

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 252269)

Regular Meeting
9:00 a.m.
Thursday, April 17, 2025

Pinal County Administrative Complex
Emergency Operations Center
85 North Florence Street, Florence, Arizona

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1 MENNENGA: ...County Planning and Zoning Committee
2 meeting for April 17, 2025, and roll call.

3 KRAUSS: Chairman Mennenga?

4 MENNENGA: Here.

5 KRAUSS: Vice Chair Klob?

6 KLOB: Here.

7 KRAUSS: Member Hartman? Not here. Member Keller.
8 Member Lizarraga?

9 LIZARRAGA: Here.

10 KRAUSS: Member Schnepf?

11 SCHNEPF: Here.

12 KRAUSS: Member Davila? Not here. Member Mooney.

13 MOONEY: Present.

14 KRAUSS: Member Pranzo. Not here. Member Scott.

15 SCOTT: Here.

16 KRAUSS: We have a quorum. Got 1, 2, 3, 4, 5, 6.
17 Yes, we have a quorum.

18 MENNENGA: Okay, Planning Manager Report.

19 KRAUSS: Couple of things, Mr. Chairman. Good
20 morning, welcome public to our regular P&Z meeting. We
21 changed the - based on some comments we received at the last
22 P&Z meeting, we revised the general format of the staff
23 reports. I hope it's a little more streamlined, a little - we
24 put the motion and the stipulations right out front, except
25 for the first item, the tentative plat, and that's generated

1 by engineering, so we will go back and work with engineering
2 and come up with a more consistent format, that's why you
3 don't see a motion, but suggestion. So we'll work with
4 engineering and come up with a consistent format. And then
5 the assistant director, Todd, has made some changes and he'll
6 tell you about that - improvements I hope - and he's going to
7 let you about that and an upcoming retreat. So, I turn it
8 over to Todd.

9 WILLIAMS: Good morning, Mr. Chairman, Commission
10 Members, Todd Williams, Deputy Director of Community
11 Development. As you all know, I did send an email out late
12 yesterday. Just wanted to kind of help guide you with sort of
13 our new switch over in the technology to the iPad, so
14 hopefully you've all received that. Basically in that email,
15 I do talk about how, as Harvey said, we've kind of reformatted
16 the staff reports to kind of make it clear, here's what the
17 motions are, here's what the stipulations are. With the
18 agenda system we use called Novus, we're kind of restricted to
19 a certain extent, so in terms of formatting, the way that
20 works is it is a giant PDF document, but based on that email I
21 sent yesterday, I gave you some direction on how you can pull
22 out tabs. So essentially that will take you to the beginning
23 of each individual case and, you know, hopefully that'll help
24 you out today. We'll look at providing that information for
25 you moving forward with every case, so hopefully that will

1 assist you with getting to your motions and all that. As
2 Harvey had mentioned, we had talked about lining out a
3 Planning and Zoning retreat, so we have two potential dates
4 that we're offering up to you. If they work for you, we're
5 looking at both Thursday, May the 8th, as well as Thursday, May
6 29th. I don't necessarily need your feedback today, but if you
7 can email me back your preferred date, that would be helpful.
8 The intention would be that this would be a training that we
9 would do for all the Commission Members. We have two or three
10 that are relatively new to the Commission, and this is just
11 that regular update for those that have been around for a
12 while. So what we're going to do is we will have a binder put
13 together for you which we'll available on that date and we'll
14 discuss things such as, you know, open meeting law, Robert's
15 rules, looking at the Planning and Zoning Commission rules. I
16 know we've had feedback on those rules and there's a desire to
17 tweak those, so part of this workshop is we can take a look at
18 those things, provide you options, and then we can kind of
19 discuss where we want to take some of those things moving
20 forward. We're also gonna talk about some foundational land
21 use law cases which are important based on some of the issues
22 we deal with day to day here at the Planning and Zoning. But
23 yeah, if you could provide us your feedback on those two
24 dates. The intention right now is we're looking at a full
25 day, probably a 9 a.m. start, we will feed you lunch and then

1 we'll go potentially until four, but if we're done earlier,
2 we're done earlier. So if you could give us some thoughts on
3 those dates and if those work for you, that would be great and
4 we'll go from there. That's all I had, Harvey, I don't know
5 if our director has anything.

6 MENNENGA: Brent.

7 BILLINGSLEY: Just briefly. For the Commission and
8 for the applicants and public, we had an unfortunate discovery
9 yesterday wherein we were contacted by two different
10 applicants that are on the agenda today, where an outside
11 entity attempted - sent fraudulent emails requesting funds,
12 utilizing County branding, County employees' names, very
13 specific information about the cases which we believe came
14 from the County website regarding the public postings for
15 these cases. One of the applicants came forward yesterday
16 before noon, we immediately turned that over to the County
17 Attorney, to the sheriff and to County IT. That was followed
18 up with a second applicant making us aware that a similar
19 attack had occurred to them. We then placed phone calls to
20 all the applicants yesterday. It's being investigated to the
21 fullest that it can be from the different entities. I just
22 wanted everybody to be aware, especially those that are
23 applicants and folks in the public. So, that's all I had.

24 MENNENGA: All right. Anything else from anyone?
25 Okay.

1 KRAUSS: No, we don't have anything else, thank you.

2 MENNENGA: Okay, sounds great. Okay, first case is
3 a tentative plat S-019-24. Call to the public, okay, call to
4 the public. Yeah, anything on call to the public? All right,
5 I need to read something here. A call to public is a time
6 period for members of the public to address the Planning and
7 Zoning Commission on any item of concern or to provide public
8 input relating to subject matter within the Planning and
9 Zoning Commission's authority or its jurisdiction. During the
10 time set aside for the public comment on the agenda, the
11 Chairman will call forth individuals signed up. There's no
12 statutory requirement for a call to the public. It is a
13 privilege, not a right, and given at the discretion of the
14 Planning and Zoning Commission. I hope everybody understood
15 that. So, very good. All right, with that said, first case,
16 tentative plant S-019-24, and there we go.

17 ZUBI: Good morning Chairman, Commissioners.

18 BILLINGSLEY: Mr. Chairman?

19 MENNENGA: Yes?

20 BILLINGSLEY: Probably should close the call to the
21 public if nobody's interested before we jump right in. Is
22 there anybody from the public that would like to speak?
23 Probably should close the call to the public.

24 MENNENGA: So we're doing a general call to the
25 public before we open the meeting or at the beginning of the

1 meeting, okay. Is that something that's going to continue
2 every month?

3 BILLINGSLEY: That is completely up to the Planning
4 and Zoning Commission. It's not required, we haven't had one
5 in the past. There was a request to add a call to the public
6 on behalf of the Commission. That's one of the items we'll
7 discuss at the retreat.

8 MENNENGA: Okay. All right.

9 BILLINGSLEY: But Mr. Chairman, if you could close
10 call to the public.

11 MENNENGA: Well let's at this time to close the call
12 to the public. Thank you. Yes sir, go for it.

13 ZUBI: Chairman, Commissioners, good morning.
14 Muhannad Zubi, Assistant County Engineer with the engineering
15 department, presenting case S-019-24, which is a tentative
16 plat for Bella Vista Farms Unit 2, Parcels I and J. The
17 proposal is for 737 lots, Tracts A through H, and the zoning
18 was approved by the Board of Supervisors under case number PZ-
19 012-11 and PZ-PD-012-11 in 2012, and a minor PAD amendment,
20 PZ-PD-001-22 in 2024. This is the approximate location in the
21 County. This is a location map, and it's showing its location
22 north of Bella Vista Road. There's the alignment for Robert's
23 Road and the realignment of Schnepf Road, plus the Vista Verde
24 Trail, which is the loop that goes around Pinal. There's
25 pictures that I've taken out there in the field to show it.

1 An overhead picture of it. This is the two parcels, I and J,
2 they're zoned CR-2 and CR-3. Battery is out? Okay.
3 Comprehensive Plan shows it in San Tan Valley Special Area
4 Plan and it is as a Suburban Neighborhood CR-2, but that's the
5 Comprehensive Plan. The development standards. That table is
6 in the tentative plat on the cover, and the land use table is
7 also showing the minimums and the requirements. The next
8 slides are the tentative plat and the details of the tentative
9 plat, the proposed tentative plat. Then I have pictures that
10 I've taken in the field to show the location of it. This is
11 Vista Verde, the trail. I can go back and I'll show you where
12 this is at. This is the constructed area, this is already
13 developed, part of Bella Vista Farms. It's the - at the
14 bottom of that Vista Verde Trail and Schnepf Road, all that
15 area up to Robert's, the alignment, that's already been built.
16 And so I'm taking a picture looking to the west and to the
17 south just to show the already developed area. And then going
18 up to the north portion where the Vista Verde would connect
19 with Robert's alignment, this is looking west, looking south,
20 and this is the undeveloped area where the proposed tentative
21 plat will go. Looking north and looking south. We have
22 reviewed the tentative plat and determined, staff determined
23 that it does meet the requirements per code. If the
24 Commission moves to approve the tentative plat, there are 22
25 plus 1, plus 7 stipulations that are listed in there. I

1 apologize I didn't include them, as apparently is required.

2 We're engineering, we don't know all the details. We'll learn
3 them, and we'll do better next time.

4 MOONEY: Excuse me. I'm sorry.

5 MENNENGA: Commissioner Mooney.

6 MOONEY: Could you repeat the number of
7 stipulations?

8 ZUBI: There's 22, then plus 1, and then plus 7.
9 There's the first 22.

10 MOONEY: Okay.

11 ZUBI: And this is the one, and this is the
12 additional 7. So there's a total of 30. Any questions for
13 me?

14 MENNENGA: Any questions from the Commission on
15 anything? Any questions from the Commission?

16 ??: I have a question for you, Al. Sorry, just for
17 my own edification. The 22 stipulations are on this case?

18 ZUBI: It's on the zoning case.

19 ??: Okay, gotcha.

20 ZUBI: (Inaudible) 12.

21 MENNENGA: Okay, gotcha. Okay, all right. No
22 questions from anyone? Okay, applicant? Have you signed in?

23 SAMWICK: No, I'll do that right now.

24 MENNENGA: Please do. And give us your name and
25 address.

1 SAMWICK: My name is Brandon Samwick, I work with El
2 Dorado Holdings, representing El Dorado Bella Vista. Thank
3 you Commissioners and Chairman for your time, and thank you
4 staff for the report, and I have nothing else to add, but I'm
5 here to answer any questions that you guys may have.

6 MENNENGA: And address, your address.

7 SAMWICK: Oh, 1675 East Morten Ave., Phoenix,
8 Arizona.

9 MENNENGA: Okay, sounds good. Questions from the
10 Commission? Okay, all right, sound good. We don't do public
11 hearings on tentative plats, so I'll bring it back to
12 Commission, so name your poison. You have no response for
13 anything? Okay, all right. Okay.

14 KLOB: Through the Chair.

15 MENNENGA: Commissioner Klob.

16 GAREY: Mr. Chairman, that case A is agendized as a
17 public hearing and action. So I guess my suggestion would be
18 you could open up a public comment period if there was
19 something, and it wouldn't necessarily be the public hearing
20 portion. That would be my suggestion.

21 MENNENGA: Okay. We'll open up the public hearing
22 portion for case S-019-24, anyone to speak to this case?
23 Anyone at all? Okay, with no one, we'll close the public
24 hearing portion for case S-019-24 and come back to the
25 Commission. Commissioner Klob.

1 KLOB: Through the Chair. I'd like to send a
2 favorable - I'm just drawing a blank here now. Favorable
3 recommendation for tentative plat S-019-24, with the 30
4 stipulations to the Board of Supervisors.

5 MENNENGA: Second?

6 ??: Second.

7 MENNENGA: Second. All in favor?

8 COLLECTIVE: Aye.

9 MENNENGA: Any opposed? Okay, motion passes. Thank
10 you. Okay, new cases. Special. Case SUP-024-23. Staff,
11 Pat.

12 ZAIA-ROBERTS: Good morning Chair, Vice Chair,
13 Members of the Commission, Patrick Zaia-Roberts, Senior
14 Planner, here presenting case SUP-024-23. This is a special
15 use permit to allow for a commercial kennel on a property in
16 the GR zoning district. The property is 2.5 acres in area and
17 the property's located at 53480 West Bowlin Road in Maricopa.
18 The applicant for this case is Cathy Roe, the landowner, and
19 this is located within Supervisor District 1. If you can go
20 to the next slide. This is a map showing the approximate
21 location of the site on the western side of the County in the
22 Maricopa area. This is a zoning map showing the surrounding
23 properties. The property is GR and surrounded by GR
24 properties on all sides. This is a vicinity map showing the
25 surrounding areas. Maricopa to the northeast, some SR

1 properties to the southeast, additional GR properties on all
2 sides. This is an aerial map looking down on the site of the
3 neighboring properties. And this is the notification area of
4 affected neighbors who were contacted regarding this case.
5 This is an image looking north on the property at the notice
6 broadcast sign. North onto the site itself. North from the
7 west side of the property. South from the west side of the
8 property. South from the south frontage of the property.
9 West from the south frontage of the property. West from the
10 west side of the property. And looking east from both - this
11 is a, the larger image is looking east from the south frontage
12 of the property and east towards the property towards the
13 block fencing. This is a site plan that the applicant has
14 provided showing the as-built conditions of the kennel on the
15 property. This is one of the five kennels that we previously
16 discussed under the Condition O criteria of the special use
17 permit provisions. As you can see, the kennel structures
18 surround the property on the west and north sides of the
19 property, with a residential structure towards the front on
20 the south side. So staff prepared this slide kind of
21 discussing the zoning applicability of our request to allow a
22 kennel use on the property through use of a special use
23 permit. This is a comparison of the two zoning categories in
24 question - GR, which this property possesses, and RU-1.25.
25 Just to kind of summarize the contents of these two, they have

1 very similar uses allowed: one-family residential, commercial
2 agriculture uses, livestock uses, public and quasi-public
3 uses, and associated accessory buildings, public stables, all
4 these are kind of matching use types that can be identified
5 between GR and RU-1.25. This next slide kind of discusses the
6 SUP utilization and how we are implementing the Condition L.
7 The top section here on the special use permit just discusses
8 the zoning categories that are applicable to the Zoning O
9 category, which include the zoning categories that were
10 established prior to the 2012 adoption of the new zoning
11 codes. The second section is the allowances for - or sorry,
12 under that top section under item 2, special uses are
13 specifically discussed for RU-10, RU-5, RU-3.3, RU-2, RU-1.25,
14 under their specific zoning provisions and discussed in their
15 individual code sections. So jumping down to the RU-1.25
16 section, there is a discussion of special uses allowed under
17 this zoning code which has similar use types, which allows
18 commercial kennels as I've identified there on the red square.
19 Towards the bottom of this slide, we have the SUP development
20 standards, for lack of a better term, which is a provision
21 under the initial section for special use permits under sub-
22 item B, allowing SUP general provisions. 5. An SUP
23 authorizes a use to be developed in a particular way as
24 specified by the permit and its conditions. 6. An SUP imposes
25 on the applicant the responsibility of ensuring that the

1 authorized special use continues to comply with the conditions
2 of the permit as long as the permit remains valid. And 7. An
3 SUP shall be valid for the duration of the special use,
4 provided the use remains in conformance with the conditions
5 and approval and is not discontinued for 12 consecutive
6 months. And then finally 8. Issuance of an SUP does not
7 relieve the applicant from the responsibility of obtaining
8 site plan approval, a building permit or any other permit or
9 approvals as required by any other applicable law. So some
10 items for Commission consideration. The property is one of
11 five similar existing commercial kennels proposed before the
12 Commission for SUP action during the January 18, 2024 Planning
13 and Zoning Commission meeting. The property is located
14 amongst other properties with rural and agricultural uses and
15 animal husbandry operations. The commercial kennel use is
16 existing and does not present an impact to public health,
17 safety, or welfare. The proposed SUP is compliant with
18 standards of the GR zoning district and is comparable to the
19 RU-1.25 zoning district, and offers commercial kennels as
20 allowable through approval of a special use permit. The SUP
21 approval shall make compatible the existing use with
22 surrounding land uses. The kennel business classifies as a
23 501(c)(3) non-profit in this case. The property features
24 improvements to accommodate the kennel use. That kennel use
25 has been in operation since 2020 and no change is proposed on

1 the property. And this property was subject to a code
2 compliance case under CC-0215-22. The applicant was proactive
3 in seeking to resolve the code compliance violations on the
4 property, which led them to this application at this time.
5 The applicant has identified a business niche and articulable
6 need within the community. And to date, staff has received no
7 letters of support or opposition for this case. Staff
8 forwards this case with 12 proposed stipulations, with an
9 amendment to stipulation 5 revising that stipulation language
10 to a rescue operation instead of a breeding operation. And
11 amendment to stipulation 6 to reference the correct case
12 number. If you could advance to stipulation 5. Commercial
13 kennel shall be limited to rescue operations as described in
14 the application narrative. Expansion of commercial kennel
15 uses shall be contingent upon amendment to the approved SUP by
16 the Board of Supervisors. And 6. SUP-024-23 shall meet
17 Lighting Zone 1 requirements. At this time, does the
18 Commission have any questions of staff?

19 MENNENGA: Questions from the Commission?

20 Commissioner Mooney.

21 MOONEY: Can you go back to the overhead image of
22 the property? Yeah, right there. So are these kennels all
23 right up against the wall? Weren't there setbacks required
24 for -

25 ZAIA-ROBERTS: So these all were installed without

1 permits at the time. The purpose of this SUP is to try and
2 bring them into compliance, and the intention would be to not
3 require them to set back those kennels any additional. They
4 do have an existing CMU block wall surrounding the entire
5 property.

6 MENNENGA: Okay.

7 MOONEY: Oh, I do have one other question, I'm
8 sorry. Capacity. What is their max capacity for the number
9 of dogs that's a rescue?

10 ZAIA-ROBERTS: The applicant could speak to that
11 number, but due to the zoning nature of this, staff hadn't
12 inquired into the capacity of the number of dogs allowed on
13 the property.

14 MOONEY: Okay, thanks.

15 MENNENGA: Commissioner Scott.

16 SCOTT: That was my same question, is what the
17 capacity - max capacity - would be of this property being it's
18 only two and a half acres.

19 MENNENGA: Anyone else?

20 KLOB: Through the Chair.

21 MENNENGA: Commissioner Klob.

22 KLOB: Go ahead.

23 SCHNEPF: Okay. Under RU-1.25, is there a max
24 number?

25 ZAIA-ROBERTS: Not defined, no.

1 MENNENGA: Commissioner Klob.

2 KLOB: Through the Chair. I kind of share the same
3 question as Commissioner Mooney regarding the setbacks. What
4 would be standard setbacks for kennels?

5 ZAIA-ROBERTS: So the kennels, in this case, GR
6 doesn't allow them as a permitted use. RU-1.25 also does not
7 allow them as a permitting use, but under an SUP that can be
8 utilized as a use. But there are no standards that are
9 defined that require any specific setbacks for those kennels.
10 All those - if we can go back to the slide regarding SUP
11 applicability - utilization, excuse me. Next slide.
12 Development standards. So an SUP authorizes a use to be
13 developed in a particular way as specified by the permit and
14 its conditions. Ultimately, it's up to the Commission to
15 determine if this meets standards that you would deem
16 acceptable, which is why we have a requirement under SUP
17 applications to submit a site plan, which they're required to
18 develop by.

19 KLOB: Second question I had is, what's the lot size
20 of this property?

21 ZAIA-ROBERTS: 2.5 acres.

22 KLOB: 2.5. So this exceeds the 1.25.

23 ZAIA-ROBERTS: Correct.

24 KLOB: So, okay.

25 MENNENGA: Brent.

1 BILLINGSLEY: Sorry, but I think it's appropriate if
2 I ask a question. One of the things that Patrick stated in
3 his report is that no permits were applied for for the
4 kennels. Unless they're structures, they don't have to apply
5 for a permit, and if the fences aren't over seven feet high,
6 they don't have to apply for a permit. I just wanted to make
7 that clear. I haven't seen the property, Patrick, but is that
8 a true statement?

9 ZAIA-ROBERTS: It is. I believe it would kind of
10 depend on the building safety's determination of these
11 structures, whether they would need permits, whether they
12 could classify as conjoined structure for all those kennel
13 uses, or if they're individual units that would require no
14 permits.

15 MENNENGA: Okay, any other questions from the
16 Commission? So the applicant, please. Please sign in, give
17 us your name and address.

18 ROE: Hi, my name is Cathy Roe and my address is
19 53480 West Bowlin Road in Maricopa.

20 MENNENGA: Okay. And if you - go ahead, I'll be
21 quiet.

22 ROE: Well, first of all, I'd like to thank you for
23 hearing the SUP for today, and I would like to address the
24 question about the setbacks. Our wall is well within the
25 property lines. I can't tell you exactly, but like the

1 original fence that was there was at least 25 feet from the
2 property line on the north side. And then we're about 3 to 5
3 feet on the two sides, east and west. And then in the front,
4 the property line is half of Bowlin Road. So we are well
5 within the property lines where we built the wall. And the
6 other thing is that we were told that if they're open kennels,
7 that they're not required to have a setback. So we have wood
8 on the sides, the block in the back, and then chain link in
9 the front. As far as shading, we use like cloth shading. And
10 we have recently built eight by eight structured shadings so
11 that the dogs can go in and have some shade. So I think that
12 should answer the question about the setbacks, I hope.

13 MENNENGA: Can you just give us a real quick brief
14 description of what you do?

15 ROE: Okay, we've been a dog rescue since 2014.
16 We've been at 501 3c since 2015. We have approximately 90
17 foster homes, but the idea of the ranch - that's what we call
18 it, our rescue ranch - is for dogs that fosters have returned,
19 that have nowhere to go. We do have some feral dogs there and
20 other unadoptable dogs. We have a lot of adoptable dogs
21 there. Right now there's about 75 dogs there, and I would say
22 80 percent of them are adoptable dogs. They go out to other
23 locations for adoption events like PetSmart, Petco, Odyssey,
24 you know, just different adoption events around the Valley.
25 We are based in Pinal and Maricopa counties and we service

1 both areas. So that's a little bit about our history.

2 MENNENGA: Okay, understand. And you actively, I
3 hate to say pursue, but are involved in getting these dogs
4 adopted out.

5 ROE: Yes.

6 MENNENGA: (Inaudible) sounds like. I mean, that's
7 -

8 ROE: Yes.

9 MENNENGA: Okay, no I understand. Thank you. Okay.
10 Any questions from the Commission?

11 MOONEY: Just one.

12 MENNENGA: Commissioner Mooney.

13 MOONEY: So what would be your max that you've had?

14 ROE: I would say the max is 80, we try to keep it
15 under 70. But in cases of emergencies or where we have to
16 take extra dogs because a foster has returned them, I would
17 say our very max is 80.

18 MENNENGA: Okay, all right. Any other questions?

19 SCOTT: I got a question.

20 MENNENGA: Yeah, Commissioner Scott.

21 SCOTT: You know, with having 70 to 80 dogs on your
22 property, what's noise level like out there?

23 ROE: Well, the wall has helped it a lot. So, we
24 haven't had any noise complaints from any of the neighbors. I
25 mean most of the neighborhoods knew that that's what we were

1 buying the property for. The person that sold us the property
2 knew it. And in the beginning this was a family property,
3 like all the properties around were all family, so everyone
4 knew that that was the purpose of us purchasing the property.

5 SCOTT: What are you doing to minimize the odor that
6 come from animals?

7 ROE: Well, we rake out the enclosures everyday. I
8 have two men that live on property and they rake out the
9 enclosures everyday and throw away the feces. We do have
10 trash pickup twice a week, you know, where they - we have a
11 dumpster, and they come pick it up twice week. And we
12 recently installed seven tons of quarter minus gravel that
13 will help with odor control and dust.

14 SCOTT: So when it rains, does the water stay
15 contained on your property or does it exit?

16 ROE: It exits. When we had the wood fencing, some
17 did stay on the west side, but now that we have the block
18 wall, it's got the drainage holes on the bottom, so we don't
19 have water that stays in.

20 SCOTT: Thank you.

21 MENNENGA: Okay, anyone else? Okay. All right,
22 well thank you for your comments, and we need to open the
23 public hearing portion of case SUP-024-23. Anyone wishing to
24 speak, we do limit that with a timer to three minutes. So I -
25 Bettina.

1 POTTER: Bettina Potter, I live at 11918 East
2 Mariposa Grande Drive, North Scottsdale.

3 MENNENGA: Have you signed in?

4 POTTER: I signed a comment card.

5 MENNENGA: Oh okay, I got you. Okay, we got it
6 here.

7 POTTER: Do I need to sign this too? I want to play
8 by the rules.

9 MENNENGA: You're good.

10 POTTER: Okay, great. Good morning Commission,
11 staff, thank you for your report. Couple of things about our
12 rescue that I'd like you to know, is that we have a Pets for
13 Vets and first responders program, and many of the dogs at the
14 ranch qualify for that program in which our fees are waived
15 for those individuals that come to us and want to adopt a dog.
16 So that's a very critical point for our rescue. We want to
17 make sure that we're paying it forward, if you will. We also
18 have a Last Litter Program. So our tagline of no mom left
19 behind is that we literally will not leave a pregnant mama or
20 a mama that has just given birth behind anywhere to have
21 anything negative happen to it. So we take those into our
22 rescue. And we offer a Last Litter Program to the people that
23 surrender their dogs to us so that we can stop the
24 overpopulation of pets caused by humans. And that's a
25 critical part of our rescue as well. Last year we adopted out

1 1,000 dogs. So it - and we are a nonprofit. This is an
2 emotional mission for us and an important one for the dogs, of
3 course, but also for those lovely families that are getting
4 adoptable dogs that are already ready to go to people's homes.
5 We provide the medicines, the shots, the counseling if they
6 need it, the training if they need it, and we - and no dog is
7 adopted out that hasn't been altered. And if they cannot
8 physically be altered yet, our contract says that they must be
9 altered within six months or we bring the dog back into our
10 rescue. So those are some critical things that I think is
11 important for you to understand. Also, I will say that the -
12 we have a wonderful ranch manager onsite often, and she's been
13 with the rescue for many, many years and knows her stuff
14 around dogs and managing dogs and being able to deal with any
15 situations that come up. So that's important for, I think,
16 for the ranch and for y'all to understand that we have great
17 management there. Any questions for me?

18 MENNENGA: Okay, thank you very much. Tina
19 Morrison.

20 MORRISON: Hi, my name is Tina Morrison, I live in
21 the city of Maricopa, and I'm here today to represent Arf-
22 Anage Dog Rescue. Thank you Chairman and Members of the
23 Board. Thank you for the opportunity to allow me to speak. I
24 have not spoken in public before, so please bear with me. I'm
25 here because this rezoning decision means everything, not just

1 to me, but to our community and to Pinal County as a whole.
2 The property we're discussing, known as the ranch, is the
3 heart of our rescue. It's where we care for the dogs no one
4 else can or will - the scared dogs, the ones pulled from the
5 euthanasia list, and those that aren't suited for foster homes
6 yet. They come here to find safety and healing. This
7 rezoning request isn't about growth or profit, it's about
8 survival. Survival for the dogs and survival for the system
9 that's already stretched to its limits. If this rezoning
10 request is denied, the ranch will no longer be able to
11 function - sorry - be able operate, and the burden of that
12 doesn't disappear, it will fall directly onto Pinal County
13 Animal Control and surrounding shelters. We all know the
14 reality: Shelters are full, staff are overwhelmed, and hard
15 decisions are being made every single day. When rescues like
16 ours lose ground, it means more dogs entering a system that
17 simply doesn't have room. More animals sitting in kennels
18 with no end in sight, more stress on County resources, and
19 tragically more lives lost - not for a lack of compassion, but
20 for lack of space. We are also working to address the crisis
21 that has been growing for years. As Bettina mentioned, our
22 last litter program. It's one example. We take in entire
23 litters of puppies, but in return, we don't always take the
24 moms. We take the moms and we fix them and we vaccinate them,
25 we give them back to the owners at no cost to them. This is

1 to help people who can't afford to fix their dogs and to stop
2 the overbreeding and the breeding that all those puppies are
3 going to continue to breed. We see it over and over again in
4 rescue. We've made major improvements to the ranch as Cathy
5 talked about. Our brick wall cost us over a hundred thousand
6 dollars. We've done so many improvements that for us to
7 relocate is not an option. We've spent so much time and money
8 doing this. Approving this rezoning, it means choosing chaos
9 over crisis - collaboration over crisis. It means supporting a
10 facility that reduces the burden on County shelters. It means
11 giving dogs who have been failed by the system one last chance
12 at life. And it means recognizing that solutions don't always
13 come from the government, they come from extraordinary people,
14 everyday people doing extraordinary things. I'm sorry, I've
15 not ever spoke in public before. We're not asking for
16 handouts. We're already doing the hard work. We're doing it
17 with our own time and our own money and with our whole hearts,
18 you guys. We want to be part of the solution. All we need is
19 a chance to keep going. Thank you for your time.

20 MENNENGA: Any questions?

21 MORRISON: Yes, sorry.

22 MENNENGA: Okay. Oh, oh go ahead, Tom.

23 SCOTT: Do you have staff onsite 24 hours a day?

24 MORRISON: We do. We have two men that live onsite
25 24 hours, the dogs are never left alone, and we have the ranch

1 manager who is there during Monday through Friday operating
2 hours, but she's on call 24/7. And we another worker that
3 comes in during week hours. So we have four staff members
4 right now and a maintenance guy.

5 MENNENGA: Commissioner Mooney.

6 MOONEY: Just for clarification, multiple times you
7 said rezoning and so we're really not - we're not rezoning,
8 we're just doing a temporary SUP, correct?

9 MENNENGA: It's a special use permit.

10 MORRISON: I apologize, I was under the impression
11 it was a rezoning for commercial.

12 MOONEY: Yeah, no, I just wanted to be clear on
13 that. Is that correct, Patrick?

14 ZAIA-ROBERTS: It is, yes. It would be an SUP as
15 long as operations continued.

16 MORRISON: Sorry.

17 MOONEY: We're being recorded and live streamed and
18 I just want to make sure the verbiage is correct here.

19 MORRISON: Thank you.

20 MOONEY: Sorry.

21 MENNENGA: Thank you.

22 MORRISON: Thank you so much. Thank you guys.

23 Andrew Sutton.

24 SUTTON: Hello, my name is Andrew Sutton, I live in
25 Eloy, Arizona, and I am currently the Mayor of Eloy. I'm here

1 to support Arf-Anage Dog Rescue. This is an organization that
2 is run with compassion, and they abide by all the animal
3 control regulations and licensing that they have. This is a
4 charity and does not cost Pinal County for its operation or
5 services. These dogs are cared for and treated with respect,
6 and they have really no impact on the surrounding community.
7 As you saw by the pictures, it really isn't anybody very close
8 to that area. Forcing this rescue to close will squarely rest
9 the burden of these animals on the back of Pinal County, an
10 already stretched thin entity. So why is the Mayor of Eloy
11 here to talk about a dog rescue located out in County land?
12 Well, Eloy pays Pinal County Animal Rescue and Animal Control
13 for, is what I mean - we pay them a lot of money to help with
14 the animal control in our city. To put all these dogs into a
15 system that is already stretched thin is really not a good use
16 of anybody's money. So I urge you to allow this rescue to
17 continue and to operate, and save dogs. It's a human fault,
18 not the dog's fault, that the reason we're here today. And I
19 thank you.

20 MENNENGA: Thank you. Any questions? Okay.

21 Madison Morrison. No Madison. Okay. All right, I
22 understand.

23 ??: She doesn't want to speak.

24 MENNENGA: She doesn't want to speak. Okay, I
25 understand. Okay. All right, anyone else to speak to this

1 case at all? SUP- 024-23? Anyone at all? And with that we
2 will close the -

3 BILLINGSLEY: Mr. Chairman, ask if - open the public
4 hearing. Yeah, that would help. Thank you.

5 MENNENGA: I did. We did.

6 BILLINGSLEY: We just want you to use the proper
7 form instead of does anybody want to talk? Just say I want to
8 open the public hearing, if that would be okay, for the
9 record.

10 MENNENGA: Okay. All right. I understand. So
11 okay, anyone else? Okay, at this time we're going to close
12 the public hearing portion for this case and come back to the
13 Commission.

14 SCHNEPF: I have a question for the applicant.
15 What's the turnover rate for the dogs? How long are they in
16 the kennel before they either get adopted or placed?

17 ROE: I think the average is 69 days, and I got that
18 from our Shelterluv program, which is our software database.

19 SCHNEPF: Okay.

20 ROE: Some have been there - I mean I'm not going to
21 lie - some have been there for up to four years because we
22 brought in some feral puppies, they were four months old, they
23 were never socialized. I mean they went into foster in the
24 beginning and they couldn't be socialized, so they reside at
25 the ranch. And so they have been there four years, but the

1 average is 69 days.

2 SCHNEPF: And what is your kind of like - for lack
3 of better word - conditioning, like time that you spend with
4 each of the dogs?

5 ROE: Well, the guys are out there everyday taking
6 care of the dogs and socializing with the dogs, so I would say
7 average time per day is approximately an hour per dog. We
8 also have a play yard where we bring them out so that they can
9 get some exercise. And our kennels are like 24 by 20, with
10 two dogs per kennel, so it's not a small area. I mean we do
11 have some like only dogs that, you know, can't be with other
12 dogs, and their area is 10 by 10. But they do come out to the
13 play yard. We have a, I think it's 50 by 30 play yard, so
14 they can come out and get, you know, be able to run around.

15 SCHNEPF: With other dogs or?

16 ROE: By them - well, the only dogs have to be by
17 themselves, but if they're friendly dogs. then they can run
18 with other dogs.

19 SCHNEPF: Okay.

20 ROE: Yeah. Pinal County Animal Control was the one
21 that required the enclosures. When we first started the
22 rescue, for the first year they were all free roaming, which
23 is what I prefer. I mean, we had 40 dogs free roaming
24 together and they, for the most part, got along. We did have
25 some kennels for the only dogs, but for the most part they

1 were free roaming in the property.

2 SCHNEPF: Okay. And no opposition whatsoever from
3 any of the neighbors around there in support of.

4 ROE: Well, before the wood fence went up - because
5 when we bought the property, it only had like a three and a
6 half foot fence. So some of the dogs did escape and there
7 were problems then, but we immediately built a wooden fence,
8 and when we realized that that was not sustainable, then we
9 built the block wall.

10 SCHNEPF: Okay. To contain and -

11 ROE: Yes, to keep them all in.

12 SCHNEPF: Okay.

13 ROE: So yeah, we haven't had any opposition. We
14 did have our neighborhood meeting and everybody that came was
15 in favor of the rescue, and the most comments were as long as
16 you stay on your property, you can do whatever you want.

17 SCHNEPF: And in your opinion, you think with that
18 many dogs - 70 to 80 or whatever the average was - that
19 they're well taken care of?

20 ROE: Yes, yes. They're all in very good health.
21 Animal Control has done many spur of the moment checks and
22 they have always approved. And we have had a kennel license
23 since 2020 at that property.

24 SCHNEPF: Okay, thank you.

25 ROE: You're welcome.

1 MENNENGA: Anyone else? Or a motion?

2 MOONEY: I'll make a motion.

3 MENNENGA: Please do.

4 MOONEY: I move that the Planning and Zoning
5 Commission forward a recommendation of conditional approval of
6 case SUP-024-23 to the Board of Supervisors, subject to the 12
7 stipulations with the two corrections. Do I need to read
8 those in?

9 ??: They were already read into the record, so I
10 think you're good, Commissioner.

11 MOONEY: Thank you.

12 KLOB: Second.

13 MENNENGA: Second. Okay, any further discussion?
14 Everyone in favor?

15 COLLECTIVE: Aye.

16 MENNENGA: Any opposed? Well congrats.

17 ROE: Thank you very much.

18 MENNENGA: You bet.

19 BILLINGSLEY: Sorry for interrupting again, Mr.
20 Chairman. We had two requests. First request is, apparently
21 our cameras aren't working for our streaming, so IT's
22 requesting if we could take a 10 minute break so that they
23 could work on the cameras, they would appreciate it.
24 Secondly, Ms. Rose from Rose Law Group requested that the
25 last two items on the agenda be moved forward due to time

1 commitments. Of course, that's up to the Commission and the
2 Chairman.

3 MENNENGA: I don't - in light of what we discussed
4 earlier, I don't see a problem with that, but I, you know,
5 it's basically a continuation. Okay, we'll take a 10 minute
6 break and see if we can get everything fixed.

7 [Break]

8 MENNENGA: We're going to move the last two cases
9 forward, so case PZ-005-24. Pat.

10 ZAIA-ROBERTS: Good morning Chair, Vice Chair,
11 Members of the Commission. Again, Patrick Zaia-Roberts,
12 Senior Planner, here for a very short presentation for Rio
13 Blanco. So just kind of jumping into the item. So staff is
14 requesting a continuance to the May 15th meeting of the
15 Planning and Zoning Commission to ensure sufficient notice was
16 provided to neighbors. There was some question regarding that
17 item. Staff would request that this item be open for public
18 comment and any comments that could then be provided in a case
19 file for Commission review prior to the May 15th public
20 hearing.

21 MENNENGA: Okay, thank you.

22 GAREY: So my suggestion, depending on how you want
23 to handle this, Mr. Chairman, is to open up - continue the
24 case - or open up the public comment and then allow - keep the
25 public comment period open, and then continue the cases to the

1 May 15th date.

2 MENNENGA: Right, okay. At this time, we would like
3 to open the public hearing comment. Quick question, there's
4 two cases here? Okay.

5 ZAIA-ROBERTS: That's correct.

6 MENNENGA: So we're going to open the public hearing
7 comment.

8 GAREY: You can handle those together if you'd like
9 to the public comment.

10 MENNENGA: For the case PZ-005-24 and PZ-PD-003-24.
11 Anyone want to speak to this case? Okay. So we're going to
12 leave the public hearing portion open at this point and gonna
13 move forward with a possible motion for continuance.

14 GAREY: This is a suggestion, I would make a motion
15 on each case individually.

16 MENNENGA: Correct, correct. Yeah, we need to do
17 two motions. Commissioner Schnepf.

18 SCHNEPF: I'd like to make a motion to the
19 Commission to continue case PZ-005-24 to the - it's the next
20 meeting, correct? And that, do we have a date on that?

21 ZAIA-ROBERTS: May 15th.

22 MENNENGA: May 15th.

23 SCHNEPF: To May 15, 2025.

24 MENNENGA: And a second?

25 MOONEY: Second.

1 MENNENGA: Everyone in favor?

2 COLLECTIVE: Aye.

3 MENNENGA: Any opposed? Okay, next case.

4 SCHNEPF: I'd like to have a motion of a case
5 continuance of PZ-PD-003-24 to the May, what was that again?

6 ZAIA-ROBERTS: 15th.

7 SCHNEPF: 15th, 2025 Commission meeting.

8 MENNENGA: Second?

9 MOONEY: Second.

10 MENNENGA: And everyone in favor?

11 COLLECTIVE: Aye.

12 MENNENGA: Any opposed? Okay, there you go. All
13 right. Okay, next case is three cases together on the - it's
14 a rezone, I believe, case PZ-PA-015-24. Ms. Sangeeta.

15 DEOKAR: Good morning Chairman, Vice Chair,
16 Commission Members, Sangeeta Deokar, Planning Supervisor,
17 presenting the case. There are three cases under Selma Energy
18 Center, one is the land use change, the second is the rezone,
19 and the third is the PAD overlay for the same area. So
20 basically the three proposals, the first one is a Non-Major
21 Comp Plan Amendment requesting for a land use change for 260
22 plus acres from Employment to Green Energy Production. The
23 rezone is, again, for the same acreage from GR to I-3/PAD and
24 a PAD overlay for the same 260 plus acres. As stated, the
25 size is 260 acres which has four parcels. Location is

1 southeast corner of South La Palma Road and East Cornman Road
2 in the unincorporated Pinal County. The owner is Sharon Buell
3 Family Revocable Living Trust and the owner is Edward Ricks.
4 We have the applicant/agent Ralph Pew from Pew & Lake PLC.
5 This is the County map showing the location of the proposed
6 energy center. One can see that it is in central Pinal. The
7 vicinity map shown over here with red as the project area and
8 one can see that it is pretty much to the north and south
9 portion, which is developed, but vacant at this point. One
10 can see that from the aerial pictures. And this picture
11 basically shows the agricultural land that is being now
12 proposed for a change. The north portion is the City of
13 Coolidge and to the south, immediate south, is unincorporated
14 Pinal and to its south is the City of Eloy. One can see that
15 this is a County island, the unincorporated Pinal County,
16 which is surrounded by these incorporated cities to the north
17 and south. Case map showing the extent and the buffer that
18 the property owners around 600 feet were intimated to the
19 north, again, Coolidge and South Eloy. Immediate south
20 portion has GR zone and private land to a portion on the east
21 and to the west. The case map land use showing existing
22 Employment represented in purple, which is the next map
23 showing the purple which shows the Employment across, along
24 the 87 as the corridor, the Employment corridor, along the
25 major routes, transportation corridors. Some site conditions.

1 The site location and surroundings, it's agricultural land,
2 parcels are irrigated farmland. Flat topography, Flood Zone X
3 with minimal flood hazard. No native habitats that are
4 supported in this. The AZ Game and Fish report stated no
5 endangered species. It's surrounded by the City of Eloy and
6 Coolidge, as shown earlier. Again, project overview. The
7 area is 260 acres in the Pinal County unincorporated area;
8 however, 792 acres of the larger Selma project is in the City
9 of Coolidge. So it is a total project of 1,052 acres. The
10 capacity is 150 megawatt of photovoltaic solar project with
11 the battery energy storage; however, the components for the
12 Pinal County portion has the solar field and the collection
13 lines for the solar facility. So this is, again, a map
14 showing the portion to the north, which is the City of
15 Coolidge, and the portion to the south, which is requesting
16 the land use change and the rezone and a PAD. The map on the
17 right shows the City of Coolidge with 792 acres, where there
18 are approved conditional use permits under the numbers that
19 have been provided, CUP18-05, CUP18-10. Employment land use
20 currently lacks some of the aspects that would support the
21 Employment, which is access to workforce, transportation
22 access, infrastructure, which is water, sewer, transportation,
23 proximity to market, which is goods and services, business
24 amenities that support Employment, which is hotels or
25 restaurants. Quality of life, which is we're talking about

1 education, recreation, open space and access to health care.
2 So factors to consider change in land use from Employment to
3 Green Energy Production are major factors. Adjacent land use
4 which is City of Coolidge, with approved CUPs, and existing
5 energy infrastructures with solar facilities, substations, and
6 transmission lines that make this kind of an ideal location
7 for the solar. Some items for consideration for rezone and
8 PAD are the companion applications that are - these are
9 companion applications to the land use change. Location of
10 this parcel, you can see that it is a County island surrounded
11 by the City of Coolidge and Eloy. The Green Energy Production
12 land use classification allows only I-3 zoning for the solar
13 projects. So I-3 is what has been requested. The PAD overlay
14 basically restricts any other uses and allows only solar uses
15 for this project and associated infrastructure. There's no
16 changes to the development standards for I-3 zoning. And the
17 rezone for 260 acres as stated earlier is part of a larger
18 solar facility which extends into the City of Coolidge. Some
19 items for consideration for rezone and PAD, again, this is
20 giving you the utilities and service providers within the
21 area. The landscape buffer that has been shared as a draft by
22 the applicant shows the buffers all around this project area.
23 It has a seven feet chain link fence with 50-foot buffer
24 landscape provided with some options which are stated here.
25 They would be further finalized at the site plan level when it

1 comes back for site plan permits. Some pictures along La
2 Palma north. South towards the property East along Cornman
3 Road. And west along Cornman Road. Site postings,
4 photographs taken. Staff ensured public outreach and notice
5 requirements per code. Agency mail outs were sent. We
6 received one letter of opposition from the City of Eloy late
7 evening, yesterday. Property mailers, we received no letters
8 of opposition. Web post on a notice of hearing page was made,
9 site postings done, and newspaper publications taken care of.
10 Some of the reasons that the City has Eloy has shared some
11 concerns, and therefore shared denial reasons are that no
12 utility scaled solar facilities to the north of I-10, as per
13 their ordinance that was passed by the City Council, 23-950.
14 The land use for city of solar is designated for Estate
15 Residential and so in conflict with the future land use to the
16 south and east. Lack of fire service coverage, where its
17 regional fire and rescue department, which as stated in the
18 letter. Also, they have shared concerns for development
19 standards for buffering, landscaping, and the facility
20 screening that are inadequate abutting less intense use for
21 adjacent parcels. Three separate motions would be required if
22 the Commission entertains motions as stated. We are
23 requesting removal of two stipulations, number 10 and 11, as
24 staff has wanted - we have some concerns for right-of-way
25 dedications and I would let the County Engineer talk about

1 that more if there are questions from the Chairman and
2 Commission. And I have also shared the stipulations here, and
3 for the record, the stipulations that have been requested to
4 remove are the 10 and 12 also shown on the screen out here.
5 Yeah, staff is open for questions if the Commission has any.

6 MENNENGA: Any questions from the Commission?

7 KLOB: Through the Chair.

8 MENNENGA: Commissioner Klob.

9 KLOB: Sangeeta, can you talk about those two
10 stipulations and why they're being removed?

11 DEOKAR: Yes, I would request our County Engineer to
12 talk more about it, Chris Wanamaker.

13 KLOB: Very good, thank you.

14 WANAMAKER: Good morning Chairman, Vice Chairman,
15 and Members of the Commission. So those two stipulations have
16 to do with a request for right-of-way dedication. Those, as
17 shown, are actually written incorrectly, and as we had gone
18 through the process with the applicant, we had actually
19 determined that these dedications were not needed, they
20 somehow inadvertently had left the stipulations on there. So
21 a couple of things to consider. These two roads, La Palma and
22 Cornman, they're not in our five-year plan for improvement and
23 they're not in a long range plan for improvement. There's no
24 proportionality between the requirement to dedicate these
25 right-of-way and improve them with respect to the impacts of

1 this facility as proposed. Cornman is actually in Coolidge's
2 city limits and they actually own the road, so even if there
3 were dedications, it wouldn't be to the County. And the other
4 challenging factor is there are federal easements for power
5 and irrigation that encumber what would have been the future
6 right-of-way and that would be quite difficult to manage, and
7 then we wouldn't even be able to build a road there anyway.
8 So for all those reasons, we're just requesting that those two
9 stipulations be removed. So is there any other questions?

10 KLOB: (Inaudible).

11 MENNENGA: Interesting. Anyone else? Commissioner
12 Mooney.

13 MOONEY: Yeah, can you just elaborate a little bit
14 more on if that road is in the City of Coolidge and the funds
15 wouldn't come to us, I understand that, but should that right-
16 of-way and stuff still be done, or do they have to go through
17 the City of Coolidge?

18 WANAMAKER: Yeah, that would be something they would
19 have to discuss with Coolidge, but there is actually existing,
20 I believe it's 66 feet of right-of-way for Cornman already.
21 So that is 33 feet south, 33 feet north of the section line,
22 and so that's more than adequate for a two lane facility for
23 the long-term. And like I said, there is no plans that I'm
24 aware of for these roads to be improved anywhere in the near
25 future or the long-term.

1 MOONEY: Okay, thank you.

2 MENNENGA: Anything else? Anyone else? Okay.

3 Would - I have a quick question. This property, the 260 acres
4 is all in the County, the 792 which is in the City of Coolidge
5 because the City of Coolidge does not allow - has basically
6 banned solar - future - so they're not doing any solar on the
7 792 acres, is that correct?

8 DEOKAR: 792 has been approved for the Selma under
9 the CUPs by the City of Coolidge.

10 MENNENGA: So that's been a while since that was
11 approved then, hasn't it?

12 DEOKAR: I'm assuming that is being, yes.

13 ??: (Inaudible).

14 DEOKAR: Yeah, 2005 and 10.

15 MENNENGA: Okay, okay, because that's in the last
16 years it's been, okay. All right, I understand. So this
17 project in, what's the total area of solar that we're doing?
18 And already I need to ask the applicant that.

19 DEOKAR: 1,052, am I correct?

20 MENNENGA: Okay, thank you. Okay, staff, please. I
21 mean, applicant, please.

22 PEW: Good morning Mr. Chairman and Members of the
23 Commission. I actually signed in, so I think we're good to go
24 here. Thank you for giving us a few minutes today to talk
25 about this project. I'm here today, my name is Ralph Pew and

1 my office is in Mesa. Always a pleasure to be in Florence and
2 be here with the Commission. We were here last month and
3 filled you in on NextEra and what they do and what you've
4 done. I'm gonna come to that in a minute, but before I
5 forget, I want to straighten out the acreages and where things
6 are. So this land is 260 acres in the County, south of
7 Cornman, west of the 87. The land on the north side of
8 Cornman was approved in the City of Coolidge for use permits,
9 two different conditional use permits in '18 and in '19. So,
10 what's happening there right now is that we are in the process
11 of working with Coolidge on site plan approval for 792 acres.
12 It's already been approved for solar, we're just now doing the
13 technical site plan work for it. We come to you today for a
14 piece that is wholly in the County and within the City of
15 Eloy's what we call extraterritorial jurisdiction as it
16 relates to land use planning, and it's that 260 acres that
17 we're asking you to change the Comprehensive Plan from
18 Employment to Green Energy and the zoning from its current
19 category to the I-3. So those are the facts. I mean, we're
20 full speed ahead with 792 acres, and we would like to have
21 this 260 join it. And might as well explain the why of that,
22 right? The reason for that is because this is what we call a
23 contracted project. The Gen-Tie line and the transmission
24 lines have all been approved by the Corporation Commission.
25 Salt River Project is looking for 500 megawatts of more power

1 in this area, and this project can accommodate 30 percent of
2 that, or 150 megawatts. So the reason we're here with this
3 260 south of Cornman is to boost that production so we can get
4 to that 150 megawatts and help SRP get to their objective of
5 500, without which not much economic development's going to
6 occur. When you really think about it, the solar industry has
7 come to Pinal County in a major way, there's no question about
8 that, Commissioners. But in the one hand it's critical to
9 have it. Should we ignore that use, that renewable energy
10 source to help SRP, APS, Tucson Power and Electric, the local
11 districts here, the local power districts, there won't be
12 enough power to do what we need to do and what the vision for
13 Coolidge and Eloy and Pinal County all is. So that's what
14 brings us here today. So - and thank you Sangeeta for the
15 introduction and for the facts. If I could find that clicker.
16 Yeah, thank you. Okay. With me today is Ashley Johnson, who
17 is the project manager for this project, and Mr. Kyle
18 Whittier, who's the director from NextEra Energy Resources.
19 So while NextEra is centrally located in Juno, Florida -
20 that's the headquarters - it is fast becoming what I would
21 call an Arizona corporation. NextEra has over 50 projects
22 underway in Arizona, and \$2.5 billion of investment. So we
23 like to think of them as part of us here in Arizona. They
24 have spent much time in making lasting relationships with the
25 key critical elements of social services. Have provided a

1 fire truck to the South Florence Fire District, continuously
2 works with the Maricopa Pantry, we recognize the need for
3 community engagement and involvement. So this particular
4 project has had significant community outreach. We had the
5 required neighborhood meeting, 63 people invited, right, and
6 three people are there. So we did more than that. We then
7 sent out 127 more letters to capture and involve more people
8 with a half-mile radius from the project, not 600 feet, and we
9 met with the Coolidge staff, the Eloy staff, local fire
10 departments. So we do our homework and the outreach that the
11 NextEra folks do is amazing, and they continue to do that
12 constantly. So Sangeeta explained what we're doing here
13 today, requesting a Non-Major Comp Plan Amendment to Green
14 Energy, a rezone to I-3, and a PAD on that. And the reason we
15 use the PADs, Commissioners, as you well know, it's not
16 because we're asking to deviate from your development
17 standards, that's not it. The PAD is being used to limit the
18 uses on the property to what we're proposing, and that's the
19 tool, the best planning tool to do that. The other thing that
20 I want to just make clear on is that this is all arrays,
21 there's no battery storage in this project. So the issue that
22 came up with respect to fire always comes up in discussions
23 about the solar industry. In this particular instance, this
24 260 acres is all arrays, there's no storage of energy on this
25 particular site. This map gives you a good idea of the

1 Coolidge Industrial Solar Facility overlay, they call it the
2 ISF. All those areas that are in blue are where Coolidge has
3 expected to see and has some solar uses and others to come,
4 but in those blue areas. What you see in red, south of
5 Cornman, is this project because Cornman, again, is the
6 southern boundary of Coolidge, all right? And it becomes the
7 northern boundary of what Eloy envisions as their planning
8 area. So that'll show you where the 260 acres is in relation
9 to the rest of it. Here we have a better, clear description
10 of the 792 acres in Coolidge that's in darker green on the
11 north portion of this project, and the proposed development
12 here on the south, the 260 Acres. Now, we heard a lot a
13 minute ago, and Sangeeta was great to highlight for us, the
14 industrial and commercial uses that we expect to see in the
15 corridor of the 87. Well, we just want you to know that we
16 have moved - we've located this project in such a way, as you
17 can see, the 87 is on the far right-hand of that diagram and
18 we are not encroaching upon the area that Coolidge - or excuse
19 me - that Eloy has shown in their plan for industrial and
20 business development. So that's the vacant part you see there
21 between the light green and the 87. Now what we do change and
22 what we do do is Eloy, in their long-range planning, envisions
23 the main area here as Estate Residential uses. So, while that
24 may occur someday, it may evolve to be that, we certainly
25 don't think that's viable now and we were very conscious to

1 stay away from the economic development corridor, so that the
2 full potential of what Eloy wants to do - and Coolidge for
3 that matter, north on the 87 - is all available there. This
4 is just a more highlighted version of the arrays. This is
5 what we would call a preliminary development plan, right?
6 When you do zoning cases and you see residential projects,
7 they always have a preliminary plan. Well, this is the
8 equivalent of that, this is a preliminary that would come back
9 through the process for site plan approvals. So the questions
10 that get asked, and I appreciate it again, Sangeeta, raised
11 some of these same issues. Right now, today and in the coming
12 years, the foreseeable, meaningful future to some of us is
13 that we're not well situated here for the type of economic
14 development that will come someday. It will get there, we're
15 just not ready for it today because of all those reasons, and
16 this site and the use of it would be a good use in the
17 meantime, because the property really can't meet those
18 standards. So here's another question, how do we, how does
19 this plan advance the policies and the goals, right, of your
20 Comprehensive Plan? Well the interesting thing is, one of the
21 main goals is water usage, so here we have a lower water
22 usage, water consumption, but importantly enough in your
23 Comprehensive Plan there's a paragraph in it on page 85 right
24 there that clearly says what the intent was at the time of the
25 Comp Plan, and that is, quote, solar energy is generally

1 compatible with the farming heritage of Pinal County. That
2 statement is in the Comp Plan and is there. And then in
3 addition, on the very bottom about energy development, look at
4 that language: support the growth of renewables while
5 protecting environmental resources and maintaining cooperative
6 relationships with energy providers. So, at the time the Comp
7 Plan was approved, which I think was in '19, somewhere in
8 there, and then in '21 there was an update to it, people
9 envisioned what's happening and the need for these uses to
10 come into the community. What do we do about the zoning?
11 Well, in order to use this property then for this purpose we
12 need to change the zoning from its current status to the I-3.
13 And here's the questions that the staff always asks you as
14 Commissioners to look at and to evaluate. The first question
15 is, why is this request needed and necessary at this
16 particular location? That's always in your staff report,
17 always there, so here's our answer to that question. We
18 believe it's needed now at this location, why? Because the
19 property is adjacent to two approved, and under planning with
20 site plan, CUPs in Coolidge. So this is an ideal location to
21 add a little more power to get to that 150 megawatts. And
22 secondly, the other thing about the solar business - and I've
23 come to understand a little bit, not much - we need
24 transmission lines, we need locations, substations, transfer
25 stations, all of that, and this is situated within two miles

1 of the Vah Ki substation, other critical infrastructure, all
2 those elements are here. This is the right place for 260
3 acres of solar arrays. This is what we talked about earlier,
4 very briefly, this is a what we call a contracted project with
5 SRP. We're participating with them and trying to deliver to
6 them that 150 megawatts. And why is that important? Because
7 SRP's projection is they need 500, and so this is the help we
8 can provide to them. The other thing is, sometimes we think
9 of the solar or the renewables, the wind and others as
10 standing alone by themselves. They don't. They simply
11 provide greater availability, affordability, and reliability
12 to the system. That's really what it is. The main system is
13 still there. Okay, I'll quit boring you here. How will it
14 impact adjacent owners? We have no landowner, no residences
15 to the east of us, and to the west we have met all of the
16 buffering standards, all the setbacks, all the landscape
17 requirements for that, along with the fact of decommissioning,
18 that always comes up. We are responsible for that financially
19 and to make sure that at the useful life extension of this
20 project, we will take care of that decommissioning of the
21 project. That means put it back to its original condition,
22 the land. So one other thought here, if I can get this to
23 change, we've talked about this before, the multiplier effect.
24 I don't want to bore you with that, but I do want to mention
25 one thing because it always gets twisted up a bit, and that's

1 taxes, right? Sometimes people stand up here and say we're
2 going to do this, this, and that for taxes, and it's going to
3 be beneficial. So how does this utility scale solar project
4 help with taxes? So there's two things. Elliott Pollack
5 produced a report in July of '24, Jim Rounds has produced a
6 report in the recent months, and they conclude the following:
7 The solar projects, as we know them, generally contribute in
8 three ways, and the first way is one we typically don't think
9 about. The first and primary way in which we receive tax
10 dollars from solar uses is from tax on personal property. We
11 don't think about it that way, but a lot of this is personal
12 property, and that's managed and handled by the Arizona
13 Department of Revenue, and that money gets paid to them and
14 gets distributed back out under statutory requirements. So
15 that's the first and primary source. The second is
16 transaction privilege tax. I never thought of that, but it is
17 the second main source. And the third is the property tax
18 that you see in the County. So, this project, this 260 acres
19 - or an example, let's take an example of 200 megawatts, a
20 1,200 acre solar project, Elliott Pollack says that will
21 produce about \$27.3 million for those categories over its
22 lifetime for the County, for special districts, and for school
23 districts. So there is revenue, there is a way to capture it,
24 and it does happen. So you've been very patient with me here
25 today, Commissioners, thank you for your attention. We urge

1 your support of this case, it is critical to bring this
2 project to pass and to help get that capacity that SRP needs.
3 So I'd be happy to take questions, do whatever I can to answer
4 those for you. Thank you.

5 MENNENGA: Questions from the Commission? Go ahead
6 Tom, Commissioner Scott.

7 SCOTT: I've got a few questions for you. On the
8 letters that you sent out to the citizens that lived in the
9 proximity of this area, I think on the paper that went out to
10 the citizens it said that you would hold this meeting between
11 the hours of 4:30 and 5:30 p.m., okay? And my question is to
12 you, I noticed that you didn't get a very good attendance on
13 that, three people showed up in that, and my question is to
14 you, if you were really interested and concerned about what
15 the people's perspective is of this, why would you have it
16 from 4:30 to 5:30 when most people work till 5 p.m.? And I
17 would assume that a few of the people that live in that area
18 work at the penitentiary to the south, but I would also assume
19 that a lot of people work in Casa Grande, Coolidge, Florence,
20 Chandler, wherever. How is a person, your average person,
21 supposed to get back from work, change their clothes and get
22 to a meeting 30 minutes after they get off work?

23 PEW: Mr. Chairman, Commissioner Scott, that is a
24 very good question. I didn't write that letter, so I'm not
25 familiar with that as to its timing. I can have Ashley answer

1 that question for you, but I would like to remind everyone
2 that we did even go beyond that after. That was kind of the
3 first meeting back in probably the fall of last year.

4 SCOTT: Yeah, June the 19th, 2024.

5 PEW: Okay, there you go. So kind of the end of the
6 summer. And since then we've sent 127 letters to people
7 within a half a mile of the project asking their input and
8 taking their calls and responding to them. But I can ask you
9 that question. Ashley, if you want to answer Mr. Scott's
10 question, that'd be great about the letter.

11 MENNENGA: Ma'am, you'll need to sign in.

12 JOHNSON: Okay. Hello, my name is Ashley Johnson,
13 I'm the project developer for this application. As Ralph had
14 mentioned, we went above and beyond and then sent additional
15 letters to the neighbors of this project and we got five
16 responses from that. I've been in communication via email and
17 on the phone with those landowners trying to open myself up to
18 answer any questions that they may have and keep that open
19 dialog going. So I agree that the turnout wasn't ideal. We
20 had three folks, that we had great conversations with the
21 three people that did attend the neighborhood meeting, but
22 that's why we sent out the additional letters to try to get
23 additional engagement.

24 SCOTT: Did you contemplate going door to door and
25 talking to these people since you didn't even receive one

1 percent response? And of the three people that attended, one
2 of them resides in Casa Grande, doesn't reside in that area.
3 So you actually got two, which is roughly less than one
4 percent. I don't see how you went over and beyond to contact
5 these citizens that live in that area.

6 JOHNSON: I'm sorry you feel that way. In addition
7 to sending our letters, we also have a Facebook page. You
8 know, I wouldn't put myself in a position to go door knocking,
9 I guess, and -

10 SCOTT: NextEra's done that in the past, that's the
11 only reason I bring it up.

12 PEW: Hey Ashley, let me follow up on that briefly.
13 So the follow-up - I think you're referring, Commissioner, to
14 the early meeting, June, July-ish, right, of last year. So it
15 was from that that caused us to expand the notification and
16 send it to all those people. And they called and Ashley's
17 responded to them and talked about it, but you're right with
18 respect to that first meeting.

19 SCOTT: No, it'd just be appropriate if you really,
20 really want people to show up, it'd be great to have them
21 after they get, you know, later in the evening when they get
22 off work, kind of gather themselves together and make it down
23 there.

24 PEW: I'm not arguing with you about that,
25 Commissioner, you're exactly right.

1 SCOTT: All right, let's move along to page, I think
2 it's around 296, 297 is your application to the County. And
3 it says in there, here we go. These are the checklists on the
4 application. It says hold a neighborhood community meeting,
5 and you put down notify all property owners within 1,200 feet,
6 which you did. Hold the meeting within five miles of the
7 subject property, which you did. And then the next one says,
8 hold the meeting between 5 p.m. and 9 p.m. at night, which you
9 didn't do. I mean is this a typo? Is it a stretch? What
10 went on here?

11 PEW: Mr. Chairman, Commissioner Scott, I do not
12 know the answer to that, I didn't send that letter, but again
13 Ashley can help us with that particular point. I can't answer
14 as to why it was four to five thirty, or 4:30 to 5:30 or
15 whatever it is.

16 SCOTT: Right, so it was printed in the letter that
17 was sent out, okay? I have a copy of that and I'm sure you
18 guys do too.

19 PEW: I don't know why.

20 SCOTT: And then in the application you represented
21 and responded back to the County that the meeting was to be
22 held between 5 p.m. and 9 p.m. So I'm wondering, why did we
23 advertise it through the letter here and then why did we
24 report back to County that you had a four hour meeting that
25 you didn't have?

1 PEW: So, and Commissioner Scott, I don't know what
2 you're looking at there that we reported a four hour meeting.
3 Again, I'll have to let Ashley look at that and think about
4 that because she was involved in that, but again, I guess I'm
5 thinking we realized there was a lack of interest and did much
6 more than that recently and gave a lot of people, 127 people,
7 personal notice and cell phone numbers and all that to call
8 and talk about it. So we did that.

9 SCOTT: Okay. I'm just stating that what's in the
10 application - and it has Pinal County letterhead - it's what
11 the application is addressed on isn't accurate. It just
12 didn't happen, what you just stated.

13 PEW: In the application form. The application came
14 before the meeting when we sent out the 127 notices, so maybe
15 Ahsley's got a good answer.

16 JOHNSON: I don't know how great of an answer it is,
17 but I would be curious to see exactly the wording that you're
18 interpreting, because I -

19 SCOTT: I'm just I'm just reading it off your
20 application. I'm not interpreting anything.

21 JOHNSON: So it's saying it occurred between the
22 hours, correct? We're not saying it happened from 5 to 9 p.m.

23 SCOTT: It said, hold the meeting between 5 and 9.

24 JOHNSON: Again, I think maybe if I could take a
25 look at it, that we were probably reiterating what the

1 requirement was from the County, that there's a County
2 requirement to hold a neighborhood meeting between the hours
3 of 5 p.m. and 9 p.m., and then the neighborhood meeting should
4 occur between those hours, not for the entire four hours.

5 SCOTT: I don't think a reasonable person would read
6 it that way, or interpret it that way. So I'm just bringing
7 it up as a point. I didn't know if it was a typo, or
8 (inaudible).

9 JOHNSON: It also could have been a typo. I think
10 we should take a look at it again and we can get back to you,
11 and we would be more than happy to see what we can do to
12 further our community engagement.

13 SCOTT: Okay. Another thing I read in the
14 prospectus of the 300 plus pages, it was stated that you're
15 going to have a seven foot fence, correct?

16 JOHNSON: Correct.

17 SCOTT: But when the panel pivots up to the top, how
18 tall is that?

19 JOHNSON: We do not have our project engineer with
20 us right now, so I cannot definitively answer.

21 SCOTT: It was in the paperwork, that's the only
22 reason I know. I think it was 14 feet, so the panel's
23 actually 7 feet taller than the fence. You know, that's kind
24 of an issue there, isn't it?

25 JOHNSON: What issues do you see?

1 SCOTT: You know, well having the solar panel in
2 your neighborhood that's seven feet taller than your fence. I
3 would assume that that would be something that local citizens
4 might be concerned about, if they had -

5 ??: If I could just chime in, is that a chain link
6 fence?

7 JOHNSON: Yes. It's a chain link fence and the
8 pivot of those arrays, right, is to follow, is to track with
9 the sun, correct? So if it were to be completely vertical,
10 you know, that wouldn't be for the entire portion of the day.

11 SCOTT: True, that's true. But it would reach that
12 point at some time during the day. Just, you know, things you
13 guys write in here that people read. I wasn't quite sure, and
14 if you were linking the both projects, the one that's in
15 Coolidge in addition to this one, if you're linking them
16 together, and - but it did state in there that, it talks about
17 the entire Selma energy project located in Pinal County, as
18 well as City of Coolidge, the overall, so I'd assume it's both
19 of them, consists of solar panel arrays, inverter stations,
20 electrical collection lines, battery energy storage system.
21 Is there a BESS location in this 260 acres?

22 JOHNSON: Not in the 260 acres.

23 SCOTT: Okay. All right. And the electricity
24 that's going to be produced out of here is going to go to SRP
25 or is it going to some place else?

1 JOHNSON: It is a contracted project with SRP.

2 SCOTT: Okay. Apparently SRP doesn't provide any
3 electricity into Coolidge, just make you aware of that. All
4 right, kind of talked a little bit in your presentation that
5 there wasn't any, much business or commerce that goes on in
6 that area, is that true? Other than the penitentiary to the
7 south?

8 JOHNSON: Correct. It's approximately, I think we
9 estimated four miles from Downtown Coolidge, or nine actually.

10 SCOTT: (Inaudible) a little bit longer. So in that
11 proximity, there's a manufacturing company by the name of
12 Nikola, which isn't there anymore, got taken over by Lucid.
13 And also Procter & Gamble will be building a large facility,
14 roughly about 500,000 square feet to the north of where the
15 Nikola plant is - and I can't remember the number of folks
16 that are going to be employed there, but I can kind of see
17 some of the wisdom of the City of Eloy and, you know, that
18 this would be in their path of growth. You know, someone's
19 got to build some homes for those people.

20 JOHNSON: And okay, I'd love to add as well that,
21 you know, all of those companies do have not only energy
22 needs, but renewable energy needs.

23 PEW: Again, Mr. Chairman, Commissioner Scott, what
24 we were trying to say is that this project is located outside
25 of the Employment corridor that's planned in Eloy. We didn't

1 take it all the way over to the 87, because that's, I think,
2 kind of both sides of that roadway, right, that highway for
3 lack of a better word, is where we expect to see this
4 Employment growth. So we're not in that, we're not taking
5 land that could be used for that purpose.

6 SCOTT: Right, I understand that, I'm talking more
7 on, you know, there's people that live out there already. So
8 I would assume that as these bigger, larger companies come in
9 there, that there'll be more need for residents.

10 PEW: Yeah, no question and there's plenty of
11 residential land planned in Coolidge and Eloy and lots of
12 places to grow. No question about that.

13 SCOTT: You know, I still question the positioning
14 of utility grade solar in and around where people live, where
15 people are, when you can just simply follow the transmission
16 lines to the east and be exposed to hundreds of thousands of
17 acres of land up there, where nobody is. Why do you choose
18 areas where people live?

19 PEW: Mr. Chairman, Commissioner Scott, you mean
20 with respect to the area east of here, there would be land.
21 Is that what you're talking about, that would be available.

22 PEW: There's hundreds of thousands of acres all
23 along those transmission lines from wherever they start to
24 wherever they end, why do you want to position these things
25 where people live or it affects their quality of life?

1 PEW: Mr. Chairman, Commissioner, I'm going to ask
2 Kyle. Kyle, do you have a thought on that? I'm sure you do,
3 because you locate them all the time. (Inaudible) people that
4 know a lot more than I do about this.

5 WHITTIER: Sign in here real quick. I'm Kyle
6 Whittier, I work at NextEra Energy Resources. Thanks for that
7 question, great question. And of course, the transition lines
8 do, they travel hundreds of miles across all the states,
9 that's a great point. In this particular case, when we work
10 with the utilities or the load-serving entities, as we call
11 them, they do system studies. They put it all together to
12 identify where the resources are needed to service the load.
13 So it's the same citizens that live in the vicinity that are
14 users of the electricity. Putting it out, far out, does not
15 do as well servicing that load. Additionally, it has to
16 interconnect at a certain point, which is that Vah Ki
17 substation that Ralph mentioned here. So the ability to
18 interconnect just anywhere along a transmission line isn't
19 quite as simple as that. So these are the places that really
20 help the utilities service all their customers as well. And
21 similarly, like you mentioned, Procter & Gamble, they have an
22 ambition to have 100 percent renewable energy by 2040. So
23 again, the industry coming in here is fantastic, we agree, and
24 we think that our projects help support that, specifically
25 with Procter & Gamball in the area. That's why here, that's

1 why this place matters.

2 SCOTT: I under - that's a good point. If you go
3 north of Florence, there's Box Canyon solar. It's rather
4 large, maybe two and a half square miles, you know, and there
5 aren't any homes around it. But yet, the energy can be put in
6 power lines and sent where it needs to be. That goes back to
7 my original question, why do we have to put these things next
8 where people live?

9 WHITTIER: I can't speak to Box Canyon, not our
10 project here, nor do I own the transmission network, of
11 course.

12 SCOTT: I don't expect that you would, but I'm just
13 hypothetically asking you, why here?

14 WHITTIER: As we site these projects, again, we work
15 with the utilities to identify their needs and go onto their
16 system as it exists today, where they can receive that power.
17 In this particular case, that was Vah Ki Substation.

18 SCOTT: They can receive it also if it's out to the
19 east, it comes right up the line, right?

20 WHITTIER: I'm not familiar with the lines out
21 there, but if there were a place to interconnect, that could
22 be a potential. In this particular case, the interconnection
23 location that best suited this need was Vah Ki substation,
24 which is about two miles from this location.

25 SCOTT: Okay. All right, I just want to bring that

1 point across there. Just, you know, just remember that we
2 serve at the pleasure of the citizens on these committees, and
3 you know, there's people out there that aren't here today or,
4 you know, have thoughts that, you know, we've heard about that
5 we need to protect them a little bit. I'd like to talk a
6 little bit about the decommissioning. How much money have you
7 set aside per acre to do that?

8 WHITTIER: That's a great question. I wouldn't be
9 able to give you the dollar figure off the top of my head, but
10 it's something that our company is committed to for all of our
11 projects, this one included, that we ensure that there is
12 money set aside to restore the land as it was beforehand and
13 properly decommission the site.

14 SCOTT: Yeah, I understand that, but -

15 WHITTIER: I can get back to you, I do not know
16 (inaudible).

17 SCOTT: I figured just as long as NextEra has been
18 in the business that you would know what that is. I mean, how
19 do you prepare for something you don't know?

20 WHITTIER: As a developer I'm not doing the
21 engineering, that goes to our folks who are much more
22 technically capable than I am, so they would have that answer.

23 SCOTT: I think that answer needs to come forward at
24 some time in the process. And then each one of these solar
25 arrays, they're in an individual LLC, is that correct?

1 WHITTIER: The project is an LLC.

2 SCOTT: Project.

3 WHITTIER: That's correct.

4 SCOTT: You know, I'm a businessman. I deal with
5 LLCs in my business and at times LLCs get in a position and
6 they just file bankruptcy, all right? And it's legal. So my
7 concern here is this is a - this solar array, the Selma
8 project is an LLC, I would feel more comfortable if the burden
9 of the decommissioning was tied directly to NextEra. Because
10 what my fear is, is when we get to be three or four months
11 away from the decommissioning, you know, for the last 25 years
12 all the revenue has flowed through this LLC up to NextEra,
13 there could be a possibility in a business strategy that you
14 just remove yourself from this liability.

15 WHITTIER: While I understand where you're coming
16 from, I can say categorically that is not what our company
17 does.

18 SCOTT: Well we don't know because number one, you
19 just told me you didn't know what the amount was to -

20 WHITTIER: I personally -

21 SCOTT: I'm not trying to needle you, I'm just
22 trying to, you know, come from a logical point of view here.

23 WHITTIER: I can understand your train of thought
24 there. NextEra's committed to being a long-term owner,
25 operator and neighbor and that is not something that we would

1 do.

2 SCOTT: Okay. So would it be possible if this
3 project was approved, the dismantling costs would be tied
4 directly to NextEra?

5 WHITTIER: Again, it's something that we need to
6 look into with the team and to make sure that it's comfortable
7 for the staff and for the Commission.

8 SCOTT: Okay. Another comment that was said that
9 after this project runs 25 years - plus or minus - is that
10 what we're looking at?

11 WHITTIER: 30 years, plus or minus, is the typical
12 life of a solar project, that's correct.

13 SCOTT: And it was stated that the land would be
14 restored back to what it was previously. What does that look
15 like?

16 WHITTIER: Removing the improvements on the land,
17 removing the structures, so it's going back to the original
18 land use capability.

19 SCOTT: So it'd be returned back to farmland, is
20 that what you're stating?

21 WHITTIER: The infrastructure would be removed so
22 that it could be returned back to its current use.

23 SCOTT: Where does the infrastructure go? Does it
24 get recycled?

25 WHITTIER: There's some that gets recycled, quite a

1 bit of it. You know, just with all industries as technology
2 advances, recycling efforts also improve. I think at this
3 point, there's about 90 percent of the glass used in there can
4 be recycled. It is recycled where it can be.

5 SCOTT: Is there a recycling facility in the United
6 States for panels currently?

7 WHITTIER: I don't know that answer.

8 SCOTT: I don't either, I'm just asking.

9 WHITTIER: We can get back to you on that, yeah.

10 SCOTT: Okay. So are you familiar with the soil out
11 there on that farm?

12 WHITTIER: In what regard? I'm not a soil expert, I
13 mean I -

14 SCOTT: I'm not either, I just know what I read. So
15 the soil out there is a La Palma silt loam. And the soil
16 there, if you ran your pickup truck over that dirt two or
17 three times, it would have the consistency of cake flour, and
18 the local guys that farm in that area call it poof dirt. So
19 after you go in there and you remove all the vegetation off of
20 that land, and then what are you going to do to keep the weeds
21 from growing up?

22 WHITTIER: We have landscape management methods to
23 make sure that the weeds don't grow.

24 SCOTT: What are they?

25 WHITTIER: There's several (inaudible) and we can

1 show footage of it if you'd like to see. We've managed some
2 of the landscape around some of our existing assets.

3 SCOTT: I'm familiar with some of your assets,
4 familiar with the amount of weeds that grow up in them. I'm
5 familiar with the landscape that isn't properly watered. I'm
6 familiar with all of that stuff. But if you were going to get
7 weeds not to grow or desert vegetation to repopulate out
8 there, what would be a process that you would use to stop
9 that?

10 WHITTIER: Again, that's not my area of expertise.
11 We have our folks that operate the sites and environmentalists
12 that ensure that we do it the proper way. Again, if you'd
13 like the details on that, we can provide that, I wouldn't be
14 able to provide it right now.

15 SCOTT: Well, I just assumed that you would come
16 prepared today to explain that to us. I would assume that.
17 So you don't have NextEra, your representatives or your
18 attorneys don't any information on that?

19 WHITTIER: On the specific methods of landscaping?

20 SCOTT: On the specific methods of deterring weeds
21 and desert plants from repopulating on that soil.

22 WHITTIER: For this project, that's not something
23 I'm familiar with.

24 SCOTT: For this project, okay. All right, so my
25 other question on those lines is, now that you've disrupted

1 the surface of the ground and you've probably leveled, you've
2 probably removed all the ditches off of that property so it's
3 just like flat, how do you keep that dirt there? How do keep
4 it from not blowing around? You're probably not from this
5 area, and that's okay but that area there is known as Monsoon
6 Alley, and a monsoon is a storm that comes out of Mexico
7 usually when we get up to about 115-118 for a week or 10 days,
8 it pulls that moisture up here. And we don't get much rain
9 usually, but we do get a lot of wind. And in the early 2000s
10 in that area, as farmers would farm those fields, they would
11 be between crops before the foliage would come back on, and I
12 can't remember that number, but somewhere in the neighborhood
13 of 42 vehicles, as the dust goes across the road, you know,
14 they got in accidents because they couldn't see. Okay? And
15 this is exactly the soil content of this property. So what
16 would you, what would your company do to maybe glue that soil
17 to the ground, so to speak? What methods are available?

18 WHITTIER: During construction are you speaking?

19 SCOTT: Yeah, construction, completion.

20 WHITTIER: Yeah, we utilize - one method I'm aware
21 of is utilizing some water during the construction phase to
22 ensure dust mitigation techniques. It's minimal, and it's
23 only during the portion of construction. As you know, and as
24 we presented, the water use of solar sites is very, very low.
25 That is one method that's used during the construction time.

1 SCOTT: Okay. So let's say the construction is
2 done, what are we going to do next?

3 WHITTIER: Again, I need to speak to our power
4 generation folks that run this to see what their exact methods
5 are.

6 SCOTT: Well, nobody from NextEra, your legal
7 counsel, is prepared to answer that question?

8 WHITTIER: If that's a question, we're happy to get
9 you an answer that's suitable for you.

10 SCOTT: No answers today, though.

11 WHITTIER: What specific methods, I do not have an
12 answer today, no.

13 SCOTT: Okay. All right. Just one other thing - I
14 don't want to take up all the time here, but talked about
15 taxes that will pay \$23.7 million.

16 WHITTIER: To be clear, that was a study that was
17 done, not as a third party study that was provided, or
18 published over the summer that Ralph mentioned.

19 SCOTT: Was that concerning to this property, I
20 guess?

21 WHITTIER: No, that was not.

22 SCOTT: Specific. Okay.

23 WHITTIER: That is not, no. That is just a -

24 PEW: 200 megawatt facility, that's why I was
25 comparing to 1,200 acres.

1 SCOTT: Okay, yeah, all right. So your project's 25
2 to 30 years.

3 WHITTIER: Roughly 30.

4 SCOTT: 30, somewhere in there.

5 WHITTIER: 30 give or take years of life, yeah
6 that's correct.

7 SCOTT: So, you know, as a businessman, you focus on
8 depreciation. Do you know what the State allows the solar
9 array, the panels?

10 WHITTIER: They depreciate on a 30 year straight
11 line basis.

12 SCOTT: I don't think that's correct.

13 WHITTIER: In Arizona statutes -

14 SCOTT: In the State of Arizona, they will
15 depreciate out in 10 years, and then the property will go back
16 to its original form. However, the panels will be on there
17 and there'll be added value on there, but not at the starting
18 point.

19 WHITTIER: From the study from Elliott Pollack,
20 there is a 30 year straight line depreciation with a 10
21 percent floor for solar, and a 15 year straight line
22 depreciation with 10 percent for battery storage. That's from
23 ARS 42-14155.

24 SCOTT: Battery storage isn't taxable in Arizona.

25 WHITTIER: The Arizona statute that's -

1 SCOTT: Yeah, I have that document too, but if you
2 read in all of these proposals, the infrastructure and the
3 panels are taxable, they do receive some government discounts
4 or incentives, but batteries are not taxable.

5 WHITTIER: Would you be willing to point to where
6 the 10 year you mentioned for solar was?

7 SCOTT: Yeah I would, but I don't have the document
8 with me. But I know that that document's been passed forward
9 to the Board of Supervisors. I know they have it in their
10 possession.

11 WHITTIER: I'd be interested to see it based on
12 (inaudible).

13 SCOTT: Just want to make sure we got, you know,
14 we're all talking the same thing here.

15 WHITTIER: Agreed. Go ahead.

16 MENNENGA: It's up to you to look up that document,
17 that's not up to us, it's up you. Okay. Commissioner Klob.

18 SCOTT: Yeah, I'll take a breath.

19 KLOB: A couple questions I have in relation to, as
20 this is adjacent to an existing solar field that is zoned and
21 within the town limits of Coolidge, and this is - correct me
22 if I'm wrong - this is to complement that existing facility,
23 it's going to be (inaudible) together?

24 PEW: It's to augment that, yes.

25 KLOB: Okay, so it'll tie into the battery storage

1 that's on that facility and so on?

2 PEW: Yes.

3 KLOB: Historically, Coolidge has been - especially
4 in the last couple of years - has really been pushing back on
5 all the solar facilities in and around their city limits. I
6 noticed that we did get a letter of opposition from the City
7 of Eloy, but have we heard anything from Coolidge? Are they -

8 ??: He's in the back.

9 KLOB: Okay. We do have someone here?

10 ??: They're here somewhere, yeah.

11 KLOB: Okay. And if it's part of - kind of leading
12 into my point here is, if it is kind of part of an existing
13 Coolidge-approved plat or property, why not just annex it and
14 have this as part of - and THEN it just becomes part of that
15 Coolidge?

16 PEW: Mr. Chairman, Mr. Klob, the thought of
17 annexation, I mean, we haven't investigated that. I suppose
18 we could have asked Coolidge if they want to annex us, right,
19 but those conversations did not happen. We did speak with
20 Coolidge, and I know Phil's here today. He and I were talking
21 about Diamondbacks, though, during the break and we didn't get
22 very far on solar matters, so we'll see what he has to say
23 about that. But we did not investigate annexing into
24 Coolidge. This land was just adjacent to it, and that's what
25 we thought we'd do, is connect to that and make it the size we

1 need to make it.

2 KLOB: Yeah, and I guess part of my challenge with
3 this is these little County islands that occur - and Ralph,
4 you've been in this business a long time, you and I have gone
5 back and forth on things over the years - but these County
6 islands that have occurred - I'm going to go back into my
7 Chandler days - Chandler and Gilbert and so on that just left
8 all these little -

9 PEW: Mesa in particular.

10 KLOB: Mesa too. It just created havoc for those
11 cities as they were being annexed later on, by developments
12 being approved and it not working within the confines of the
13 city, you know, their adjacent city planning, and it just
14 became kind of no man's land. And what I saw, especially up
15 in the Valley, was things that didn't get taken care of, it
16 was the County didn't want to address it, the city said it's
17 not ours, and it just caused all these problems. And I kind
18 of see that here is as development is working its way around
19 here, this is a great, you know, annex location for Eloy and
20 so on, that it just creates these weird little pockets that I
21 just -

22 PEW: Yeah, Commissioner Klob, you're -

23 KLOB: Throw something in the middle of.

24 PEW: That does happen and we see it in the growth
25 of the of the Valley, in particular, and coming out this way

1 because there are different standards - different development
2 code standards, right, paved streets versus - or straight edge
3 curbs versus rolled curbs, all kinds of things are different
4 in a more rural atmosphere. That's what Chandler ran into,
5 and Mesa did with those areas. But I think here in this area
6 that is a island, that's really - this land is part of a
7 little bit more acreage that is an island, surrounded by
8 Coolidge and Eloy, and my experience has been in annexations
9 that that's a conversation between the property owner and the
10 municipality, and sometimes the municipality starts it,
11 sometimes the owner starts it. I'm just unaware that those
12 conversations have happened on this particular site. That's
13 the only answer I can give you, Commissioner Klob.

14 KLOB: Okay, thank you.

15 MENNENGA: Anyone else?

16 MOONEY: Yes.

17 MENNENGA: Commissioner Mooney.

18 MOONEY: Thank you. I'm going down that avenue
19 again. So first question, you said 30 percent - it was on one
20 of the slides - 30 percent of what was needed by SRP this
21 would provide. This section will provide it or the entire
22 overall 1,000 plus acres?

23 PEW: Mr. Chairman, Commissioner Mooney, all 1,000 -
24 whatever the math is - 62 acres, whatever it is, yes.

25 MOONEY: Okay. And then I'm gonna go to the

1 decommissioning because you've been here before and it's one
2 of my questions every time, and I can appreciate that you
3 don't have the answers, but you get asked over and over and
4 over. And this gentleman here asked in detail, and we don't
5 ever get answers, is there a reason why you - I know, I've
6 been told that you haven't decommissioned one yet, but there
7 should be some sort of a process to come up with a plan of
8 action and how it's going to happen. You may not know the
9 cost because that's years down the road, but some sort a plan
10 and we just keep getting, I don't know, we haven't got there
11 yet. And I just, the first time I guess I accept it, after
12 that I don't.

13 PEW: Commissioner Mooney, why do you ask such good
14 questions? All of, you all do, that's the key and that's a
15 good one. I haven't had the chance to answer that one in
16 front of you or to deal with it much. What I do know from
17 dealing out here in this area is each city that we deal with
18 has different ordinances about it. Eloy, for example, has a
19 very comprehensive ordinance about solar location, and in that
20 ordinance is language that deals with decommissioning. It
21 deals with bonds, it deals with the financing, it answers the
22 questions you have right now. So I'm unaware of a regulation
23 or an ordinance like that in the County today, or in Coolidge
24 - maybe there is - and again, I'd have to rely on Kyle for any
25 experience in decommissioning. I think this is all such a new

1 business, the decommissioning hasn't happened much would be my
2 guess, also.

3 MOONEY: Well, and that's true, but you don't have a
4 problem in your presentation stating that the land is going to
5 be put back exactly how it was.

6 PEW: Yeah.

7 MOONEY: How is that? What is your - there has to
8 be a plan. You're telling us that you're going to put the
9 land back, but you don't have any idea what's going to happen
10 with the stuff, how it's going to take place. Are the gullies
11 and drainage going to put back? There's none of that and I
12 guess - and it's not just you, you're not the only one that's
13 been before me since I've only been on a short time, with
14 these projects, but that just - I would just think if you're
15 going to say you're going to put it back to the way it was,
16 there should be some sort of a plan of action. I'm not
17 looking at cost-wise. And you mentioned Eloy has a plan, so
18 then you could - in this town, this is sort of what needs to
19 be done. If you're going to tell me, while I sit here, that
20 you're gonna put it back, what is that plan of action?

21 PEW: No, again Commissioner, that's a really good
22 idea and something we need to do. I mean like Kyle said a
23 minute ago, we're not prepared on the details of that today,
24 but that's something that should be looked at and presented to
25 you.

1 MOONEY: Well if you're going to tell us that you're
2 gonna put the land back, how is that going to happen?

3 PEW: Yeah, how do you do it?

4 MOONEY: You can tell us how it's going to go up,
5 how's it going to come down? And lastly, and I believe Ashley
6 answered this question, but you have a deal with SRP that
7 they're going get it. But the energy isn't going to
8 necessarily benefit Coolidge or this little island in Eloy.
9 SRP can do whatever, because that's something that has been
10 said in the past, is that it's greatly needed in the area,
11 wonderful, but there's no deal that it's staying in Coolidge,
12 it could be sold Northern Arizona, California, New Mexico,
13 whatever.

14 PEW: Once again, Commissioner, you are right, and
15 the only interesting thing about that that I see as it relates
16 to that, is that there is a way to - I mean, we can't track
17 who SRP sells power to, and secondly, all the solar companies
18 that come before you, none of them can sell power to
19 individual homeowners or users, right? The only people that
20 can do that are those empowered by the Arizona Corporation
21 Commission to do that. So all of us provide energy to those
22 entities, how they distribute it and to whom it goes and when,
23 they know. And frankly, working with SRP, we all understand
24 SRP. What a great business they are, they're like an
25 independent nation, right? They're the fourth leg of

1 government. They're kind of an independent entity out there,
2 and others are highly regulated, etc., etc., so we rely on
3 those companies to deliver it to all of us. We're just trying
4 to help the cause. I mean that's the best way I can describe
5 it.

6 MOONEY: Well, and I can appreciate that very much
7 because you're right, it is needed, but in your presentation
8 you stated that this area really needs power. Well putting
9 this here is not going to necessarily benefit that area, and I
10 guess that's the point I'm trying to make.

11 PEW: It reminds me of growing cotton, for heaven's
12 sake. This is the cotton kingdom of the world, right? Not
13 every square inch of cotton stays here, right. It's needed in
14 other places, right, so this is a similar situation, and
15 that's the best I can describe for you today, Commissioners.
16 Thank you.

17 MOONEY: Thank you.

18 WHITTIER: Can I clarify just one thing? Just one
19 point? Kyle Whittier, thanks again. And great question. One
20 thing I want to clarify when we mention the 500 megawatts that
21 you mentioned that SRP needed, that was just in their 2023
22 request for proposals. So that was a one year, that's what
23 this one responded to and was eventually contracted. The
24 energy growth, like you mentioned, in this area and all of
25 SRP's service territory continues, this is not a one-year

1 thing. And so it is its growth in the entire system, and like
2 Ralph mentioned, energy, like cotton, as a commodity that, you
3 know, it's spread throughout their service territory. So yes,
4 SRP may be the one that has it, it might not go directly to
5 this island right here, but I wanted to clarify one thing just
6 to make sure that we didn't impress that SRP only needed 500
7 megawatts forever now, that was the total. I wanted clarify
8 that, that one point there. And then also on the
9 decommissioning, I think we'd be happy to provide a
10 decommissioning plan that meets your standards. From a
11 general standpoint, the way that we return it, is removing all
12 of the infrastructure that was put in place. And I did
13 confirm with our panels and whatnot, we have the ability to
14 recycle 95 percent of the semiconductor material there and 90
15 percent of the glass. So there are methods that are in place
16 now, again, do I know the specifics of how the recycling
17 happens? No. But happy to provide a decommissioning plan
18 that meets your needs to ensure that we are answering the
19 questions that you've so dutifully asked that we should be
20 answering.

21 MENNENGA: Okay. Anyone else? Commissioner -

22 SCHNEPF: I do have - Sangeeta, can you - Ralph,
23 we're throwing them at you again, you received some great
24 questions today. In your presentation, you had a list of
25 Eloy's concerns. Could you pull that up?

1 DEOKAR: Yes, sure.

2 SCHNEPF:: Yeah, I want to get them on the screen.

3 PEW: In the letter from Eloy that came yesterday or
4 - oh, that's a summary.

5 SCHNEPF: The summary of them. them. So Ralph, I'd
6 like to let loose on you and give you the opportunity to kind
7 of talk about the concerns that Eloy has and maybe your
8 answers to them.

9 PEW: Very well.

10 SCHNEPF: What they stated.

11 PEW: Yep, happy to do that. So Mr. Chairman,
12 Commissioner Schnepf, let's just start from the top. No
13 utility scaled solar facilities north of the I-10. That is
14 the standard for Eloy, and when they adopted a solar ordinance
15 overlay, that was their main premise. Everything was south of
16 the 10 within certain areas, a certain parameter, and a
17 certain percentage of acreage could be used for solar. They
18 have two things - acreage and location. Now, with respect to
19 this piece, the key here is we are not in Eloy and they never
20 asked us to join Eloy. Had they asked the property owner
21 earlier to join Eloy, maybe they would have, but we have to
22 deal with what we have today, and today is this land is in the
23 County. And we would be bound by Eloy's guidelines if we were
24 there, but we're not, and they didn't ask us, that I know of.
25 The second point is, the land use for the City of Eloy is

1 designated for a Estate Residential, and is in therefore
2 conflict with future land use. That statement is exactly
3 right. In municipalities it's called the general plan, so
4 their general plan designates this area that would like to
5 have this 260 acres, as Estate Residential. I didn't read the
6 definition, but that means to me, large lot of - larger square
7 footage of lots and homes probably, right, you would typically
8 see in an estate deal. So, we don't fit that category and
9 frankly, when you think about it, we would replace that with
10 the solar uses that we're proposing, and we're just not bound
11 by Eloy's plan right there, Commissioner Schnepf. They would
12 like to see it be housing, then why don't they annex us? Why
13 didn't they talk to us about it? Lots of those things can
14 happen that just don't, and frankly, the extraterritorial
15 jurisdiction that cities have, they can put it on a map, but
16 that does not regulate land use, the County does, right? So
17 today we're here in front of you and the Supervisors, because
18 this land's in the County. Eloy can say we would like it for
19 this in the future, but they can't put it in their general
20 plan like if it were in their boundaries, and then we would
21 have to live with that category. That's best I can say to
22 that one. Lack of fire service, again, in this particular
23 issue, Ashley's much more conversant on the fire districts,
24 but on this 260 acres, the risk of fire here on all panels
25 with no BESS is as close to zero as you can get. So, there

1 may be fire services - Ashely, are there available? I'm not
2 sure.

3 JOHNSON: Yes, as we can see, it's (inaudible)
4 regional fire department and rescue department. It's within
5 their coverage area. Also, a majority of the project area is
6 located in the City of Coolidge, so it would likely be those
7 two fire departments that would respond.

8 SCHNEPF: You haven't had a conversation with them
9 yet?

10 JOHNSON: We have had a conversation.

11 SCHNEPF: Oh you have, okay.

12 JOHNSON: Yes, yes.

13 SCHNEPF: So they are aware and they know.

14 JOHNSON: Yeah.

15 SCHNEPF: Also, real quick, you don't have a BESS,
16 but is there an inverter or anything for the power that you're
17 generating to get it into the lines?

18 PEW: I'm going to say what I think, but Kyle knows,
19 there it is, isn't there? That's what I thought for sure,
20 yeah.

21 SCHNEPF: There is inverters.

22 PEW: There's got to be an inverter to get it into
23 the other line.

24 SCHNEPF: Okay. And the chances of those heating up
25 and burning up are what?

1 WHITTIER: Again, great question, thank you for the
2 question. There is, of course, a potential. It's very, very
3 rare that that happens. All of our sites - this one, just
4 like all the others - is designed for safety and to minimize
5 all of those, both in the design, the operation, and
6 maintenance of these sites. So can I say that the potential
7 is zero? Of course not, there's always potential, but it is a
8 very, very, rare occurrence.

9 SCHNEPF: Is there any onsite planning for that in
10 case that potential does happen? Besides calling the fire.

11 WHITTIER: The site is monitored 24/7 by our
12 Renewable Operations Control Center back in Juno Beach in
13 Florida, so there are a number of systems that monitor it
14 every second to ensure that if anything were to come up, or if
15 there are any anomalies to the data that something would be
16 triggered. We do, of course, have staff folks that run these
17 sites as well that are able to - they go around, they do the
18 maintenance, they get eyes on. The course of action, though,
19 would be to identify if there was an issue and then call
20 emergency services.

21 SCHNEPF: Are the inverters like kind of separated
22 out from each other? They're not all congregated together?

23 WHITTIER: That's correct. Typical design is that
24 it will be an inverter for a particular portion of the array,
25 and so they're separated and designed such that they're

1 spaced.

2 SCHNEPF: So if they did overheat, burn up, they
3 would just probably melt.

4 WHITTIER: It's not a, yeah, it does not propagate -

5 SCHNEPF: Before the fire was able to get there, and
6 they probably would have more potential to put that out than
7 they would with a BESS system, correct, because sometimes
8 those BESS systems when they burn it's best to just let them
9 burn.

10 WHITTIER: The BESS systems -

11 SCHNEPF: No put chemicals on it.

12 WHITTIER: That's right. The BESS systems that we
13 utilize these days are containerized systems, individually,
14 separated again to ensure that there's not propagation if
15 there were to be a thermal event, which again are very rare,
16 and they are designed to be self-contained and to naturally
17 extinguish. Again, keeping safety in mind, not having the
18 emergency services go in. Water's not a great thing on those,
19 of course, but they are designed to do just that. They're
20 self-contained, they extinguish internally and that stays
21 there.

22 SCHNEPF: Okay, great. Let's get to that last one
23 there. Ralph, you're up again.

24 PEW: Here we go, the last one. Development
25 standards for buffering, landscaping, screening are inadequate

1 for abutting less adjacent or less intense uses. Well, as
2 Sangeeta indicated in her earlier presentation, we've complied
3 with every screening, buffering etc., etc. requirement of
4 Pinal County. My thought about that is, as gently as I can
5 say it, is if Eloy wanted us to comply with their standards,
6 it would have been nice to know before 9:00 this morning.
7 That's when we got this letter. And we didn't get it we -
8 thank goodness the staff handed us a copy. So I mean as much
9 as we'd like to cooperate, it's a little bit late to do that,
10 but I don't think there's much difference. I don't know,
11 Sangeeta, and I don't know that you know Eloy's standards, but
12 we've met all of the County's separation and landscaping and
13 screening and all that.

14 SCHNEPF: And the screening that you are proposing
15 in this development is based mostly just on where there is
16 residential adjacent to it or close to it?

17 PEW: Well, that's what we've done in other places.
18 What have we done here, Ashley, anything different?

19 JOHNSON: It's landscaping around the entire
20 perimeter.

21 SCHNEPF: The entire perimeter.

22 PEW: Yeah, the entire perimeter of the project.

23 SCHNEPF: With the foliage that you have in the
24 packet, on the inside of the - or the outside of the fence?

25 JOHNSON: I need to confirm whether it's inside or

1 out.

2 DEOKAR: It's shown outside of the fence.

3 SCHNEPF: Outside of the fence.

4 DEOKAR: Yes.

5 SCHNEPF: Okay. Around the whole perimeter, okay.

6 We don't always get that, I'm just saying. We don't get that
7 from these kind of developments. Okay.

8 JOHNSON: I'd also like to add, you know, a lot goes
9 into preparing these applications to get to this point. As
10 you saw, we had our first neighborhood meeting in June leading
11 up to our pre-application meeting that was in December of
12 2024. Prior to that, in September of 2024, we did reach out
13 to the City of Eloy council members and I met with Mayor
14 Sutton, council member Curtis, and showed them our project
15 area in relation to the city boundaries and their fire
16 department coverage, and not only had the opportunity to
17 answer any questions that they had, but opened it up to see if
18 they had any concerns at that point in time. So when we saw
19 that they submitted a letter late last night, it did come as a
20 bit of a shock, and I spoke with the mayor right before this
21 started and we're going to meet with him and hopefully talk
22 through some of the additional concerns that they have, but
23 we've been trying to go out of our way to get the input of
24 Coolidge and the City of Eloy.

25 SCHNEPF: I would say that's a plus to put foliage

1 around the whole entire development. Like in the past where
2 we've had them, they haven't always done that, they just did
3 it adjacent to developed already property, so that's a good
4 thing. It's all I have.

5 MENNENGA: Commissioner Scott.

6 SCOTT: I just wanted to highlight what this
7 gentleman said, that it is a very rare occasion that there's a
8 fire where solar panels are. Is that what you said?

9 WHITTIER: If that's what I said, my words that I
10 can't look back, but if they heard it is that solar panels do
11 not cause fires. Very, very unlikely solar panels would cause
12 fires. If there was a fire there caused otherwise in the
13 presence of solar panels, I can't speak to that.

14 SCOTT: Okay. I just wanted to bring to mind that
15 you guys had a fire last year at the Storey facility because
16 of all the weeds and undergrowth and things of the such that
17 were there, and I know that the fire engines were dispatched,
18 it was in the newspaper or something like that. So you know,
19 stuff happens. That's why we need to, you know, check on
20 NextEra's, you know, your ability to keep your projects clean.
21 Do you have the projects east of Coolidge right now, the new
22 ones?

23 WHITTIER: Project east of Coolidge? What's your
24 question, sir?

25 SCOTT: So there's new solar been installed east of

1 Coolidge, are those your projects?

2 WHITTIER: East of Coolidge. Do you know the names
3 by chance?

4 SCOTT: No, I went by there the other day and you
5 didn't have any signs on the fence. I just want to bring it
6 up that the weeds are about, I'd say 15 inches tall, dead
7 tumbleweeds in there.

8 WHITTIER: Just to make sure I understand, are these
9 being constructed right now?

10 SCOTT: No. They're built. They're all inside and
11 they're operable.

12 WHITTIER: I'd need to look at where those are.

13 SCOTT: I'd run out there if I were you and checked
14 that out.

15 ??: I don't think it's (inaudible).

16 MENNENGA: So in light of all we've heard here, you
17 know, we've had a lot of these solar projects come forward in
18 the last couple of years, and we've all got quite an
19 education. I drive these solar - by these solar farms and we
20 hear all these promises, we're going to landscaping. Quite
21 honestly, the landscaping, it looks like crap - pardon my
22 French - but it just does on all of them. You put them in and
23 you're like gone, you just disappear off of them, you know?
24 We have a, we have a - and no, I'm commenting, okay?

25 JOHNSON: Absolutely

1 MENNENGA: So sorry, that's just the way it happens.
2 We, in this area, there's so much solar it's unbelievable out
3 there. So in one area, a couple of years ago, down Selma
4 Highway, there's a battery facility, decent sized battery
5 facility, and it rained a lot. You know what? There was -
6 you couldn't get to, you couldn't get fire trucks to this
7 battery facility. And you know what? That tells me how
8 little these solar companies care about the area here. That's
9 just the way I feel about it, okay? Now, I want to ask staff
10 a couple of questions. Do we want to do public hearing,
11 because we're probably going to move for continuation here.
12 We have so many unanswered questions, it's unbelievable, okay?
13 So - and I hate continuations, but we need some answers. We
14 need some answers on decommissioning. I heard more than once,
15 great question. Well, why can't we get great answers for
16 crying out loud? You need to be better prepared, Ralph. I
17 just, you got to - come on. We've heard these a lot now,
18 we're kind of tired of hearing everything for myself. So we -
19 I personally feel we need a continuation here. So do we want
20 to do the public hearing portion and leave it open?

21 BILLINGSLEY: Mr. Chairman, Vice Chairman, Members
22 of the Commission, it is your prerogative, if you choose to
23 continue this, I would only ask that it's to a date certain.
24 Since the public hearing has been advertised, we do need to
25 open the public earring. And much like on the first case, if

1 you open the public hearing, you intend to continue, then you
2 leave the public hearing open until that date, if that helps.

3 SCOTT: Mr. Chairman?

4 MENNENGA: Yes?

5 SCOTT: We have the City of Coolidge here also.

6 MENNENGA: And actually, I do, I want to hear from
7 City of Coolidge on this, if that's appropriate, okay? So, do
8 I need to open a public hearing for that part?

9 BILLINGSLEY: I think that would be appropriate, yes
10 sir.

11 MENNENGA: So I'm going to open the public hearing
12 on all three of these cases, but at this point, I'm open to
13 the public hearing on case PZ-PA-015-24, PZ-026-24 and PZ-PD-
14 016-24. So anyone want to speak to this, please come up. I
15 need you just to sign in.

16 GARTHRIGHT: I've already filled out a request to
17 speak and I've signed this as well too when we were talking
18 about the Diamondbacks earlier. A lot of discussion, a lot of
19 information. Some of it will be similar to what I was going
20 to say, but I'm just going to focus on this part and I'll try
21 to answer what questions I can within the scope of this. Some
22 of might be further answers that would need to come from
23 leadership with Coolidge, but -

24 KLOB: Can you state your name and address?

25 GARTHRIGHT: Absolutely, I was just about to get to

1 that. I'm Phil Garthright, I'm the Senior Planner for the
2 City of Coolidge. I come before you today to generally
3 announce our opposition to these applications from a literal
4 policy standpoint or a general plan aspect. I'm going to
5 focus on the topics of economics and land use, but I'm gonna
6 share a story real quick. On large land use projects, once
7 upon a time I was the senior planner out in Buckeye, and at
8 that time we had a three jurisdiction involved location for a
9 very large waste transfer station that was in an
10 unincorporated area of Maricopa County between Buckeye and
11 Goodyear. Now ironically at that time, the City of Buckeye
12 was going to benefit greatly because just a little earlier
13 they had executed an intergovernmental agreement with the City
14 of Phoenix for a 2,000 acre, 100 year solution to basically
15 all their garbage. So we worked with them, had a lot more
16 landscaping, but there was a direct benefit to it and it was
17 something that had been very heavily advertised, involved in
18 the public, even for such a controversial use like that. I
19 only compare it as a larger land use of controversy, but also
20 economics and land use. In this case, the technical
21 standpoint that I come before you, as far as policy goes from
22 our general plan, is the fact that it is in our planning
23 boundary. The land use designation that we have had on this,
24 as far as I'm aware, at least back to 2014 - we just recently
25 updated our land use section to our general plan again

1 recently here, also reflecting that, showing land uses of
2 business commerce and urban neighborhood. Within both of
3 these land uses, even ourselves of our I-1 and I-2 districts,
4 we would not allow the designation of a rezoning to an I-1 or
5 I-2, at least not with another accompanying application. So
6 the notation of going to an I-3 here is technically, as far as
7 we're concerned, a non-compliant land use situation. Now in
8 the past, you know, this would have been an agricultural
9 zoning type of situation where the land uses would have
10 compliant; however, in the last three years what we have done
11 is had a specific industrial solar overlay. The County
12 provisions relative to this discussion don't allow the City of
13 Phoenix to benefit by these chosen actions. And I'll remind
14 once again that, yes, there is a portion to the north of it
15 that is in our jurisdiction, and yes, they do have two
16 conditional use permits. So they do an entitlement that was
17 put in place about five years ago, we're currently still in
18 the process of discussing, clarifying things with them. One
19 of the things that we had wanted was information for this
20 portion of the County area as well here too. But once again,
21 that was the primary thing. So the primary thing I'd like to
22 sum up here - oh, and by the way, the areas that are in our
23 area for the CUP, in our annex areas, that is part of the
24 overlay district. That was the intention, that's why it was
25 created three years ago, and I do realize the timelines of

1 things that I'm saying here. So once again, I acknowledge
2 they do have an entitlement, a CUP element within our
3 jurisdiction, there's still the policy advent portion that
4 precedes that usually, or decision-making processes like this,
5 and the differential between those two is basically that the
6 County-wise, this entitlement doesn't exist if and until it is
7 done so here as a recommendation. However, I'd like to point
8 out as far as we're concerned, from a policy standpoint, that
9 it's a non-compliant use situation, at least as far I'm aware,
10 identified since 2014. And once upon a time, many moons ago,
11 before even Buckeye, I worked a utility type situation all
12 over the U.S. and around the world, and a lot of times I would
13 tell the project people I was working with, get a copy of the
14 general plan, and a lot of times they would say, why? And I'm
15 not going to say these people hadn't done some of their
16 homework, they have in some ways, but the reason why was to
17 identify where we were trying to put the facilities in
18 relationship to that policy document leading into the
19 entitlement document, or the rights with the zoning, and
20 that's why then and that's why here. So, thank you.

21 MENNENGA: Questions? Commissioner Scott.

22 SCOTT: So in a clear way, what does - Coolidge
23 considers that location a path of growth or a future path of
24 growth (inaudible)?

25 GARTHRIGHT: Well, we have six different land uses.

1 One of them is the urban neighborhood and another one nearby,
2 and I believe portions of it, are the business commerce and
3 taking a look at this. We have a separate standalone
4 industrial and manufacturing district, or reference the [IPAS]
5 area, that is designated as that I&M land use, and of course
6 the zoning there is I-2. We would not allow an I-1 or an I-2,
7 which is the highest level of industrial zoning we have, to
8 exist in either the urban neighborhood nor the business
9 commerce area. So for us, this is a non-compliant zoning
10 element, even though I acknowledge it's an unincorporated area
11 of the city - or excuse me, of Pinal County, but as far as
12 we're concerned from a land use situation, it's a non-
13 compliant situation as far the proposed zoning, albeit in the
14 County.

15 SCOTT: So in your experience, being the senior
16 planner of Coolidge, Coolidge has several thousand acres of
17 solar in existence.

18 GARTHRIGHT: Yes, the overlay district is
19 approximately 8,000 acres.

20 SCOTT: Can you maybe share with us a little bit
21 what types of economic development is planned to go around
22 these utility grade solar facilities? What are you seeing?

23 GARTHRIGHT: Well, that's almost kind of getting
24 into a department head or city manager function. What I can
25 highlight upon is that when the proposals are brought to us,

1 they do speak of similar things as has been presented here
2 today. Construction jobs, the amount of taxation that would
3 come from that, and granted, any type of situations you have
4 like that can be considered a welcome situation. As to the
5 advantage/disadvantage of how that taxation and that
6 assessment occurs afterwards, I am far down the totem pole of
7 making any determination of that. So I can't speak to that
8 portion other than what's been shared with us in the general,
9 these jobs and these benefits will come to a community if such
10 a proposal is approved.

11 SCOTT: So have you seen any interest in housing
12 subdivisions, ranchettes, commercial businesses want to be in
13 - build in the proximity of industrial solar arrays?

14 GARTHRIGHT: A hard topic to answer, almost needs an
15 economic study as the applicant was answering.

16 SCOTT: I'm asking what your experience is, I'm
17 looking for a yes or a no.

18 GARTHRIGHT: We get all kinds of different
19 applications. Sometimes people, if they're familiar with the
20 area, they've lived here for many generations, they might want
21 to locate an acreage or something of that nature. One way or
22 to another, I've not actually heard anyone individual say yay
23 or nay to it, but obviously that would be part of the
24 individual decision making of why they would want to build a
25 homestead there or lots split and things of that nature. But

1 clearly, such a large facility of things of this nature could
2 be relevant upon that discussion, but that's for their own
3 individual choice, I can't actually speculate upon that, so.

4 SCOTT: But currently you don't have - do you have
5 any applications for those such items in the city?

6 GARTHRIGHT: As a jurisdiction of well over 160
7 square miles, we get all kinds of different applications and
8 things, so once again, it's difficult for me to express an
9 opinion on that.

10 SCOTT: But nothing's gone to Planning and Zoning in
11 Coolidge?

12 GARTHRIGHT: For?

13 SCOTT: For economic development in and around the
14 utility grade solar arrays.

15 GARTHRIGHT: Once again, hard to say because there's
16 some subject matter that we cannot talk about and stuff
17 because sometimes there's NDAs and things of that nature, so I
18 can't answer that here. And I'm technically low man on the
19 totem pole when it comes to things like that.

20 SCOTT: All right, fair enough.

21 MENNENGA: One of the huge concerning things here is
22 Coolidge has been fortunate to rezone this whole piece of
23 property within a mile of this location in industrial. Now
24 unfortunately, Nikola has gone away, but we have Lucid coming
25 in. I don't know if anybody's been by the Lucid plant in Casa

1 Grande, but that thing's huge, you know, with Procter& Gamble.
2 And now what's interesting about that in Casa Grand because
3 Lucid's there, we have several million square feet of
4 warehouse spaces going up in the area and around to supply to
5 that. And being within a mile here, I mean come on, I mean an
6 Employment center, yeah, well, everything changes over time
7 and I've been here for a long time, so yeah, so - and
8 (inaudible) on taxes. Lord, if you put an Employment center
9 or something in there, what's that (inaudible) thousand times
10 taxes what a silly solar farm's gonna pay. You know, first
11 the property tax Ralph's talked about, that diminishes and
12 goes away after 10 years, so you know, we've done studies,
13 we've heard studies on taxes and wow, the taxes really is
14 minimal what they pay, pay a little property tax and stuff,
15 but it's pretty minimal. You know we've had a couple really
16 good people from Coolidge here, one lady in particular, who
17 did quite a study on taxes and it was very interesting and I'd
18 asked that question for years. We've been asking the same
19 questions for 3-4 years here now on these solar companies and
20 we still get the same answer. Well it's a great question,
21 I'll get back to you. Well, obviously it's time to step up.
22 I hope you took good notes because you're going to need those,
23 okay, as you understand it. And thank you, we appreciate
24 that. So okay. Well anyone else to want to speak to this at
25 this time? Okay. I - so we're going to keep this public

1 hearing portion open until whatever we decide here. So again,
2 I'm going to - I'm sorry.

3 MOONEY: It's a public portion, but I just had a
4 couple of questions, one for staff and one for - and maybe
5 it's not the time.

6 MENNENGA: Yeah. I don't see a problem with that.
7 Go ahead.

8 MOONEY: Okay. Sangeeta, I believe in the beginning
9 of the presentation, once it can change, the zoning is changed
10 to this, it can't be changed back. So even if they
11 decommission and put the property back to its original, it's
12 still going to be the only item that can be on here is solar.

13 DEOKAR: Yeah, after the decommission, it has to go
14 back to the original use and no other use besides what has
15 been per I-3.

16 MOONEY: Changed to.

17 DEOKAR: Yeah. It has to go through the same
18 process of rezoning.

19 MOONEY: To try and put it back to -

20 DEOKAR: To GR.

21 MOONEY: Okay. And if I may, I have a question for
22 you, sir. Without this piece of the project, will the other
23 acreage still continue on?

24 PEW: Let me have Kyle answer that question. I
25 don't make that decision. I'm going to find out the answer to

1 that.

2 WHITTIER: I'm going to say that's a great question,
3 which I know you don't like, but it is a great question. But
4 I do have an answer, and the intent would be to work with the
5 customer and work with SRP, and still our goal is to provide
6 the power that's needed. So the intent would be to move
7 forward with it, yes.

8 MOONEY: Moving forward with the part that's in
9 Coolidge and not this 200 and something acres.

10 WHITTIER: I mean the goal, of course, is to move
11 forward with all of it, but our goal is to provide the power
12 to SRP that they've needed.

13 MOONEY: Thank you very much, I appreciate it.

14 MENNENGA: Okay, back to the Commission. What's our
15 desire? What's your desire?

16 MOONEY: Because I'm still kind of new at this, can
17 you push it out more than one month?

18 BILLINGSLEY: Yes, the Commission can push it out
19 for more than one month. It is your call.

20 MOONEY: Because I know they're only allowed so many
21 -

22 BILLINGSLEY: Yes, you're allowed two continuances
23 before it has to be re-advertised. If you wanted to do June
24 instead of May, that's the Commission's prerogative.

25 MOONEY: I was just thinking of the timeline to get

1 answers for some of these questions, that was my only
2 reasoning for asking if we were going to do a continuance.

3 MENNENGA: I'm going to ask the applicant.

4 PEW: Mr. Chairman, we can provide answers, and May
5 would be a lot more comfortable for us, but if you want to do
6 it in June, we'll do whatever you want to do, but we're going
7 to work on answers for you.

8 MOONEY: I'm not looking for more time, I just
9 thought if you needed it, how far, because I'm still fairly
10 new here.

11 PEW: We don't need it, we're going to get on it
12 right away, but May would be better for us.

13 MOONEY: Okay.

14 KLOB: Brent, do we know what the agenda is looking
15 like for May?

16 BILLINGSLEY: Harvey, do you have any idea? Is it a
17 long agenda?

18 DEOKAR: We have the Rio Blanco going forward, and
19 on the top of my head, I don't see any other.

20 BILLINGSLEY: That would probably work as an agenda.
21 Thank you.

22 SCOTT: All right. I'd like to make a motion that
23 we have a continuance on PZ-PA-05-24. Do I need to do all
24 three of them?

25 MENNENGA: Yes.

1 BILLINGSLEY: Each motion separate, and please
2 mention as part of those that have a public hearing, that the
3 public hearing remain open until that date.

4 SCOTT: Okay. I make a motion that we continue the
5 public hearing, that it remains open for PZ-PA-015-24.

6 GAREY: And just to confirm, Mr. Commissioner, you
7 are continuing the entire case, not just the public hearing,
8 correct?

9 SCOTT: Correct

10 GAREY: Thank you.

11 MENNENGA: Second?

12 KLOB: Second.

13 MENNENGA: Second.

14 SCOTT: Do I need to specify a date?

15 MENNENGA: Add the date.

16 SCOTT: That would be the meeting in May, May 15th?

17 BILLINGSLEY: That's correct. We need a new second
18 with the amended motion.

19 MENNENGA: New second.

20 KLOB: New second.

21 MENNENGA: Okay, everyone in favor?

22 COLLECTIVE: Aye.

23 MENNENGA: Anyone opposed? Next case.

24 PEW: Thank you, Mr. Chairman.

25 SCOTT: Okay, I make a motion to have a continuance

1 of the public hearing for May 15th for PZ-026-24.

2 MENNENGA: Second?

3 KLOB: Second.

4 SCOTT: For May 15th?

5 MENNENGA: Yeah.

6 KLOB: Second.

7 MENNENGA: Everyone in favor?

8 COLLECTIVE: Aye.

9 MENNENGA: Any opposed? Okay, and the next case.

10 SCOTT: I make a motion for a continuance to the May
11 15th meeting on the public hearing for PZ-PD-016-24.

12 MENNENGA: Second.

13 KLOB: Second.

14 MENNENGA: Everyone in favor?

15 COLLECTIVE: Aye.

16 MENNENGA: There any opposed? Okay, sounds great.

17 Well, bring your lunch in May, I guess. All right, Call to
18 the Public.

19 ??: Call to the Commission.

20 MENNENGA: I'm sorry, Call to Commission, I'm sorry.

21 Anything from anyone? I know Todd said something about the
22 dates earlier of that, and we want to kind of gather here.

23 Let's see the 3rd and the 29th, if I remember right Todd.

24 WILLIAMS: May 8th as well as May 29th.

25 MENNENGA: May 8th and 29th.

1 BILLINGSLEY: It would be great if we could come to
2 a consensus.

3 MENNENGA: That's kind of what I'm thinking, too.

4 SCHNEPF: You just want to hold one of those
5 meetings one of those dates?

6 BILLINGSLEY: That's correct.

7 WILLIAMS: Correct.

8 MENNENGA: The 8th, I mean who could come to the 8th
9 and everybody okay with that?

10 KLOB: I can be at either one, so.

11 SCHNEPF: The 8th is better for me.

12 MENNENGA: Okay, the 8th? Is everybody okay? Well,
13 let's kind of plan on the 8th then, Todd, okay? And then I
14 know we've got a couple of them here, but you know what you
15 might do is reach out to them and say we've kind of sort of
16 set this date, it's not a hard date, but we have to them. I
17 think Mr. Pranzo's probably open to that. I don't know about
18 Mr. Hartman, actually, and Mr. Keller, but so anyway, okay.
19 All right, I guess that gets to be my birthday present. A
20 couple days later. It's a couple days later, so anyway. All
21 right, well thank you. Anything else? Commissioners,
22 anything else? So all right. I thank everybody for their
23 time. As Todd said, I missed a luncheon, but things happen
24 basically. So, you know, it was - just a quick note.

25 Actually the Board of Supervisors, Steve Miller had his town

1 hall Tuesday night in Casa Grande, which I went to, and about
2 a third of that was Planning and Zoning Commission items. The
3 one, oh man, the kennel thing a month ago, the one in San Tan
4 that we approved, and the attorney was there for that and some
5 others, so I guess my comment is we kind of have an impact,
6 you know, because if we didn't that attorney wouldn't have
7 been there and complaining and carrying on, basically, and
8 some other people. And one of the things that came up was
9 special use permits and I - and the people were really kind of
10 complaining about that, but you know as I said, and as we
11 learned a few months ago (inaudible), what special use permits
12 does it really gives the County a lot more authority to
13 regulate that thing. I mean, it just really does, you know,
14 and of course that's hard to explain to the people, whatever,
15 you know. But anyways, it was kind of interesting that those
16 comments came up at a town hall meeting, which probably wasn't
17 appropriate, and as I was sitting with Harvey for a little bit
18 and I said, I feel like I'm back at a Planning and Zoning
19 Commission for a little bit, you know? Which I didn't really
20 want to hear, but we heard all that stuff before, but I still
21 thought we did the right thing. So anyway, just a comment
22 you know of kind of the impact we do have. And I know we're
23 just a advisory board and stuff like that, and then there was
24 a comment from the commissioner about the planning and zoning
25 update, but I won't go into that one. So anyway, anyway, go

1 ahead.

2 SCHNEPF: Motion to adjourn.

3 MENNENGA: Motion to adjourn, and a second.

4 KLOB: Second.

5 MENNENGA: All right, thank you.

6 COLLECTIVE: Aye.

7 ??: Forgot that part.

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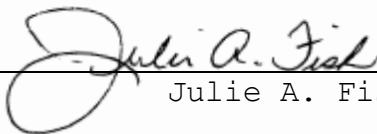
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