Overlay:**

Up to three golf courses may be a "conditional use" in Eloy Valley on any of the underlying land use designations. The golf course may be accompanied by a resort lodging facility (including timeshare units). Similarly, resort lodging, including casitas and timeshare units, may be a conditional use on any of the land use designations either with or without a golf course.

**5. Schools Overlay:**

Potential school sites will be reserved at the time of individual or block plating, subject to the approval of the Eloy Planning Director, and consultation with the appropriate School District. Public, private, or charter schools may be developed in Eloy Valley on any of the underlying land use designations.

**6. Encroachment into Regulatory Floodplains:**

Encroachment into the newly created regulatory floodplains (i.e., those with a 100-year flow of more than 100 cfs) and sheet flooding areas, will be allowed in accordance with the Pinal County Flood Plain Regulations.

**7. Monuments and Signage:**

The Master Developer will submit a Master Monumentation and Signage Plan at the time of the first plat (block or individual) for review and concurrent approval with the platting process.

**8. Utility Scale Solar Development:**

A. Solar, Utility Scale Generation and Battery Energy Storage System Facilities shall conform with the following additional property development standards:

a. Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Zoning Ordinance, as amended, except as modified below:

i. The facilities shall be limited to the locations indicated on the Interim Project Plan: Conceptual Site Plan (See Appendix I, Exhibit C)

ii. Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iii. Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iv. Perimeter fence color: sage green color that has color equivalency with a LVR of 40% or less.

v. The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only the landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.

vi. Perimeter fencing, including gated access through the fence, shall be setback a minimum of 50 from the right-of-way dedicated in accordance with Section 21-3-1.39. of the Ordinance.

## D. Land Use Plan Designations

Land use designations have been assigned to each planning area identified in the Eloy Valley Specific Plan. Their permitted uses and development standards are described in the following section.

## E. Development Area Categories

### 1. EDR – (Estate Density Residential)

a. Permitted Uses:

1. Single Family Detached;
2. Accessory Structures;
3. Parks, Playgrounds, and Community/Public Owned Buildings other than Hospitals;
4. Recreation/Open Space, Retention/Detention;
5. Golf Course and Maintenance Facilities;
6. Public Facilities;
7. Neighborhood Services.
8. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities. These facilities shall comply with the standards set forth in General Provisions Section C.8 of this document.

b. General Development Standards:

1. Minimum Lot: 35,000 square feet.
2. Minimum Lot Width: 100 square feet at front setback.
3. Maximum Building Height: 29 feet.
4. Building Setbacks:
   Front: 30 feet (15' for side-entry garages)
   Side: 10 feet
   Rear: 40 feet
5. Parking: Two covered off-street resident spaces per dwelling unit. (Visitor parking located in driveways may not overhang sidewalk)

c. General Development Standards- Utility Scale Solar & BESS

1. The general development standards of Article IV of the Eloy Zoning ordinance shall apply.

### 2. LDR – (Low Density Residential)

a. Permitted Uses:

1. Single Family Detached;
2. Accessory Structures;
3. Parks, Playgrounds, and Community/Public Owned Buildings other than Hospitals;
4. Recreation/Open Space, Retention/Detention;
5. Golf Course and Maintenance Facilities;
6. Public Facilities;
7. Neighborhood Services.

~~7.~~8. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities. These facilities shall comply with the standards set forth in General Provisions Section C.8 of this document.

b. General Development Standards:

1. Minimum Lot: 6,500 square feet.
2. Minimum Lot Width: 65 feet at front setback.
3. Maximum Building Height: 29 feet.
4. Building Setbacks:
   Front: 30 feet (15' for side-entry garages)
   Side: 10 feet
   Rear: 40 feet
5. Parking: Two covered off-street resident spaces per dwelling unit. (Visitor parking located in driveways may not overhand sidewalk)

c. General Development Standards- Utility Scale Solar & BESS

1. The general development standards of Article IV of the Eloy Zoning Ordinance shall apply.

**3. MDR – (Medium Density Residential)**

a. Permitted Uses:

1. Single Family Detached and attached units including zero lot line products;
2. Educational Facilities;
3. Recreational Facility;
4. Accessory Structures;
5. Parks, Playgrounds, and Community/Public Owned Buildings other than Hospitals;
6. Golf Course and Maintenance Facilities;
7. Public Facilities;
8. Neighborhood Services;
9. Resort Hotel in conjunction with golf course (by Conditional Use Permit or rezoning).

~~9.~~10. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities. These facilities shall comply with the standards set forth in General Provisions Section C.8 of this document.

b. General Development Standards – Residential:

1. Minimum Lot Area: 5,000 square feet.
2. Minimum Lot Width: 50 feet at front of setback.
3. Maximum Building Height: 29 feet.
4. Building Setbacks:
   Front: Dwelling Unit 20 feet
   Garage (side entry) 8 feet
   Garage (front entry) 20 feet
   Side: None required from the side property line *(if attached);* required minimum of 10' between residential structures (if detached).
   Rear: 20 feet (Z-lots, if used, may be reduced to a 10-foot setback)
5. Parking: Two covered off-street resident spaces per dwelling unit. (Visitor parking located in driveways may not overhang sidewalk)

c. General Development Standards- Utility Scale Solar & BESS

1. The general development standards of Article IV of the Eloy Zoning ordinance shall apply.

**4. MHDR - (Medium High Density Residential):**

a. Permitted Uses:

1. Single Family Attached or Detached;
2. Educational Facilities;
3. Recreational Facility;
4. Accessory Structures;
5. Parks, Playgrounds, and Community/Public Owned Buildings other than Hospitals;
6. Golf Course and Maintenance Facilities;
7. Public Facilities;
8. Neighborhood Services;

6. Resort Hotel in conjunction with golf course (by Conditional Use Permit, or rezoning).

~~9.~~7. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities. These facilities shall comply with the standards set forth in General Provisions Section C.8 of this document.

b. General Development Standards - Residential

1. Minimum Lot Area: Four thousand five hundred (4,500) square feet.

2. Minimum Lot Width: 45 feet at front of setback.
3. Maximum Building Height: 29 feet (29').
4. Building Setbacks:
   Front: Dwelling Unit: 15 feet
   Garage (side entry): 8 feet
   Garage (front entry): 20 feet
   Side: None required if attached, required minimum of 10' between residential structures if detached.
   Rear: 15 feet.
6. Parking: 2 covered off-street resident spaces per dwelling unit. (Visitor parking located in driveways may not overhang sidewalk.)

c. General Development Standards- Utility Scale Solar & BESS

1. The general development standards of Article IV of the Eloy Zoning ordinance shall apply.

**5. HDR - (High Density Residential):**

a. Permitted Uses:

1. Residential Dwelling Units;
2. Educational Facilities;
3. Congregate Care Facilities;
4. Accessory Structures;
5. Recreational Facility, Parks, Playgrounds, and Community/Public Owned Buildings other than Hospitals;
6. Golf Course and Maintenance Facilities;
7. Public Facilities;
8. Neighborhood Services;
9. Resort Hotel in conjunction with golf course (by Conditional Use Permit, or rezoning).
~~9.~~10. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities. These facilities shall comply with the standards set forth in General Provisions Section C.8 of this document.

b. General Development Standards - Residential

1. Minimum Lot Size: Thirteen hundred (1,300) square feet per unit; 7000 square feet per lot.
2. Maximum Building Height: Per Eloy Zoning Code.
3. Building Setbacks:
   Front: 20 feet
   Side: None required from the side property line.
   Rear: 20 feet (except garages, which may have a zero setback).
4. Parking: 2 covered off-street resident spaces per dwelling unit, plus one

visitor parking space per 4 dwelling units. (Visitor parking located in driveways may not overhang sidewalk)

c. General Development Standards- Utility Scale Solar & BESS

1. The general development standards of Article IV of the Eloy Zoning ordinance shall apply.

## F. Public Facilities Regulation

### 1. Utility Lines:

New Utility lines within the project will be placed underground to provide an attractive and marketable development. Exceptions to this general rule may occur as a result of specific utility company rules and regulations, or where the costs of undergrounding, due to the size and nature of a specific installation, are prohibitive. Additionally, temporary overhead lines may be used on an interim basis, until development occurs immediately adjacent to the overhead line.

### 2. Street Lights:

Local/Residential streets will have low intensity mailbox, coach, or other light located on individual residences, maintained by the HOA, or homeowner. ArteriaVCollector streets will be lighted at major, or key intersections, as approved by the City Engineer, and maintained by the city.

## G. Hydrology/Drainage Regulations

### 1. Encroachment into Regulatory Floodplains:

Encroachment into the newly created floodplains (i.e. those with a 100- year flow of more than 100 cfs) will be allowed per Pinal County Flood Plain Regulations.

### 2. Maintenance:

All retention basins, and channelized drainages shall be attended to and maintained so as to preserve their hydrologic integrity, function and

### 3. Channel and Roadway Grades:

Due to extremely flat topography associated with Eloy Valley, the minimum slopes for channel and roadway drainage shall be 0.15%.

## H. Archaeological Regulations

Prior to grading activities, appropriate measures will be taken to either avoid or mitigate, through an approved Data Recovery Plan, impacts to sites that are determined to be "scientifically significant." Archaeological sites, deemed significant, will be recorded and, if needed, mitigated to City of Eloy and Arizona State Museum guidelines. (See Appendix D)

## I. Vegetation Preservation/Salvage Regulations

Disturbance will be mitigated through the following measures: This applies to native vegetation as protected in the Arizona Native Plant Law: *Carnegiea gigantean* (Saguaro), *Cercidium microphyllum* (Foothill Palo Verde), *Cercidium floridium* (Blue Palo Verde), *Ferocactus species* (Barrel Cactus), and *Prosopis species* (Velvet Mesquite).

1. Saguaros will be preserved in places where practical as a first option. As a second option, all health, moveable specimens will be relocated to other approved locations within the development pod they originally occupied. Every effort will be made to preserve existing saguaros. Unhealthy or non-salvageable specimens that are destroyed as a result of development of the property will be replaced on a one-to-one basis within the development pod where the original specimen was located. Saguaro survival will be monitored, and any saguaros which die within five years from the date of transplantation or placement will be replaced by a minimum three-to-five-foot-high saguaro specimen.
2. A landscape plan, prepared by a Registered Landscape Architect, will be provided at the time of tentative plat or development plan submittal, which contains an inventory of all trees on the site of two-inch caliper size or greater. The inventory will include documentation of the existence or absence of endangered or threatened plant species on the site. The landscaping plan will provide for either the transplanting, preserving, or planting of at least as many trees as were originally inventoried on the site. Newly planted nursery trees will pertain to all construction activity within the plan area.
3. A mitigation plan will be developed for protected/endangered species in the event they are found on-site during the construction process.

## J. Cellular Telephone Monopole

Cellular Telephone Monopoles will be allowed in all commercial zones and on light poles in public recreational facilities, subject to approval of the City of Eloy.

# V. DESIGN GUIDELINES

**The Design Guidelines are supplementary to the City of Eloy Building Codes and Zoning Codes. intended to enhance those regulations. The Design Guidelines shall not circumvent or supersede the City of Eloy Building Codes. The Design Guidelines are intended to be guidelines between the Master Developer and the builders. and are not intended to be regulatory in any manner.**

## A. Design Review

**Design Review Committee:** The Master Developer will establish a Design Review Committee (DRC) before any building development begins. The DRC functions will be to refine these guidelines, establish review procedures, and administer the design review process for Eloy Valley. It may consist of 3 regular members and one alternate member. The DRC may consist of representatives from the Master Developer including his architect, or landscape architect consultant. The DRC has the authority to interpret the Guidelines in the event the Guidelines may not be explicit in a particular situation. The DRC may also amend the Guidelines by a 2/3 majority vote.

**Design Review Procedures:** Establishment of review procedures will be based on the following guidelines:

- Pre-design meeting with the builder, owner, and/or architect to offer direction in preparing preliminary plans.
- Review of preliminary plan submittal to determine general conformance with these guidelines.
- Review fees (if any) may be established by the DRC.
- Following preliminary approval, a review of the final submittal, containing information detailed enough to allow the DRC to determine compliance with these guidelines.
- The right to inspect all work in progress and give notice of non- compliance shall be reserved by the DRC.
- The right of final approval for all completed construction to assure consistency with these guidelines.

Geographic Review Zones: For the purpose of design review, Eloy Valley is divided into four project review zones. The level of design review and areas of concern vary depending on location. The major review areas will be:

**Zone 1 - Theme Area:** This project area will be reviewed extensively because of the project's prominent location in the community. Specifically, the Master Developer will be reviewing the following areas:

- The perimeter edge treatments of the Village Center and Commercial areas as

they relate to landscapin$_{g,}$ fencing, architecture, and building placement;

- Front and rear privacy walls that conform to the architecture;
- The use of details fountains and hardscaping in recreational areas;
- Off-site views of the project and all structures from adjacent major streets.

**Zone 2 - Elevation Enhancement Area:** This Zone is visible from the major arterial streets. Typically, major areas of review are edge conditions:

- One story or low profile roofs that slope away from the comer lot;
- Rear and side yard fencing or wall details;
- Two story building locations;
- Architecture elevations of rear and side of homes;
- Landscaping and entry monumentation

**Zone 3 - Streetscape Identity Area:** The purpose of this zone is to ensure a common landscape design treatment along the major roadways throughout the Eloy Valley project. These major roadway design elements will create a consistent theme linkage between each project the helps create the Desert Village environment. The review areas include the following:

- Entry Statements and monumentation at primary and secondary entries;
- Streetscape treatment;
- Signing, temporary and permanent;
- Walls and fencing;
- Slope planting and common space elements.

**Zone 4 - Minimal Review Area:** These areas are the least visually prominent areas in Eloy Valley. This level of review by the Master Developer will be the least stringent. The major areas of review will be:

- Overall conformance and compatibility with the design guidelines;
- Compatibility with adjacent projects;
- Plotting of homes should avoid repetitive roof planes when identical floor plans are frequently used;
- Comer lots at collector streets will be reviewed with the same level of review as Zone 2.

## B. Site Planning

Purpose and Concept: Eloy Valley will be developed as a Desert Community incorporating different product types and different site uses. The placement of buildings, roads, and utilities will have a major influence over the character of Eloy Valley. This requires an understanding of existing site opportunities and constraints. Issues of building form, orientation, coverage, setbacks, parking, utilities, loading docks, storage areas, and access

are involved. Density flexibility for residential land use pods shall be encouraged as an incentive to promote quality design that fosters a sense of community by integrating recreational features and open space. The density flexibility option shall be exercised on a pod-by-pod basis to assure the best use of terrain, views, and other site elements.

Open space features will serve to provide an improved sense of neighborhood identity and cohesiveness. Additionally, this will provide a natural visual interruption of the built environment, enhancing its aesthetic quality from both on and off site.

## VILLAGE CENTER AND COMMERCIAL DESIGN CRITERIA

**Product Image:** The village center should be placed in a highly visible location and reflect the image of the entire Eloy Valley development. With this building is a vertical design element, such as a tower. The southwestern desert planting design should be strongly expressed in concert with this feature.

Retail and office structures are intended to be complimentary to the village center development. A sense of excitement should be reflected and created by the use of high-quality materials reflecting the southwestern desert theme. Commercial structures should be a mix of one, two, and other multi-story construction. In addition, a pedestrian circulation network of public sidewalks and major theme intersections is encouraged.

**Priority Elevations:** The village center and commercial buildings will be seen from most angles and will require a continuity of colors, materials, and details on all elevations. The incorporation of similar character stucco walls, roof styles, and other components is encouraged.

**Parking Areas:** Parking areas are recommended to be located along internal street frontages for ease of access and to create a sense of expanded streetscape by combining street and perimeter parking landscaping. No parking shall occur within 15 feet of any travel lane. Views of the parking areas should be filtered from traffic by landscaping within the required setback. Screening should be achieved by massing of trees and shrubs or by using berms of sufficient height.

Parking access from major streets should be minimized. Entries should be located as far as possible from street intersections. Retail complex entries can be clearly delineated through the use of plant massing, repetition of elements of a theme, and patterned concrete or pavers to differentiate them from sidewalks.

**Service Areas:** To the extent practical, service areas should be concealed from view behind buildings or through the use of landscaping or screening walls in keeping with the Desert Community theme of Eloy Valley.

**Utilities:** To the extent practical, all new utility lines shall be underground. If existing utility lines need to be upgraded or moved, they shall be re-installed underground if economically feasible.

## GOLF COURSE AND OPEN SPACE/DRAINAGEWAYS CRITERIA

Product Image: Golf course(s) within Eloy Valley should be designed-with-natural vegetative character. Open Space/Drainageways will include a plant material buffer using hydroseeding.

Parking and Service Areas: Golf course parking and service area regulations shall be the same as identified for the village center and commercial structures.

## RESIDENTIAL DESIGN CRITERIA

**Product Image:** Hornes will promote the southwestern architectural image of the Eloy Valley Specific Plan. Careful attention shall be given to the building massing, scale, and form in their relation to public areas.

**Priority Elevations:** The homes will represent a continuity of colors, materials and details on elevations. Priority in articulation should be given to those sides visible from streets and open spaces. The builder will submit street scene elevations of the differences and variety of building types and elevations to the DRC.

**Building Setbacks and Orientation:** The design of residential developments can be unique and provide varied streetscape appearances. Providing plans with differing setbacks fosters a variety of elevations.

Projects should be planned carefully to maximize the felling of open space within the development. Design approaches include curving streets, orienting the road axis to open areas and the creation of views.

**Garages:** Front-entry garages are allowed if the garage is set back a minimum of 20 feet from the front property line. Side-entry garages should be set back a minimum of eight feet (except for LDR, where the requirement is 15'). Deeper setbacks are encouraged. The primary garage façade facing the street on side-entry garages must be articulated with window openings, shadow relief, etc. Garages should have a single-story mass at the front of the building to provide an architectural transition to two-story massing. Side-entry garages are encouraged to break up the monotony of all garage doors being parallel to the street.

**Front Privacy Walls:** Front privacy walls finished to match the buildings are encouraged. Tiles, ceramic tile details, repetition of the cornice band detail, and use of accent trim color bands are also encouraged.

**Rear Elevations:** Rear façades which can be seen from open community areas will have "front elevation" quality. Houses on corner lots should be joined by a side yard wall of uniform design and color as the main residence. The wall should comprise a coordinated architectural connection with the house when visible from streets or open spaces.

## STREET DESIGN CRITERIA

**Street Standards:** A comprehensive circulation system provides the framework for the Eloy Valley community structure. Major goals include:

- Ease of movement between neighborhoods, varying land uses, and surrounding areas.
- Maintenance of a circulation system, based on clearly differentiated major and residential collectors, according to traffic needs.
- Access drives for public use areas shall be coordinated to promote the efficient flow of traffic. Opposing intersections should be spaced a minimum of 150 feet apart to minimize left turn conflicts.
- Enhance transportation routes through comprehensive landscape treatment.
- Planned neighborhood street systems to serve local traffic demands, discouraging non-neighborhood traffic.

## C. Architectural Guidelines

**Character/Design Details:** The architectural character of Eloy Valley is reminiscent of the styles and feeling of the Sonoran Desert. It is the intent of the Master Developer to encourage variety and individuality within a framework of Desert Community styles.

Southwestern architectural styles, reflective of historic settlements in the area, or other compatible styles approved by the Master Developer of the Design Review Committee are strongly recommended for all site-built structures within Eloy Valley.

The following suggested style vocabularies for site-built structures within Eloy Valley, are derived from the design heritage of Southern Arizona and the Sonoran Desert:

A. Mediterranean

B. Spanish Colonial

C. Territorial

D. Pueblo

E. Southwestern Traditional

The recommended styles have many similarities of scale, proportion, massing, and color that are uniquely appropriate to the southwest. Each of the styles has a common bond of detailing and plan form that is related to the environmental design requirements of the region.

Each of the styles is rarely found in its pure form. Cultural blending, environmental responses, and the availability of building materials have produced a unique regional character. Contemporary interpretations can be successful if the traditions of scale, proportion, and materials are blended with honest concern for climate control.

**Materials:** Stucco will be the primary wall surface material utilized throughout Eloy Valley for site-built structures. A smooth, sand, or lace finish stucco finish look is typical. Accent materials and colors used to complement the stucco are encouraged in moderation. The use of tile, wood, or brick are permitted as design accents only.

- Recommended primary building materials include:
  Concrete or Adobe Block;
  Cement Stucco over Concrete Block or Wood Frame;
  Slump Block (mortar wash only);
  Natural Stone.
  All exposed building materials must be finished.
- All exposed wood will be treated with a preservative, stained, or painted.
- The use of wood by-products or simulated wood siding materials is prohibited.
- No reflective building materials will be used.

**Color Palette:** Color is intended to act as a primary theme conveying element. In general, wall colors should be predominantly off-white, muted earth tones or light pastels with contrasting accents. The Master Developer will provide a list of recommended colors. Buildings are encouraged to have several colors: one base color with accent colors. The accent colors would typically be used on the cornice bands and window articulation.

**Roofs and Pitches:** Roof styles are to complement the selected architectural style. Actual colors will be subject to the Master Developer review. Roof slopes should harmonize the building mass with its plan. The slope of all pitched roofs will be no flatter than 3:12 ratio. Simple short roof overhands are appropriate for Spanish Colonial, Southwest Traditional, and Mediterranean styles. Flat roofs with parapets are suitable for Territorial and Pueblo styles.

**Windows:** The proportion of windows to exterior surface will be carefully considered by the Design Review Committee for each elevation. Window design should be appropriate for the chosen architectural style. Windows are typically rectangular, round, or arched headed openings. Recessed windows are an important characteristic of Spanish Colonial, Mediterranean, and Pueblo styles. Projecting windows may be used to add articulation to wall surfaces. Territorial and Southwest Traditional style windows are set flush with the wall surface. Silver, gold, or mill finish window frames are prohibited.

**Doors:** Doors, like windows in Southwestern architecture, are typically rectangular or round headed. Doors should relate to the selected architectural style. The doorway should be fully recessed in order to convey the appearance of thick, protective exterior walls in Spanish Colonial, Mediterranean, and Pueblo styles. In Territorial and Southwest Traditional architectural styles, doors are set flush with the wall surface. Southwestern doors are traditionally wood with a “heavy” look as well as being detailed.

**Garage Doors:** The design of the garage doors should relate to the main building architectural style. Colors should be selected from the approved color palette. The design treatments include color accents and architectural features such as pediments, molding, small roofs, overhangs, and furr-outs to recess the garage door.

**Columns and Archways:** When used, stucco columns should be square, rectangular, or round, and appear massive in thickness. Capitals and column bands are encouraged. At the bottom of the column, a base should be incorporated into all columns. The column height should be four to five times the width of the column.

The use of arches is appropriate for selecting southwestern architectural styles. Arches may have variations such as semi-circular, parabolic, or flat, and will be in regular series with columns as supports or walls. Covered walks, patios, and colonnades should be enriched by having textured paving.

**Chimneys:** Chimneys should continue to have the same texture and materials of the building. The chimney caps should repeat the facie cornice band or other treatment which integrate the trim colors. Caps are encouraged along with accents. Decorative metal caps that match the trim colors are permitted.

**Gutter and Downspouts:** Exposed gutters will be colored to match the roof or wall material. Exposed downspouts will be colored to match the surfaces to which they are attached.

**Skylights:** Skylights are to be designed as an integral part of the roof. Skylight glazing will be clear or solar bronze. White glazing is prohibited. Skylight framing materials must be colored to match or blend with the roof.

**Mailboxes:** Mailboxes should be coordinated within each individual development area. Their color and materials should be coordinated with the structure(s) it serves. Other standards for mailboxes will be reviewed by the Master Developer.

**Exterior Lighting:** All exterior building lighting will be a consistent southwestern desert theme. Energy conserving lamps are encouraged.

**Solar Panels:** Solar panels are discouraged but will be reviewed by the Master Developer.

**Awnings:** Fabric awnings are permitted in moderation. Metal awnings will be reviewed by the Master Developer.

**Mechanical Equipment:** All air conditioning/heating equipment, soft water tanks, electric self-timer boxes for sprinklers or exterior lighting will be screened.

**Security Gates and Gate Arms:** Security gates and gate arms will be subject to review by the Master Developer. Approval by the appropriate jurisdictional fire department is also required.

## D. Landscape

**Purpose and Concept:** The purpose of establishing Landscape Architectural Design Guidelines is to provide a reference for planning and designing of development. The intent of these guidelines is not to require rigid adherence to a particular landscape style or to limit the range of materials or colors. More correctly, the guidelines should be used to achieve continuity and a standard of quality throughout the larger visual context.

A landscape planting theme will be established creating a community framework for all common and public areas. Consistent landscape planting will be encouraged to use native southwestern plants and other drought tolerant species (See Appendix F). This landscape structure will provide each development area with a separate identity, as well as to link the various areas together in a cohesive community. Landscaping should be in compliance with the City of Eloy landscape ordinance.

**Streetscape Concept:** The streetscape is among the most prominent landscape elements within the project. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property. There are two levels of streetscape treatment in Eloy Valley:

Primary Corridors: The primary corridors through the project set the overall community theme. Thematic plantings and treatments will be consistent along these corridors. Design review for these areas will be consistent with the Geographic Review Zone 3 found in this section. Recommended plant materials are listed in Appendix F: Zone #1.

Interior Project Streets: Individual neighborhoods may feature landscaping or street tree themes to create neighborhood identity. Plants are to be selected from Appendix F: Zone #2 plant palette with each development choosing one street tree.

**Entry Feature Statement:** Eloy Valley contains a series of entry features with an integrated design of landscape, hardscape, monumentation, and signage. Entry features aid in defining the community's character and present an introduction to the development. The hierarchy of these entry features is as follows:

Primary, or "Major" Enny Statements: The Primary Entry Statements serve as a gateway to the project. The statement, seen from a distance, provides the backdrop for the project name and logo. It signifies arrival and establishes the theme of the development.

Secondary, or "Village" Entry Statements: The Secondary Entry Statements also signify the arrival into Eloy Valley, or a Village. The design of these statements will be similar to the Primary Statements but smaller in scale. The Secondary Statements may be along the main collector roads, or entry roads, and will identify a cluster of subdivisions using a village name or identify Eloy Valley.

Subdivision Entry Statements: Each individual builder subdivision may have a unique entry feature to provide individual identity to the development. Entry features may include a combination of some of the following elements: entrance paving (such as bomanite), fountains, distinctive landscape treatment, planters, special wall treatment, etc. Geographic Review Zone 2 and Landscape Zone #1 plant palette applies to all entries.

**Project Edges:** The project edges are an important landscape element within the project.

The boundary of the project should not be an abrupt edge but should be a gradual transition to the adjoining landscape. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property.

Where Eloy Valley adjoins an off-site roadway, treatment may be required to screen residents from traffic. The use of dense plantings of native evergreens and shrubs will be used for sound attenuation and visual screening. A fence or wall screened on both sides by native plant material may be used in combination as well. Plants for projects edges should be selected from Zone #1 plant palette found in Appendix F.

Eloy Valley property adjoining residential, or school areas will require landscape treatment to preserve the privacy of Eloy Valley residents. In these areas visual screening and noise buffering are suggested. Dense hedges or walls are permitted.

**Hardscape Design Elements:** Hardscape design elements serve aesthetic as well as functional uses. Elements such as paving, mailboxes, benches, bus shelters, and trash receptacles create opportunities to reinforce the design theme of Eloy Valley.

The following are characteristics to be used in evaluating all hardscape items:

- Security, safety, comfort, and convenience of the user, including the disabled.
- Simple in function and design.
- Compatible in form, color, and scale with surroundings and other street furniture.
- Furniture should be placed to minimize safety, policing, and security hazards.
- Cost effective.
- Street furniture should be incorporated in park or landscape spaces and off-street amenity areas to the greatest extent possible.

**Drainageways and Retention/Detention Basins:** Drainageways and retention/detention basins form the major open space within the community. It is important for drainageways to remain as contiguous as possible so that they can function effectively as corridors. In addition, the open space provides visual relief along vehicular routes and creates and enhances the value of adjacent residential neighborhoods.

Hydrological site elements can have multi-purpose uses, such as areas for golf, drainage, open space, recreational trails, and buffers between different land uses. Contiguous wash systems can provide linkages between larger open space areas and housing uses.

Drainageway revegetation treatments shall be used wherever possible. Stabilization of washes shall be used when the hydrology of the situation demands it. Native river rock should be used along the wash slopes to further stabilize slopes when required. Altered wash slopes and retention/detention basins shall be planted with hydroseed or bank covers and shrubs to prevent excessive erosion and create a more natural appearance.

**Revegetation and Erosion:** Graded areas subject to substantial erosion shall be revegetated prior to seasonal rains for erosion control. Revegetation shall be with native

plant materials and/or a native seed mix (See Appendix F).

## E. Monumentation and Signage

**Purpose and Concept:** A quality monumentation and signing program will be developed and administered by the Master Developer to inform and direct the prospective buyers. Both monuments and signs will reflect the desert theme. In addition to the Eloy Valley Specific Plan, or the City of Eloy requirements that apply to monuments and signage, the Master Developer will review and apply further conditions.

Major Monumentation: Areas along the main entry of Eloy Valley, and at key designated intersection locations, are designed at the primary entry and at key identification points for Eloy Valley. These features will depict the style of Eloy Valley. Towers, theme walls, the use of theme landscaping and flowering plant material, with splashes of color, will portray the desert flavor of Eloy Valley.

**Village Monumentation:** Smaller-scale Entry/Village monuments may identify a cluster of subdivisions along collector streets within the residential communities or identify entry into Eloy Valley. These features may contain the same design elements as the Major Monumentation, although they will be presented on a smaller scale.

**Subdivision Monumentation:** These smaller-scale monuments may be incorporated into each neighborhood by the project builder. The design of this feature should be consistent with the materials of Eloy Valley. Entry designs may be reviewed by the Master Developer. Signing will reflect the character of each neighborhood while conforming to the overall Eloy Valley southwestern desert theme.

**Street Signs:** Street signs installed by the Master Developer will be the standard street signs approved by the City of Eloy or a "custom-designed" sign approved by the Master Developer and the City of Eloy's Planning Director and Engineer.

**Directional and Commercial Signage:** Signs for any given development parcel must be submitted to the Master Developer for approval prior to submittal to the City of Eloy for any sign permits. The Master Developer is responsible for final interpretation of the guidelines and may, at its discretion, modify them to accommodate any unforeseen circumstances. The City of Eloy sign code shall govern sign

# VI. SPECIFIC PLAN IMPLEMENTATION

## A. Purpose

The regulations and guidance contained within the Specific Plan prescribe the implementation of development. Procedures for the administration of Specific Plan provisions are contained in this section. This chapter also provides information regarding general administration, subdivision, amendment procedures, and the linkage between these elements.

The Eloy Valley Specific Plan will be implemented through the subdivision process. The subdivision process will allow for the creation of lots as tentative plat maps which will allow for implementation of the project phasing. The Eloy Valley Specific Plan and other official City of Eloy ordinances, policies, maps, and regulations will guide the plating.

## B. Definitions

Entities must be identified in order to assign responsibility for the implementation of the improvements for Eloy Valley. These entities are the Master Developer, District, and the Builder.

The Master Developer and/or the District are the entities responsible for insuring that the basic infrastructure facilities are planned and constructed to serve the development areas within the Eloy Valley Specific Plan.

The Builder is the purchaser of a development area, or portions of a development area, who will build infrastructure or provide for buildings within their areas of leasehold interest or ownership.

## C. General Implementation Responsibilities

Implementation of the Eloy Valley Specific Plan will be the responsibility of the Master Developer, District, or Builder.

## D. Roadway Phasing

The circulation system will be implemented in phases as development occurs. The required major street improvements as shown on the Specific Plan Circulation Map will be provided by the Master Developer, District, or Builder, in phases and built to City of Eloy standards.

The city will work cooperatively with the Master Developer to obtain other sources of financing for off-site roadway improvements such as from state or federal funding sources. The timing of the improvements will be based on measured ADTs generated by development within the project. The design process will begin within nine months of measured ADTs which exceed the service level requiring additional road capacity. Construction of said phased expansion will begin within 18 months of the ADT measurement. Timing of on-site and off-site road improvements will be in accordance

with the "Traffic Impact Analysis for Eloy Valley" prepared by CLA, dated December 2002, or as later amended. The Master Developer, District, or Builder will be responsible for constructing 100% of the on-site streets. Any expansion required of the I-10 overpass structure will be the responsibility of ADOT.

## E. Drainage and Flood Control Phasing

The drainage system will be implemented in phases as development occurs. The required regional drainage channels, roadside drainage channels, on-site stormwater retention basins, and regional stormwater retention basins, shown on the Water Resources Concept Plan, will be provided by the Master Developer or Builder in phases and built to City of Eloy Standards.

The drainage plan identifies areas that are owned or controlled by other property owners, and which may require assistance by the City of Eloy to acquire easements across portions of these lands to allow for the construction of a complete drainage system. Acquisition assistance will be at the discretion of the City, and all costs will be borne by the Master Developer.

## F. Public Utilities Phasing

Sewer System Implementation: The Eloy Valley project will include installation of significant sewage infrastructure including treatment facilities, lift-stations, and effluent reuse or recharge systems (See Eloy Valley Sewer Master Plan, prepared by Westland Resources, Inc.). Each phase or portion of the project will include design and installation of its own sewage collection system. Each substituent collection system will then be connected to laterals and mains which will be installed as part of a first phase 300,000 gallons per day, new treatment facility to serve Eloy Valley. Additionally, an interim package plant may be used and moved as needed as an interim solution.

An ultimate treatment facility capable of processing the sewerage generated by Eloy Valley will be developed. The rate of development and phasing of build-out has a direct effect on the economic viability and feasibility of various technologies and capacities which can be provided. As such, the city and the developer will cooperate on a phased approach of constructing the plant using sewer connection fees collected on the Eloy Valley residential, commercial, and industrial developments.

Creation of the Eloy Valley Sewage Treatment Facility will present a unique opportunity for recharge of effluent close to the source of generation. Potable waters which are created, or derived from other sources, and used within the Eloy Valley Specific Plan may be recharged in the sewage treatment facility, via infiltration basins, and the effluent reused through the use of recovery wells within the Eloy Valley community, as approved by A.D.E.Q. Any recharge credits granted by the Arizona Department of Water Resources will benefit the City of Eloy.

Water Distribution System: The Development will be served by multiple wells, surface storage tanks, and booster systems (See Eloy Valley Water Master Plan, prepared by Westland Resources, Inc.). The distribution will consist of main lines of sufficient size to serve both domestic demand and fire flow.

Existing farming wells may be utilized, if possible, and additional wells will be drilled to augment the water supply and add reliability to the distribution system. All expenses associated with improving existing wells, or installing new wells, and constructing pumping/reservoir facilities will be paid by the developer.

The water system's construction will proceed in general conformance with the project's roadway construction and will provide for an ever-expanding waterline loop system so as to maintain adequate pressure and reliability to all planning areas.

The Master Developer, District, or Builder will be responsible for design and construction of all on-site spine system improvements.

"Dry" Utilities: Electric, telephone, gas, and cable television utilities will be furnished to the site in accordance with servicing provisions and financial contributions mandated by each individual service provider. The Master Developer or Builder will bear all applicable costs for spine infrastructure in accordance with these provisions.

The phasing of these utilities will largely be the province of each service provider and will be determined at actual development review and processing.

## G. Transfer of Density

To ensure the orderly growth of a well-balanced community, the designated planning areas within the Eloy Valley Specific Plan will be developed at densities consistent with, or less than, the designated density ranges except as provided for in a density transfer. Modifications in the boundaries and acreage of planning areas or adjustment because of final road alignments, drainage, and retention basins will occur during technical refinements in the tentative plat map process and will not require an amendment to the Specific Plan. Maximum dwelling units per cumulative planning area will thereby be adjusted. The Eloy Valley Specific Plan residential dwelling unit cap shall be 20, 746 dwelling units.

A transfer of residential density from one residential planning area or sub-area to another residential area or sub-area is permitted within the Specific Plan in accordance with the following provisions:

***In no case shall transfer of dwelling units result in:***

1. Exceeding the overall Plan cap of 20,746 dwelling units;
2. Changing the existing density classification any higher than the next highest classification;
3. Exceeding the capacity of the circulation system or other public facilities as

established for the Specific Plan area without a subsequent change in the infrastructure system to accommodate the increase in dwelling units.

At time of approval of respective tentative plats by the City of Eloy, a revised Specific Plan map and planning area summary should be submitted for all transfers of density. Said map and table should also indicate the remaining numbers of units, if any, that may be accommodated without exceeding the maximum density cap. Dwelling units not transferred at the time of platting or development plan should be deducted from the overall dwelling unit cap as an administrative amendment. Said exhibit and table should be dated accordingly. Transfers of density will be reviewed for conformance with this Specific Plan.

Transferring density that results in a change to the density of a higher or lower category will require the application of development regulations for that new category. This will apply only to the portion of a planning area or sub-area ("sub-pod") that is adjusted by the density transfer.

## H. Site Plan Review Procedures

The Specific Plan shall be implemented through the review process of Special Use Permits, Development Plans, and/or Plats. The review process shall include the applicant and the City of Eloy.

A drainage report for the Specific Plan areas must be approved by the City Engineer prior to the issuance of grading permits or any other permits for development activity within those Specific Plan areas.

All proposed projects within the Specific Plan area shall be required to have an approved plat prior to issuance of building permits, conditional use permits, or any other *City* of Eloy permit for the property. Plant salvage, clearing, grading and models can occur after tentative plat is approved if assurances in a form acceptable to the City are posted prior to the issuance of permits. The plan review procedure is necessary for the following reasons:

1. To ensure consistency with the Specific Plan, the City of Eloy land use policies and all implementing ordinances and development policies;
2. To promote the highest contemporary standards of site design;
3. To adapt to specific or special development conditions that occur from time to time while continuing to implement the Specific Plan and conform development to the City of Eloy land use policies and implementing ordinances;
4. To facilitate complete documentation of authorized land use entitlement and pertinent conditions;
5. To adapt to substantial changes that may occur with respect to the circumstances under which the project is undertaken.

## I. Specific Plan Administration

### 1. Enforcement:

The Eloy Valley Specific Plan shall be administered and enforced by the City of Eloy Planning and Development Services Department in accordance with the provisions of the City of Eloy Zoning Code.

### 2. Administrative Change:

Certain changes to the explicit provisions in the Specific Plan may be made administratively by the Planning Director. If the request is determined to be an "insubstantial change," the proposed amendment. may be approved by the Planning Director. The following types of changes to explicit provisions in the Specific Plan may be made administratively by the Planning Director:

a. Revisions to the actual size (acreage) of planning areas, due to accurate measurements and refinements made at the time of platting, which do not increase the development capacity in the Specific Plan area;

b. The addition of new information to the Specific Plan maps or text that does not change the effect of any regulations or guidelines;

# APPENDICES

# Appendix A: Ownership and Tax Codes

## PRINCIPALS AND DEVELOPMENT TEAM
## CITY OF ELOY REZONING

Provide a list of persons involved in this development proposal. This includes property owner(s) and potential buyers of record and members of the development team. If the property owner or buyer is a partnership, list the partners. This information will assist the Commission and City Council to identify potential conflicts of interest.

**PRINCIPAL OWNERS:**

**Marklin Properties, LLC**
Michael Musulin (Managing Member)

**Muzz Investments, LLC**
Michael Musulin (Managing Member)
Linda Musulin (Member)

**Kaneris, LLC**
Bill Kaneris (Managing Member)

**PRINCIPAL BUYERS:** **N/A**

**DEVELOPMENT TEAM:**

**Marklin Properties, LLC**
Michael Musulin (Managing Member)

# OWNER'S PERMISSION FORM

This sheet must be completed if the applicant for a General Plan Amendment is **not** the owner of the property.

I/we, the Undersigned, do hereby grant permission to: **Gallagher & Kennedy, P.A.** to act on my/our behalf for the purpose of obtaining a General Plan Amendment on the following described property:

See Attached Legal Description(s)

**OWNER(S)**

**Marklin Properties, LLC**

Michael Musulin (Managing Member) — Date: 9-24-03

15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

**Muzz Investments, LLC**

Michael Musulin (Managing Member) — Date: 9-24-03

15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

**Kaneris, LLC**

Bill Kaneris (Managing Member) — Date: 9/24/03

7525 North 7th Street
Phoenix, Arizona 85020
(602) 944-7974

**CITY OF ELOY**
**REZONING APPLICATION**

**THIS FORM IS TO BE TURNED IN WITH OTHER DOCUMENTS AT THE PLANNING AND DEVELOPMENT DEPARTMENT.**

If the property owner(s) is not filing the application, please fill out the attached letter authorizing an applicant or project representative to file and pay the fees required for this application. You may write "See Attached" if needed.

**Zoning Case #:** _____

**Pre-Application Meeting Date:** _____

PROJECT NAME: Eloy Valley

PROPERTY LOCATION/ADDRESS: See Attached

ZONING TO BE CHANGED FROM: Agricultural TO Planned Area Development

PROPOSED USE: Master Planned Development

LEGAL DESCRIPTION: See Attached

TAX PARCEL NUMBER(S): See Attached

GROSS ACREAGE: ± 4,530

APPLICANT/FIRM NAME: Marklin Properties, LLC
CONTACT PERSON: Michael Musulin
MAILING ADDRESS: 15770 North Greenway/Hayden Loop, Suite 104
CITY: Scottsdale
STATE: Arizona
ZIP CODE: 85260
PHONE NUMBER: (480) 348-7452

DEVELOPER: Marklin Properties, LLC
CONTACT PERSON: Michael Musulin
MAILING ADDRESS: 15770 North Greenway/Hayden Loop, Suite 104
CITY: Scottsdale
STATE: Arizona
ZIP CODE: 85260
PHONE NUMBER: (480) 348-7452

1

PROPERTY OWNER(S): Marklin Properies, LLC
15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

Muzz Investments, LLC
15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

Kaneris, LLC
7525 North 7th Street
Phoenix, Arizona 85020
(602) 944-7974

**SIGNATURE(S) OF PROPERTY OWNER(S) OR REPRESENTATIVE(S):**

**Marklin Properties, LLC**

Michael Musulin (Managing Member) — Date: 9-24-03

**Muzz Investments, LLC**

Michael Musulin (Managing Member) — Date: 9-24-03

**Kaneris, LLC**

Bill Kaneris (Managing Member) — Date: 9/24/03

**OWNER VERIFICATION**
**CITY OF ELOY REZONING**

It is requested that an application for rezoning be accepted by the Planning and Development Department for property generally located at:

See Attached

Said property is legally described as:

See Attached

Said property is owned by:

**Marklin Properties, LLC**
Michael Musulin (Managing Member)
15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

**Muzz Investments, LLC**
Michael Musulin (Managing Member)
15770 North Greenway/Hayden Loop, Suite 104
Scottsdale, Arizona 85260
(480) 348-7452

**Kaneris, LLC**
7525 North 7th Street
Phoenix, Arizona 85020
(602) 944-7974

I hereby certify that the above information is correct, and that I am authorized to file an application on said property, being either the owner of record or authorized to file on behalf of the owner **(If not owner of record, attach owners authorization form)**.

**Marklin Properties, LLC**

Michael Musulin (Managing Member)

9-24-03
Date

**Muzz Investments, LLC.**

Michael Musulin (Managing Member)

9-24-03
Date

**Kaneris, LLC.**

Bill Kaneris (Managing Member)

9/24/03
Date

**ELOY VALLEY P.A.D. OWNERSHIP**
**+/- 4,530 ACRES**

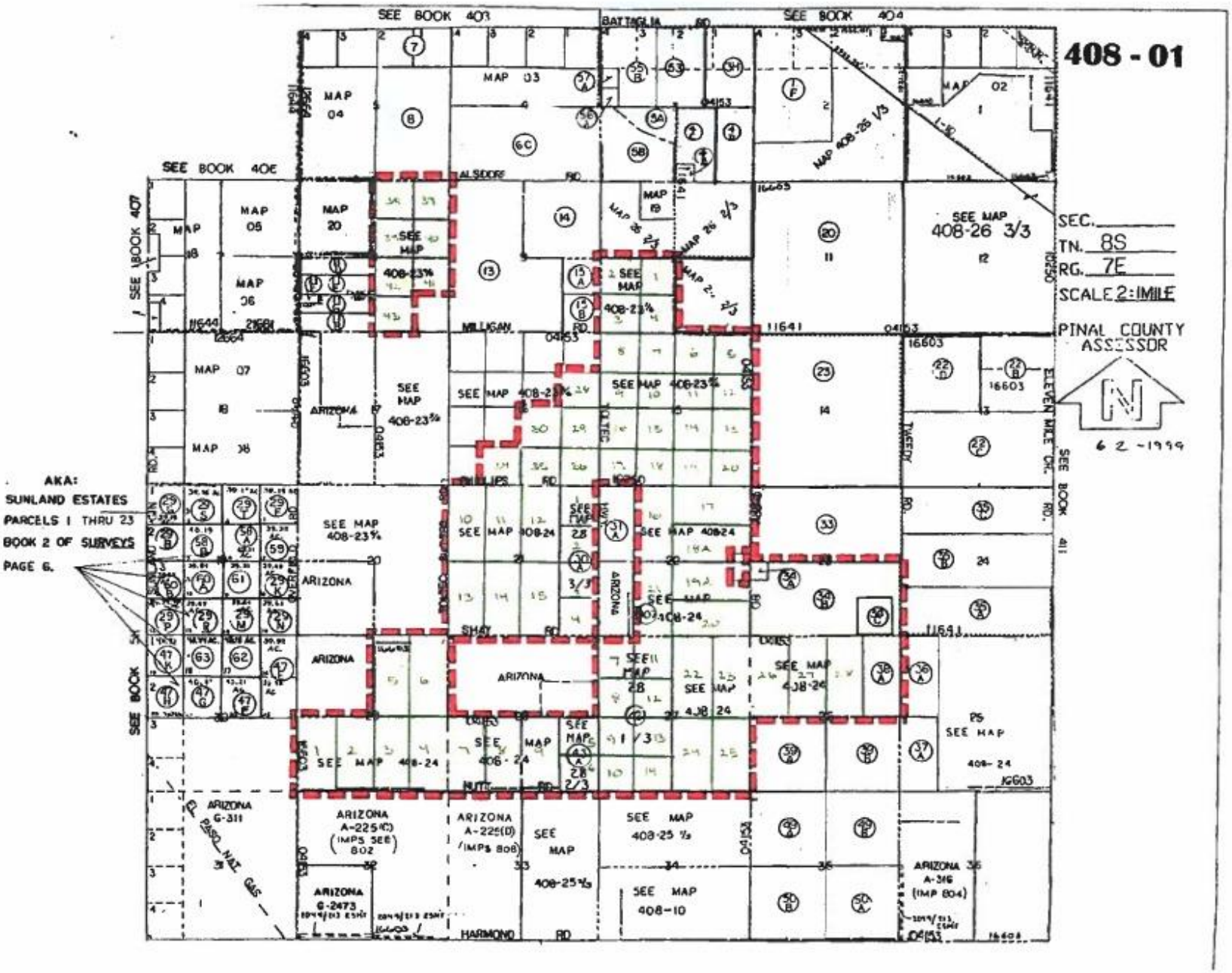
| Property Owner | Parcel Numbers | Legal Description |
|---|---|---|
| Muzz Investments, LLC | 408-01-034A | NW 1/4 NW 1/4 SW 1/4 OF SEC 23-8S-7E 10 AC |
| Muzz Investments, LLC | 408-01-034B | THE S 1/2 OF SEC 23-8S-7E EXC NW NW SW & PCL NOT IN C AI D D 270 AC |
| Muzz Investments, LLC | 408-01-034C | W 1/2 SE SE & W 1/2 E 1/2 SE SE & E1/2 E1/2 SW SE OF SEC 23-8S-7E 40.00 AC |
| Muzz Investments, LLC | 408-01-038A | E 1/2 NE OF SEC 26-8S-7E 80 AC |
| Muzz Investments, LLC | 408-23-037 | AMD ELOY VALLEY WEST LOT 37 SEC 8-8S-7E 41.16 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-23-038 | AMD ELOY VALLEY WEST LOT 38 SEC 8-8S-7E 41.54 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-23-039 | AMD ELOY VALLEY WEST LOT 39 SEC 8-8S-7E 41.43 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-23-040 | AMD ELOY VALLEY WEST LOT 40 SEC 8-8S-7E 41.05 AC BK 1 PG 139-142 |
| Kaneris, LLC | 408-23-041 | AMD ELOY VALLEY WEST LOT 41 SEC 8-8S-7E 40.79 AC BK 1 PG 139-142 |
| Kaneris, LLC | 408-23-042 | AMD ELOY VALLEY WEST LOT 42 SEC 8-8S-7E 40.82 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-23-043 | AMD ELOY VALLEY WEST LOT 43 SEC 8-8S-7E 40.75 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-24-001 | AGROCENTER ARIZONA FARMS: LOT 1 SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-002 | AGROCENTER ARIZONA FARMS: LOT 12SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-003 | AGROCENTER ARIZONA FARMS: LOT 3 SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-004 | AGROCENTER ARIZONA FARMS: LOT 4 SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-005 | AGROCENTER ARIZONA FARMS: LOT 5 SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-006 | AGROCENTER ARIZONA FARMS: LOT 6 SEC 29-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-007 | AGROCENTER ARIZONA FARMS: LOT 7 SEC 28-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-008 | AGROCENTER ARIZONA FARMS: LOT 8 SEC 28-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-009 | AGROCENTER ARIZONA FARMS: LOT 9 SEC 28-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-010 | AGROCENTER ARIZONA FARMS: LOT 10 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-011 | AGROCENTER ARIZONA FARMS: LOT 11 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-012 | AGROCENTER ARIZONA FARMS: LOT 12 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-013 | AGROCENTER ARIZONA FARMS: LOT 13 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-014 | AGROCENTER ARIZONA FARMS: LOT 14 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-015 | AGROCENTER ARIZONA FARMS: LOT 15 SEC 21-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-022 | AGROCENTER ARIZONA FARMS: LOT 22 SEC 27-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-023 | AGROCENTER ARIZONA FARMS: LOT 23 SEC 27-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-024 | AGROCENTER ARIZONA FARMS: LOT 24 SEC 27-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-025 | AGROCENTER ARIZONA FARMS: LOT 25 SEC 27-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-026 | AGROCENTER ARIZONA FARMS: LOT 26 SEC 26-8S-7E 80 AC |
| Kaneris, LLC | 408-24-027 | AGROCENTER ARIZONA FARMS: LOT 27 SEC 26-8S-7E 80 AC |
| Kaneris, LLC | 408-24-028 | AGROCENTER ARIZONA FARMS: LOT 28 SEC 26-8S-7E 80 AC |
| Muzz Investments, LLC | 408-28-001 | LOT 1 40.39 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 21-8S-7E |
| Muzz Investments, LLC | 408-28-002 | LOT 2 40.31 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 21-8S-7E |
| Muzz Investments, LLC | 408-28-003 | LOT 3 49.33 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 21-8S-7E |

**ELOY VALLEY P.A.D. OWNERSHIP**
**+/- 4,530 ACRES**

| Property Owner | Parcel Numbers | Legal Description |
|---|---|---|
| Muzz Investments, LLC | 408-28-004 | LOT 4 40.35 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 21-8S-7E |
| Muzz Investments, LLC | 408-28-005 | LOT 5 40.24 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 28-8S-7E |
| Muzz Investments, LLC | 408-28-006 | LOT 6 40.17 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 28-8S-7E |
| Muzz Investments, LLC | 408-28-007 | LOT 7 40.76 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-008 | LOT 8 40.75 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-009 | LOT 9 40.74 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-010 | LOT 10 40.74 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-011 | LOT 11 40.59 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-012 | LOT 12 40.68 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-013 | LOT 13 40.67 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Muzz Investments, LLC | 408-28-014 | LOT 14 40.67 AC SAWTOOTH RANCHES CAB C SLD 32 SEC 27-8S-7E |
| Marklin Properties, LLC | 408-23-001 | AMD ELOY VALLEY WEST: LT 1 SEC 10-8S-7E 40.20 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-002 | AMD ELOY VALLEY WEST LOT 2 SEC 10-8S-7E 40.13 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-003 | AMD ELOY VALLEY WEST LOT 3 SEC 10-8S-7E 40.10 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-004 | AMD ELOY VALLEY WEST LOT 4 SEC 10-8S-7E 40.17 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-028 | AMD ELOY VALLEY WEST LOT 28 SEC 16-8S-7E 40.43 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-029 | AMD ELOY VALLEY WEST LOT 29 SEC 16-8S-7E 40.39 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-030 | AMD ELOY VALLEY WEST LOT 30 SEC 16-8S-7E 40.40 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-034 | AMD ELOY VALLEY WEST: LT 34 EXC W-100' OF E-240.84' OF N-100' OF S-150' THEREOF SEC 16-8S-7E 40.15 AC |
| Marklin Properties, LLC | 408-23-035 | AMD ELOY VALLEY WEST LOT 35 SEC 16-8S-7E 40.36 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-036 | AMD ELOY VALLEY WEST LOT 36 SEC 16-8S-7E 39.88 AC BK 1 PG 139-142 |
| Muzz Investments, LLC | 408-24-016 | AGROCENTER ARIZONA FARMS: LOT 16 SEC 22-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-017 | AGROCENTER ARIZONA FARMS: LOT 17 SEC 22-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-018A | AGROCENTER ARIZONA FARMS: S1/2 NE OF SEC 22-8S-7E (LT 18) EXC SE SE NE THEREOF SEC 22-8S-7E 70.00 AC |
| Muzz Investments, LLC | 408-24-019A | AGROCENTER ARIZONA FARMS: N1/2 SE OF SEC 22-8S-7E (LT 19) EXC N1/2 NE NE NE SE THEREOF SEC 22-8S-7E 78.75 AC |
| Muzz Investments, LLC | 408-24-020 | AGROCENTER ARIZONA FARMS: LOT 20 SEC 22-8S-7E 80 AC |
| Muzz Investments, LLC | 408-24-021 | AGROCENTER ARIZONA FARMS: LOT 21 SEC 22-8S-7E 80 AC |
| Marklin Properties, LLC | 408-23-005 | AMD ELOY VALLEY WEST LOT 5 SEC 15-8S-7E 40.36 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-006 | AMD ELOY VALLEY WEST LOT 6 SEC 15-8S-7E 40.42 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-007 | AMD ELOY VALLEY WEST LOT 7 SEC 15-8S-7E 40.49 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-008 | AMD ELOY VALLEY WEST LOT 8 SEC 15-8S-7E 40.63 AC BK 1 PG 139-142 |

**ELOY VALLEY P.A.D. OWNERSHIP**
**+/- 4,530 ACRES**

| Property Owner | Parcel Numbers | Legal Description |
|---|---|---|
| Marklin Properties, LLC | 408-23-009 | AMD ELOY VALLEY WEST LOT 9 SEC 15-8S-7E 40.55 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-010 | AMD ELOY VALLEY WEST LOT 10 SEC 15-8S-7E 40.48 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-011 | AMD ELOY VALLEY WEST LOT 11 SEC 15-8S-7E 40.41 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-012 | AMD ELOY VALLEY WEST LOT 12 SEC 15-8S-7E 40.13 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-013 | AMD ELOY VALLEY WEST LOT 13 SEC 15-8S-7E 40.33 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-014 | AMD ELOY VALLEY WEST LOT 14 SEC 15-8S-7E 40.39 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-015 | AMD ELOY VALLEY WEST LOT 15 SEC 15-8S-7E 40.46 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-016 | AMD ELOY VALLEY WEST LOT 16 SEC 15-8S-7E 40.53 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-017 | AMD ELOY VALLEY WEST LOT 17 SEC 15-8S-7E 40.52 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-018 | AMD ELOY VALLEY WEST LOT 18 SEC 15-8S-7E 40.45 AC BK 1PG 139-142 |
| Marklin Properties, LLC | 408-23-019 | AMD ELOY VALLEY WEST LOT 19 SEC 15-8S-7E 39.92 AC BK 1 PG 139-142 |
| Marklin Properties, LLC | 408-23-020 | AMD ELOY VALLEY WEST LOT 20 SEC 15-8S-7E 39.85 AC BK 1PG 139-142 |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BOOK 2 OF SURVEYS
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SEE BOOK 403
SEE BOOK 404
SEE BOOK 406
SEE BOOK 407
SEE BOOK 411
BATTAGLIA RD
ALSDORF RD
MILLIGAN RD
PHILLIPS RD
SHAY RD
HARMOND RD
ELEVEN MILE CR. RD.
TWEEDY RD
ARIZONA
SEE MAP 408-23 3/3
SEE MAP 408-24
SEE MAP 408-25 1/3
SEE MAP 408-10
ARIZONA A-225(C) (IMPS SEE 802)
ARIZONA A-225(D) (IMPS 808)
ARIZONA G-311
ARIZONA G-2473
ARIZONA A-316 (IMP 804)
EL PASO NAT. GAS

# LEGAL DESCRIPTIONS

## *ELOY VALLEY ± 4,530 ACRE P.A.D.*

**408-23-037; 038; 039; 040; 041; 042; 043** Parcels 37, 38, 39, 40, 41, 42, and 43 of ELOY VALLEY WEST, according to the survey of record in the office of the Country Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 8, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-24-016** The East half of the Northwest quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-24-017** The North half of the Northeast quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-24-018-A** The South half of the Northeast quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

EXCEPT the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 22.

**408-24-019-A** The North half of the Southeast quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

EXCEPT the North half of the Northeast quarter of the Northeast quarter of the Northeast quarter of the Southeast quarter of said Section 22.

**408-24-020** The South half of the Southeast quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-24-021** The East half of the Southwest quarter of Section 22, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-24-001 thru 015; 408-24-022 thru 028; 408-28-001 thru 014** The East half of the East half of Section 21, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The West half of Section 27, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The East half of the East half of the South half of Section 28, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The West half; and the West half of the East half of Section 21, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The East half of Section 27, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The Southwest quarter; and the West half of the East half of the South half of Section 28, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The South half; and the Northeast quarter of Section 29, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

The Northwest quarter; and the West half of the Northeast quarter of Section 26, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

EXCEPT the South half of the West half of the Northeast quarter of Section 26, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-01-038-A** East half of the North East of Section 26, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**408-01-034-A; 034-B; 034-C** South half of Section 23, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

# LEGAL DESCRIPTION

**Parcel #**: 408-23-001

Parcels 1 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 10, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-002

Parcels 2 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 10, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-003

Parcels 3 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 10, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-004

Parcels 4 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 10, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-005

Parcels 5 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-006

Parcels 6 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-007

Parcels 7 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-008

Parcels 8 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-009

Parcels 9 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-010

Parcels 10 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-011

Parcels 11 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-012

Parcels 12 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-013

Parcels 13 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-014

Parcels 14 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-015

Parcels 15 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-016

Parcels 16 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-017

Parcels 17 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-018

Parcels 18 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-019

Parcels 19 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1

of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-020

Parcels 20 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 15, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-028

Parcels 28 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-029

Parcels 29 Parcels 28 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-030

Parcels 30 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-034

Parcels 34 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

EXCEPT West 100 feet of East 240.84 feet; North 100 feet of South 150 feet.

**Parcel #**: 408-23-035

Parcels 35 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1

of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

**Parcel #**: 408-23-036

Parcels 36 of ELOY VALLEY WEST, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, Pages 134 through 137 and Amended in Book 1 of Surveys, Pages 139 through 142, being situated in Section 16, Township 8 South, Range 7 East of the Gila and Salt River Meridian, Pinal County, Arizona.

# Appendix B: Legal Description

## PLANNED AREA DEVELOPMENT REZONING

### LEGAL DESCRIPTION

ALL OF THOSE PORTIONS DESCRIBED HEREIN IN TOWNSHIP 08 SOUTH, RANGE 07 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA;

THE EAST HALF OF SECTION 8 EXCLUDING THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER THEREOF;

THE SOUTHWEST QUARTER OF SECTION 10;

SECTION 15;

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16;

THE SOUTHEAST QUARTER OF SECTION 16;

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16;

SECTION 21;

SECTION 22 EXCLUDING THE WEST HALF OF THE WEST HALF, THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER THEREOF;

THE SOUTH HALF OF SECTION 23;

THE NORTH HALF OF SECTION 26;

SECTION 27;

SOUTH HALF OF SECTION 28;

SOUTH HALF OF SECTION 29;

NORTHEAST QUARTER OF SECTION 29;

THE STATE OF ARIZONA
**GAME AND FISH DEPARTMENT**
2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399
(602) 942-3000 • WWW.AZGFD.COM

**GOVERNOR**
JANE DEE HULL
**COMMISSIONERS**
CHAIRMAN, MICHAEL M. GOLIGHTLY, FLAGSTAFF
JOE CARTER, SAFFORD
SUSAN E. CHILTON, ARIVACA
W. HAYS GILSTRAP, PHOENIX
JOE MELTON, YUMA
**DIRECTOR**
DUANE L. SHROUFE
**DEPUTY DIRECTOR**
STEVE K. FERRELL

## Appendix C: Arizona Game and Fish Letter

RECEIVED
NOV 15 2002

November 14, 2002

Ms. Amanda Best
WestLand Resources, Inc.
2343 E. Broadway Blvd.
Suite 202
Tucson, AZ 85719

Re: Special Status Species Information for **Township 8 South, Range 7 East, Sections 7-10, 14-17, 20-23; Eloy Rezoning, WestLand Job No. 901.01 A 3300.**

Dear Ms. Best:

The Arizona Game and Fish Department (Department) has reviewed your letter, dated November 1, 2002, regarding special status species information associated with the above-referenced project area. The Department's Heritage Data Management System (HDMS) has been accessed and current records do not indicate the presence of any special status species as occurring in the project vicinity (5-mile buffer). In addition, this project does not occur in the vicinity of any proposed or designated Critical Habitats.

The Department's HDMS data are not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity.

Making available this information does not substitute for the Department's review of project proposals, and should not decrease our opportunities to review and evaluate new project proposals and sites. The Department is also concerned about other resource values, such as other wildlife, including game species, and wildlife-related recreation. The Department would appreciate the opportunity to provide an evaluation of impacts to wildlife or wildlife habitats associated with project activities occurring in the subject area, when specific details become available.

Arizona State Museum
P.O. Box 210026
Tucson, AZ 85721-0026
(520) 621-6302
FAX: (520) 621-2976

THE UNIVERSITY OF
ARIZONA®
TUCSON ARIZONA

RECEIVED
OCT 16 2002

October 14, 2002

Amanda Best
Westland Resources, Inc.
Engineering and Environmental Consultants
2343 East Broadway Blvd. Suite 202
Tucson, Arizona 85719

Re: request dated October 8, 2002

Dear Ms. Best:

Further research has indicated that limited data recovery has been conducted at one of the sites that occurs on the land you were inquiring about: AZ AA:6:3(ASM). These investigations were carried out by Northland Research in 1988 as part of the mitigation of cultural resources affected by the construction of the Central Arizona Irrigation and Drainage District (CAIDD), Central Unit II and III irrigation systems (see Henderson and Martynec 1993). According to their report, AZ AA:6:3(ASM) is a large Hohokam village site encompassing some 60 ha, of which less than 0.1% was excavated. In this small portion of the site, 497 features were identified including several burials and a cemetery area. Because data recovery was restricted to the right-of-way-corridor, Northlands recommended that the site "should not be considered 'mitigated,' as a wealth of information still exists in those areas of the site… that were not examined" (Nimwegen and Henderson 1991, p. 47).

Because of the existence of this important site within your project area, ASM recommends that an approved Data Recovery Plan be developed specifically for this site that addresses its importance in the larger Santa Cruz Flats Archaeological Project Area. Any of the archaeological contractors on the enclosed list will be knowledgeable in the preparation of such a data recovery plan, and in obtaining the necessary permits and burial agreements required for excavation. Please note that the site density in surveyed areas near your project area is extremely high, and that there is a high probability of other important sites being discovered as a result of the survey recommended in the enclosed letter dated October 11, 2002.

If you have questions or need further assistance please contact me.

Sincerely,

Su Benaron
Assistant Permits Administrator
520-621-2096 or FAX at 520-621-2976
sbenaron@email.arizona.edu
enc.

Attachment 2

# Appendix E: Westland Resources Cultural Resources Overview

**TECHNICAL MEMORANDUM**

| | |
|---|---|
| **Prepared for:** | MARKLIN PROPERTIES, LLC |
| **Prepared by:** | WestLand Resources, Inc. |
| **Date:** | November 15, 2002 |
| **Subject:** | **CLASS I CULTURAL RESOURCES FOR THE PROPOSED ELOY REZONING PROJECT AREA WESTLAND JOB NO. 901.01 A 3300** |

## INTRODUCTION

Westland Resources, Inc. (WestLand) was retained by Marklin Properties, LLC (client) to conduct a Class I Cultural Resources overview for the vicinity of the proposed Eloy Rezoning Project Area located within Township 8 South, Range 7 East, S ½ and NE ¼ of Section 8, Section 9, SW ¼ of Section 10, Sections 14, 15, 16, 17, 20, 21, 22, and 23). A Class I Cultural Resources Survey is a records review that is implemented to locate cultural resource sites that have already been uncovered within the proposed project area. The records review was conducted by the staff at the Arizona State Museum (ASM) Site Files Department and included those areas within the above referenced legal description. The purpose of this technical memorandum is to summarize the findings of this records review.

## METHODS

A Class I Cultural Resources Survey was conducted within the vicinity of the proposed project site and included a review of the records at the ASM. Site files contain data collected by archeologists during previous surveys conducted within this vicinity. ASM personnel conducted a site file search on the subject property the week of October 7, 2002.

## RESULTS

The records review of the subject area that was conducted at the ASM revealed that one survey had been conducted, 1990-63.ASM, and two sites had been previously recorded for Township 8 South, Range 7 East, S ½ and NE ¼ of Section 8, Section 9, SW ¼ of Section 10, Section 14, 15, 16, 17, 20, 21, 22, and 23 (Attachment 1).

## CONCLUSION

A site file search was conducted for those areas within the vicinity of the proposed Eloy Rezoning Project Area. The proposed project area has been subjected to one survey, 1990-63.ASM, which covered limited areas within the proposed project area (Attachment 1). There are two known archaeological sites within this area that contain significant archaeological remains, AZ AA:6:3 (ASM) and AZ AA:6:35 (ASM) (Attachment 1). The ASM Site Files Department's research indicated that investigations of AZ AA:6:3 by Northland Research in 1988 uncovered a large Hohokam village site encompassing 60 ha (approximately 148 acres) where 497 features were found including burial sites. ASM also indicated that less than 0.1 percent of this area was excavated.

In a response to WestLand's request for a site file search of the subject area, the ASM Assistant Permits Administrator, Su Benaron, recommended an archaeological surface inspection of the proposed project area to determine if additional important prehistoric or historic sites are on the land and an approved Data Recovery Plan for AZ AA:6:3 (ASM) archaeological site that will address its significance in the larger Santa Cruz Flats Archaeological Project Area (Attachments 1 and 2). This recommendation was made based on extensive evidence of prehistoric sites found from surveys that have been conducted in surrounding areas. However, the requirement to conduct archaeological survey for clearance only pertains to projects that fall under federal nexus (i.e. National Pollutant Discharge Elimination System (NPDES) or Section 404 of the Clean Water Act).

Additionally, pursuant to Arizona Revised Statute 41-844, should mortuary remains be uncovered during project clearance activities, work should stop at that location and a qualified archaeologist should be brought in to examine the remains.

Attachments: Response Letter from ASM dated October 11, 2002 (map attached)
Response Letter from ASM dated October 14, 2002

**TECHNICAL MEMORANDUM**

**Prepared for:** Mr. Tim Ensign
Marklin Propoerties, LLC

**Prepared by:** WestLand Resources, Inc

**Date:** November 14, 2002

**Subject:** **PRELIMINARY ENVIRONMENTAL AND BIOLOGICAL ANALYSIS FOR THE ELOY REZONING PROJECT**
WestLand Resources, Inc Job No. 901.01

## INTRODUCTION

This report documents the findings of a preliminary environmental and biological analysis conducted on behalf of the Marklin Propoerties, LLC for their proposed Eloy Rezoning project located in Township 8 South, Range 7 East in Pinal County. WestLand Resources, Inc. (WestLand) was retained by Marklin Properties, LLC to conduct this analysis for the approximately 14- square mile proposed project area. The objectives of this analysis are to 1) document existing conditions on the site and 2) determine the potential for the occurrence of and any adverse impacts the project may have on special status species or designated critical habitat. The special status species considered in this document include U.S. Fish & Wildlife Service (USFWS) listed (endangered and threatened), proposed, and candidate species for Pinal County and special status species as identified by the Arizona Game and Fish Department (AGFD). The USFWS federal list of species for Pinal County is included as Attachment 1 and a response letter dated November 14, 2002 from the AGFD regarding special status species information within the subject area is included as Attachment 2.

## METHODS

To evaluate the potential occurrence of special status species within the project area, WestLand characterized existing habitat components within the project area to allow for comparisons with habitats known to support special status species considered in this document. This was accomplished through review of habitat descriptions and geographic ranges of species on the USFWS Pinal County list of threatened, endangered, proposed, and candidate species, and evaluation of the site for its potential to support the species on the list. A WestLand biologist visited the site on November 7, 2002 to perform site evaluation.

# RESULTS

## SITE DESCRIPTION

The approximately 14-square mile Eloy Rezoning Project Area is located just west of Eloy and Interstate-10 within the Santa Cruz Flats (Township 8 South, Range 7 East). Viewsheds from the subject property include the Picacho Mountains to the east, the Sawtooth Mountains to the southwest, the Silver Reef Mountains to the west, and the Casa Grande Mountains to the northwest.

Elevations range from approximately 1,510 feet above mean sea level (amsl) in northwest portions to approximately 1,610 feet amsl in southeast portions of the subject area. Soils within the subject area are identified by Hendricks (1985) as Casa Grande-Mohall-La Palma Association, which are described as deep stratified, coarse to fine textured, nearly level to gently sloping soils on floodplains and lower alluvial fans[1]. There is no perennial water and there are no caves, adits, shafts, rock outcroppings, or cliffs within the subject area.

## VEGETATION

The subject area occurs within Lower Colorado River Valley subdivision of the Sonoran desertscrub biotic community[2]. However, the subject area consists mainly of agricultural lands. As such, diversity of vegetation generally is less than that found in typical Lower Colorado River Valley subdivision habitats, creating an open canopy and bare ground throughout significant portions of the area. Vegetation that was commonly noted in the subject area includes mesquite (*Prosopis velutina*), Mexican palo verde (*Parkinsonia aculeata*), burroweed (*Isocoma tenuisecta*), Russian thistle (*Salsola* sp.), desert broom (*Baccharis sarothroides*), mustard species (*Sisymbrium* sp.), Johnson grass (*Sorghum halepense*), aster species (*Helianthus* sp.). Generally speaking, irrigation canals occur along the Section gridlines throughout the subject area. Vegetation diversity and tree density and stature increases along these canals due to an ephemeral water supply provided there. Vegetation noted only along these canals includes cottonwood (*Populus* sp.) and arroweed (*Pulchea purpurascens*). The subject area has been highly disturbed due to agricultural activities, with large areas of monoculture (cotton) present and many disturbance-type species present along roadways (i.e. Russian thistle, desert broom, and Johnson grass). No saguaros (*Carnegiea gigantea*) were noted within approximately ¼-mile of the ROW.

## GENERAL WILDLIFE

[1] Hendricks, D.M. 1985. Arizona Soils. College of Agriculture, University of Arizona.
[2] Brown, D.E., ed). 1994. Biotic Communities of the American Southwest: United States and Mexico. Desert Plants 4(1-4):1-342.

Wildlife that was noted during the site evaluation included black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), common raven (*Corvus corax*), red-winged blackbird (*Agelaius phoeniceus*), American kestrel (*Falco sparverius*), prairie falcon (*Falco mexicanus*), red-tailed hawk (*Buteo jamaicensis*), loggerhead shrike (*Lanius ludovicianus*), turkey vulture (*Cathartes aura*), and mourning dove (*Zenaida macroura*).

### INITIAL SCREENING ANALYSIS

The USFWS lists 18 special status species (federally endangered, threatened, proposed, and candidate species, and species with federal conservation agreements) as occurring or suspected to occur within Pinal County (Attachment 1). The AGFD Heritage Data Management System (HDMS) does not indicate the presence of any special status species as occurring in the subject area (Attachment 2). Upon initial review of the federal list and subject area, it was determined that there is low to no potential for the occurrence of all the species found on this list and there is no designated critical habitat within the subject area. These species have ranges that do not include the project area and/or are found in habitats dissimilar to those within the proposed project area and, therefore, are not expected to occur within the proposed project area. One species, the bald eagle (*Haliaeetus leucocephalus*), may occasionally fly over the subject area during migration but habitat within the subject area is not similar to habitats known to support this species. These determinations were based upon field habitat analysis and review of information available regarding the species, comparisons of information with habitats available at the project site, and the known ranges of the species.

## CONCLUSION

WestLand has evaluated the potential for the presence of the 18 special status species that are listed as federally endangered, threatened, proposed, and candidate species, and species with federal conservation agreements that are known or suspected to occur within Pinal County (Attachment 1). Of these species, all have low to no potential to occur within the subject area. Therefore, no adverse effects are expected to occur due to proposed project activities. There are no special status species that are known to occur within the subject area as indicated by the AGFD HDMS (Attachment 2).

Attachments: Listed, Proposed, and Candidate Species for Pinal County, Arizona
Response Letter from Arizona Game and Fish Regarding Special Status Species

## LISTED, PROPOSED, AND CANDIDATE SPECIES FOR PINAL COUNTY, ARIZONA

**(Main Source: U.S. Fish & Wildlife Department, Listed, Proposed, and Candidate Species for Arizona, November 28, 2001 with Website Updates))**

**TOTAL = 18**

| Name | Status | Critical Habitat | Recovery Plan | CFR | Description | Elevation Range (ft.) | Habitat |
|---|---|---|---|---|---|---|---|
| Arizona hedgehog cactus *(Echinocereus triglochidiatus arizonicus)* | Endangered | No | No | 44 FR 61556, 10-15-79 | Dark green cylindroid that is 2.5 to 12 inches in diameter, single or in clusters, 1 to 3 gray or pinkish central spines with the largest deflexed and 5 to 11 shorter radial spines. Flower: brilliant red, side of stem in April through May. | 3,700 – 5,200 | Ecotone between interior chapparal and madrean evergreen woodland. |
| Nichol's Turk's head cactus *(Echinocactus horizonthalonius* var. *nicholii)* | Endangered | No | No | 44 FR 61927, 10-26-97 | Blue-green to yellowish-green, columnar, 18 inches tall, 8 inches in diameter, spine clusters have 5 radial and 3 central spines (one downward short and 2 upward and red or basally gray). Flower: pink with woolly white fruit. | 2,400 – 4,100 | Sonoran desertscrub at the foot of limestone mountains and on inclined terraces and saddles on limestone mountains. |
| Lesser long-nosed bat *(Leptonycteris curasoae yerbabuena)* | Endangered | No | Yes | 53 FR 38456, 09-30-88 | Elongated muzzle with a small leaf nose and long tongue. Yellowish brown or gray above and cinnamon brown below. Tail minute and appears to be lacking. Easily disturbed. | less than 6,000 | Desertscrub habitat with agave and columnar cacti present as food plants. |
| Desert Pupfish *(Cyprinodon macularius)* | Endangered | Yes | Yes | 51 FR 10842, 03-31-86 | Small (2 inches), smoothly rounded body shape with narrow vertical bars on the sides. Breeding males are blue on the head and sides with yellow on tail. Females and juveniles have a tan- to olive-colored back and silvery sides. | less than 5,000 | Shallow springs, small streams, and marshes. Tolerates saline and warm water. |
| Gila topminnow (*Poeciliopsis occidentalis occidentalis*) | Endangered | No | Yes | 32 FR 4001, 03-11-67 | Small (2 inches), guppy-like, live bearing, and lacks dark spots on its fins. Breeding males are jet black with yellow fins. | less than 4,500 | Small streams, springs, cienegas, and with shallows. |

| Name | Status | Critical Habitat | Recovery Plan | CFR | Description | Elevation Range (ft.) | Habitat |
|---|---|---|---|---|---|---|---|
| Loach minnow *(Tiaroga cobitis)* | Threatened | Yes | Yes | 51 FR 39468, 10-28-86; 59 FR 10898, 03-08-94 | Small (less than 3 inches), slender, elongated fish. Olive colored with dirty white spots at the base of the dorsal and caudal fins. Breeding males are vivid red on mouth and base of fins. | less than 8,000 | Small to large perennial streams with swift, shallow water over cobble and gravel. |
| Razorback sucker *(Xyrauchen texanus)* | Endangered | Yes | Yes | 56 FR 54957, 10-23-91; 59 FR 13374, 03-21-94 | Large (up to 3 feet and up to 16 pounds), long with high, sharp-edged, keel-like hump behind the head. Flattened on top, olive-brown above to yellowish below. | less than 6,000 | Riverine and lucustrine areas. Generally, not in fast moving water and may use backwaters. |
| Spikedace *(Meda fulgida)* | Threatened | Yes | Yes | 51 FR 23769, 07-01-86; 65 FR 24327, 04-25-00 | Small (less than 3 inches long) and slim with silvery sides and "spine" on the dorsal and pelvic fins. Breeding males are a brassy golden color. | less than 6,000 | Moderate to large perennial streams in shallow riffles and moderate to swift currents or pools with a sand or gravel substrate. |
| Bald eagle (*Haliaeetus leucocephalus*) | Threatened | No | Yes | 60 FR 35999, 07-12-95 | Large. Adults have white head and tail. Height is 28 to 38 inches with a wingspan of 66 to 96 inches. Those one to four years of age are dark with varying degrees of mottled brown plumage. Feet bare of feathers. | varies | Large trees or cliffs near water (reservoirs, rivers, and streams) with abundant prey. |
| Brown pelican (*Pelecanus occidentalis californicus)* | Endangered | No | Yes | 35 FR 16047, 10-13-70; 35 FR 18320, 12-02-70 | Large, dark gray-brown, webbed-footed water bird with a pouch underneath its long bill. Adults have a white head and neck, brownish black breast, and silver-gray upper parts. | varies | Coastal land and islands. Arizona lakes and rivers. A subspecies is an uncommon transient in Arizona |
| Cactus ferruginous pygmy-owl *(Glaucidium brasilianum cactorum)* | Endangered | No | No | 62 FR 10730, 03-10-97 | Small (approximately 7 inches), diurnal owl. Reddish-brown overall color with cream-colored belly streaked with reddish brown. Some individuals are grayish brown. | less than 4,000 | Mature cottonwood/willow, mesquite bosques, and Sonoran desertscrub. |
| Mexican spotted owl (*Strix occidentalis lucida*) | Threatened | Yes | Yes | 56 FR 14678, 04-11-91; 66 FR 8530, 02-01-01 | Medium-sized with dark eyes and no ear tufts. Brownish and heavily spotted with white or beige. | 4,100 – 9,000 | Nests in canyons and dense forests with multi-layered foliage structure. |

| Name | Status | Critical Habitat | Recovery Plan | CFR | Description | Elevation Range (ft.) | Habitat |
|---|---|---|---|---|---|---|---|
| Southwestern willow flycatcher (*Empidonax traillii extimus)* | Endangered | Yes | No | 60 FR 10694, 02-27-95 | Small passerine (about 6 inches) with a grayish-green back and wings, whitish throat, light olive-gray breast and pale yellowish belly. Two wingbars are visible. Eye-ring is faint or absent. | less than 8,500 | Cottonwood/willow and tamarisk vegetation communities along rivers and streams. |
| Yuma clapper rail *(Rallus longirostris yumanensis)* | Endangered | No | Yes | 32 FR 4001, 03-11-67; 48 FR 34182, 07-27-83 | Water bird with long legs, short tail, and long, slender, decurved bill. Mottled brown on gray on its rump. Flanks and undersides are dark gray with narrow verticle stripes producing a barring effect. | less than 4,500 | Fresh water and brackish marches with dense emergent riparian vegetation. |
| Gila Chub (*Gila intermedia*) | Proposed Endangered | No | No | --------- | Deep compressed body, flat head, dark olive-gray color above, silver sides. Endemic to Gila River Basin. | 2,000 – 3,500 | Pools, springs, cienegas, and streams. |
| Mountain plover (*Charadrius montanus)* | Proposed Threatened | No | No | 64 FR 7587, 02-16-99 | Wading bird; compactly built; in breeding season with white forehead and line over the eye; contrasting with dark crown; nondescript in winter. Voice is a low, variable whistle. | varies | Open arid plains, short-grass prairies, and cultivated form. |
| Acuna Cactus *(Echinomastus erectocentrus acunensis)* | Candidate | No | No | --------- | Less than 12-inches high spine clusters borne on tubercles each with a groove on the upper surface. Two to three central spines and 12 radial spines. Flowers: pink to purple. | 1,300 – 2,000 | Well-drained knolls and gravel ridges in Sonoran desertscrub. |
| Yellow-billed cuckoo *(Coccyzus americanus)* | Candidate | No | No | 66 FR 38611, 07-25-01 | Medium-sized bird with a slender, long-tailed profile, and slightly down-curved bill, which is blue-black with yellow on the lower half. Plumage is grayish-brown above and white below with rufous primary flight feathers. | less than 6,500 | Large blocks of riparian woodlands (cottonwood, willow, or tamarisk galleries). |

## Appendix F: Recommended Plant Palette List

**LANDSCAPE ZONE #1 (Primary – Community Entry):**

| Botanical Name | Common Name |
|---|---|
| **Trees:** | |
| *Acacia* spp. | Acacia |
| *Bauhinia congesta* | Anacacho Orchid |
| *Carya illinoensis* | Pecan |
| *Cercidium* spp. | Palo Verde |
| *Chilopsis linearis* | Desert Willow |
| *Fraxinus greggii* | Gregg Ash, Littleleaf Ash |
| *Olea europaea 'Swan Hill'* | Fruitless Olive |
| *Olneya tesota* | Ironwood |
| *Palmae* spp. | Palm |
| *Pinus* spp. | Pine |
| *Pithecellobium* spp. | Ebony |
| *Prosopis* spp. | Hybrid Mesquite |
| *Quercus virginiana 'Heritage'* | Heritage Oak |
| **Shrubs:** | |
| *Acacia* spp. | Acacia |
| *Atriplex canescens* | Four Wing Saltbush |
| *Berberis* spp. | Barberry |
| *Caesalpinia gilliesii* | Bird of Paradise |
| *Caesalpinia pulcherrima* | Red of Paradise |
| *Calliandra eriophylla* | Fairy Duster |
| *Chamaerops humilis* | Mediterranean Fan Palm |
| *Coursetia microphylla* | Baby Bonnets |
| *Cupressus sempervirens 'Stricta'* | Italian Cyprus |
| *Dalea* spp. | Dalea |
| *Elaeagnus ebbingei* | Ebbing Silverberry |
| *Encelia farinose* | Brittlebush |
| *Feijoa sellowiana* | Pineapple Guava |
| *Jasminum mesneyi* | Primrose Jasmine |
| *Larrea tridentata* | Creosote |
| *Nolina* spp. | Bear Grass |
| *Plumbago scandens* | Plumbago |
| *Salvia* spp. | Salvia |
| *Simmondsia chinenesis* | Jojoba |
| *Sophora secundiflora* | Texas Mountain Laurel |

| | |
|---|---|
| *Vauquelinia californica* | Arizona Rosewood |
| *Viguiera deltoidei* | Goldeneye |
| *Vitex agnus-castus* | Monk's Pepper Tree |

**Accent Shrubs:**

| | |
|---|---|
| *Agaves* pp. | Century Plant |
| *Cactus* spp. | Cactus |
| *Dasylirion* spp. | Desert Spoon, Sotol |
| *Fouquieria splendens* | Ocotillo |
| *Opuntia* spp. | Prickly Pear |
| *Penstemon* spp. | Penstemon |
| *Yucca* spp. | Native Yuccas |

**Ground Covers/Vines:**

| | |
|---|---|
| *Antigonon leptopus* | Queen's Wreath |
| *Berlandiera lyrata* | Chocolate Flower |
| *Calylophys hartwegii* | Calylophus |
| *Dalea* spp. | Dalea |
| *Ficus pumila* | Creeping Fig |
| *Mascagnia macroptera* | Yellow Orchid |
| *Oenothera* spp. | Primrose |
| *Rosa banksiae* | Lady Bank's Rose |
| *Rosmarinus officinalis* | Rosemary |
| *Teucrium chamaedrys* | Germander |
| *Verbena* spp. | Verbena |

**LANDSCAPE ZONE #2 (Secondary – Collector Entry):**

| **Botanical Name** | **Common Name** |
|---|---|

**Trees:**

| | |
|---|---|
| *Carya illinoensis* | Pecan |
| *Celtis reticulate* | Western Hackberry |
| *Cupressus arizonica* | Arizona Cyprus |
| *Fraxinus velutina* | Arizona Ash |
| *Pistachia chinensis* | Chinese Pistache |
| *Quercus virginiana 'Heritage'* | Heritage Oak |

**Shrubs:**

| | |
|---|---|
| *Buddleia marrubifolia* | Wooly Butterfly Bush |
| *Cassia* spp. | Cassia |
| *Cordia parviflora* | Little-Leaf Cordia |
| *Leucophyllum* spp. | Texas Ranger |
| *Myrtus communis* | Classic Myrtle |
| *Rosa banksiae* | Lady Bank's Rose |
| *Rosmarinus officinalis* | Rosemary |

**Accent Shrubs:**

| | |
|---|---|
| *Aloe barbadensis* | Aloe Vera |
| *Hesperaloe parviflora* | Red Yucca |
| *Muhlenbergia* spp. | Deer Grass |

**Ground Covers:**

| | |
|---|---|
| *Acacia redolens* | Trailing Acacia |
| *Lantana montevidensis* | Trailing Lantana |

**LANDSCAPE ZONE #3 (Tertiary – Residential):**

All plant materials in the Primary and Collector Landscape Zones, plus the following:

| **Botanical Name** | **Common Name** |
|---|---|

**Trees:**

| | |
|---|---|
| *Brachychiton populneus* | Bottle Tree |
| *Brahea armata* | Mexican Blue Palm |
| *Carya illinoensis* | Pecan |
| *Citrus* spp. | Citrus |
| *Fraxinus velutina 'Rio Grande'* | Fan-Tex Ash |
| *Lysiloma thornberi* | Feather Tree |
| *Quercus virginiana 'Heritage'* | Heritage Oak |
| *Trachycarpus furtunei* | Windmill Palm |

**Shrubs:**

| | |
|---|---|
| *Campsis radicans* | Trumpet Creeper |
| *Jasminum humile* | Italian Jasmine |
| *Juniperus* spp. | Juniper |
| *Lagerstroemia indica* | Crape Myrtle |
| *Nerium oleander* | Oleander |

| | |
|---|---|
| *Pittosporum* spp. | Pittosporum |
| *Plumbago scandens* | Summer Snow |
| *Punica granatum* | Pomegranate |
| *Ruellia* spp. | Ruellia |
| *Xylosma congestum* | Xylosma |

**Accent Shrubs:**

| | |
|---|---|
| *Asclepias* spp. | Milkweed |
| *Bougainvillea* spp. | Bougainvillea |
| *Euphorbia* spp. | Euphorbia |

**Ground Covers/Vines:**

| | |
|---|---|
| *Asparagus densiflorus 'Spengeri'* | Asparagus Fern |
| *Gelsemium sempervirens* | Carolina Jasmine |
| *Myoporum parviflora* | Myoporum |
| *Trachelopermum* spp. | Jasmine |
| *Vinca major* | Periwinkle |

**REVEGETATION SEED MIX:**

| **Botanical Name** | **Common Name** |
|---|---|
| *Acacia constricta* | Whitethorn Acacia |
| *Acacia greggii* | Catclaw Acacia |
| *Aristida purpurea* | Purple Threeawn |
| *Atriplex canescens* | Four Wing Saltbush |
| *Baileya multiradiata* | Desert Marigold |
| *Bouteloua curtipendula* | Sideoats Grama |
| *Bouteloua gracilus* | Blue Grama |
| *Calliandra eriophylla* | Fairy Duster |
| *Cercidium floridum* | Blue Palo Verde |
| *Chilopsis linearis* | Desert Willow |
| *Eschscholzia californica* | California Poppy |
| *Forestieria neomexicana* | Desert Olive |
| *Gaillardia pulchella* | Firewheels |
| *Justicia* spp. | Chuparosa |
| *Larrea tridentata* | Creosote |
| *Oryzopsis hymenoides* | Indian Ricegrass |
| *Penstemon parryi* | Parry's Penstemon |
| *Sphaeralcea ambigua* | Desert Globe Mallow |

Additional Plants will be considered upon review by the Master Developer.

**PROHIBITED PLANT PALETTES:**

| Botanical Name | Common Name |
|---|---|
| *Baccharis sarothroides* (female) | Desert Broom |
| *Cynodon dactylon* | Common Bermuda |
| *Morus alba* | Mulberry Tree |
| *Olea europea** | Olive Tree |
| *Parkinsonia aculeata* | Mexican Palo Verde |
| *Pennisetum setaceum* | Fountain Grass |

** Olea Europa 'Swan Hill' is permitted*

APS A subsidiary of Pinnacle West Capital Corporation

# Appendix G: APS "Will Serve" Letter

50 North Brown Avenue
Casa Grande, AZ 85222

December 20 2002

AXIS CORP.
ATTN: Tim Ensign

RE: Power Availability TO SERVE NEW ELOY VALLEY COMMUNITY

To Whom It May Concern:

Thank you for the opportunity to provide information regarding electrical service to the above location. The referenced area is in Arizona Public Service Company's electric service area. We extend our facilities to serve this location in accordance with the "Conditions Governing Extensions of Electric Distribution Lines and Services", Schedule #3, and the "Terms and Conditions for the Sale of Electric Service", Schedule #1, on file with the Arizona Corporation Commission at the time we begin installation for the electric facilities. Copies are enclosed for your review. Please don't hesitate to contact us should you have questions.

All trenching and conduit installation is the responsibility of the Customer and will then be inspected and approved by APS. We will provide you with the requirements and specifications. To prepare the design for electrical utility service to meet the property/lot owner needs, the following items will need to be submitted: an approved set of plans on the project, a copy of the survey results on the property, load calculations, and a copy of the recorded deed. Please forward these to my attention at your earliest opportunity.

Prior to construction, an advance payment may be required. The amount of advance payment cannot be determined until an economic analysis has been made, based in part on certain information you will be required to furnish. This payment may be refundable in accordance with section 5 of Schedule #3.

In addition, you may also incur additional costs which are non-refundable. These costs will depend upon the extent of the construction you will require that we perform to facilitate your project. An annual facilities charge may also be required in addition to the standard rates for electric service. Any APS charges will be set forth in an extension agreement which will require authorization by APS and the Customer.

It is to be understood that this letter is intended only for your general information and does not constitute any type of offer or agreement between us. If you have any questions, please feel free to CALL BEVERLY GERLACH AT 520-421-8360.

Sincerely,

BEVERLY GERLACH
DESIGN PROJECT LEADER

Enclosures: Schedule 1, Schedule 3

# Appendix H: SW Gas "Will Serve" Letter

SOUTHWEST GAS CORPORATION

December 23, 2002

Mike Markakis
JSM Investments

Subject: **NATURAL GAS AVAILABILITY**

Thank you for your recent inquiry concerning the availability of natural gas for your project located at Eloy Valley, Eloy, Arizona. Southwest Gas Corporation currently has a 4" distribution main that runs east and west on Battaglia Rd.. Natural gas is available to serve your project in accordance with our Rule Six as filed with the Arizona Corporation Commission.

Southwest Gas Corporation extends facilities based on economic feasibility. Without reviewing a preliminary engineering plan on the project, we cannot, at this time, determine what fees, if any would be required from the owner/developer.

We look forward to hearing from you as plan progress.

If you have any questions, please feel free to contact me. I can be reached at 520/421-1673 or e-mail: doug.wiltcher@swgas.com. You may contact my assistant Josie Zorn at 520/421-1673 or e-mail: josie.zorn@swgas.com.

Sincerely,

Josie Zorn for Doug Wiltcher

Doug Wiltcher
Sr. Account Representative
Valley District

C Tim Ensign

201 West 4th Street / Casa Grande, Arizona 85222-4495 / (520) 836-8251

# Eloy Valley Specific Plan

Planned Area Development

**City of Eloy, Arizona**

# Appendix I

# Interim Project Development Plan

## Sawtooth West Energy Center

***Presented by:***

**Sawtooth Solar** LLC

***A subsidiary of:***

**EDF Renewables, inc.**

## Table of Contents

**Sawtooth West Energy Center ..... 2**

*Generation Tie-Line ..... 2*

*Fire and Safety ..... 3*

*Water use for Operations, Maintenance and Construction ..... 3*

*Sanitary Sewer Service ..... 3*

*Solar Project Decommissioning ..... 3*

## List of Exhibits

**Exhibit A:** *Vicinity & Project Parcel Map*

**Exhibit B:** *Eloy Valley PAD Interim Development Context Map*

**Exhibit C:** *Conceptual Site Plan- Sawtooth West Energy Center*

**Exhibit : ** *Open Space Conservation Plan*

**Exhibit E:** *Conceptual Sections for Utility Scale Solar Development*

**Exhibit F:** *Eloy Fire District Service Boundary Map*

# Utility Scale Solar – Development Concept

## Sawtooth West Energy Center

The Sawtooth West Energy Center (the "Solar Project") consists of the development and construction of a 250-MW PV solar electric generating facility with up to 250 MWs of on-site Battery Energy Storage System within 2,055-acres of the Eloy Valley PAD (herein: "Site"). The Sawtooth West Energy Center is being developed by Sawtooth Solar LLC, a subsidiary of EDFR which is a leading renewable energy company that owns and operates utility scale solar and storage sites throughout North America.

The Sawtooth West Energy Center will be designed and developed in accordance with all Eloy Valley PAD property development standards, which are substantially in conformance with the Eloy Zoning Ordinance. See **Exhibit's: C - E**)

The Solar Project includes the placement of solar PV modules, which involves a series of parallel strings connected to PV solar modules (i.e., solar array), inverters and transformers that combined to form solar blocks. The solar blocks would be repeated as necessary to provide up to 250 MW ac of power generating capacity.

The Solar Project will also include the placement of Battery Energy Storage Systems (BESS), which are charged using energy from the solar facility's PV system or from the electrical grid. A power plant controller is installed at the Sawtooth West Energy Center project substation to monitor the active power delivery to the Point of Interconnection (POI). This system is designed to regulate the active power outputs of the solar PV and Battery Energy Storage System inverters to the grid, limiting the maximum total facility output to the POI of 250 MW.

The Battery Energy Storage System conforms to local and national safety standards and consists of modular and scalable battery packs and battery control systems. The Battery Energy Storage System would be in pad- or post-mounted, stackable metal structures (approximately 40 feet long by 8 feet wide by 8 feet high), or in a separate building in compliance with applicable regulations.

The O&M and laydown area together encompasses approximately 21.5-acres of the Project Site, with the Project substation (5-acres) and BESS area (16-acres) together occupying another 21-acres of the northeastern area of the Solar Project Site.

The remaining Solar Project area will be set aside for the PV Solar array field and supporting structures (1,733-acres), landscaping area, dedicated Open Space Conservation area and interior access roads. (See **Exhibit C:** *Conceptual Site Plan* and **Exhibit I:** *Conceptual Sections).*

### Generation Tie-Line

The Solar Project will interconnect to the APS controlled and operated 230 kV Milligan substation located approximately 2.1-mile directly west of the Property's northeastern most corner adjacent to Milligan Rd. The short transmission interconnection connects to a 230 kV transmission line through various transmission structures within a 150-foot-wide transmission right-of-way (ROW) reserved along the route.

The expected maximum net output at the proposed point of interconnection is up to 250 MW. (See **Exhibit A:** *Vicinity and Project Parcel Map*)

### Fire and Safety

Fire protection will be provided to limit the risk of personnel injury, property loss, and possible disruption of the electricity generated by the Sawtooth West Energy Center. For this reason, the applicant requested and was approved by the Eloy City Council through Ord. No. 22-1547 to incorporate the Sawtooth West Energy Center into the Eloy Fire District. Once formally incorporated into the Fire district Boundary the Site will be fully serviced and under the jurisdiction of the Fire District and will comply with all applicable Fire District Standards, Policies and Fire & Safety Code Regulations (See **Exhibit J:** Eloy Fire District Service Boundary Map).

### Water use for Operations, Maintenance and Construction

Most of the water use associated with the Sawtooth Energy Center will occur during the construction phase of development. Water use during construction is primarily for dust suppression and soil compaction. Total construction water demand is not anticipated to exceed 1 acre-foot per MW. Water demand for panel washing and ongoing O&M domestic use is negligible with most of the water needs reserved for fire and safety purposes only.

The Sawtooth West Energy Center will use water produced from up to two on-site wells, currently owned by EDFR. Other off-site sources or a combination of the two will serve to support the construction related activities during that phase of development. The on-site well(s) within the Sawtooth West Energy Center project site will help facilitate construction watering and operational water needs for the duration of the Solar Project's operational lifespan.

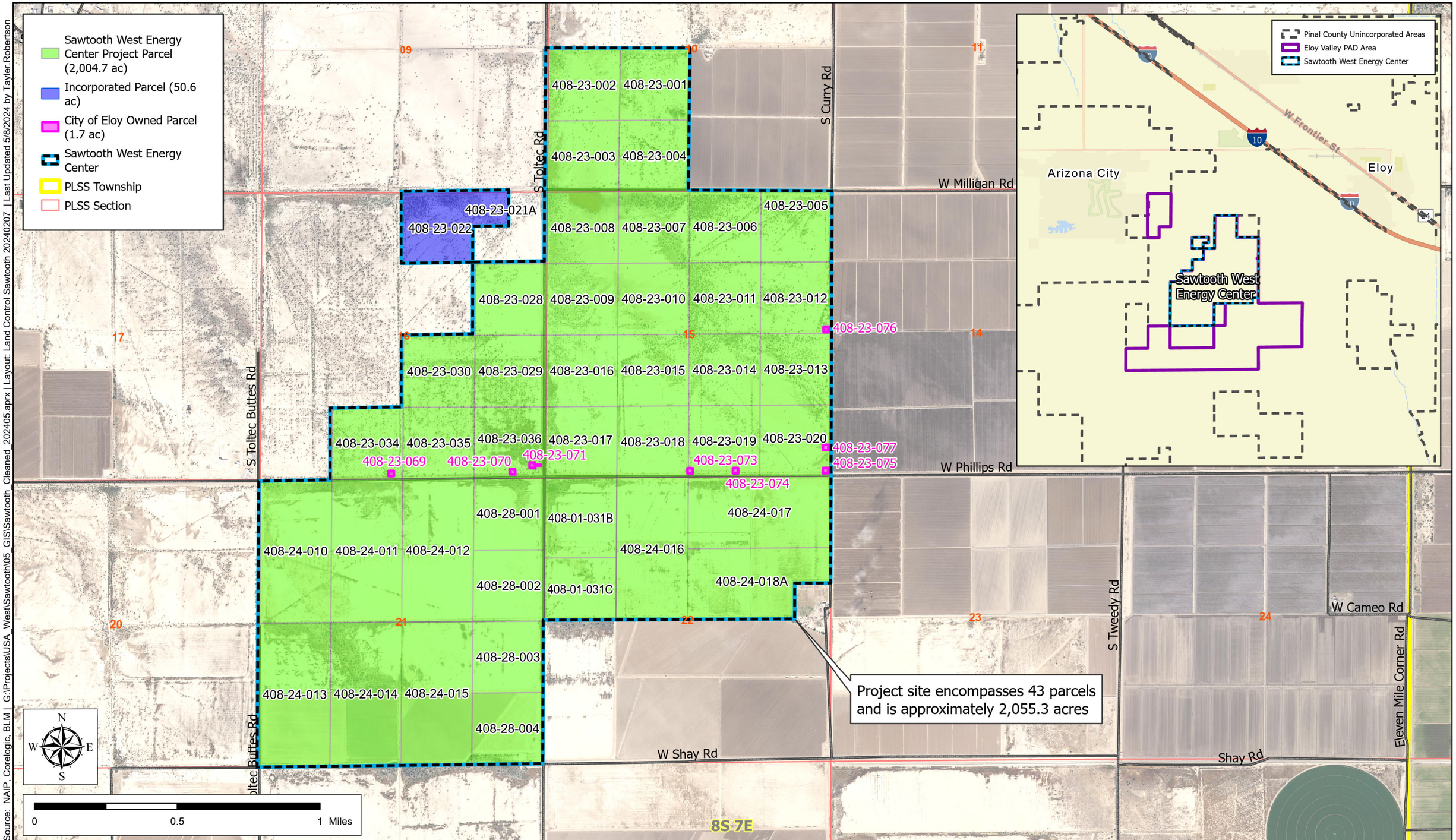
### Sanitary Sewer Service

The Solar Project will not require wastewater connections to the site, nor would it generate substantial quantities of wastewater requiring municipal treatment. During construction, workers will use portable toilets. Once operational, the Solar Facility only requires a permanent staff of up to two workers.

The project includes a permanent on-site office trailer with sanitary facilities. The Solar Project will provide a septic system if wastewater service connection to the Project Site is required.

### Solar Project Decommissioning

In general, all decommissioning and subsequent maintenance activities would be conducted in a manner that would minimize unnecessary disturbance. Methods of restoration, if deemed necessary when the Sawtooth West Energy Center project is terminated, would adhere to the generally accepted standard operating procedures at that time. In addition, restoration would be implemented to achieve results that would maximize reuse/recycling, where available.

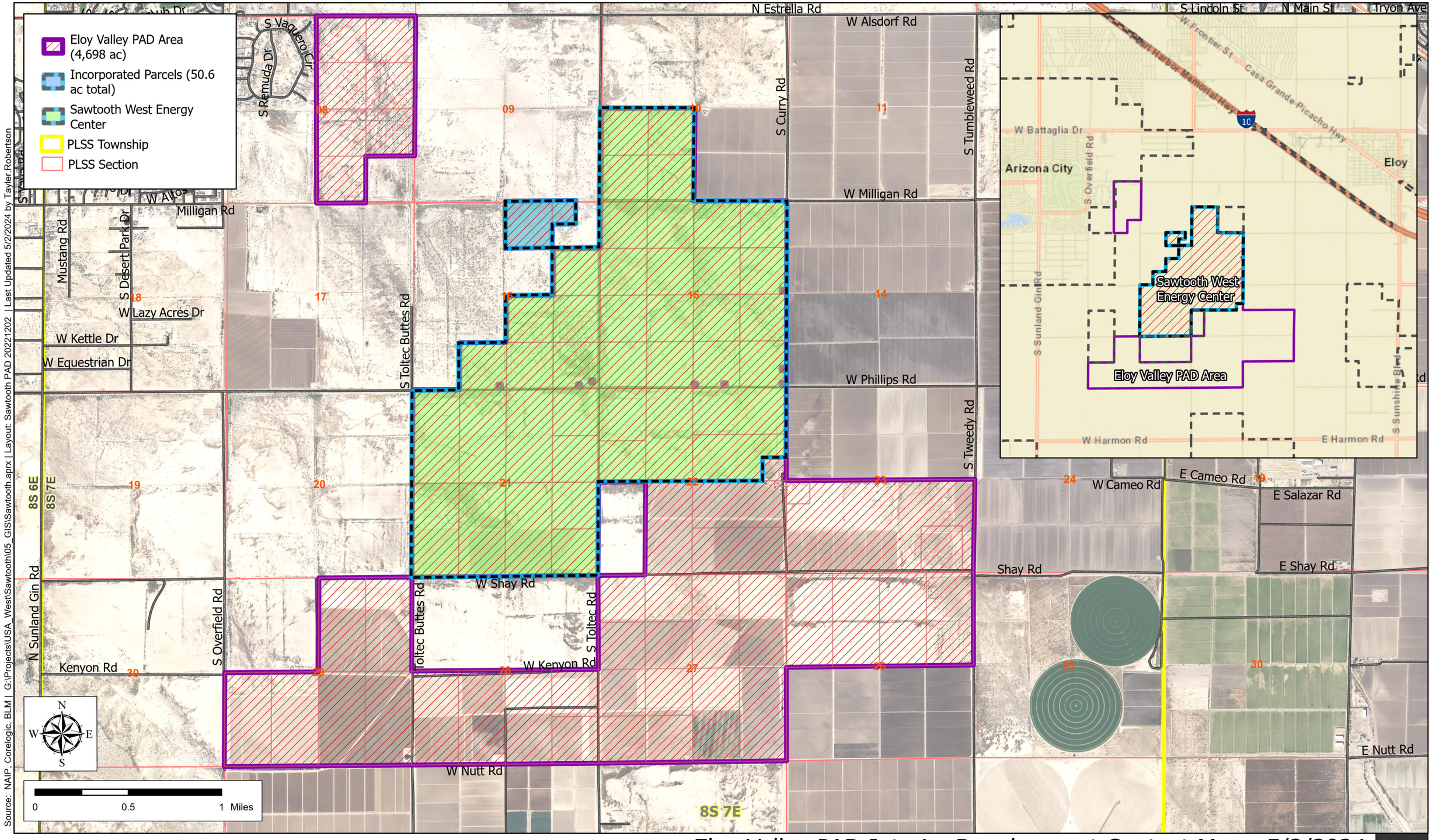



Source: NAIP, Corelogic, BLM | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth_Cleaned_202405.aprx | Layout: Land Control Sawtooth 20240207 | Last Updated 5/8/2024 by Tayler.Robertson

# Interim Project Development Plan - Sawtooth West Parcel & Vicinity Map - 5/8/2024

Sawtooth Solar Energy Center | Pinal County, Arizona

## Exhibit A Vicinity & Project Parcel Map




Source: NAIP, Corelogic, BLM | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth.aprx | Layout: Sawtooth PAD 20221202 | Last Updated 5/2/2024 by Tayler.Robertson

edf renewables

# Eloy Valley PAD Interim Development Context Map - 5/2/2024

Sawtooth Solar Energy Center | Eloy, Arizona

-

## Exhibit B Eloy Valley PAD Interim Development Context Map

Source: City of Eloy | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth_Cleaned_202405.aprx | Layout: Conceptual Site Plan Sawtooth 20240208 | Last Updated 5/8/2024 by Tayler.Robertson

10' planned landscaping minor roads
2 access drives off W Milligan to project gates
55' half street dedication
50' fence setback
30' planned landscaping S Toltec & W Phillips
75' building setback from project fence
10.6 acre open space area
100' building setback from future parcel line
100' building setback from residential zoning
S Toltec Rd
55-ft half street dedication (from centerline) for the southern portion of Milligan Rd. for the extent of the project boundary
110-ft full street dedication for Milligan Rd. through project boundary
55-ft half street dedication (from centerline) for the southern portion of Milligan Rd. for the extent of the project boundary
55-ft half street dedication (from centerline) for the extent of the project boundary adjacent to Curry Rd
100-ft BSL from R1-6 Zoning
Zero interior building setback for areas within PAD not bounding a ROW
166-ft full street dedication for Phillips Rd. through project area
30-ft landscape buffer
75-ft BSL from R1-43 Zoning
166-ft full street dedication for Toltec Rd. through project area
30-ft landscape buffer
R1-6
R1-43
C-2
S Tumbleweed Rd
W Milligan Rd
Curry Rd
W Phillips Rd
S Tweedy Rd
W Shay Rd
Shay Rd
Milligan
Sawtooth West
Eloy Valley PAD Area
8S 7E
2665'
2631'
3950'
2661'
1990'
665'
1330'
663'
665'
1325'
1326'
1329'
1324'
1330'
1323'
1331'
1321'
7263'
664'
662'
4651'
5297'
2658'
5293'
N
W
E
S
0
0.5
1 Miles

POI: Milligan Substation 230kV
End Monopole Tower
Project Gentie Route (2.3 mi)
Project Access Gate 32' Wide
Project Fence (Fences shall be setback 50' from all future property lines adjacent to dedicated ROW)
Perimeter Landscaping Buffers: 30-FT (Phillips Rd, Toltec Rd) & 10-FT (Curry, Milligan, Shay Rd)
Internal Project Road 40' Wide
Internal Project Road 50' Wide
Trackers
PV Buildable Area (1,727 ac)
Project Substation (5 ac)
BESS Area (16 ac)
Water Storage System
Communications Yard (0.5 ac)
O&M Yard (2.3 ac)
O&M Building (0.1 ac)
O&M Water Tank
Construction Laydown (19.2 ac)
Overflow Parking Area (7 ac)
Sawtooth Solar Energy Center Project Boundary (2,057.5 ac)

100' BSL for areas adjacent R1-6 or R-3 Zoning
75' Standard BSL adjacent to all of the project Boundary (interior shared property lines not adjacent to future ROW = 0-ft)

EDF renewables

# Interim Project Development Plan - Conceptual Site Plan - 5/8/2024

Sawtooth West Solar Energy Center | Eloy, Arizona

-

## Exhibit C Conceptual Site Plan

Centerline of Milligan Rd
55ft Minor Road ROW Dedication
Site Drive Access Point
10ft Landscape Buffer
Open Space Reserve Area (10.6 ac)
83ft Major Road ROW Dedication
Sawtooth West Energy Center
Parcel Line

Map Extent
W Milligan
S Tweedy Rd
Phillips Rd
S Toltec Rd
Green Rd
W Shay Rd
W Shay Rd

R1-6
408-010-130

50-ft fence setback

55-ft 1/2 street dedication

Centerline of the road

W Milligan Rd

W Milligan Rd

S Toltec Hwy

W

408-23-021A

408-23-022

75-ft BSL

75-ft BSL

R1-43
408-23-230

R1-43
408-23-021C

100-ft BSL from R1-6

R1-6
408-230-270

S Toltec Hwy

N
W E
S

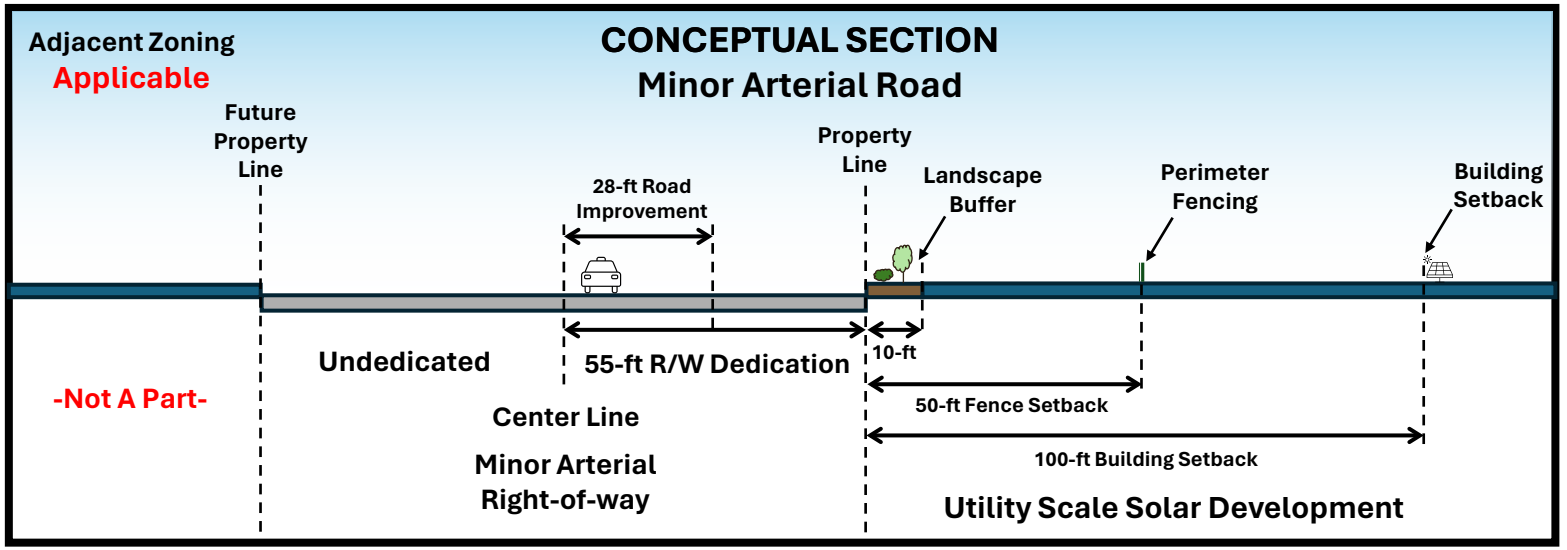
0 100 200 US Feet

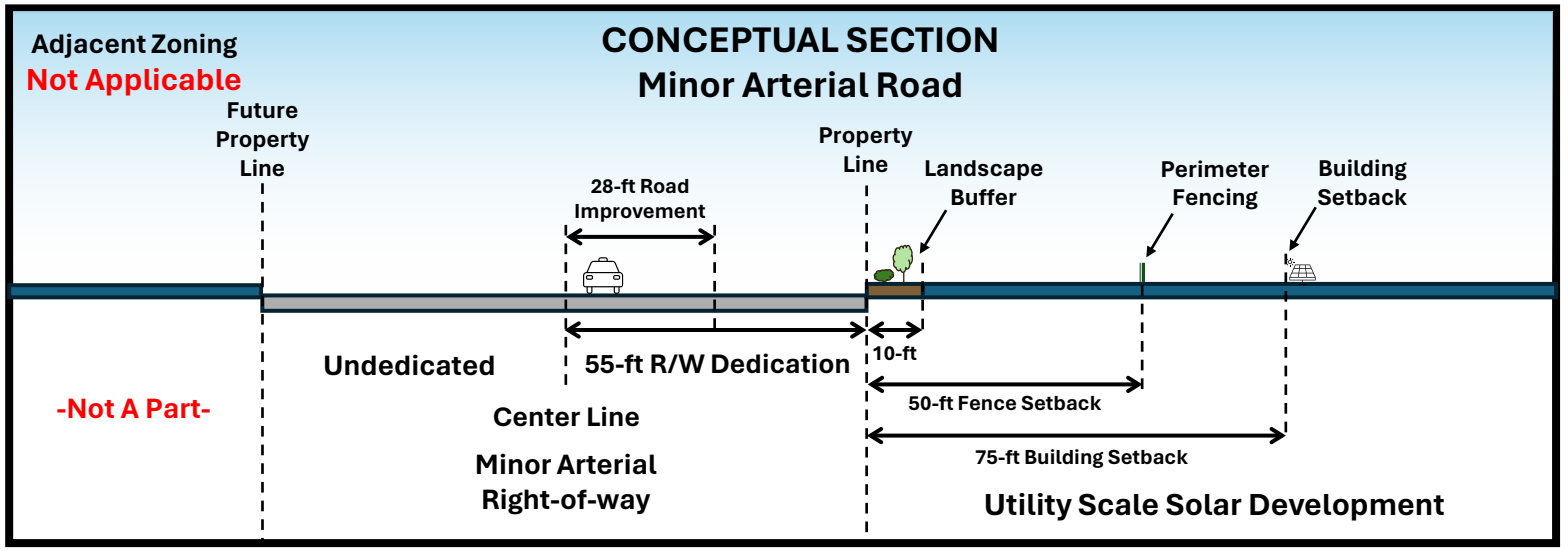
0 50 100 Meters

Source: ESRI, SAM | G:\Projects\USA_West\Sawtooth\05_GIS\Sawtooth_Cleaned_202405.aprx | Layout: Open Space Area Sawtooth 20240506 | Last Updated 5/7/2024 by Tayler.Robertson



# Exhibit D Open Space Conservation Plan

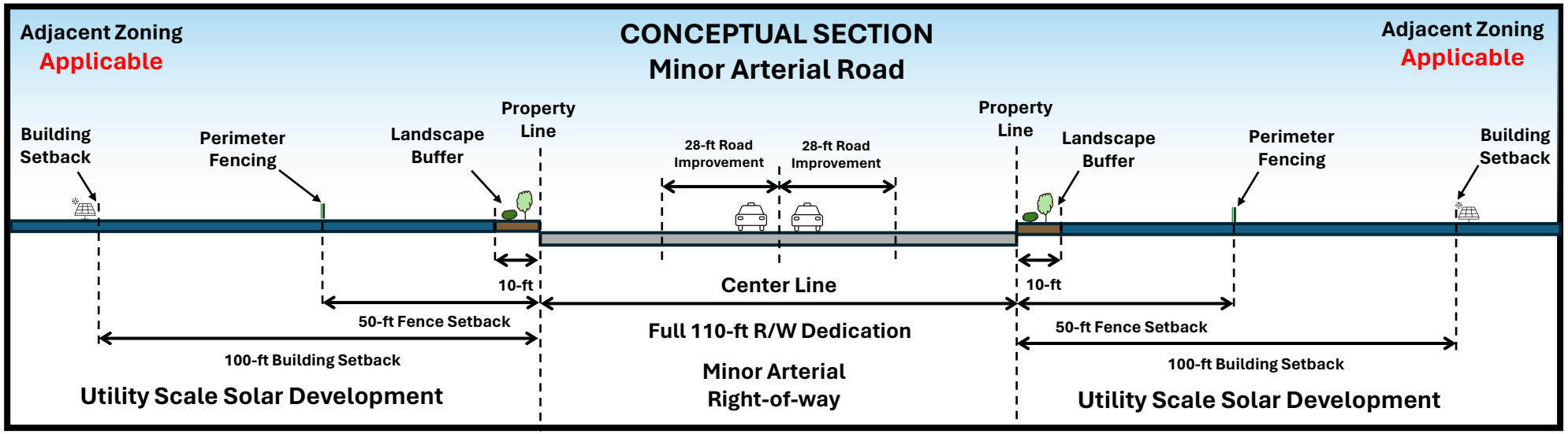


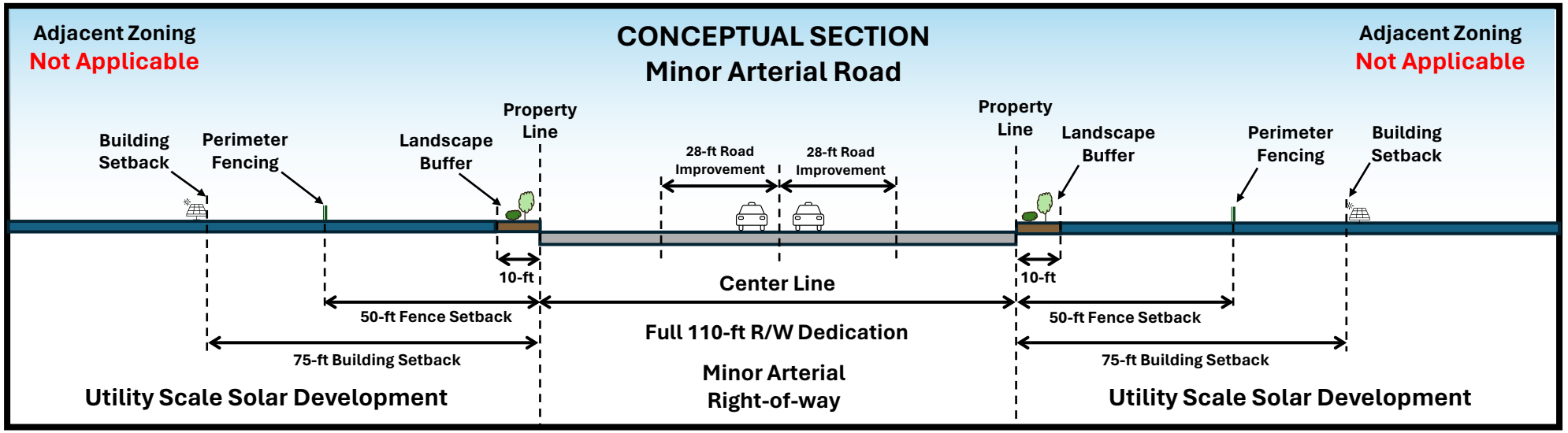




Interim Project Development Plan – Conceptual Sections

*(Major vs Minor Arterial Dedications | Perimeter Landscaping & Setbacks for Applicable vs Not Applicable Adjacent Zoning)*

Sawtooth West Energy Center | City of Eloy, Arizona

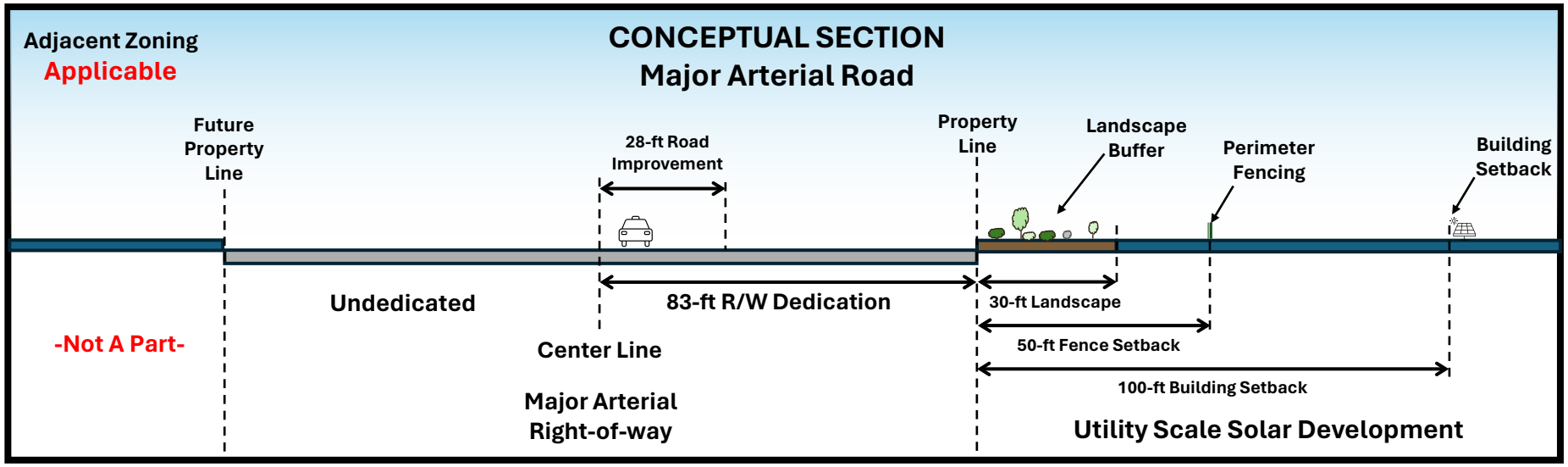


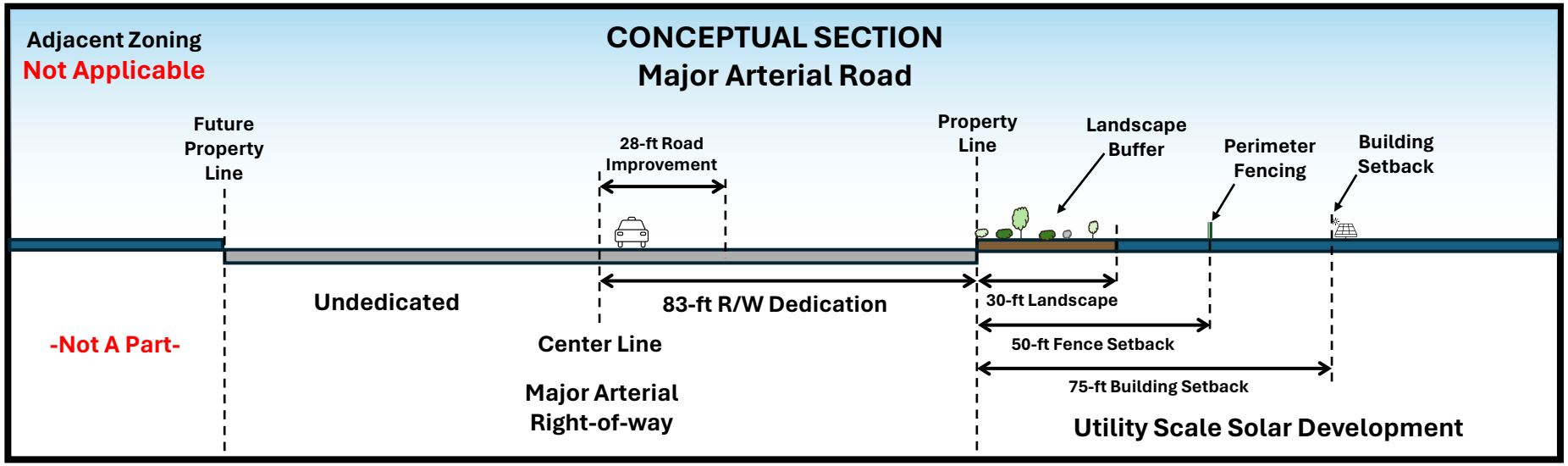



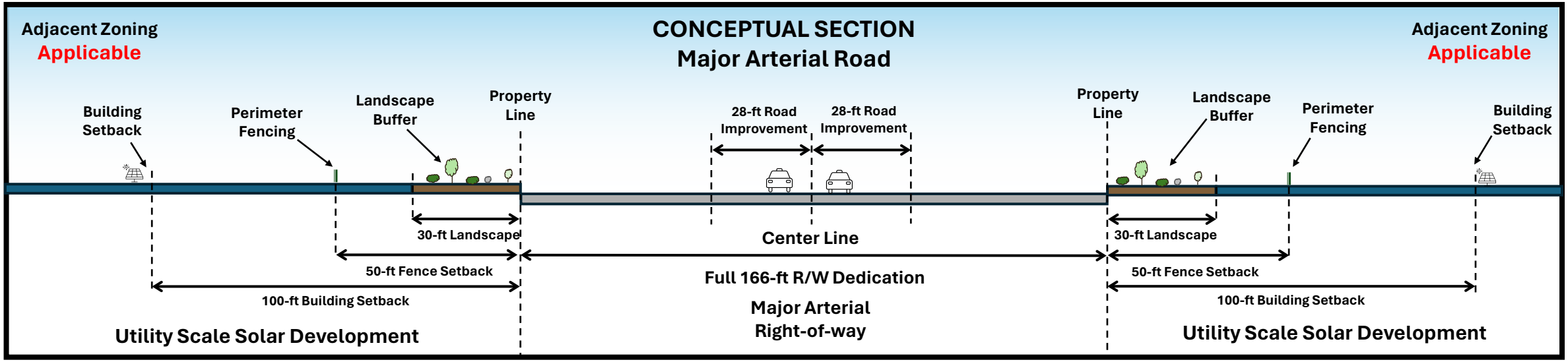

Interim Project Development Plan – Conceptual Sections

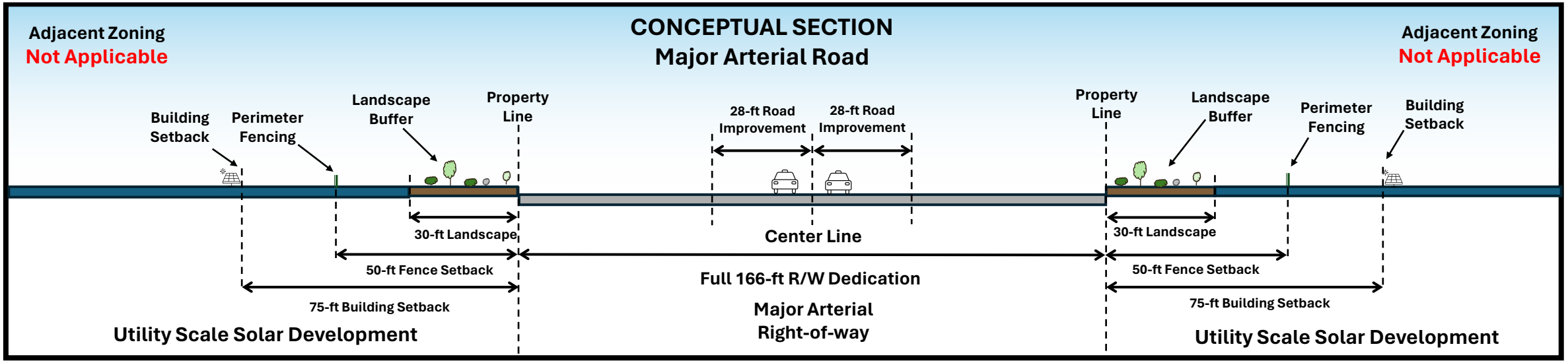
*(Major vs Minor Arterial Full R/W Dedications | Perimeter Landscaping & Setbacks for Applicable vs Not Applicable Adjacent Zoning)*

Sawtooth West Energy Center | City of Eloy, Arizona


Adjacent Zoning
Applicable
CONCEPTUAL SECTION
Major Arterial Road
Future Property Line
28-ft Road Improvement
Property Line
Landscape Buffer
Perimeter Fencing
Building Setback
Undedicated
83-ft R/W Dedication
30-ft Landscape
50-ft Fence Setback
100-ft Building Setback
-Not A Part-
Center Line
Major Arterial Right-of-way
Utility Scale Solar Development


Adjacent Zoning
Not Applicable
CONCEPTUAL SECTION
Major Arterial Road
Future Property Line
28-ft Road Improvement
Property Line
Landscape Buffer
Perimeter Fencing
Building Setback
Undedicated
83-ft R/W Dedication
30-ft Landscape
50-ft Fence Setback
75-ft Building Setback
-Not A Part-
Center Line
Major Arterial Right-of-way
Utility Scale Solar Development



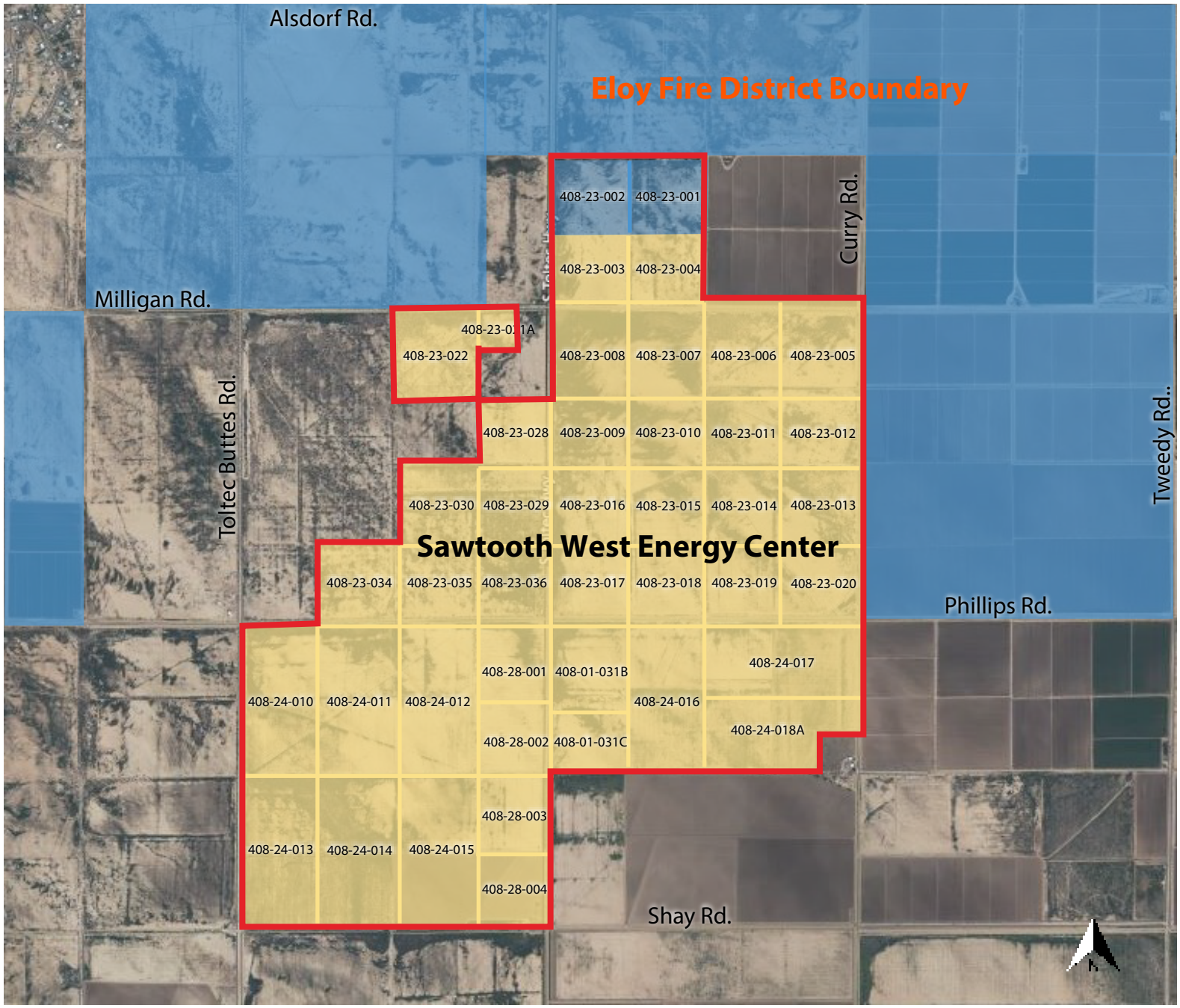

EDF renewables

## Interim Project Development Plan – Conceptual Sections

*(Major vs Minor Arterial Full R/W Dedications | Perimeter Landscaping & Setbacks for Applicable vs Not Applicable Adjacent Zoning)*

# Eloy Fire District Service Boundary Map

Sawtooth West Energy Center | Eloy, Arizona




Sawtooth West Project Boundary

Eloy Fire District Boundary

Sawtooth West Parcels to be Annexed

Exhibit F Eloy Fire District Service Boundary Map

# Citizen Review Plan & Report

1st Amendment to the

## Eloy Valley Specific Plan (PAD)

**Case Number:** RZ-PAD2024-001

## Minor General Plan Amendment

**Case Number:** GPA2024-001

# Sawtooth West Energy Center

**Eloy, Arizona**

***2nd Submittal:***

**May 8th, 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

## Sawtooth Solar LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

# Citizen Review Plan:

***NOTE:*** *The following sections of this report will be updated and resubmitted for review as efforts commence.*

## Contact Dates and Methods

Notification letters will be mailed via First Class U.S. Mail to property owners within 300ft of the Sawtooth West PAD boundary.

The letter will contain all required and pertinent information regarding the application along with an invitation to join the Development Team for an Open House meeting in the City of Eloy. A copy of the 300-ft buffer map and list of the property owners within the boundary are attached with this report.

A copy of the notification letter and an Affidavit of Notification will be submitted with this report as evidence that the letters were mailed as required.

## Site Posting

The site will be posted as required by the City of Eloy with application and public hearing information once the case has been scheduled. Photos and an affidavit of posting will be attached with the updated report as evidence of sign posting.

## Open House

A Open House meeting will be held, in-person, at a future time to be determined. This meeting will be held in the Community Room at Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public will be invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. A copy of the sign-in sheets with the attendees' contact information, questions asked by the public and the applicant's responses, and all collected public comments will be included as part of this Citizen Review Report.

The Citizen Review Report shall be submitted and approved by the Community Development Director prior to the application being scheduled for a Planning and Zoning Commission hearing.

## Ongoing Communication with Neighbors

Any comments and feedback received will be documented and submitted to the city in the updated report a minimum of 15 days before the Planning and Zoning Commission Hearing.

## Public Notification

Select or search for a feature in the map

Apply a search distance

300 Feet

Addressee Layer

Property Mail

Format

PDF label 1 x 2-5/8 inches; 30 per page

92 addressees found; do you want to continue?

ELOY ASSOCIATES LLC
6720 N SCOTTSDALE RD STE 2 ...
SCOTTSDALE, AZ 85253

ARIZONA STATE LAND DEPART ...
1616 W ADAMS ST
PHOENIX, AZ 85007

SWERTFEGER JERRY L
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

PERFECT INVESTMENTS LLC
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

CITY OF ELOY
595 NC ST STE 104
ELOY, AZ 85131

CHACON JOSE ANTONIO
101 COUNTY ROAD 4717
RHOME, TX 76078

LIEN BIN FU

5905 WOODWIND DR
PLANO, TX 75093

DAI VANDU VUONG
11711 HILLCREST RD
DALLAS, TX 75230

SHEDD DANIEL F & ELAINE K T...

.2948 E RIVER BUSH RD
ELOY, AZ 85131

ARAGON CHERYL JEAN

PO BOX 1511

ARIZONA CITY, AZ 85123

CHIU HARRY H & CHIU JOSEPH...
8989 N GAINEY CENTER DR UN...
SCOTTSDALE, AZ 85258

LEE YUE-CHIANG & CHEN CHIN...
6 PADUA

IRVINE, CA 92614

LINMARK LLC

13125 N 75TH PL

SCOTTSDALE, AZ 85260

GRANDILLA (ARIZONA) INC
8711 E PINNACLE PEAK RD ST...
SCOTTSDALE, AZ 85255

BENHAM JAMES TR

13125 N 75TH PL
SCOTTSDALE, AZ 85260

SHEDD JAMES & SHARON FAM ...
12832 S OVERFIELD RD

CASA GRANDE, AZ 85193

KEMPE FRED W & KIMBERLY J
3024 E GRANDVIEW ST

MESA, AZ 85213

RILEY JACK

7180 E REED RD

COAL CITY, IL 60416

MUSULIN IRREVOCABLE EDUC...
PO BOX 13565

SCOTTSDALE, AZ 85267

JACKSON WALTER H & ELLA L 564 E
NAVAJO TRL

SAN TAN VALLEY, AZ 85143

NAA PARTNERS LLC

10497 E ACACIA DR
SCOTTSDALE, AZ 85255

JVB INVESTMENTS LLC
4601 S KACHINA DR
TEMPE, AZ 85282

TOLTEC THOMAS HOLDINGS L...
600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

SAIGANA LLC

2009 W TOMBSTONE TRL
PHOENIX, AZ 85085

EDF RENEWABLES DEVELOPM...
15445 INNOVATION DR

SAN DIEGO, CA 92128

TOLTEC THOMAS HOLDINGS L...

600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

CASON TYLER LLC
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

## Affidavit of Notification

**Application No:** RZ-PAD2024-001 & GPA2024-01

**Applicant Name:** Sawtooth Energy Center, LLC, subsidiary of EDF Renewables Inc., North America

**Location:** west of Curry Road, south of Milligan Road, east of Toltec Buttes Road, north of Shay Road

**I confirm that notice as required for the case noted above has been mailed or delivered to the attached list of property owners and neighborhood associations at the addresses noted.**

**Applicant/Representative Signature** — **Date** 5/22/24

**This instrument was acknowledged before me on this** 22nd **day of** May,

**20_____, by** Kayla Amado**. In witness whereof**

**I hereunto set my hand and official seal.**

Angelica Van Balen
**Notary Public**

**My commission expires** June 5, 2027

ANGELICA VAN BALEN
Notary Public - Arizona
Maricopa County
Commission # 650098
My Comm. Expires Jun 5, 2027

ATTACHMENT 3

## Public Notification

Select or search for a feature in the map

Apply a search distance

300 Feet

Addressee Layer

Property Mail

Format

PDF label 1 x 2-5/8 inches; 30 per page

92 addressees found; do you want to continue?

ELOY ASSOCIATES LLC
6720 N SCOTTSDALE RD STE 2 ...
SCOTTSDALE, AZ 85253

ARIZONA STATE LAND DEPART ...
1616 W ADAMS ST
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SWERTFEGER JERRY L
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

PERFECT INVESTMENTS LLC
11318 NE 192ND AVE
BRUSH PRAIRIE, WA 98606

CITY OF ELOY
595 NC ST STE 104
ELOY, AZ 85131

CHACON JOSE ANTONIO
101 COUNTY ROAD 4717
RHOME, TX 76078

LIEN BIN FU

5905 WOODWIND DR
PLANO, TX 75093

DAI VANDU VUONG
11711 HILLCREST RD
DALLAS, TX 75230

SHEDD DANIEL F & ELAINE K T...

.2948 E RIVER BUSH RD
ELOY, AZ 85131

ARAGON CHERYL JEAN

PO BOX 1511

ARIZONA CITY, AZ 85123

CHIU HARRY H & CHIU JOSEPH...
8989 N GAINEY CENTER DR UN...
SCOTTSDALE, AZ 85258

LEE YUE-CHIANG & CHEN CHIN...
6 PADUA

IRVINE, CA 92614

LINMARK LLC

13125 N 75TH PL

SCOTTSDALE, AZ 85260

GRANDILLA (ARIZONA) INC
8711 E PINNACLE PEAK RD ST...
SCOTTSDALE, AZ 85255

BENHAM JAMES TR

13125 N 75TH PL
SCOTTSDALE, AZ 85260

SHEDD JAMES & SHARON FAM ...
12832 S OVERFIELD RD

CASA GRANDE, AZ 85193

KEMPE FRED W & KIMBERLY J
3024 E GRANDVIEW ST

MESA, AZ 85213

RILEY JACK

7180 E REED RD

COAL CITY, IL 60416

MUSULIN IRREVOCABLE EDUC...
PO BOX 13565

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JACKSON WALTER H & ELLA L 564 E
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SAN TAN VALLEY, AZ 85143

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10497 E ACACIA DR
SCOTTSDALE, AZ 85255

JVB INVESTMENTS LLC
4601 S KACHINA DR
TEMPE, AZ 85282

TOLTEC THOMAS HOLDINGS L...
600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

SAIGANA LLC

2009 W TOMBSTONE TRL
PHOENIX, AZ 85085

EDF RENEWABLES DEVELOPM...
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600 WINSLOW WAY E STE 247
BAINBRIDGE ISLAND, WA 9811...

CASON TYLER LLC
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

NATE TONNEMACHER
7144 E. Stetson Drive, Suite 300
Scottsdale, AZ 85251
Phone 480.240.5642 Fax 480.505.3925
NTonnemacher@RoseLawGroup.com
www.RoseLawGroup.com

**May 22, 2024**

***Zoning Map Amendment (RZ-PAD2024-001) & Minor General Plan Amendment (GPA2024-01)***
***Neighborhood Meeting:***

Dear Property Owner or Neighborhood Association Representative:

The purpose of this letter is to inform you that Rose Law Group pc ("Applicant") on behalf of Sawtooth Energy Center, LLC, a wholly owned subsidiary of EDF Renewables Inc., North America ("Operator") is requesting to amend the Eloy Valley PAD to permit utility-scale solar & battery energy storage uses on 2,055 acres consisting of 43 parcels within the City of Eloy (the Sawtooth "West" Energy Center Project).

The Applicant is also requesting to change the existing General Plan land use designations of two (2) parcels (APN's: 408-23-022 & 408-23-021A), requested to be incorporated into the Eloy Valley PAD, from Medium Density Residential to Estate Residential. The requested changes of the land use designation would support utility-scale solar development within the parcel boundaries and ensure General Plan compatibility with the proposed land uses once incorporated into the Eloy Valley Planned Area.

The Sawtooth "West" Energy Center Project is located west of S. Curry Road, generally south of Milligan Road, directly east of S. Toltec Buttes Road and north of E. Shay Road. A Map of the Project location is enclosed with this letter.

The Applicant team would like to invite you to an Open House meeting to learn more about the requests and the proposed development.

**Wednesday, June 5, 2024**

Any time between 5:00PM - 6:00PM

Eloy City Hall

In the Community Room

595 N. C Street, Eloy, AZ 85131

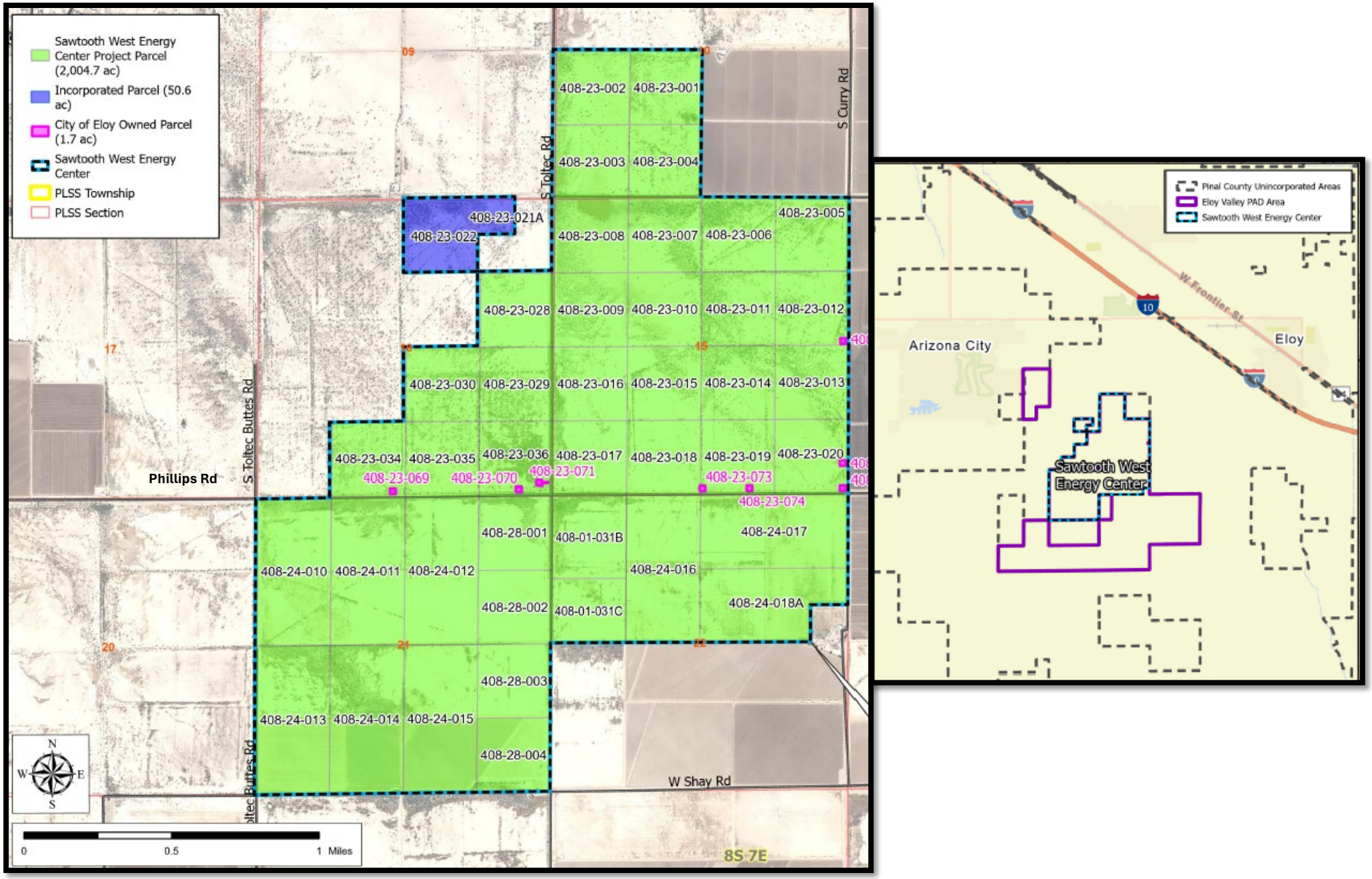
*I would be happy to answer any questions or collect any comments that you may have regarding this proposal. You are welcome to contact me directly at NTonnemacher@RoseLawGroup.com or 480.240.5642.*

Sincerely,

*/s/:* ***Nate Tonnemacher***
Planner & Project Manager

# SAWTOOTH- WEST ENERGY CENTER

## Vicinity & Parcel Map



8-ft

4-ft

# City of Eloy Public Notice

**Request (1):** *Insert Application Request*

**Request (2):** *Insert Application Request*

**Project Location:** *Insert General Location*

**Project Size:** *Insert area (acres)*

**Proposed Use:** *Insert Proposed Use*

**Applicant Contact:**
*(Insert applicant name)*
*(Phone number)*
*(Email address)*

**City Contact:**
**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

*Insert Project Map/ Site Location*

**PLANNING & ZONING COMMISSION HEARING:**
**When:** June 20th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**CITY COUNCIL HEARING:**
**When:** July 8th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**Case No(s):** *Insert Case Number(s)*

**Font size: 2-inch minimum**

**1-inch space minimum**

**1-inch margin on all**

**Font size: Typical, ¾ inch minimum**

**All sign information is to be provided on both sides of the sign (Front & Back)**

## Sign Specifications:

1. **Minimum Sign Size:** 4-foot x 8-foot
2. **Sign Material:** Laminated Plywood, medium density overlay panel (MDO) board, or another city approved equal;
3. **Sign Background:** Front, back and all edges painted with two coats of white acrylic exterior enamel, or other suitable durable finish;
4. **Lettering: Color:** Black.
5. **Location Map:** 16-inhg x 16-inch minimum size with minimum 3/8-in black border**.**
6. **Sign Posts:** Two 4-inch x 4-inch x 8-inch nominal wood posts or other sturdy material. The sign shall be attached to the posts with multiple screws or bolts;
7. **Corners and Edges:** Corners and edges shall be dulled.

# City of Eloy Public Notice

**Request (1):** Zoning Map Amendment to amend the Eloy Valley- Planned Area Development (PAD) to ***permit utility-scale solar & battery energy storage uses*** on 2,055-acres; & incorporate two (2) parcels (APN(s): 408-23-022 & 408-23-021A) into the existing PAD boundary;

**Request (2):** A Minor Amendment to the City of Eloy General Plan- Future Land Use Map to change the land use designation(s) of two (2) parcels (APN(s): 408-23-022 & 408-23-021A) from ***Medium-Density Residential*** to ***Estate Residential***

**Project Location:** West of S. Curry Rd., generally south of Milligan Rd., directly east of S. Toltec Buttes Rd. and north of E. Shay Rd.

**Project Size:** Approximately 2,055-acres

**Proposed Use:** A stand alone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility in support of renewable energy development in the City of Eloy

**INSERT MAP**

## Applicant Contact:

**Rose Law Group pc**
Court Rich
Attn: Nate Tonnemacher
480.240.5642 | ntonnemacher@roselawgroup.com

## City Contact:

**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

## PLANNING & ZONING COMMISSION HEARING

**When:** June 20th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

## CITY COUNCIL HEARING

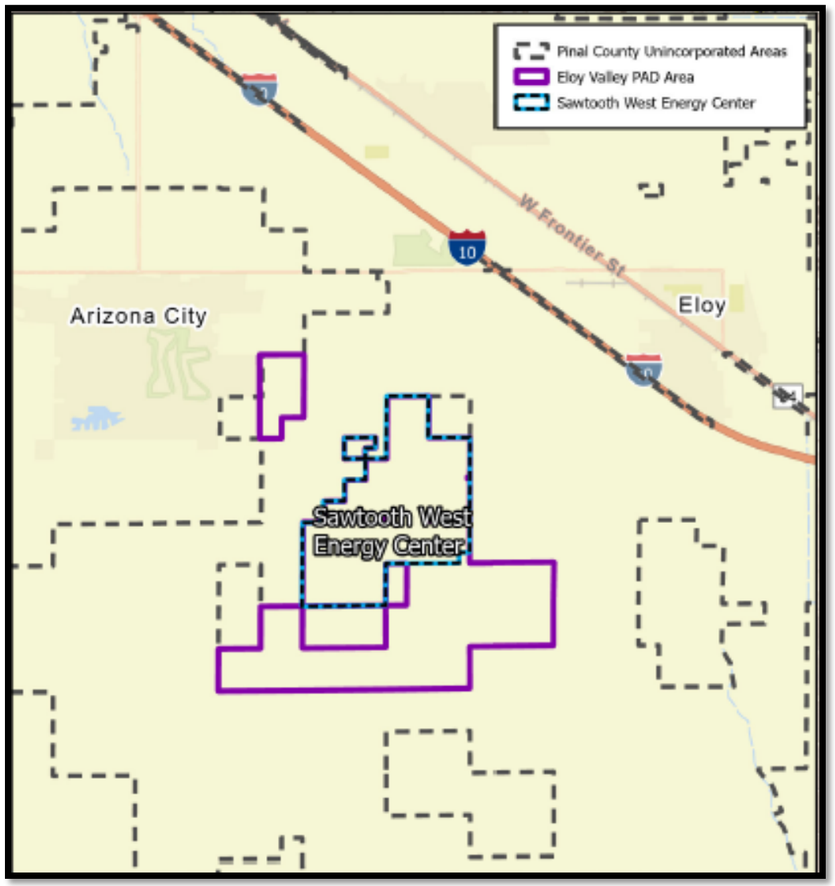
**When:** July 8th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

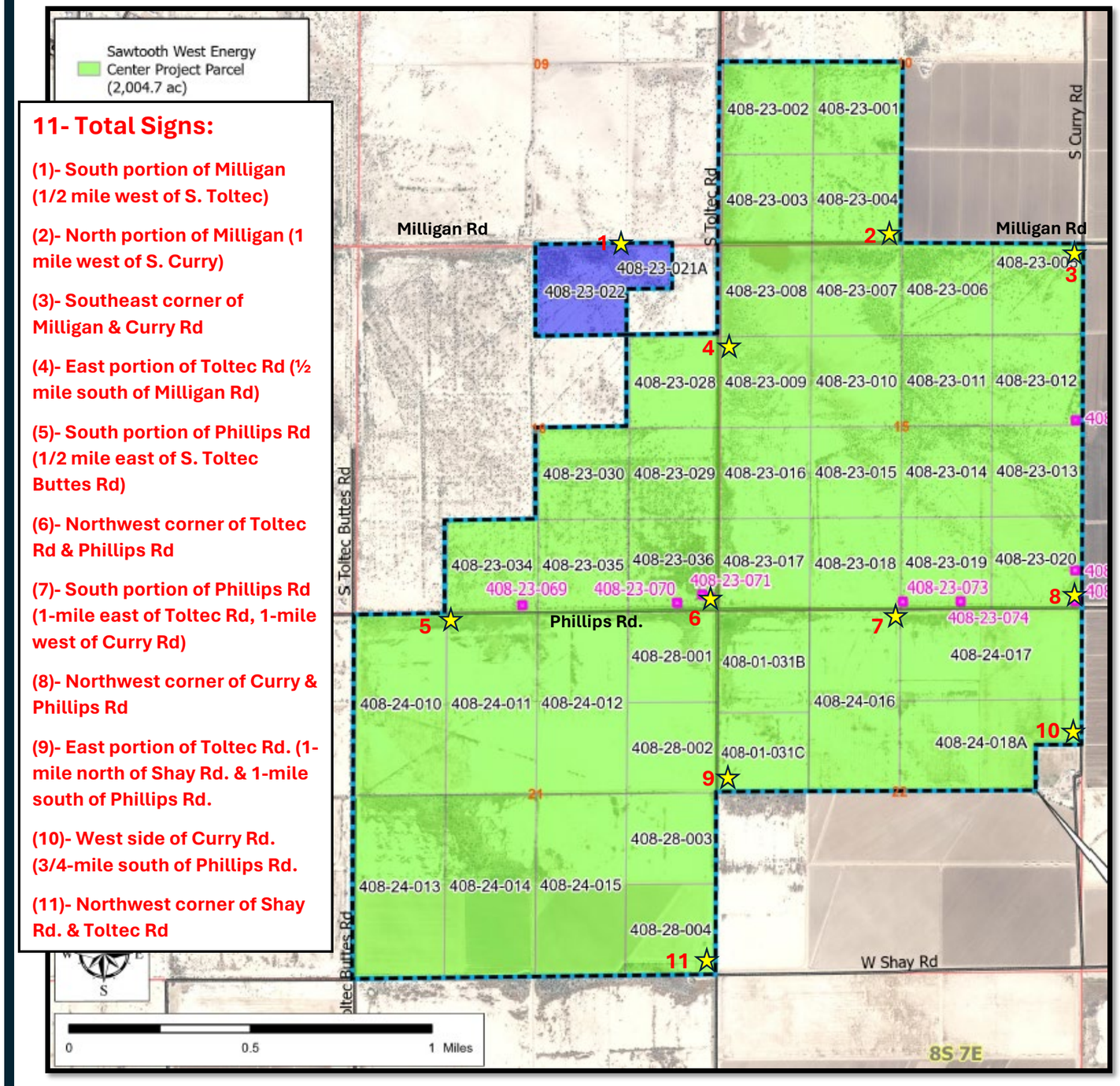
**Case No(s):** **RZ-PAD2024-001** (Zoning Map Amendment)
**GPA2024-01** (Minor General Plan Amendment)

# INSERT MAP OF SITE LOCATION

## Upper right-hand corner of the sign




# INSTALL SIGNS IN THE FOLLOWING LOCATIONS:




**11- Total Signs:**

**(1)- South portion of Milligan (1/2 mile west of S. Toltec)**

**(2)- North portion of Milligan (1 mile west of S. Curry)**

**(3)- Southeast corner of Milligan & Curry Rd**

**(4)- East portion of Toltec Rd (½ mile south of Milligan Rd)**

**(5)- South portion of Phillips Rd (1/2 mile east of S. Toltec Buttes Rd)**

**(6)- Northwest corner of Toltec Rd & Phillips Rd**

**(7)- South portion of Phillips Rd (1-mile east of Toltec Rd, 1-mile west of Curry Rd)**

**(8)- Northwest corner of Curry & Phillips Rd**

**(9)- East portion of Toltec Rd. (1-mile north of Shay Rd. & 1-mile south of Phillips Rd.**

**(10)- West side of Curry Rd. (3/4-mile south of Phillips Rd.**

**(11)- Northwest corner of Shay Rd. & Toltec Rd**

ATTACHMENT 6

# AFFIDAVIT OF SIGN POSTING

The undersigned Applicant has complied with the City of Eloy's posting requirements for Case # RZ-PAD2024-001 & GPA2024-01 Sawtooth West Energy Center on June 3, 2024

See attached photo exhibit.

For applicant:

Rose Law Group

_Dynamite Signs, Inc._____
Sign Company Name

Meghan Liggett
_____
Sign Company Representative

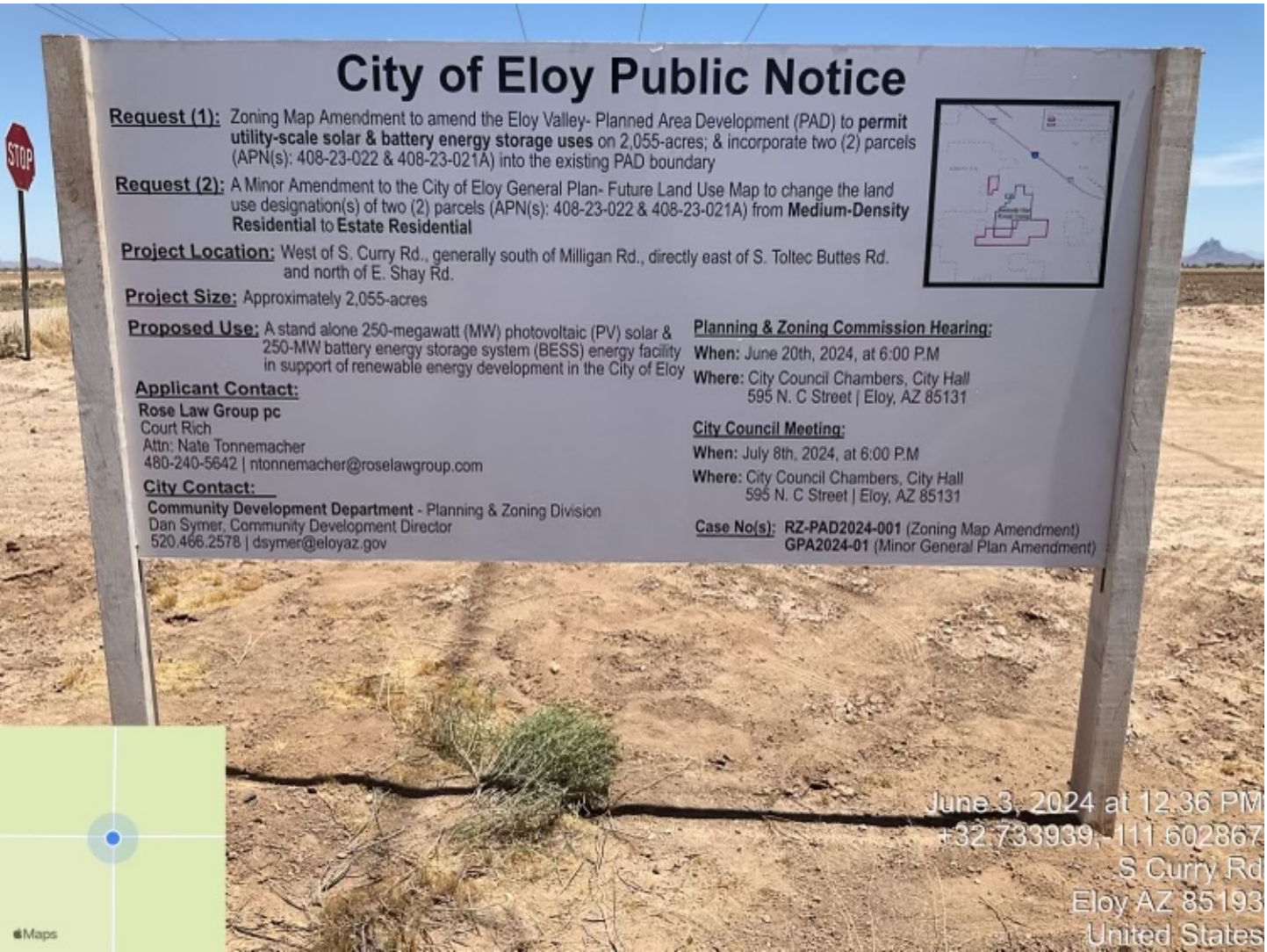
Subscribed and sworn to be on this _3rd_ day of _June_, 2024 by Meghan Liggett.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

_____
Notary Public

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 591461
My Comm. Expires Oct 25, 2024

My Commission expires: 10-25-24


City of Eloy Public Notice
Request (1): Zoning Map Amendment to amend the Eloy Valley- Planned Area Development (PAD) to permit utility-scale solar & battery energy storage uses on 2,055-acres; & incorporate two (2) parcels (APN(s): 408-23-022 & 408-23-021A) into the existing PAD boundary
Request (2): A Minor Amendment to the City of Eloy General Plan- Future Land Use Map to change the land use designation(s) of two (2) parcels (APN(s): 408-23-022 & 408-23-021A) from Medium-Density Residential to Estate Residential
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Applicant Contact:
Rose Law Group pc
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
Community Development Department - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
City Council Meeting:
When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
STOP
Maps
June 3, 2024 at 12:36 PM
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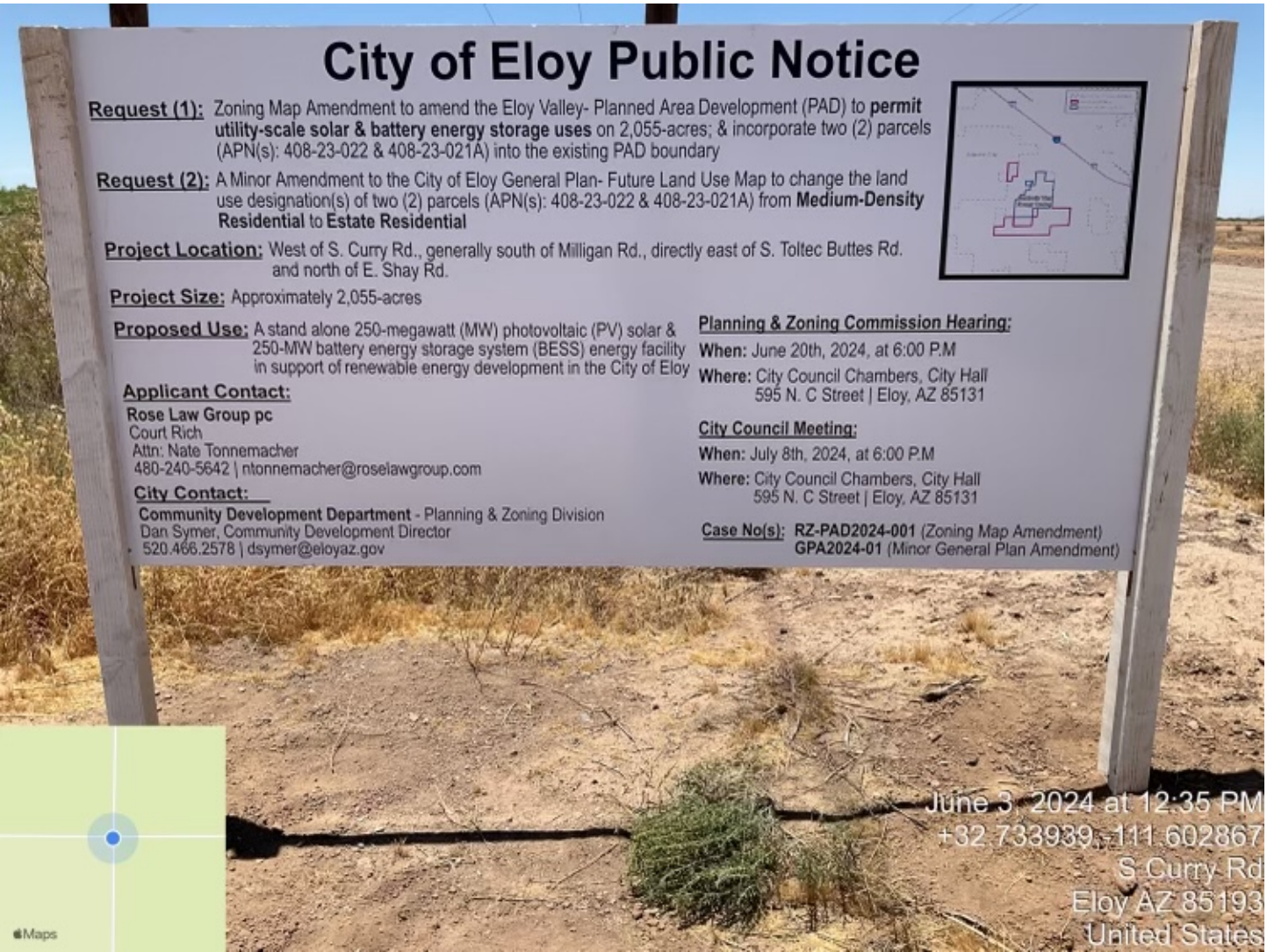
S Curry Rd
Eloy AZ 85193
United States


City of Eloy Public Notice
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Applicant Contact:
Rose Law Group pc
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
Community Development Department - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
City Council Meeting:
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Eloy AZ 85193
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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
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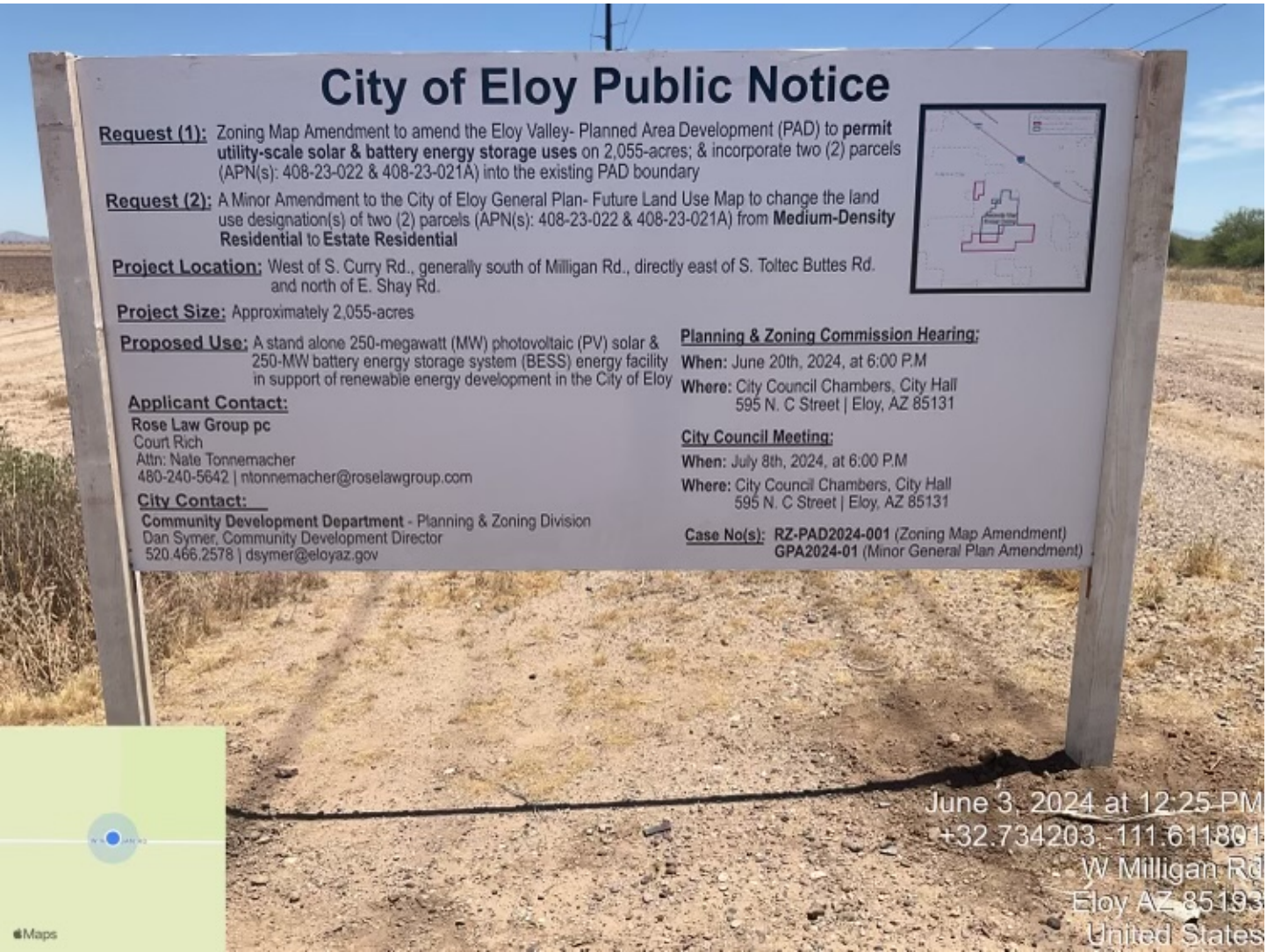
June 3, 2024 at 12:25 PM
+32.734203, -111.611801
W Milligan Rd
Eloy, AZ 85193
United States
Maps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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
June 3, 2024 at 12:13 PM
+32.734012, -111.624408
Eloy AZ 85193
United States
Maps

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June 3, 2024 at 12:13 PM
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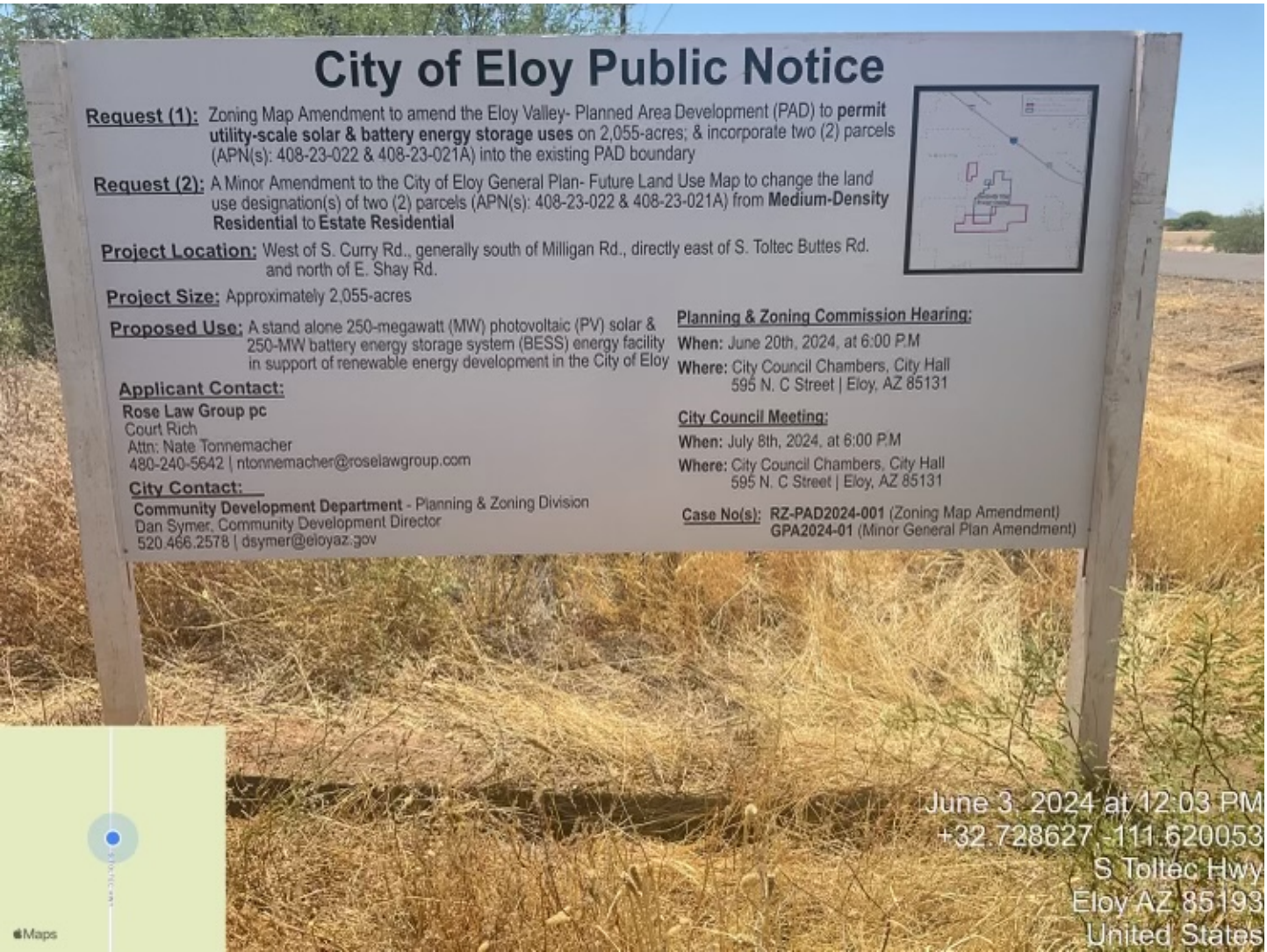
United States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595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
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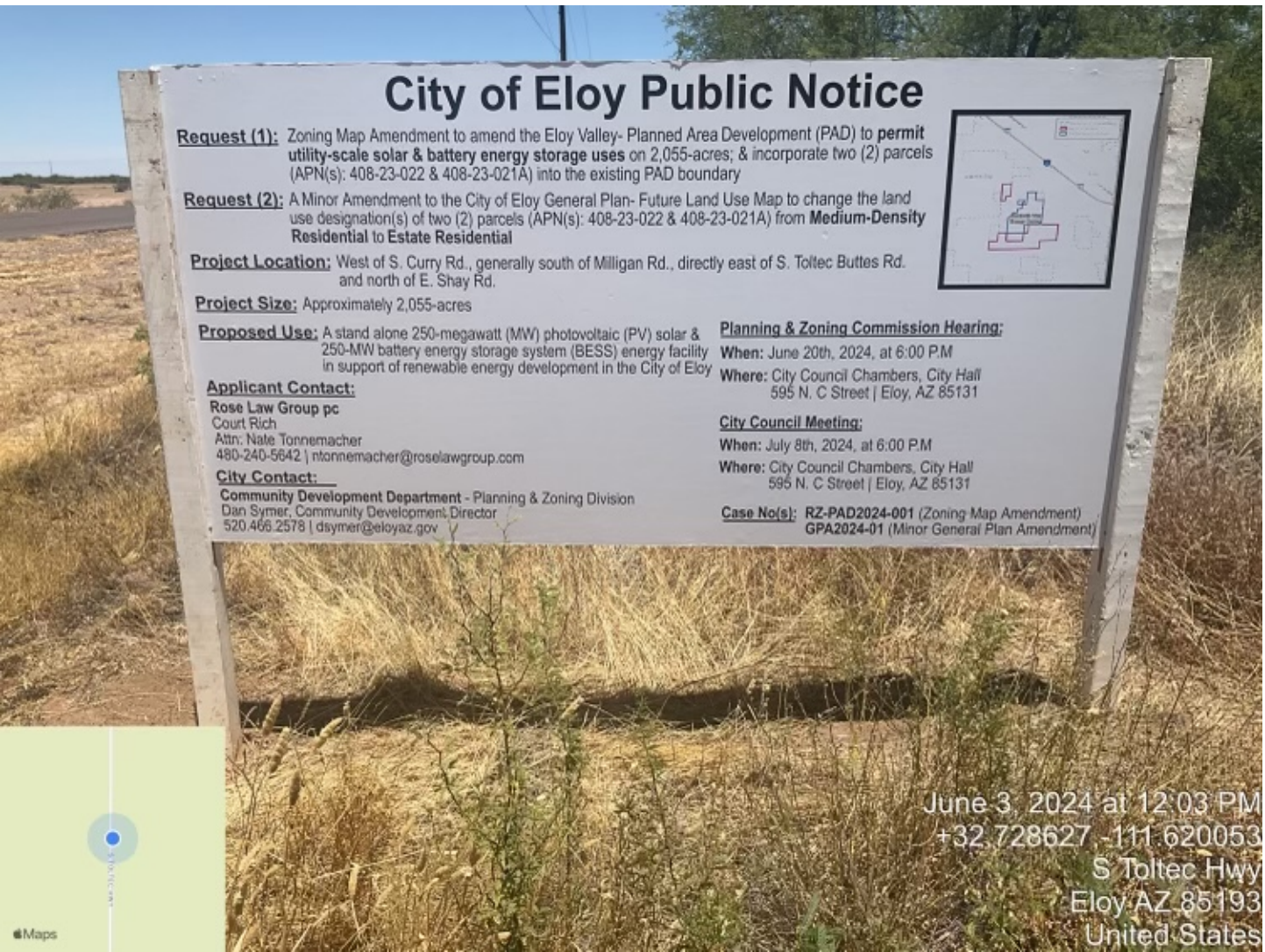
June 3, 2024 at 12:03 PM
+32.728627, -111.620053
S Toltec Hwy
Eloy AZ 85193
United States
Maps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S Toltec Hwy
Eloy AZ 85193
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595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
Phillips Rd
S Curry Rd
Google
Jun 3, 2024 12:15:57 PM
32°43'10.914"N -111°36'10.896"W
South Curry Road
Eloy
Pinal County
Arizona

City of Eloy Public Notice
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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
Phillips Rd
S Curry Rd
Google
Jun 3, 2024 12:16:05 PM
32°43'10.974"N -111°36'10.962"W
South Curry Road
Eloy
Pinal County
Arizona

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When: June 20th, 2024, at 6:00 P.M
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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
BEAT PERSON IN AREA
S Curry Rd
Google
Jun 3, 2024 1:24:50 PM
32°42'51.42"N -111°36'11.136"W
2200 South Curry Road
Eloy
Pinal County
Arizona

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E Phillips Rd
Google
Jun 3, 2024 11:39:25 AM
32°43'9.78"N -111°36'42.246"W
East Phillips Road
Eloy
Pinal County
Arizona

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W Monaco Blvd
W Torreon Dr
W Valdez Dr
Google
Jun 3, 2024 11:39:05 AM
32°43'9.93"N -111°36'42.432"W
8517 West Torreon Drive
Arizona City
Pinal County
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W Phillips Rd
Google
Jun 3, 2024 10:10:00 AM
32°43'9.408"N -111°37'58.14"W
4701 West Phillips Road
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Arizona

City of Eloy Public Notice
Request (1): Zoning Map Amendment to amend the Eloy Valley- Planned Area Development (PAD) to permit utility-scale solar & battery energy storage uses on 2,055-acres; & incorporate two (2) parcels (APN(s): 408-23-022 & 408-23-021A) into the existing PAD boundary
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Proposed Use: A stand alone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility in support of renewable energy development in the City of Eloy
Applicant Contact:
Rose Law Group pc
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
Community Development Department - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
City Council Meeting:
When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): RZ-PAD2024-001 (Zoning Map Amendment)
GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
Google
Jun 3, 2024 10:09:49 AM
32°43'9.462"N -111°37'58.404"W
4701 West Phillips Road
Eloy
Pinal County
Arizona

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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
E Phillips Rd
S Toltec Rd
Google
Jun 3, 2024 9:47:28 AM
32°43'10.722"N -111°37'13.728"W
4501 West Phillips Road
Casa Grande
Pinal County
Arizona

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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Phillips Rd
E Phillips Rd
S Toltec Rd
Google
Jun 3, 2024 9:47:16 AM
32°43'10.656"N -111°37'13.512"W
4501 West Phillips Road
Casa Grande
Pinal County
Arizona

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Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
W Shay Rd
S Toltec Rd
Google
Jun 3, 2024 9:17:23 AM
32°42'17.49"N -111°37'13.77"W
19387 South Toltec Road
Eloy
Pinal County
Arizona

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Case No(s): RZ-PAD2024-001 (Zoning Map Amendment) GPA2024-01 (Minor General Plan Amendment)
W Shay Rd
S Toltec Rd
Google
Jun 3, 2024 9:16:57 AM
32°42'17.706"N -111°37'13.782"W
19210 South Toltec Road
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Pinal County
Arizona

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GPA2024-01 (Minor General Plan Amendment)
Jun 3, 2024 2:23:28 PM
32°42'44.628"N -111°37'12.798"W
South Toltec Road
Eloy
Pinal County
Arizona
Google

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Google
Jun 3, 2024 2:23:48 PM
32°42'44.328"N -111°37'12.87"W
South Toltec Road
Eloy
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Arizona

Sawtooth West Energy Center | Open House Meeting Sign-in Sheet

*Located at Eloy City Hall* *Wednesday, June 5, 2024 - 5:00 to 6:00PM* *RZ-PAD2024-001 & GPA2024-01*

| Name | Address | Email | Phone | Y/N to receive project updates |
|---|---|---|---|---|
| (JVB Investments) Vance Varholdt | 4601 S. Kachina Dr. Tempe, AZ 85282 | jvarholdt@cox.net | (480)326-7502 | Y |
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EDFR Sawtooth West
Energy Center
Neighborhood Meeting
Wednesday, June 5, 2024
5:00PM - 6:00PM
LOCATED IN THE
COMMUNITY ROOM
PLEASE USE SOUTH
DOOR ENTRANCE

NEIGHBORHOOD
MEETING
CITY HALL ENTRANCE
COUNCIL CHAMBERS
SUITE 102: COMMUNITY DEVELOPMENT
SUITE 103: FINANCE I UTILITIES
SUITE 104: CITY CLERK I ADMINISTRATION
SUITE 101: PINAL COUNTY FEDERAL CREDIT UNION

Sawtooth West
Energy Center
Preliminary Site Plan
Preliminary Open Space Plan
Sawtooth West
Energy Center
Existing vs Proposed
Base Zoning Districts
Existing Zoning
Proposed Zoning
Sawtooth West
Energy Center
Existing vs Proposed
General Plan Land Use Designations
Sawtooth West
Energy Center
Visual Simulations
SWCA
Sawtooth West
Energy Center
Visual Simulations
Proposed Project
Proposed Project

EXIT

## Overview

**EDF Renewables North America is a project developer, owner, and operator with end-to-end solutions for every market...**

As developer, owner and operator of one of the largest renewable energy portfolios and second largest project pipeline on the continent, EDF Renewables is active in every market across North America.

With our history of innovation, and deep experience developing and operating renewable energy assets, we bring a full-suite of solutions for grid-scale, distribution-scale, asset optimization and onsite energy.

Our outstanding capabilities allow us to utilize our in-house experts, providing maximal efficiency and end-to-end oversight of any size of energy project.

**...with the capabilities, financial strength and global footprint to help you secure your energy future.**

**EDF Renewables North America**

- 18 GW development
- 14.6 GW service contracts
- 42 GW pipeline
- 35+ years experience
- 1,800+ employees

Grid-Scale Power
Distribution-Scale Power
Onsite Solutions
Asset Optimization

as of 12/31/23

© EDF Renewables North America 2024

## Sawtooth West Energy Center

*Supporting renewable energy development in the City of Eloy*

A standalone 250-megawatt (MW) photovoltaic (PV) solar & 250-MW battery energy storage system (BESS) energy facility on 2,055 acres

**Request 1:** *Zoning Map Amendment*

- Amendment to the Eloy Valley- Planned Area Development (PAD) to *permit utility-scale solar & battery energy storage uses* on 2,055-acres;
- Incorporation of two (2) parcels (APNs): 408-23-022 & 408-23-021A) into the existing Eloy Valley PAD boundary

**Request 2:** *Minor General Plan Amendment*

- A Minor Amendment to the Future Land Use Map to change the land use designation(s) of two (2) parcels (APNs): 408-23-022 & 408-23-021A) from *Medium-Density Residential* to *Estate Residential*

EDF renewables

## Sawtooth West Energy Center

*Ideally located within Eloy's Utility-Scale Solar Overlay Area*

City of Eloy
Utility-Scale Solar Overlay

Utility-Scale Solar & BESS Overlay

## Sawtooth West Energy Center

EDF renewables

Sawtooth West Energy Center Vicinity & Parcel Map

Interim Development Plan Context Map

th West
Center
EDF

Environmental Impact

We take pride in the impact of the 16 GW we have developed since our inception.

18 GW of renewable energy is equivalent to:

30,259,946 metric tons of carbon dioxide emissions avoided annually

7,292,457 passenger vehicles driven for one year

4,379,188 US homes could be powered with this much electricity generated

Economic Benefits – Sawtooth Solar + Storage Project

$104.7 million in economic activity over the life of the project within Ada County

Direct jobs and generate millions in new local earnings during the construction period

1-4 + new permanent full-time jobs

In total, the State, Ada County, City of Kuna and its school and special districts will receive an estimated $14.9 million in tax revenue

Local Economic Benefits

Direct benefits

The project will result in increased job opportunities for the local area. Some of these job opportunities may include:

- Surveying
- Civil engineering
- Geotechnical work
- Electrical work
- Road construction
- Transportation equipment
- Earthwork activities
- Maintenance of vehicle fleet
- Maintenance of gates
- Snow removal
- Other related services

Indirect benefits

- Increased spending on goods and services during construction and operational phases

EDF renewables

Local Community Benefits

We value the long-term benefits of working with the local stakeholders. Community benefits will include:

- Employment opportunities during the construction and operational phases of the project. The project is anticipated to generate 200 jobs at peak construction, and 1-4 + permanent positions during operations.
- Multiple contract opportunities for local businesses.
- Local businesses like hospitality and construction services during the development, construction and operational phases of the project.
- Tax revenues throughout the life of the project.
- Reduction in air pollution and greenhouse gases.

EDF renewables

Environmental Impact
Local Economic Benefits
Local Community Benefits

***Updated: 06/07/2024***

# Sawtooth West Energy Center

**Eloy, AZ**

**Calls & Emails Tracker:**

### Fred Kempe

Sq1america@gmail.com
480.205.9425
Property Curry north of Milligan
APN: 408.26.0030

- Received 1st phone call on 5/31 (comments & applicants' responses provided below):
- ***Comments:*** concerns about the adjacency of his property to such a large Solar Development; had concerns about the BESS fire risk and possibility of the chemicals leaking into the groundwater in the event of a fire.
  ***Responses:*** Explained the community and economic benefits of the project; the setbacks & screening required & the reality that the project will not have much negative effects on his property; explained where we are in the development process (entitlements phase);
  - ***The caller has asked for a Zoom meeting with the developer and a Fire Consultant to discuss further.***
  - ***Emailed Mr. Kempe on 6/07 indicating that the applicants' team will be providing a virtual meeting option during the week of June 16th, prior to the P&Z Hearing.***

### No Name

435.922.9236

- Received a call on 5/30, caller did not leave a message.
- Returned call on 5/30; caller did not answer- left a voice message providing contact information and information regarding the Project Scope;
- Phone call attempt #2 on 5/31- left an additional message; RLG has not received a return phone call to date.

### Ella Jackson

wejackson@yahoo.com
602.469.0551- cell
Daja Mitchell- daughter
520.709.3225

- Received a call from Ella Jackson, the caller left a message on 5/29, however, did not provide any details or ask any questions in the message.
- Returned call on 5/29- leaving a message and providing contact information for a return phone call.
- Phone call attempt #2 on 5/30- was unable to reach the caller, left another message providing contact information and details regarding the Project;
- Phone call attempt #3: successfully reached the caller on 5/31 (see comment & responses below):

***Comments:***
- The caller owns property near the project site, did not provide a specific location (said it was 7.5 acres).
- Her property is an investment property and was concerned that the potential of a Solar Project affecting her property prices

***Responses:***
- Explained the community and economic benefits of the project;
- Described the setbacks & screening required & the reality that the project will not have much negative effects on his property;
- Explained where we are in the development process (entitlements phase);

- The caller said they may come to the neighborhood meeting; but may also request a zoom meeting if possible.
- Received an email from Ella Jackson on 6/04/24 requesting to arrange a Zoom call in lieu of attending the in-person meeting; returned email on 06/07 indicating that the applicants team will be providing a virtual meeting option during the week of June 16th, prior to P&Z.

**Vishnu Kotta**
Vishnu.kotta@gmail.com
732.423.3666
- Received a call on 5/29; caller did not leave a message;
- Returned call on 5/29 without a response; left a message providing contact information
- Received an email on 5/29; returned an email to Mr. Kotta on 5/29, providing requested information;
- Phone attempt #2: successfully reach the caller on 5/30:
  ***Comments:*** Property owner of one of the parcels involved in the Sawtooth Project; asking for more information regarding the MGPA- supportive

**Perry Mathis**
mathis@casontyler.com
602.947.881
- Received an email on 5/31 asking about the potential to sell his property to the developer; had no comments about the project itself;
- Received a call from Mr. Mathis on 5/31; indicating that he is "fully in support of the project" and had no concerns about the project itself.
- Received a follow-up email from Mr. Mathis on 5/31; reinforcing that he is "fully in support of the project" and had no concerns about the project itself.

**Jack Riley**
815.252.5354
jackriley@cardinaltransport.com
- Received a call on 5/28 asking about the potential to sell his property to the developer;
- Have not received any follow-up comments, calls or emails from Mr. Riley since initial contact.

## Re: Sawtooth West Energy Center Project

Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Fri 6/7/2024 3:29 PM

To:wejackson <wejackson@cox.net>;Patterson Mitchell <daja.mitchell@gmail.com>

Good afternoon, Ella,

Thank you for reaching out! We are in the process of arranging follow-up virtual meetings with some neighbors as we speak.

Our plan at this point is to host a joint Zoom call with all interested parties the first couple day of the week of June 16th. Please let me know if you have any availability on either Monday, June 17th or Tuesday, June 18th.

Thank you again for your interest in the Project and reaching out, I look forward to hearing back from you and we can arrange that virtural meeting.

Have a wonderful weekend!

Nate Tonnemacher

Planner/Project Manager

CELEBRATING 21 Years

ROSE LAW GROUP pc

RICH • CARTER • FISHER

**7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251**

Direct: **480.240.5642** Fax: **480.505.3925** Mobile: **805.345.8074**

roselawgroup.com roselawgroupreporter.com

@roselawgroup @roselawgroupmeta

RLG is Service :: Winner "Best places to work in Arizona"

The author of this email is not an attorney. This communication does not constitute legal advice and should not be construed as such. The information contained in this

message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone at 480.505.3936 or fax 480.505.3925 and delete or destroy any copy of this message. Thank you.

Think green, please don't print unnecessarily

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**From:** wejackson <wejackson@cox.net>
**Sent:** Tuesday, June 4, 2024 10:11 AM
**To:** Nate Tonnemacher <NTonnemacher@roselawgroup.com>; Patterson Mitchell <daja.mitchell@gmail.com>
**Subject:** Sawtooth West Energy Center Project

Hello Nate,
My name is Ella. My daughter's name is Daja. We spoke with you on the phone last Friday. Thank you for answering the questions that we had so far. We will not be attending the meeting on tomorrow at the Eloy City Hall. We would like to be updated with all that is going on with this project. I have included Daja's email also. Zoom meetings would work better for us. Is that possible?

Regards,
Ella Jackson

# EDFR: Sawtooth West Energy Center (Follow-up)

Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Fri 6/7/2024 4:03 PM

To:Sq1america@gmail.com <Sq1america@gmail.com>
Cc:Kayla Amado <kamado@roselawgroup.com>;Court Rich <CRich@roselawgroup.com>;Henry Smith <Henry.Smith@edf-re.com>

Good afternoon, Mr. Kempe,

It was very nice discussing the Sawtooth West Energy Center Project proposed in Eloy, AZ, on the phone last week.

As you requested, I am following up via email to provide an update on the opportunity to meet virtually with the Developer and myself.

We are currently arranging follow-up virtual meetings with some neighbors. Our plan is to host a joint virtual call with all interested parties during the first couple of days of the week of June 16th. Please let me know your availability on either Monday, June 17th, or Tuesday, June 18th.

Thank you again for your interest in the Project. I look forward to hearing back from you to arrange the virtual meeting.

Have a wonderful weekend!

Best regards,
Nate Tonnemacher

## Sawtooth Energy - Eloy

mathis@casontyler.com <mathis@casontyler.com>

Fri 5/31/2024 1:22 PM

To:Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Nate, I received your notice regarding this project, and I'm fully supportive of the plan. I'm reaching out to see if my adjacent property would be of interest to the solar developers. My company Cason Tyler LLC owns Parcel 408-23-023 (40 acres). Please forward this on to your contact at EDF to see if there is interest.

Thanks,

Perry Mathis
Cason Tyler Companies
5080 N. 40th Street, Suite 205
Phoenix, AZ 85018
Tel: 602-957-1799
Cell: 602-647-8881
Email: mathis@casontyler.com

## Eloy Parcel 408-23-022

vishnu.kotta@gmail.com <vishnu.kotta@gmail.com>

Wed 5/29/2024 11:20 AM

To:Nate Tonnemacher <NTonnemacher@roselawgroup.com>

Hello Nate, I am trying to reach you but not connecting your phone, please call me when you get a chance. I am the owner of the subject parcel.

Thank You,
Vishnu Kotta
7324233666 M

# Citizen Review Plan & Report

**1st Amendment to the**

## Eloy Valley Specific Plan (PAD)

**Case Number:** RZ-PAD2024-001

## Minor General Plan Amendment

**Case Number:** GPA2024-001

# Sawtooth West Energy Center

Eloy, Arizona

***Report Updated:***

**June 7th, 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

## Sawtooth Solar LLC

***A subsidiary of:***

**EDF Renewables, inc.**

EDF renewables

# Citizen Review Report:

**NOTE:** *A copy of the previously submitted Citizen Review Plan is attached to this Report, please see* ***Attachment 1***

## Contact Dates and Methods

A total of *twenty-seven (27) Notification letters* were mailed via First Class U.S. Mail on May 22nd, 2024, to all property owners within 300ft of the Sawtooth West PAD boundary (see: **Attachment 2:** Affidavit of Notification & **Attachment 3:** Notice Buffer Map & Lables).

The letter provided all required and pertinent information regarding the application, including a description of the two (2) application requests by the applicant and a Project Map. An invitation to join the Development Team for a Neighborhood Outreach meeting that took place on June 5th in the City of Eloy was also included in this report and contained all meeting details and the location of the meeting. A copy of the notification letter is attached to this Report (see **Attachment 4**) along with the 300-ft buffer map and list of the property owners located within the noticing boundary.

## Site Posting

The Project Site was posted on June 3rd, as required by the City of Eloy, providing application details, city and applicant contact information, project numbers, a Project Vicinity Map and all upcoming public hearing information.

Eleven (11) total sign we're posted within the 2,055-acre Project area, strategically located along the project boundary and within areas internal to the Project demonstrating the most appropriate viewing opportunity for the public (see **Attachment 5**: Sign Specifications & Locations). Each sign is double sided and was placed perpendicular to the road adjacent to the project boundary. Photos and an affidavit for posting is attached to this Report as **Attachment 6**.

## Neighborhood Outreach Meeting

A Neighborhood Outreach meeting was held, in-person, on June 5th, 2024, from 5:00 pm to 6:00 pm in the Community Room of the Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public was invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. The applicant and their representatives were available for the entire meeting

The Community Room was accessible to the public through a main entrance leading outside. A comment table was positioned at the entrance, with a member of the Applicant's team stationed to welcome visitors. The meeting space was well-lit, with signs placed around the entrance, including the parking areas and pathways leading to the space. A team of three representatives from Rose Law Group PC, including the Applicants' Land Use Attorney and two (2) Land Use Planners, joined the Applicants' Development Team as hosts of the meeting.

Two (2) members of the public attended the meeting: a neighboring property owner and his business

partner. They did not provide comments but were interested in learning more about the Project. The Applicant and their representatives guided them through the twelve (12) exhibits, illustrating all pertinent aspects of the Project, placed around the room. The Applicants' Representatives and Development Team described the purpose of the requests, provided context and background relating to the Project scope, explained all applicable community and public outreach requirements, described some of the immediate next steps for the project, and provided information pertaining to the upcoming public hearings for the Project.

Additionally, the Applicant Team described the various Project components, and community and economic benefits of the Project. Finally, the participants asked some follow-up questions regarding the Text Amendment update to the Eloy Ordinance relating to utility-scale solar and BESS development within the city. The Applicants' Team described the increase setbacks and R/W dedication improvement standards as well as the other development standards placed upon the Project.

A copy of the sign-in sheets with the attendees' contacts information and pictures of the meeting are provided as **Attachment 7** to this Report.

## Ongoing Communication with Neighbors

The Applicants' Representatives are the listed contact on all notification postings and mailers and have collected all information and details regarding public engagement on behalf of EDFR. To date, the Applicants' Representatives have received no formal comments from the public but have fielded emails and phone calls from neighbors.

In total the Applicants' representatives have received six (6) calls from members of the public and four (4) emails (including the formal comment mentioned above). A detailed summary of all calls and emails received & copies of all emails are provided in **Attachment 8** (*Calls and Emails Tracker*), which is included in this report.

**Conditions of Approval for Zoning Map Amendment:**

**Case No. RZPAD2024-001**

**Eloy Valley Specific Plan a "Planned Area Development" - 1st Amendment - Sawtooth Energy Center**

These stipulations are in order to protect the public health, safety, and welfare of the City of Eloy.

## SITE DEVELOPMENT

1. APPLICABILITY. Case No. RZPAD2024-001 Eloy Valley Specific Plan PAD - 1st Amendment - Sawtooth Energy Center, and Conditions of Approval herein, only apply to those areas of Eloy Valley Specific Plan a "Planned Area Development" identified as the Subject Property in Exhibit A to Ordinance No. 24-971.
2. CONFORMANCE TO DEVELOPMENT PLAN. The development shall conform to the Development Plan, entitled "Eloy Valley Specific Plan a "Planned Area Development" - 1st Amendment - Sawtooth Energy Center," which is on file with the City Clerk and made a public record by Resolution No. 24-1577 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning and Zoning Commission and City Council. Where there is a conflict between the Development Plan and these stipulations, these stipulations shall prevail.
3. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. The development shall conform to the amended development standards included in the Development Plan, except that the Zoning Administrator may approve a modification to a standard up to 10 percent of the standard. Any proposed significant change, equal to, or greater than 10 percent to the development standards shall be subject to additional public hearings before the Planning and Zoning Commission and City Council.
4. CITY OF ELOY WELL SITE. No development is allowed on the City of Eloy's well-site properties without a separate agreement approved by the City of Eloy City Council.
5. DEVELOPMENT BETWEEN CITY OF ELOY WELL SITES AND RIGHT-OF-WAY. Development of the property shall not obstruct two-way vehicle access to the City of Eloy's well-site properties.
6. OPEN SPACE. For uses other than a farm or Solar, Utility Scale Generation and Battery Energy Storage System Facility: 1) A minimum of fifteen percent (15%) of the net property acreage of the Eloy Valley Specific Plan a "Planned Area Development" - 1st Amendment - Sawtooth Energy Center shall be provided as Open Space Conservation (OSC) and/or Open Space Recreation (OSR) zoned and/or designated area; and 2) The developer shall provide an update to the total, and location of, the Open Space Conservation (OSC) and/or Open Space Recreation (OSR) that been zoned and/or designated with each preliminary plan and/or site plan application.
7. SCREENING. All equipment and structures to store (e.g. batteries, etc.) and to convey electricity (e.g. substations, batteries, etc., but, excluding transmission towers) shall be screened by a minimum seven foot tall opaque wall or fence (excluding chain-link with slates).
8. EASEMENTS. No development shall be constructed in publicly dedicated easements without an encroachment permit. The property owner/developer shall obtain approval from the City of an easement release for any easement determined by the City Engineer or the Community

Development Director that needs to be removed to accommodate the development of the property. The property owner/developer shall dedicate all easements necessary to serve the development as determined by the City Engineer or the Community Development Director.

9. INTERNAL ROADWAYS. Roadways used for fire vehicle circulation and access into and within a Solar, Utility Scale Generation and Battery Energy Storage System Facility shall be compacted to withstand a minimum gross vehicle weight of 75,000 pounds, and comply with the most recent Fire Code requirements of the Eloy City Code applicable at the time of permit issuance.

**MASTER PLANS**

10. MASTER INFRASTRUCTURE PLANS. For uses other than a farm or Solar, Utility Scale Generation and Battery Energy Storage System Facility, prior to the submittal of any preliminary plat, or site plan, for any part of the Eloy Valley Specific Plan a "Planned Area Development" - 1st Amendment - Sawtooth Energy Center property, the property owner/developer shall submit the new Master Infrastructure Plans specified below for the entire Eloy Valley Specific Plan a "Planned Area Development" by a registered engineer licensed to practice in Arizona. The aforementioned Master Infrastructure Plans shall be accepted/approved by the City of Eloy's City Engineer prior to receiving approval of any preliminary plat, or site plan. The Master Infrastructure Plans shall be sealed by the registrant no more than 30 days before the submittal date to the City, and shall be prepared to conform to the standards specified by the City of Eloy's City Engineer. Each Master Infrastructure Plan shall include a complete description and plans of the infrastructure improvements, any project phasing of the improvements, and identifying the timing and parties responsible for the construction of the improvements. The follow Master Infrastructure Plans shall be submitted:

    a. Master Transportation Systems Plan

    b. Master Drainage Systems Plan

    c. Master Water Systems Plan

    d. Master Wastewater Systems Plan

**INFRASTRUCTURE**

11. WATER RESERVOIR. Prior to, or concurrent with, the issuance of any building permit for a Solar, Utility Scale Generation, and Battery Energy Storage System Facility, the property owner/developer shall obtain permits to construct a minimum 25,000-gallon water reservoir tank on the property near the battery storage facilities and substation. The water reservoir tank shall be operational and filled with water prior to any Final Inspection for the development project.

12. WASTEWATER. The developer shall provide sewer connections, or a septic field in accordance with Pinal County requirements, for all sink(s) and toilet(s)/lavatory room(s) provided on the property for the Solar, Utility Scale Generation and Battery Energy Storage System Facility. No temporary portable toilet(s) or similar facilities will be allowed on site, except during construction. All portable toilet(s) or similar facilities shall be removed prior to receiving a final inspection for the associate building permit activities.

13. STANDARDS OF IMPROVEMENTS.

    a. With the development of the property for a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall construct improvements as required by the Zoning Ordinance and the City Engineer. All required infrastructure

improvements shall be constructed in accordance with the Eloy City Code, and the applicable Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction.

b. With the development of any other use, the improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Eloy City Code, accepted/approved Master Infrastructure Plans, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, or other standard specifications and details for public works construction accepted by the City Engineer.

14. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, or Final Inspection, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Eloy City Code and these stipulations.

# CITY OF ELOY
# REQUEST FOR COMMISSION ACTION

**Agenda Item: VIII.C.**
**Date: 6/20/2024**

| | | |
|---|---|---|
| **Date submitted:** 05/17/2024<br><br>**Date requested:** 6/20/2024 | **Action:** Other | **Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2009-018.A1: Cooley Eloy 640 Planned Area Development – Shay Solar. The proposed Zoning Map Amendment is to modify the Cooley Eloy 640 Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facility as an allowed use on a site located between W. Shay Road and W. Phillips Road, and S. Tweedy Road and S. Eleven Mile Corner Road, in the City of Eloy, Pinal County, Arizona. Applicant Contact: The Rose Law Group, PC, c/o Court Rich.** |

**TO:** Planning and Zoning Commission

**FROM:** Dan Symer, Belinda Cota

**RECOMMENDATION:**

The staff recommends that the Planning and Zoning Commission, after reviewing the Issues for Consideration for a Zoning Map Amendment and the Approval Criteria for a PAD, recommend to the City Council the approval of the specified Zoning Map Amendment outlined in Case No. RZPAD2009-018.A1: Cooley Eloy 640 Planned Area Development – Shay Solar in accordance with the attached Conditions of Approval.

**DISCUSSION:**

**Request:**
The applicant, Rose Law Group, PC, c/o Court Rich, on behalf of Shay Solar, LLC, a subsidiary of RWE Clean Energy, LLC, has submitted an application for a Zoning Map Amendment to modify the existing Cooley Eloy 640 Planned Area Development (PAD). The purpose of the amendment is to incorporate Solar, Utility Scale Generation, and Battery Energy Storage System Facility, also known as Solar Generation Facility in the

Zoning Ordinance (hereafter, "Utility Scale Solar") as an allowed use.

**Context**
The site is primarily surrounded by farms and vacant land. The surrounding properties are primarily zoned Single-family Residential, Open Space Recreational, and a small location of General Commercial on the northwest corner of W. Philps Road and S. Tweedy Road. The General Plan land use map designations adjacent to the site are primarily Estate Residential, Low Density Residential, Medium Density Residential, with limited areas designated Commercial, and High Density Residential. The General Plan land use map designations, zoning, and land uses of the property abutting and adjacent to the property are identified in the table below and in the attachments.

| Direction | General Plan Land Use Map Designation | Existing Property Zoning | Existing Use of the Property |
|---|---|---|---|
| North | Estate Residential | Single-family Residential (R1-54) | Farmland |
| South | Estate Residential, Low Density Residential, High Density Residential and Community Commercial | Single-family Residential (R1-43) | Farm and vacant land |
| East | Estate Residential, Medium Density Residential, High Density Residential and Community Commercial | Pinal County General Rural | Farm and vacant land |
| West | Low Density Residential and Medium Density Residential | Single-family Residential (R1-43) and Single-family Residential (R1-43) PAD | Farm and vacant land |

**Zoning Ordinance Issues for Consideration:**
In determining whether to approve, approve with conditions, or deny proposed Official Zoning Map amendments, issues for consideration shall include but not be limited to: (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;

- ***The Utility Scale Solar use*** **may also be allowed in any zoning district and land use designations when incorporated as an allowed use of a PAD zone. Adding the Utility Scale Solar to the PAD will assist in providing for a more sustainable community as specified in the General Plan Goal *3.1.1.1.* It should be noted that according to the applicant, the Utility Scale Solar use is interim until such time that the development of the property for the zones and uses specified in the PAD is more viable and utilities are available.**

B. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

- ***The proposed Zoning Map Amendment and associated uses are consistent and compatible with the abutting and adjacent properties and character of the area/neighborhood.***

C. Suitability of the subject property for uses permitted by the proposed zoning district;

- ***The property is relatively flat farmland. To develop the property as a Utility-Scale Solar site and to develop it in the future for the uses allowed in its designated zoning, the property owner/developer will be required to provide all necessary infrastructure improvements to serve the property.***

D. Suitability of the subject property for uses permitted by the existing district; and

- ***The approximate 640-acre subject site is currently zoned Single-family Residential (R1-6) and General Commercial. The property may be developed under its existing zoning designations, provided that the property owner/developer provides all necessary infrastructure improvements to serve it.***

E. Availability of sewer and water facilities.

- ***The approximate 640-acre subject site currently does not have Eloy water or sewer/wastewater service. The nearest water service line is located on W. Milligan Road, approximately 950 feet east of the W. Milligan Road and E. Eleven Mile Corner Road intersection. The nearest sewer/wastewater service is located near the intersection of N. Sunshine Boulevard and E. Milligan Road. Several private well locations exist on the site. With the development of the property as a Utility Scale Solar use, the property owner/developer will be required to provide septic infrastructure for sewer/wastewater and a minimum of 25,000-gallon water storage tank for***

***landscaping, restrooms, fire suppression, etc. purposes. When the property is developed for any other use, the property owner/developer will be required to provide all sewer/wastewater and water facilities to serve the development in accordance with city, county, and state requirements.***

**Approval Criteria for a PAD**

In determining whether to approve, approve with conditions, or deny a proposed Zoning Map Amendment for a PAD, the City Council shall make a determination in accordance with the provisions specified below (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the City as a whole than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties. Such greater benefits may include the implementation of adopted planning policies/design standards, natural resource preservation/conservation, enhanced provision of utilities, urban design, neighborhood/community amenities, or an overall level of increased development quality.

- ***The incorporation of the Utility Scale Solar facility as an allowed use in the Cooley Eloy 640 PAD will assist in providing a sustainable community through the provision of enhanced/alternative utility-scale solar energy production (GP Goal 3.1.1.1.). The proposed modifications to the PAD are not anticipated to alter the City Council's previous determination of the PAD Approval Criteria when the Eloy Valley Specific Plan PAD was originally approved.***

**FISCAL IMPACT:**

There is not a fiscal impact associated with this discussion.

# Cooley Eloy 640

## Zoning Map Amendment

Justification Narrative

1st Amendment to the
**Cooley Eloy 640**
**Planned Area Development**

***Submitted to:***

**City of Eloy, AZ**
595 N. C. Street Ste. 104
Eloy, Arizona 85131

***3rd Submittal*:**

**May 8, 2024**

***Applicant, prepared on behalf of Shay Solar, LLC:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

**Court Rich, Attorney**
Attn: Nate Tonnemacher
Land Use Planner & Project Manager
(480) 240-5642 | (480) 291-0737
ntonnemacher@roselawgroup.com

***Prepared for:***

**Shay Solar LLC**

***A subsidiary of:***

**RWE Clean Energy**

RWE

Attn: Blake Heslep
Senior Manager, Development West Region
20 California Street, Floor 5
San Francisco, California 94111

# Table of Contents

**1. Introduction** ..... 1
**2. Purpose of Request** ..... 1
*Development Standards* ..... *1*
*Justification of the Amendment Request* ..... *2*
**3. Background** ..... 2
**4. Site Location and Conditions** ..... 3
*Site Location* ..... *3*
*Site Conditions* ..... *3*
*Responsible Land Planning* ..... *4*
*Community Benefits* ..... *4*
**5. Zoning Map Amendment Criteria** ..... 4
*Criteria Analysis:* ..... *4*
**6. Planned Area Development (PAD) Approval Criteria** ..... 8

## Table

**Table 1:** Consistency with the City of Eloy General Plan ..... 5

## Exhibits

(Filed under separate Cover)

*See Appendix E of the 1st Amendment to the Cooley Eloy 640 PAD*

**Exhibit A:** Vicinity Map

**Exhibit B:** Existing Zoning Map

**Exhibit C:** Conceptual Site Plan

**Exhibit D:** Surrounding Uses Map

**Exhibit E:** Conceptual Sections

**Exhibit F:** Surrounding Zoning Map

# 1. Introduction

Rose Law Group pc., as the applicant on behalf of Shay Solar LLC, a subsidiary of RWE Clean Energy ("RWE") (herein the "Solar Developer"), desires to construct and operate an electrical generation facility consisting of solar photovoltaic (PV) modules and a battery energy storage system (BESS) facility, collectively referred to as the Shay Solar Energy Center (the "Solar Project") within the City of Eloy, Arizona ("city") as an interim use of the land until such time that market conditions warrant the development of the Cooley Eloy 640 PAD, as envisioned.

The Solar Project's generation capacity will be up to 130 megawatts of alternating current (MWac); and, the BESS would have a net power storage capacity of up to 130 MWac. It should be noted that the 230 kilovolt (kV) Arizona Public Service (APS) Milligan Substation is located at the southeast corner of West Milligan Road and Eleven Mile Corner Road, located approximately 1-mile directly north of the Project.

The development will be located on approximately 650 gross acres of land, consisting of three (3) parcels (herein the "Project Site"). All the three (3) parcels included as part of the proposed Solar Project are a part of the existing Cooley Eloy 640 Planned Area Development (hereafter the "PAD"). (See **Exhibit A**: *Vicinity Map* within *Appendix E of the 1st Amendment to the Cooley Eloy 640 PAD* (filed under separate cover).

# 2. Purpose of Request

The purpose of this Zoning Map Amendment application is amending the previously approved Cooley Eloy 640 PAD to permit the Solar, utility Scale Generation and Battery Energy Storage System Facility (hereafter the "Solar Project") land use in all underlying zoning districts of the PAD.

## Development Standards

*Below is the additional use, property development standards and definitions for the Utility Scale Solar land use in the Cooley Eloy 640 PAD:*

1. **Utility Scale Solar is allowed in all underlying zoning districts of the Cooley Eloy 640 PAD overlay zone, and the development of the use shall conform with the following:**
    a. *Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the City of Eloy Zoning Ordinance ("ordinance"), as amended, except as modified below:*
        i. The facilities shall be limited to the locations indicated on the Interim Project Development Plan: Conceptual Site Plan (See: *Appendix E*, ***Exhibit C***)
        ii. Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.
        iii. Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.
        iv. Perimeter fence color: sage green color that has color equivalency with a LVR of 40% or less.
        v. The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the ordinance, as amended, except that only the landscape provisions of 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39. of the ordinance.

vi. Perimeter fencing, including gated access through the fence, shall be setback a minimum of 50 from the right-of-way dedicated in accordance with Section 21-3-1.39. of the ordinance.

2. **Definition of Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities):**

   ***Utility Scale Solar and Battery Energy Storage Systems (BESS):*** A solar-generated electrical power plant, inclusive of the equipment necessary to generate, store, and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system.

   Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as an interim use within the PAD.

In addition to the modifications above, several clerical updates to the development and use standards have been made in the Cooley Eloy 640 PAD document. These updates clarify the PAD's applicable standards and reduce the need for future interpretation of the provisions when development of the PAD occurs as originally envisioned.

### Justification of the Amendment Request

This Project narrative is separated into three main discussions summarized below, each justifying the request to amend the Cooley Eloy 640 PAD, based upon the intended future use of the Planned area:

1. First, providing a brief background of the land uses proposed within the Cooley Eloy 640 PAD, which provides the necessary context to introduce the objectives of this amendment request.
2. Next discussing the location and current conditions of the Site and surrounding area, thereby further describing the intended future use and compatibility of the Site as a Solar Project. Specifically describing the various approaches to responsible community planning accomplished through the amendment request and highlighting the community benefits of the Solar Project.
3. Finally, the document provides an analysis of how the amendment request complies with the ordinance criteria for Zoning Map Amendments, including the proposed modification of the Cooley 640 PAD to allow utility-scale solar and BESS uses within its boundaries. Additionally, a brief analysis and response to the ordinance approval criteria for the establishment of PADs is provided, describing how this amendment aligns with the city's current and future development and land use standards and goals for the area in which the Cooley Eloy 640 PAD is situated.

## 3. Background

In 2009, the city approved the Cooley Eloy 640 PAD, which proposed a mixed-use planned community on approximately 650 acres. The conceptual PAD consisted of 2,278 dwelling units, 97.7 acres of parks and recreation space, 32.8 acres of commercial uses, a 12.8-acre school site, and necessary supporting infrastructure. As part of PAD approval, the Site was zoned to allow for development of the proposed land uses under the PAD and the city established the Cooley Eloy 640 PAD zoning overlay of the entire site.

While the Cooley Eloy 640 PAD was approved in 2009, no aspects of the PAD development plan have ever been pursued and no development projects have been considered for the Site. **Exhibit B:** *Existing Zoning Map*, within Appendix E of the 1st Amendment to the Cooley Eloy 640 PAD illustrates the existing zoning of the project site and immediate surrounding area.

# 4. Site Location and Conditions

## Site Location

The 650-acre Project Site is located approximately 1.5 miles southwest of the 1-10 within the City of Eloy's undeveloped southwestern area. The Site is bounded to the west by Tweedy Rd and to the east by Eleven Mile Corner Road. The major arterial, Phillips Road bounds the Site to the north and Shay Rd. to the south.

Regionally, the Site is located approximately 4.5 miles to the north of the smaller unincorporated community of Arizona City within Pinal County. The City of Casa Grande is located approximately 14.6 miles to the northwest of the Project Site and much of the urbanized center of the City of Eloy is located approximately 4 to 5 miles to the east. (See **Exhibit A**: *Vicinity Map*, within Appendix E of the 1st Amendment to the Cooley Eloy 640 PAD).

The areas immediately adjacent to the project site are also either currently vacant or mostly underutilized. Aside from the undeveloped larger parcels existing in the area, the land use activity is largely agricultural or small-scale on-site storage operations supporting the agricultural uses. Parcels situated immediately north and east of the Project Site are unincorporated Pinal County land, not within the city limits or under its regulatory jurisdiction.

While much of the surrounding area has not yet developed, much of this area has been rezoned into planned area overlays since their original incorporation into the city to allow future residential and commercial development through the following PAD zoning overlays:

- **Tierra Del Sol PAD**: The parcel immediately northwest of the proposed project site contains this PAD overlay, which conceptually proposes 1,110 single-family residential lots.
- **Rancho Del Sol Brillante PAD**: The parcel immediately northeast of the proposed project site contains this PAD overlay, which is a conceptual 1,600-acre, master-planned community of residential, school, park, and community service uses.
- **Eloy Valley PAD**: The parcel immediately north and west of the proposed project site contains this PAD overlay, which conceptually proposes a mix of residential, commercial, and industrial development.

It should be noted that much of the land encompassing each of these PAD's is also slated for utility scale solar and BESS development. Similar to the Cooley Eloy 640 PAD amendment, each PAD mentioned above is also in the process of being amended to support utility scale solar and BESS land uses, subject to the provisions set forth in Section 21-3-1.39.D of the ordinance.

## Site Conditions

Since its incorporation into the City of Eloy, the Site has either been completely vacant or severely underutilized with only minimal agricultural activity operating within its boundaries. The Site has

remained largely underutilized despite significant development being proposed within the surrounding area.

As previously discussed, the Site is currently zoned as part of the Cooley Eloy 640 PAD overlay with underlying zoning of residential (R1-6 Single Family 6,000-sf/lot, R-3 Multiple Family 10-24 du/ac) and Community Commercial (C-2) land uses (See **Exhibit B:** *Existing Zoning Map*).

### Responsible Land Planning

As indicated above, Utility Scale Solar will use the Site for the Solar Project as an interim use until market conditions warrant the development of the Cooley Eloy 640 PAD as originally envisioned. The approval of the proposed amendment to the PAD ensures responsible planning through comprehensive and thoughtful land use strategies.

### Community Benefits

Through the amendment request, the Project will bring significant tax revenue to Eloy and the local school district, while saving precious water resources, creating hundreds of construction jobs, and generating much needed electricity to support the growth of the local and regional economy. While solar generation is exempt from some forms of tax, the Solar Project will pay significant business personal property taxes that benefit local taxing authorities in proportion to the tax rate they charge.

In addition, the Applicant looks forward to becoming an active member of the Eloy community and looks forward to assisting the community in addressing local needs over the next several decades while the Solar Project is in operation.

This amendment to the Cooley Eloy 640 PAD establishes a reliable, flexible, and cost-effective framework for development of this property. This amendment is the best planning tool for maintaining the structure of the City of Eloy's zoning provisions while allowing the flexibility to respond to future development conditions.

## 5. Zoning Map Amendment Criteria

The following is analysis of the Zoning Map Amendment Criteria of Section 21-6-6.4 of the ordinance, and includes issues for consideration, as it pertains to the proposed amendment changes to the Cooley Eloy 640 PAD and the Modified PAD's conformance to criteria.

### Criteria Analysis

*Section 21-6-6.4 City of Eloy Zoning Ordinance:*

**Issues for Consideration:** *In determining whether to approve, approve with conditions, or deny proposed Official Zoning Map amendments, issues for consideration shall include:*

1. ***Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;***

   **Responses:** *Consistent*

   - The Solar Project, as amended, is entirely consistent with specific goals and policies in the Eloy General Plan and constitutes an overall improvement to the local and regional economy via regional energy production that is not solely for the good or benefit of a particular landowner or other Solar Project proponent.

- The Solar Project will assist the City of Eloy in promoting its goals to create a community with adequate infrastructure and utilities as well as striving to enhance and maintain regional and local air quality and encourage the creation of jobs—both temporary construction jobs and permanent O&M jobs—associated with these types of projects.

Table 1 provides a complete accounting of relevant Eloy General Plan Elements, their attendant policies, and the consistency of the Solar Project with these policies:

**Table 1:** *Consistency with the City of Eloy General Plan*

| General Plan Elements | General Plan Policies | Consistency with General Plan |
|---|---|---|
| **Land Use Element** | | |
| Goal #1 | Provide a range of residential, employment and supportive land uses to encourage and maintain a sustainable community. | **Response***: Consistent*<br>The Solar Project is an innovative and quality development of renewable solar energy generation and battery storage that will help the community reach sustainability goals. The Solar Project is located near existing high voltage transmission infrastructure and will interconnect into the Milligan 230kV Substation.<br>Siting the Solar Project near existing infrastructure (e.g., roads, transmission lines, substations) achieves balance between the Solar Project needs and minimization of impacts. A PAD Amendment to allow for solar energy storage and grid connection in this location represents compatible land use strategy and efficient development patterns near existing electric utilities and in areas of the city reserved for utility scale solar and BESS use and development. |
| Objective #1 | Maintain transitional buffers between high and lower impact land uses. | **Response:** *Consistent*<br>The Solar Project will help maintain transitional buffers between high and lower impact land uses in the areas north and east of the Project Site. The Solar Project is located near existing high voltage transmission lines and complies with the Location Criteria outlined in the Eloy City Code of Ordinances Section 21-3-1.39.<br>Sufficient buffers, as directed by the city, to provide safety exclusion zones/distancing will be incorporated to not interfere with these existing land uses. The Solar Project acts as an efficient buffer by providing further separation from these existing electrical features and surrounding agriculture and rural land uses. |
| **Environmental Planning Element** | | |
| Goal #1 | Encourage the preservation of the paloverde-saguaro plant community to retain high value vegetation that also provides natural area habitat. | **Response:** *Consistent*<br>The Solar Developer will coordinate closely with all applicable local, county, state, and federal agencies throughout development of the Project, including environmental, land, and resource management agencies to protect sensitive species and habitats. The Project site and surrounding area is characterized as predominately agricultural with some open desert lands.<br>Any native plants protected under Arizona Native Plant Law, administered by the Arizona Department of Agriculture, will be identified on the site prior to construction and relocated or salvaged as required. Native plant removal, relocation, or sale will be noticed |

| | | |
|---|---|---|
| | | as required by Arizona Administrative Code Title 3, Chapter 3, Article II. |
| Goal #2 | Strive to enhance and maintain regional and local air and water quality. | **Response:** *Consistent*<br>The Project will provide renewable energy storage that could result in improved air quality through reduced emissions from fossil fuel electric generation. The Project would be considered a low-intensity use. Improving roads and reducing agriculture operations will provide a beneficial reduction in the area's particulate matter (PM10) levels. |
| Goal #4 | Continue to enforce zoning code and building code provisions to protect life and property from wind and fire hazards. | **Response:** *Consistent*<br>All applicable Eloy Fire District code policies and regulations will be complied with, and all reasonable measures will be taken to prevent fires or safety concerns within the Project Site. Fire Apparatus Access Roads would be developed onsite meeting the 75,000 lbs. load requirement to the BESS areas and other facility use areas found on site. An on-site water supply source will be provided meeting NFPA 1142 for firefighting in a rural setting.<br>All construction personnel will be instructed on emergency response to fire events; clear away all flammable material for a minimum of 10 feet from areas of operations where a spark, fire, or flame could be generated; equipment parking areas and small stationary engine sites would be cleared of all flammable materials prior to use; "No Smoking" signs would be posted, gas and oil storage areas will be clearly marked, cleared of all flammable material, and all used and discarded oil filters, oily rags, or other waste would be disposed of in an approved manner. |
| Goal #5 | Work with the Pinal County Flood Control District to minimize the risk and hazards associated with flooding on existing and future development and human life within the City's floodplains. | **Response:** *Consistent*<br>The Solar Project will not be developed in any floodway area. Further, the Solar Project will comply with Pinal County, State and Federal regulations associated with development in a floodplain.<br>The Solar Developer is currently in the process of obtaining approval of a Floodplain Use Permit (FUP) with Pinal County. |
| **Water Resources Element** | | |
| Goal #2 | Encourage conservation measures that foster efficient potable water use. | **Response:** *Consistent*<br>The Solar Project will require very little water use during operations, except for dust mitigation, as-needed maintenance for cleaning equipment and other water uses associated with the O&M building, including for on-site restrooms and facilities as needed.<br>Water for construction and O&M would be supplied from onsite water wells as needed and will provide adequate service to any onsite facilities requiring such water supply. The City of Eloy will incur no costs for any infrastructure improvements related to the Project. |
| **Public Facilities Element** | | |
| | Continue to provide high quality municipal | **Response:** ***Consistent*** |

| | | |
|---|---|---|
| Goal #2<br><br><br><br><br><br>Goal #2 | services, administration, public works, community development, community services (parks and recreation), library, aviation, police and municipal court, and coordinate with non-municipal service providers-fire, education, electrical, natural gas, fiber to provide adequate services. | This Solar Project will enable the city to situate utility-scale solar generation and storage uses and associated infrastructure near other existing electrical infrastructure, in an area that development will result in limited impact to the environment and will provide benefits to the community through improved air quality, while providing electricity for the regional grid – a demonstration of efficient, sustainable growth in the city.<br>This Solar Project provides services and infrastructure that urban growth areas utilize and will provide a foundation for future urban growth patterns to consider. The Solar Project will be funded by private capital and investment and all necessary infrastructure improvements required for the development of the Solar Project shall be paid for by the Solar Developer, not requiring any funding to be provided by the city. |
| **Economic Prosperity Element** | | |
| Goal #2 | Brand Eloy as a prime regional location for business, community growth and capital investment. | **Response:** *Consistent*<br>The high solar irradiance of Arizona, in addition to the availability of highly suitable land for development and the proximity to existing electrical infrastructure, are prime factors that attracted the Solar Developer to this area.<br>The Solar Project is a utility-scale solar generation and battery storage development that the city can use to leverage their leadership in this industry to attract other renewable energy industries and additional development to this area of Eloy. |

***2. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;***

**Responses:**

- Despite most of the Project site and surrounding area being zoned residential or community commercial, much of the area is almost entirely vacant or severely underdeveloped, with almost no residential or significant community commercial land uses found within the vicinity.
- Nearly all land use activity found in the area is limited to agricultural operations or incidental on-site storage supporting the agricultural uses. Therefore, the utility scale solar and BESS use proposed as part of this amendment will have no adverse impact on the current uses in the area and is considered compatible with the current character of the area.
- Much of the land that is slated for development within the immediate vicinity of the Project Site is also proposed utility scale solar projects, therefore the proposed use of the Project Site, in the interim, is entirely compatible with the future planned use and development of the surrounding area.

***3. Suitability of the subject property for uses permitted by the proposed zoning district;***

**Responses:**

- The Project Site, along with much of the immediate vicinity is situated within areas south of the I-10, reserved for utility-scale solar development in the city:

- Recent amendments to Article III of the Zoning Ordinance, which included updates to Section 21-3-1.39 (Supplemental Use Standards) for utility-scale solar and BESS development within the city, introduced new provisions, development standards and approval criteria for utility scale solar projects.
- The location criteria for utility scale solar and BESS uses are set forth in Section 21-3-1.39.A of the ordinance and designated areas south of the I-10 for future development of utility-scale solar and BESS projects within the city. The Project Site and much of the immediate area meets this criteria and the development of utility scale solar and BESS Projects is an appropriate use of land within the current PAD.

- Furthermore, as described in Section 4 'Site Location,' much of the surrounding area is also within separate Planned Area Development (PAD) overlays. Each overlay is proposed to be amended to allow utility-scale solar and BESS land uses, subject to the provisions of Section 21-3-1.39.D of the ordinance. Therefore, similar to the PAD's found within the immediate vicinity, the project is entirely suitable for the proposed utility-scale solar and BESS use as part of this amendment.

***4. Suitability of the subject property for uses permitted by the existing district; and***
***5. Availability of sewer and water facilities.***

**Responses to Criteria 4 & 5:**

- As detailed in Section 4 'Site Location and Conditions,' the project area is within the Cooley Eloy 640 PAD overlay, zoned for residential (R1-6 Single Family 6,000-sf/lot, R-3 Multiple Family 10-24 du/ac) and Community Commercial (C-2) uses. Since its incorporation into the city, the PAD area has remained largely underutilized due to inadequate residential and commercial infrastructure and services, limiting development as initially planned.
- Despite the constraints of the PAD area for residential and commercial development, utility-scale solar and BESS land use have become viable interim development options, supported by the existing utility and electrical transmission infrastructure in the area.

## 6. Planned Area Development (PAD) Approval Criteria

The following is analysis responding to the general purpose of the Planned Area Development (PAD) Overlay District of Section 21-2-7.2 of the ordinance and includes an analysis of the goals of establishing the Cooley PAD Overlay, as it pertains to the proposed amendment changes to the Cooley Eloy 640 PAD and the Modified PAD's conformance to criteria:

**Responses:**

- A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the City than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties.
- Such greater benefit may include implementation of adopted planning policies/design standards, natural resource preservation/conservation, enhanced provision of utilities, urban design, neighborhood/community amenities or an overall level of increased development quality.

This amendment provides the necessary zoning flexibility for the PAD to adapt to future community needs and promote orderly development in this part of the city. Included in this request (filed as Appendix E, under a separate cover) is an "Interim Project Development Plan", which includes the proposed Conceptual Site Plan (See **Exhibit C**). Also included in amended PAD are the proposed property development standards for the use, which substantially comply with the utility scale solar provisions of Section 21-3-1.39 of the ordinance as described in Section 2: “Purpose of Request” of this document.

Where traditional zoning rarely promotes coordinated development of large areas with multiple parcels or property owners or provides the necessary flexibility to adapt to future community needs or market conditions, this amendment aims to ensure quality and coordinated development of the Solar Project within this are of Eloy. Therefore, implementation of conventional zoning, which applies to the entire city and in practice is generally not appropriate for centralized land planning, is not appropriate in this case.

Simply put, exercising the entitlements of the original PAD in chorus with this amendment by simply adding solar, utility-scale generation and BESS facilities as a permitted use within the planned area is the most effective method for accomplishing the goals of the city’s recently approved Zoning Ordinance update.

**Current Zoning Designation: C-2, R1-6, and R-3 with a PAD Overlay**
**is proposing the 1st Amendment to the Cooley Eloy 640 Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facility land use in all underlying zoning districts of the PAD (R1-6, Single Family Residential, R-3, Multiple Family 10-24 du/ac, and C-2, Community Commercial.) The development will be located on approximately 650 acres of land.**

## Shay Solar LLC
## PAD Amendment - Case No: RZPAD2009-018.A1

0 850 1,700 3,400 Feet

N

PAD Overlay

**Zoning Designations**

**Single Family**
- RR-20 Rural Residential (20 acres/du)
- RR-5 Rural Residential (5 acres/du)
- RR-2.5 Rural Residential (2.5 acres/du)
- R1-54 Estate Residential (1.25 acres/du)
- R1-43 Estate Residential (43,560 sq. ft.)
- R1-12 Single Family Residential (12,000 sq. ft.)
- R1-6 Single Family Residential (6,000 sq.ft.)

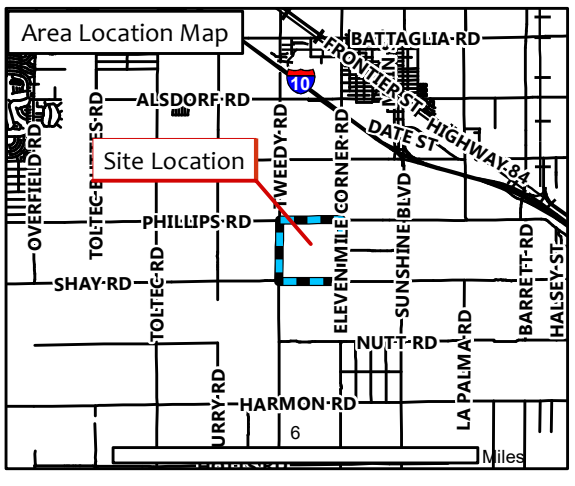
**Multi-Family**
- R-2 Small Lot Residential (6-10 du/acre)
- R-3 Multiple Family Residential (10-24 du/acre)

**Commercial**
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- MU Mixed Use

**Industrial**
- BP Business Park
- I-1 Light Industrial
- I-2 General Industrial

**Public Facility**
- PF Public Facility

**Open Space**
- OSC Open Space Conservation
- OSR Open Space Recreational




Disclaimer: This map is for reference purposes only and is not suitable for legal, financial, engineering, or surveying purposes or commitments. The City of Eloy assumes no responsibility for errors, omissions, or inaccuracies presented, and shall have neither liability nor responsibility for any direct or indirect loss or damage in connection with, or arising from, the information on this map. Any conclusions derived from this map are the responsibility of the user.

# Cooley Eloy 640

## Planned Area Development

### City of Eloy, Arizona

***Original PAD Prepared for:***


**Owner**
JLC Family Investments, L.L.C. ETAL
17407 East Ray Road
Gilbert, Arizona 85296-1953
Attn: Todd Cooley, Principal/ Owner
Phone: (480) 988-3110
E-mail: todd@cooleystation.com


***Original PAD Narrative Prepared by:***


**Community Planner/ Applicant**
Synergy Plus, L.L.C.
6632 East Barragan Drive
Gold Canyon, Arizona 85218-1953
Attn: Terry Fitzgerald, ULI
Ph: (480) 474-0258
E-mail: synergyDlus@mac.com

**Civil Engineer**
6K Consulting, Inc.
4858 East Baseline Road, Suite 101
Mesa, Arizona 85206
Attn: Carl Bloomfield, P.E.
Ph: (480) 664-8592
Fax: (480) 275-5512
E-mail: carl@6kllc.com

**Traffic Engineer**
TASK Engineering
1904 East Medlock Drive
Phoenix, Arizona 85016
Attn: Ken Howell, P.E., PTOE
Ph: (602) 277-4224
Fax : (602) 277-4228
E-mail: khowell@taskeng.net

**Water Resources**
Planning Replenishment Services, L.L.C.
706 West Strahan Drive
Tempe, Arizona 85283
Attn: George Fletcher
Ph: (602) 738-0782
E-mail: water.consultant@cox.net

**Legal Counsel**
Nathan A. Skinner, P.L.C.
1744 South Val Vista Drive, Suite 201
Mesa, Arizona 85204
Attn: Nathan A. Skinner
Ph: (480) 285-2140

~~August 3, 2009~~

# APPROVALS

## Cooley Eloy 640

## Planned Area Development

## Case No: RZPAD09-18

## Approved: August 3, 2009

## Ord. No. 03-550

---

## 1st Amendment to the Cooley Eloy 640

## Planned Area Development

## Case: No. RZPAD2009-018.A1

## Approved: TBD

## Ord No. TBD

# Contacts:

## Review Agency / Jurisdiction:

City of Eloy Community Development Department
~~Joseph Blanton, AICP Jon Vlaming,~~
~~Belinda Cota, Planner~~
Address: ~~1137 West Houser Road~~ 595 N. C Street, Suite 102, Eloy, Arizona 85231

## Landowner

JLC Family Investments, L.L.C. ETAL
Attn: Todd Cooley, Principal/ Owner
Address: 17407 East Ray Road
Gilbert, Arizona 85296-1953
Phone: (480) 988-3110
E-mail: todd@cooleystation.com

## Applicant / Community Planner

Synergy Plus, L.L.C.
Attn: Terry Fitzgerald, ULI, Principal
Address: 6632 East Barragan Drive
Gold Canyon, Arizona 85218-1953
Phone: (480) 474-0258 (O.) (480) 229-0469 (C.)
E-mail: synergyplus@mac.com

## Civil Engineer

6K Consulting, Inc.
Attn: Carl Bloomfield, P.E., Principal
Address: 4858 East Baseline Road, Suite 101
Mesa, Arizona 85206
Phone: (480) 664-8592
E-mail: carl@6kllc.com

## Water Resources Planning

Replenishment Services, L.L.C.
Attn: George Fletcher, Principal
Address: 706 West Strahan Drive
Tempe, Arizona 85283
Phone: (602) 738-0782
E-mail: water.consultant@cox.net

## Traffic Engineer

TASK Engineering, Inc.
Attn: Ken Howell, P.E., PTOE, Principal
Address: 1904 East Medlock Drive
Phoenix, Arizona 85016
E-mail: khowell@taskeng.net

## Legal Counsel

Nathan A. Skinner, P.L.C.
Attn: Nate Skinner, Attorney, Principal
Address: 1744 South Val Vista Drive, Suite 201
Mesa, Arizona 85204
Phone: (480) 285-2140
E-mail: nate@nskinnerlaw.com

# Zoning Map Amendment

## 1st Amendment to the

## Cooley 640

## Planned Area Development

***Submitted to:***

**City of Eloy, AZ**
595 N. C. Street Ste. 104
Eloy, AZ 85131

***Case #: RZPAD2009-018.A1***

***Final:***
**June 11, 2024**

***Applicant, prepared on behalf of Shay Solar, LLC***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

**Court Rich, Attorney**
Attn: Nate Tonnemacher
Land Use Planner & Project Manager
(480) 240-5642 | (480) 291-0737
ntonnemacher@roselawgroup.com

***Prepared for:***

**Shay Solar LLC**

***A subsidiary of:***

**RWE Clean Energy**

RWE

Attn: Blake Heslep
Senior Manager, Development West Region
20 California Street, Floor 5
San Francisco, California 94111

# Cooley Eloy 640 - PAD

## Table of Contents

**Section:** **Page No:**

**Tab No. 1**


**1. Purpose of Request ..... 1**

**2. Site Conditions ..... 2**

*Location ..... 2*

*Existing Site Conditions and Parcel I.D. Information ..... 2*

*Existing General Plan and Zoning Designations ..... 2*

*Current Zoning ..... 3*

*FEMA Flood Designation ..... 3*

*Surrounding Area Conditions ..... 3*

**3. Proposed Project ..... 4**

*Project Description ..... 4*

*Preliminary Master Plan & PAD Zoning Table ..... 4*

**4. Residential Development ..... 4**

*Residential PAD Standards ..... 4*

*Additional Single Family Residential Development Standards ..... 5*

*Multiple Family Residential Zoning Standards ..... 5*

*Additional Multiple Family Residential Development Standards ..... 7*

**5. Design Concepts for Single Family Development ..... 8**

*Single Family Residential Development ..... 8*

*Medium-High Density Residential Development ..... 9*

**6. Commercial Development ..... 10**

*Development Concepts ..... 10*

*Additional Commercial Development Standards ..... 10*

*Commercial Design Standards ..... 11*

**7. Additional Property Development Standards for Utility-Scale Solar Development ..... 12**

**8. Landscape Standards for Development ..... 13**

*Landscape for Single Family Residential Development ..... 13*

*Landscape for Commercial Development within the Community ..... 13*

*Landscape for Arterial and Collector Streets ..... 14*

*Local and Neighborhood Streets ..... 14*

*Community Plant Palette ..... 14*

**9. Signage Standards ..... 15**

**10. ~~Transportation~~ Site Circulation ..... 15**

**11. Community Utilities and Services ..... 17**

*Water Service ..... 17*

*Wastewater / Sanitary Service ..... 19*

*Electrical Service ..... 22*

*Natural Gas Service ..... 22*

*Telephone Service ..... 22*

*Cable TV/ Internet Service ..... 23*

*Solid Waste ..... 23*

*Police, Fire Protection and Emergency Services* ..... *23*
*Schools* ..... *23*

**12. Citizen's Participation Plan** ..... **23**
*Formal Notification Techniques* ..... *23*
*Proposed Plan Effective Date* ..... *24*
*Schedule* ..... *24*

**13. Other Documents and Reports** ..... **24**

**14. Conclusion** ..... **24**

**15. Appendix** ..... **25**

**Tab No. 2**

A. Exhibits 1 through 14-4

**Tab No. 3**

B. Application Documents

**Tab No. 4**

C. Applicant's Narrative Statement

**Tab No. 5**

D. Traffic Impact Statement (by TASK Engineering)

**Tab No. 6**

E. Interim Project Development Plan: "Shay Solar Energy Center"
Exhibits A through F

# Cooley Eloy 640
## PAD Application Submittal

**List of Tables:** **Page No.**

**Table 1. Assessor's Parcel Numbers ..... 2**
~~Table 2. Low Density Standards - R1-8 PAD Zoning~~
**Table ~~3~~2. Medium Density Standards – R1-6 PAD Zoning ..... 5**
**Table ~~4~~3. Medium-High Density Standards ("A") – R3 PAD Zoning ..... 6**
**Table ~~5~~4. Medium-High Density Standards ("B") – R3 PAD Zoning ..... 6**
**Table ~~6~~5. Medium-High Density Standards ("BB") – R3 PAD Zoning ..... 7**
**Table ~~7~~6. Community Commercial Standards - C-2 PAD Zoning ..... 10**
**Table 7. Average Daily Water Demand Criteria ..... 18**

# Cooley Eloy 640
## PAD Application Submittal

**List of Exhibits:**
*(located under Tab No. 2)*

### Existing Conditions

Vicinity Map ..... **Exhibit 1**
Legal Description - JLC Family Investments, L.L.C. ETAL ..... **Exhibit 2**
Aerial Photo - Surrounding Lands ..... **Exhibit 3**
City of Eloy Land Use Plan ..... **Exhibit 4**
City of Eloy Zoning Map ..... **Exhibit 5**
Existing General Plan Designation for the Property (approved July 14, 2008) ..... **Exhibit 6**
FEMA Flood Plain Map (Firm Map & Legend) ..... **Exhibit 7**
Area Topographic Map ..... **Exhibit 8**

### Proposed Development

Preliminary Master Development Plan ..... **Exhibit 9**
Rezoning Table ..... **Exhibit 10**
Master Zoning Plan ..... **Exhibit 11**
Illustrative Lot Layouts & Character Sketches for Medium-High Density Residential. .. **Exhibits 12-A&B**

### Surrounding Property Ownership

Surrounding Property Ownership List ..... **Exhibit 13**

### Landscape Exhibits

Conceptual Master Landscape/ Open Space Plan ..... **Exhibit 14-1**
Conceptual Entry Monument & Perimeter Wall Concept ..... **Exhibit 14-2**
Conceptual Neighborhood Park ..... **Exhibit 14-3**
Conceptual Project Character ..... **Exhibit 14-4**

# Cooley Eloy 640

## PAD Application Submittal

# Appendix:

A. **Exhibits 1 through 14-4**
B. **Application**
    1. **Planning & Zoning Application Cover Sheet**
    2. **Rezoning Application**
    3. **Ownership Verification**
    4. **Owner's Permission Form**
    5. **Rezoning Application Submittal Requirements**
    6. **Rezoning Application – Tracking Form**
    7. **Affidavit of Notification**
    8. **Instructions for Property Owner List, Envelopes and Map**
    9. **Proposition 207 Waiver FAQ and Consent Form**
C. **Applicants Narrative Statement**
D. **Traffic Impact Study for Cooley Eloy 640**

    *(*Note: The Traffic Impact Study (Preliminary) was prepared by TASK Eng.)*
E. **Interim Project Development Plan: "Shay Solar Energy Center"**

    **Exhibit A: Vicinity Map**

    **Exhibit B: Existing Zoning Map**

    **Exhibit C: Conceptual Site Plan**

    **Exhibit D: Surrounding Uses Map**

    **Exhibit E: Conceptual Sections**

    **Exhibit F: Surrounding Zoning Map**

# Cooley Eloy 640

## PLANNED AREA DEVELOPMENT (PAD OVERLAY)

## 1. Purpose of Request

The ~~Cooley Eloy 640 proposed~~ approved mixed-use development is a quality 650.97 =/- acres ~~mixed-use~~ Planned Community consisting of a maximum of 2,278 dwelling units, on 498.1 =/- acres, 32.8 acres +/- of Community Commercial, ~~in~~ located on two parcels, a 12.8 ac. +/- school site (reserved) and 97.7 acres+/- of parks & recreation/ open space, drainage (O.S.) corridors. This property is being planned as a family oriented traditional residential community with supporting commercial sites, a central school/ park multiple-use facility and numerous park/ recreation parcels that will have both active and passive recreational uses such as pedestrian/biking trails that link the residential neighborhoods with the school/ park multiple-use facilities.

Cooley Eloy 640 will bring much needed residential development to support the employment activity that is being generated by the proposed railroad freight switching, warehousing, and assembly facilities that the Schuck Corporation is developing in conjunction with the Union Pacific Railroad north of Interstate 10 on the east side of Eloy. The Gypsum Plant that is under construction on the northeast quadrant of the I-10/ Sunshine Boulevard Interchange will also generate significant employment in Eloy that will in- turn create a need for quality residential neighborhoods in proximity.

The community commercial parcels will provide needed goods and services to the future residents as well as to the proposed "Western Character" Theme Park/ Movie Production Studio that is being planned immediately east and north of the proposed Cooley Eloy 640 planned community.

This ~~proposed~~ new community ~~includes~~ will include a fully integrated landscape, trails and amenities planned throughout the entire project. Meaningful and usable open space will be provided for the entire community to enjoy. Amenities within the parks and open spaces will be provided for a variety of relevant recreational activities that are deemed valuable and appropriate at the time of Final Platting and development.

~~Approval of this application will~~ As in the adoption of the Ordinance No. 03-550, Cooley 640 ~~fulfill~~ PAD was found to comply with the applicable criteria ~~the objectives and requirements~~ of the City of Eloy Zoning Ordinance ~~and successfully~~ establishing thea Cooley 640 PAD overlay district ~~for Cooley Eloy 640~~ with underlying zoning of ~~R1-8~~, R1-6, R-3, and C-2.

***The first amendment to the Cooley 640 PAD has three parts, which is to incorporate:***

1) Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter “Utility Scale Solar”) as an allowed use to the underlying base zones of the PAD overlay in accordance with the provisions of Section 21-2.7.4. A. of the Eloy Zoning Ordinance (hereinafter “Ordinance”),
2) The Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Exhibit BLANK); and

3) Modification to the existing provisions of this PAD, including reducing interior and rear building setbacks to properties within the PAD to zero; applying Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the City of Eloy Zoning Ordinance, as amended.

## 2. Site Conditions

### Location

Cooley Eloy 640 is a parcel of 650.97 +/- acres of land between Tweedy Road on the west to Eleven Mile Corner Road on the east, Phillips Road is on the northern boundary and Shay Road is on the southern boundary. The subject property is Section 24, Township 8 South, Range 7 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona: Parcel Numbers (APNs) 408-01-035B, 408-01-035C and 408-01- 035A. The location of the site is shown in Exhibit 1 and Exhibit 1-S, a legal description of the site is provided in Exhibit 2, and an aerial image of the site is shown in Exhibit 3.

### Existing Site Conditions and Parcel I.D. Information

The property is currently being used for agricultural production~~. The property~~ and has been laser leveled for irrigation, so the site is virtually flat with some “stepping" of the site between fields. The property is bounded by Phillips Road on the north, Tweedy Road on the west, Shay Road on the south and Eleven Mile Corner Road on the east. The roads are rural ‘farm-to-market" roads that are primarily compacted earth or gravel surfaces. Phillips Road is paved with asphalt to a rural road standard. Table 1, below, Identifies the three (3) tax assessor parcels, including the section, township range designations that identify the subject property.

**Table 1. Assessor’s Parcel Numbers** ~~Identifies the three (3) tax assessor parcels, including the section, township range designations that identify the subject property.~~

| *Assessor Parcel Number* | *Section, Township, & Range* |
|---|---|
| 408-01-035A | Sec.24, TZN, 08S, RG 07E |
| 408-01-035B | Sec. 24, TN. 08S, RG. 07E |
| 408-01-035C | Sec. 24, TN. 08S, RG. 07E |

### Existing General Plan and Zoning Designations

A Major General Plan Amendment for the property was Approved by the Eloy City Council July 14, 2008. The Major GPA identified the uses for the property within a Residential Master Planned Community, containing 291.2 acres of Low Density Residential 170.5 acres of Medium Density Residential, 36.4 acres of Medium-High Density Residential, 37.4 acres of Community Commercial, 17 acres of Public/Institutional and filed with the City of Eloy to Annex the property concurrently with an Application for PAD Overlay Zoning and a Development Agreement. The Annexation, the PAD Overlay Zoning and the Development Agreement ~~will be~~ were considered and approved on the same agenda by the Eloy City Council (Ordinance No.09-764) ~~once the PAD Overlay Zoning is heard and recommended for approval by the Eloy Planning Commission.~~ The Development and Annexation Agreement has since been terminated.

## Current Zoning

In 2009, the City of Eloy (city) approved the Cooley Eloy 640 PAD overlay, an approximately 650-acre mixed-use planned community. The Cooley Eloy 640 PAD consists of 2,278 dwelling units located on 498-acres, 97.7 acres of parks and recreation space, 32.8 acres of commercial uses, a 12.8-acre school site, and necessary supporting infrastructure. As part of the approval of the Coley PAD, the site was rezoned to allow for development of the proposed land uses under the PAD Land Use Exhibit, thereby establishing the Cooley Eloy 640 PAD zoning overlay of the entire site.

***The project site contains the following underlying zoning designations:***

- R1-6 Single Family Residential (6,000-square-foot lot size maximum)
- R-3 Multiple Family Residential (10 to 24 dwelling units/acre)
- C-2 Community Commercial

## FEMA Flood Designation

The property is shown on Federal Emergency Management Agency (FEMA's) Flood Insurance Rate Map (FIRM) number 04021Cl 975F Dated December 4, 2007.The property is divided about half in Flood Zone A and half in Flood Zone X. The dividing line is located approximately on a line drawn from the NWC of the site to the SEC of the site. Zone A is to the northeast and Zone X to the southwest. Zone A is described as an area of Special Flood Hazard subject to the 1% annual chance flood (100-year flood). Zone ~~"~~A~~"~~ has no base flood elevations determined. Zone X is described as "areas determined to be outside of the 0.2% annual chance flood plain".
Note: See **Exhibit 7** for FIRM Map.

## Surrounding Area Conditions

The Master Plan for the Cooley Eloy 640 PAD proposed community "dovetails" with the approved plans for several adjacent planned communities: Terra del Sol to the north, Rancho del Sol Brillante to the north and east, and ~~Cortedero~~ Eloy Valley to the west. The properties to the north, west, south and east are all in active agricultural uses.

These plans have ~~The land that lies to the northest of this site, which is a part of the approved Rancho del Sol Brilliante Master Plan, has~~ a very similar mixed-use land use pattern with slightly higher overall residential densities than those proposed for the Cooley Eloy 640 site. ~~Most of the residential portion of the Rancho del Sol Brilliante Master Plan has a general plan designation of Medium Density Residential. There are a total of six (6) neighborhood commercial parcels approved within the "Rancho" Master Plan. Currently three (3) neighborhood commercial parcels are approved around the Sunshine Boulevard and Phllips Road intersection.~~

Based upon the ~~May 2004~~ City of Eloy General Plan Land Use Map (LU-3). The land to the north of this property is designated for Estate Residential, the land to northwest is designated for ~~Estate~~ Medium-Density Residential and Community Commercial, and the land to the southwest (a portion of the approved ~~Cortedero~~ Eloy Valley PAD) is designated for ~~Estate~~ Low-Density Residential. The land to the south ~~of~~ and southeast of the subject property ~~are zoned Rural Residential. PAD Overlay Zoning is requested for this site as outlined above and shown in the Preliminary Master Plan~~ includes a blend of High, Medium and Low-density Residential and Community Commercial Zoning

# 3. Proposed Project

## Project Description

The Cooley Eloy 640 PAD planned community~~The proposed residential new community~~ of 650.97 acres+/- will ultimately ~~generate~~ create a maximum of 2,278 dwelling units on 498.1 +/- acres over the life of the development. The new community will also contain two Community Commercial (C-2) parcels of 16.4 acres each for a total of 32 .8 net acres of commercial development to serve the needs of the Cooley Eloy 640 residential neighborhoods as well as other surrounding residential and employment uses. A 12.8-acre School/ Park Multiple-Use site is in the heart of the community.

## Preliminary Master Development Plan / Rezoning Table/ Proposed Zoning Plan

The Cooley Eloy 640 ~~Proposed~~ PAD Overlay Rezoning Map is provided as **Exhibit 9** and the summary PAD Zoning Table is provided as **Exhibit 10**. The Proposed Zoning Plan is provided as **Exhibit 11**.

# 4. Residential Development

The 498.1 +/- acre residential portion of the new community will consist of a maximum of 2,278 dwelling units consisting of a wide range of housing product types. The Residential Zoning Districts of ~~RI-8~~, RI-6, and R-3 are all proposed with a PAD Overlay.

## Single Family Residential Zoning District PAD Standards

### ~~*Low Density Residential*~~

~~For the Cooley Eloy 640 community, Low Density Residential utilizes the R1-8 Zoning District with a Planned Area Development (PAD) Overlay. The Low Density Residential Designation will include large lot, single family, detached homes and will support densities from 1.0 to 4.0 dwelling units per acre in accordance with the General Plan for the City of Eloy. The R1-8 PAD Overlay proposed a minimum 7,150 sq. foot lot with a width of 65 feet as detailed below in Table 2~~

~~**Table 2. Low Density Minimum Lot Standards**~~

| ~~*R1-8 PAD*~~ | ~~*Required*~~ | ~~*Proposed*~~ |
|---|---|---|
| ~~Minimum Lot Size~~ | ~~8,000 sq./ft.~~ | ~~7,150 sq./ft.~~ |
| ~~Minimum Lot Width~~ | ~~80 ft.~~ | ~~65 ft.~~ |
| ~~Minimum Lot Depth~~ | ~~100 ft.~~ | ~~110 ft.~~ |
| ~~Minimum Front Setback~~ | ~~20 ft.~~ | ~~18 ft.~~ |
| ~~Minimum Rear Setback~~ | ~~25 ft.~~ | ~~20 ft.~~ |
| ~~Minimum Side Setback~~ | ~~7ft./10ft.~~ | ~~5ft./10ft.~~ |
| ~~Minimum Street Side Setback~~ | ~~20 ft.~~ | ~~15 ft.~~ |
| ~~Maximum Building Height~~ | ~~35 ft.~~ | ~~35 ft.~~ |
| ~~Maximum Lot Coverage~~ | ~~35%~~ | ~~40%~~ |

### *Medium Density Residential*

For the Cooley Eloy 640 community, Medium Density Residential utilizes the R1-6 Zoning District with a Planned Area Development (PAD) Overlay. The homes within these MDR parcels are typically small

to medium size single family detached homes. This designation allows densities from 4.0 to 6.5 dwelling units per acre in accordance with the General Plan for the City of Eloy. The R1-6 PAD Overlay proposed a minimum lot size of 5,750 sq. ft. with a minimum lot width of 50 feet.

**Table 23. Medium Density Standards – R1-6 PAD Zoning**

| *R1-6 PAD* | *Required* | *Proposed* |
|---|---|---|
| Minimum Lot Size | 6,000 sq./ft. | 5,750 sq./ft. |
| Minimum Lot Width | 60 ft. | 50 ft. |
| Minimum Lot Depth | 100 ft. | 115ft. |
| Minimum Front Setback | 20 ft. | 18 ft. |
| Minimum Rear Setback | 25 ft. | 25 ft. |
| Minimum Side Setback | 5ft./10 ft. | 5ft./10 ft. |
| Minimum Street Side Setback | 20 ft. | 15 ft. |
| Maximum Building Height | 35 ft. | 35 ft. |
| Maximum Lot Coverage | 40% | 45% |

## Additional Single Family Development Standards

i. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities
*These facilities shall comply with the standards discussed in Section 7 of this document.*
ii. Other Uses: Shall comply with the provisions of the applicable underlying zoning district as specified on the zoning map.

### *General Development Regulations*

i. The General Development Regulations of Article IV of the City of Eloy Zoning Ordinance shall apply.

### *Permitted Uses*

i. The following are the allowed primary uses in the (R1-6) Single Family Medium zoning district:
   a. Detached single-family residential dwelling units;
   b. Open space
   c. Retention/detention areas
   d. Parks and playgrounds
   e. Public facilities, such as schools and Utility facility, minor
   f. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities*
ii. Accessory uses on the same parcel or lot as an established primary use that is allowed.

**Use is allowed in accordance with the Additional Property Development Standards*

## Multiple Family Residential Zoning District Standards

### *Medium-High Density Residential*

The Medium-High Density Residential Designation utilizes the R-3 Multiple Family Residential Zoning District with a PAD Overlay. The typical home product in this district may be detached or attached single family homes, in accordance with the Eloy General Plan, which will allow 6.5 to 10.0

dwelling units per acre. The development standards for this category facilitate development of quality single family detached housing products such as garden homes, court homes and /or patio homes (i.e.: "2-lot" or "Two-Pack"). Lot layouts and home de- signs that illustrate these concepts are provided. See **Tables 3 through 5** ~~4~~ below for details. For this district the following minimum development standards will apply:

### *Medium-High Density Minimum Lot Standards A, B & BB*

**A.** ***"Two-Pack" or "Z-Lot" Single Family Configuration***

**Table 3~~4~~ -Medium-High Density Standards ("A") – R3 PAD Zoning**

| *R3 PAD* | *Required* | *Proposed* |
|---|---|---|
| Minimum Lot Size | 6,000 sq./ft. | 4,500 sq./ft. |
| Minimum Lot Width | 60 ft. | 45 ft. |
| Minimum Lot Depth | 100 ft. | 100 ft. |
| Minimum Front Setback | 20 ft. | 18 ft. |
| Minimum Rear Setback | 25 ft. | 25 ft. |
| Minimum Side Setback | 5ft./10 ft. | 5ft./10 ft. |
| Minimum Street Side Setback | 20 ft. | 15 ft. |
| Maximum Building Height | 35 ft. | 35 ft. |
| Maximum Lot Coverage | 40% | 45% |

**B.** ***"Garden Court – No. 1." Single Family Detached Configuration***

Note: The Garden Court product is alley or "rear-loaded

**Table 4~~5~~. -Medium-High Density Standards ("B") – R3 PAD Zoning**

| *R3 PAD* | *Required* | *Proposed* |
|---|---|---|
| Minimum Lot Size | 6,000 sq./ft. | 4,386 sq./ft. |
| Minimum Lot Width | 60 ft. | 43 ft. |
| Minimum Lot Depth | 100 ft. | 102 ft. |
| Minimum Front Setback | 20 ft. | 18 ft. |
| Minimum Rear Setback | 25 ft. | 10 ft. |
| Minimum Side Setback | 5ft./10ft. | 5ft./10 ft. |
| Minimum Street Side Setback | 20 ft. | 15 ft. |
| Maximum Building Height | 35 ft. | 35 ft. |
| Maximum Lot Coverage | 40% | 50% |

1) Thirteen ft. min. rear setback (to face of garage door) from centerline of the alley.
2) Ten-foot minimum distance between swelling units.
3) Minimum width of an alley is 18 feet.

**BB. "Garden Court - No. 2." Single Family Detached Configuration**

*Note: The Garden Court product is alley or "rear-loaded*

**Table 56. Medium-High Density Standards ("BB") – R3 PAD Zoning**

| *R3 PAD* | *Required* | *Proposed* |
|---|---|---|
| Minimum Lot Size | 6,000 sq./ft. | 2,880 sq./ft. |
| Minimum Lot Width | 60 ft. | 32 ft. |
| Minimum Lot Depth | 100 ft. | 90 ft. |
| Minimum Front Setback | 20 ft. | 18 ft. |
| Minimum Rear Setback | 25 ft. | 10 ft. |
| Minimum Side Setback | 5ft./10ft. | 5ft./10 ft. |
| Minimum Street Side Setback | 20 ft. | 15 ft. |
| Maximum Building Height | 35 ft. | 35 ft. |
| Maximum Lot Coverage | 40% | 55% single story |
| | 40% | 60% 2 & 3 story |

1) Thirteen ft. min. rear setback (to face of garage door) from centerline of the alley.
2) Ten-foot minimum distance between swelling units.
3) Minimum width of an alley is 18 feet.

## Additional Multiple Family Development Standards

i. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities
*These facilities shall comply with the standards discussed in Section 7 of this document.*

ii. Other Uses: Shall comply with the provisions of the applicable underlying zoning district as specified on the zoning map.

### *General Development Regulations*

i. The General Development Regulations of Article IV of the City of Eloy Zoning Ordinance shall apply.

### *Permitted Uses*

i. The following are the allowed primary uses in the (R-3) Multiple Family zoning district:
   a. "Two-pack "or 2-lot single-family configuration residential dwelling units;
   b. "Garden Court – No. 1." Single Family Detached Configuration
   c. "Garden Court – No. 2." Single Family Detached Configuration
   d. Open space
   e. Retention/detention areas
   f. Parks and playgrounds
   g. Public facilities, such as schools and Utility facility, minor
   h. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities*

ii. Accessory uses on the same parcel or lot as an established primary use that is allowed.

**Use is allowed in accordance with the Additional Property Development Standards*

# 5. Design Concepts for Single Family Development

*In conjunction with the City of Eloy Community Development Director, the future Master Developer (not the current owner) will provide project oversight of home- builders and commercial builders, to encourage adherence to the Cooley Eloy 640 Design Concepts.*

## Single Family Residential Development

### *Single Family Architecture*

The exterior elevations of the homes within the Cooley Eloy 640 community will provide architectural detail and appropriate facade treatments on all four (4) sides, not just the front of the homes. All the homes in the Cooley Eloy 640 community will be constructed on a permanent foundation. Cooley Eloy 640 will encourage setback garages within single-family neighborhoods to minimize the visual impact of garage dominant housing product. Within the higher density neighborhoods, the homes will be "alley" or "rear-loaded" housing product in the neo-traditional style.

At a minimum, the homes will feature two car garages. Within the single-family lots, carports will be prohibited. Cooley Eloy 640 will encourage garage door materials and design that will complement the architecture of the main structure. Homebuilders will be encouraged to feature front porch or entry court designs and walkways that lead from the front porches or courtyards to the street, so that residents will have a connection to the street other than a driveway. Design that provides for community interaction and places where neighbors can and will congregate to socialize within the community will be encouraged.

Rooflines with varied elevation heights and styles, stepping back from the street with varied orientations will be encouraged. Wood shake shingle roofing materials will be prohibited.

Diverse window designs and styles will be provided. For example, window embellishments, architectural enhancements, window recesses, and structural "pop-outs" will be encouraged as a part of the residential design within the community.

Roof mounted mechanical equipment apart from well-designed solar panels or systems will be prohibited. Mechanical equipment, electrical meter, and service com- ponents, propane tanks, coolers, water filters and similar utility equipment will be in- stalled at ground level or wall mounted and will be screened from public view and designed to appear as an integral part of the home. Please see **Exhibits 12- A & B** for conceptual architecture and housing lotting modules.

### *Single Family Open Space Standards*

References **Exhibits 14-1 through 14-4**, the Conceptual Landscape Master Plan, Conceptual Entry Monument & Perimeter Wall Concept, Conceptual Neighborhood Parks, and Community Character Concepts.

The Cooley Eloy 640 community will provide a minimum of 15% of the project's total residential acreage in open space and parks/ recreation uses.

The conceptual amenity package for the community and neighborhood open space will establish an identity and "unifying" theme that will help to establish a "sense-of- community" to assure a higher quality of life for the future homeowners. The com- munity parks will provide neighborhood gathering places for leisure and active recreational purposes. The Cooley Eloy 640 community Neighborhood

Parks provide aesthetic/visual vistas within the community and its neighborhoods. Entering the Cooley Eloy 640 community from the surrounding arterial roads on mid-section points will focus your view on Parks/Open Space or an Elementary School which are all located in the center of the community. These parks, open spaces, and the school will provide visual/ aesthetic enjoyment for future residents and visitors as they enter and travel through the community. The community parks, open spaces and recreation venues will provide invaluable opportunities for play, relaxation, and pedestrian movement throughout the neighborhoods within Cooley Eloy 640. A variety of appropriate amenities, that are in common use, at the time of Final Platting and development will be planned within the parks and open spaces within the community.

An extensive trail system, in addition to sidewalks on streets, will provide pedestrian movement between neighborhoods and provide safe access to the parks / open spaces, the elementary school site, and the commercial centers. Trails are an amenity that will be used by all ages within the community. The open space/ trail system that is planned within the community provides buffers between residential neighborhoods and commercial centers in addition to providing a "conduit" to transport storm waters through the community in landscaped linear open space/ parks. The largest park is located adjacent to the elementary school site to provide the opportunity for a variety of multiple-use facilities in conjunction with the school. This is a much more cost-effective way to use open space/ park lands and results in a synergistic relationship with the elementary school and surrounding neighborhoods. Please see Exhibits 14-1 through 14-4 for illustrative concepts.

### *Single Family Site Design Standards*

Quality pedestrian linkages encourage a "sense-of-place" for future residents within the communities' neighborhoods.

Homebuilders will be encouraged to design homes that have a strong relationship with the local streets by offering front porches, courtyard entries and convenient private sidewalks that connect the home to the street.

## Medium-High Density Residential Development

### *Garden Court and "Z-Lot I Two-Pack" Home Architecture*

Mechanical equipment, electrical meters and other service elements such as pro- pane tanks, coolers, water filters and similar utility equipment will be installed at ground level or wall mounted and will be screened, where practical, from public view. These elements will be an integral part of the architecture for visual harmony.

### *Garden Court and "Z-Lot / Two-Pack" Neighborhoods Open Space Standards*

The Cooley Eloy 640 community will devote a minimum of 15% of these residential neighborhoods as open space/ landscaped areas. All of these higher density single family housing products will provide appropriate and timely amenities with- in the neighborhoods in convenient locations for future residents' use. These areas will receive appropriate credit toward minimum open space commitments.

### *Garden Court and "Z-Lot I Two-Pack" Product Site Design Standards*

All of the higher density single family dwelling units within the neighborhoods will be designed with a strong physical relationship to one another, to the common open spaces/ parks and to the local streets.

Once again, an appropriate relationship with the local streets will be achieved by utilizing front porches and entry courts with private walks that tie directly to the sidewalks along the streets. Many of these homes will have alley or "rear-loaded" automobile access. This type of home will have two garage parking spaces that will be typically attached to the homes. Some of the garages will have "stacked “or "tandem" garage configurations. In some cases, the double garage may be a detached structure in the rear of the home. Trash collection locations for the Garden Court Homes will be in the rear of the home on the alley and out of public view. Please see **Exhibits 12 A & B** for conceptual architecture and lotting module concepts for Medium High Density Residential.

## 6. Commercial Development

### Development Concepts: Community Commercial, C-2 PAD

The Cooley Eloy 640 community has two 16.4 ac.(net) Community Commercial sites that are both located on the northern edge of the community. One site is located on the southeast corner of Phillips Road and Tweedy Road and the second site is located on the southwest corner of Phillips Road and Eleven Mile Corner Road.

The Community Commercial, C-2 PAD Zoning District facilitates a wide range of neighborhood and community level commercial land use possibilities, which will satisfy the needs of the community at- large, while providing for a broad range of neighborhood related commercial activities for future residents.

**Table 67. Community Commercial Standards - C-2 PAD Zoning**

| *C-2 PAD* | *Currently Required* | *Proposed* |
|---|---|---|
| Minimum Parcel Size | 10,000 | 6,000 |
| Minimum Lot Width | 150 ft. | 60 ft. |
| Minimum Front Setback | 30 ft. | 20 ft. |
| Minimum Rear Setback | 10 ft. | 10 ft. |
| Minimum Side Setback | 10 ft. | 10 ft. |
| Maximum Street Side Setback | 10 ft. | 10 ft. |
| Maximum Height | 35 ft. | 35 ft. |
| Max. Lot Coverage (Percentage) | 60% | 60% |

If a property line or an adjoining street abuts a residential zone, the setback will be 25 feet. EXCEPT where an open space buffer has been provided between the residential and the commercial parcels, such as illustrated in the Conceptual Master Landscape/ Open Space Plan. In these circumstances the commercial building rear setback will be 10 feet.

### Additional Commercial Development Standards

i. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities
*These facilities shall comply with the standards discussed in Section 7 of this document.*
ii. Other Uses: Shall comply with the provisions of the applicable underlying zoning district as

specified on the zoning map.

***General Development Regulations***

A. The General Development Regulations of Article IV of the City of Eloy Zoning Ordinance shall apply.

***Permitted Uses***

i. The following are the allowed primary uses in the (C-2) Community Commercial zoning district:
   a. All permitted uses specified in the Community Commercial (C-2) Community Commercial district in the City of Eloy Zoning Ordinance, as amended;
   b. Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities*

B. Accessory uses on the same parcel or lot as an established primary use that is allowed.

**Use is allowed in accordance with the Additional Property Development Standards*

## Commercial Design Standards

The commercial building architecture will be a dominant feature in the new community and should be designed and sited in a manner that will benefit the community, enhance the physical appearance, and contribute to a small town or traditional atmosphere or character that is also pedestrian friendly.

## Commercial Architectural Standards

Quality commercial architecture with enduring materials and “theme” architecture will be encouraged. The Cooley Eloy 640 community will promote creative, functional architecture that celebrates individuality of buildings and stresses "green" building materials and construction methods. All commercial building elevations that face public streets will have quality materials and appropriate architectural detailing. Exterior building design, as well as architectural details related to color, patterning, finish, type and application of materials will be appropriately coordinated within all building elevations.

An appropriate landscape buffer with quality trees and shrubs between commercial development and surrounding residential homes is encouraged. Metal exteriors of buildings are prohibited in C-2 zoning districts apart from “standing seam" metal roofing material which is frequently aesthetically appropriate and is very durable.

Subtle, less intense colors should be used on larger commercial buildings or major anchor stores, while the use of a greater variety and intensity of color should be reserved for smaller scale structures. Tasteful accent colors and materials are encouraged on all buildings to provide a festive and lively streetscape within commercial centers.

Full roof architecture, utilizing simple and varied roof forms, is encouraged for all commercial buildings, while long, continuous mansard roofs, false mansard roofs, large expanses of flat roofs and "false front" parapets will be discouraged.

Rooflines or facades of large commercial buildings will vary in height to reduce the visual scale of the building. Architecture that will break up long monotonous horizontal facades and minimize overall visual impact on surrounding residential neighborhoods will be encouraged. Parapet walls will be

designed and constructed as a solid, three- dimensional form rather than a veneer or a Hollywood set" architectural treatment.

Builders will be encouraged to paint and finish chimneys, roof flashing, rain gutters, scuppers, downspouts, and other roof protrusions to match the color of the adjacent surface, unless these are being used expressly as a trim or accent element.

Roof top plumbing, vents, ducts, air conditioning and heating equipment, solar panels, communication antennas and any other mechanical or electrical equipment will be kept out of public view; these will be screened from view at any angle or height outside a building and will appear as an integral part of the building design.

Mechanical equipment, electrical meter and service components, electrical transformers, backflow prevention devices, large water standpipes, propane tanks, telephone boxes, chilling units and any other obtrusively large electrical, mechanical, or similar utility device or equipment, whether ground mounted, wall mounted, or roof mounted, will be fully screened from public view and/ or be designed to appear as an integral part of the building.

### Commercial Open Space / Landscape Area Standards

Walkable courtyards, outdoor seating areas, public art and amenities that facilitate interaction between shoppers and pedestrians within commercial centers will be encouraged.

### Commercial Site Standards

Parking areas adjacent to the required front yard will be screened by a decorative wall, landscape berm, or combination thereof, to a height not to exceed three feet (3 ft.), to adequately screen undercarriages of the parked vehicles.

Trash and refuse collection locations will be screened with a six foot (6 ft.) decorative masonry wall and gate. Trash and refuse areas will be located where they are not visually obtrusive from a driveway or parking area or cannot be viewed from a public street.

Building site details related to utility boxes, transformers, generators, chiller farms, mail- boxes, trash bins and air conditioning units will be integrated into the overall design of the building and/ or development and screened from view yet remain readily accessible for servicing.

## 7. Additional Property Development Standards for Utility-Scale Solar Development

### 1. Solar, Utility Scale Generation and Battery Energy Storage System Facilities shall conform with the following additional property development standards:

#### a. *Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Zoning Ordinance, as amended, except as modified below:*

i. The facilities shall be limited to the locations indicated on the Interim Project Plan: Conceptual Site Plan (See Appendix E, ***Exhibit C***)

ii. Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iii. Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.

iv. Perimeter fence color: sage green color that has color equivalency with a LVR of 40% or less.

v. The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only the landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.

vi. Perimeter fencing, including gated access through the fence, shall be setback a minimum of 50 from the right-of-way dedicated in accordance with Section 21-3-1.39. of the Ordinance.

**Definitions:**

*Solar, Utility Scale Generation and Battery Energy Storage System Facilities*: is a solar electrical power plant, inclusive of the equipment necessary to generate, store and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as interim use in the Cooley 640 PAD.

## ~~7.~~8. Landscape Standards for Development

### Landscape for Single Family Residential Development

Appropriate landscape for single family neighborhoods will include required open space areas, retention or detention basins, commercial landscape buffers and the adjacent public rights of ways.

The required landscape for a single-family subdivision will be installed in appropriate proportion to the construction phasing of the project and in accordance with the approved landscape plans. The front yard landscape for a single-family home is required to be in- stalled within 90 days of completion of the home and certificate occupancy.

A homeowner's or property owner's association will maintain all materials within land- scape areas, including that within public rights of way adjacent to the site, in accord with approved landscape plans that are included in the subdivision approval process.

Perimeter (solid block) walls will be a maximum of six feet (6 ft.) in height and design ed to blend with the architectural design and character of the neighborhood/ community. Internal "view fences" will be wrought iron and block. All fences and walls within the community will be designed using the City of Eloy engineering standards.

### Landscape for Commercial Development within the Community

Commercial development that abuts a residentially zoned property will provide and maintain a landscape buffer area, a minimum depth of twenty feet (20 ft.) along the common property line, except where an open space buffer has already been provided between the residential and commercial parcels, as illustrated in the Conceptual Master Landscape/ Open Space Plan, where the commercial landscape setbacks will be 10 ft.

Landscape, combined with architectural treatments, will be provided to screen obtrusive views and features, such as storage areas, trash enclosures, transformers, genera- tors, heavy mechanical equipment, and other similar visual intrusions.

## Landscape for Arterial and Collector Streets

Individual property owners and or/ homeowners' property associations will properly maintain all landscape materials and areas, including that within the public rights- of-way adjacent to their property or the community, in accord with approved land- scape plans, except in and along public rights-of-way and easements where the City of Eloy, under special circumstances, has agreed to provide maintenance. Replacement of dead trees or shrubs will be the responsibility of the property owners or the homeowners' association and will be completed within 30 days of the date that the association or the property owner has been notified by the City.

## Local and Neighborhood Streets

The homeowners' association will properly maintain all landscape materials and land- scape areas, including those within public rights of way, adjacent to their property or the development in accordance with the approved landscape plans, except where the City of Eloy, under special circumstances, has agreed to provide maintenance.

## Community Plant Palette

The ~~following preliminary landscape~~ plant materials selected for Cooley Eloy 640 will reflect the local agrarian character, as well as respect the history and natural elements of the region utilizing the Arizona Department of Water Resources low water plant ~~. Plant materials to be used within the Cooley Eloy 640 community will be selected from the Pinal County AMA Plant List or as approved as a part of this preliminary submittal. Sizes~~list. Sizes and quantities of plants used will meet or exceed the City of Eloy Zoning Ordinance, as amended. ~~regulations and guidelines, as may be amended from time to time.~~

| ~~***Trees***~~ | | ~~***Groundcovers & Accents***~~ |
|---|---|---|
| ~~Live Oak~~<br>~~Pecan~~<br>~~Crape Myrtle~~<br>~~Mesquite~~<br>~~Texas Ebony~~<br>~~Palo Verde (sp.)~~<br>~~Ironwood~~<br>~~Arizona Rosewood~~<br>~~Deer Grass~~<br>~~Texas Sage (sp.)~~<br>~~Texas Olive~~<br>~~Creosote~~<br>~~Jojoba~~<br>~~Chuparosa~~ | ~~Desert Willow~~<br>~~Vitex~~<br>~~Sissoo~~<br>~~Texas Mountain Laurel~~<br>~~Evergreen Elm~~<br>~~Bradford Pear (sp.)~~<br>~~Green Ash (sp.)~~<br>~~Emu Bush~~<br>~~Salvia Clevelandii~~<br>~~Bougainvillea (sp.)~~<br>~~Mexican Bird of Paradise~~<br>~~Yellow Bells~~ | ~~Lantana (sp.)~~<br>~~Lady Banks Rose~~<br>~~Blackfoot Daisy~~<br>~~Wild Flower Mix~~<br>~~Dalea 'Sierra Ne gra~~<br>~~Saguaro~~<br>~~Ocotillo~~<br>~~Prickly Pear (sp.)~~<br>~~Desert Marigold~~<br>~~Rosemary (sp.)~~<br>~~Penstemon (sp.)~~<br>~~Aloe Vera~~ |
| | | |

~~*Note: there are several good varieties of ash available for landscape use.~~

## ~~8.~~9. Signage Standards

Reference **Exhibit 14-2**, Entry Monument & Perimeter Wall Concepts

### All Signs

The regulations, requirements, and provisions set forth in this article apply to all signs. All signs will be structurally designed, constructed, erected, and maintained in accordance with all applicable provisions and requirements of the City of Eloy's adopted codes and ordinances, as may be amended from time to time.

All signs and sign structures will be maintained in good order, repair, and appearance always to avoid danger or hazard to the public safety or create visual blight.

There will be no visible angle iron supports, guy wires, braces, or secondary supports except in the case of projecting signs. All sign supports will be an integral part of the sign design.

### Sign Location

Signs will not be located in a manner that interferes with pedestrian or vehicular travel, poses a hazard to either pedestrians or vehicles, or placed within specified "visibility triangles".

Signs will not be located within or projecting over any public street, right of way, or other public property, except for city approved kiosk sign structures, shingle signs, propjecting signs and garage sale signs as permitted by the City of Eloy Zoning Code. The city may install signs on its own property to identify public buildings and uses, to provide necessary traffic control and directional information. Signs and/ or banners will not obstruct city required informational, traffic or safety signs.

### Sign Illumination

The source of a sign's illumination, except neon illumination, will not be visible from any street, sidewalk, or adjacent property. This will not preclude the use of neon sign elements that will be limited to use within commercial zoning districts per the City of Eloy Zoning Code.

## ~~9.~~10. Site Circulation ~~Transportation~~

Reference **Exhibit 9**. Preliminary Master Development Plan
Reference **Exhibit 14-1**, Conceptual Master Landscape / Open Space Plan

### Existing Roadway Access

The existing Eleven Mile Corner Road (the site's eastern boundary) is a compacted earth two-lane road as is Tweedy Road, which is on the proposed communities' western boundary. Phillips Road (on the northern edge of the property) is a two-lane paved ~~compacted earth~~ road. Shay Road (on the southern edge of the property) is a compacted earth two-lane roadway. These roadways are adequate to serve the rural/ agricultural lifestyle that exists today.

### Proposed Street Access

With the timing of development phasing and construction, the proposed community, Cooley Eloy 640 PAD will improve the existing half street arterials that are directly adjacent to the proposed

communities' boundaries, collector streets, and local streets will be designed (as required) concurrently with each phase of development as it occurs.

## Road of Regional Significance

~~If~~ Eleven Mile Corner Road is designated as a "Road of Regional Significance Minor Arterial" in the City of Eloy General Plan. ~~Small Area Transportation Study as approved and adopted by the city.~~ The Cooley Eloy 640 PAD development master plan will provide for a ~~75~~ 55-foot ½ half street ROW dedication.

## Arterial Streets

Phillips~~, Tweedy and Shay~~ Road is ~~s are~~ to be improved as major arterial street~~s~~, including a 83-foot ~~65 foot~~ half street right of way. Tweedy and Shay Roads are to be improved as minor arterial roadways, including a 55-foot ½ half R.O.W. These half streets will be improved as appropriate in conjunction with each phase of development as it occurs. The arterial streets, including Eleven Mile Corner Road, are set forth in the Eloy Small Area Transportation Study.

## Collector Streets

Collector streets are preliminarily planned at half-mile points on all four sides of the community to extend to the center of the site and "T" at a loop collector street that encircles the planned elementary school site and adjacent park site. This collector street system provides an efficient street pattern to serve the community and provide ease of access to the school site and park from all the surrounding neighborhoods.

Reference **Exhibit 9,** the Preliminary Master Development Plan

Collector streets will be planned and developed systematically to serve each neighborhood as it is developed based upon the Preliminary Master Development Plan. The col lector streets will be designed and constructed based upon the City of Eloy Standard Details for street design and construction.

## Local Streets

The standard City of Eloy local street right of way is 50 feet wide. All local streets will be constructed pursuant to the City of Eloy Standard Detail. The ultimate curb type will be determined by the Preliminary Plat or Site Plan Approval Process, at the time the Preliminary Drainage Analysis is prepared and submitted for approval. The ultimate cross-section and curb detail will be subject to approval by the City Engineer.

## Maintenance of Streets and Common Areas

The streets are anticipated to be dedicated to the city after construction is complete and warranty services performed. Thereafter, the City of Eloy will maintain the streets in the community. A Homeowners Association (HOA) will be formed for the development. As development occurs, the open space/common areas will be dedicated to the HOA which will maintain the landscape & other amenities in the common areas.

## ~~10.~~11. Community Utilities and Services

### Water Service Narrative Report

The project shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ), Minimum Requirements for Design. These requirements are found in Engineering Bulletin No. 10; Guidelines for the Construction of Water Systems, May 1978. Additional guidelines are found in Arizona Administrative Code, Title 18, City of Eloy Code 19-14, City of Eloy Subdivision Design Standards, and the City of Eloy Water System Development Standards. Construction and design of individual components shall follow the Maricopa Association of Governments (MAG) specifications and details.

At the time of development, a report will be provided that provides the design information for the development project and how it will meet the requirements established in the referenced documents.

### Water Analysis and Improvements

The system shall be designed to maintain minimum system pressures and not exceed maximum pipe velocities in all design conditions. The design conditions in regard to average people per household and commercial building square footage are based upon the preliminary master development plan shown in ***Exhibit 9.*** The following criteria are in accordance with the referenced guidelines and requirements:

### Basic Requirements

- The Potable Water Utility System will be owned and operated by the City of Eloy.
- The Developer shall install, at their expense, all on-site improvements necessary to service the development.
- The Developer shall be responsible for mainline extensions necessary to projects, including any extension agreements with the Water Utility.
- All extensions must be made sufficiently to serve adjacent parcels, with oversizing costs being negotiated with Eloy for participation.
- Plan submittal and review shall be per the Water Utility. System construction shall be inspected and approved by the Water Utility.
- ADEQ has jurisdictional authority over public works in the area. An "Approval to Construct" (ATC) is required prior to installation of public water systems (includes water service agreement and other design information). An “Approval of Construction" (AOC) is required prior to use of the newly installed water system.

### Design Standards

- Design shall at all times conform to minimum ADEQ, NSF, State and Federal Standards.
- A design analysis is required for all projects, including a hydraulic analysis representing the proposed extensions to the water system. The modeling guidelines shall be as dictated by the Water Utility.

### Water Demand Projections

The proposed zoning for the community consists of residential and commercial land uses. The residential zoning is further broken down into Medium-High Density, and Medium Density and Low-Density categories. For each of these residential zoning designations a range of potential dwelling

units/ acre is established by the City of Eloy General Plan. The water demand calculations are based upon an estimated average potential number of dwelling units/acre of residential development in each zoning district. The water demands for the Cooley Eloy 640 proposed community were calculated utilizing the City of Eloy Water System Development Standards, February 2007 in conjunction with the City of Eloy Potable Water System Master Plan, prepared by Psomas in February 2007.

The following design criteria were used in calculating the water demands and based upon the above referenced documents:

## Residential Use

Average Daily Demand for this project has been estimated based on the following criteria:

- 125 Gallons per Capita per Day (GPCD) for Residential Use
- Overall average 2.56 Persons per Household Unit (PPHU)
- 6.5 to 10 du's / acre for Medium-High Density Residential
- 4.0 to 6.5 du's / acre for Medium Density Residential
- ~~1.0 to 4.0 d.u.1 s / acre for Low Density Residential~~

**Table ~~6.~~ 7. Average Daily Water Demand Criteria**

| *Average Daily Flow* | *Land Use* | *Persons Per Dwelling Unit* | *Average Day per Unit* |
|---|---|---|---|
| ~~125 gal/person~~ | ~~Single Family (Low Density)~~ | ~~3.2~~ | ~~0.27 (gpm/du)~~ |
| 125 gal/person | Single Family (Med. Density) | 2.5 | 0.22 (gpm/du) |
| 125 gal/person | Single Family (Med. - High Density) | 2.5 | 0.22 (gpm/du) |

## Non-Residential Use

Average Day Demands for non-residential uses are estimated at 2,000 gallons / acre / day. More specific data may be used for this calculation as more information is generated for the project.

## Water Demand Peaking Factors

- Average Daily Flows for Peak Month is 150% of the Average Daily Flows
- Peak Daily Flows are 200% of the Average Daily Flows
- Peak Hour Demands are 350% of the Average Daily Flows

## Fire Flows

Fire flow requirements shall be as follows: (*verified by 6K Consulting Engineers)

- Residential = 1,000 gallons per minute for 2 hours
- School Facilities= 1,500 gallons per minute for 2 hours
- Commercial = 2,250 gallons per minute for 2 hours (or as required by latest Uniform Fire Code, according to building type and size).

## Wells and Storage

Wells, tanks, and booster stations shall be designed and constructed per the requirements of the City Water Utility. There are wells on the site currently for agricultural uses that may be evaluated for water

quality and possible conversion. The wells and tank designs will accommodate redundancy, emergency storage, fire flow volume and system pressures.

- Minimum Storage capacity for a water system that serves a residential population, or a school shall be equal to the average daily demand during the peak month of the year.
- Minimum Storage capacity for a multiple well water system may be reduced by the amount of the total daily production capacity minus the production form the largest producing well.

## Booster Capacity

The booster pumping stations required for the project will be hydro-pneumatic style systems due to the lack of opportunity for gravity to provide the system pressures. These systems will be designed per City of Eloy standards and requirements. The focus will be maintenance of constant system pressures while minimizing pump cycling.

## Existing Water System

The City of Eloy does not currently have a water system around the project. The master plan has identified the area as being in the planning and service areas for the water utility. This means that the project will have an opportunity to work with other developers and the city to design and construct a reliable water system for the area that accommodates anticipated growth and development in a sustainable fashion.

## Proposed Water Improvements

The project will require installation of water lines in the arterial streets surrounding the development. Project timing may allow for participation with other developments in the installation of this infrastructure. The water system in the area will require wells, a tank and booster pump stations. There is room in this development to provide these facilities and engineering done at the time of development will properly locate these facilities for optimal functioning of the system.

## Minimum Pipe Sizing

- The minimum pipe diameter is 6 inches. No 6-inch dead ends are allowed.
- Minimum pipe diameter installed on all collector streets and quarter section streets shall be 8 inches, or as directed by the Water Utility.
- Minimum pipe diameter installed on all mid-section streets shall be 8 inches, or as directed by the Water Utility. The minimum pipe diameter installed on all arterial streets or section streets shall be 12 inch, or as directed by Water Utility.

## Wastewater / Sanitary Sewer Service Narrative Report:

The project shall be designed in accordance with the Arizona Department of Environmental Quality (ADEQ), Minimum Requirements for Design. These requirements are found in Engineering Bulletin No. 11, Minimum Requirements for Design, Submission of Plans and Specifications of Sewage Works. July 1978. Additional guidelines are found in Arizona Administrative Code, Title 18. Construction and design of individual components shall follow the Maricopa Association of Governments (MAG) specifications and details. The system shall be designed to maintain the required minimum system slopes and flow velocities.

***The following criteria are in accordance with referenced guidelines & requirements:***

## General Information:

- The Sanitary Sewer System will be owned and operated by the City of Eloy.
- Development of the sanitary sewer system must comply with local development codes and any existing Master Sewer reports.
- The developer is responsible for line extensions necessary to the project, including extension agreements with the Sewer Utility.
- ADEQ has jurisdictional authority over public work in the area. Approval of a "Notice of Intent to Discharge" (NOI application is required prior to installation of the sanitary sewer systems. An “Approval of Construction" (AOC) is required prior to use of the newly installed sanitary sewer system. Applicants must comply with regulations governing the NOI application process.
- Sewer system design shall be completed for the project. The report shall be signed and sealed by a Registered Civil Engineer.
- Project specifications shall address standards for pressure and other forms of testing. Plan Submittal and Review shall be per Sewer Utility stipulations and the applicable ADEQ requirements.
- Sewer system facilities should not be in areas of ponding or where infiltration of runoff can occur. If location in these areas is inevitable then measures to limit filtration and buoyancy shall be taken.
- Business or industry users with harmful sewer discharges may be required to pre-treat sewer discharges to protect City of Eloy facilities.
- The sewer Utility will consider pressurized systems on an as needed and case by case basis.

## Wastewater Analysis and Improvements

The wastewater system is to be analyzed and designed using three primary criteria: line size, depth and slope. Sewer lines will be sized according to wastewater generation guidelines listed in the Wastewater Master Plan Summary Report for the City of Eloy, prepared by Carollo Engineering and dated September 2007. The following general guidelines and criteria will be utilized:

- **Sewer Service Lines:**
  - Sewer services or laterals are 4" or 6" pipes that connect to proposed or existing structures and are not longer than 400 feet long.
  - Collector mains are 8"-24" diameter pipes that serve as the primary means of collecting sewage throughout the area.
  - Transmission mains are 15" or greater pipes that don't have service connections.
  - The minimum sewer line size is 8" for a public sewer system.
  - The system shall be designed in accordance with the regional plan, if any, of the sewer utility. In the absence of a regional plan, the project shall be designed by the Civil Engineer or Record in accordance with the City of Eloy standards.
  - The future and regional needs should be considered when designing and constructing a sewer facility.
  - Sewer services are to be installed per MAG standard Detail 440 and shall be connected to the mains using a single "wye" or ‘tee" fitting.
  - Service stubs shall be approved for location in a manhole by the utility authority.

- Sanitary sewer services shall be designed to pass below existing or proposed water mains with a clearance of 6" between the sewer service and the public water main as measured from the outside of the pipes.

➢ **System Materials:**
- The sewer system may be constructed of Vitrified Clay Pipe (VCP), Poly Vinyl Chloride (PVC) pipe or High Density Polyethelene (HDPE) or Poly Ethelene (PE) pipe. Each material should be used in accordance with the appropriate specification in the MAG Uniform Standard Specifications.
- The preferred material is SDR 35 – PVC

➢ **Depth of Sewers:**

The sewer lines shall generally have 7.0 feet of cover over the crown of the pipe. In specific instances, the design may allow for more shallow pipes, but extra care must be taken to determine and remedy conflicts with other utilities. Design inverts should strive for a minimum of 7.5 feet of depth from the centerline elevation of the street and more in low density areas to accommodate the slope of the service line to desired facility locations on the lot. If this design guideline is not kept, then conflicts with other water and dry utility lines occur and the associated conflicts can be costly to mitigate. Additional requirements are as follows:
- The maximum depth allowed is 25 feet on trunk lines.
- Pipes shall be designed for appropriate loading conditions. This is generally not a problem except in cases of extra deep or shallow sewer lines.

➢ **Slope and Velocity:**
- Sewer lines shall be designed to give mean velocities, when flowing full, of not less than 2.0 feet per second and not more than 10 feet per second, based upon Manning's formula using an "n" value of 0.013.
- The minimum and maximum velocities are designed to protect the long-term function of the sewer line. The minimum velocity scours the pipe walls to control buildup of biomass and the maximum limit serves to protect the pipe degradation due to scour and erosion of the material.
- The design slopes should be greater than the minimum slopes by 15% to allow for construction tolerances. For example, the minimum design slope for an 8" PVC line should be 0.0033 ft/ft * 1.15 = 0.0038 ft/ft.
- Minimum slopes shall be according to ***Table IV-9 in ADEQ Bulletin No. 11***.

## Wastewater Generation Summary

The flow projections discussed in this document were based upon the Wastewater Master Plan Summary Report for the City of Eloy, prepared by Carollo Engineering and dated September 2007.

## Existing Wastewater Conditions

No wastewater system currently exists on the project site or in the area. This area is discussed for future improvements in the ***Wastewater Master Plan Summary Report.***

## Proposed Wastewater Improvements

The project anticipates participating in an "Area-Wide" Community Facilities District for the design and construction of improvements in the area. The project anticipates trunk lines along the north and west

arterial roads that will continue one mile north to a proposed Wastewater Reclamation Facility proposed in that location. These facilities will require oversizing to 16" and even 24" diameters to accommodate future development in the area. (*Note: An "Area-Wide" Community Facilities District should be formed to accommodate future development.)

The onsite sewer lines and appurtenances will be designed to meet the needs of the development. Typically, 8" sewer lines will be in the local and collector streets. Occasionally a line may need to be increased to 12" in the collector streets. Increased line sizes may be used to minimize sewer depth.

### Storm Drainage Narrative Report

The project is in areas affected by storm drainage. It is the intent of the landowner to accommodate this condition by designing appropriately located and sized channels on the project to collect and convey flows through the site and return the wa-ter to historic flow patterns and volumes as it leaves the project. Generally, this means that channels will be designed on the south and east boundaries of the project to collect off site flows and convey it through the project as indicated on the Preliminary Master Development Plan, **Exhibit 9**.

### Regional Drainage and Structure Characteristics

### Topography

The project area has been laser leveled and used for farming for several decades. The project property generally slopes from southeast to northwest at less than 0.5% slope.

See **Exhibit 8**, Area Topographic Map

### Regional Drainage and Structure Characteristics

The region where the project is located is in an area that has experienced flooding in the past. The project is part of a very large drainage area. Engineering studies will be completed for the project to ensure that the hazards are addressed and accounted for in the design of the project.

### Electric Utility

There are electric utilities in the area of the project, but the facilities will need to be up-graded as the project develops and demands increase. The developer will work to coordinate these needs with Arizona Public Service, the power provider for the project.

## Other Utilities

### Natural Gas Utility

The area is served with natural gas by the utility, Southwest Gas Corporation. The Central Phoenix Division location is, Southwest Gas Corporation, 10851 North Black Can- on Highway, Phoenix, Arizona. The required facilities in the area will need to be coordinated with SWG as the development progresses.

### Telephone Utility

Qwest is the service provider for telephone Their offices are located at 6350 S. Maple Ave., Rm. 125, Tempe, AZ 85283.

### Cable Television Utility

It is not known who the provider of cable TV services in the area will be. More than one option exists to provide these services to the residents of the development. These options will be analyzed and pursued.

### Solid Waste Service

The City of Eloy will provide sanitation services to the property. The City utility office address is ~~624~~ 595 North ~~Main~~ C Street, Eloy, Arizona ~~85231~~85131; telephone (520) 464-3401.

### Police, Fire Protection and Emergency Services

Police Services are provided by the City of Eloy Police Department, located at 630 North Main Street, Eloy, Arizona ~~85231;~~ 85131telephone (520) 466-7324 and the Eloy Fire District offices located at ~~500 South Sunshine Boulevard~~ 4010 Toltec Road, Eloy, Arizona ~~85231.~~ 85131.

### Schools

The ~~Cooley Eloy 640 community~~ Site is located within the School Districts of:

A. Eloy Elementary School District, 1011 N. Sunshine Blvd., Eloy, Az. ~~8513~~85231
B. Santa Cruz Valley Union High School District, 900 North Main St., Eloy, AZ. ~~8513~~85231.

The Cooley Eloy 640 Master Plan identifies a site for one K-8 school, if needed, by the district at the time of development. ~~"~~"Shared multi-use facilities~~"~~" (shared park & school facilities) are suggested for cost-effective development and operations. The school site will be sized to meet the meet the needs of the Toltec Elementary School District for an elementary school. The Cooley Eloy 640 property owners are working with the district to determine the ultimate site size that will be needed when the community develops.

## ~~11.~~ 12. Citizen's Participation Plan

### Notification Techniques

To insure early & effective communication with area residents the Applicant will take the following steps to insure adequate opportunity for dialogue about this project:

1. Upon filing of the Amended PAD application, letters notifying the recipients that an application has been filed will be sent to ~~(a):~~
   - Property owners within 300 feet of any project boundary~~, (b)~~ ,
   - Any person who has submitted a request to the city to be notified of any rezoning request or PAD amendment, and ~~(c). Toltec Elementary School and Santa Cruz Valley Union High School Districts, and (d)~~
   - Pinal County~~, notifying the recipients that an application has been filed~~.

➢ Notifications Specific to Residential/Commercial Development:
   - Toltec Elementary School and Santa Cruz Valley Union High School Districts
   - Any other persons or parties, or modifications to this list, per City requirements or recommendations.

2. A copy of the Preliminary Land Use Plan, proposed PAD amendment and the applicant's contact information ~~are~~ will be included in the letter. Recipients are encouraged, in the letter,

to call or E-mail the Applicant or the City with any questions or comments regarding the application.

3. ~~If the letter generates significant interest from the recipients, T~~the applicant ~~may~~ will schedule a virtual (i.e., Zoom or equal) or in-person open house where stakeholders & citizens can engage the applicant's representatives & the City Staff in a Q&A Neighborhood Meeting to review the proposal. If the recipients prefer, the Applicant will communicate with recipients on a one-on-one basis to discuss the project.
4. ~~If an~~ For the open house/ neighborhood meeting, ~~is scheduled, meeting~~ minutes will be taken and forwarded to the city prior to the ~~public hearing before~~ publishing of the meeting packet for the Planning and Zoning Commission.

### Proposed Plan is provided to the Citizen's for Review

The letters to be sent in accordance with this Citizen's Participation Plan will serve to notify residents, property owners, stakeholders, and affected school districts that an application has been submitted and by providing a copy of the Preliminary Land Use Plan & proposed PAD amendment to all interested parties will know the substance of the application. The application will be discussed with citizens individually or potentially at an open house if it is needed.

### Schedule

The applicant will notify the city of any changes to the Citizen's Participation Plan that become necessary due to scheduling conflicts or other causes. As notification steps are completed, the Applicant will provide updates to the city. Prior to any notice of a public hearing being held by the city on the application, the Applicant will provide a complete Citizen's Participation Report to the City staff.

## ~~12.~~ 13. Other Documents and Reports

A. **Exhibits** are an illustrative portion of the submittal under **Appendix Item "A"**.
B. The **Zoning/PAD Overlay Application** is submitted as **Appendix Item "B"**.
C. The **Applicant's Narrative Statement** is submitted as **Appendix Item "C"**.
D. A **Preliminary Traffic Impact Analysis** prepared by TASK Engineering is submitted as **Appendix Item "D"**.

## ~~13.~~ 14. Conclusion

The Cooley Eloy 640 proposed community requests review and approval of this PAD Overlay Zone Change Application for a Master Planned Community, (processed concurrently with Annexation of the property) including zoning of approximately 650.97+/- acres, from Pinal County General Rural to ~~R1-8,~~ R1-6, R-3, and C-2. The Applicant is requesting a PAD Overlay for the entire 650.97 +/- acre property.

# Cooley Eloy 640

**City of Eloy, Arizona**

## ~~14.~~15. Appendix

**Tab No. 2**

**A. Exhibits (1 through 14-4)**

**Tab No. 3**

**B. Application (Items A through J.)**

**Tab No. 4**

**C. Applicant's Narrative Statement**

**Tab No. 5**

**D. Traffic Impact Study for Cooley Eloy 640**

**Note: The TIS was prepared by TASK Engineering.*

**Tab No. 6**

**E. Interim Project Development Plan: "Shay Solar Energy Center"**

**Exhibit A: Vicinity Map**

**Exhibit B: Existing Zoning Map**

**Exhibit C: Conceptual Site Plan**

**Exhibit D: Surrounding Land Uses Map**

**Exhibit E: Conceptual Sections**

# Cooley Eloy 640

**Eloy. Arizona**

## PAD Application Submittal

# Appendix Item "A"

*(under Tab No. 2)*

**List of Exhibits:**

*(located under Tab No. 2)*

### Existing Conditions

Vicinity Map ..... **Exhibit 1**
Legal Description - JLC Family Investments, L.L.C. ETAL ..... **Exhibit 2**
Aerial Photo - Surrounding Lands ..... **Exhibit 3**
City of Eloy Land Use Plan ..... **Exhibit 4**
City of Eloy Zoning Map ..... **Exhibit 5**
Existing General Plan Designation for the Property (approved July 14, 2008) ..... **Exhibit 6**
FEMA Flood Plain Map (Firm Map & Legend) ..... **Exhibit 7**
Area Topographic Map ..... **Exhibit 8**

### Proposed Development

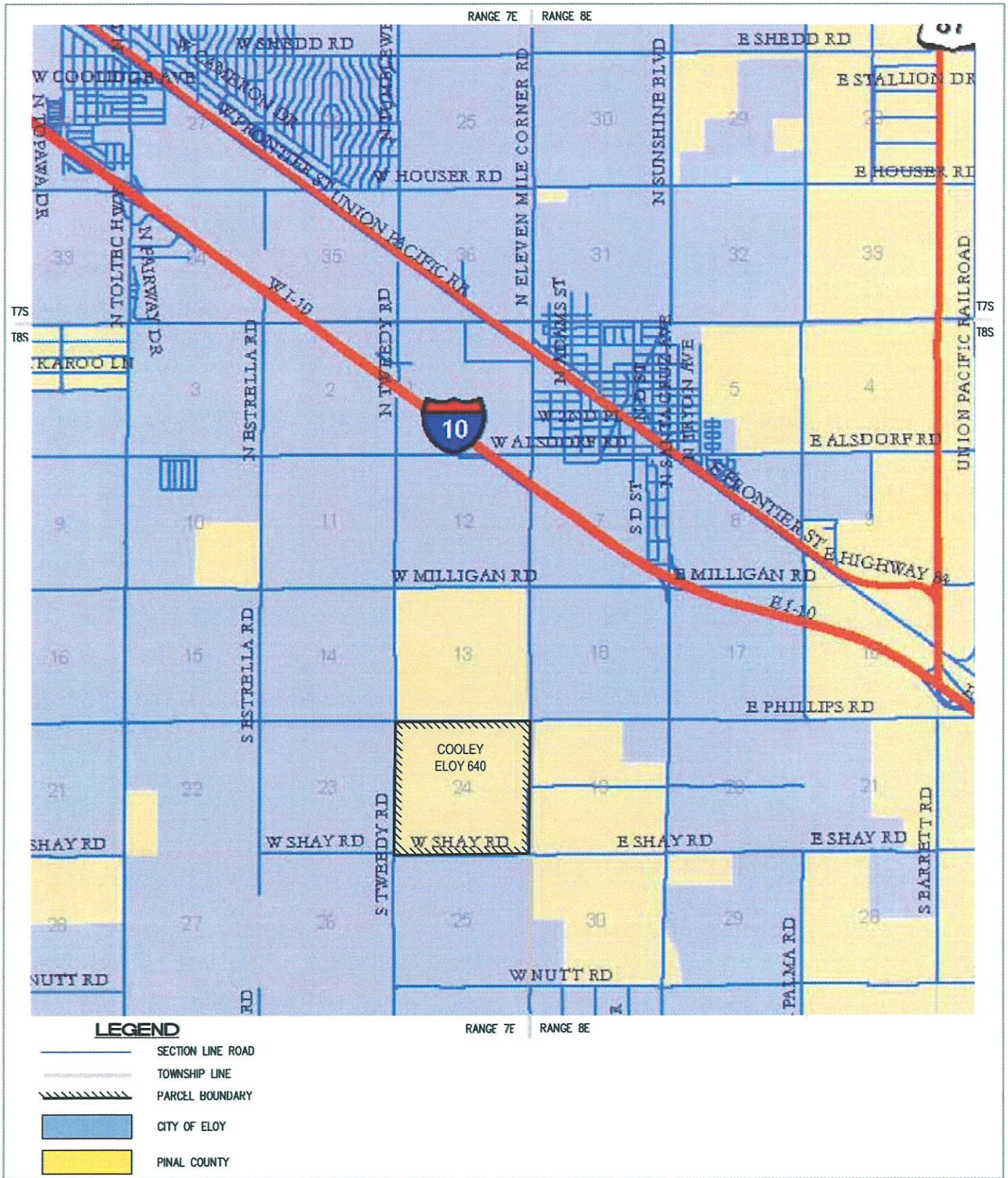
Preliminary Master Development Plan ..... **Exhibit 9**
Rezoning Table ..... **Exhibit 10**
Master Zoning Plan ..... **Exhibit 11**
Illustrative Lot Layouts & Character Sketches for Medium-High Density Residential. .. **Exhibits 12-A&B**

### Surrounding Property Ownership

Surrounding Property Ownership List ..... **Exhibit 13**

### Landscape Exhibits

Conceptual Master Landscape/ Open Space Plan ..... **Exhibit 14-1**
Conceptual Entry Monument & Perimeter Wall Concept ..... **Exhibit 14-2**
Conceptual Neighborhood Park ..... **Exhibit 14-3**
Conceptual Project Character ..... **Exhibit 14-4**




**LEGEND**

- SECTION LINE ROAD
- TOWNSHIP LINE
- PARCEL BOUNDARY
- CITY OF ELOY
- PINAL COUNTY

| | |
|---|---|
| 6K PROJ. | 3523 |
| DATE: | DEC 2008 |
| SCALE: | N.T.S. |
| DRAWN BY: | 6K |
| CHECKED BY: | 6K |

S:\PROJECTS\COOLEY FAMILY-ELOY\DRAWING FILES\PAD MAPS.DWG

# COOLEY ELOY 640

SEC TWEEDY & PHILLIPS RDS
PINAL COUNTY, ELOY, AZ

## EXHIBIT 1 – VICINITY MAP

6K CONSULTING
4858 EAST BASELINE RD
SUITE 101
MESA, AZ 85206
PH (480) 664-8592
FAX (480) 275-5512

# EXHIBIT 2
# LEGAL DESCRIPTION

6K CONSULTING L.L.C.

## COOLEY ELOY 640
## SECTION 24, T8S, R7E

A PARCEL OF LAND COMPRISED OF SECTION 24, TOWNSHIP 8 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED ON AN ALTA SURVEY BY HEC ENGINEERING DATED 10-20-04 AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24 REPRESENTED BY AN ALUMINUM CAP WHICH IS THE **POINT OF BEGINNING**;

THENCE NORTH 01 DEGREES 02 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 TO AN IRON PIPE MARKING THE NORTHWEST CORNER OF SAID SECTION 24, A DISTANCE OF 2,636.76 FEET;

THENCE NORTH 89 DEGREES 33 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 24 TO AN ALUMINUM CAP MARKING THE NORTH QUARTER CORNER OF SAID SECTION 24, A DISTANCE OF 2,667.07 FEET;

THENCE NORTH 89 DEGREES 34 MINUTES 17 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 24 TO AN IRON PIPE MARKING THE NORTHEAST CORNER OF SAID SECTION 24, A DISTANCE OF 2,667.05 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24 TO A REBAR PIN MARKING THE EAST QUARTER CORNER OF SAID SECTION 24, A DISTANCE OF 2,674.89 FEET;

THENCE SOUTH 00 DEGREES 26 MINUTES 41 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24 TO AN ALUMINUM CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 24, A DISTANCE OF 2,627.68 FEET;

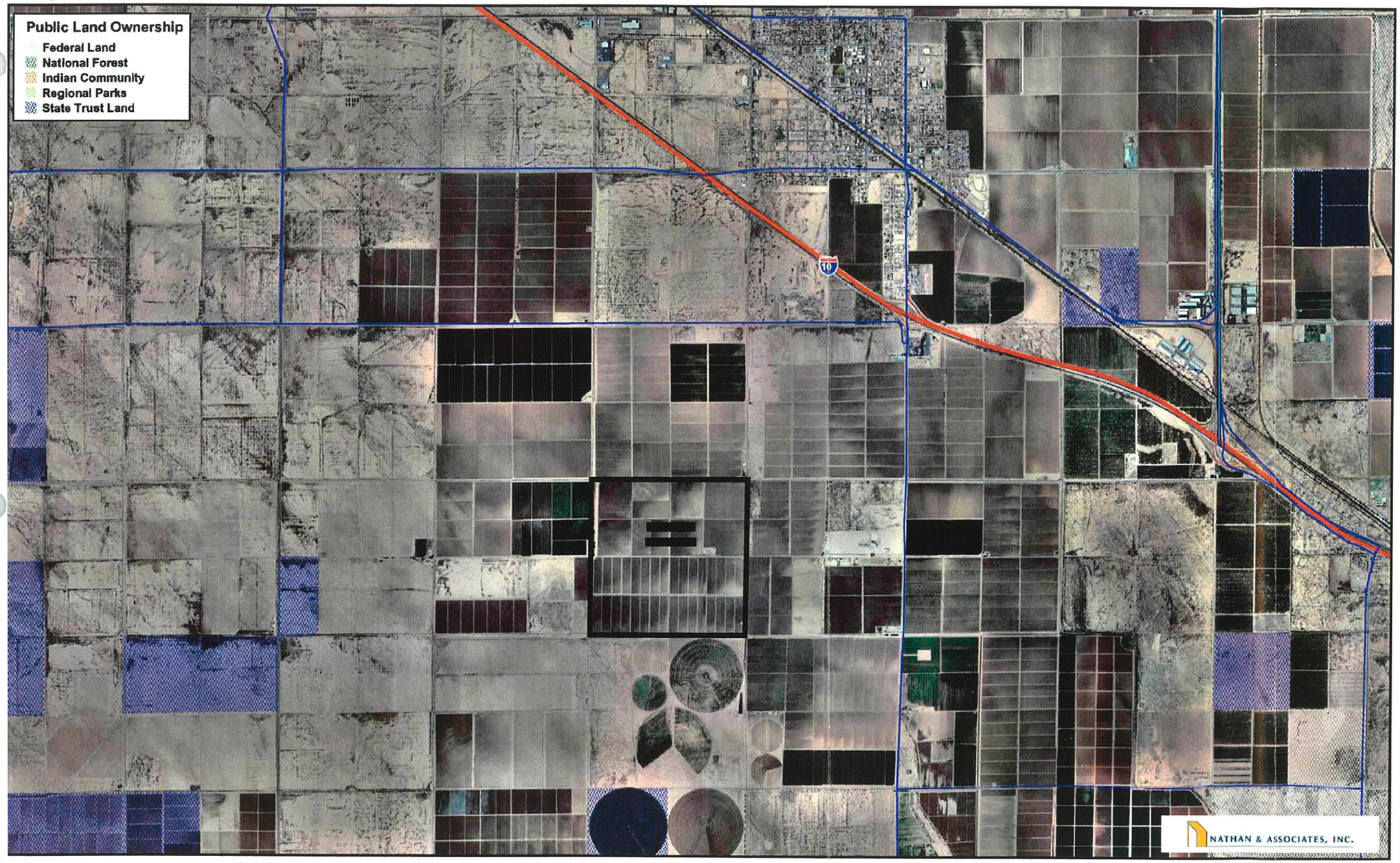
THENCE SOUTH 89 DEGREES 53 MINUTES 05 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 24 TO A REBAR MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 24, A DISTANCE OF 2,695.66 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 34 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 24 TO AN IRON PIPE MARKING THE SOUTHWEST CORNER OF SAID SECTION 24, A DISTANCE OF 2,694.91 FEET;

THENCE NORTH 01 DEGREES 01 MINUTES 49 SECONDS EAST, ALONG THE WEST LINE TO THE WEST QUARTER CORNER OF SAID SECTION 24, A DISTANCE OF 2,636.78 FEET TO THE **POINT OF BEGINNING**;

6K CONSULTING
CARL BLOOMFIELD
CIVIL ENGINEER #36627

# Eloy Submarket




This map was produced using data from private and governmental sources deemed to be reliable. The information herein is provided without representation or warranty.

N

**COOLEY ELOY 640**
SEC TWEEDY & PHILLIPS
PINAL COUNTY, ELOY, AZ

**EXHIBIT 3 - AERIAL PHOTO**

| | | |
|---|---|---|
| PROJ. No.: 3523 | | 6K CONSULTING L.L.C. |
| DATE: JULY 2008 | | |
| SCALE: N.T.S. | | |
| DESIGNED: 6K | DRAWN: 6K | APPROVED: CHB |
| REV. | | DRAWING NO. AERIAL |
| | | SHT. 2 OF 2 |

# City of Eloy General Plan

## Land Use

**Land Use**

- Planned Community Area
- Rural Residential
- Estate Density Residential
- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential
- Commercial/Recreation
- Neighborhood Commercial
- Community Commercial
- Public/Institutional
- Mixed-Use
- Light Industrial
- Manufacturing/Industrial
- Parks/Open Space
- Not Part of Municipal Planning Area
- Municipal Planning Area
- Overlapping Planning Area
- Eloy City Limits

PROJECT SITE

Land use, growth areas, and Eloy MPA/Incorporated boundary are based on information obtained from the City of Eloy.
Casa Grande MPA is GIS data from CAGG (2008).
Marana MPA is GIS data from Marana (2008).
Transportation layers are GIS data from ADOT (2007).

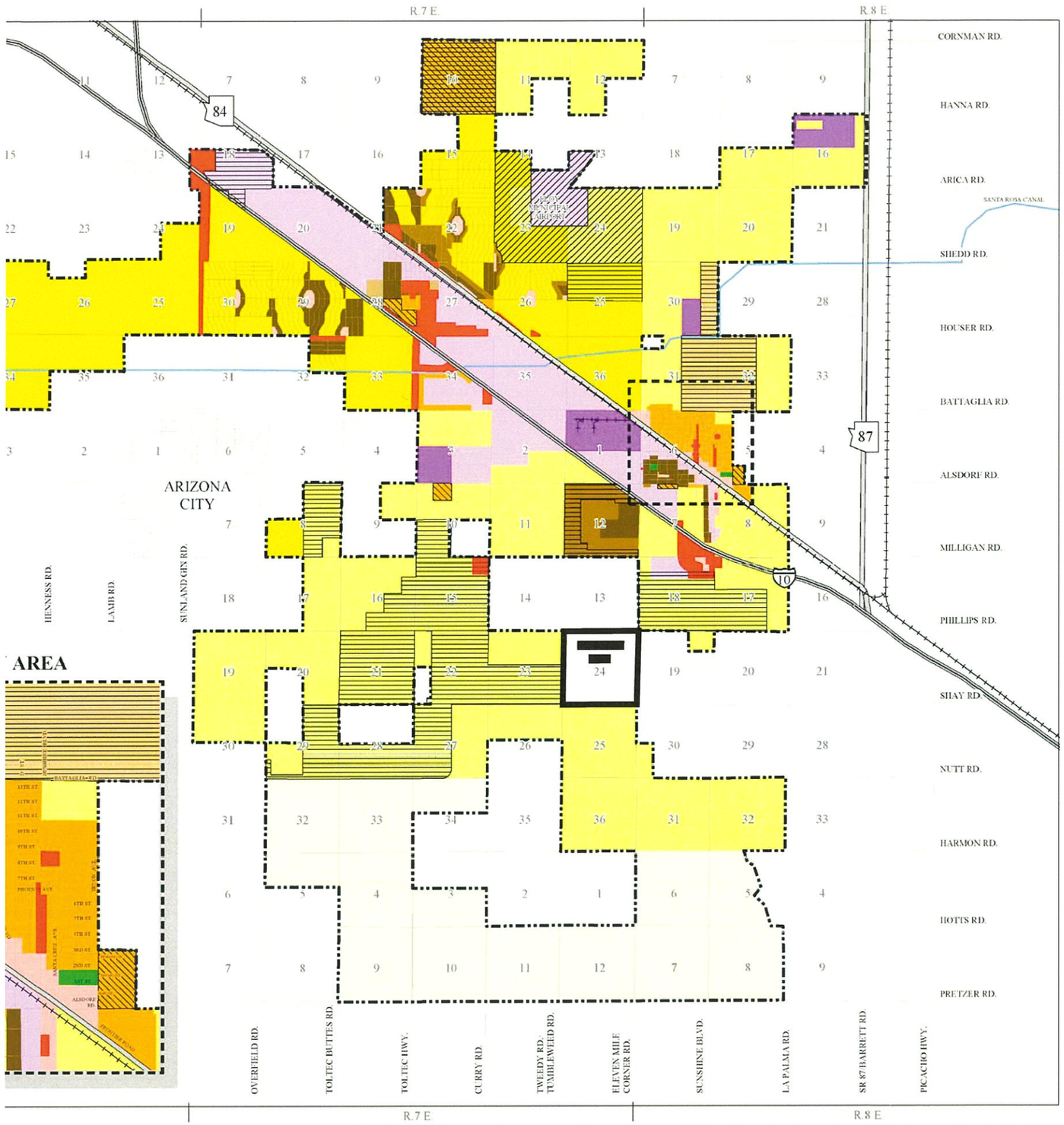
*This GIS map is a limited representation intended for planning purposes only.*

COOLEY ELOY 640
SEC TWEEDY & PHILLIPS
PINAL COUNTY, ELOY, AZ

EXHIBIT 4- ELOY GENERAL PLAN

| | | | |
|---|---|---|---|
| PROJ. No.: 3523 | | 6K CONSULTING L.L.C. | |
| DATE: AUG 2008 | | | |
| SCALE: NTS | | | |
| DESIGNED: 6K | DRAWN: 6K | APPROVED: CHB | |
| REV. | | DRAWING NO. GEN PLAN | |
| | | SHT. 1 OF 1 | |

GENERAL PLAN MAP PROVIDED BY ELOY STAFF AUGUST 2008




# City of Eloy
## OFFICIAL ZONING MAP

### ZONING DISTRICTS

- **RR-20** - Rural Residential (20 acres/du)
- **RR-5** - Rural Residential (5 acres/du)
- **R1-43** - Estate Density Residential (43,560 sq. ft.)
- **R1-12** - Low Density Residential (12,000 sq. ft.)
- **R1-8** - Medium Density Residential (8,000 sq. ft.)
- **R1-6** - Medium Density Residential (6,000 sq. ft.)
- **R-2** - Medium-High Density Residential (8 du/acre)
- **R-3** - High Density Residential (10 du/acre)
- **R-4** - High Density Residential (24 du/ac)
- **C-1** - Neighborhood Commercial
- **C-2** - Community Commercial
- **I-1** - Light Industrial
- **I-2** - General Industrial
- **OSC** - Open Space Conservation District
- **OSR** - Open Space Recreational District
- **MPD** - Master Planned Development
- **PAD** - Planned Area Development
- **MH** - Manufactured Home Overlay
- **CC** - Community Core Overlay
- **AP** - Airport Overlay

- Interstate
- State Highway
- Local Roads
- City Limit
- Downtown Area
- Railroad
- Canals

320 | 160 | 80 | 40
640 Acres

N

1 0 1 Miles

URS

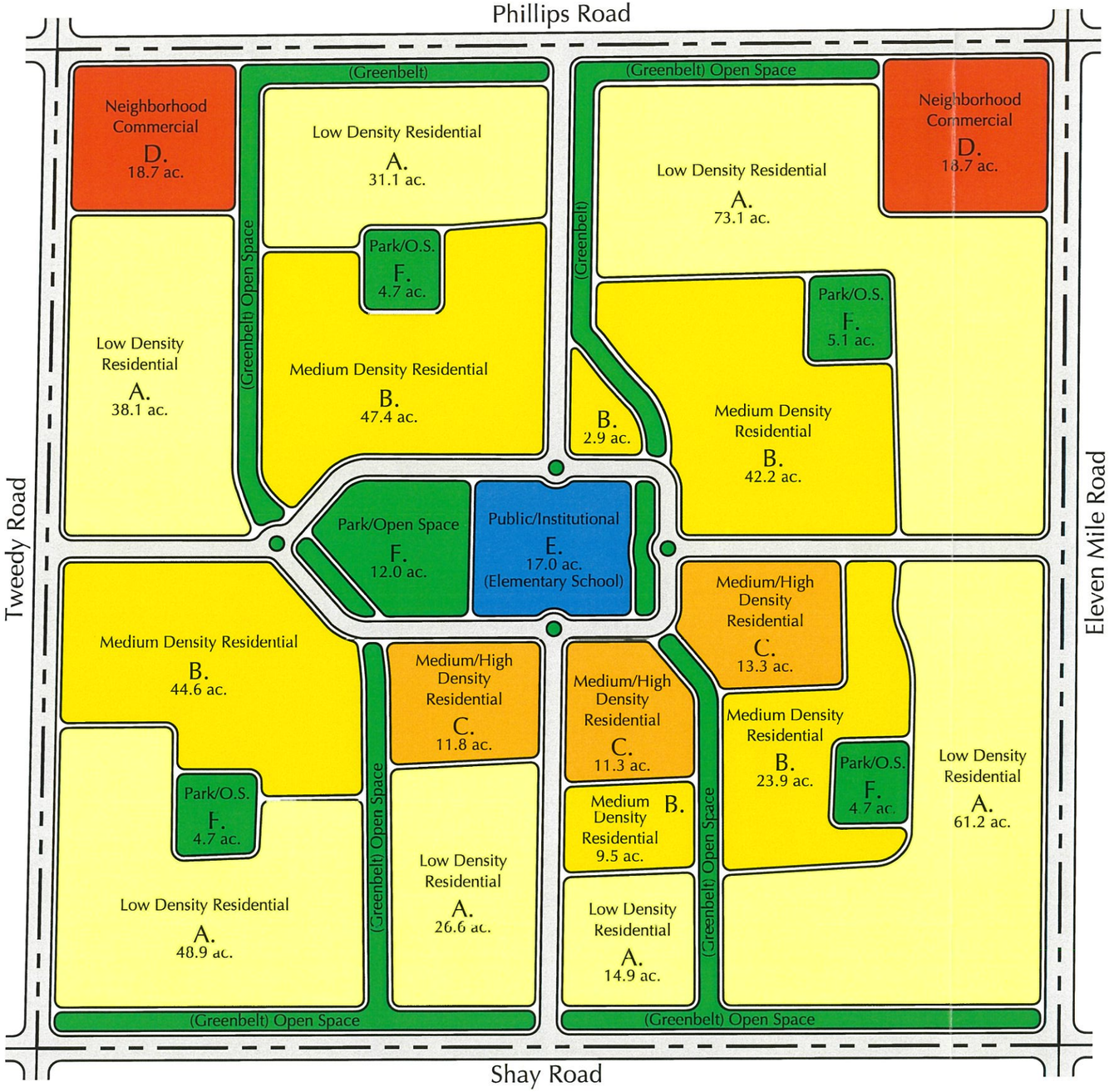
N

**ZONING MAP DOWNLOADED FROM ELOY WEBSITE JULY 2008**

**COOLEY ELOY 640**
SEC TWEEDY & PHILLIPS
PINAL COUNTY, ELOY, AZ

**EHIBIT 5- ELOY ZONING MAP**

| | | |
|---|---|---|
| PROJ. No.: 3523 | | 6K CONSULTING L.L.C. |
| DATE: JULY 2008 | | |
| SCALE: NTS | | |
| DESIGNED: 6K | DRAWN: 6K | APPROVED: CHB |
| REV. | | DRAWING NO. ZONING SHT. 1 OF 1 |




Legend

| | Land Use | Acres | General Plan Density Range | Target Density | D.U.'s |
|---|---|---|---|---|---|
| A. | Low Density Residential | 291.2 | 1.0 - 4.0 d.us.'s / ac. | 3.58 | 1,041 |
| B. | Medium Density Residential | 170.5 | 4.0 - 6.5 d.us.'s / ac. | 5.55 | 946 |
| C. | Medium/High Density Residential | 36.4 | 6.5 - 10.0 d.us.'s / ac. | 8.0 | 291 |
| D. | Neighborhood Commercial | 37.4 | N.A. | N.A. | N.A. |
| E. | Public/Institutional | 17.0 | N.A. | N.A. | N.A. |
| F. | Parks/Open Space | 77.3 | N.A. | N.A. | N.A. |
| G. | (*O.S. internal to Residential Parcels - "pocket parks", etc.) | 21.1 | N.A. | N.A. | N.A. |
| | Totals | 650.9 | N.A. | 3.5 d.u.'s/ac gross<br>4.5 d.u.'s/ac. on Residential + School | 2,278 |

*Density calculated on residential area, including school site. Units transfer between residential parcels, but the total unit count will not exceed 4.5 d.u.'s/ac.gross density for residential land (including School Site) & will provide approximately 18% Open Space.

Vicinity Map

## General Plan Amendment:
### Pre-Application Submittal Narrative

JLC Investments, L.L.C. ETAL (Jeffrey L. Cooley Family) owns a 640 acre property within unincorporated Pinal County bounded by Phillips Road on the north, Eleven Mile Corner Road on the east, Shay Road on the south and Tweedy Road on the west. The property is surrounded by the City of Eloy Incorporated area. The property has contiguity with City boundaries on the south property boundary and the west property boundary. The property also touches the City boundary on the very northeast corner of the site.

The Jeffrey L. Cooley Family will: 1. Apply for Annexation of the property 2. Request a General Plan Amendment 3. Apply for PAD Zoning 4. Enter into a Development Agreement with the City of Eloy for future development of the property. At this juncture we are requesting a Pre-Application Conference in preparation to submit the formal application for a Major General Plan Amendment for the 640 acre site. We will make the formal GPA Submittal in time to meet the March 31, 2008 deadline for the 2008 General Plan Update process.

The proposed Land Use Master Plan contains primarily residential uses with approximately 18% Opens Space. A 17.0 acre Elementary School site, an 18.7 acre Neighborhood Commercial site and appropriately located parks / open space parcels as well as open space corridors that will serve several purposes. The open space corridors will act as land use buffers along Phillips Roads on the north and Shay Road on the south boundary of the property. They will also be the "backbone" of the drainage system that collects and moves storm drainage across the site from the southeast to the northwest which is the natural direction of flow. These corridors will also provide pedestrian and bike paths through these open spaces to provide safe ways for children and adults to safely move through the community from their homes to the parks, the school and the neighborhood commercial area.

The residential uses will provide the ability to build a variety of homes designed to satisfy a broad range of future residents needs. The residential uses will be primarily single family homes on a range of lot sizes. Approximately 10% of the housing product is anticipated to be small lots with relatively small homes that are two stories and provide an opportunity for empty nesters, single households, and single parent households that don't want or need a significant outdoor space to maintain.

The intent is to facilitate the future development of a residential community with traditional neighborhoods and community facilities including an elementary school and parks. We plan to tie these areas together with safe pedestrian paths and bikeways that are within the open space corridors. The lower density residential uses are located around the perimeter of the proposed community with densities increasing as you move toward the center of the site where the elementary school and central park are planned.

# COOLEY ELOY 640

## Major General Plan Amendment

Eleven Mile Corner Road / Phillips Road / Shay Road / Tweedy Road

## Eloy, Arizona

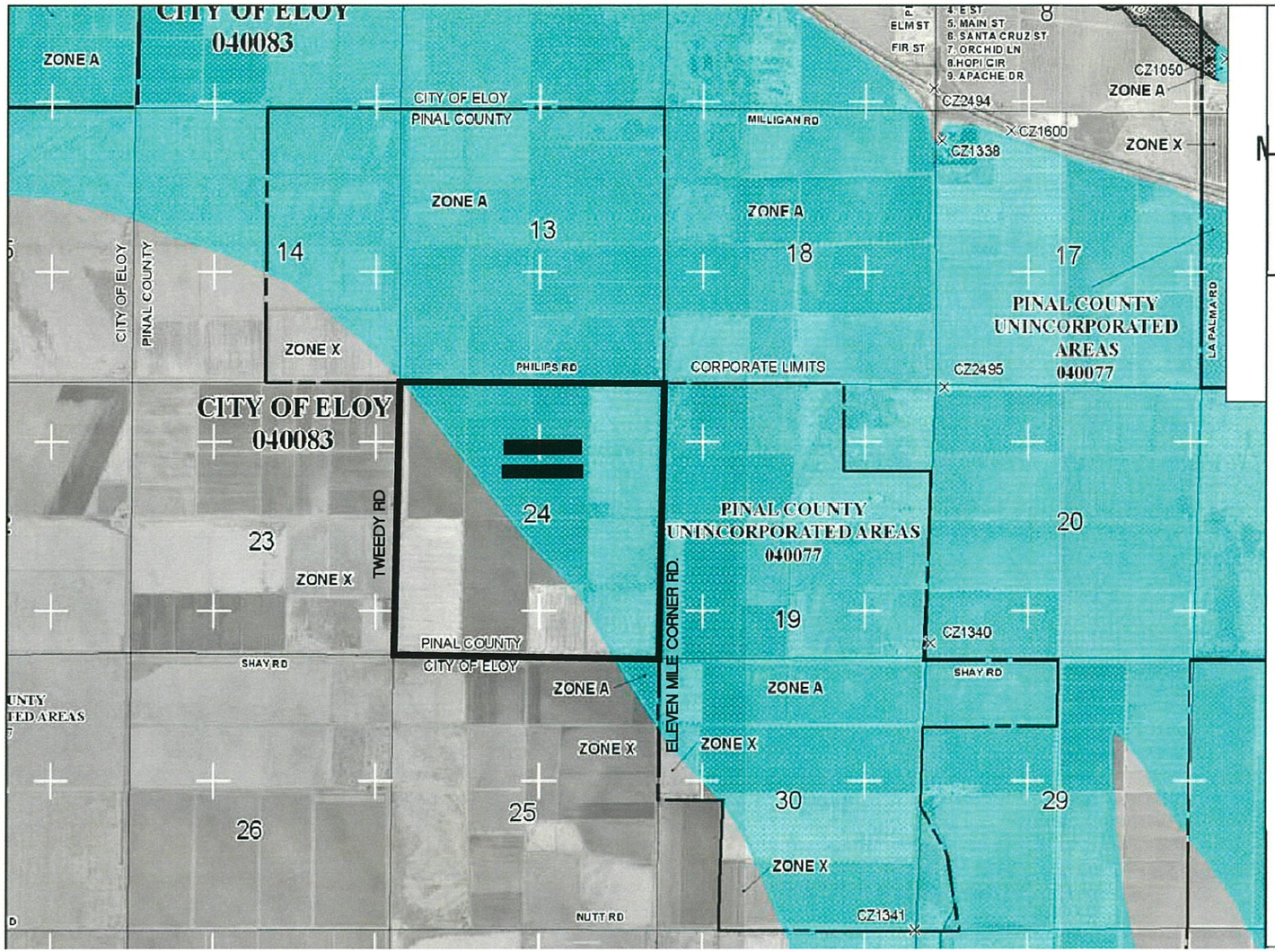
Date: March 19, 2008
June 4, 2008
Approved: July 14, 2008

Prepared for: JLC Family Investments, L.L.C. ETAL
Prepared by:

Synergy+

Synergy +, L.L.C.
Community Planners
Phone: (480) 474-0258
Mobile: (480) 229-0469
E-Mail: synergyplus@mac.com

North
150' 0' 300'
300'
Scale: 1" = 300'




MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

NFIP

PANEL 1975E

NATIONAL FLOOD INSURANCE PROGRAM

# FIRM

**FLOOD INSURANCE RATE MAP**

**PINAL COUNTY, ARIZONA AND INCORPORATED AREAS**

**PANEL 1975 OF 2575**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|---|---|---|---|
| PINAL COUNTY UNINCORPORATED AREAS | 040077 | 1975 | E |
| ELOY, CITY OF | 040083 | 1975 | E |

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**MAP NUMBER**
**04021C1975E**

**EFFECTIVE DATE**
**DECEMBER 4, 2007**

Federal Emergency Management Agency

## LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

| | |
|---|---|
| ZONE A | No base flood elevations determined. |
| ZONE AE | Base flood elevations determined. |
| ZONE AH | Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined. |
| ZONE AO | Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined. |
| ZONE AR | Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood. |

OTHER AREAS

| | |
|---|---|
| ZONE X | Areas determined to be outside the 0.2% annual chance floodplain. |
| ZONE D | Areas in which flood hazards are undetermined, but possible. |

1% annual chance floodplain boundary

0.2% annual chance floodplain boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.

513 — Base Flood Elevation line and value; elevation in feet*

(EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

23 — 23 — Cross section line / Transect line

97° 07' 30", 32° 22' 30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)

4275000 mE — 1000-meter Universal Transverse Mercator grid values, zone 12

600000 FT — 5000-foot grid ticks: Arizona State Plane coordinate system, central zone (FIPSZONE 0202), Transverse Mercator

DX5510 x — Bench mark (see explanation in Notes to Users section of this FIRM panel)

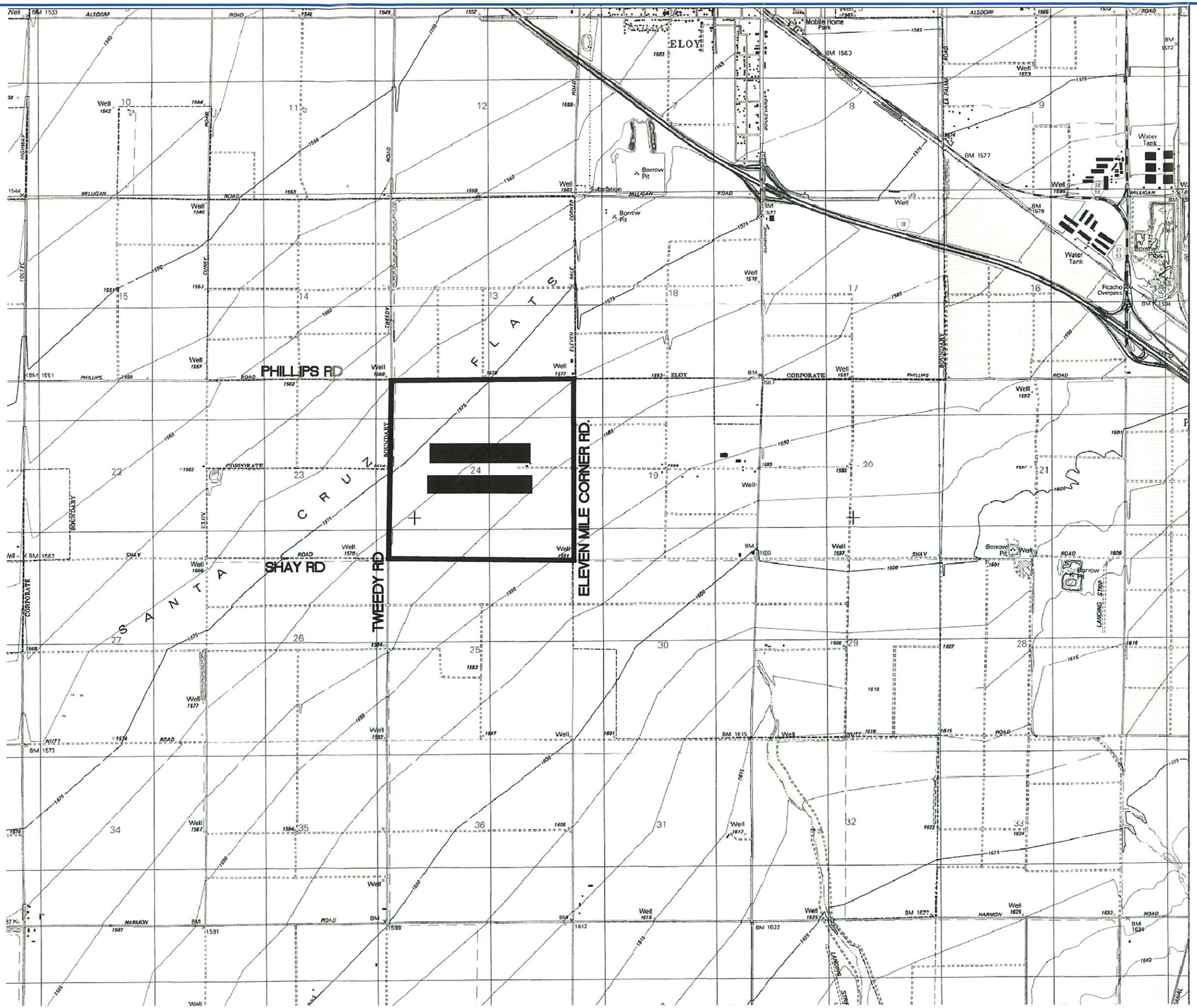
# COOLEY ELOY 640

SEC TWEEDY & PHILLIPS
PINAL COUNTY, ELOY, AZ

## EXHIBIT 7 FIRM

| | | |
|---|---|---|
| PROJ. No.: 3523 | | 6K CONSULTING L.L.C. |
| DATE: DEC 2008 | | |
| SCALE: APPROX AS SHOWN | | |
| DESIGNED: 6K | DRAWN: 6K | APPROVED: CHB |
| REV. | | DRAWING NO. TOPO |
| | | SHT. 1 OF 1 |

FLOOD INSURANCE RATE MAP (FIRM) NUMBER 04021C1975E DATED DECEMBER 4, 2007 OBTAINED FROM FEMA WEBSITE 10-23-08




TOPO CREATED USING USGS MAPS

CONTOUR INTERVAL = 5'

N

SCALE: 1" = 300'

# COOLEY ELOY 640

SEC TWEEDY & PHILLIPS
PINAL COUNTY, ELOY, AZ

## EXHIBIT 8 AREA TOPO

| | |
|---|---|
| PROJ. No.: 3523 | 6K CONSULTING L.L.C. |
| DATE: DEC 2008 | |
| SCALE: 1"=300' | |
| DESIGNED: 6K | DRAWN: 6K |
| APPROVED: CHB | |
| REV. | DRAWING NO. TOPO |
| | SHT. 1 OF 1 |

## Legend

| Parcels | Proposed Zoning | Land Use | Acres | Density Range D.U.'s/Acre | Minimum Lot Width | Lot Size Min. sq. ft. | Max. Proposed D.U.'s |
|---|---|---|---|---|---|---|---|
| A-1 | R1-8 PAD | Low Density Residential | 30.0 | 1.0 - 4.0 | 65 | 7,150 | 117 |
| A-2 | R1-8 PAD | Low Density Residential | 67.1 | 1.0 - 4.0 | 65 | 7,150 | 261 |
| A-3 | R1-8 PAD | Low Density Residential | 55.0 | 1.0 - 4.0 | 65 | 7,150 | 214 |
| A-4 | R1-8 PAD | Low Density Residential | 14.5 | 1.0 - 4.0 | 65 | 7,150 | 56 |
| A-5 | R1-8 PAD | Low Density Residential | 26.2 | 1.0 - 4.0 | 65 | 7,150 | 102 |
| A-6 | R1-8 PAD | Low Density Residential | 43.9 | 1.0 - 4.0 | 65 | 7,150 | 171 |
| A-7 | R1-8 PAD | Low Density Residential | 34.5 | 1.0 - 4.0 | 65 | 7,150 | 134 |
| B-1 | R1-6 PAD | Medium Density Residential | 46.9 | 4.0 - 6.5 | 50 | 5,750 | 257 |
| B-2 | R1-6 PAD | Medium Density Residential | 41.3 | 4.0 - 6.5 | 50 | 5,750 | 226 |
| B-3 | R1-6 PAD | Medium Density Residential | 3.8 | 4.0 - 6.5 | 50 | 5,750 | 20 |
| B-4 | R1-6 PAD | Medium Density Residential | 22.8 | 4.0 - 6.5 | 50 | 5,750 | 124 |
| B-5 | R1-6 PAD | Medium Density Residential | 9.4 | 4.0 - 6.5 | 50 | 5,750 | 50 |
| B-6 | R1-6 PAD | Medium Density Residential | 42.1 | 4.0 - 6.5 | 50 | 5,750 | 231 |
| C-1 | R-3 PAD | Medium / High Density Res. | 14.0 | 6.5 - 10.0 | 32 | 2,880 | 137 |
| C-2 | R-3 PAD | Medium / High Density Res. | 11.9 | 6.5 - 10.0 | 45 | 4,500 | 86 |
| C-3 | R-3 PAD | Medium / High Density Res. | 12.7 | 6.5 - 10.0 | 43 | 4,386 | 92 |
| D-1 | C-2 PAD | Community Commercial | 16.4 | N.A | 60 | 6,000 | N.A. |
| D-2 | C-2 PAD | Community Commercial | 16.4 | N.A. | 60 | 6,000 | N.A. |
| E-1 | R1-6 PAD | Medium Density Residential Elementary School | 12.8 | 4.0 - 6.5 | 50 | 5,750 | N.A. (71) |
| F-1 | R1-6 PAD | Parks / Open Space | 13.3 | N.A. | N.A. | N.A. | N.A. |
| F-2 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. |
| F-3 | R1-8 PAD | Parks / Open Space | 5.1 | N.A. | N.A. | N.A. | N.A. |
| F-4 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. |
| F-5 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. |
| F-6 | R1-8 PAD | Open Space Corridors | 65.2 | N.A. | N.A. | N.A. | N.A. |
| G. | | Arterial Street R.O.W.'s (1/2 street = 65 ft. on parcel perimeter) | 31.5 | N.A. | N.A. | N.A. | N.A. |
| | | Totals | 650.9 Gross | N.A. | N.A. | N.A. | 2,278* |

*Max. Permitted Total D.U.'s = 2,278

## Vicinity Map

# COOLEY ELOY 640

## Preliminary Master Development Plan

Eleven Mile Corner Road / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

Date: November 17, 2008

Prepared for: JLC Family Investments, L.L.C. ETAL

Prepared by:

Synergy+

Synergy +, L.L.C.
Community Planners
Phone: (480) 474-0258
Mobile: (480) 229-0469
E-Mail: synergyplus@mac.com

North

150' 0' 300'
300'
Scale: 1" = 300'

Exhibit 10.

# Cooley Eloy 640 PAD Overlay

## Rezoning Table

| Parcels | Proposed Zoning | Land Use | Acres (net) | Minimum Lot Width | Lot Size Min. sq. ft. | Density Range | | Min. D.U.'s / Parcel | Max. D.U.'s / Parcel | Max. Proposed D.U.'s |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Min. DU's/Ac | Max. DU's/Ac | | | |
| A-1 | R1-8 PAD | Low Density Residential | 30.0 | 65 | 7,150 | 1.0 | 4.0 | 30 | 119 | 117 |
| A-2 | R1-8 PAD | Low Density Residential | 67.1 | 65 | 7,150 | 1.0 | 4.0 | 67 | 267 | 261 |
| A-3 | R1-8 PAD | Low Density Residential | 55.0 | 65 | 7,150 | 1.0 | 4.0 | 55 | 218 | 214 |
| A-4 | R1-8 PAD | Low Density Residential | 14.5 | 65 | 7,150 | 1.0 | 4.0 | 14 | 57 | 56 |
| A-5 | R1-8 PAD | Low Density Residential | 26.2 | 65 | 7,150 | 1.0 | 4.0 | 26 | 104 | 102 |
| A-6 | R1-8 PAD | Low Density Residential | 43.9 | 65 | 7,150 | 1.0 | 4.0 | 43 | 174 | 171 |
| A-7 | R1-8 PAD | Low Density Residential | 34.5 | 65 | 7,150 | 1.0 | 4.0 | 34 | 136 | 134 |
| B-1 | R1-6 PAD | Medium Density Residential | 46.9 | 50 | 5,750 | 4.0 | 6.5 | 187 | 302 | 257 |
| B-2 | R1-6 PAD | Medium Density Residential | 41.3 | 50 | 5,750 | 4.0 | 6.5 | 165 | 266 | 226 |
| B-3 | R1-6 PAD | Medium Density Residential | 3.8 | 50 | 5,750 | 4.0 | 6.5 | 15 | 23 | 20 |
| B-4 | R1-6 PAD | Medium Density Residential | 22.8 | 50 | 5,750 | 4.0 | 6.5 | 91 | 146 | 124 |
| B-5 | R1-6 PAD | Medium Density Residential | 9.4 | 50 | 5,750 | 4.0 | 6.5 | 37 | 59 | 50 |
| B-6 | R1-6 PAD | Medium Density Residential | 42.1 | 50 | 5,750 | 4.0 | 6.5 | 168 | 272 | 231 |
| C-1 | R-3 PAD | Medium / High Density Res. | 14.0 | 32 | 2,880 | 6.5 | 10.0 | 91 | 137 | 137 |
| C-2 | R-3 PAD | Medium / High Density Res. | 11.9 | 45 | 4,500 | 6.5 | 10.0 | 77 | 117 | 86 |
| C-3 | R-3 PAD | Medium / High Density Res. | 12.7 | 43 | 4,386 | 6.5 | 10.0 | 82 | 125 | 92 |
| D-1 | C-2 PAD | Community Commercial | 16.4 | 60 | 6,000 | N.A. | N.A. | N.A. | N.A. | N.A. |
| D-2 | C-2 PAD | Community Commercial | 16.4 | 60 | 6,000 | N.A. | N.A. | N.A. | N.A. | N.A. |
| E-1 | R1-6 PAD | Medium Density-Elementary School | 12.8 | 50 | 5,750 | 4.0 | 6.5 | 51 | 83 | N.A. (71) |
| F-1 | R1-6 PAD | Parks / Open Space | 13.3 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-2 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-3 | R1-8 PAD | Parks / Open Space | 5.1 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-4 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-5 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-6 | R1-8 PAD | Open Space Corridors | 65.2 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| G. | | Arterial Street R.C.W.'s (1/2 street = 65 ft. on parcel perimeter) | 31.5 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| | | **Totals** | 650.9 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | *2,278 |

**Totals** 650.97 Gross Acreage

*Proposed / Permitted Total D.U.'s = 2,278

*Not to Exceed!

*Proposed Gross Densities for the Cooley Eloy 640 Community:

(1.) The overall gross density for the Cooley Eloy 640 community is 3.5 d.u.'s / acre. (2.) The gross density for the residential & open space portion of the community is 3.9 d.u.'s / acre. (3.) The gross density for the residential portion of the community is 4.66 d.u.'s / acre.

*Note: This Legend has been updated since the Master Plan for the Major General Plan Amendment was completed in July, 2008.

Updated: July 2, 2009
2/11/2009

## Legend

| Parcels | Proposed Zoning | Land Use | Acres | Minimum Lot Width | Lot Size Min. sq. ft. | Density Range | | Min. D.U.'s / Parcel | Max. D.U.'s / Parcel | Max. Proposed D.U.'s |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Min. DU's/Ac | Max. DU's/Ac | | | |
| A-1 | R1-8 PAD | Low Density Residential | 30.0 | 65 | 7,150 | 1.0 | 4.0 | 30 | 119 | 117 |
| A-2 | R1-8 PAD | Low Density Residential | 67.1 | 65 | 7,150 | 1.0 | 4.0 | 67 | 267 | 261 |
| A-3 | R1-8 PAD | Low Density Residential | 55.0 | 65 | 7,150 | 1.0 | 4.0 | 55 | 218 | 214 |
| A-4 | R1-8 PAD | Low Density Residential | 14.5 | 65 | 7,150 | 1.0 | 4.0 | 14 | 57 | 56 |
| A-5 | R1-8 PAD | Low Density Residential | 26.2 | 65 | 7,150 | 1.0 | 4.0 | 26 | 104 | 102 |
| A-6 | R1-8 PAD | Low Density Residential | 43.9 | 65 | 7,150 | 1.0 | 4.0 | 43 | 174 | 171 |
| A-7 | R1-8 PAD | Low Density Residential | 34.5 | 65 | 7,150 | 1.0 | 4.0 | 34 | 136 | 134 |
| B-1 | R1-6 PAD | Medium Density Residential | 46.9 | 50 | 5,750 | 4.0 | 6.5 | 187 | 302 | 257 |
| B-2 | R1-6 PAD | Medium Density Residential | 41.3 | 50 | 5,750 | 4.0 | 6.5 | 165 | 266 | 226 |
| B-3 | R1-6 PAD | Medium Density Residential | 3.8 | 50 | 5,750 | 4.0 | 6.5 | 15 | 23 | 20 |
| B-4 | R1-6 PAD | Medium Density Residential | 22.8 | 50 | 5,750 | 4.0 | 6.5 | 91 | 146 | 124 |
| B-5 | R1-6 PAD | Medium Density Residential | 9.4 | 50 | 5,750 | 4.0 | 6.5 | 37 | 59 | 50 |
| B-6 | R1-6 PAD | Medium Density Residential | 42.1 | 50 | 5,750 | 4.0 | 6.5 | 168 | 272 | 231 |
| C-1 | R-3 PAD | Medium / High Density Res. | 14.0 | 32 | 2,880 | 6.5 | 10.0 | 91 | 137 | 137 |
| C-2 | R-3 PAD | Medium / High Density Res. | 11.9 | 45 | 4,500 | 6.5 | 10.0 | 77 | 117 | 86 |
| C-3 | R-3 PAD | Medium / High Density Res. | 12.7 | 43 | 4,386 | 6.5 | 10.0 | 82 | 125 | 92 |
| D-1 | C-2 PAD | Community Commercial | 16.4 | 60 | 6,000 | N.A. | N.A. | N.A. | N.A. | N.A. |
| D-2 | C-2 PAD | Community Commercial | 16.4 | 60 | 6,000 | N.A. | N.A. | N.A. | N.A. | N.A. |
| E-1 | R1-6 PAD | Medium Density Residential Elementary School | 12.8 | 50 | 5,750 | 4.0 | 6.5 | 51 | 83 | N.A. (71) |
| F-1 | R1-6 PAD | Parks / Open Space | 13.3 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-2 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-3 | R1-8 PAD | Parks / Open Space | 5.1 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-4 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-5 | R1-8 PAD | Parks / Open Space | 4.7 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| F-6 | R1-8 PAD | Open Space Corridors | 65.2 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| G. | | Arterial Street R.O.W.'s (1/2 street = 65 ft. on parcel perimeter) | 31.5 | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. |
| | | Totals | 650.9 Gross | N.A. | N.A. | N.A. | N.A. | N.A. | N.A. | 2,278* |

*Max Permitted Total D.U.'s = 2,278

## Vicinity Map

# COOLEY ELOY 640

## Master Zoning Plan

Eleven Mile Corner Road / Phillips Road / Shay Road / Tweedy Road

## Eloy, Arizona

Date: November 17, 2008

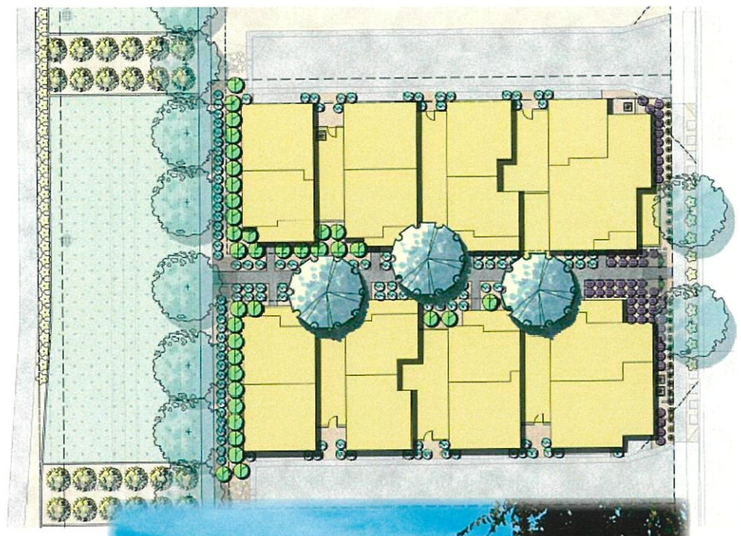
Prepared for: JLC Family Investments, L.L.C. ETAL
Prepared by:

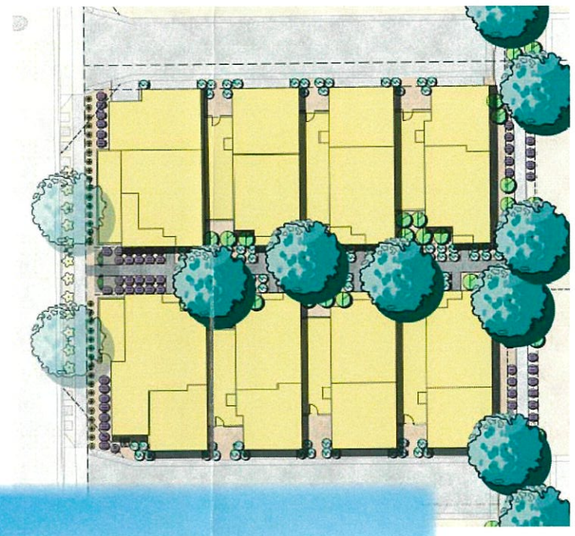
Synergy+

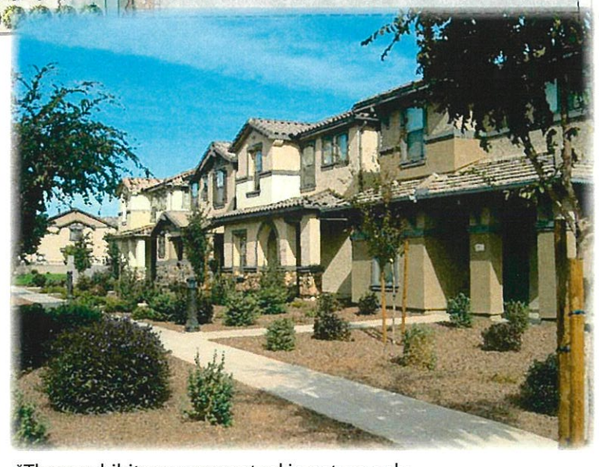
Synergy +, L.L.C.
Community Planners
Phone: (480) 474-0258
Mobile: (480) 229-0469
E-Mail: synergyplus@mac.com

North

150' 0' 300'
300'
Scale: 1" = 300'







# COOLEY ELOY 640

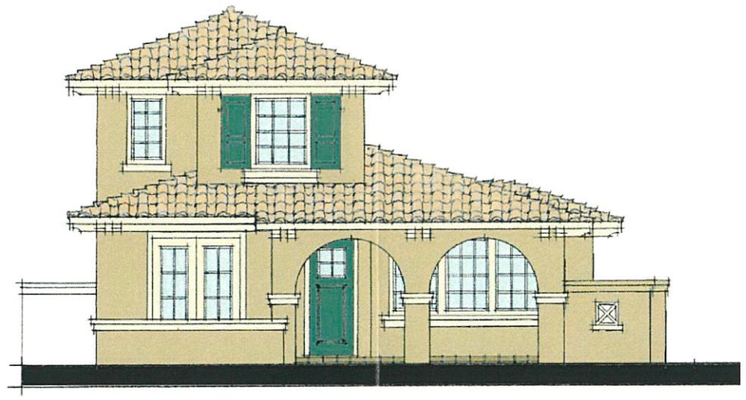
## Illustrative Lot Layouts & Character Sketches for Medium-High Density Residential

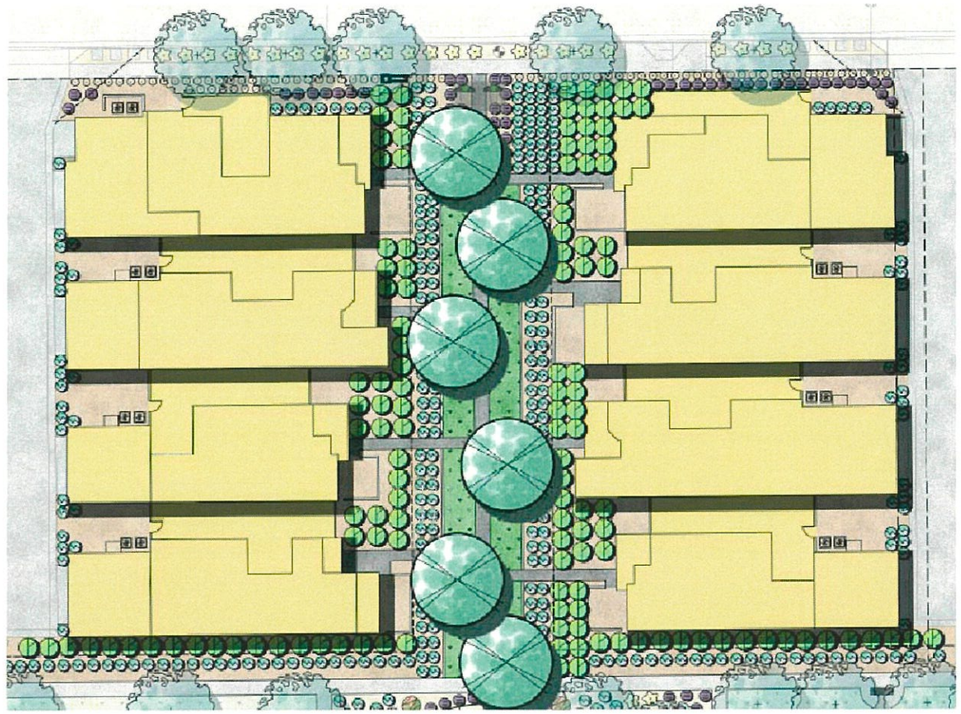
Eleven Mile Corner / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

Date: Janaury 2009

*These exhibits are conceptual in nature only.





*These exhibits are conceptual in nature only.

# COOLEY ELOY 640

## Illustrative Lot Layouts & Character Sketches for Medium-High Density Residential

Eleven Mile Corner / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

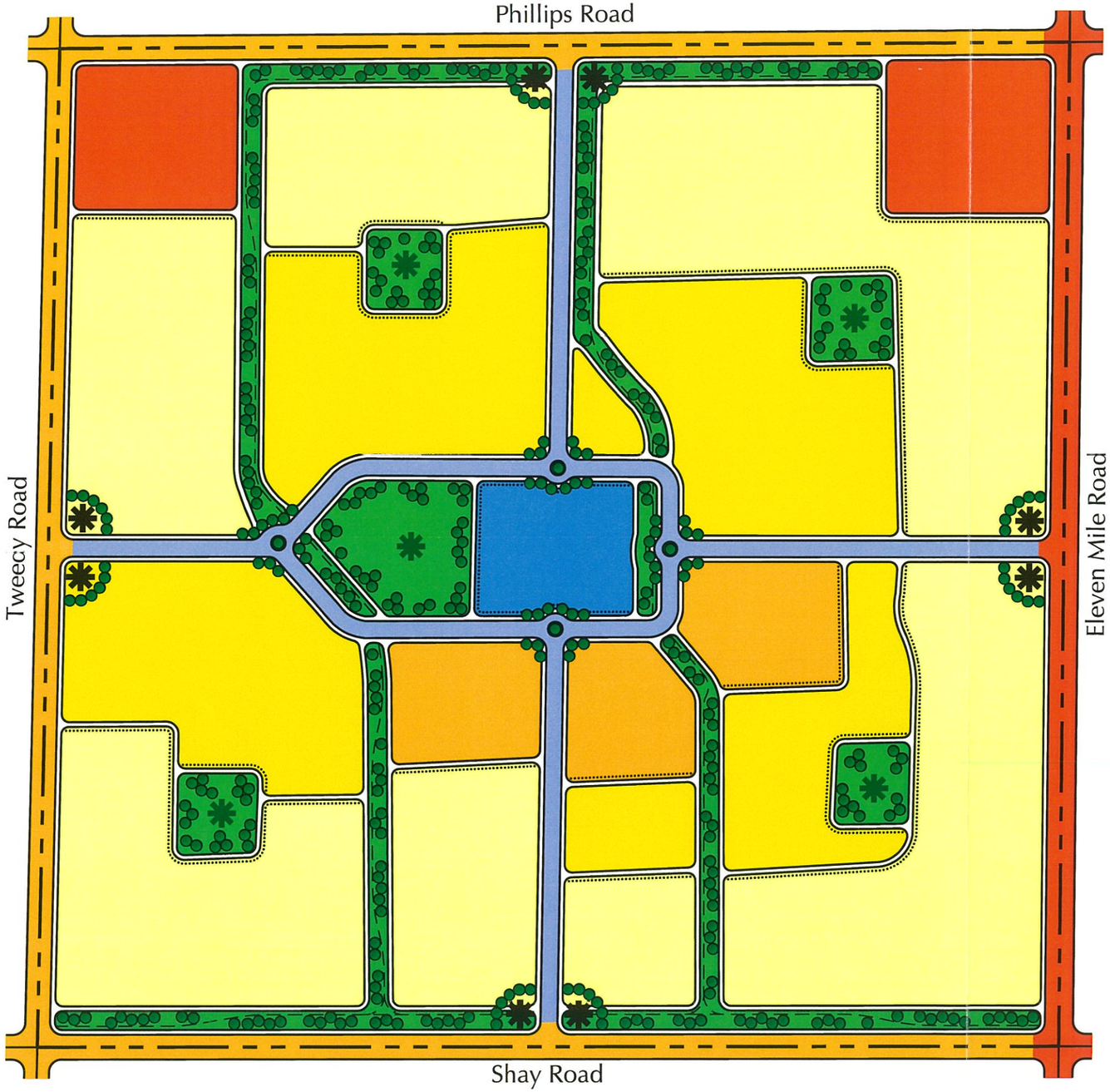
Date: Janaury 2009

# PAD Overlay Zoning Application

**Exhibit 13.**

## Property Owner's of Record within 300 ft. of Cooley Eloy 640 property (Section 24):

| 1/10/2009 | | | |
|---|---|---|---|
| | **South Side** | **Parcel No.** | **Owner of Record Name & Address** |
| | 1 | 408-24-032 | Ben Fatto Limited Partnership<br>1223 South Clearview Avenue, 103<br>Mesa, Arizona 85209 |
| | 2 | 408-24-031 | Ben Fatto Limited Partnership<br>1223 South Clearview Avenue, 103<br>Mesa, Arizona 85209 |
| | 3 | 408-24-029 | Eloy 660 LLC<br>3850 East Baseline Road<br>Mesa, Arizona 85206 |
| | 4 | 408-01-036-A | Eloy 660 LLC<br>3850 East Baseline Road<br>Mesa, Arizona 85206 |
| | **Southeast Side** | | |
| | 1 | 411-29-003 | Ben Fatto Limited Partnership<br>1223 South Clearview Avenue, 103<br>Mesa, Arizona 85209 |
| | **East Side** | | |
| | 1 | 411-18-002 | HORNE ROBERT C. & CHERYL K.<br>REV. LIVING TRUST<br>P.O. Box 2990<br>Pine Top, AZ. 85935 |
| | 2 | 411-18-007 | Ben Fatto Limited Partnership<br>1223 South Clearview Avenue, 103<br>Mesa, Arizona 85209 |
| | **Northeast Side** | | |
| | 1 | 411-38-001-A | CRAIG RANCH GOLF COURSE,<br>L.L.C. ETAL<br>P.O. Box 62467<br>Boulder City, Nevada 89006 |
| | **North Side** | | |
| | 1 | 408-01-022C1 | MDT INVESTMENTS, LTD. PSHIP.<br>2074 West 8300 South<br>West Jordan, Utah 84088 |
| | **Northwest Side** | | |
| | 1 | 408-01-023-A | COX ROBERT, ROBERT & GAYLA<br>918 West Armitage Avenue<br>Chicago, Illinois 60614 |
| | **West Side** | | |
| | 1 | 408-01-033 | Rodney J. Shedd<br>12122 South Toltec Buttes Road<br>Eloy, Arizona 85231 |
| | 2 | 408-01-034-B | ELOY ASSOCIATES, L.L.C.<br>6720 North Scottsdale Road, Suite 160<br>Scottsdale, Arizona 85253 |
| | 3 | 408-01-034-C | ELOY ASSOCIATES, L.L.C.<br>6720 North Scottsdale Road, Suite 160<br>Scottsdale, Arizona 85253 |
| | **Southwest Side** | | |
| | 1 | 408-01-038-A | ELOY ASSOCIATES, L.L.C.<br>6720 North Scottsdale Road, Suite 160<br>Scottsdale, Arizona 85253 |




## Land Use Legend:

- R1-8 Low Density Residential
- R1-6 Medium Density Residential
- R3 Medium-I ligh Density Residential
- C-2 Commercial
- Community Park
- Elementary School Site (reserved for future acquisition)
- Neighborhood Park – Exhibit 14-4
- Linear Open Space Corridor

## Road Legend:

- Road of Region Significance – Exhibit 14-3
- Arterial Road – Exhibit 14-3
- Collector Street with Optional Median – Exhibit 14-3
- Turning Circle

## Pedestrian Access Legend:

- Not Shown — Primary Pedestrian Access: Subdivision sidewalks to be included with all streets – See Street Sections and Exhibits
- – – – 8'-0" Stabilized Decomposed Granite Trail
- ..... Conceptual Pedestrian Open Space Connections: Through neighborhood via subdivision sidewalks (final connection locations to be determined at preliminary plat phase)

## Signage Legend:

- Entry Monument Exhibit 14 2

# COOLEY ELOY 640

## Conceptual Master Landscape/Open Space Plan

Eleven Mile Corner Road / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

Date: December 6, 2008

Prepared for: JLC Family Investments, L.L.C. ETAL

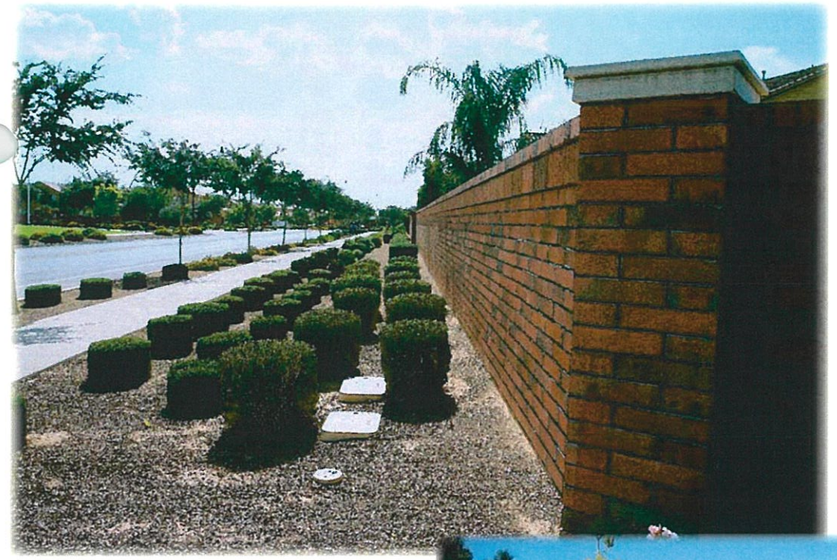
Prepared by:

Synergy+

Synergy +, L.L.C.
Community Planners
Phone: (480) 474-0258
Mobile: (480) 229-0469
E-Mail: synergyplus@mac.com

North

150' 0' 300'
300'
Scale: 1" = 300'



# COOLEY ELOY 640

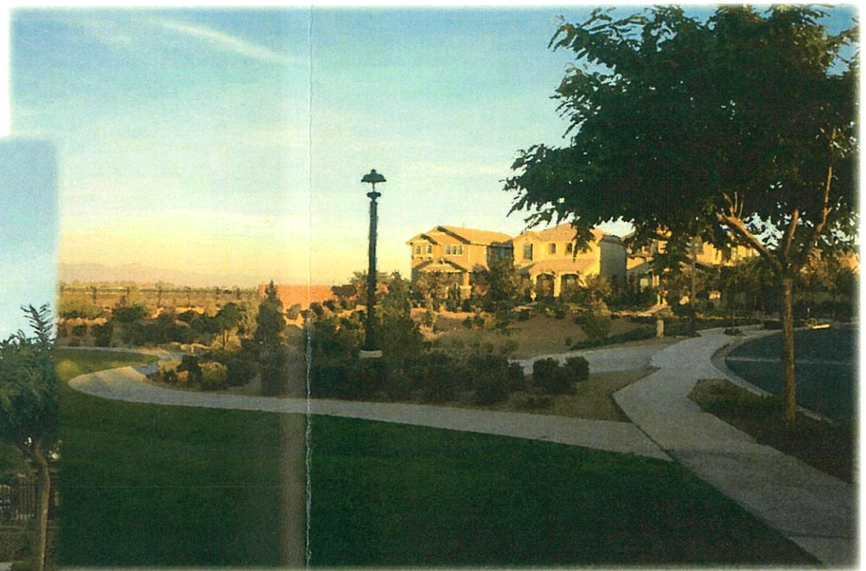
## Entry Monument & Perimeter Wall Concepts

Eleven Mile Corner / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

Date: May 2009

*These exhibits are conceptual in nature.



# COOLEY ELOY 640

## Neighborhod Park Concepts

Eleven Mile Corner / Phillips Road / Shay R oad / Tweedy Road

Eloy, Arizona

Date: Janaury 2009

*These exhibits are conceptual in nature.

*These exhibits are conceptual in nature.

# COOLEY ELOY 640

## Community Character Concepts

Eleven Mile Corner / Phillips Road / Shay Road / Tweedy Road

Eloy, Arizona

Date: Janaury 2009

## Appendix Item "B":

*(under Tab No. 3)*

# City of Eloy (*Application Documents)

A. Planning & Zoning Application Cover Sheet
B. City of Eloy – Rezoning Application (form)
C. Ownership Verification (form)
D. Owner's Permission (form)
E. Rezoning Application Submittal Requirements
*(*All Submittals Must Include the Following:)*
F. Rezoning Application – Tracking Form
G. Affidavit of Notification
H. Instructions for Property Owner, List and Map
I. Property Owner's List (within 300' of property)
J. Proposition 207 Waiver Signature Sheet

PLANNING & ZONING DIVISION

1137 W. Houser, Road
Eloy, Arizona 85231

Phone: 520-466-2578
Fax: 520-464-1438

# PLANNING & ZONING APPLICATION COVER SHEET

## TYPE OF APPLICATION (Check One)

- ☐ Conditional Use Permit
- ☐ Development Plan
- ☐ Final Plat
- ☐ General Plan Amendment
- ☐ Minor Land Division
- ☑ Other PAD Overlay Zoning
- ☐ Pre-application
- ☐ Preliminary Plat
- ☐ Rezone/Specific Plan
- ☐ Signage
- ☐ Site Plan Review
- ☐ Specific Plan Amendment
- ☐ Temporary Use Permit
- ☐ Variance
- ☐ Zoning Interpretation Letter
- ☐ Zoning Verification Letter

## GENERAL DATA REQUIRED

| | |
|---|---|
| Assessor's Parcel Number(s): 408-01-035C, 408-01-035A & 408-01-035B | General Plan: Designation (To be confirmed by staff) Approved: July, 2008 Major General Plan Amendment |
| Gross Area (Acre/Sq. Ft.): 650.97 acres +/- | Current Zoning: (To be confirmed by staff) Pinal County - General Rural |
| Development/Project Name: Cooley Eloy 640 | Commercial ☑ Industrial ☐ Residential ☑ |
| Project Location | Current Land Use: Agricultural |

Description of Project: Residential Master planned Community with Supporting Commercial

| 1st Review (Date): | 2nd Review (Date): | 3rd+ Review (Date): |
|---|---|---|
| | | |

## PROPERTY OWNER INFORMATION

| Owner Name: JLC Family Investments, L.L.C. ETAL | | | | | Phone: 480-988-3110 |
|---|---|---|---|---|---|
| Street Address: 17407 East Ray Road | City: Gilbert | State: AZ. | Zip Code: 85296 | Fax: 408-988-3059 | E-Mail: todd@cooleystation.com |

## AUTHORIZATION OF PROPERTY OWNER

I, the undersigned, certify that all of the facts set forth in this application are true to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application and checklist.

Terrell A. Fitzgerald 1/20/2009
Signature Date

SUBSCRIBED AND SWORN to before me this 20th day of January, 2009.

Notary Public: Gwendoline V. Kelley

Commission Expire: 4-27-2012

GWENDOLINE V. KELLEY
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
My Comm. Exp.: April 27, 2012

## AGENT / REPRESENTATIVE INFORMATION

| Name: Terrell A. Fitzgerald, Synergy Plus, L.L.C. - Community Planner | | | | | |
|---|---|---|---|---|---|
| Street Address: 6632 East Barragan Drive | City: Gold Canyon | State: AZ. | Zip Code: 85218 | Fax: — | E-Mail: Synergyplus@mac.com |
| Applicant Signature: Terrell A. Fitzgerald | | | | | Date: January 29, 2009 |

## (FOR OFFICE USE ONLY)

| Fees: | Accepted By: | Date Accepted: | CASE NO: |
|---|---|---|---|
| | | | |

*A copy of this sheet must be submitted with each review.

NOTE: All plans required as part of an applications submittal requirements are for application reviews at the Staff level. Additional copies WILL be required for Planning Commission and City Council Meetings

City of Eloy
Rezoning Application

This form to be turned in with other documents at the
Planning and Development Department

If the property owner(s) is not filing the application, please fill out and attach an Owner's Permission Form authorizing an applicant or project representative to file and pay the fees required for this application.

Zoning Case #:_____ Pre-application Meeting Date: February, 2008

1. Project Name: Cooley Eloy 640
(Consult with Planning Director)
2. Property Location/Address: Eleven Mile Corner Road (on the East), Phillips Road (on the North), Tweedy Road (on the West) & Shay Road (on the South)
3. Zoning to be changed From: Pinal County – Rural Residential To: PAD Overlay
4. Proposed Use: Master Planned Residential Community
5. Legal Description: Section 24, Township 8 South, Range 7 East, of the Gila and Salt River Base and Meridian (see full legal description - attached).
6. Tax Parcel Numbers: 408-01-035A, 408-01-035B & 408-01-035C
7. Gross Acreage: 650.97 acres +/-
8. Applicant / Firm Name: Synergy Plus, L.L.C.
Contact Person: Terrell A. Fitzgerald
Mailing Address: 6632 East Barragan Drive
City / State / Zip Code: Gold Canyon, Arizona 85218-1953
E-mail Address: synergyplus@mac.com Phone: (480) 474-0258
9. Property Owner(s): JLC Family Investments, L.L.C. ETAL
Contact Person: Mr. Todd Cooley
Mailing Address: 17407 East Ray Road
City / State / Zip Code: Gilbert, Arizona 85296-4680
E-mail Address: todd@cooleystation.com Phone: (480) 988-3110
10. Signature of Applicant:

Terrell A. Fitzgerald Date: January 20, 2009
Terrell A. Fitzgerald, Synergy Plus, L.L.C.

## Ownership Verification

It is requested that an application for PAD Overlay Zoning be accepted by the Planning and Development Department, City of Eloy, for property generally located at:

The subject property is bounded by Eleven Mile Corner Road (on the East), Phillips Road (on the North, Tweedy Road (on the West) and Shay Road (on the South.

Said property is legally described as:

Section 24, Township 8 South, Range 7 East, of the Gila and Salt River Base and Meridian
*Please see a full legal description included in the Appendix of the Zoning Submittal Book

Pinal County, Arizona Parcel I. D. Numbers: 408-01-035A, 408-01-035B & 408-01-035C

Said property is owned by:

Name: JLC Family Investments, L.L.C. ETAL – Owner's of Record

Address: Cooley Station, 17407 East Ray Road, Gilbert, Arizona 85296-4680

Contact: Mr. Todd Cooley, Owner's Representative

Telephone: (480) 988-3110

I hereby certify that the above information is correct, and that I am authorized to file an Application for Zoning on said property, being either the owner of record or authorized to file and behalf if the owner of record. **(If not the owner of record, attach signed and notarized owner's permission form).**

**Applicant:** **Terrell A. Fitzgerald, Synergy Plus, L.L.C. – Community Planner**

**Signature:** Terrell A. Fitzgerald

**Date:** **January 20, 2009**

## ALL SUBMITTALS MUST INCLUDE THE FOLLOWING:

**Preapplication Submittal Requirements:**

- ☐ Narrative to include:
  - o Discussion of Current General Plan Designation
  - o Current Zoning District
  - o Proposed Zoning District
- ☐ Ten (10) Copies of Vicinity Ownership Map bound and folded (as one set)
- ☐ Ten (10) Conceptual Development Plan
- ☐ Fee $_____

**Rezoning Application Submittal Requirements:**

- ☐ Narrative to include:
  - o Discussion of Current General Plan Designation
  - o Current Zoning District
  - o Proposed Zoning District
  - o How the proposed Zoning District complies with the goals and policies of the General Plan
  - o Why the proposed site is suitable for the proposed zoning and subsequent uses
  - o Steps that will be taken to minimize any potential or foreseen negative impacts to adjacent property owners
  - o Design guidelines for the PAD/MPD
- ☐ Legal description of property
- ☐ Alta Survey
- ☐ One (1) copy of a property map to include all adjacent properties, buildings and structures, land uses, and public streets and ways within a radius of three hundred feet (300').
- ☐ Ten (10) Copies of Vicinity Ownership Map bound and folded (as one set)
- ☐ Ten (10) copies of a Preliminary Development Plan to include the following:
  - o Site Plan(s)
    - ▪ Lot Dimensions
    - ▪ Topography (existing and proposed grades)
    - ▪ Proposed block layout, street system, improvements, and dedications
    - ▪ Land proposed for parks, parkways, playgrounds, recreation areas, pedestrian access and other open space
    - ▪ Parking Spaces provided (dimensions, loading bays, service access area)
    - ▪ Landscape Plan
    - ▪ All buildings and structures (existing and proposed)
  - o Utility Plans
  - o Other information as required by the Zoning Administrator: _____
    (Attach on separate sheet if needed)
- ☐ Three (3) sets of mailing labels and parcel map for all property owners within 300 feet of subject property (Neighborhood Meeting, Planning Commission and City Council public hearings)
- ☐ Three (3) sets of mailing labels of all registered neighborhood organizations within the Community.
- ☐ Affidavit of Notification
- ☐ Three (3) copies of a Traffic Impact Study
- ☐ Fee $_____
- ☐ Electronic Copy of all documents and maps (PDF format)
- ☐ Proposition 207 Waiver Form

PLANNING & ZONING DIVISION

1137 W. Houser, Road
Elov, Arizona 85231

Phone: 520-466-2578
Fax: 520-464-1438

# REZONING APPLICATION

## TRACKING FORM (to be kept in the file)

☐ Preapplication (date): February, 2008 ☐ Submittal Date (date): _____

☐ Notification (dates):

☐ Neighborhood Meeting: _____

Property Posted: _____ Letter Mailed to Property Owners: _____

☐ Planning Commission: _____ Newspaper Publication: _____

Property Posted: _____ Notice Letter: _____

Action: _____

☐ City Council: _____ Newspaper Publication: _____

Property Posted: _____ Notice Letter: _____

*Provide photographs of the ten (10) locations the sign is posted within the city

☐ City Council Action (Attach a copy of Letter with stipulations): _____

**Instructions for Property Owner List, Envelopes, and Map**

☐ Obtain names and address of property owners within 300-feet of the site from the Pinal County Assessor's Office or from a title company using the last declared owner of record.

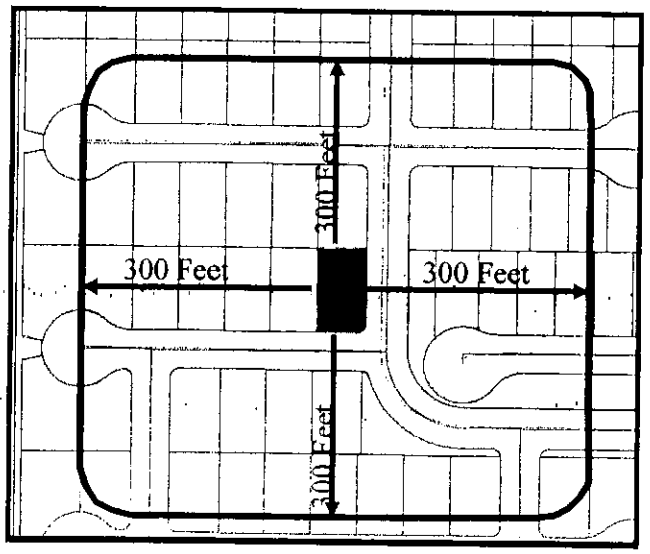
☐ Type the names and address on an 8.5" x 11" sheet of paper, with the tax parcel number above the address (See Example Below)

205-514-101
Bill Smith
1137 W Houser Rd
Eloy, AZ 85231

☐ Address a legal sized envelope for each property owner and registered neighborhood organization complete with the sample information illustrated above. Envelopes should be:

- Unsealed
- Stamped **(Not Metered)**
- Do NOT include a return address

☐ Prepare ownership parcel map showing the subject property and all parcels within 300-feet according to Pinal County Assessor records or a title company. See example below.



PLANNING & ZONING DIVISION

1137 W. Houser, Road
Eloy, Arizona 85231

Phone: 520-466-2578
Fax: 520-464-1438

## Affidavit of Notification

### Neighborhood Meeting and Public Hearing Property Owner Lists

(For additional information, please call the Planning Department at (520) 466-2578)

Rezoning Application No.: _____

Applicant Name: J.L.C. Family Investments, L.L.C. ETAL

Location: Section 24, Township 8 South, Range 7 East, of the Gila & Salt River Base & Meridian – bounded by: Phillips Rd., Tweedy Rd., Shay Rd. & Eleven Mile Corner Rd.

I, the undersigned, confirm that the property owner and registered neighborhood organization lists with attached envelopes contains all owners of record as contained within the Pinal County Assessor's Records as required for the rezoning case noted above.

Terrell A. Fitzgerald — January 20, 2009
Applicant/Representative Signature — Date

This instrument was acknowledged before me on this 20th day of January, 2009, by Terrell A Fitzgerald. In witness whereof I hereunto set my hand and official seal.

Gwendoline V Kelley
Notary Public

My commission expires 4-27-2012

GWENDOLINE V. KELLEY
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
My Comm. Exp.: April 27, 2012

## Cooley Eloy 640 PAD Overlay Zoning

January 19, 2009

**Names and Addresses of property owner's within 300 feet with Parcel I.D. No.'s above the address.**

408-01-023-A
Robert & Gayla Cox
918 West Armitage Ave.
Chicago, Illinois 60614

408-24-029
Eloy 660, LLC
3850 East Baseline Road 114
Mesa, Arizona 85206

411-18-007
Ben Fatto Limited Partnership
1223 South Clearview Ave. 103
Mesa, Arizona 85209

408-01-034-B
Eloy Associates, LLC
6720 North Scottsdale Road 160
Scottsdale, Arizona 85253

411-18-002
Robert C. & Cheryl Horne
PO Box 2990
Pinetop, Arizona 85935

408-01-022-C
Mdt Investments Ltd Partnership
2074 West 8300 South
West Jordan, Utah 84088

409-24-031
Ben Fatto Limited Partnership
1223 South Clearview Ave. 103
Mesa, Arizona 85209

411-29-003
Ben Fatto Limited Partnership
1223 South Clearview Ave. 103
Mesa, Arizona 85209

408-01-034-C
Eloy Associates, LLC
6720 North Scottsdale Road 160
Scottsdale, Arizona 85253

411-38-001-A
Craig Ranch Golf Course, LLC
PO Box 62467
Boulder City, Nevada 89006

408-01-036-A
Eloy 660, LLC
3850 East Baseline Road 114
Mesa, Arizona 85206

408-24-032
Ben Fatto Limited Partnership
1223 South Clearview Ave. 103
Mesa, Arizona 85209

408-01-033
Rodney J. Shedd
12122 South Toltec Buttes Road
Eloy, Arizona 85231

408-01-038-A
Eloy Associates, LLC
6720 North Scottsdale Road 160
Scottsdale, Arizona 85253

## C. Applicant's Narrative Statement

*(under Tab No. 4)*

## Appendix Item "C":

# Applicant Narrative Statement
## Cooley Eloy 640 PAD Overlay

**Please answer each of the questions below. Write "N/A" if item is not pertaining to your request. Please retype the questions and answers on a separate sheet of paper to be turned in at time of filing.**

**IN ADDITION: Please provide a descriptive narrative that describes the architecture in detail, site layout including circulation, parking and design, drainage, and proposed land use in more detail. If your are requesting wavers to Code requirements, include that information as well.**

1. (Q) What improvements and uses currently exist on the property?

   (A) The subject property is currently vacant land that is in agricultural production. There is one small set of farm buildings on the property and obviously the normal irrigation ditches, etc.

2. (Q) What type of development is proposed by this zoning request?

   (A) A traditional Master Planned Residential Community.

3. (Q) In what ways is this proposal consistent with the **"Land Use Map"** and / or meets other plan element goals of the Eloy General Plan.

   (A) The Master Planned Community that is proposed under a PAD Overlay Zoning virtually mirrors the current City of Eloy General Plan Designations for the subject property. The owners requested and re-received approval, by the Eloy City Council in June, 2008, of a Major General Plan Amendment to permit the same set of land uses that are requested in this PAD Overlay Zoning Application.

4. (Q) Is the property located in a special designation area (Specific Plan Area, etc.)? If so, state how the proposed uses conform to the area plan, its goals, and applicable development standards.

   (A) "N/A"

5. (Q) In what ways is this proposal compatible with the surrounding land use and zoning pattern? (Designate zoning and land use on the site plan submitted).

   (A) The proposed Cooley Eloy 640 Master Planned Residential Community is highly compatible with the other master planned communities that are currently approved to the west, north and east of the subject property. All of these master planned communities have a very similar land use breakdown with a predominance of residential uses and supporting commercial, parks / recreation and appropriate school sites.

   A series of master plans are included in the PAD Overlay Zoning Application Submittal that show the following Existing General Plan Designations on the property, a Master Plan that shows the specific underlying Zoning Districts that are being requested, and a the Preliminary Master Development Plan for the Property.

6. (Q) Are there unique design considerations proposed beyond Zoning Code requirements that reduce development impacts or would further compatibility? If yes explain.

(A) The basic concept of the Master Development Plan locates all of the lower density residential parcels on the perimeter of the proposed community. The Community Commercial parcels are located on the intersections of two major arterial streets and are to be buffered from the residential neighborhoods with appropriately sized and designed landscape buffer areas. All four sides of this 650.97 +/- acre property are bounded by arterial streets that in and of themselves are significant land use transition elements which nullify, to a large extent, any possible land use conflicts along the outer boundaries of the subject property.

7. (Q) If the subject property were not rezoned, why is it not suitable for the uses allowed under the current Zoning.

   (A) The current existing density and mix of land uses is not at a sustainable density, where people can live, work and play within a traditional mix of uses to support the goals and objectives set forth in the City of Eloy General Plan Documents.

8. (Q) Are there unusual characteristics of the site that may restrict or affect development? If yes explain.

   (A) No.

9. (Q) Most proposals require development review by the Department of Planning and Development. Have you met with them regarding this proposal?

   (A) Yes, the owners have already processed and received approval for a Major General Plan Amendment in July, 2008 that correlates with the land use pattern & densities being requested in this PAD Overlay Zoning.

10. (Q) Other than zoning and development review approval by the Department of Planning and Development, what other approval processes are required to accomplish the development proposal, i.e. abandonment, variances, use permits, design review, State of County licensing or permits, etc.?

    (A) The following processes are required to accomplish the ultimate development proposal as requested:
    1. Annexation of the subject property
    2. Development Agreement
    3. Preliminary Plat(s)
    4. Final Plats and Improvement Plans
    5. Construction and Inspections
    6. Environmental Permits – Water and Wastewater Treatment Plant

## D. Traffic Impact Statement for Cooley Eloy 640

*Note: TIS was prepared by TASK Engineering.*

*(under Tab No. 5)*

TASK ENGINEERING
3707 North 7th Street • Suite 235 • Phoenix • AZ • 85014
Phone: 602 • 277 • 4224 Fax: 602 • 277 • 4228 e-mail: task@taskeng.net

December 9, 2008

Todd Cooley
J.L.C. Family Investments
ETAL
6632 East Barragan Drive.
Gold Canyon, AZ 85218

E-mail: synergyplus@mac.com

***RE:*** **Cooley Eloy 650 Acres Traffic Impact Statement**

## Introduction

This preliminary traffic statement analyzes the impacts of the proposed residential development with accessory commercial elements, Cooley Eloy 650 Acres, in Eloy, Arizona. It is bounded by Eleven Mile Corner Road on the east, Shay Road on the south, Tweedy Road on the west and Phillips Road on the north. The proposed site consists of approximately 2,278 single-family dwelling units, two 16.0-acre commercial parcels, one 12.0 acre K-8 school, 32.5 acres for parks, and 65.2 acres for open space corridors. Exhibit 1 identifies the site's location.

This traffic impact statement is prepared according to the City of Eloy procedures. According to the City of Eloy, traffic impact statements are part of the preliminary plat application process.

The format and information included varies, but these are typically two to four page statements identifying the following:

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- Analysis of non-vehicular modes of transportation, and their impacts on trips, and
- Justification that the project will not negatively affect traffic safety, or operations (or recommend improvements to mitigate such impacts).

This traffic impact statement presents the trip generation for the proposed site, describes the proposed access to the site, and provides average daily traffic volumes expected around the site. In addition, the total number of lanes needed to serve the projected traffic volumes is estimated. This is done for full build out of the site, plus background traffic for Year 2011.

A site plan for the proposed development is included as Exhibit 2. For purposes of this report, it is assumed that site development will begin in Year 2011. It is anticipated that full build out will occur between Years 2022 and 2025.

## EXISTING CONDITIONS

The existing site location is vacant land, as is the surrounding area. There are scattered ranches, small industrial sites, and agricultural and livestock fields further out. The surrounding area is likely to experience urbanization in the future.

Currently there are no residential sub-divisions or commercial areas near the development. There are various proposed developments located adjacent to or near the Cooley Eloy 650 Acres. Proposed developments include Cortederro, Rancho Del Sol Brillante, Arboreta Communities, Tierra del Sol, and various others located further away.

The roadways around and near the site are currently unpaved.

Eleven Mile Corner Road, Tweedy Road, Harmon Road, and Shay Road are currently classified as collectors in the City of Eloy's General Plan Circulation Element 2004. As the area continues to experience development, it is recommended that these roadways be reclassified as arterials with a 130-foot total right of way (65 feet per side). Eleven Mile Corner Road is classified as a Route of Regional Significance by Pinal County with a 150-foot total right of way (75 feet per side).

## TRIP GENERATION

The next step in estimating traffic from the proposed development is to calculate the total estimated vehicle trips to and from the site on an average weekday after the site has been completely built out. This is called trip generation. Vehicle trips are estimated for a total average weekday and for AM and PM peak hours. *Trip Generation, Seventh Edition,* published by the Institute of Transportation Engineers (ITE) in 2003 was the source for the trip rates used in this statement. All trip rates for the area are calculated from the ITE equations.

Exhibit 3 presents the resulting trip generation for the site.

The Cooley Eloy 650 Acres is expected to generate 42,650 total calculated trip ends per day, with 937 morning peak hour inbound and 1,646 outbound trips. The site will generate 2,449 evening peak hour inbound and 1,957 outbound trips at full build out.

The terms from Exhibit 3 are explained below:

**LUC** is the Institute of Transportation Engineers (ITE) Land Use Code. It refers to the section of the ITE manual from which the trip rates were obtained.

**Units** specify the units of land use used for generating trips. "Thousands of Gross Square Feet" is abbreviated TGSF. "Dwelling units" is abbreviated DUs.

**Amount** is the number of units in the parcel (i.e. 593 Thousand Gross Square Feet or 134 Dwelling Units).

**Rates** present the number of daily, AM peak hour, and PM peak-hour vehicle trips to and from the subject land use per unit.

**Percent Inbound** is the percentage of AM and PM vehicle trips arriving inbound at the land use. The remaining percent of trips are leaving outbound. For instance, 61 percent of AM peak hour trips are arriving at the site, and the remaining 39 percent are leaving the complex. For daily trips, it is assumed that 50 percent are inbound trips and 50 percent are outbound trips.

**Trips** are the calculated number of trips. They are calculated as the amount times the rate times the percent inbound or outbound.

## TRIP DISTRIBUTION

Trip distribution is the process of assigning a starting location for each inbound trip to the site and an ending location for each outbound trip. Daily, AM peak hour, and PM peak hour trips are distributed separately. External trips are split among a number of external stations, which represent arterial approaches to the sites. The distribution of the traffic is shown on Table 1.

**Table 1**
**Trip Distribution**
*Eloy 650 Preliminary TIS*

| External Station | Percent |
|---|---|
| I-10, West | 52% |
| I-10, East | 45% |
| Phillips Road, West | 1% |
| Phillips Road, East | 2% |
| Total | 100% |

Site trips were distributed by direction proportional to the population and employment forecasts of surrounding towns.

Based on these projections and the relative traffic analysis zones (TAZ), an estimate was made to obtain a percentage distribution. The percentages were then assigned to streets approaching the site based on the roadway conditions and likely distribution, as shown on Table 1.

It is assumed that 53 percent of the residential-generated traffic comes from the west and the other 47 percent is from the east via I-10.

## TRAFFIC ASSIGNMENT

The next step is to assign site traffic to specific routes. Assignments were prepared for AM and PM peak hours and daily traffic.

Exhibit 4 presents the site average daily traffic (ADT) for full build out of the site.

## BACKGROUND TRAFFIC

Background traffic is the amount of traffic that would be on study area roads in the future, if the proposed development were not built. For this statement, since the roadways near the site are unpaved, existing traffic volumes would not be expected to reflect future traffic volumes. Paved rural section line roads typically have less than 2,000 ADT. Although traffic counts were not taken on the roadways adjacent to the site, these roads appear to be typical rural roadways. Therefore, a background traffic volume of 1,000 ADT was assumed for Eleven Mile Corner Road, Tweedy Road, Phillips Road, and Shay Road for Year 2011. Background ADT for Year 2011 is shown on Exhibit 5.

## TOTAL TRAFFIC

Total traffic is the sum of site traffic plus background traffic. Total average daily traffic is shown on Exhibit 6.

## GENERALIZED AVERAGE DAILY SERVICE ANALYSIS

Generalized average daily service volumes by Level of Service were used to estimate needed lanes. These daily service volumes were taken from Quality/Level of Service handbook, *Trends and Conditions Report*, 2007, Table 4-1. The *Transportation Impact Analysis for Site Development,* an ITE proposed recommended practice, refers to the Florida Department of Transportation method as an example of a planning level analysis for determining level of service. Excerpts from this document are included as Exhibit 7. The recommended number of lanes is shown on Exhibit 8. Cross Sections are included as Exhibit 9.

## NON-VEHICULAR MODES OF TRAVEL

The open space corridors along Phillips Road and Shay Road will provide pedestrian and bike paths within the development. There are also greenbelt open space corridors running north-south through the development, and a system of collector streets running both north-south and east-west through the development. These corridors will provide safe travel paths for children and adults to move within the community between their homes, the school, parks, and commercial parcels.

These corridors will provide travel means for residents other than vehicular means.

## CONCLUSION

The proposed site will generate an estimated 42,650 total calculated trip ends per day with 2,583 total morning peak hour trips and 4,406 total evening peak hour trips. With the recommended improvements, Cooley Eloy 650 Acres Planned Area Development will not negatively affect traffic safety or operations. Recommendations are summarized on Exhibit 8 for full build out site traffic plus estimated background traffic.

- It is recommended that the development dedicate 65-foot wide half-streets on Shay Road, Tweedy Road, and Phillips Road bordering the site.

- Eleven Mile Corner Road is designated as a Regional Road of Significance with a total right of way of 150 feet. For the interim condition, Eleven Mile Corner Road will operate at an adequate level of service with one through lane in each direction.

- It is recommended that the development dedicate a 75-foot wide half street adjacent to development on Eleven Mile Corner Road.

- It is recommended that the development dedicate 70-foot wide rights of way for interior collector streets. The internal collectors are recommended to be built with 45 feet of pavement (back of curb to back of curb) on 70-foot rights of way.

- It is recommended that the development construct half sections of arterial road on the section line roads adjacent to the development at the time of construction of the adjacent parcels. The half sections should allow at least one lane in each direction.

- Tweedy Road is recommended to be a major arterial roadway with a right of way of 130 feet. For interim condition, Tweedy Road will operate at an adequate level of service with one through lane in each direction.

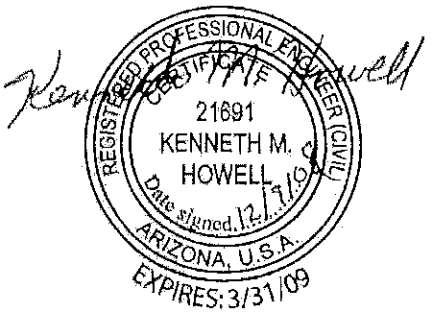
- Phillips Road is recommended to be a major arterial with a right of way of 130 feet. For interim condition, Phillips Road will operate at an adequate level of service with one through lane in each direction.

- Shay Road is recommended to be a major arterial with a right of way of 130 feet. Shay Road operates at an adequate level of service with one through lane in each direction.

Sincerely,

Ken Howell

Ken Howell, PE, PTOE
Principal



## Appendix Item "C":

# Applicant Narrative Statement
## Cooley Eloy 640 PAD Overlay

**Please answer each of the questions below. Write "N/A" if item is not pertaining to your request. Please retype the questions and answers on a separate sheet of paper to be turned in at time of filing.**

**IN ADDITION: Please provide a descriptive narrative that describes the architecture in detail, site layout including circulation, parking and design, drainage, and proposed land use in more detail. If your are requesting wavers to Code requirements, include that information as well.**

1. (Q) What improvements and uses currently exist on the property?

   (A) The subject property is currently vacant land that is in agricultural production. There is one small set of farm buildings on the property and obviously the normal irrigation ditches, etc.

2. (Q) What type of development is proposed by this zoning request?

   (A) A traditional Master Planned Residential Community.

3. (Q) In what ways is this proposal consistent with the **"Land Use Map"** and / or meets other plan element goals of the Eloy General Plan.

   (A) The Master Planned Community that is proposed under a PAD Overlay Zoning virtually mirrors the current City of Eloy General Plan Designations for the subject property. The owners requested and re-received approval, by the Eloy City Council in June, 2008, of a Major General Plan Amendment to permit the same set of land uses that are requested in this PAD Overlay Zoning Application.

4. (Q) Is the property located in a special designation area (Specific Plan Area, etc.)? If so, state how the proposed uses conform to the area plan, its goals, and applicable development standards.

   (A) "N/A"

5. (Q) In what ways is this proposal compatible with the surrounding land use and zoning pattern? (Designate zoning and land use on the site plan submitted).

   (A) The proposed Cooley Eloy 640 Master Planned Residential Community is highly compatible with the other master planned communities that are currently approved to the west, north and east of the subject property. All of these master planned communities have a very similar land use breakdown with a predominance of residential uses and supporting commercial, parks / recreation and appropriate school sites.

   A series of master plans are included in the PAD Overlay Zoning Application Submittal that show the following Existing General Plan Designations on the property, a Master Plan that shows the specific underlying Zoning Districts that are being requested, and a the Preliminary Master Development Plan for the Property.

6. (Q) Are there unique design considerations proposed beyond Zoning Code requirements that reduce development impacts or would further compatibility? If yes explain.

(A) The basic concept of the Master Development Plan locates all of the lower density residential parcels on the perimeter of the proposed community. The Community Commercial parcels are located on the intersections of two major arterial streets and are to be buffered from the residential neighborhoods with appropriately sized and designed landscape buffer areas. All four sides of this 650.97 +/- acre property are bounded by arterial streets that in and of themselves are significant land use transition elements which nullify, to a large extent, any possible land use conflicts along the outer boundaries of the subject property.

7. (Q) If the subject property were not rezoned, why is it not suitable for the uses allowed under the current Zoning.

   (A) The current existing density and mix of land uses is not at a sustainable density, where people can live, work and play within a traditional mix of uses to support the goals and objectives set forth in the City of Eloy General Plan Documents.

8. (Q) Are there unusual characteristics of the site that may restrict or affect development? If yes explain.

   (A) No.

9. (Q) Most proposals require development review by the Department of Planning and Development. Have you met with them regarding this proposal?

   (A) Yes, the owners have already processed and received approval for a Major General Plan Amendment in July, 2008 that correlates with the land use pattern & densities being requested in this PAD Overlay Zoning.

10. (Q) Other than zoning and development review approval by the Department of Planning and Development, what other approval processes are required to accomplish the development proposal, i.e. abandonment, variances, use permits, design review, State of County licensing or permits, etc.?

    (A) The following processes are required to accomplish the ultimate development proposal as requested:
    1. Annexation of the subject property
    2. Development Agreement
    3. Preliminary Plat(s)
    4. Final Plats and Improvement Plans
    5. Construction and Inspections
    6. Environmental Permits – Water and Wastewater Treatment Plant

## D. Traffic Impact Statement for Cooley Eloy 640

*Note: TIS was prepared by TASK Engineering.*

*(under Tab No. 5)*

TASK ENGINEERING
3707 North 7th Street • Suite 235 • Phoenix • AZ • 85014
Phone: 602 • 277 • 4224 Fax: 602 • 277 • 4228 e-mail: task@taskeng.net

December 9, 2008

Todd Cooley
J.L.C. Family Investments
ETAL
6632 East Barragan Drive.
Gold Canyon, AZ 85218

E-mail: synergyplus@mac.com

***RE:*** **Cooley Eloy 650 Acres Traffic Impact Statement**

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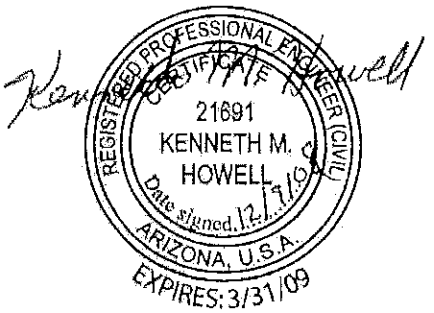
Sincerely,

Ken Howell

Ken Howell, PE, PTOE
Principal



# Cooley Eloy 640

Planned Area Development

**City of Eloy, Arizona**

## Appendix Item “E”

## Interim Project Development Plan

## Shay Solar Energy Center

***Presented by:***

**Shay Solar** LLC

***A subsidiary of:***

**RWE Clean Energy**

RWE

# Table of Contents

**Utility Scale Solar - Development Concept ..... 3**

*Shay Solar Energy Center ..... 3*

*Water Use for O&M ..... 3*

*Sanitary Sewer Service ..... 4*

*Generation-Tie Line ..... 4*

*Fire and Safety ..... 4*

*Solar Project Decommissioning ..... 4*

## List of Exhibits:

**Exhibit A:** Vicinity Map

**Exhibit B:** Existing Zoning Map

**Exhibit C:** Conceptual Site Plan

**Exhibit D:** Surrounding Land Uses Map

**Exhibit E:** Conceptual Sections

**Exhibit F:** Surrounding Zoning Map

# Utility Scale Solar - Development Concept

## Shay Solar Energy Center

The Shay Solar Energy Center (the "Solar Project") includes the construction and operation of an up to 130MW electrical generation facility consisting of solar photovoltaic modules and a 130MW of Battery Energy Storage Systems capacity (herein "BESS") The design life of the Solar Project is anticipated to be up to 30 years.

The Solar Project will be owned and operated by RWE through its entity Shay Solar, LLC. A Conceptual Site Plan for the proposed Shay Solar Energy Center Project is illustrated in **Exhibit C.**

The Shay Solar Energy Center will be designed and developed in accordance with all Cooley Eloy 640 PAD property development standards, which are substantially in conformance with the Eloy Zoning Ordinance.

The proposed Solar Project includes the placement of solar PV modules, rated at approximately 610 watts (W) direct current (dc) per module, and mounted on single-axis trackers. Additionally, the development includes the construction of a Solar Project substation, BESS area, and operation and maintenance (O&M) building that includes a connection to a septic system for wastewater collection.

The O&M and laydown area together encompasses approximately 6.55-acres of the Project Site, with the Project substation (2.8-acres) and BESS area (7-acres) together occupying approximately 10-acres of the northeastern are of the Solar Project Site (See **Exhibit C:** *Conceptual Site Plan*). The remaining Solar Project area will be set aside for the PV array field and supporting structures, landscaping area, and area dedicated to interior access roads. (See **Exhibit E:** *Conceptual Sections)*

The Solar Project will interconnect to the APS controlled and operated 230 kV Milligan substation located approximately 1.1-mile directly south of the Property's northeastern most corner. The short transmission interconnection connects to a 230 kV transmission line through various transmission structures within a 150-foot transmission right-of-way (ROW) to be reserved along the route. The expected maximum net output at the proposed point of interconnection is up to 130MW. (See **Exhibit A:** *Vicinity Map*)

## Water Use for O&M

During operations, the Solar Project will require minimal water use. Annual water consumption for O&M is primarily limited to periodic washing of the PV panels. Due to the normal frequency of rain events in the Eloy area, the applicant estimates that washing of the solar panels will be infrequent and only done seasonally as needed. Should water be needed for panel washing, identical to construction, this water will be trucked in from local supplies and non-potable water will be used to the maximum extent feasible.

On-site water needs during both construction and operation of the Shay Solar Energy Center Project would be provided by 20,000-gallon portable water tank(s) that are trucked to the site. The expected typical location of water tank(s) stored within the Project Site is shown in **Exhibit C:** *Conceptual Site Plan*

Perimeter landscaping irrigation shall be provided for all landscaping improvements. Permanent buried irrigation drip lines will be installed along the perimeter of the site to feed the landscaping. The on-site water tank(s) will supply the water necessary for fire protection and any necessary operations and maintenance needs for the Project.

### Sanitary Sewer Service

The Solar Facility will not require wastewater connections to the site, nor would it generate substantial quantities of wastewater requiring municipal treatment. During construction, workers will use portable toilets. Once operational, the Solar Facility only requires a permanent staff of up to two workers.

The project includes a permanent on-site office trailer with sanitary facilities. The Solar Project will provide a septic system if wastewater service connection to the Project Site is required.

### Generation-Tie Line

As shown in **Exhibit A:** *Vicinity Map* **& Exhibit C:** *Conceptual Site Plan*, the Solar Project includes a new 230-kV gen-tie line connecting the solar facility to the existing APS Milligan Substation, located 1.1 miles north of the site at the southwest corner of Eleven Mile Corner Road and Milligan Road. There is an existing APS transmission line located along the proposed gen-tie route. APS is planning to rebuild this line and has agreed to allow the proposed Shay Energy Center Solar Project 230-kV gen-tie line to be included in the siting of the rebuilt transmission poles. This is typically referred to as an “underbuilt” line, where transmission poles contain multiple conductor lines, with the lower voltage line(s) strung on the lower portion of the transmission poles.

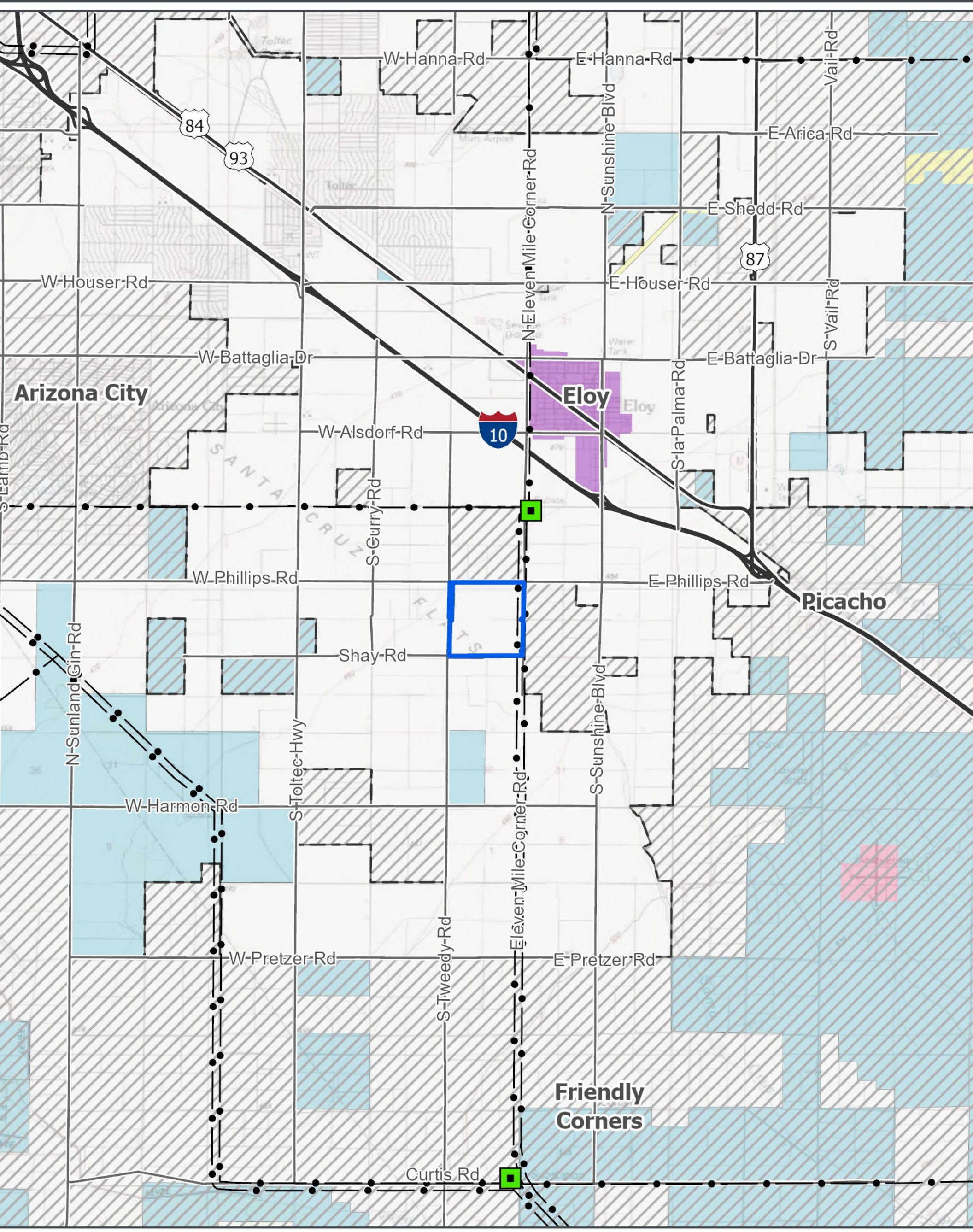
The gen-tie route will follow the existing APS route along Eleven Mile Corner Road, with the final design dependent on engineering and utility requirements for this specific line. The proximity of the APS Milligan Substation, located just over a mile north of the Project substation provides a unique and compatible opportunity for the development of this use within the city.

### Fire and Safety

The proposed PV modules and auxiliary equipment represent a negligible fire risk. However, RWE will have a fire prevention plan approved per applicable regulations. The prevention plan shall include annual plans for the control of vegetation overgrowth. The Shay Solar Project is within the Eloy Fire District boundary and will be subject to all Fire district policies and standards.

### Solar Project Decommissioning

Upon decommissioning of the solar generation facility, the site could then be converted to other uses in accordance with the Cooley Eloy 640 PAD amendment or other applicable land use regulations in effect at that time. All decommissioning and restoration activities will adhere to the requirements set forth in Ch. 21-3-1.39(H) and in accordance with all applicable federal, State, County, and City regulations. A collection and recycling program for the solar photovoltaic panels, steel racking structures, and electrical equipment will be executed in the removal of the site materials.

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S Substation
sting
nsmission Line
wntown Eloy
y of Eloy
incorporated
al County

Department Of Defense
Bureau of Land Management
Bureau of Reclamation
State
Private or Unknown

# Exhibit A
# Interim Project Development Plan
# Vicinity Map

Pinal County, AZ
USGS 7.5' Quadrangle:
Eloy South, AZ, 32111-F5
T8S R7E Section 24
NAD 1983 UTM Zone 12N

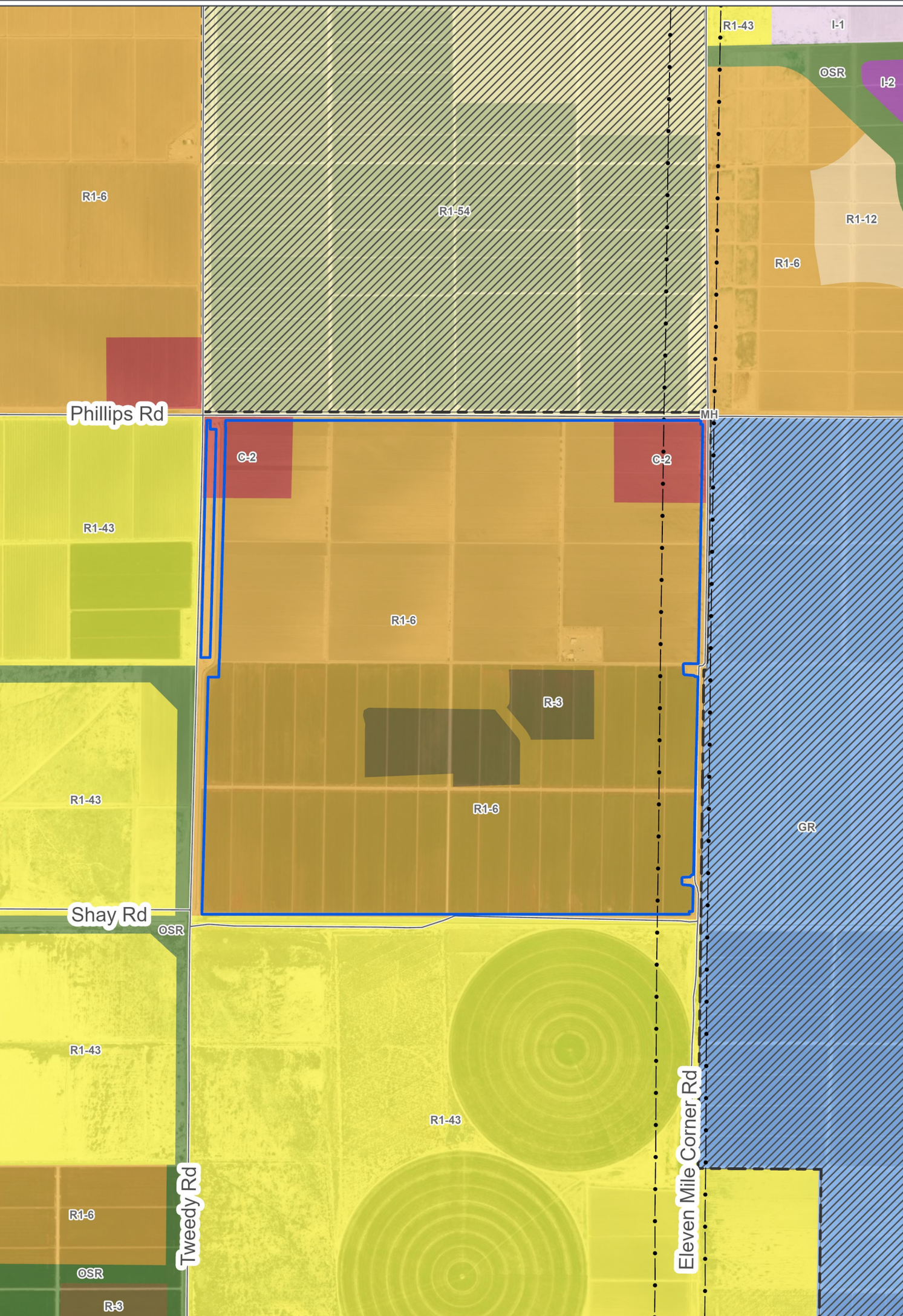
*Base Map: ESRI ArcGIS Online, accessed July 2022*
Updated: 7/14/2022
Project No. 70213
Layout: Project Location
Aprx: 70213_ShaySolarPAD

0 6,000 1
Meters
0 1,000 2,000

N

1:150,000

SWCA
ENVIRONMENTAL CONSULTANTS




Project Area
APS Substation
Existing Transmission Line
City of Eloy
Unincorporated Pinal County

**Pinal County Zoning**
GR
MH

**City of Eloy Zoning**
R1-54 Estate Residential (1.25 acres/du)
R1-43 Estate Residential (43,560 sq. ft.)
R1-12 Single Family Residential (12,000 sq. ft.)
R1-6 Single Family Residential (6,000 sq.ft.)
R-3 Multiple Family Residential (10-24 du/acre)
C-2 Community Commercial
I-1 Light Industrial
I-2 General Industrial
OSR Open Space Recreational

# Exhibit B Interim Project Development Plan Existing Zoning Map

Pinal County, AZ
USGS 7.5' Quadrangle:
Eloy South, AZ, 32111-F5
T8S R7E Section 24
NAD 1983 UTM Zone 12N
32.7123°N 111.5768°W

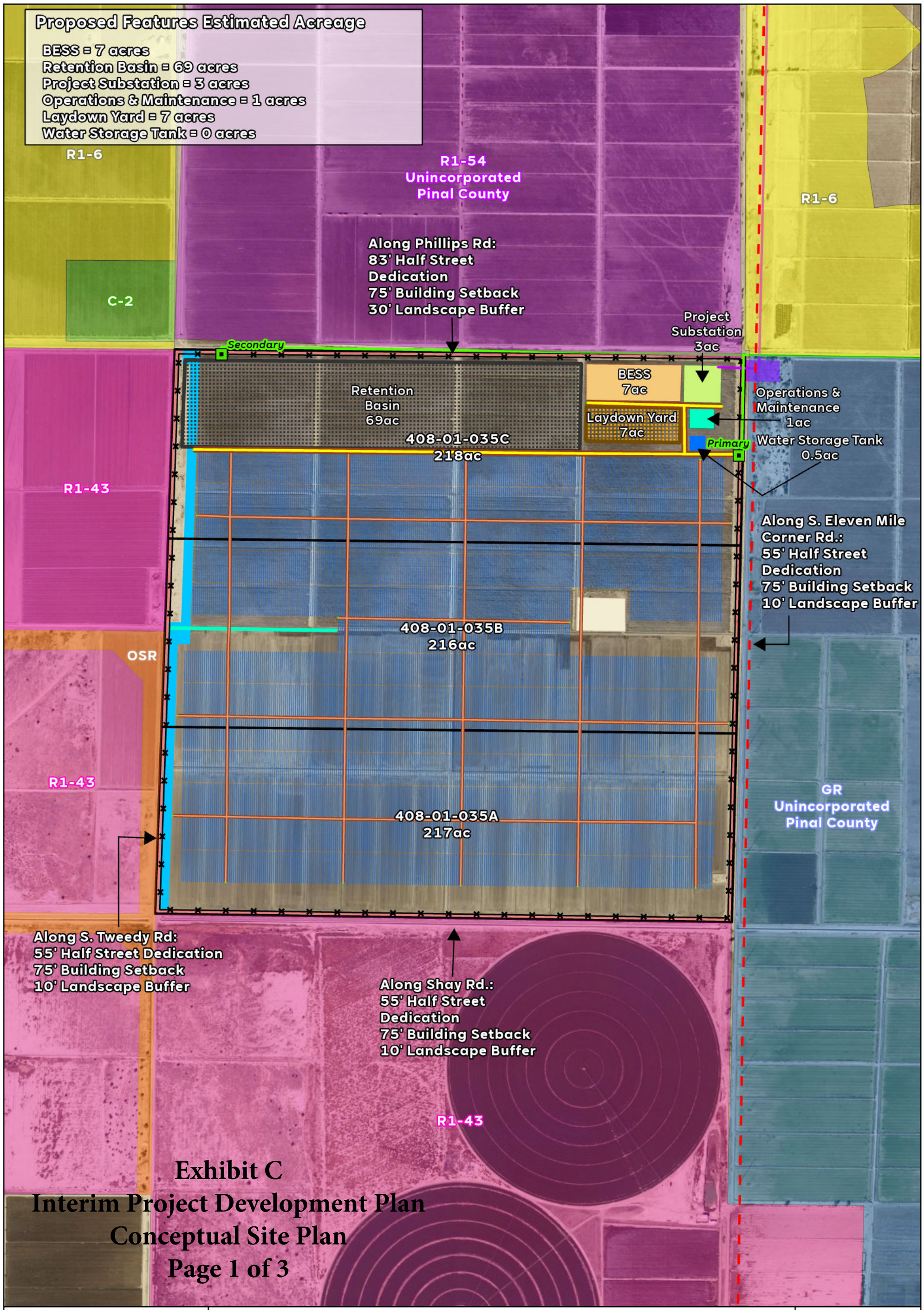
0 540 1,080 Feet
0 130 260 Meters

N

1:13,000

*Base Map: Esri ArcGIS Online, accessed March 2024*
Updated: 3/25/2024
Project No. 70213
Layout: Zoning_11x17
Aprx: 70213_ShaySolarPAD - Copy

SWCA ENVIRONMENTAL CONSULTANTS




# Exhibit C
# Interim Project Development Plan
# Conceptual Site Plan
# Page 1 of 3

**Shay Solar**
Conceptual Site Plan
City of Eloy
Pinal County, Arizona
*X,Y (-111.5768207, 32.7127569)*

Map produced by RWE Clean Energy, LLC. Site locations are approximate. Map is not to be reproduced or redistributed without expressly written permission from RWE.

- Project Parcel Boundary
- Transmission Line

**Zoning Code**
- R1-43
- OSR
- R1-6
- C-2
- GR
- R1-54

**Proposed Features**
- Point of Interconnection
- Ingress/Egress Point
- Fence
- Gen-Tie Line
- Ingress/Egress Route
- BESS (100 MW)
- Laydown Yard
- Operations & Maintenance Building
- PV Substation
- Retention Basin
- Water Storage Tank

**Interior Access Rd**
- 12' Width
- 20' Width
- PV Array (100 MW)

**Easement**
Constraint | Setback (ft)
- County Road Easement | 30ft
- Irrigation District Easement | 30ft
- GenTie Easement Area
- Residential Area | 50ft
- Buried Irrigation Line | 30ft

RWE

April 16, 2024

NAD 1983 StatePlane Tennessee FIPS 4100 Feet

## 1 - Site Plan Buildings

**All feature are proposed only.**
**Areas(ac) are estimated.**

0 500 1,000 US Feet

N

Secondary

Retention Basin 69ac

BESS 7ac

Laydown Yard 7ac

Project Substation 3ac

Operations & Maintenance 1ac

Water Storage Tank 0.5ac

Primary

Source: Esri, USDA FSA

## 2 - Primary Ingress/Egress

**All feature are proposed only.**
**Road and lengths are estimated.**

0 50 100 US Feet

N

Road width approximately 43ft

Primary

Source: Esri, USDA FSA

## 3 - Secondary Ingress/Egress

**All feature are proposed only.**
**Road and lengths are estimated.**

0 50 100 US Feet

N

Road width approximately 35ft

Secondary

Source: Esri, USDA FSA

# Exhibit C
# Interim Project Development Plan
# Conceptual Site Plan
# Page 2 of 3

## Shay Solar

Conceptual Site Plan

City of Eloy
Pinal County, Arizona
*X,Y (-111.5768207, 32.7127569)*

Map produced by RWE Clean Energy, LLC. Site locations are approximate. Map is not to be reproduced or redistributed without expressly written permission from RWE.

- Transmission Line
- Project Parcel Boundary

**Proposed Features**

- Point of Interconnection
- Ingress/Egress Point
- Fence
- Gen-Tie Line
- Ingress/Egress Route
- BESS (100 MW)
- Laydown Yard
- Operations & Maintenance Building
- PV Substation
- Retention Basin
- Water Storage Tank
- PV Array (100 MW)

**Constraint | Setback (ft)**

- Buried Irrigation Line | 30ft
- County Road Easement | 30ft
- Irrigation District Easement | 30ft
- GenTie Easement Area
- Residential Area | 50ft

**Site Plan Line**

**Interior Access Rd**

- 12' Width
- 20' Width

RWE

April 16, 2024

NAD 1983 StatePlane Arizona East FIPS 0201 Feet

Secondary

Primary

# Exhibit C
# Interim Project Development Plan
# Conceptual Site Plan
# Page 3 of 3

## Shay Solar
Conceptual Site Plan

City of Eloy
Pinal County, Arizona
*X,Y (-111.5768207, 32.7127569)*

Map produced by RWE Clean Energy, LLC. Site locations are approximate. Map is not to be reproduced or redistributed without expressly written permission from RWE.

- Project Parcel Boundary
- Transmission Line

**Proposed Features**

- Point of Interconnection
- Ingress/Egress Point
- BESS (100 MW)
- Laydown Yard
- Operations & Maintenance Building
- PV Substation
- Retention Basin
- Water Storage Tank
- PV Array (100 MW)

**Easement**

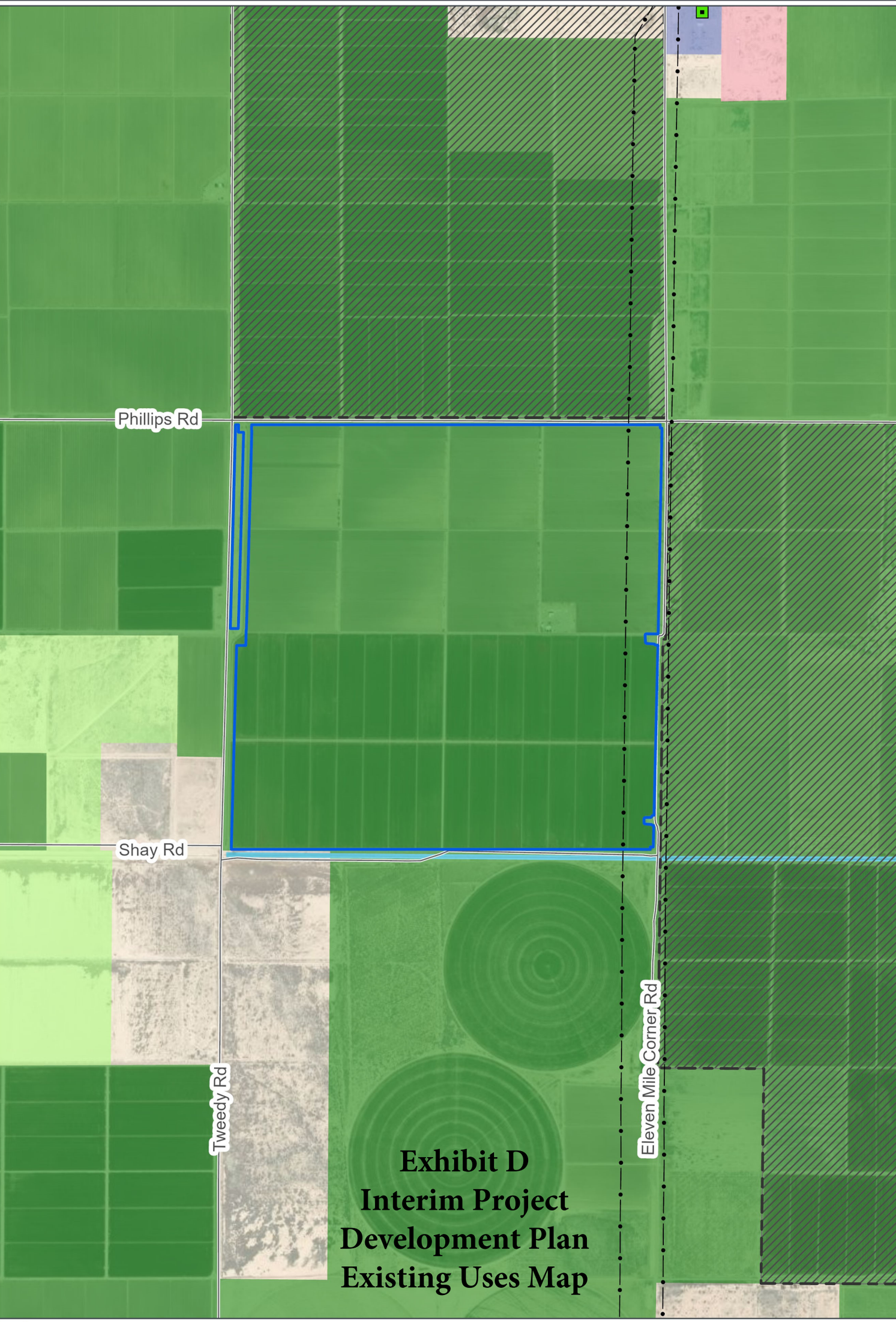
**Constraint | Setback (ft)**

- County Road Easement | 30ft
- Irrigation District Easement | 30ft
- GenTie Easement Area
- Residential Area | 50ft
- Buried Irrigation Line | 30ft
- Parcels

RWE

April 18, 2024

NAD 1983 StatePlane Tennessee FIPS 4100 Feet




# Exhibit D
# Interim Project Development Plan
# Existing Uses Map

Project Area
APS Substation
Existing Transmission Line
City of Eloy
Unincorporated Pinal County

**Existing Land Use**
Commercial Low
Public/Special Event/Military
Agriculture
Abandoned Agriculture
Water
Vacant

Pinal County, AZ
USGS 7.5' Quadrangle:
Eloy South, AZ, 32111-F5
T8S R7E Section 24
NAD 1983 UTM Zone 12N
32.7114°N 111.5767°W

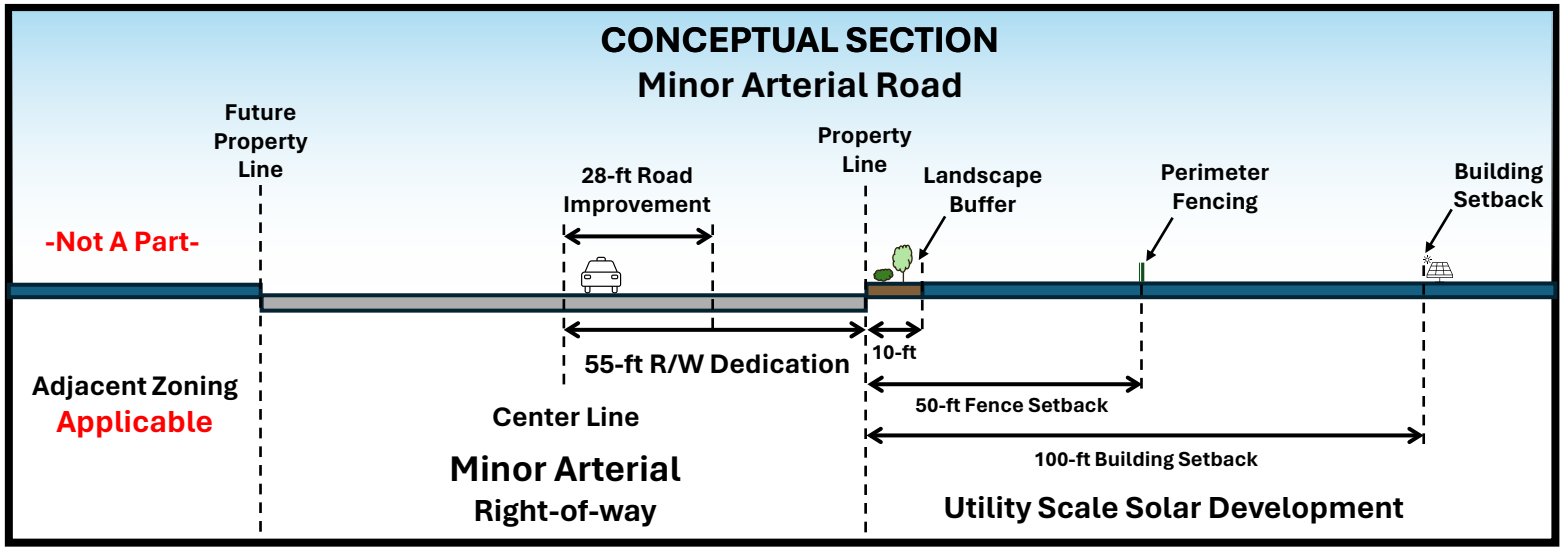
0 620 1,240 Feet
0 150 300 Meters

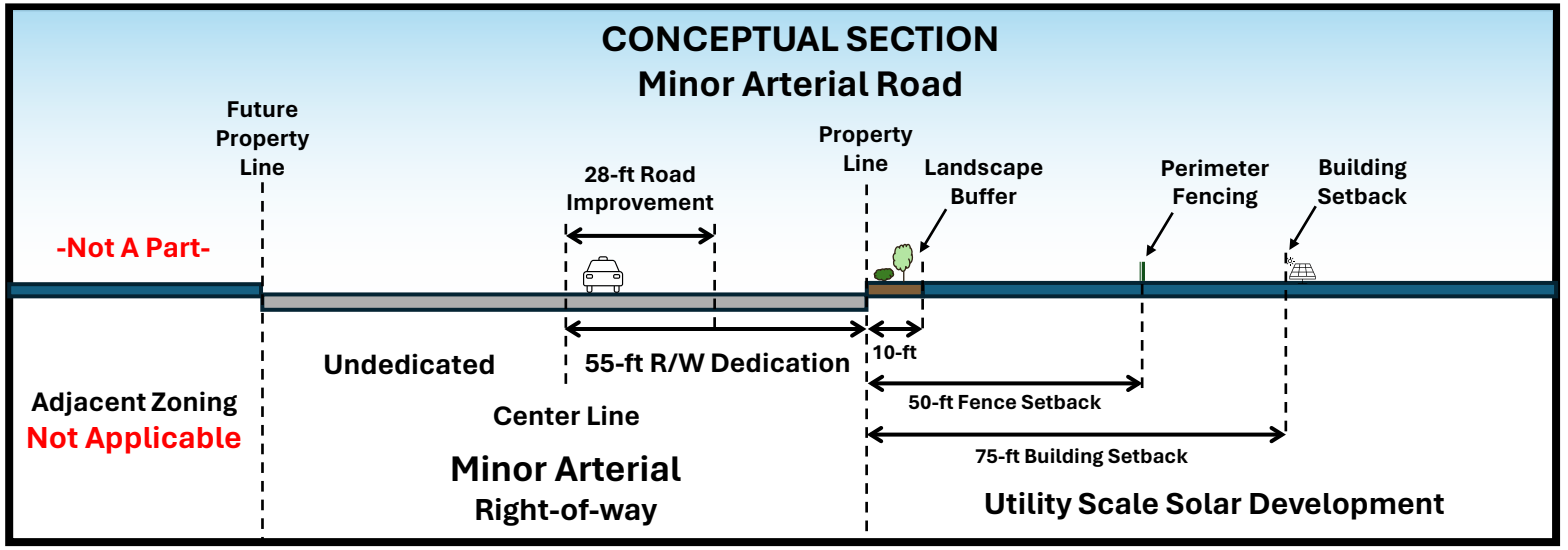
N

1:15,000

*Base Map: Esri ArcGIS Online, accessed March 2024*
Updated: 3/25/2024
Project No. 70213
Layout: ELU_11x17
Aprx: 70213_ShaySolarPAD - Copy

SWCA ENVIRONMENTAL CONSULTANTS

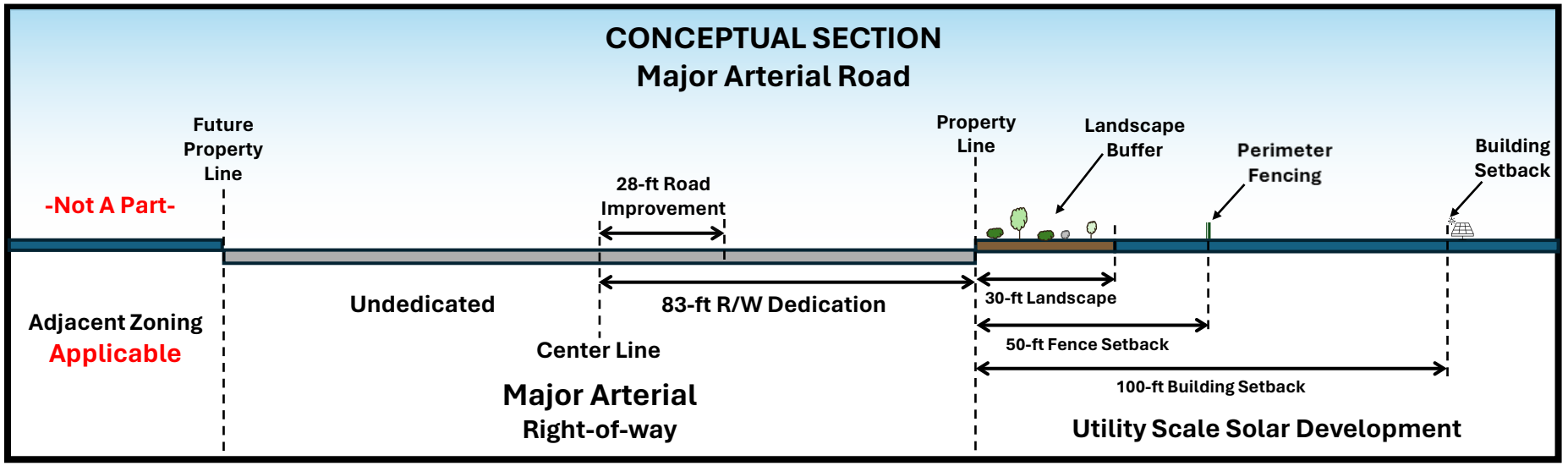


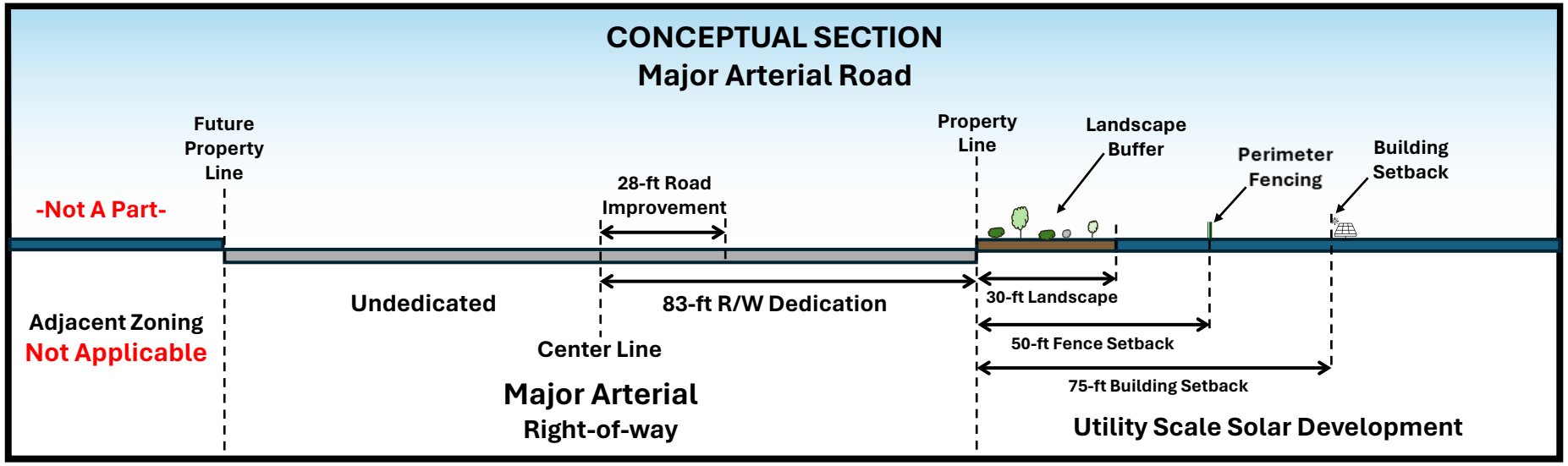




RWE

Interim Project Development Plan – Conceptual Sections

*(Major vs Minor Arterial Dedications | Perimeter Landscaping & Setbacks for Applicable vs Not Applicable Adjacent Zoning)*

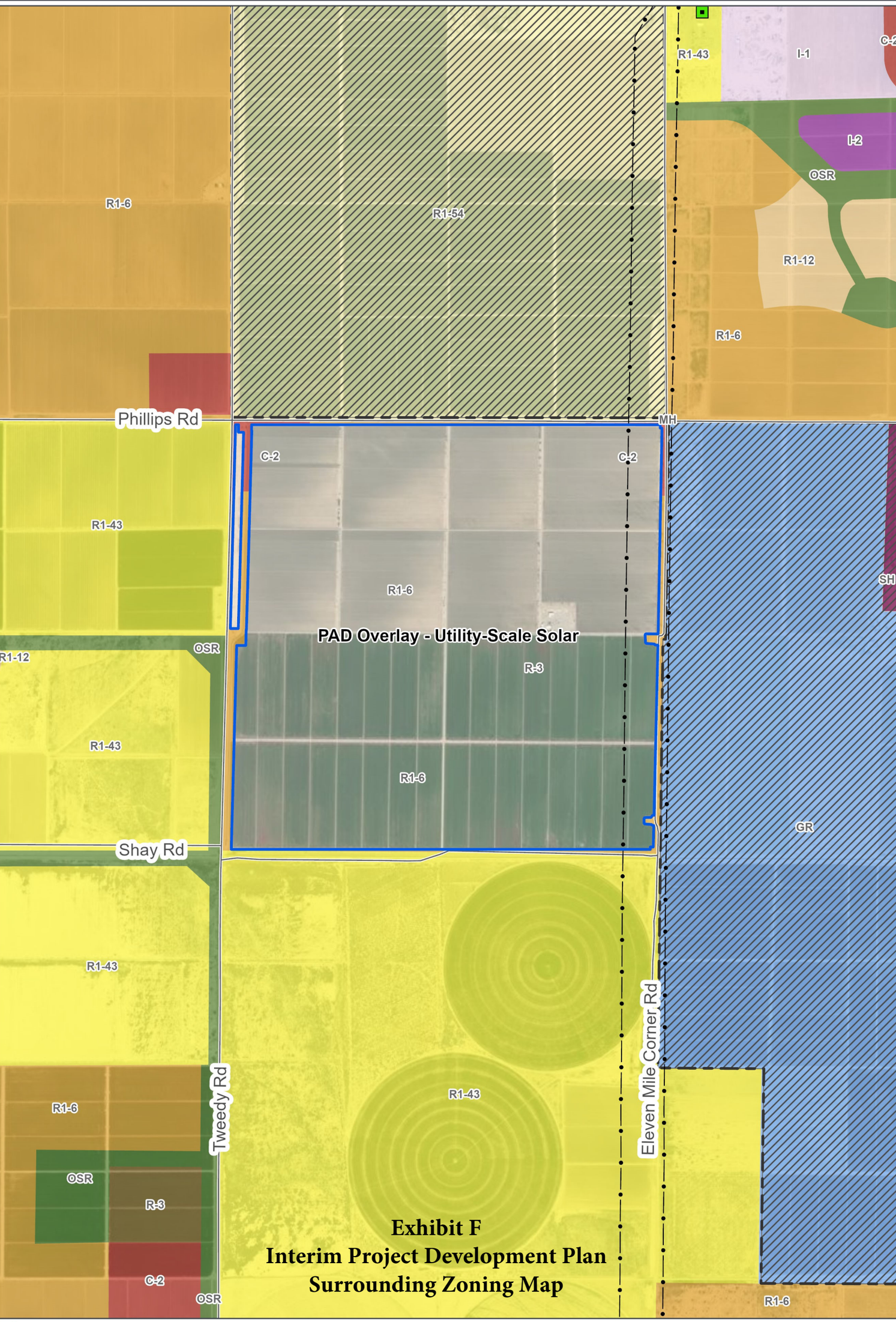



RWE

Interim Project Development Plan – Conceptual Sections

*(Major vs Minor Arterial Dedications | Perimeter Landscaping & Setbacks for Applicable vs Not Applicable Adjacent Zoning)*




# Exhibit F
# Interim Project Development Plan
# Surrounding Zoning Map

- Project Area
- APS Substation
- Existing Transmission Line
- City of Eloy
- Unincorporated Pinal County

**Pinal County Zoning**
- GR
- MH
- SH

**City of Eloy Zoning**
- R1-54 Estate Residential (1.25 acres/du)
- R1-43 Estate Residential (43,560 sq. ft.)
- R1-12 Single Family Residential (12,000 sq. ft.)
- R1-6 Single Family Residential (6,000 sq.ft.)
- R-3 Multiple Family Residential (10-24 du/acre)
- C-2 Community Commercial
- I-1 Light Industrial
- I-2 General Industrial
- OSR Open Space Recreational

Pinal County, AZ
USGS 7.5' Quadrangle:
Eloy South, AZ, 32111-F5
T8S R7E Section 24
NAD 1983 UTM Zone 12N
32.7114°N 111.5767°W

0 620 1,240 Feet
0 150 300 Meters

N

1:15,000

*Base Map: Esri ArcGIS Online, accessed March 2024*
Updated: 3/25/2024
Project No. 70213
Layout: PLU_11x17
Aprx: 70213_ShaySolarPAD - Copy

SWCA ENVIRONMENTAL CONSULTANTS

# Citizen Review Plan & Report

1st Amendment to the

## Cooley Eloy 640 PAD

Case Number: XXXXXX

# Shay Solar Energy Center

***Second Submittal:***

**May 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

**Shay Solar** LLC

***A subsidiary of:***

**RWE Clean Energy**

RWE

# Citizen Review Plan:

***NOTE:*** *The following sections of this report will be updated and resubmitted for review as efforts commence.*

## Contact Dates and Methods

Notification letters will be mailed via First Class U.S. Mail to property owners within 300ft of the Cooley Eloy 640 PAD boundary (Shay Solar Energy Center Project).

The letter will contain all required and pertinent information regarding the application along with an invitation to join the Development Team for an Open House meeting in the City of Eloy. A copy of the 300ft buffer map and list of the property owners within the boundary are attached with this report.

A copy of the notification letter and an Affidavit of Notification will be submitted with this report as evidence that the letters were mailed as required.

## Site Posting

The site will be posted as required by the City of Eloy with application and public hearing information once the case has been scheduled. Photos and an affidavit of posting will be attached with the updated report as evidence of sign posting.

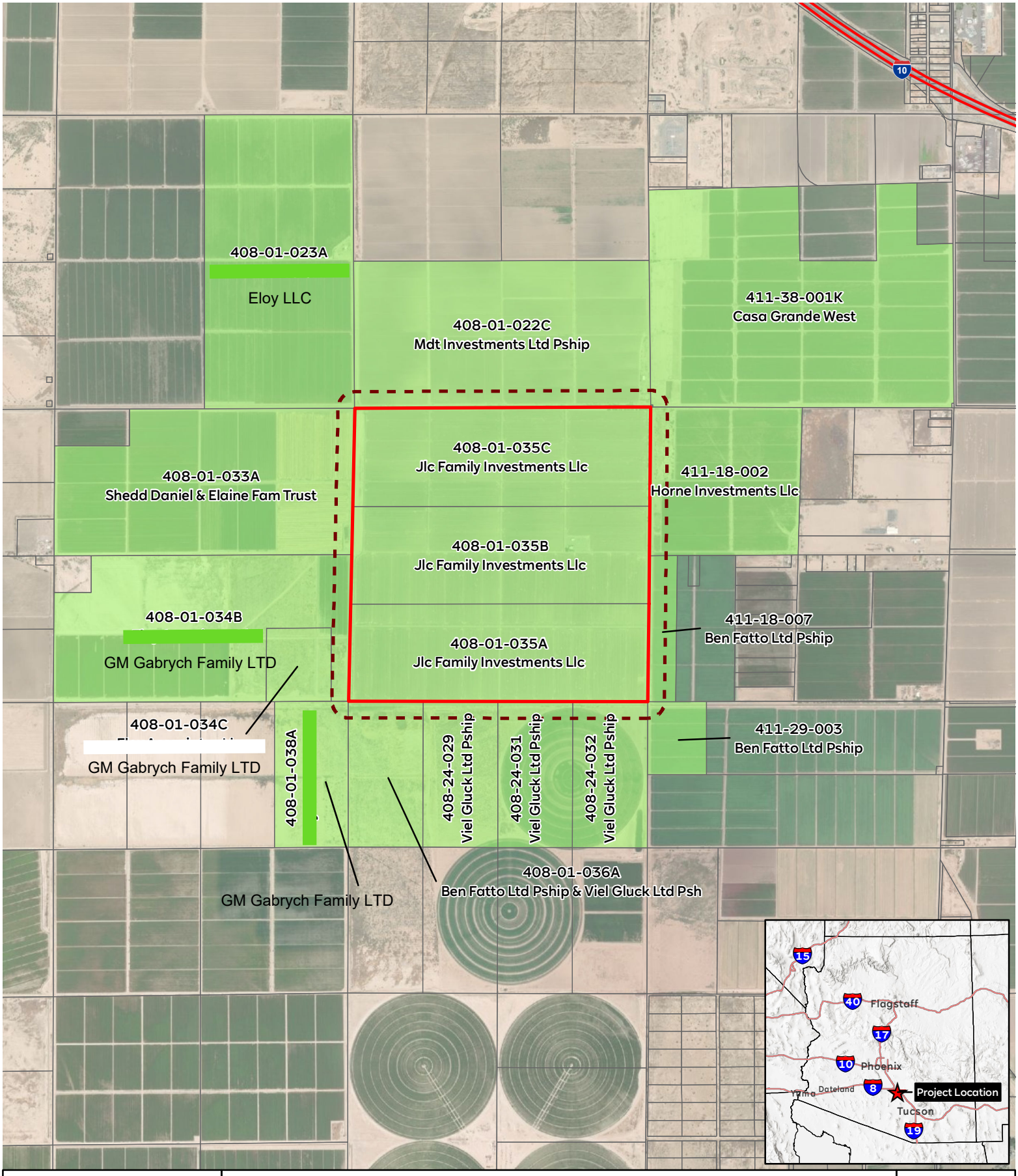
## Open House

A Open House meeting will be held in-person at a future time to be determined. This meeting will be held in the Community Room at Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public will be invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. A copy of the sign-in sheets with the attendees' contact information, questions asked by the public and the applicant's responses, and all collected public comments will be included as part of this Citizen Review Report.

The Citizen Review Report shall be submitted and approved by the Community Development Director prior to the application being scheduled for a Planning and Zoning Commission hearing.

## Ongoing Communication with Neighbors

Any comments and feedback received will be documented and submitted to the city in the updated report a minimum of 15 days before the Planning and Zoning Commission Hearing.




# Shay Solar
# Vicinity Ownership

0 2,250 Feet

1:27,000 1 in = 2,250 ft

January 12, 2022

- 300 ft Buffer
- Project Boundary
- Parcel Boundary
- Parcel Within 300 ft of Project Boundary

RWE

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ  85260

SHEDD DANIEL & ELAINE FAM ...
2948 E RIVER BUSH RD
ELOY, AZ  85131

BEN FATTO LTD PSHIP & VIEL G...
3850 E BASELINE RD STE 114
MESA, AZ  85206

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ  85212

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ  85209

HORNE INVESTMENTS LLC
1465 E MOTORPLEX LOOP STE ...
GILBERT, AZ  85297

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ  85209

,

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ  85209

MDT INVESTMENTS LTD PSHIP
2107 E SOLANO DR
PHOENIX, AZ  85016

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ  85206

CASA GRANDE WEST ETAL
4355 MICAHS CANYON CT
LAS VEGAS, NV  89129

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ  85212

ELOY LLC
PO BOX 1968
CAVE CREEK, AZ  85327

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ  85260

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ  85206

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ  85212

PINAL COUNTY Development Services Zoning Codes

Public Notification

Select or search for a feature in the map

Apply a search distance

300 Feet

Addressee Layer

Property Mail

Format

PDF label 1 x 2-5/8 inches; 30 per page

17 addressees found; do you want to continue?

Eloy

Eloy

Eloy

Eloy

0.3mi

## Affidavit of Notification

**Application No:** PADA2022-004

**Applicant Name:** Shay Solar LLC, subsidiary of RWE Clean Energy

**Location:** NEC Shay Road and Tweedy Rd

**I confirm that notice as required for the case noted above has been mailed or delivered to the attached list of property owners and neighborhood associations at the addresses noted.**

**Applicant/Representative Signature** — **Date** 5/22/24

**This instrument was acknowledged before me on this** 22nd **day of** May,

**20** 24, **by** Kayla Amado. **In witness whereof**

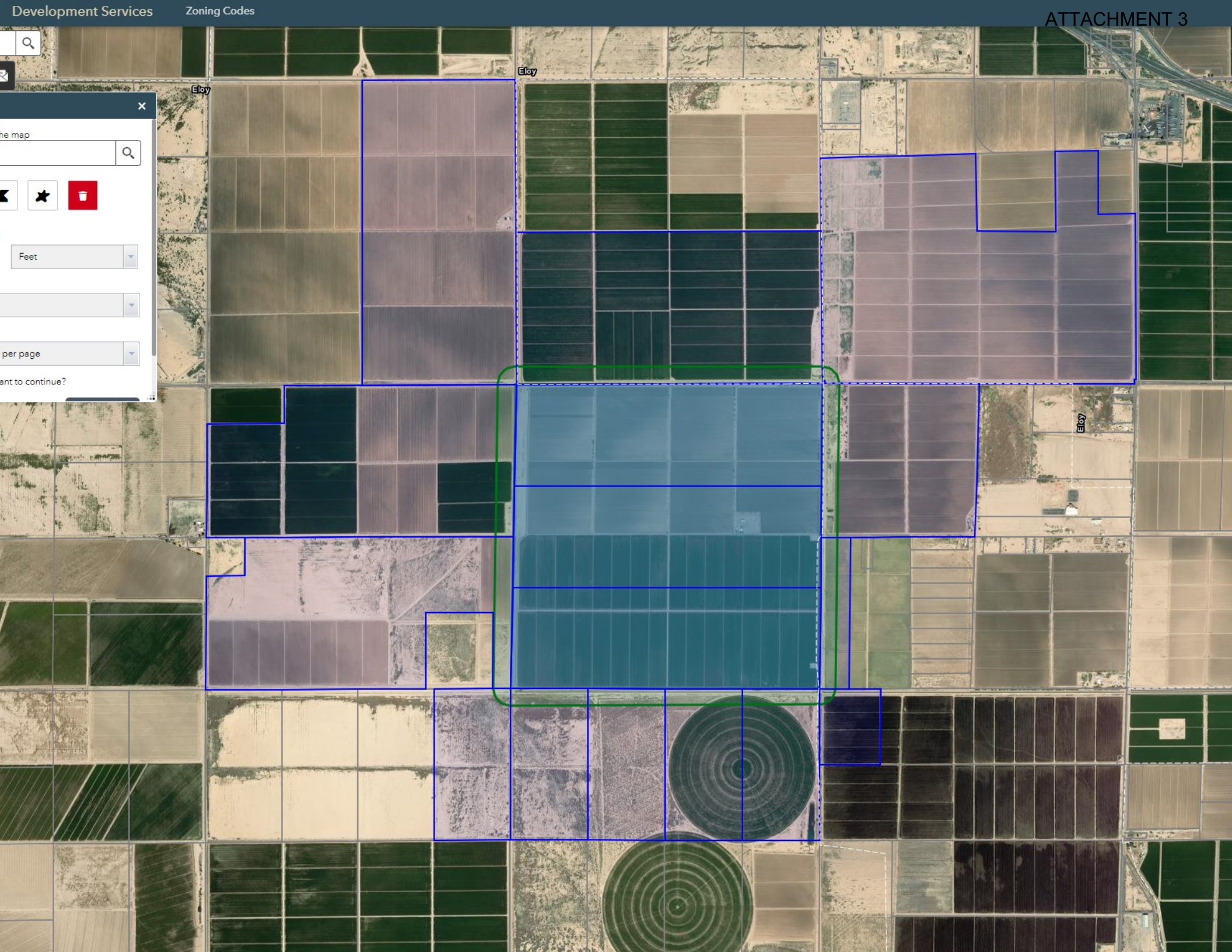
**I hereunto set my hand and official seal.**

Angelica Van Balen
**Notary Public**

**My commission expires** June 5, 2027

ANGELICA VAN BALEN
Notary Public - Arizona
Maricopa County
Commission # 650098
My Comm. Expires Jun 5, 2027

ATTACHMENT 3



GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

SHEDD DANIEL & ELAINE FAM ...
2948 E RIVER BUSH RD
ELOY, AZ 85131

BEN FATTO LTD PSHIP & VIEL G...
3850 E BASELINE RD STE 114
MESA, AZ 85206

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ 85212

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

HORNE INVESTMENTS LLC
1465 E MOTORPLEX LOOP STE ...
GILBERT, AZ 85297

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

,

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

MDT INVESTMENTS LTD PSHIP
2107 E SOLANO DR
PHOENIX, AZ 85016

BEN FATTO LLC
3850 E BASELINE RD STE 114
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CASA GRANDE WEST ETAL
4355 MICAHS CANYON CT
LAS VEGAS, NV 89129

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MESA, AZ 85212

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CAVE CREEK, AZ 85327

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SCOTTSDALE, AZ 85260

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ 85212

ROSE LAW GROUPpc
RICH ▪ CARTER ▪ FISHER

NATE TONNEMACHER
7144 E. Stetson Drive, Suite 300
Scottsdale, AZ 85251
Phone 480.240.5642 Fax 480.505.3925
NTonnemacher@RoseLawGroup.com
www.RoseLawGroup.com

**May 22, 2024**

***Zoning Map Amendment (PADA2022-004) Neighborhood Meeting:***

Dear Property Owner or Neighborhood Association Representative,

The purpose of this letter is to inform you that Rose Law Group pc ("Applicant") on behalf of Shay Solar LLC, a wholly owned subsidiary of RWE Clean Energy ("Developer") is requesting to amend the Cooley Eloy 640 PAD to permit utility-scale solar & battery energy storage land uses on 651 acres consisting of 3 parcels entirely within the City of Eloy.

The purpose of this Zoning Map Amendment application is amending the previously approved Cooley Eloy 640 PAD to permit the Solar, utility Scale Generation and Battery Energy Storage System Facility land use in all underlying zoning districts of the PAD. The amendment provides the necessary zoning flexibility for the Cooley Eloy 640 PAD to adapt to future community needs and promote orderly development in this area of the city.

The 651-acre Project Site is located approximately 1.5 miles southwest of the 1-10 within the City of Eloy's undeveloped southwestern area. The Site is bounded to the west by Tweedy Rd and to the east by Eleven Mile Corner Road. Phillips Road bounds the Site to the north and Shay Rd. to the south. A map of the Project location is enclosed with this letter.

The Applicant team would like to invite you to an Open House meeting to learn more about the request and the proposed development.

**Monday, June 3, 2024**

Any time between 5:00PM - 6:00PM

Eloy City Hall

In the Community Room

595 N. C Street, Eloy, AZ 85131

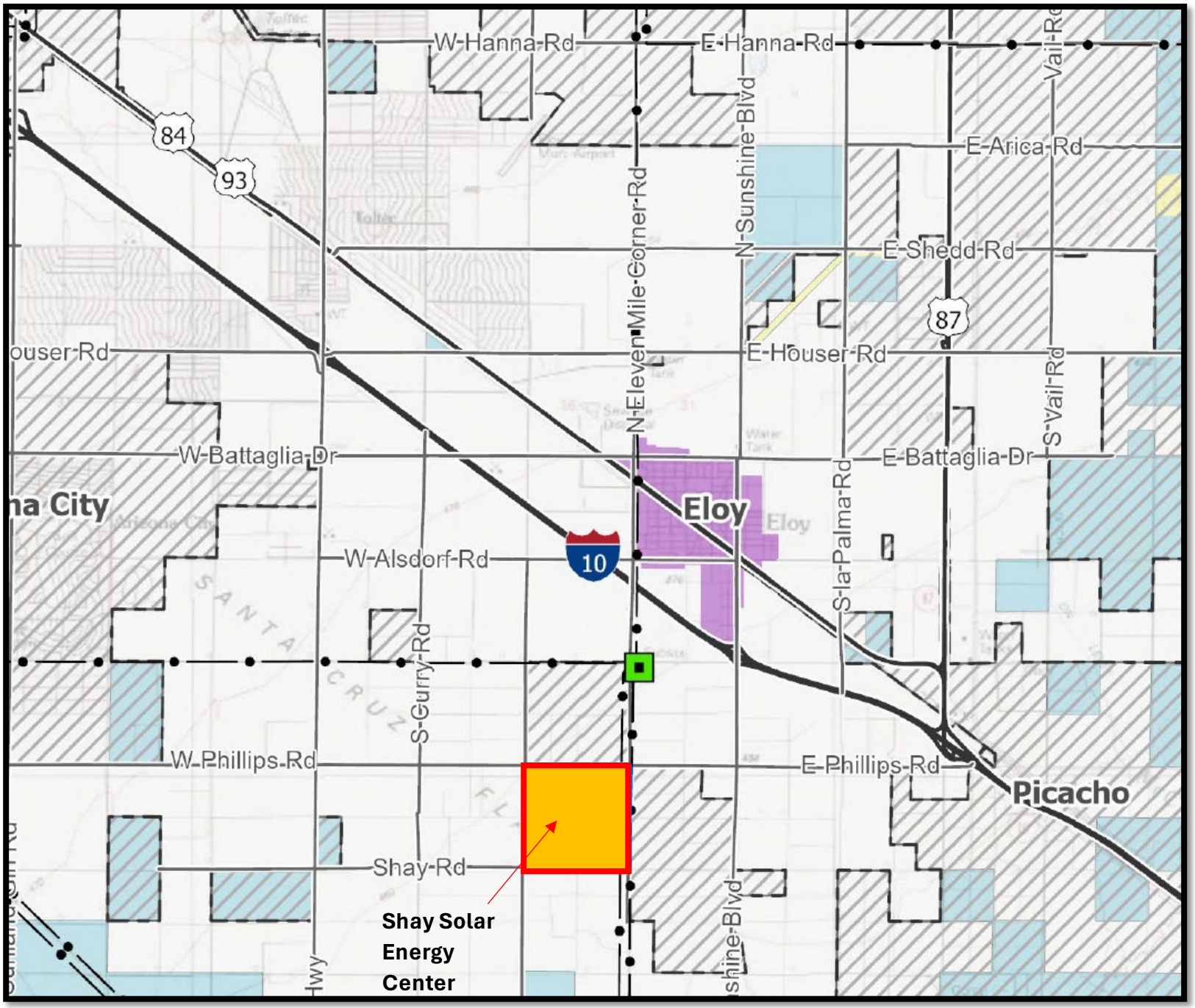
*I would be happy to answer any questions or hear any concerns that you may have regarding this proposal. You are welcome to contact me directly at NTonnemacher@RoseLawGroup.com or 480.240.5642.*

Sincerely,

*/s/:* ***Nate Tonnemacher***
Planner & Project Manager

**SHAY SOLAR ENERGY CENTER**

**Location Map**



8-ft

4-ft

# City of Eloy Public Notice

**Request (1):** *Insert Application Request*

**Request (2):** *Insert Application Request*

**Project Location:** *Insert General Location*

**Project Size:** *Insert area (acres)*

**Proposed Use:** *Insert Proposed Use*

**Applicant Contact:**
*(Insert applicant name)*
*(Phone number)*
*(Email address)*

**City Contact:**
**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

*Insert Project Map/ Site Location*

**PLANNING & ZONING COMMISSION HEARING:**
**When:** June 20th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**CITY COUNCIL HEARING:**
**When:** July 8th, 2024, at 6:00 P.M.
**Where:** Council Chambers, City Hall
595 N. C Street
Eloy, AZ 85131

**Case No(s):** *Insert Case Number(s)*

**Font size: 2-inch minimum**

**1-inch margin on all**

**1-inch space minimum**

**Font size: Typical, ¾ inch minimum**

**All sign information is to be provided on both sides of the sign (Front & Back)**

## Sign Specifications:

1. **Minimum Sign Size:** 4-foot x 8-foot
2. **Sign Material:** Laminated Plywood, medium density overlay panel (MDO) board, or another city approved equal;
3. **Sign Background:** Front, back and all edges painted with two coats of white acrylic exterior enamel, or other suitable durable finish;
4. **Lettering: Color:** Black.
5. **Location Map:** 16-inhg x 16-inch minimum size with minimum 3/8-in black border**.**
6. **Sign Posts:** Two 4-inch x 4-inch x 8-inch nominal wood posts or other sturdy material. The sign shall be attached to the posts with multiple screws or bolts;
7. **Corners and Edges:** Corners and edges shall be dulled.

# City of Eloy Public Notice

**Request (1):** Zoning Map Amendment to amend the Cooley Eloy 640- Planned Area Development (PAD) to ***permit utility-scale solar & battery energy storage uses*** on 651-acres; consisting of 3 parcels in the City of Eloy

**Project Location:** Approximately 1.5-miles southwest of the I-10; east of Tweedy Rd., north of Shay Rd., west of Eleven Nile Corner Rd, and south of Phillips Rd.

**Project Size:** Approximately 651-acres;

**Proposed Use:** A stand-alone 130-megawatt (MW) photovoltaic (PV) solar & 130-MW battery energy storage system (BESS) energy facility in support of renewable energy development in the City of Eloy.

**INSERT MAP**

## Applicant Contact:

**Rose Law Group pc**
Court Rich
Attn: Nate Tonnemacher
480.240.5642 | ntonnemacher@roselawgroup.com

## City Contact:

**Community Development Department**
Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

**Case No(s):** **PADA2022-004** (Zoning Map Amendment)

## PLANNING & ZONING COMMISSION HEARING

**When:** June 20th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

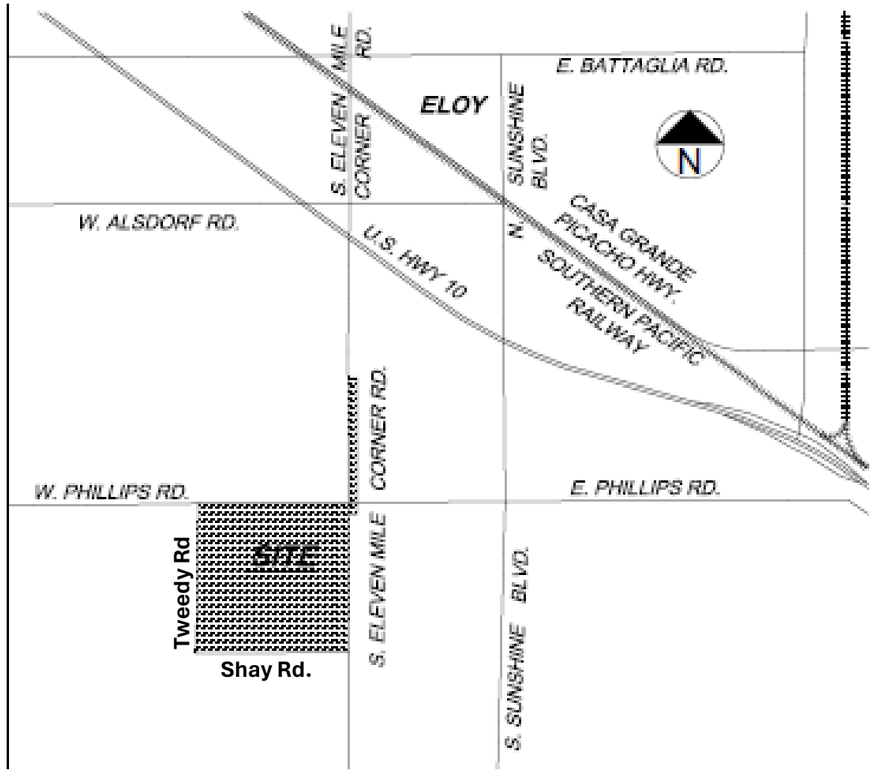
## CITY COUNCIL HEARING

**When:** July 8th, 2024, at 6:00 P.M

**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

# INSERT MAP OF SITE LOCATION

## Upper right-hand corner of the sign




# INSTALL SIGNS IN THE FOLLOWING LOCATIONS:

**5- Total Signs:**

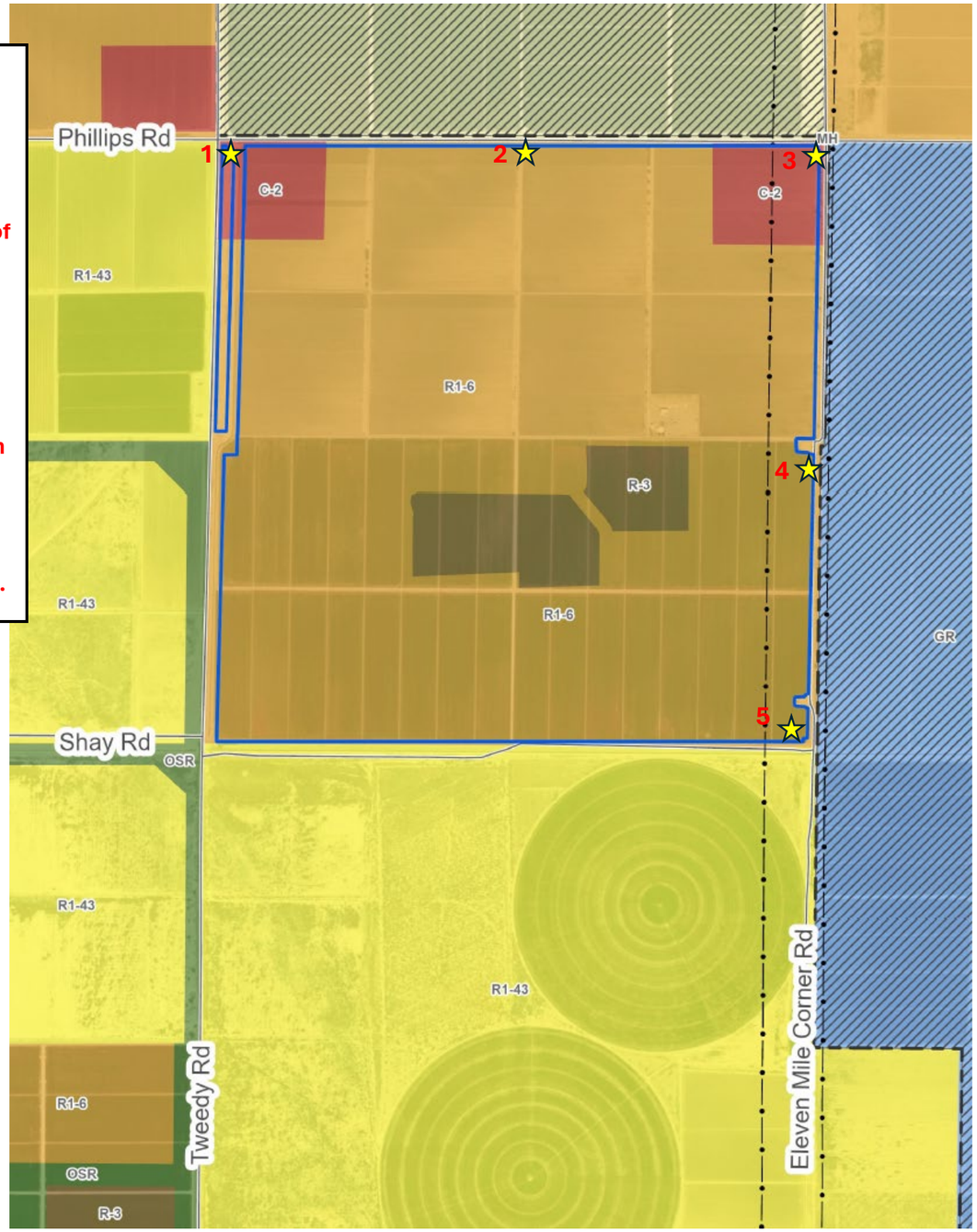
**(1)- Southeast corner of Phillips Rd. & Tweedy Rd.**

**(2)- South portion of Phillips Rd. (½ mile west of Eleven Mile Corner Rd., ½ mile east of Tweedy Rd.)**

**(3)- Southwest corner of Phillips Rd & Eleven Mile Corner Rd.**

**(4)- West portion of Eleven Mile Corer Rd. (½ mile south of Phillips Rd.)**

**(5)- Northwest corer of Eleven Mile Rd. & Shay Rd.**



# AFFIDAVIT OF SIGN POSTING

The undersigned Applicant has complied with the City of Eloy's posting requirements for Case # PADA2022-004 Shay Solar Energy Center on June 3, 2024

See attached photo exhibit.

For applicant:

Rose Law Group

_Dynamite Signs, Inc._____
Sign Company Name

Meghan Liggett
_____
Sign Company Representative

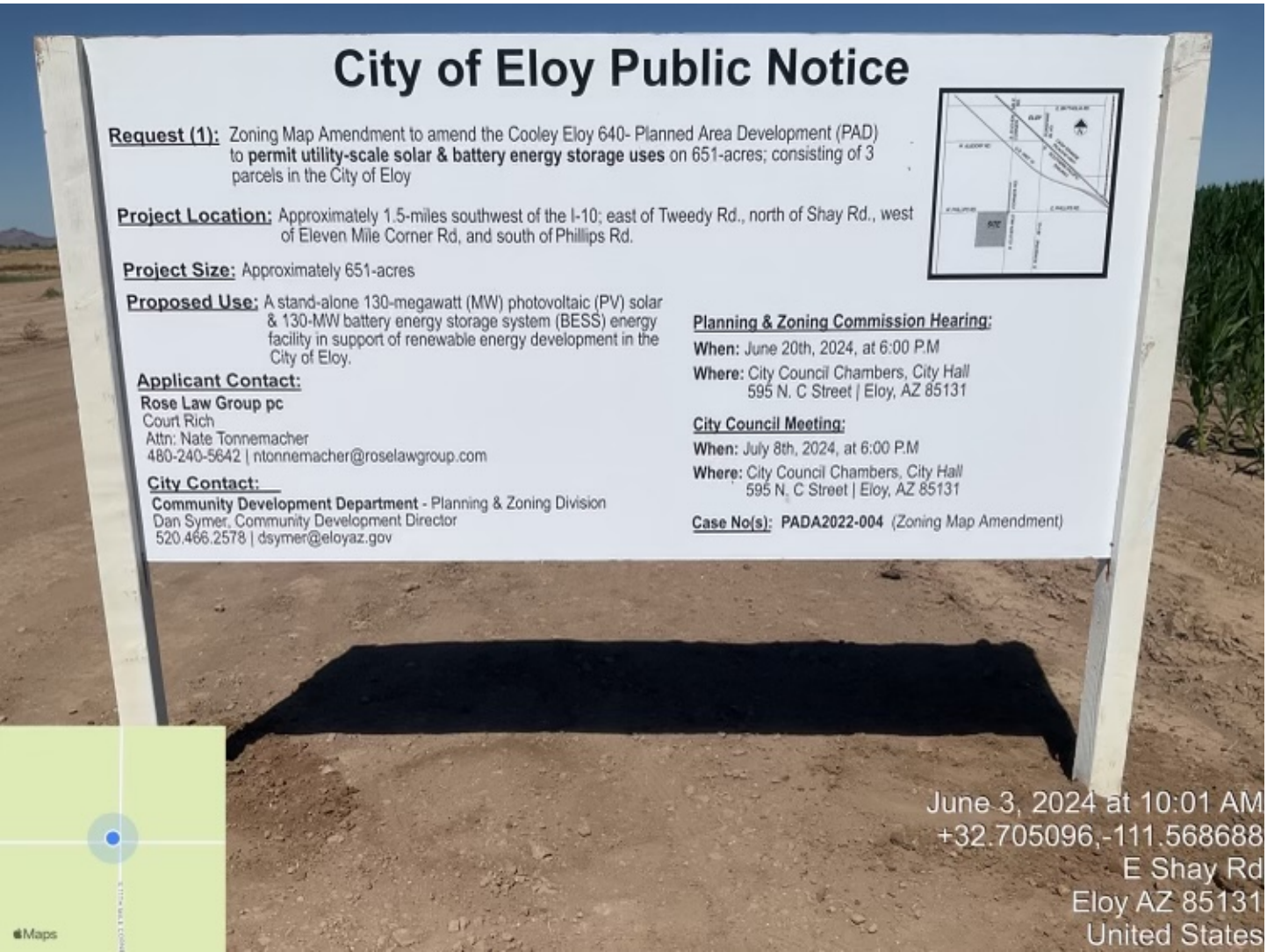
Subscribed and sworn to be on this _3rd_ day of _June_, 2024 by Meghan Liggett.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

MaryBeth Conrad
_____
Notary Public

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 591461
My Comm. Expires Oct 25, 2024

My Commission expires:__10-25-24_____


City of Eloy Public Notice
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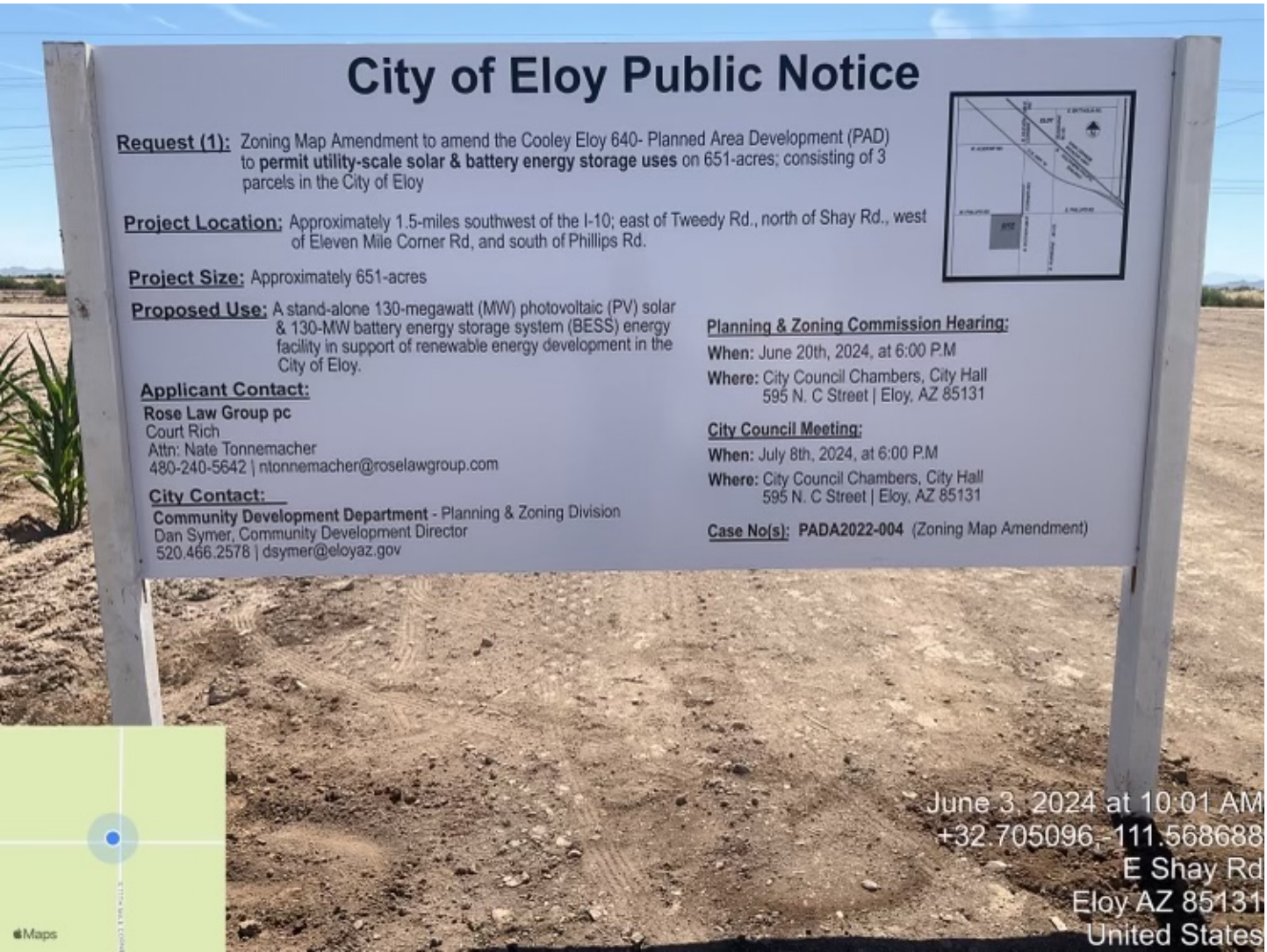
Applicant Contact:
Rose Law Group pc
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com
City Contact:
Community Development Department - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov
Planning & Zoning Commission Hearing:
When: June 20th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
City Council Meeting:
When: July 8th, 2024, at 6:00 P.M
Where: City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131
Case No(s): PADA2022-004 (Zoning Map Amendment)
June 3, 2024 at 10:01 AM
+32.705096,-111.568688
E Shay Rd
Eloy AZ 85131
United States
Maps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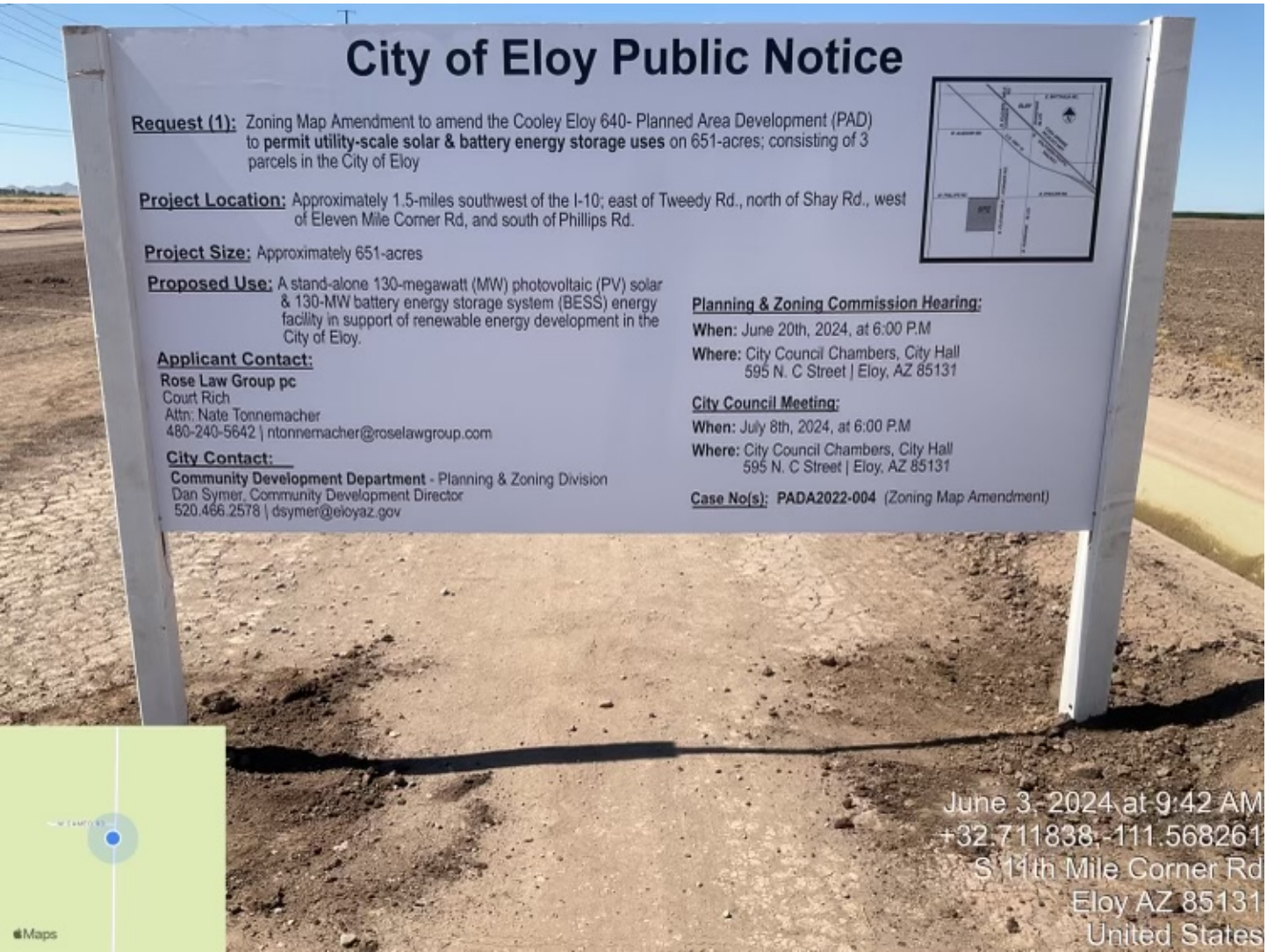
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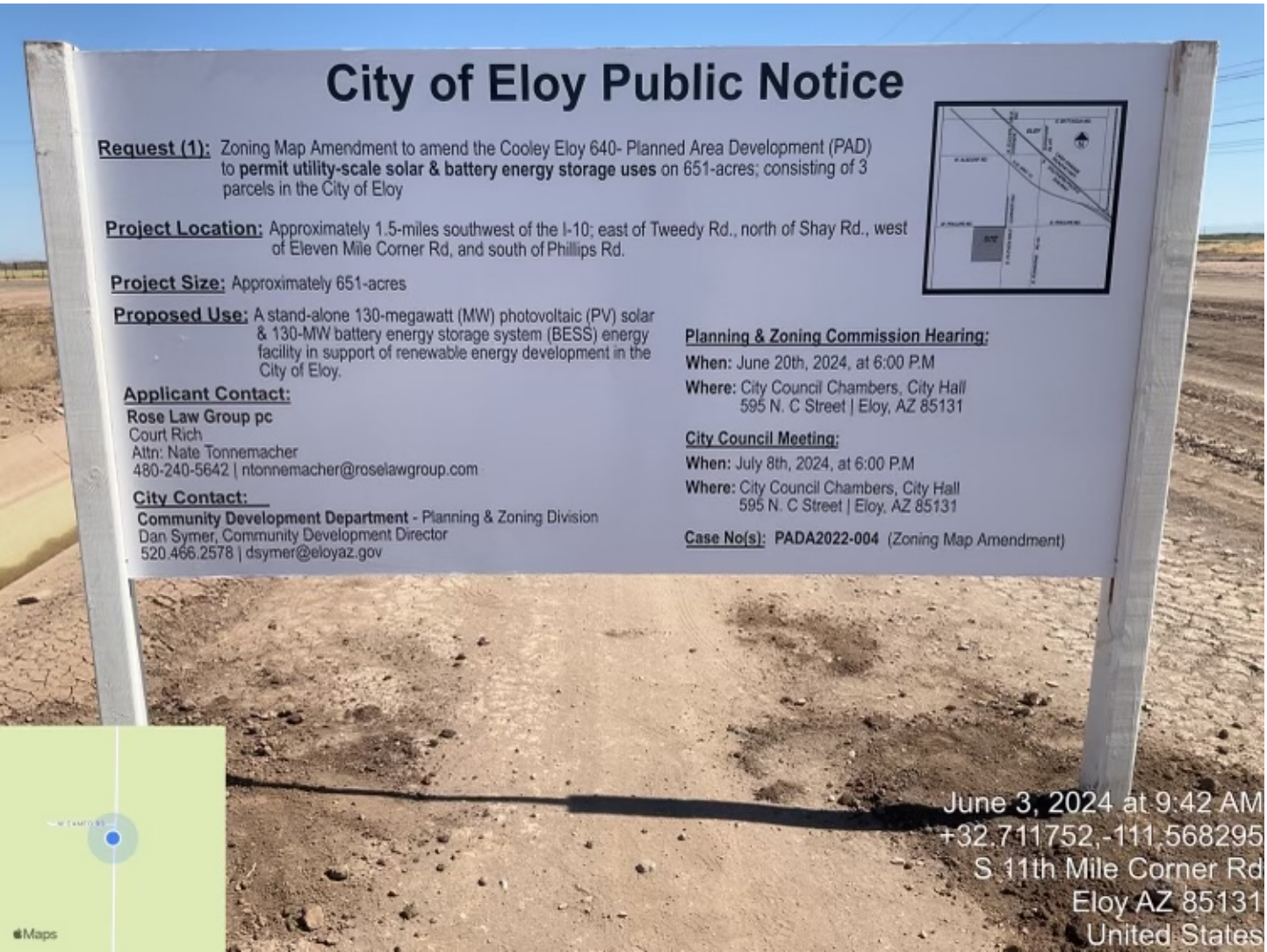
Maps
June 3, 2024 at 9:42 AM
+32.711838, -111.568261
S 11th Mile Corner Rd
Eloy AZ 85131
United States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Case No(s): PADA2022-004 (Zoning Map Amendment)
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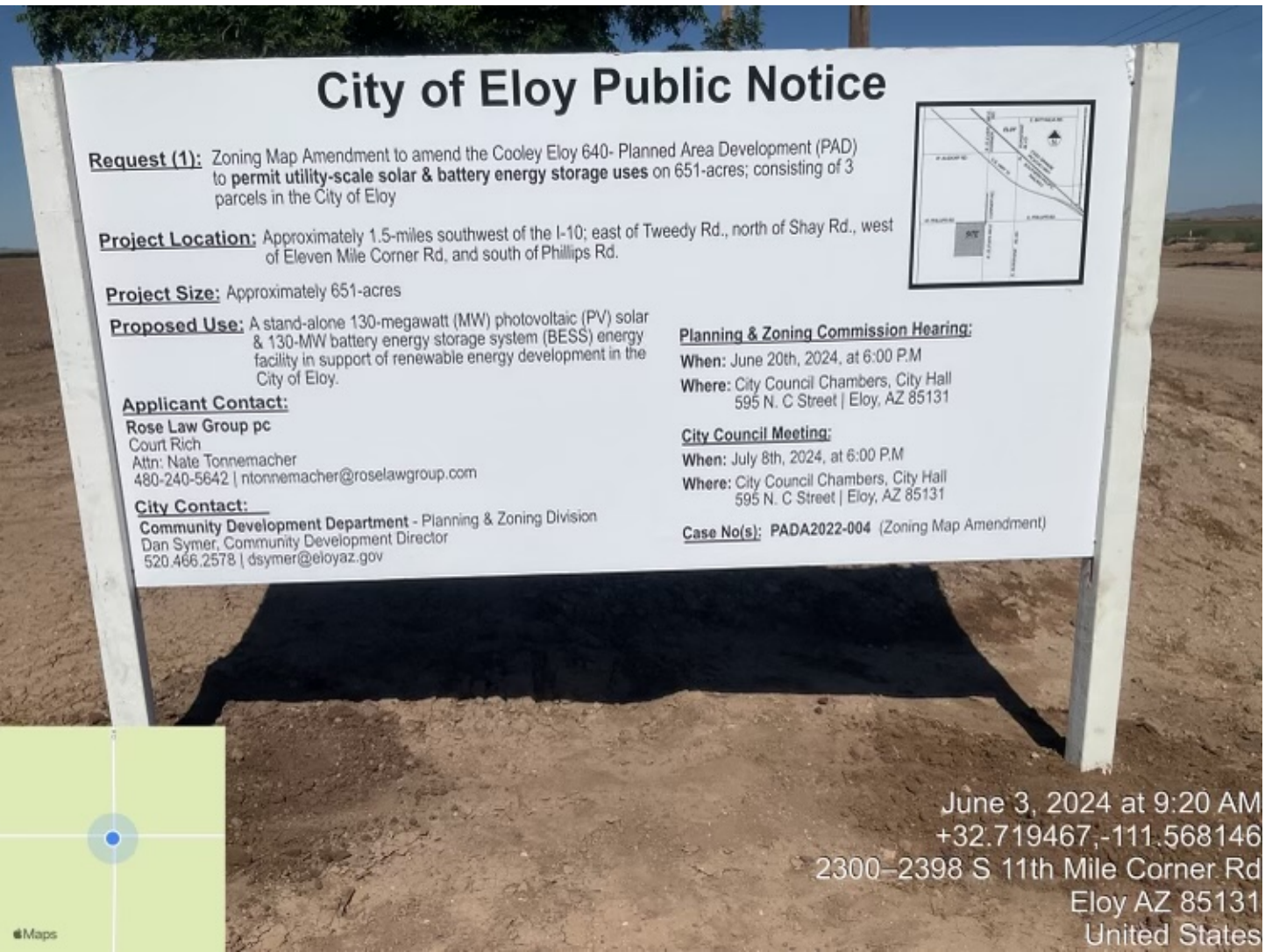
June 3, 2024 at 9:21 AM
+32.719467 -111.568146
2300-2398 S 11th Mile Corner Rd
Eloy AZ 85131
United States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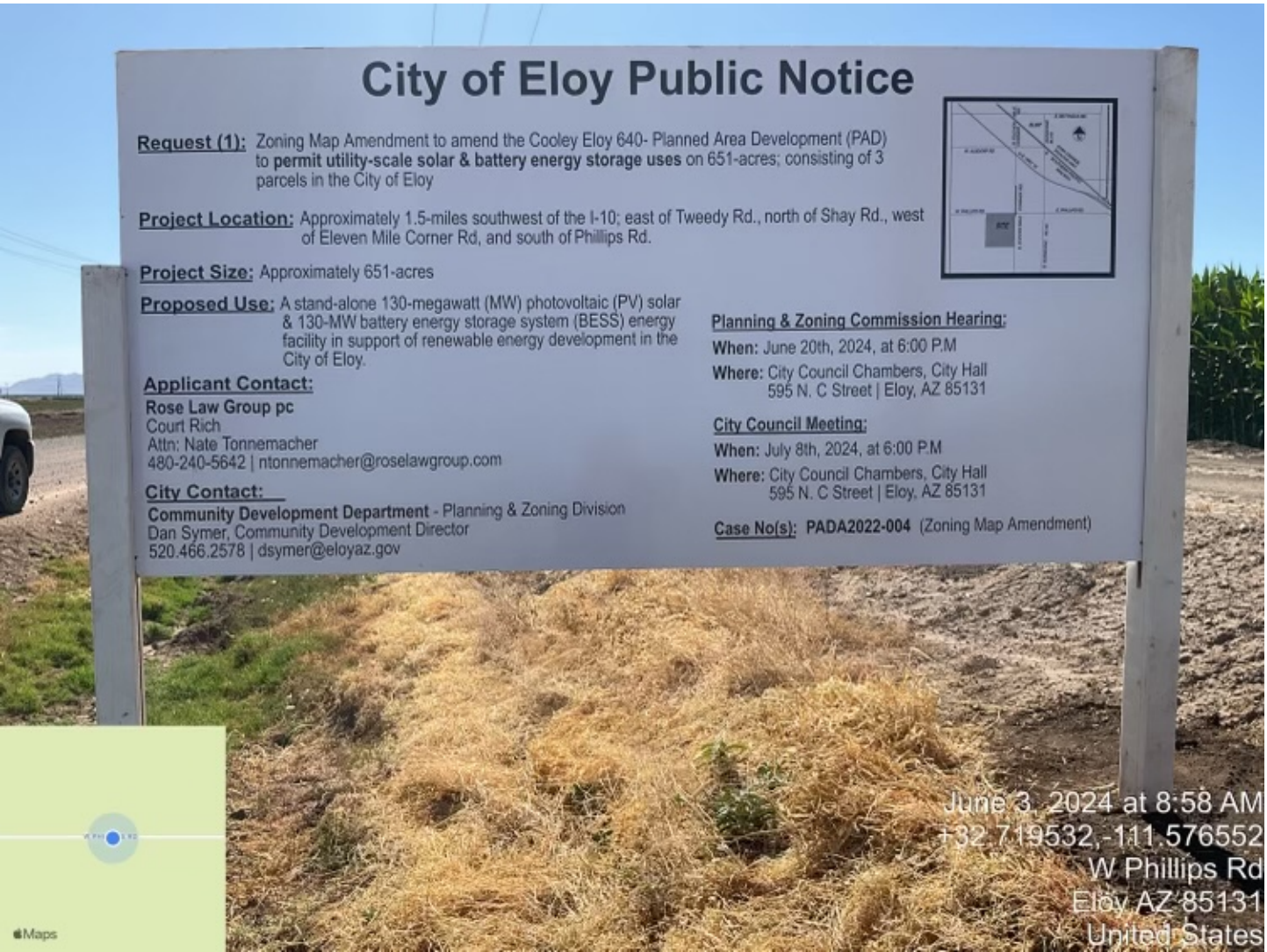
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595 N. C Street | Eloy, AZ 85131
Case No(s): PADA2022-004 (Zoning Map Amendment)
June 3, 2024 at 8:58 AM
+32.719532,-111.576552
W Phillips Rd
Eloy AZ 85131
United States
Maps

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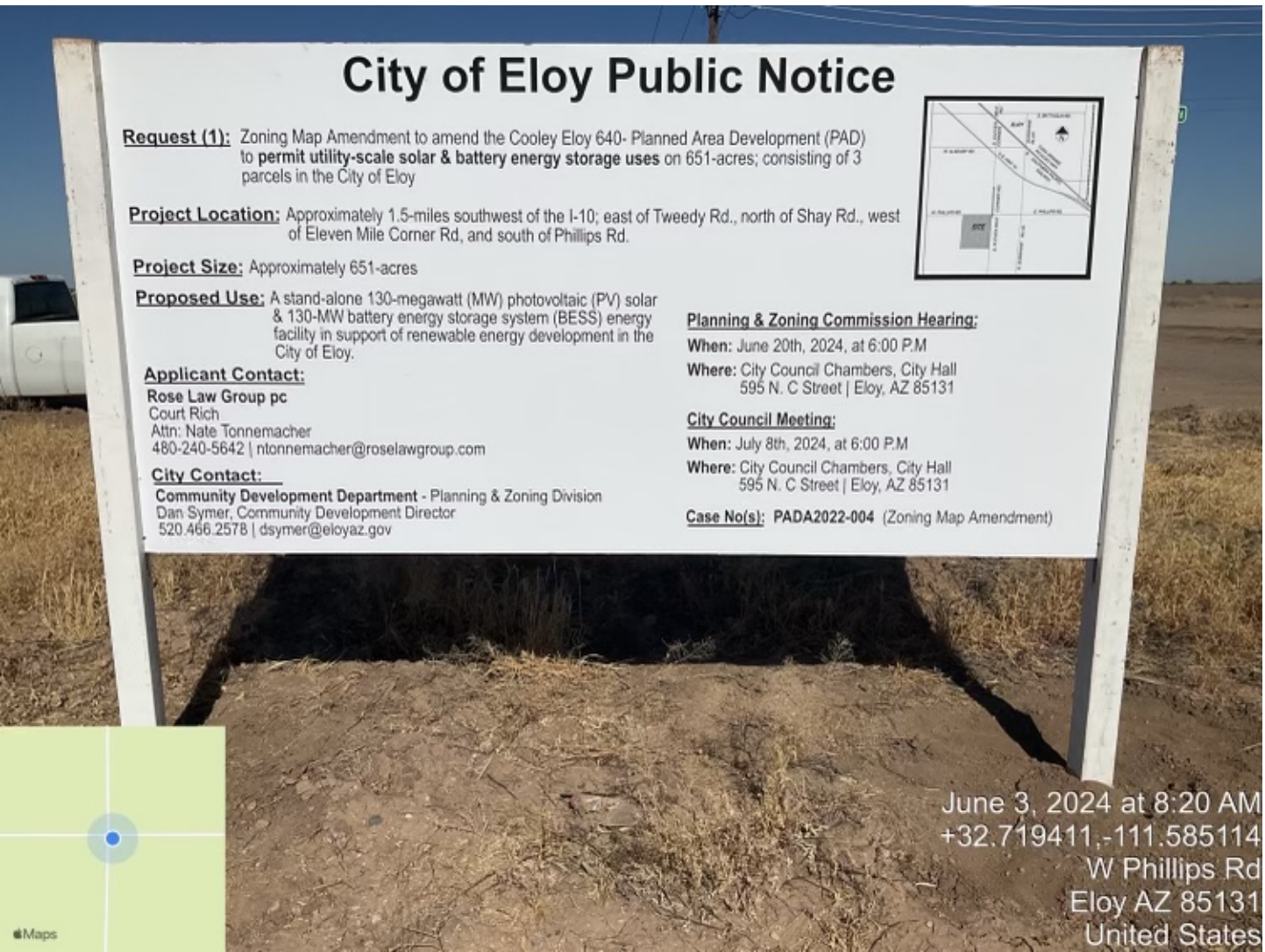
Case No(s): PADA2022-004 (Zoning Map Amendment)
June 3, 2024 at 8:57 AM
+32.719503,-111.576441
W Phillips Rd
Eloy AZ 85131
United States
Maps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+32.719411,-111.585114
W Phillips Rd
Eloy AZ 85131
United States
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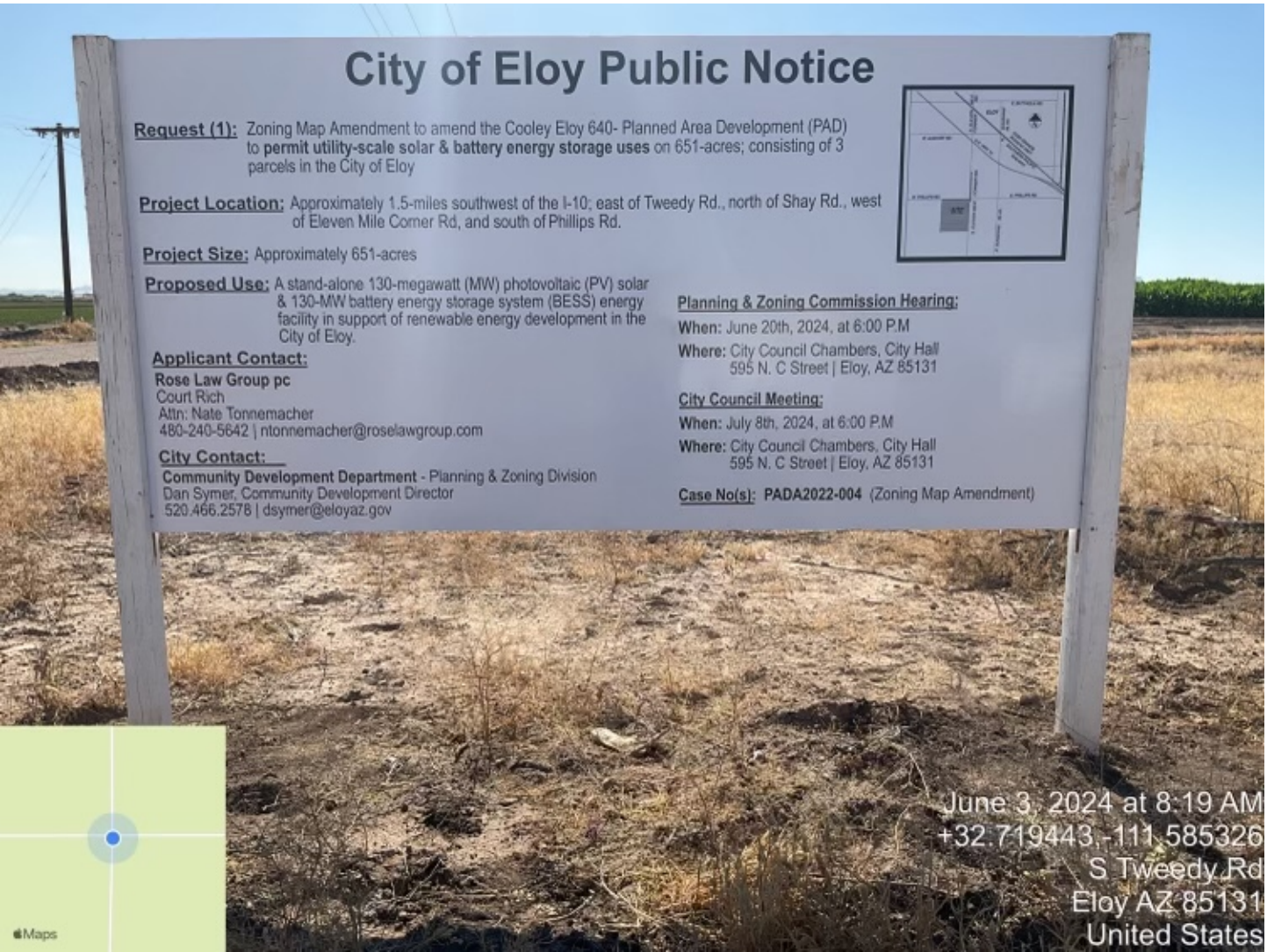
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Maps
June 3, 2024 at 8:19 AM
+32.719443,-111.585326
S Tweedy Rd
Eloy AZ 85131
United States

## 5- Total Signs:

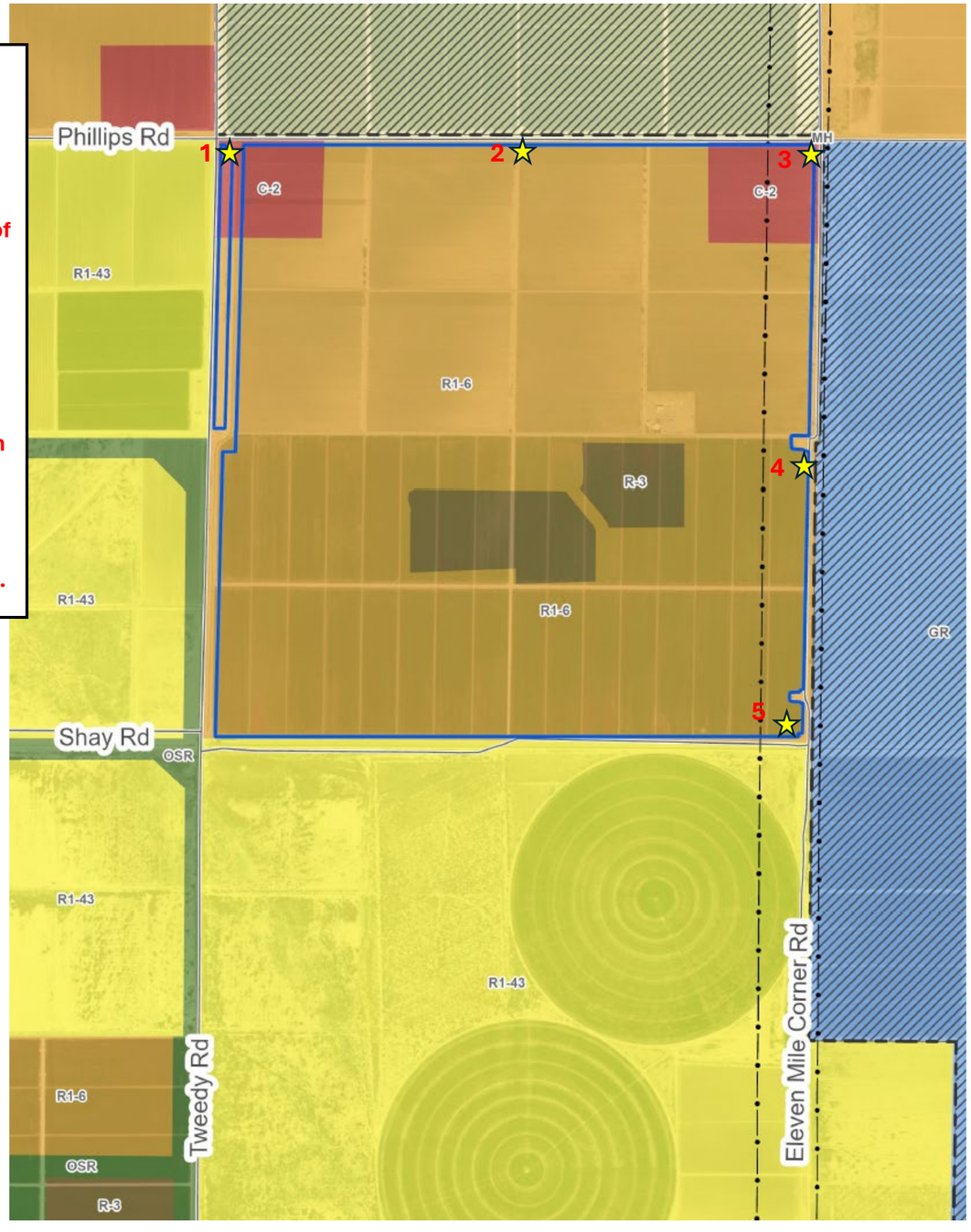
**(1)- Southeast corner of Phillips Rd. & Tweedy Rd.**

**(2)- South portion of Phillips Rd. (½ mile west of Eleven Mile Corner Rd., ½ mile east of Tweedy Rd.)**

**(3)- Southwest corner of Phillips Rd & Eleven Mile Corner Rd.**

**(4)- West portion of Eleven Mile Corer Rd. (½ mile south of Phillips Rd.)**

**(5)- Northwest corer of Eleven Mile Rd. & Shay Rd.**



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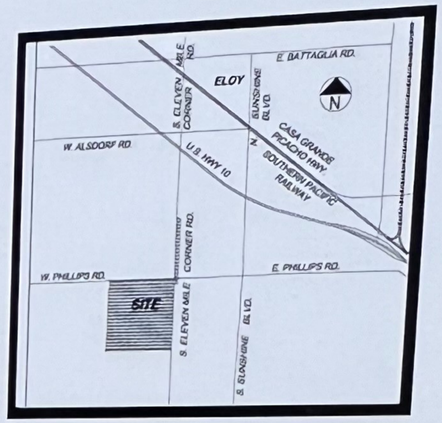


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**City Council Meeting:**

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**Case No(s):** RZPAD2009-018.A1. (Zoning Map Amendment)

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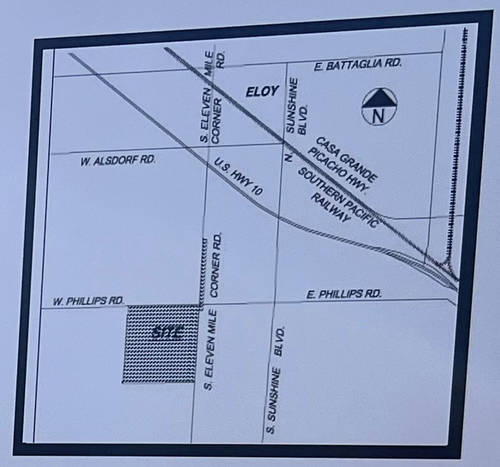


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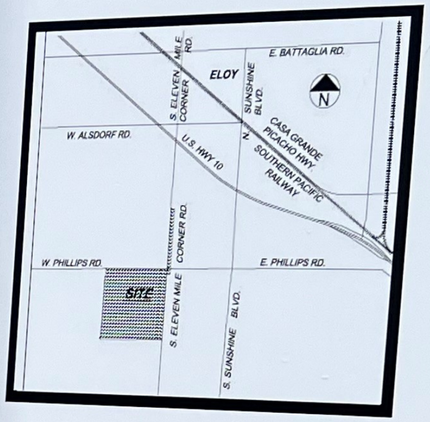


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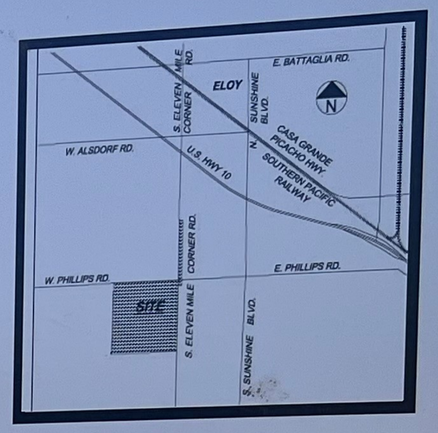


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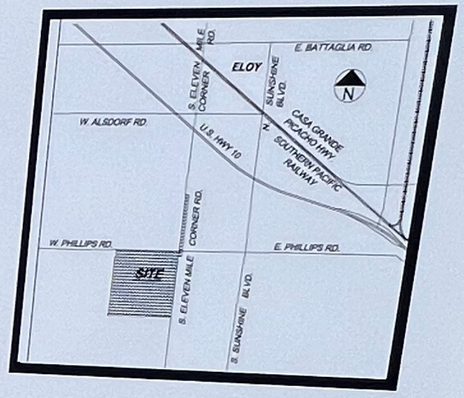


**Applicant Contact:**

**Rose Law Group pc**
Court Rich
Attn: Nate Tonnemacher
480-240-5642 | ntonnemacher@roselawgroup.com

**City Contact:**

**Community Development Department** - Planning & Zoning Division
Dan Symer, Community Development Director
520.466.2578 | dsymer@eloyaz.gov

**Planning & Zoning Commission Hearing:**

**When:** June 20th, 2024, at 6:00 P.M
**Where:** City Council Chambers, City Hall
595 N. C Street | Eloy, AZ 85131

**City Council Meeting:**

**When:** July 8th, 2024, at 6:00 P.M
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**Case No(s):** RZPAD2009-018.A1. (Zoning Map Amendment)

# City of Eloy Public Notice

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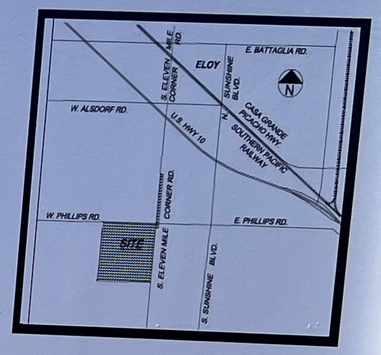


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4

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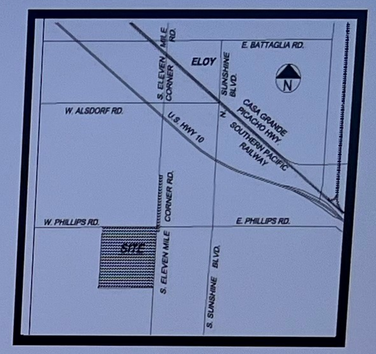


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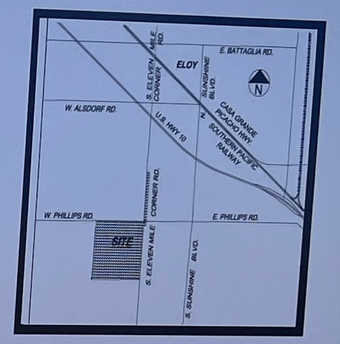


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5 ★

# City of Eloy Public Notice

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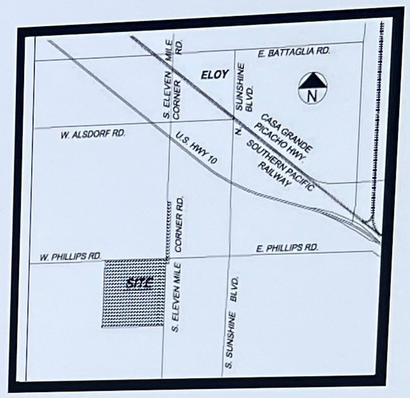


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RZPAD2009-018.A1

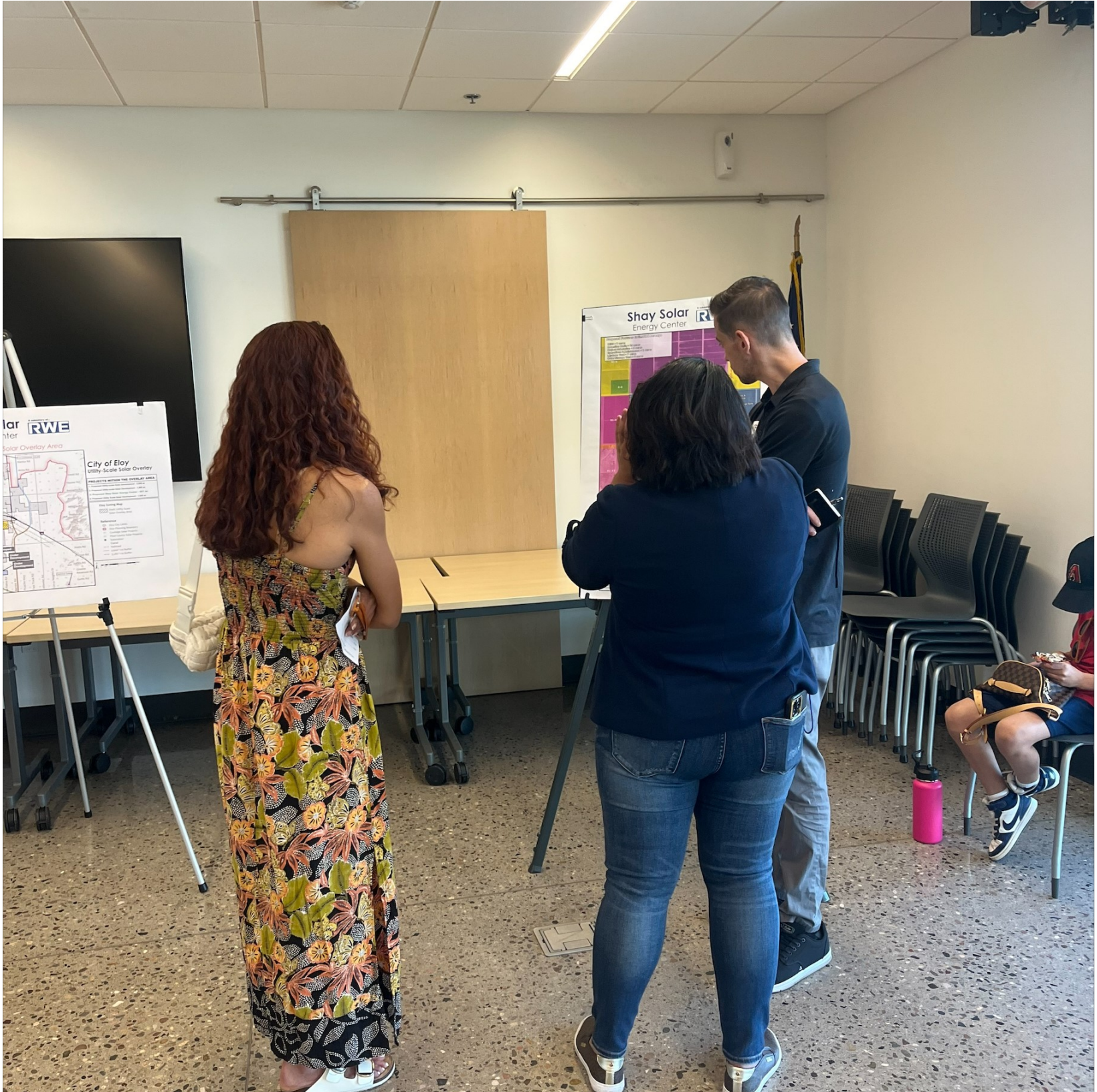
RWE Clean Energy: Case #~~PADA2022-004~~ | Open House Meeting Sign-in Sheet

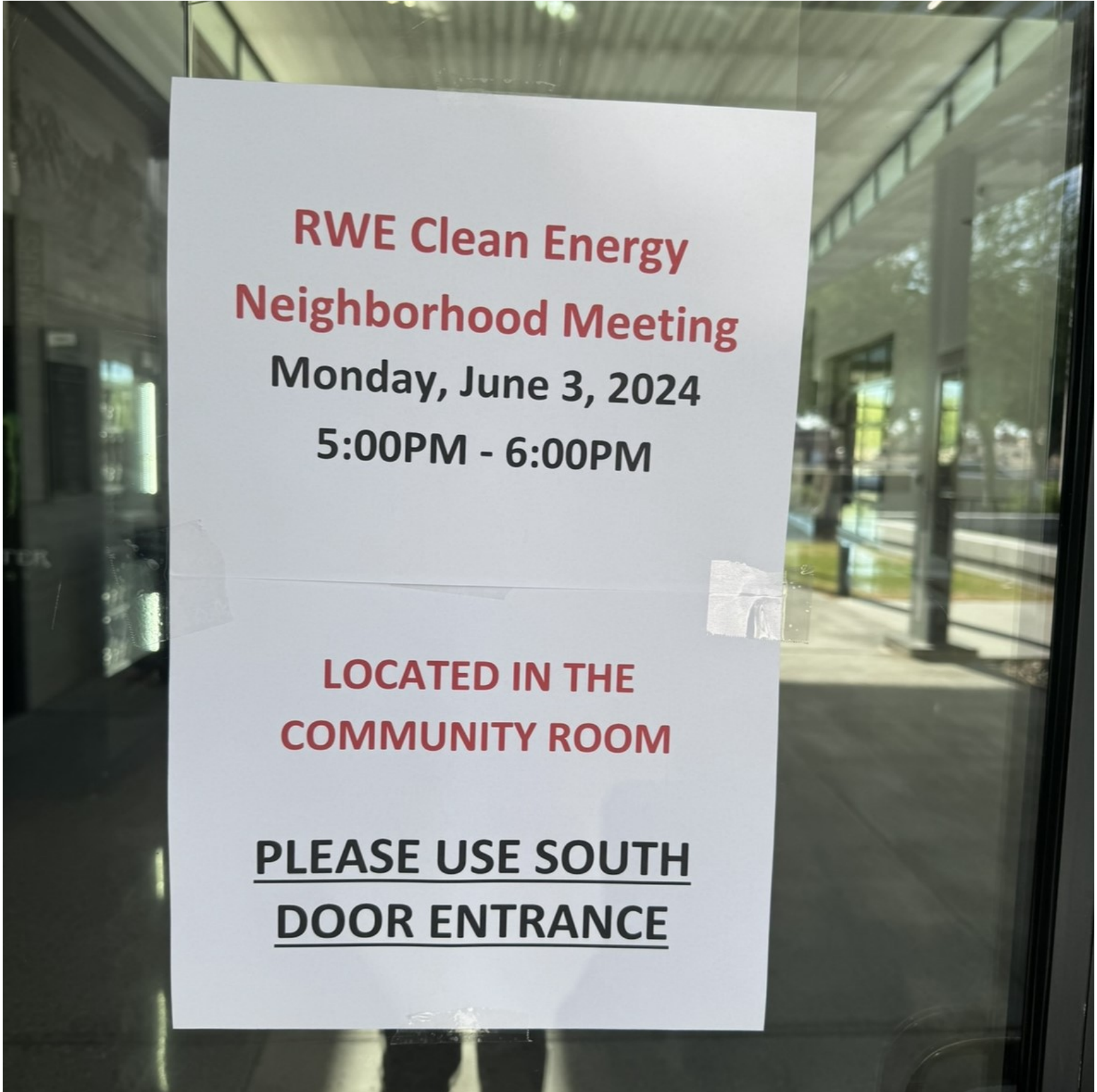
***Located at Eloy City Hall – Community Room*** ***Monday, June 3, 2024 from 5:00PM – 6:00PM***

| Name | Address | Email | Phone | Y/N to receive project updates |
|---|---|---|---|---|
| JEFF COOLEY | | JEFF@COOLEYSTATTOR.COM | 480-710-7337 | Y |
| JOANNA SWEATT dojo | | JOANNA@COMMONDEFENSE.US | 4807601715 | Y |
| Edward Saucedo | | edward.saucedo@gmail | 520-709-3649 | Y |
| JiAnna Mendoza | | joanna.1.mendoza@gmail.com | (520) 861-1073 | Y |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

RWE
How Solar Works
RWE
Battery Energy Storage System
What is a battery energy storage system?
How does a BESS work in a solar facility?
Benefits:
Shay Solar
Energy Center
RWE

RWE
Shay Solar
Energy Center
RWE
Existing vs Proposed Zoning
Existing Zoning
Proposed Zoning
RWE
RWE in the Community
Examples of Community Investment
Sponsoring the 2024 Navajo Nation Energy Summit
Donating to local non-profits like food banks and mental health crisis support centers
Creating a wildlife oasis at our Mesquite Solar facility and partnering with local schools for educational field trips


RWE
City of Eloy
Utility-Scale Solar Overlay
Shay Solar
Energy Center


RWE Clean Energy
Neighborhood Meeting
Monday, June 3, 2024
5:00PM - 6:00PM
LOCATED IN THE
COMMUNITY ROOM
PLEASE USE SOUTH
DOOR ENTRANCE

# Citizen Review Plan & Report

## 1st Amendment to the

## Cooley Eloy 640 PAD

**Case Number: RZPAD2009-018.A1**

# Shay Solar Energy Center

***Report Updated:***

**June 7th, 2024**

***Prepared By:***

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

Nate Tonnemacher
Land Use Planner & Project Manager
7144 E. Stetson Drive, #300
Scottsdale, AZ 85251
Direct: 480-240-5642 |M: 805-345-8074
ntonnemacher@roselawgroup.com

***On behalf of:***

**Shay Solar** LLC

***A subsidiary of:***

**RWE Clean Energy**

RWE

# Citizen Review Report:

**NOTE:** *A copy of the previously submitted Citizen Review Plan is attached to this Report, please see* ***Attachment 1***

## Contact Dates and Methods

A total of *sixteen (16) Notification letters* were mailed via First Class U.S. Mail on May 22nd, 2024, to all property owners within 300ft of the Shay Solar Project (Cooley 640 PAD boundary), please see: **Attachment 2:** Affidavit of Notification & **Attachment 3:** Notice Buffer Map & Lables).

The letter provided all required and pertinent information regarding the application, including a description of the application request and an attached Project Map. An invitation to join the Development Team for a Neighborhood Outreach meeting that took place on June 3rd in the City of Eloy was also included in this report and contained all meeting details and the location of the meeting. A copy of the notification letter is attached to this Report (see **Attachment 4**) along with the 300-ft buffer map and list of the property owners located within the noticing boundary.

## Site Posting

The Project Site was posted on June 3rd, as required by the City of Eloy, providing application details, city and applicant contact information, project numbers, a Project Vicinity Map and all upcoming public hearing information.

Five (5) total sign we're posted along Right-of-way bounding the 651-acre Project area, strategically located along the project boundary demonstrating the most appropriate viewing opportunity for the public (see **Attachment 5**: Sign Specifications & Locations). Each sign is double sided and was placed perpendicular to the road adjacent to the project boundary. Photos and an affidavit for posting are attached to this Report as **Attachment 6**.

On July 4th, 2024, the Applicants' Team was informed that the Signs Posted on Site had an incorrect Case number listed. The following day, July 5th, 2024, a representative of the Applicants' Development team updated all Sign Posted on Site with the corrected Case number per city instructions. Pictures of the updated Signs are attached to this Report as **Attachment 7.**

## Neighborhood Outreach Meeting

A Neighborhood Outreach meeting was held, in-person, on June 3rd, 2024, from 5:00 pm to 6:00 pm in the Community Room of the Eloy City Hall located at 595 C St. Suite 101, Eloy, AZ 85131. The general public was invited to come and learn more about the proposed request and provide any comments or recommendations for improvements to the Project's scope or design/development, etc. The applicant and their representatives were available for the entire meeting

The Community Room was accessible to the public through a main entrance leading outside. A comment table was positioned at the entrance, with a member of the Applicant's team stationed to welcome visitors. The meeting space was well-lit, with signs placed around the entrance, including the parking areas and

pathways leading to the space. A team of three representatives from Rose Law Group PC, including the Applicants' Land Use Attorney and two (2) Land Use Planners, joined the Applicants' Development Team as hosts of the meeting.

The Property Owner of the Cooley 640 PAD: Jeff Cooley and his business associate, Edward Sauedo attended the meeting in support of the project. In addition to the Property Owners of the subject Project Site, two (2) members of the public attended the meeting: representatives of a local veteran's support group interested in expressing their support for renewable energy projects in support of veterans "green justice" attended the meeting and expressed their desire to learn more about the Project. They did not provide any formal written comments but repeatedly expressed their support for renewable green" energy Project in Eloy. The Applicant and their representatives guided them through the meeting exhibits set-up throughout the room, illustrating all pertinent aspects of the Project, placed around the room.

The Applicants' Representatives and Development Team described the purpose of the requests, provided context and background relating to the Project scope, explained all applicable community and public outreach requirements, described some of the immediate next steps for the project, and provided information pertaining to the upcoming public hearings for the Project.

Additionally, the Applicant Team described the various Project components, and community and economic benefits of the Project. Finally, the participants asked some follow-up questions regarding the Text Amendment update to the Eloy Ordinance relating to utility-scale solar and BESS development within the city. The Applicants' Team described the increase setbacks and R/W dedication improvement standards as well as the other development standards placed upon the Project.

A copy of the sign-in sheets with the attendees' contacts information and pictures of the meeting are provided as **Attachment 8** to this Report.

## Ongoing Communication with Neighbors

The Applicants' Representatives are the listed contact on all notification postings and mailers and have collected all information and details regarding public engagement on behalf of RWE. To date, the Applicants' Representatives have received no formal comments from the public and have not fielded any emails or phone calls from neighbors.

**Conditions of Approval for Zoning Map Amendment:**

**Case No. RZPAD2009-018.A1**

**1st Amendment to the Cooley Eloy 640 Planned Area Development – Shay Solar**

These stipulations are in order to protect the public health, safety, and welfare of the City of Eloy.

## SITE DEVELOPMENT

1. APPLICABILITY. Case No. RZPAD2009-018.A1, 1st Amendment to the Cooley Eloy 640 Planned Area Development, and Conditions of Approval herein shall supersede all previous approvals, including Ordinance No. 09-764.
2. CONFORMANCE TO DEVELOPMENT PLAN. The development shall conform to the Development Plan, entitled "1st Amendment to the Cooley Eloy 640 Planned Area Development," which is on file with the City Clerk and made a public record by Resolution No. 24-1578 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning and Zoning Commission and City Council. Where there is a conflict between the Development Plan and these stipulations, these stipulations shall prevail.
3. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. The development shall conform to the amended development standards included in the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning and Zoning Commission and City Council.
4. SCREENING. All equipment and structures to store (e.g. batteries, etc.) and to convey electricity (e.g. substations, etc., but, excluding transmission towers) shall be screened by a wall at least one-foot taller than the height of the equipment and structures being screened.
5. EASEMENTS. No development shall be constructed in publicly dedicated easements without an encroachment permit. The property owner/developer shall obtain approval from the City of an easement release for any easement determined by the City Engineer or the Community Development Director that needs to be removed to accommodate the development of the property. The property owner/developer shall dedicate all easements necessary to serve the development as determined by the City Engineer or the Community Development Director.
6. INTERNIAL ROADWAYS. All internal roadways for a Solar, Utility Scale Generation and Battery Energy Storage System Facility shall be compacted to withstand a minimum gross vehicle weight of 75,000 pounds, and comply with the most recent Fire Code requirements of the Eloy City Code applicable at the time of permit issuance.

## MASTER PLANS AND STUDIES

7. MASTER INFRASTRUCTURE PLANS. Prior to the submittal of any preliminary plat, or site plan, for any part of the property for a use other than a farm or a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall submit the new Master Infrastructure Plans specified below for the entire Cooley Eloy 640 Planned Area Development by a registered engineer licensed to practice in Arizona. The aforementioned Master Infrastructure Plans shall be accepted/approved by the City of Eloy's City Engineer prior to receiving approval of any

preliminary plat, or site plan. The Master Infrastructure Plans shall be sealed by the registrant no more than 30 days before the submittal date to the City, and shall be prepared to conform to the standards specified by the City of Eloy's City Engineer. Each Master Infrastructure Plan shall include a complete description and plans of the infrastructure improvements, any project phasing of the improvements, and identifying the timing and parties responsible for the construction of the improvements. The follow Master Infrastructure Plans shall be submitted:

a. Master Transportation Systems Plan

b. Master Drainage Systems Plan

c. Master Water Systems Plan

d. Master Wastewater Systems Plan

8. TRAFFIC IMPACT ANALYSIS. With each site plan or preliminary plat submittal, the property owner/developer shall submit a Traffic Impact Analysis by a registered Traffic Engineer licensed to practice in Arizona for review and acceptance by the City Engineer. At a minimum, the Traffic Impact Analysis shall address on-site and off-site traffic flows, project impacts, and mitigation measures, anticipated trip generations, and level of service.

**INFRASTRUCTURE**

9. WATER RESERVOIR. Prior to, or concurrent with, the issuance of any building permit for a Solar, Utility Scale Generation, and Battery Energy Storage System Facility, the property owner/developer shall obtain permits to construct a minimum 25,000-gallon water reservoir tank on the property near the battery storage facilities and substation. The water reservoir tank shall be operational and filled with water prior to any Final Inspection for the development project.

10. WASTEWATER. The developer shall provide sewer connections, or a septic field in accordance with Pinal County requirements, for all sink(s) and toilet(s)/lavatory room(s) provided on the property for the Solar, Utility Scale Generation and Battery Energy Storage System Facility. No temporary portable toilet(s) or similar facilities will be allowed on site, except during construction. All portable toilet(s) or similar facilities shall be removed prior to receiving a final inspection for the associate building permit activities.

11. STANDARDS OF IMPROVEMENTS.

    a. With the development of the property for a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall construct improvements as required by the Zoning Ordinance and the City Engineer. All required infrastructure improvements shall be constructed in accordance with the Eloy City Code, and the applicable Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction.

    b. With the development of any other use, the improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Eloy City Code, accepted/approved Master Infrastructure Plans, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, or other standard specifications and details for public works construction accepted by the City Engineer.

12. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, or Final Inspection, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Eloy City Code and these stipulations.

**OTHER**

13. PROPERTY OWNERSHIP AND MAINTENANCE. The homeowner's association shall own and maintain all open space and park tracts.
14. DEVELOPMENT OF PARK AND OPENSPACE SITES. The developer shall construct all park and open space sites identified Exhibit 6 as parcel Fs. Prior to, or concurrent, with the first preliminary plat submitted for a residential subdivision, the property owner/developer shall submit a phasing plan for the improvements to the park/open space of the parcel Fs., and identifying the timing and parties responsible for the construction of the improvements. The Community Development Director shall approve the plan prior to the property owner/developer receiving approval of the first preliminary plat.

# CITY OF ELOY
# REQUEST FOR COMMISSION ACTION

**Agenda Item: IX.A.**
**Date: 6/20/2024**

| | | |
|---|---|---|
| **Date submitted:** 06/04/2024<br><br>**Date requested:** 6/20/2024 | **Action:** Other | **Subject: Information and discussion on the City Council initiated Zoning Text Amendment to incorporate requirements for walls and fences on residential lots.** |

**TO:** Planning and Zoning Commission

**FROM:** Dan Symer

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Commission hold a discussion and take public comments on the Zoning Code Text Amendment.

**DISCUSSION:**

Throughout Eloy, there are several subdivisions that were platted prior to the current industry standard of enclosing, screening, and securing rear and side yards with opaque fences and walls. Many of the lots in these subdivisions are individually owned and do not have private requirements such as Covenants, Conditions, and Restrictions (CC&Rs) that mandate walls and fences to be provided in accordance with current industry standards. Therefore, the objective of the proposed zoning ordinance amendment is to establish uniformity between the new subdivisions that adhere to modern development standards and older previously undeveloped subdivisions that are undergoing a resurgence in development activity.

The proposed amendment includes provisions that require the enclosure of side and rear yards, or portions thereof, with a minimum five (5) foot tall opaque fence or wall when developing a new dwelling on lots with a net lot area of one and one-quarter (1.25) acres or less. Furthermore, to align with newer developments, the proposed provisions incorporate allowances for lower opaque wall and fence heights adjacent to open space areas. For lots or parcels abutting open space areas that are:

- Greater than fifty (50) feet in width, but less than one-hundred (100) feet, the opaque wall and fence may be reduced to four (4) feet;

- Equal to, or greater, than one-hundred (100) feet, but less than two-hundred (200) feet in width, the opaque wall and fence may be reduced to two (2) feet; and
- Equal to, or greater, than two-hundred (200) feet in width, an opaque wall and fence is not required.

In addition to aligning with newer industry development standards, the purpose of the reduced height allowance is to:

- Allow for variety in wall and fence design within a subdivision;
- Enhance the visual appearance of the open space areas;
- Enable property owners to enjoy the visual aesthetics of the open space areas while minimizing obstructed views of the landscape and scenery; and
- Facilitate natural surveillance of open space areas to implement Crime Prevention Through Environmental Design (CPTED) concepts.

Regarding existing developed lots, the proposed modifications would require property owners to only provide an opaque wall or fence when adding a new dwelling, or constructing an addition or accessory structure on the property with a valuation greater than sixty (60) percent of the appraised value of the property.

**FISCAL IMPACT:**

There are no anticipated fiscal impacts associated with this discussion.

**Modification to Chapter 21 Zoning of the Eloy Code**

How to read this document.

- *Sections and italic text are instructions* to the City Clerk and the City's codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed out red text are deletions~~ to the Eloy Code.
- Table format modifications are implemented as shown in the revised table.
- New figures are signified with a thick blue border

*Section 1.: Amend Chapter 21 Zoning, Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, as follows:*

**21-4-2.10: ~~FENCES AND HEDGES~~ FENCES, HEDGES AND WALLS**:

A. Opaque fences or walls required.

1. Lots or parcels with a net lot area of less than one and one-quarter (1.25) acres and zoned a Residential District or a Mixed-use District shall have an opaque fence or wall in accordance with the following:

a. Vacant and Undeveloped lots. Prior to receiving a final inspection, an opaque fence or wall with a minimum height of five (5) feet, unless a lower height is allowed in subsection A.1.a.i., A.1.a.ii., or A.1.a.iii. of this section, shall be constructed to fully enclose the rear yard and side yards, or portion(s) of the yard thereof, with the development of a new residential dwelling unit(s).

i. The maximum height of the opaque section of a fence or wall that encloses the side and rear yards of a lot or parcel may be reduced to four (4) feet between the side or rear yard and an open space area having a width abutting the lot or parcel that is greater than fifty (50) feet, but less than one-hundred 100) feet.

ii. The maximum height of the solid opaque section of a fence or wall may be reduced to two (2) feet between a lot or parcel and an open space area that has a width abutting the lot or parcel equal to, or greater, than one-hundred (100) feet.

iii. An opaque fence or wall is not required between a lot or parcel and an open space area that has a width abutting the lot or parcel equal to, or greater, than two hundred (200) feet.

b. Developed lots. Where a lot or parcel contains a dwelling unit, an opaque fence or wall with a minimum height of five (5) feet, unless a lower height that is allowed in subsection A.1.a.i., A.1.a.ii., or A.1.a.iii. of this section, shall be constructed with the development of an accessory structure or an addition to the primary dwelling unit if the accessory structure or the addition has a building valuation equal to, or greater than, sixty percent (60%) of the appraised value of the property at the time of the building permit application. The appraised value of the lot or parcel is the amount assigned to the property by Pinal County's Assessor at the most recent assessment.

2. Chain link fences with slat, screen, or similar applications and material as determined by the Zoning Administrator shall not be allowed for the opaque area of a fence required by subsection A.1. of this section.

3. The City Council may modify the requirements of subsection A.1. of this section as a Condition of Approval for a final plat.

~~A.~~ B. Approvals and Permits ~~Permit~~ Required:

1. Fences or walls shall not be constructed without first making an application for and securing an approval from the Community Development Department. The application shall include a site plan and elevations showing fence materials, colors, heights and gates. The site plan shall show the location of the fence and include survey or plat information that shows: property lines, setbacks, easements and rights-of-way. This requirement does not apply to fences that are located a minimum of ten (10) feet behind any property line of the subject parcel.

2. In addition, fences greater than ~~six~~ seven (7') feet ~~(6')~~ in height or retaining walls extending ~~more than four feet (4')~~ two (2) feet, or greater, in height require a building permit and supporting structural calculations prepared by ~~a~~ an Arizona licensed ~~structural~~ engineer. Retaining concrete block walls shall adhere to adopted Building Codes.

~~B.~~ C. Locations: All hedges shall be located entirely upon the private property of the persons, firms, or corporations planting the hedge. All fences shall be located entirely upon the private property of the persons, firms, or corporations constructing, or causing the construction, of such fence unless the owner of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties. Fences are not required to be set back from the property line except as otherwise specified in this chapter. A fence shall be treated as an accessory use and will not be allowed without a primary use on the site.

~~C.~~ D. Approved Fence Materials: All fences shall be constructed with conventional fencing materials such as masonry, preformed concrete sections, treated wood, decorative metal, stone and vinyl. These materials should have earth tones with an equivalent color that has a light reflective value equal to, or less than, sixty percent (60%). Within Residential, Industrial and Aviation Overlay Zoning Districts, chain link fences may be allowed with the approval of the Community Development Director. Chain link fencing is only permitted in Commercial Zoning Districts if it is inside of a fence that is constructed of allowed materials. Mesh affixed to chain link fencing shall not constitute "view obscuring". Wire fences, including, but not limited to, hog wire and chicken wire may be used for animal enclosures but cannot be used for a perimeter fence.

~~D.~~ E. Finished Elevations: Any fence that is constructed to have only one elevation "finished", which shall be defined as not having its supporting members significantly visible, shall be erected so that the finished elevation of the fence is exposed to the adjacent property or street.

~~E.~~ F. Fence and Hedge Height Standards:

1. Fences or hedges located between the front yard building setback line and the front property line of a lot may not exceed four feet (4') in height in any zoning district, except as modified by Section 21-4-2.11. Hacienda-style front arches and gates cannot be erected without the approval of the Community Development Director.

2. In areas behind a required front yard building setback and within the required rear and side yards, the maximum height of fences shall be six feet (6'), in a residential district and ten feet (10') in a nonresidential district.

~~F.~~ G. Measuring Fence ~~And~~ and Hedge Heights: The height of any fence or hedge shall be calculated to the uppermost points as follows: In required yards abutting a street, the height of the fence or hedge shall be the height measured from the curb or finished grade of the street. On non-street property lines, the height may be measured from the finished grade on either side of the fence or hedge. Where two (2) lots abut one another, or a lot abuts a street or open space tract, but have differing finish grades, the fence or hedge height shall meet the requirements in Section ~~21-4-2.10-E~~ 21-4-2.10.F on the high side and can be a maximum of two feet (2') higher on the low side (Figure 21-4-2.10.G.).

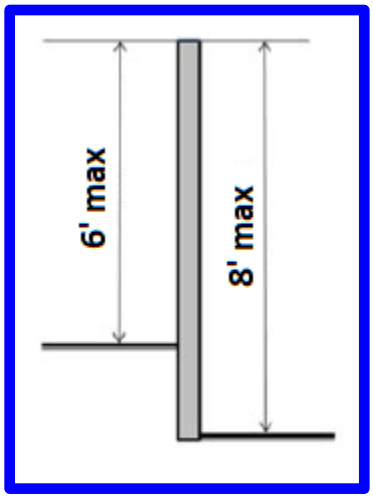



**Figure 21-4-2.10.G. – Residential-to-Residential and Residential-to-Street or Openspace Tract**

~~G~~ H. Undulating Fence Required: All fences along arterial and collector streets with a continuous length greater than two hundred feet (200') shall use an undulating pattern at minimum intervals of one hundred feet (100') or at every other side lot line, whichever is less in distance, to provide variety and visual interest. The undulation depth from the street line shall be a minimum of three feet (3'). Alternate patterns to the above requirements may be approved by the Reviewing Authority as specified in Section 21-6-3 during preliminary and final plat, site plan and/or development plan review process.

~~H.~~ I. Exemptions: The following are exempt from the height restrictions for fences and hedges:

1. Schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants, including correctional facilities.

2. Temporary construction sites which are enclosed for security purposes.

3. An agriculture activity in zoning districts that allow agricultural uses.

4. Uses in the ranchette residential districts, resort districts and planned area development districts.

5. Fence materials and height requirements other than specified elsewhere in this article may be approved by the Reviewing Authority as specified in Section 21-6-3 during the preliminary and final plat, site plan and/or development plan review process.

~~I.~~ J. Use of Barbed Wire and Concertina Wire:

1. Barbed or concertina wire fences shall be prohibited in all zoning districts except in the General Industrial (I-2) District.

2. Barbed or concertina wire fences shall be allowed in the General Industrial (I-2) District if the barbed wire is located eight feet (8') or more above grade and a special permit has been considered and approved by the Reviewing Authority as specified in Section 21-6-3.

3. Barbed or concertina wire fences shall be allowed on temporary construction sites, provided that the barbed wire is located eight feet (8') or more above grade. Temporary barbed or concertina wire fencing located on construction sites shall be removed from the site at the time of final inspection, or a certificate of occupancy will not be issued.

~~J.~~ K. Maintenance: Every fence or hedge will be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any fence, or a portion of any fence, which is removed shall be restored to its original or upgraded condition relative to construction, material and finish whenever exposed to any street or any adjoining property.

~~K.~~ L. Other Residential Requirements:

1. Corner Lots and Key Lots:

   a. On a corner lot contiguous to a key lot, fences and hedges cannot exceed three feet (3') in height on the rear lot line extending ten feet (10') from the street. They also cannot exceed three feet (3') in height on the lot line along the street, extending ten feet (10') from the rear lot line.

   b. On a key lot contiguous to a corner lot, fences and hedges cannot exceed three feet (3') in height on the side lot line which contiguous with the rear yard of the corner lot, extending ten feet (10') from the lot line along the street.

2. Gates Required: In those instances where a fence is erected as an enclosure, which restricts access from the front to rear yard, a gate shall be a minimum of three feet (3') in width. The location of such ingress points shall be positioned at any point paralleling the front line between the side lot line and the principal structure.

3. Tennis Courts: Fencing of outdoor tennis courts may be chain link and shall not exceed sixteen feet (16') in height and shall conform to the principal building setback requirement of the zoning district.

4. Swimming Pools: All swimming pools shall be enclosed by the fences of a single-family residential building or by a solid fence, a chain link or wrought iron fence not less than five feet (5') nor more than six feet (6') in height. Chain link fences for swimming pools cannot be used as perimeter fences. If the design or the material of the fence or gate is such that there are openings, such openings shall be of a size to prohibit a spherical object four inches (4") in diameter from passing through or under the fence or gate. All gates shall be substantially the same height as the wall or the fence and shall be self-closing and self-latching and be constructed in such a manner as to prevent uninvited access.

5. Noise Attenuation Fence Required: Residential subdivisions which are adjacent to a transportation corridor shall erect a masonry noise attenuation fence between the homes in the subdivision and the transportation corridor. The fence shall be eight feet (8') in height and shall be constructed of a minimum of six inch (6") thick concrete block or earthen berm. A transportation corridor shall be defined as any ~~major~~ arterial street, truck route, Interstate 10 and the Union Pacific Railroad.