PLEASE SILENCE ALL ELECTRONIC COMMUNICATION DEVICES. THANK YOU.

NOTICE OF POSSIBLE QUORUM OF THE BUCKEYE CITY COUNCIL
A MAJORITY OF THE CITY COUNCIL MAY ATTEND THE REGULAR MEETING OF THE BUCKEYE PLANNING AND ZONING COMMISSION BUT NO LEGAL ACTION CAN OR WILL BE TAKEN BY THE CITY COUNCIL.

CITY OF BUCKEYE
PLANNING AND ZONING COMMISSION
NOVEMBER 24, 2026
AGENDA

City Council Chambers
530 East Monroe Avenue
Buckeye, AZ 85326
6:00 p.m.
****Live streaming will be available via YouTube****
The doors will be open to the public at least 15 minutes prior to the start time of the meeting.

Accessibility for all persons with disabilities will be provided upon request. Please telephone your accommodation request (623) 349-6911, 72 hours in advance if you need a sign language interpreter or alternate materials for a visual or hearing impairment.

Voting Members will either attend in person or by telephone conference call or video presentation. Items listed may be considered in any order.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

2. MINUTES

2.A Approval of minutes from the November 10, 2026 Planning and Zoning Commission regular meeting.
Staff Liaison: Keri Hernandez, Management Assistant, khernandez@buckeyeaz.gov (623) 349-6211

3. REGULAR AGENDA

3.A Miller and Durango Rezone - PLZZ-26-0018 - Conduct a public hearing and recommend approval to the Mayor and City Council for a rezone of approximately 1.36 acres from General Commerce (GC) to Community Commercial (C-2), located on the north side of Durango Street west of Miller Road, subject to conditions a) through i).
Staff Liaison: Andrea Marquez, Senior Planner Special Projects, amarquez@buckeyeaz.gov, (623) 349-6220

3.B Buckeye Energy Center - Conditional Use Permit (PLZU-26-0012) - Conduct a public meeting

and approve a Conditional Use Permit over approximately 157 acres located approximately 4,700 feet west of the northwest corner of State Route 85 and Patterson Road, subject to conditions a) through x).
Staff Liaison: Joseph Mueller, Senior Planner, jmueller@buckeyeaz.gov, (623) 204-5505

4. COMMENTS FROM THE PUBLIC

Any members of the audience may comment on non-agenda items. However, State Open Meeting Law does not permit the Commission to discuss items not specifically on the agenda. The Commission may direct inquiries to City staff.
Action Required: *None*

5. PLANNING MANAGER REPORT AND SUMMARY OF CURRENT EVENTS

6. PLANNING AND ZONING COMMISSION SUMMARY OF CURRENT EVENTS

Any regular or alternate Commissioner or Council Liaison may present a brief summary on current events
Action Required: *None; there will be no discussion, deliberation, proposals, or legal action.*

7. ADJOURNMENT

CITY OF BUCKEYE
Regular Planning & Zoning Commission
PLANNING ACTION REPORT

MEETING DATE: 11/24/26	**AGENDA ITEM:** 2.A. MINUTES
DATE PREPARED: 11/19/26	**DISTRICT NO.:**
STAFF LIAISON: Keri Hernandez, Management Assistant, khernandez@buckeyeaz.gov (623) 349-6211	
DEPARTMENT: Development Services	**AGENDA ITEM TYPE:** Minutes

ACTION/MOTION: (This language identifies the formal motion to be made by the Voting Members) Approval of minutes from the November 10, 2026 Planning and Zoning Commission regular meeting.

SUMMARY

Items related to a project or facility location must include an attached vicinity map for Council Review.
ATTACHMENTS:
11.10.2026.PZC.MinutesDRAFT.pdf

City Council Chambers
530 East Monroe Avenue
Buckeye, AZ 85326
****Recording of this meeting is available via YouTube****

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL
Chairperson Ted Burton called the meeting to order at 6:00 p.m.

Members present: Chairperson Ted Burton, Commissioner Gina Ragsdale, Commissioner Deanna Kupcik, Vice Chair Anthony DiMascio, Commissioner Donald Bassler, Commissioner Sebastian Trupiano, Alternate Charles Hester seated for District 1, Alternate Les Manuel

Members absent: Commissioner Rebecca Puppe

Staff present: Planning Manager Ken Galica, Planner II Sylvia Willem, Senior Planner Special Projects Andrea Marquez, Assistant City Attorney Sharon Flack, Management Assistant Keri Hernandez, Administrative Assistant II Angelica Mollinedo

2. MINUTES
2A. APPROVAL OF MINUTES FROM THE OCTOBER 27, 2026 PLANNING AND ZONING COMMISSION REGULAR MEETING.
A motion was made by Commissioner Trupiano and seconded by Commissioner Bassler to approve minutes as presented. Approval 7-0. Motion carried.

3. REGULAR AGENDA
3A. MERIT BUCKEYE COTTON GIN – REZONE (PLZZ-26-0019)
Planner II Sylvia Willem presented and was available to answer questions from the Commission.
Applicant representative Jason Morris presented and was available to answer questions from the Commission.
Commissioner Trupiano asked if the conditions have been set. Mr. Morris informed the Commission that there is a language discrepancy in a condition regarding the right-of-way. Mr. Trupiano asked for clarification on the difference between I-1 and I-2 districts. Planning Manager Ken Galica explained that I-1 is light industrial which typically takes place in enclosed buildings, whereas I-2, heavy industrial, are more likely to create an impact on the environment, whether it is noise or odors.
A public hearing opened at 6:15 p.m.
With there being no comments, the public hearing closed at 6:15 p.m.
A motion was made by Commissioner Kupcik and seconded by Commissioner Ragsdale to recommend approval to the Mayor and City Council as presented subject to conditions ‘a – j’. Approval 7-0. Motion carried.

3B. MC85 AND ROOKS RETAIL – REZONE (PLZZ-26-0009)
Senior Planner Special Projects Andrea Marquez presented and was available to answer questions from the Commission. Ms. Marquez asked to highlight condition a) to read ‘Approval of this rezoning is contingent upon approval and effectiveness of the annexation of the subject property through Annexation

case number PLZM-26-0025. The proposed C-2 zoning shall not become effective unless and until the annexation becomes effective. If the annexation is denied, withdrawn, or does not become effective, this rezoning approval shall be null and void' and the owner has agreed to all conditions as presented.
Commissioner Trupiano asked if there will be a large box store at this location. Ms. Marquez indicated that the C-2 zoning allows a more residential community commercial, retail, personal services, and small professional offices. Mr. Galica informed the Commission that this property is outside the Downtown Core and will have a different designation as Business Commerce.
A public hearing opened at 6:27 p.m.
With there being no comments, the public hearing closed at 6:27 p.m.
A motion was made by Commissioner Kupcik and seconded by Commissioner Bassler to recommend approval to the Mayor and City Council as presented subject to conditions 'a – j'. Approval 7-0. Motion carried.

4. COMMENTS FROM THE PUBLIC
None

5. PLANNING MANAGER REPORT AND SUMMARY OF CURRENT EVENTS
Mr. Galica updated the Commission on future agendas and thanked all Veteran's for their service.
Planning and Zoning Commission candidate applications are under review for District 3 and District 4.
The General Plan Update process has begun and is scheduled to be adopted by 2028.

6. PLANNING AND ZONING COMMISSION SUMMARY OF CURRENT EVENTS
Commissioner Trupiano extended wishes that everyone enjoy Veteran's Day.
Commissioner Bassler encouraged all to attend a Veteran's Day event.
Commissioner Ragsdale announced that the Daughters of the American Revolution (DAR) will have flags placed all along Main Street for Veteran's Day.
Chair Burton announced the Pancake Breakfast on Veteran's Day and that Veterans eat free.

7. ADJOURNMENT
With there being no further business, Chairperson Burton adjourned the meeting at 6:34 p.m.

Ted Burton, Chairperson

ATTEST:

Keri Hernandez, Management Assistant

I hereby certify that the foregoing is a true and correct copy of the Planning and Zoning Commission Regular Meeting held on the 10th day of November 2026. I further certify that a quorum was present.

Keri Hernandez, Management Assistant

CITY OF BUCKEYE
Regular Planning & Zoning Commission
PLANNING ACTION REPORT

MEETING DATE: 11/24/26	**AGENDA ITEM:** 3.A. Miller and Durango - Rezone - PLZZ-26-0018
DATE PREPARED: 11/19/26	**DISTRICT NO.:** Council District 3
STAFF LIAISON: Andrea Marquez, Senior Planner Special Projects, amarquez@buckeyeaz.gov, (623) 349-6220	
DEPARTMENT: Development Services	**AGENDA ITEM TYPE:** Public Hearing and Non Consent - New Business Items

ACTION/MOTION: (This language identifies the formal motion to be made by the Voting Members) Miller and Durango Rezone - PLZZ-26-0018 - Conduct a public hearing and recommend approval to the Mayor and City Council for a rezone of approximately 1.36 acres from General Commerce (GC) to Community Commercial (C-2), located on the north side of Durango Street west of Miller Road, subject to conditions a) through i).

SUMMARY

PROJECT DESCRIPTION:
The applicant requests to rezone a vacant parcel within Miller Commerce Center. The requested C-2 zoning is consistent with the Business Commerce land use designation and continues the existing C-2 zoning pattern immediately east and west of the site along Durango Street. The applicant anticipates a NAPA auto parts store, additional commercial suites, and a separately operated vehicle repair shop. The current request is limited to rezoning. The site layout and the repair shop's use classification will be evaluated during separate site plan review. See the attached staff report and exhibits for additional information.

BENEFITS:
The rezoning would support development of a vacant parcel in an existing commercial corridor and provide opportunities for additional retail, services, and employment in Buckeye.

FUTURE ACTION:
Following the Planning and Zoning Commission's recommendation, the request will be forwarded to the Mayor and City Council for a public hearing and final action.

Items related to a project or facility location must include an attached vicinity map for Council Review.
ATTACHMENTS:
PLZZ-26-0018 Miller and Durango Planning Staff Report PZC 11.24.2026 FINAL.docx
Exhibit A - Vicinity Map.pdf
Exhibit B- General Plan Land Use Map.pdf
Exhibit C- Zoning Map.pdf
Exhibit D - Project Narrative.pdf
Exhibit E- Legal and Exhibit.pdf
Exhibit F - Citizen_Participation_Report_with_Exhibits.pdf

REZONE

Report to the Planning and Zoning Commission

CASE NUMBER:	**PLZZ-26-0018**
TITLE:	**Miller and Durango Rezone**
MEETING DATE:	**November 24, 2026**

Applicant:	Brad Lasky, P.E. on behalf of Maximilliano Palacio, Durango 973 LLC
Request:	Rezone from General Commerce (GC) to Community Commercial (C2)
Council District:	3
Location:	Located at the northwest corner of Miller Road and Durango Street Refer to Exhibit A (Vicinity Map)
Site Size:	1.358 gross acres
Density:	N/A
Public Input:	A neighborhood meeting was held on October 28, 2026, with no members of the public in attendance. No public comments have been received. All required public hearing notices have been completed. Refer to the Public Participation Summary for additional information.
Recommendation:	**Conduct a public hearing and recommend approval to the Mayor and City Council, subject to conditions a) through i).**

PROJECT DESCRIPTION:

1. Brad Lasky, P.E. on behalf of Maximilliano Palacio, Durango 973 LLC is requesting approval of a rezone of approximately 1.358 acres located at the northwest corner of Durango Street and Miller Road. The applicant is requesting to rezone the property from General Commerce (GC) to Community Commercial (C2) to accommodate future commercial development. The applicant anticipates developing the site with a NAPA auto parts store, additional retail and/or restaurant suites, and a separately operated vehicle repair shop. The current request is limited to the rezoning. Site layout and development details will be evaluated during a separate site plan review, when staff will confirm the repair shop's use classification based on the services proposed.

AREA CONTEXT:

2. The vacant subject property is located on Durango Street west of Miller Road, near the I-10 interchange. Surrounding uses include a gas station and truck stop to the north, a warehouse to the south, and a car wash to the east. The car wash property and the vacant property to the west are both zoned Community Commercial (C-2). The proposed rezoning would extend the existing C-2 zoning pattern along Durango Street and support community-serving retail and service uses consistent with the area's Business Commerce land use designation.
3. **Table 1:** Existing Land Use, General Plan Designation, and Zoning District:

	LAND USE	GENERAL PLAN	ZONING
Subject Property	**Vacant**	**Business Commerce**	**General Commerce (GC)**
North	Gas Station w/ Truck Stop	Business Commerce	General Commerce (GC)
South	Warehouse	Business Commerce	General Commerce (GC)
East	Carwash	Business Commerce	Community Commercial (C-2)
West	Vacant	Business Commerce	Community Commercial (C-2)

PUBLIC PARTICIPATION SUMMARY:

4. A neighborhood meeting, providing an opportunity for interested parties to learn more about the request, was held on October 28, 2026, at 6:00 P.M. at the Coyote Library. As required by Buckeye Development Code, written notices to property owners within 300 feet of the subject site were mailed on October 6, 2026, over fifteen (15) days prior to the date of the meeting.

5. The applicant and City staff were the only ones in attendance at the neighborhood meeting.
6. All required notifications of this public hearing were completed at least fifteen (15) days in advance of the meeting date, as follows:

Notification Element	Date
Published in the Arizona Business Gazette Republic Edition	October 24, 2026
Site Posted	November 3, 2026
Mailing Notice to Property Owners Within 300 Feet of Site	November 2, 2026

BACKGROUND:

7. *May 7, 1981*: The Mayor and City Council approved an annexation under Ordinance 6-81.
8. August 19, 1996*:* The Mayor and City Council approved a rezone to General Commerce under Ordinance 6-96.
9. *October 28, 2026*: A neighborhood meeting was held at the Coyote Branch Library.

ANALYSIS:

10. The property is currently zoned General Commerce (GC). GC is a legacy zoning district that allows a range of primarily industrial uses. Development within the district is subject to the applicable GC setback standards.
11. The General Plan Land Use Map designates the subject site as Business Commerce. This designation supports commercial, retail, service, office, and other employment-generating uses that serve residents and the surrounding region. The existing General Commerce (GC) District allows a broader range of industrial uses than envisioned by the Business Commerce designation and is not consistent with the General Plan designation.
12. The applicant proposes to rezone the property from General Commerce (GC) to Community Commercial (C-2). The C-2 District is intended for commercial corridors that provide retail and services to the surrounding community within a three- to five-mile market area. The proposed Community Commercial (C-2) District is consistent with the Business Commerce General Plan designation because it provides for community-serving retail and service uses that advance the General Plan's economic development goals.

13. The requested rezoning would extend the existing C-2 zoning pattern along Durango Street, where properties immediately east and west of the subject site are already zoned Community Commercial. Establishing a consistent commercial zoning pattern promotes orderly development by providing greater continuity in permitted uses, development standards, and the overall character of the corridor. It also provides greater predictability for property owners and future development, while reducing the potential for incompatible uses between adjacent properties.

14. Additionally, the requested C-2 district provides development standards that are more appropriately scaled to the 1.358-acre parcel and support its viable commercial development. Under the existing GC district, the required 50-foot side and rear setbacks significantly reduce the buildable area of the site and constrain opportunities for practical site design and development. The C-2 district would provide development standards that better fit the size and configuration of the parcel while allowing commercial development consistent with the surrounding area.

15. The intent of this rezone application is to entitle the property to accommodate future site planning and development of an auto parts store, mechanic shop, and additional suites that could accommodate retail or restaurant uses. A development of this type would create employment and economic vitality opportunities while advancing General Plan objectives through the expansion of commercial services along a developing corridor.

16. Administrative approval of a Site Plan application is required before development can occur on the property. Future development will be required to comply with applicable site design, landscaping, architectural, and development standards.

RECOMMENDATION:

17. Staff recommends the Planning and Zoning Commission conduct a public hearing and recommend approval of Case PLZZ-26-0018 to the Mayor and City Council, subject to conditions a through i, for the reasons outlined within the Analysis section of this staff report.

    a. With submittal of a site plan or pre-plat, a Traffic Impact Analysis is required to be submitted and approved. All requirements of the Traffic Impact Analysis shall be reflected on the approved construction drawings.
    b. Prior to the issuance of any civil permit, the Property Owner/Developer shall pay a pro rata share cost of up to nine (9) regional future traffic signals to be installed within this section of land. The pro rata share is based on a ratio of the project acreage to the developable acreage within the section. The sectional contribution is to be based on the following allocation of costs: (i) 25 percent share of four (4)

possible signals at arterial street intersections; (ii) 50 percent share of four (4) possible signals at half-mile collector street intersections or project entries; and (iii) 100 percent share of one (1) possible signal internal to this project. The cost shall be based on an anticipated signal cost as determined by the City. The signal fee will be for the entire parcel of development regardless of any lots that may be split into different parcels such as with a multi pad commercial development.

c. All non-regional traffic signals that are required by this project shall be funded and constructed by this project prior to C of O.
d. All regional traffic signals required by this project shall be constructed by this project prior to C of O. This may have a reimbursable component from the regional signal fees collected by the City from other parcels per City Engineer approval.
e. All medians required for controlling site access (RI/RO, ¾ (RI/RO/LI)) shall be constructed with this development.
f. In the event that access to and within the project is deemed a threat to public safety and security by the City, the City has broad authority to take such action as it deems necessary to address such a threat until such time as the Property Owner/Developer eliminates the safety concerns to the City's satisfaction. The Property Owner/Developer is responsible for revising the roadway and access layout to alleviate the City's concerns with respect to public safety and security. Any such changes will be considered a minor change to existing site plan approvals and shall be approved by the City.
g. Half-street improvements including Rights-of-Way dedication shall be required along the entire parcel frontage as part of this development, including the installation of ITS conduit per the City standards. ITS conduits (2 7-way micro-ducts) must be installed along minor arterial classification streets or greater per City standards, including any necessary splice boxes.
h. Driveway spacing and storage requirements shall be per Table 1 of the COB Engineering Design Standards (EDS) Section 6-3.
i. All major intersections will require right turn slip lanes and dual left turn lanes per City Detail 63300.

ATTACHMENTS:

Exhibit A – Vicinity Map
Exhibit B – Existing General Plan Land Use Map
Exhibit C – Existing Zoning Map
Exhibit D – Rezoning Narrative
Exhibit E- Legal and Map
Exhibit F – Citizen Participation Summary

Prepared By:
Andrea Marquez, Senior Planner

Reviewed By:
Ken Galica, Planning Manager



EXHIBIT A- VICINITY MAP

PLZZ-26-0018

Miller & Durango Rezone- Miller Road & Durango Street

Council District #3

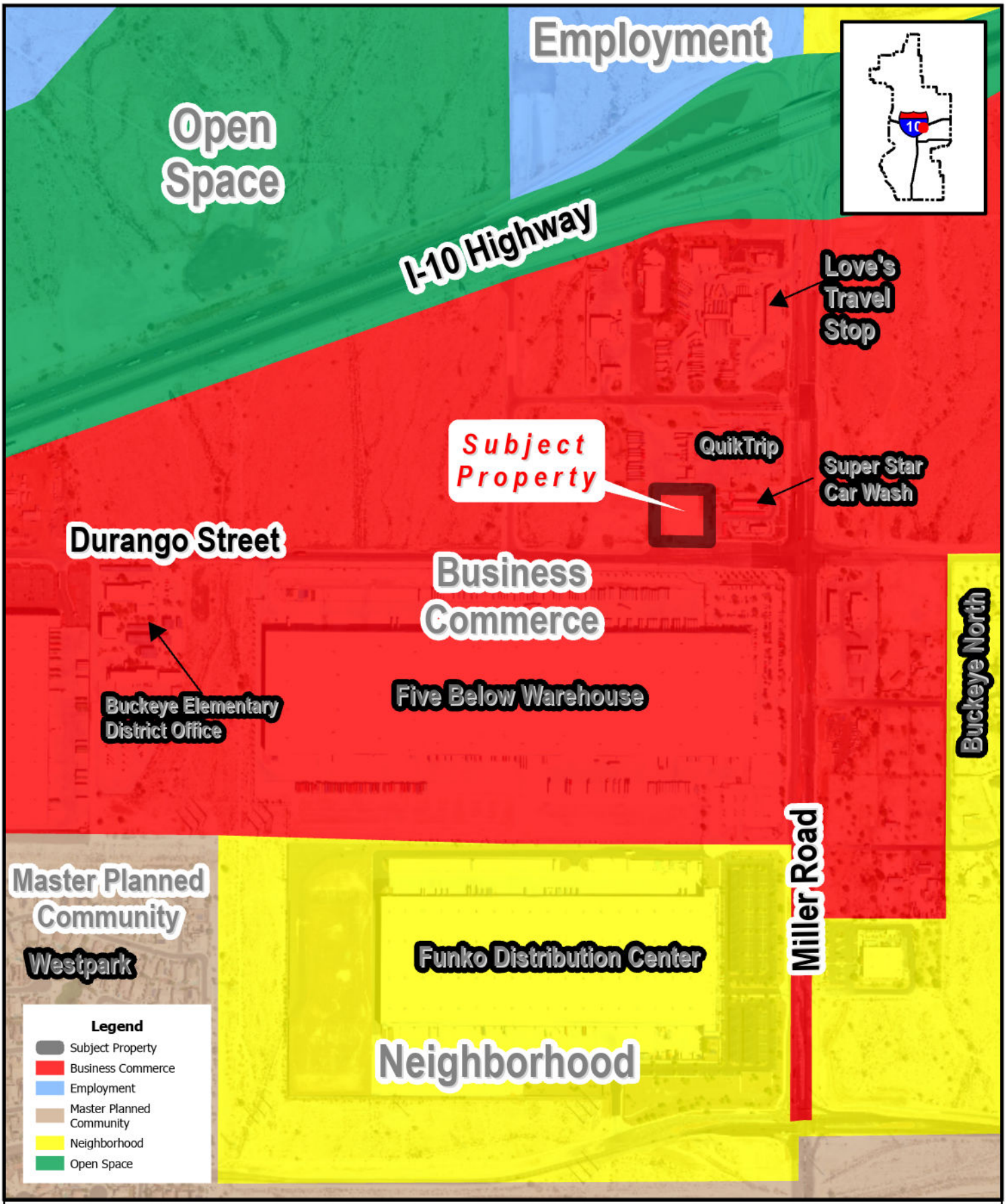


EXHIBIT B- GENERAL PLAN LAND USE MAP

PLZZ-26-0018

Miller & Durango Rezone- Miller Road & Durango Street

Council District #3

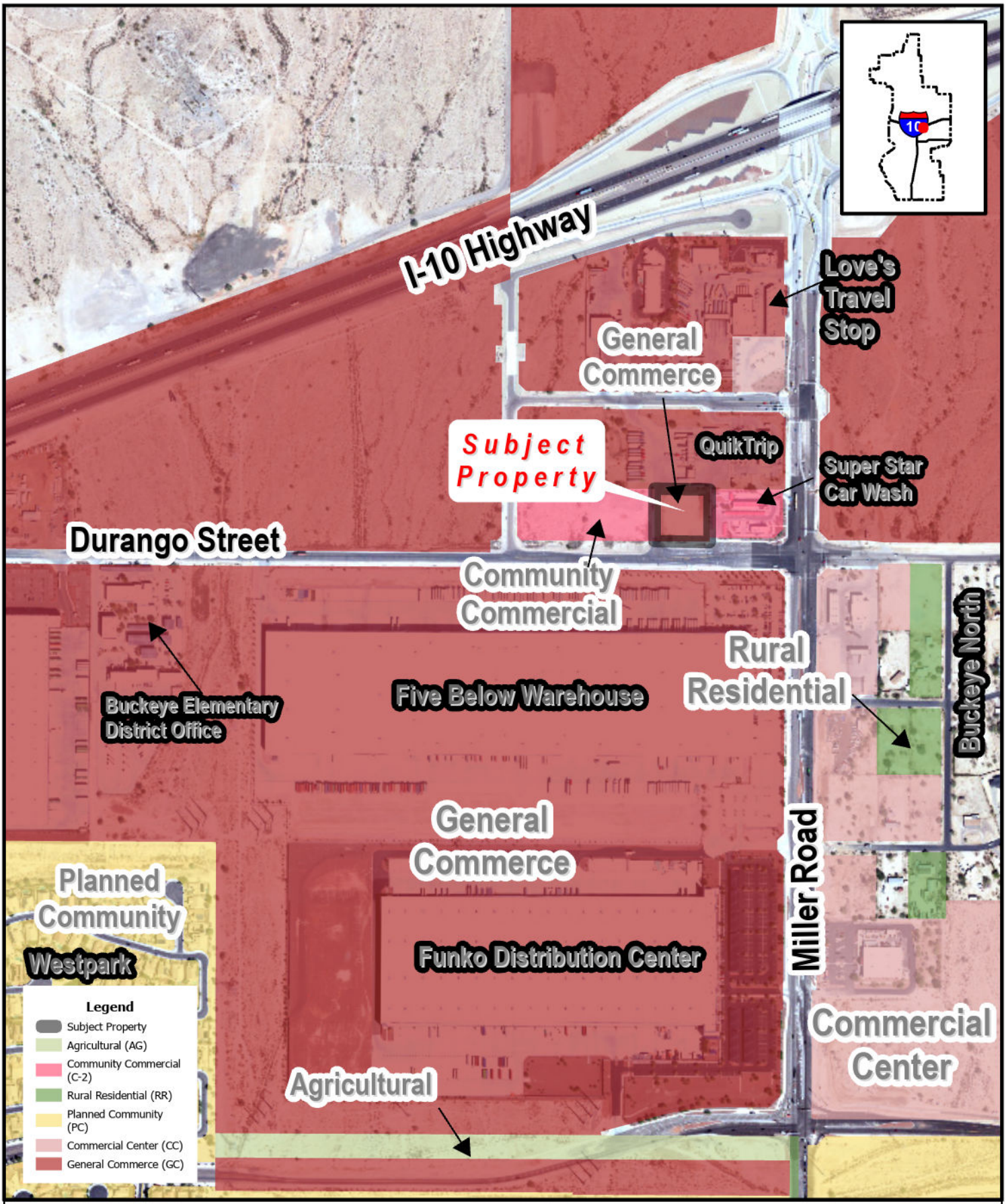


EXHIBIT C- ZONING MAP

PLZZ-26-0018

Miller & Durango Rezone- Miller Road & Durango Street

Council District #3

2R PLZZ-26-0018 RECEIVED OCT 02 2026 AL

HUNTER ENGINEERING, INC.

Civil and Survey

10446 N. 74th Street, Suite 140 · Scottsdale, Arizona 85268 · T (480) 991-3985

ZONING NARRATIVE

Application for Zoning Map Amendment

General Commerce (GC) to Community Commercial (C-2)

Auto Parts Store · Miller Road & Durango Street · City of Buckeye, Arizona

APN 504-26-973 · Lot 7, Miller Commerce Center Parcel 1, MCR 1070-39

1. Purpose of Request

This application asks the City of Buckeye to amend the Official Zoning Map for a 1.358-acre vacant lot at the north side of Durango Street, west of Miller Road, from General Commerce (GC) to Community Commercial (C-2).

The purpose is to replace an obsolete zoning district with an “active” commercial district that matches the proposed mixed-use program. PAC No. PLZM-25-0021 (April 10, 2025) found Business Commerce as the General Plan designation and reviewed an auto parts store with a mechanics shop as permitted by right in GC. After that PAC, Development Code Phase Two (October 21, 2025) moved GC into Article 2.9, Obsolete Districts. The current plan is mixed-use commercial on 1.358 acres: an Auto Parts Store, a Mechanics Shop, and two restaurants. C-2 is the Community Commercial district requested for the site (Development Code § 2.5.4) and is consistent with Business Commerce.

The map amendment therefore does three things: (1) replaces an obsolete classification with an active district; (2) provides development standards that are better suited to the size of the 1.358-acre parcel (the existing GC 50-foot side and rear setbacks significantly limit the buildable area and development potential of the property); and (3) lets the mixed-use commercial project proceed through administrative Site Plan, plat, and building permit under current Article 3–5 standards.

Development Code § 8.5.1 states that a rezoning should not be used when a Conditional Use Permit, Variance, or Minor Modification could achieve the same result. Those tools cannot retire an obsolete district. A Zoning Map amendment is therefore the correct instrument.

2. Applicant, Owner, and Team

Item	Information
Property owner	DURANGO973 LLC, 2939 N. 48th Place, Phoenix, AZ 85018
Applicant / architect	Sixty First Place Architects, Rob Barberio, 3200 N. Hayden Road, Suite 285, Scottsdale, AZ 85251
Civil engineering / zoning	Hunter Engineering, Inc., Brad Lasky, P.E., Project Engineer, 10446 N. 74th Street, Suite 140, Scottsdale, AZ 85268, (480) 991-3985
Prior PAC	PLZM-25-0021, April 10, 2025 — Andrea Marquez, Senior Planner, Special Projects, amarquez@buckeyeaz.gov, 623.349.6220

3. Location and Property Description

The site is Lot 7 of Miller Commerce Center Parcel 1, recorded in Book 1070 of Maps, Page 39, Maricopa County Records, lying in the Northeast Quarter of Section 18, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian. The Assessor Parcel Number is 504-26-973. The ALTA / NSPS survey (Superior Surveying Services, Inc., David S. Klein, R.L.S. 42137, last revised November 23, 2021) reports 1.358 acres (59,149 square feet).

The lot sits on the north side of Durango Street, west of Miller Road. Lots 8A and 8B of the Miller Commerce Center Parcel 1 Lot 8 Replat (APNs 504-26-979 and 504-26-980, MCR 1614-34) lie between the site and Miller Road. The 2021 ALTA still labeled that land as Lot 8, APN 504-26-974; it has since been replatted. The Hunter proposal and PAC materials describe the project as the northwest corner of Miller Road and Durango Street; that is the commerce-center location. The subject lot itself is the next lot west of 8A/8B on the north side of Durango.

The 2021 ALTA shows vacant land, no buildings, no striped parking, a drainage structure/headwall, and existing retention on the southwest portion of the lot. Access is taken from Durango Street, an improved public right-of-way. A reciprocal easement agreement (MCR 2020-124624) and plat easements provide shared ingress, egress, parking, and utility rights with adjoining Miller Commerce Center lots. A 30-foot access easement and a 10-foot public-utility easement are plotted.

FEMA Flood Insurance Rate Map 04013C2115L (October 16, 2013) places the property in Zone X (shaded): areas of 0.2 percent annual-chance flood, areas of 1 percent annual-chance flood with average depths less than one foot or with drainage areas less than one square mile, and areas protected by levees from the 1 percent annual-chance flood. The Flood Control District of Maricopa County confirmed the parcel is not in a Special Flood Hazard Area.

4. Description of Proposal

The owner and applicant propose a mixed-use commercial building on Lot 7. PAC PLZM-25-0021 described an auto parts store with a mechanics shop as well as two restaurants on the same pad.

Item	Information
Occupancy	Mixed B / M / A-2 / S-1; Type VB; sprinklered; fire alarms
Height	C-2 max 50 feet
Program notes	Auto Parts Store, Mechanics Shop, and two restaurants
Parking provided	To be confirmed at Site Plan per Article 5, including EV, hybrid, and carpool reservations per § 5.6.
Parking alternative	To be confirmed at Site Plan under Article 5.
Landscape	10,158 sf provided vs. 10,043 sf required (20% of 50,218 sf net of easements)
Phasing	Single phase. No construction phasing of civil plans is permitted under COB EDS § 1-1.001.D.

Planning's PAC comments require the building to meet Article 5 commercial design standards. A bare metal box will not be accepted. The elevations will need façade modulation (no component longer than 60 feet), a readable base-body-top, an accent material on 10 to 25 percent of the principal street wall, and materials from the § 5.8.3.F list (or a Zoning Administrator-approved equivalent). The rezone does not waive those design standards. The applicant understands that Site Plan and Commercial Design Review will address architecture, landscaping, lighting, and signage in detail.

No residential use is proposed. The project is not a Planned Area Development. No PAD may be established on a site smaller than five contiguous acres unless the Zoning Administrator finds extenuating circumstances (Development Code § 8.6.2). A PAD is not requested.

5. Existing and Proposed Zoning; General Plan

5.1 Current zoning — General Commerce (obsolete)

PAC PLZM-25-0021 lists the current zoning as General Commerce. Section 2.9.6 describes GC as designed to accommodate general commercial and employment uses and compatible

industrial uses to which public services are available. That description matches both the Miller Commerce Center plat and the proposed Auto Parts Store use. Because GC is obsolete, new development is expected to convert to a current district. Until conversion, obsolete-district standards in Appendices B and C apply; the City nevertheless “strongly recommends” a rezone to the conversion district before a new project moves forward.

5.2 Proposed zoning — Community Commercial (C-2)

C-2 (Development Code § 2.5.4) is intended for community-serving retail and service commercial uses with a three- to five-mile market area. The request applies C-2 setbacks (front 20 feet, side 0, rear 0) and a 50-foot maximum height. An Auto Parts Store, Mechanics Shop, and two restaurants generally match a community commercial program. The City zoning map shows the lots immediately east and west of Lot 7 already in C-2 (Lot 5 to the west; Lots 8A/8B / Super Star Car Wash to the east). Rezoning Lot 7 to C-2 fills a GC remnant between two C-2 parcels on the same Durango frontage. C-2 is consistent with the Business Commerce General Plan overlay on this corridor. Table 2.9-1 still lists IMU as the conversion district for obsolete GC; IMU is not requested because it does not match the A-2 restaurant uses or the adjoining C-2 pattern.

5.3 General Plan — Business Commerce

The PAC quotes the Business Commerce designation: areas that comprise both community and regional commercial development; professional offices and business parks may also be supported; intensity may vary; uses should have access to major roads and transit and should provide connections to Neighborhood areas while creating opportunities for walkability. The City’s General Plan map shows Business Commerce over Lot 7 and the surrounding Miller/Durango commerce center (QuikTrip, Super Star Car Wash, and the lots to the west). The site sits on Durango Street west of Miller Road, inside that commerce center, not inside a Neighborhood designation. A mixed-use commercial pad at this location is consistent with that description.

No General Plan amendment is requested. The land-use designation remains Business Commerce.

5.4 Use classification

Under Table 3.1-1 the project includes general retail, vehicle service and repair, restaurant, and warehousing/storage accessory to the Auto Parts Store.

6. Relationship to Surrounding Properties

Lot 7 (APN 504-26-973) is an interior commerce-center lot on the north side of Durango Street, west of Miller Road. Surrounding land is commercial and service—not single-family residential.

Parcels sharing a lot line with Lot 7 are Lot 6 on the north, Lot 8A on the east, Lot 5 on the west, and Durango Street on the south. The City zoning map shows Lot 5 (west) and Lots 8A/8B (east, Super Star Car Wash at Miller and Durango) in C-2. Lot 8B does not share a lot line with Lot 7; it is the corner pad east of 8A. Lot 4 (APN 504-26-970B) sits north of Lot 5 and west of Lot 6 and does not share a side with Lot 7. QuikTrip occupies frontage on S. Miller Road north of the car wash.

Direction	Adjoining land (current assessor / plat)	Zoning / character
North	Lot 6, APN 504-26-972, Miller Commerce Center Parcel 1 Replat, MCR 1070-39	Shares Lot 7's north line; Business Commerce GP, zoning GC
East	Lot 8A, APN 504-26-979, Lot 8 Replat, MCR 1614-34	Shares Lot 7's east line. Mapped C-2. Super Star Car Wash occupies the Miller/Durango corner (8A/8B)
East (beyond 8A)	Lot 8B, APN 504-26-980, same Lot 8 Replat, MCR 1614-34	Corner pad at S. Miller Road and Durango. Mapped C-2. Adjoins 8A and ROW
West	Lot 5, APN 504-26-970A, MCR 1070-39	Shares Lot 7's west line. Zoned C-2 (2021 ALTA showed APN 504-26-971)
South	Durango Street (public ROW)	Then commercial parcels south of Durango / on S. Miller (from 300-ft list)

Adjoining zoning is C-2

The City of Buckeye zoning map shows the properties immediately east and west of the subject parcel already zoned Community Commercial (C-2). Lot 5 (APN 504-26-970A) on the west and Lots 8A/8B

(APNs 504-26-979 and 504-26-980, Super Star Car Wash) on the east are C-2. Lot 7 is an obsolete General Commerce remnant between those C-2 lots on the same Durango Street frontage. Rezoning Lot 7 to C-2 matches the adjoining zoning and does not introduce a new district into the block.

The proposed mixed-use pad continues the pattern already on the ground: C-2 car wash immediately east, C-2 commercial immediately west, QuikTrip on Miller Road, and Business Commerce on the General Plan. It does not introduce residential density. Restaurants occupy commercial frontage. Lighting will be full cut-off and will not add more than one footcandle off site (Development Code § 5.11.3). Cross-access with adjoining lots is contemplated by the reciprocal easement agreement and is required by Transportation Engineering as a Site Plan condition.

Luke Air Force Base commented that the site is outside the high-noise or accident-potential zone and will not affect flight operations. It is inside the “territory in the vicinity of a military airport” and is subject to approximately 165 overflights a day. No residential occupancy is proposed, so the Base’s request for a resident-notification program does not apply to this use. Western Area Power Administration and the Maricopa County Department of Transportation had no comments.

7. Location, Accessibility, and Circulation

7.1 Street network

Durango Street is classified as a Modified Arterial. The City has a CIP project to widen Durango from Miller Road to Yuma Road (60 percent design at the time of the PAC – but likely under construction at the time of this submittal). Ultimate half-street right-of-way adjoining the site is a minimum of 73 feet plus a 10-foot public-utility easement. The developer is responsible for half-street dedication and adjacent improvements. Street lighting is required along public streets (EDS 7-1). Two 7-way micro-duct ITS conduits and splice boxes are required along West Durango Street. A regional signal exaction fee will be assessed on acreage and location.

7.2 Site access

Transportation Engineering reviewed the PAC application and directed: the western driveway may be full access; the eastern driveway shall be right-in / right-out only. Commercial driveway geometry shall follow COB Details 63451 and 63452. On-site drive aisles will be private, with a minimum 24-foot bidirectional pavement width and 12-foot lanes, and must accommodate a bidirectional WB-50 with two feet of clearance to obstructions. Fire apparatus access must reach within 150 feet of all exterior building points, with two access points separated by at least half the lot’s maximum diagonal. An accessible path is required from the building to the nearest right-of-way.

7.3 Traffic study

City Transportation staff stated in the PAC that a new auto-parts store was expected to generate fewer than 100 peak-hour trips, so a TIS rather than a full TIA was required. Confirmation and additional analysis is a Site Plan / civil deliverable.

7.4 Pedestrian

The project will provide ADA stalls, a building-entrance plaza, fire-lane turning radii, two Durango driveways, a 24-foot two-way aisle, and a 30-foot access easement. Pedestrian routes, shading, and Article 5 design will be finished in the administrative Site Plan submittal.

7.5 Parking

Off-street parking will be provided in accordance with Development Code Article 5. Required stall counts, stall mix, and any parking alternative will be confirmed at Site Plan.

8. Development Schedule and Phasing

The project will be built in a single phase. Anticipated sequence, to be refined once the case is accepted and hearing dates are set:

Step	Timing (estimated)
New PAC, if required by § 8.2.1.H	
Neighborhood meeting and Citizen Participation Report	Before first public-hearing notice
Rezone completeness and staff review	Zoning Administrator completeness finding within 30 days of a complete filing (§ 8.2.4)
Planning and Zoning Commission public hearing	
City Council public hearing and ordinance	Within 180 days of administrative completeness (§ 8.5.2.A.2.b), subject to the extensions in § 8.5.2.A.2.c
Re-Final Plat / ROW dedication and SLID	Concurrent with or immediately after rezone
Administrative Site Plan and Commercial Design Review	Potentially concurrent with rezone. Staff may issue the Site Plan letter the day after Council approval if comments are cleared

Final (not conceptual) Civil construction documents, TIS, water/sewer reports	After Site Plan
Building permit and construction	

If the Council attaches a development schedule under § 8.5.2.C and the property is not improved for the approved use by the end of that period, the Council may hold a hearing to extend the schedule or revert the zoning.

9. Community Facilities and Services

Police, fire, and emergency medical service will be provided by the City of Buckeye. The Fire Medical and Rescue Department reviewed PAC PLZM-25-0021 under the 2024 International Fire Code as adopted and amended. Site Plan must show WB-50 fire access from two points, fire-lane marking per Detail 31452, 18-inch commercial address numerals visible from both access points, a Knox Box, hydrants and an FDC within 100 feet of a hydrant, and NFPA 13 sprinklers. A third-party witnessed fire-flow test is required before vertical construction. A Hazardous Materials Management Plan and inventory statement will be filed if shop chemicals trigger those thresholds.

Solid waste will be collected by a City-licensed hauler. The enclosure will meet Public Works geometry (WB-50, no more than 50 feet of backing, enclosure angled no more than 30 degrees from the drive aisle, no more than 300 feet from the entrance) and will be architecturally screened. Collection will not occur between 10:00 p.m. and 5:30 a.m. if a residential unit is later built within 300 feet.

A Streetlight Improvement District covering the entire property is required. Schools are not impacted; no dwelling units are proposed. At the time of this rezone submittal, the program provides 10,158 square feet of landscaping against 10,043 square feet required (20 percent of 50,218 square feet net of easements). The provided landscaping may be revised in accordance with the submittal of a site plan.

The site is inside the Phoenix PM10 non-attainment area. Dust control during construction and operation will follow City Code Chapter 9 and MAG / County air-quality rules. Stormwater during construction will follow the City’s MS4 permit and EDS Section 5.

10. Public Utilities

10.1 Water

Potable water will be provided by the City of Buckeye. The project is inside the City water service area. As-built / GIS records show an existing 16-inch DIP water main in Durango Street and an existing 16-inch DIP water main in Miller Road. Civil Engineering's PAC comments require a new water main along developing frontages, a commercial "T" main per Detail 31370, and may require a looped system. A Water Letter addressing demand, existing and proposed infrastructure, and fire flow is required with Site Plan (EDS 3-1.102.E). A Final Water Model Report is required with construction documents. Coordination with Water Resources on a water solution (and a well/site if demanded by projected use) will occur during Site Plan. Arizona Department of Water Resources CAWS coordination is required if the property is subdivided.

10.2 Wastewater

Sanitary sewer will be provided by the City of Buckeye. The project is inside the City sewer service area. As-built / GIS records show an existing 12-inch VCP sewer main in Durango Street and an existing 21-inch VCP sewer main in Miller Road. A new sewer main along developing frontages is required. Capacity of the 12-inch Durango main must be modeled; a downstream analysis is required; coordination with adjacent developing parcels is recommended if upsizing is needed. A Sewer Letter is required with Site Plan (EDS 4-1.102). A Final Sewer Report is required with construction documents.

10.3 Drainage

The development must retain the 100-year, 2-hour storm for the site and the adjacent half-street rights-of-way and dissipate that volume within 36 hours (EDS 5-1.003.B and 5-1.801.A). Private development must contain the 100-year runoff on site. Retention is not allowed in the right-of-way or PUE. Surface basins deeper than one foot require at least one drywell. If underground retention is used, the 100-year, 6-hour event applies. Off-site 100-year flows must enter and leave at historic points and must not exceed predevelopment rates. A Drainage Memo is required with Site Plan; a Final Drainage Report is required with construction documents.

10.4 Dry utilities

Electric, telephone, and cable less than 69 kV will be placed underground. Irrigation canals on or adjoining the site, if any, must be abandoned or relocated underground (Municipal Code 6.4.3.D.2). WAPA has no facilities in the vicinity.

11. Findings under Development Code § 8.5

Section 8.5.2.B requires the Council to find that all four approval criteria are met. The following points are offered in that framework.

- Consistent with the General Plan and the purposes of this Development Code (§ 8.5.2.B.1). Business Commerce remains the land-use designation. C-2 is the Community Commercial district (§ 2.5.4) and matches that designation. Phase Two (October 21, 2025) placed GC in Article 2.9, Obsolete Districts; a map amendment to a living district is how new development proceeds.
- Public health, safety, and general welfare (§ 8.5.2.B.2). The program (Auto Parts Store, Mechanics Shop, and two restaurants) is the same class of community commercial already operating at Miller and Durango. Site Plan will impose lighting, screening, fire access, and Article 5 design.
- Orderly growth and development (§ 8.5.2.B.3). Lot 5 to the west and Lots 8A/8B (Super Star Car Wash) to the east are already C-2. Rezoning this GC remnant continues that corridor pattern rather than leaving an obsolete district between two current C-2 parcels.
- Physical and natural features are suitable for the proposed district (§ 8.5.2.B.4). The lot is 1.358 acres of graded commercial pad in an existing commerce center, with City water and sewer in Durango Street, no Special Flood Hazard Area, and outside Luke AFB's high-noise / accident-potential zone.
- Not a CUP, Variance, or Minor Modification (§ 8.5.1). Those tools cannot retire an obsolete district. A Zoning Map amendment is the correct instrument.

12. Public Participation

A Citizen Participation Plan is submitted with this application and will be implemented before the neighborhood meeting is scheduled (§ 8.2.3.G). One neighborhood meeting will be held on a weekday, starting no earlier than 5:30 p.m. and no later than 7:00 p.m., at a publicly accessible location in Buckeye (§ 8.2.2.C). Mailed notice will be sent to the owners of record within 300 feet, to the persons on the City's interested-party list if provided, and to the Department at least 15 days before the meeting (§ 8.2.2.D). A written meeting summary will be delivered to the Department within 14 days of the meeting (§ 8.2.2.F). The Citizen Participation Report will be filed before notice of the first public hearing (§ 8.2.3.H). Hearing notice will be mailed (300 feet, at least 15 days), published (15 to 60 days), and posted with at least one sign per street frontage for 15 days, in accordance with § 8.2.6 and Table 8.2-1.

13. Exhibits

The following exhibits are part of this narrative by reference and are uploaded with the application:

- Signed and sealed legal description by a registered land surveyor

- Zoning exhibit / map: boundaries, acreage, APN, existing zoning, proposed zoning, adjacent zoning and context
- ALTA / NSPS Land Title Survey (November 23, 2021)
- PAC PLZM-25-0021 summary (April 10, 2025)
- Citizen Participation Plan
- Property owners within 300 feet

14. Conclusion

The applicant respectfully requests that the Planning and Zoning Commission recommend, and the City Council approve, a Zoning Map amendment for APN 504-26-973 from obsolete General Commerce to Community Commercial (C-2). The request implements a mixed-use commercial program (Auto Parts Store, Mechanics Shop, and two restaurants) consistent with Business Commerce, and allows a vacant commerce-center parcel on Durango Street to develop with urban services already in the adjoining rights-of-way.

Respectfully submitted,

HUNTER ENGINEERING, INC.



Brad Lasky, P.E.
Project Engineer
Hunter Engineering, Inc.
Prepared for Sixty First Place Architects and DURANGO973 LLC
October 1, 2026

1R PLZZ-26-0018 RECEIVED AUG 25 2026 AL

LEGAL DESCRIPTION

LOT 7 OF REPLAT MILLER COMMERCE CENTER PARCEL 1 AS RECORDED IN BOOK 1070, PAGE 39, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 3 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS AND DISTANCE REFERENCED HEREON PER ALTA/NSPS LAND TITLE SURVEY PREPARED BY SUPERIOR SURVEYING SERVICES, JOB#202108103, DATED 11/23/2021.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE CENTER OF SAID SECTION 18 BEARS NORTH 89°56'45" WEST, A DISTANCE OF 2642.24 FEET;

THENCE NORTH 89°56'45" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 414.95 FEET;

THENCE NORTH 00°06'39" WEST, A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°56'45" WEST, ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 250.01 FEET;

THENCE NORTH 00°06'54" WEST, A DISTANCE OF 236.27 FEET;

THENCE NORTH 89°55'00" EAST, A DISTANCE OF 250.03 FEET;

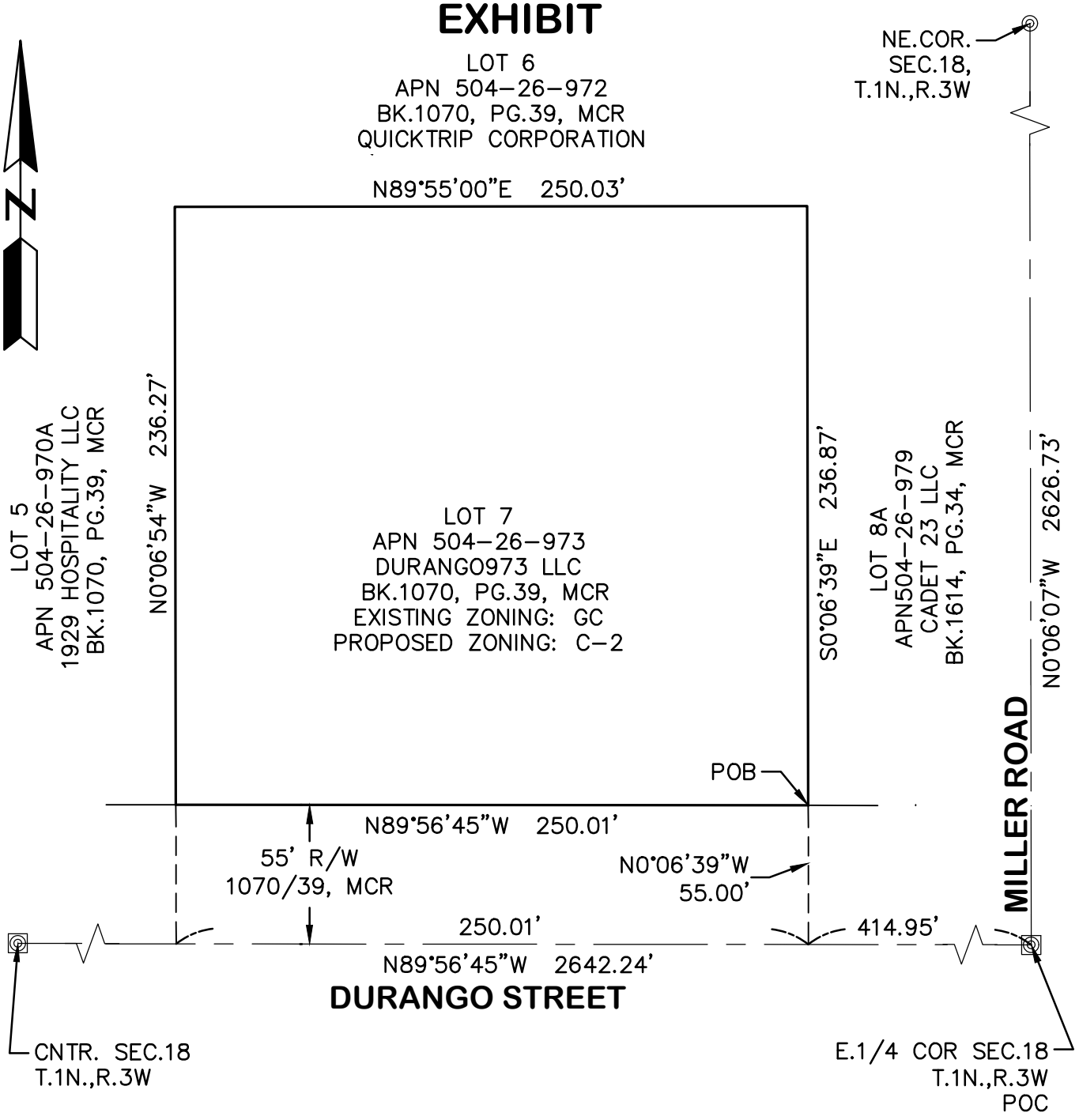
THENCE SOUTH 00°06'39" EAST, A DISTANCE OF 236.87 FEET TO THE POINT OF BEGINNING.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
29865
JAMES A.
BRUCCI
DATE SIGNED 8/20/26
ARIZONA U.S.A

TITLE:	XB01
DATE:	8/20/26
DESC:	PARCEL DESCRIPTION

HUNTER ENGINEERING
CIVIL AND SURVEY
10446 N. 74TH STREET,
SUITE 140
SCOTTSDALE, AZ 85258
T 480 991 3985

EXHIBIT



POC= POINT OF COMMENCEMENT
POB= POINT OF BEGINNING

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
29865
JAMES A.
BRUCCI
DATE SIGNED 8/20/26
ARIZONA U.S.A

TITLE:	**XB01**
SCALE:	1"=60'
DATE:	8/20/26
DESC:	PARCEL DESCRIPTION

HUNTER ENGINEERING
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10446 N. 74TH STREET,
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T 480 991 3985

PROJ.NO.SFPA002

HUNTER ENGINEERING, INC.

Civil and Survey

10446 N. 74th Street, Suite 140 · Scottsdale, Arizona 85268 · T (480) 991-3985

CITIZEN PARTICIPATION REPORT

Report of Findings and Neighborhood Meeting Summary · Development Code §§ 8.2.2.F and 8.2.3.H

Zoning Map Amendment · General Commerce (GC) to Community Commercial (C-2) · Case No. PLZZ-26-0018

Lot 7, Miller Commerce Center Parcel 1, MCR 1070-39 · APN 504-26-973 · October 29, 2026

Hunter Engineering, Inc., on behalf of the property owner, DURANGO973 LLC, and the applicant, Sixty First Place Architects, submits this Citizen Participation Report for the Zoning Map amendment identified above. The report serves as the written summary of the neighborhood meeting required within 14 days of the meeting by Development Code § 8.2.2.F and as the Citizen Participation Report required before notice of the first public hearing by § 8.2.3.H. It documents how the Citizen Participation Plan filed with the application was implemented, who was notified, who attended, what was said, and how the applicant responded.

1. Application

Item	Information
Case number	PLZZ-26-0018 (prior pre-application conference PLZM-25-0021, April 10, 2025)
Request	Amend the Official Zoning Map from General Commerce (GC, an obsolete district) to Community Commercial (C-2)
Property	Lot 7, Miller Commerce Center Parcel 1, MCR Book 1070, Page 39; APN 504-26-973; north side of Durango Street, west of S. Miller Road; approximately 1.358 acres (vacant)
Proposed use	Mixed-use commercial: auto parts store, mechanics shop, and two restaurants
General Plan	Business Commerce (no amendment requested)
Owner	DURANGO973 LLC, 2939 N. 48th Place, Phoenix, AZ 85018

Applicant / architect	Sixty First Place Architects, Rob Barberio, 3200 N. Hayden Road, Suite 285, Scottsdale, AZ 85251
Contact person	Brad Lasky, P.E., Hunter Engineering, Inc., 10446 N. 74th Street, Suite 140, Scottsdale, AZ 85268, (480) 991-3985, BLasky@hunterengineeringpc.com

2. Implementation of the Citizen Participation Plan

The Citizen Participation Plan was filed with the rezoning application and was implemented as summarized below. Each step met or exceeded the timing in Development Code §§ 8.2.2 and 8.2.6.

Item	Information
Citizen Participation Plan filed	August 25, 2026, with the rezoning application (on file with the Department)
Written notice to Development Services	October 6, 2026, by first-class mail and email to planningandzoning@buckeyeaz.gov, stating the date, time, and location of the meeting (§ 8.2.2.D) — 22 days before the meeting (on file with the Department)
Notice to property owners	First-class mail deposited October 7, 2026 to the owner of the subject property and to the owners of record of all parcels within 300 feet of the outer boundary, one letter per assessor parcel number as approved by the City — 7 pieces, 21 days before the meeting (§ 8.2.6.C). The notice, mailing list, and Affidavit of Mailing were previously delivered to the Department
Source of mailing list	Maricopa County Assessor records, refreshed October 2026 immediately before the mailing (list previously delivered with the Affidavit of Mailing)
Parcels notified	504-26-970B (Mahoney Properties LLP et al.); 504-26-972 (QuikTrip Corporation, Lot 6); 504-26-979 (Cadet 23 LLC, Lot 8A, Super Star Car Wash); 504-26-980 (AR-PI Miller LLC, Lot 8B); 504-26-008L (Five Below Inc., south of Durango); 504-26-970A (1929 Hospitality LLC, Lot 5); 504-26-973 (DURANGO973 LLC, subject property)
Neighborhood meeting	Wednesday, October 28, 2026, 5:30 p.m. to 7:00 p.m. (doors open 5:00 p.m.), Coyote Branch Library, Innovation Room, 21699 W. Yuma Road, Suite 116, Buckeye, AZ 85326 — a weekday evening at a publicly accessible location in Buckeye (§ 8.2.2.C)

Materials available at the meeting	Agenda, project fact sheet, two-page neighborhood meeting handout with vicinity map, zoning exhibit board (GC to C-2), a board stating that no decision would be made at the meeting, sign-in sheet, and written comment cards (Attachment B)
Public attendance	None. No property owner, resident, or other member of the public attended (sign-in sheet, Attachment A)
Written comments received	None. No comment cards, letters, emails, or telephone comments have been received by the applicant as of the date of this report
This report prepared	October 29, 2026 — one day after the meeting, within the 14-day period of § 8.2.2.F and before notice of the first public hearing (§ 8.2.3.H)

3. Summary of the neighborhood meeting

The meeting was hosted by Hunter Engineering, Inc. The room was opened, the sign-in sheet, comment cards, exhibit boards, and handouts were set out, and the applicant team remained available for the full scheduled period from 5:30 p.m. to 7:00 p.m. No independent facilitator was used because no members of the public attended.

The following persons signed in or were present:

Name	Affiliation	Present
Brad Lasky, P.E.	Hunter Engineering, Inc. — applicant's civil engineer and meeting host	5:30 p.m. to 7:00 p.m.
Daniel Luster	DURANGO973 LLC — owner / developer representative	5:30 p.m. to 7:00 p.m.
Max Palacio	DURANGO973 LLC — owner / developer representative	5:30 p.m. to 7:00 p.m.
Ken Galica	City of Buckeye Development Services — City staff observer	Approximately 5:30 p.m. to 6:00 p.m.

No owner of a notified parcel, no resident, and no other member of the public attended at any time between the opening of the room and 7:00 p.m. Because there was no public attendance, the formal presentation was not delivered to an audience; the exhibit boards and handouts remained on display for the full period. No questions or comments were asked or offered by any member of the public, and no comment cards were completed or left at the meeting. The City

staff member who attended observed the meeting and did not offer public comment on the application.

The notification area is entirely commercial and arterial. The parcels within 300 feet are the Miller Commerce Center lots (QuikTrip, Super Star Car Wash, and vacant or commercial lots), the Five Below parcel south of Durango Street, and the Durango Street and Miller Road rights-of-way. There is no residential subdivision abutting the site. The absence of attendance is consistent with that context.

4. Issues raised and applicant response

No issues, concerns, or questions were raised by any member of the public at the meeting or in writing before or after the meeting. The table below is provided for completeness.

Issue	Who raised it	Applicant response	Resolved?
None	No public comment received	Not applicable	Not applicable

Issues not resolved, and why: None. There are no outstanding citizen issues, requests, or objections known to the applicant as of the date of this report.

5. Changes made because of public comment

None. No public comment was received, and no changes to the request, the proposed program, or the site concept have been made as a result of citizen participation.

6. Continuing participation through the public hearings

The applicant will continue to accept comments by mail, email, and telephone through the City Council hearing. Any comment received after the date of this report will be forwarded to the case planner and summarized in a supplement to this report before the hearing at which it is relevant. Notice of the public hearings will be mailed to the same 300-foot ownership list at least 15 days before the Planning and Zoning Commission hearing, posted on the Durango Street frontage, and published in a newspaper of general circulation, with affidavits of mailing, posting, and publication delivered to the Department (§ 8.2.6 and Table 8.2-1).

Item	Information
Planning and Zoning Commission	Tuesday, November 24, 2026, 6:00 p.m., City Council Chambers, 530 E. Monroe Avenue, Buckeye
City Council	Tuesday, December 15, 2026, 6:00 p.m., City Council Chambers, 530 E. Monroe Avenue, Buckeye
Comments to the applicant	Brad Lasky, P.E., Hunter Engineering, Inc., (480) 991-3985, BLasky@hunterengineeringpc.com
Comments to the City	Planning and Zoning Division, 945 N. 215th Avenue, Suite 137, Buckeye, AZ 85326, (623) 349-6200, planningandzoning@buckeyeaz.gov — refer to Case PLZZ-26-0018

7. Attachments

- A — Sign-in sheet from the October 28, 2026 neighborhood meeting.
- B — Neighborhood meeting packet: meeting agenda and the two-page handout distributed at the meeting.

No comment cards, letters, or emails were received, so none are attached. The Citizen Participation Plan (filed August 25, 2026), the written notice to Development Services (October 6, 2026), the Notice of Neighborhood Meeting as mailed, the property owner mailing list, and the Affidavit of Mailing were previously delivered to the Department and are not reproduced here.

Certification

I certify that the Citizen Participation Plan was implemented as described above, that the neighborhood meeting was held at the date, time, and place noticed, and that this report fairly and completely summarizes the notification given, the attendance, and the comments received as of the date below.

Respectfully submitted,

HUNTER ENGINEERING, INC.

Brad Lasky, P.E.
Project Engineer, Hunter Engineering, Inc.
On behalf of DURANGO973 LLC and Sixty First Place Architects
October 29, 2026

B. Sign-in sheet (duplicate as needed)

Item	Information
Project	Auto Parts Store Rezone, APN 504-26-973, Buckeye, AZ
Meeting date	**Wednesday, October 28, 2026**
Place	**Coyote Branch Library, Innovation Room**

#	Name	Address or parcel	Email / phone	Want notice of hearings? (Y/N)
1	Brad Lasky			
2	Daniel Luster		602.688.1758	
3	Max Palacio			
4	KEN CARLICA		623 349 6214	
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

HUNTER ENGINEERING, INC.

Civil and Survey

10446 N. 74th Street, Suite 140 · Scottsdale, Arizona 85268 · T (480) 991-3985

NEIGHBORHOOD MEETING PACKET

Print the agenda, sign-in sheets, and comment cards. Bring extra copies of the fact sheet and a zoning exhibit.

A. Suggested agenda

Item	Information
Project	Auto Parts Store — Miller Road & Durango Street Rezone
Date / time	**Wednesday, October 28, 2026 · Doors 5:00 p.m. · Presentation 5:30 p.m. · Ends 7:00 p.m.**
Place	**Coyote Branch Library, Innovation Room, 21699 W. Yuma Road, Suite 116, Buckeye, AZ 85326**

Time	Item	Who
5:00	Doors open; sign-in; open house at exhibit boards	Hunter / architect
5:30	Welcome; purpose of the meeting (information only; no vote)	Hunter
5:35	Location, lot size, current GC zoning, proposed C-2 zoning	Hunter
5:45	Mixed-use program: Auto Parts Store, Mechanics Shop, and two restaurants; what Site Plan will review later	Architect
5:55	Durango access, half-street improvements, water/sewer, schedule	Hunter
6:05	Questions and comments; written comment cards	All
6:30	How to comment to the City; P&Z hearing Nov. 24 and Council hearing Dec. 15 (both 6:00 p.m.)	Hunter
6:40	Presentation ends; team remains for one-on-one questions until 7:00 p.m.	All

HUNTER ENGINEERING, INC. · Civil and Survey

Proposed Rezoning: Miller Road & Durango Street

Neighborhood Meeting · Wed., Oct. 28, 2026 · Coyote Branch Library, Innovation Room · Case PLZZ-26-0018

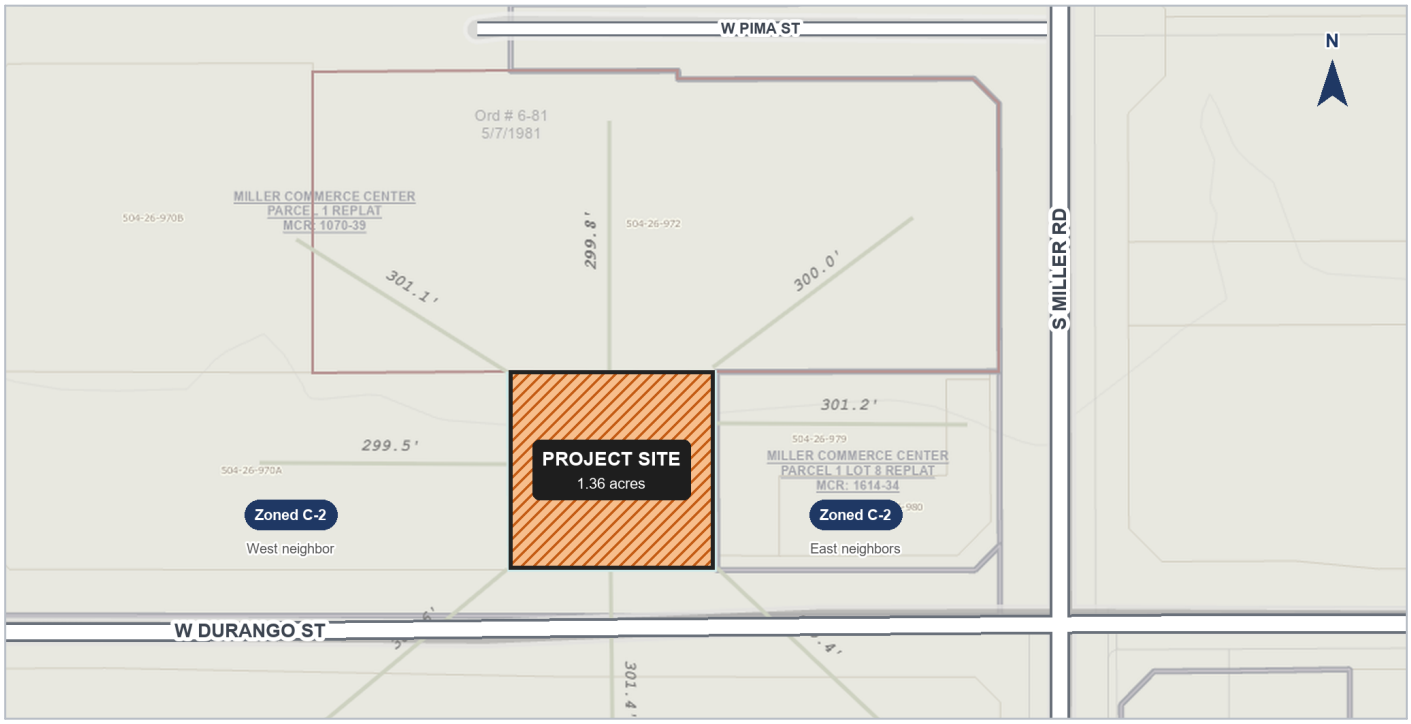
This is an information meeting. No decision will be made tonight.

What is being requested?

The property owner, DURANGO973 LLC, is asking the City of Buckeye to change the zoning of a 1.358-acre lot on the north side of Durango Street, west of Miller Road, from **General Commerce (GC)** to **Community Commercial (C-2)**. The proposed development is a commercial building with an **auto parts store, a mechanics shop, and two restaurants**.

Why?

General Commerce is an obsolete zoning district that the City no longer uses. The lots immediately east and west of this site are already zoned C-2. This change puts the lot in the same district as its neighbors so it can go through the City's normal site plan and permit review. **Not requested:** no General Plan amendment, no Planned Area Development (PAD), and no variance.



Project site shown hatched. Faint lines show the 300-foot notification distance. Base map: Maricopa County Assessor. Not to scale.

Location	North side of Durango Street, west of S. Miller Road	**Parcel**	APN 504-26-973 (Lot 7, Miller Commerce Center Parcel 1)
Current zoning	General Commerce (GC)	**Proposed zoning**	**Community Commercial (C-2)**
Site size	1.358 acres	**General Plan**	Business Commerce (no change)
Proposed uses	Auto parts store, mechanics shop, two restaurants	**Access / utilities**	Driveways on Durango Street (subject to City review); City water and sewer

What happens next?

#	Step	When	What happens
1	Neighborhood meeting	**Wednesday, October 28, 2026** (tonight)	Learn about the request and share comments.
2	City staff review	Ongoing	City departments review the application.
3	Planning & Zoning Commission public hearing	**Tuesday, November 24, 2026, 6:00 p.m.**	Commission hears public comment and makes a recommendation.
4	City Council public hearing	**Tuesday, December 15, 2026, 6:00 p.m.**	Council hears public comment and makes the final decision.
5	Site plan and permits	After the rezoning	City staff review the building design, parking, landscaping, lighting, and engineering plans.

Both public hearings are planned for the City Council Chambers, 530 E. Monroe Avenue, Buckeye. Property owners within 300 feet will receive a mailed notice before the hearings. A notice will also be posted on the property and published in the newspaper. Hearing dates can change; the mailed notice and posted sign will show the current dates.

How can I comment?

- **Tonight:** fill out a comment card and leave it with us, or take one home and mail or email it later.
- **Anytime:** contact the applicant or the City using the information below.
- **At the hearings:** attend and speak at the Planning & Zoning Commission and City Council hearings.

Comments sent to the applicant will be summarized in a report to the City, which goes to the Commission and Council.

Contacts

Applicant contact	Brad Lasky, P.E., Hunter Engineering, Inc. 10446 N. 74th Street, Suite 140, Scottsdale, AZ 85268 (480) 991-3985 · BLasky@hunterengineeringpc.com
Architect	Rob Barberio, Sixty First Place Architects 3200 N. Hayden Road, Suite 285, Scottsdale, AZ 85251
City of Buckeye	Planning and Zoning Division (Development Services) 945 N. 215th Avenue, Suite 137, Buckeye, AZ 85326 (623) 349-6200 · planningandzoning@buckeyeaz.gov Please refer to **Case PLZZ-26-0018**.

CITY OF BUCKEYE
Regular Planning & Zoning Commission
PLANNING ACTION REPORT

MEETING DATE: 11/24/26	**AGENDA ITEM:** 3.B. Buckeye Energy Center - Conditional Use Permit - PLZU-26-0012
DATE PREPARED: 11/19/26	**DISTRICT NO.:** Council District 2
STAFF LIAISON: Joseph Mueller, Senior Planner, jmueller@buckeyeaz.gov, (623) 204-5505	
DEPARTMENT: Development Services	**AGENDA ITEM TYPE:** Public Hearing and Non Consent - New Business Items

ACTION/MOTION: (This language identifies the formal motion to be made by the Voting Members) Buckeye Energy Center - Conditional Use Permit (PLZU-26-0012) - Conduct a public meeting and approve a Conditional Use Permit over approximately 157 acres located approximately 4,700 feet west of the northwest corner of State Route 85 and Patterson Road, subject to conditions a) through x).

SUMMARY

PROJECT DESCRIPTION:
Christy McDonough, on behalf of Phoenix Hydrogen Hub LLC, is requesting a CUP for a data center campus and ancillary uses on approximately 157 acres located approximately 4,700 feet west of the northwest corner of State Route 85 and Patterson Road. The property is currently zoned Heavy Industrial (I-2) and designated Employment by the General Plan. The proposed development includes three data center buildings, an approximately 300 MW natural gas-fired generating plant, battery energy storage systems (BESS), backup generators, mechanical cooling equipment, and associated electrical infrastructure.

The applicant proposes to initially utilize electricity supplied by Arizona Public Service (APS), with future on-site natural gas generation intended to serve the data center campus. The project will utilize water-efficient, closed-loop cooling systems. The CUP includes conditions addressing potential noise and heat impacts, water conservation, public safety, and necessary infrastructure improvements. A separate Site Plan application will be required for administrative review and approval prior to development. Please review the attached staff report for additional information and analysis.

BENEFITS:

The proposed Buckeye Energy Center represents a significant private capital investment that would generate construction activity, create temporary construction jobs and permanent employment opportunities, and support the City's economic development objectives. The project would also generate construction-related sales tax revenues and increase the property's taxable value, contributing to the City's long-term tax base and its ability to fund public services.

Items related to a project or facility location must include an attached vicinity map for Council Review.
ATTACHMENTS:
PLZU-26-0012 - Buckeye Energy Center CUP - Staff Report -updated stips.docx
Exhibit A - Vicinity Map
Exhibit B - General Plan Land Use Map
Exhibit C - Zoning Map
Exhibit D - CUP Narrative

Exhibit E - Public Participation Report

BUCKEYE, AZ

Conditional Use Permit
Report to the Planning and Zoning Commission

CASE NUMBER:	**PLZU-26-0012**
TITLE:	**Buckeye Energy Center**
MEETING DATE:	**November 24, 2026**

Applicant:	Christy McDonough, Fortescue
Owner:	Phoenix Hydrogen Hub LLC
Request:	Conditional Use Permit (CUP) to allow for a data center campus and ancillary energy production, cooling equipment, battery energy storage, and other related components.
District:	2
Location:	Approximately 4,700 feet west of the northwest corner of State Route 85 and Patterson Road
Site size:	Approx. 157 acres
Density:	N/A
Public input:	An advertised neighborhood meeting was held on October 15, 2026; four individuals attended, with questions focused on water use, transportation, road improvements, and security. All required notices of the public hearings have been completed.
Recommendation:	**Conduct a public hearing and approve the proposed CUP subject to conditions (a) through (x).**

PROJECT DESCRIPTION

1. The applicant is proposing a Conditional Use Permit (CUP) over approximately 157 acres of I-2 Heavy Industrial zoned property to allow three data center buildings along with ancillary equipment including a 300 MW natural gas thermal generating plant, battery energy storage systems (BESS), mechanical cooling, switchyard equipment, and backup generators.

2. Data centers are not an outright permitted use in any zoning district, with the exception of some previously approved PADs/CMPs. The I-2 zoning district conditionally allows data center uses with the approval of a CUP by the Planning and Zoning Commission. Ancillary power generation and storage are allowed uses within the I-2 zoning district.

3. The applicant has included a conceptual site plan with the CUP submittal but has elected to pursue formal Site Plan approval separately. If the CUP is approved, the applicant will be required to submit a Site Plan application for administrative review and approval prior to development. The Site Plan must be substantially consistent with the conceptual plans and project narrative submitted with this CUP application, as modified by any conditions of approval.

4. A Site Plan was previously approved for the Woolsey Peak substation, which will be operated by Arizona Public Service (APS) and will primarily serve the proposed data center. The substation is located primarily on adjacent property to the east but extends onto the eastern portion of this subject property.

5. The subject property is surrounded by a larger 920-acre property to the east, north, and west. This larger property, which will include the referenced substation, is owned by the same ownership group as the subject property. The surrounding property is zoned Single Family Residential 43 (SF-43), which would not support any future expansion of industrial uses including additional data centers. If future expansion were proposed, approval of a Major General Plan Amendment, Rezone, and additional CUP would be required for the surrounding property.

6. The proposed data center will be energy intensive. The applicant is proposing a combination of grid-supplied electricity and behind-the-meter energy production. Initially, the site will be powered by electricity supplied by APS. A future phase would include construction of an on-site 300 MW natural gas thermal generating power plant, to provide behind the meter electricity. The on-site generating plant is intended to provide electricity exclusively for the data center and will not export power to the electrical grid. Natural gas will be supplied to the plant via a pipeline connection to the El Paso Natural Gas pipeline to the north.

7. While not a main source of power, the site will also include several diesel generators to provide backup energy in the event of a power failure. In addition, the site will include a Battery Energy Storage System (BESS), which the applicant describes as being for load smoothing purposes.

8. The data centers will employ closed-loop cooling systems which are more water-efficient than previous data center cooling methods, which use large amounts of water. Per the narrative, the closed loop system will require little to no additional water once it is initially filled. Although the proposed cooling systems would minimize water consumption, they would still release waste heat into the surrounding atmosphere, an impact that will be evaluated through the heat study required by the conditions of approval.

AREA CONTEXT

	LAND USE	GENERAL PLAN	ZONING
Subject Property	**Agriculture**	**Employment**	**Heavy Industrial (I-2)**
North	Agriculture	Rural	Single-Family Residential (SF-43)
South	Fallow Farmland	Employment	General Commerce (GC)
East	Agriculture	Rural	Single-Family Residential (SF-43)
West	Agriculture	Rural	Single-Family Residential (SF-43)

PUBLIC PARTICIPATION SUMMARY:

9. An advertised neighborhood meeting was held on October 15, 2026, at The Buckeye Valley Chamber of Commerce. Aside from City staff and the applicant team, four people attended the meeting. Three of the attendees came for an unrelated meeting and stayed out of curiosity. The fourth individual represented the City of Phoenix landfill to the south of the project and asked general questions about operations to determine whether the project could interfere with landfill operations. The applicant team responded to the questions raised by attendees during the neighborhood meeting.

10. All required notifications of the public hearings were completed in advance of the Planning and Zoning Commission meeting, as follows:

Notification Element	Date
Published in West Valley View	November 4, 2026
Site Posted	November 4, 2026
Mailing to Property Owners w/in 500’	October 29, 2026

BACKGROUND:

11. April 2010: The subject property, along with additional properties comprising approximately 920 acres in sum, was annexed into the City of Buckeye by Ordinance 04-10. The property was assigned initial City Single-Family Rural Residential (SF-43) zoning.

12. April 2018/August 2018: City Council approved the Imagine Buckeye General Plan 2040, designating the subject site as Rural on the future land use map. Voters ratified the approved General Plan in August that same year.

13. May 2023: City Council adopted Resolution 29-23 which amended the land use designation of the subject site from Rural to Employment. The site remains designated as Employment.

14. May 2023: City Council adopted Ordinance No. 18-23 to rezone the subject property from SF-43 to I-2. At the time, the expectation was that the site would develop with a hydrogen production facility.

15. March 2026: City Council adopted Ordinance No. 04-26 which replaced the approved stipulations from Ordinance No. 18-23 with modified stipulations "a" through "i". The primary objective was to remove a requirement that the site develop as a hydrogen production facility and open the site to any use permitted within the I-2 heavy industrial zoning district.

ANALYSIS:

16. The proposed CUP is consistent with the General Plan future land use designation of Employment and the existing I-2 Heavy Industrial zoning on the site. The I-2 zoning district is intended for the highest intensity industrial uses, which is appropriate for the proposed data center due to its substantial energy infrastructure, outdoor mechanical equipment, and potential noise and heat emissions. The surrounding property to the north, east, and west is currently used for agriculture but is zoned SF-43 and designated Rural by the General Plan, allowing for future low-density residential development. However, the surrounding property is under common ownership with the subject site and is situated within a broader area planned for employment and industrial uses. Given this context, the surrounding property may be a logical candidate for a future General Plan Amendment to Employment, although no such amendment has been proposed or approved. Until such time, the potential for residential development must be considered when evaluating compatibility, with the proposed CUP conditions addressing noise and heat impacts intended to minimize impacts on surrounding properties.

17. The subject site was originally rezoned with the expectation that it would develop with a hydrogen gas production facility. Hydrogen gas production is an extremely intensive process that requires large amounts of energy, produces gaseous emissions, requires large amounts of water, generates truck traffic, and has a heavy industrial character. The proposed data center use shares many similarities to the originally intended use as it is energy intensive and will include loud mechanical components, along with energy infrastructure. However, the two uses also have different operational characteristics and potential impacts. Notably, data center buildings can have a more conventional, office-like appearance, and the proposed CUP includes conditions intended to limit water consumption. Although specific building designs have not yet been established, the subsequent Site Plan application will be required to demonstrate compliance with the City's applicable architectural, aesthetic, landscaping, and screening requirements.

18. Water for the proposed development will be supplied by an existing private well drawing from the underlying aquifer. The property has historically been used for agricultural production, which utilized the same groundwater source and required substantial quantities of water for irrigation. The proposed data center, utilizing closed-loop cooling systems, is anticipated to consume significantly less water than the previous agricultural operations. Although the natural gas generating facility will also require some water, its anticipated demand will be evaluated during subsequent design and permitting.

19. Data centers across the country, and especially in Arizona, have garnered significant attention in recent years due to their rapid proliferation and construction near urban and residential areas that have, in some instances, caused land use conflicts. This subject property is ideal for data centers, however, as it is relatively remote, within a future industrial corridor along State Route 85, and located just north of the City of Phoenix landfill. The property's isolation will mitigate the negative impacts of data centers by allowing excess noise and heat to dissipate prior to impacting residential uses. That said, Lewis Prison is located northeast of the site, and staff has worked with the applicant via stipulation to establish a noise limit of 70dBA LAeq. (one hour) at or beyond the property line, intended to ensure noise from the site will not be louder than ambient traffic noise from SR-85 to minimize impacts to the prison's staff and inmates.

20. The proposed natural gas generating plant and backup diesel generators will produce air emissions. Although the City does not directly regulate these emissions through its land use approval process, the facilities will be subject to applicable federal and state environmental regulations, including air quality permitting, monitoring, and reporting requirements administered by the appropriate regulatory agencies. Compliance with

those requirements will be addressed through the applicable environmental permitting processes.

21. The proposed site has historically been used for agricultural purposes and is immediately surrounded by land uses compatible with the data center proposal. Beyond the property's immediate boundaries, however, the site is located just over two miles to the Sonoran Desert National Monument to the east, about one and a half miles from the Gila River to the west (with the Woolsey Peak Wilderness west of the river) and roughly five miles from the Buckeye Hills Regional Park to the north. As such, the greater surrounding area includes natural recreation opportunities, important wildlife habitat, dark sky viewing areas, and undisturbed natural desert habitat. To that end, in addition to the noise and heat limitation stipulations, lighting on the site will have to comply with Development Code requirements which mandate lighting to have a correlated color temperature of 3000K or less (which is on the "warm" side of the lighting spectrum and mitigates light pollution) and all fixtures will be required to be fully shielded downward. Staff will also expect the final site plan submittal to include indigenous Sonoran landscaping to provide a respite for wildlife including butterflies, birds, reptiles, and small mammals.

22. The isolation of the subject site makes this an attractive location for a use that can create compatibility concerns with residential and urban uses. However, the isolation also raises some concerns, specifically related to the lack of fire protection infrastructure in this location, with the City's nearest existing fire station located over 20 miles from the subject site. Development of the scale proposed is likely to require the construction of a new fire station, procurement of additional fire apparatus, and/or hiring of additional fire staff. The recommended stipulations include a requirement for a future Development Agreement to establish the developer's contribution toward these improvements. If the Development Agreement is not executed within 12 months of CUP approval, or prior to the first building permit application, whichever occurs first, the CUP will expire.

23. In addition to the availability of emergency response services, the proposed battery energy storage and on-site power generation facilities present specialized fire and emergency response considerations. The recommended stipulations require compliance with applicable fire safety standards, preparation of a Hazard Mitigation Analysis, and approval of an Emergency Response and Fire Safety Plan. These requirements will allow the Fire Department to evaluate the proposed equipment, identify potential hazards, and ensure appropriate emergency response measures are incorporated into the development.

24. While construction of the proposed campus will generate temporary construction traffic, the completed data center is expected to generate relatively little daily vehicular traffic compared with many other intensive industrial uses. A Traffic Impact Analysis will be required as part of the subsequent Site Plan review to evaluate anticipated traffic and identify necessary roadway and access improvements.

25. In summary, while the proposed data center and energy campus is a high-intensity industrial use with impacts such as noise and heat, the isolated location of the site mitigates these concerns. Additionally, the site has previously been contemplated for uses of similar intensity and has appropriate zoning and land use designations. As such, staff is supportive of the proposed Conditional Use Permit, subject to recommended conditions.

RECOMMENDATION:

26. Staff recommends the Planning and Zoning Commission approve the proposed Buckeye Energy Center Conditional Use Permit, Application PLZU-26-0012, subject to conditions (a) through (x), for the reasons outlined within the Analysis section of this staff report.

a. The use shall substantially conform to the Project Narrative (Exhibit D) consisting of 36 pages stamped received September 25, 2026, except as modified by the following stipulations.

b. The Conditional Use Permit will expire unless the following timeline benchmarks are met:
    1. Site plan approval must occur no later than three years from CUP approval, by November 24, 2029.
    2. Issuance of a building permit must occur by November 24, 2030.
    3. Following issuance of the first building or civil permit for the project, if construction of the site does not start, is halted, and/or is abandoned for more than twelve consecutive months prior to completion of the first phase of the project, the CUP shall expire. Upon completion of the first phase, the CUP shall remain valid for the remainder of the project.

c. The applicant shall submit the following studies for review and approval with site plan submission:
    1. A noise study demonstrating that noise generated by the facility, including generator and other intermittent operational noise, will not exceed 70 dBA LAeq, 1h at or beyond the property line and will not create greater noise-related impacts to wildlife or migratory birds than typical SR-85 traffic noise, including at migratory bird flight heights.

2. A heat study demonstrating that operation of the data center, mechanical cooling equipment, and on-site energy production will not cause a measurable increase in ambient air temperature at or beyond the property line under maximum operating conditions.

d. To ensure responsible water stewardship but allowing for flexibility in data center design, all new data center developments shall utilize non-evaporative or hybrid cooling strategies that minimize or eliminate the use of water for heat rejection. Cooling systems may vary in configuration—such as air-cooled chillers, dry coolers, closed-loop liquid cooling, or other advanced ultra-low-water technologies. Each facility must demonstrate, through design documentation and annual reporting, that its Water Usage Effectiveness (WUE) does not exceed 0.5, ensuring water consumption remains aligned with conservation objectives while enabling innovation in cooling architecture. Filling during the initial commissioning phase for each data center building will not count toward the WUE metric.
e. The Applicant shall enter into and execute a Development Agreement with the City of Buckeye addressing the funding, design, construction, timing, and implementation of new fire infrastructure required to support development in the Project Area. The Development Agreement shall be executed within twelve (12) months after approval of the Conditional Use Permit, or before submission of the first application for a building permit for the Project, whichever occurs first. The proposed Development Agreement shall be reviewed by and be acceptable to the applicant, the Fire Chief, and supporting City of Buckeye departments before City Council consideration and possible action. Failure to execute an acceptable Development Agreement within the stated time frame will render the Conditional Use Permit expired and require additional action by the Planning and Zoning Commission for renewal.
f. This project will need to comply with our adopted 2024 International Fire Code, with Chapter 12 Amendments, and the latest edition of NFPA 855, Standard for the Installation of Stationary Energy Storage Systems. We will only recognize the latest edition of UL9540/A and NFPA 855.
g. A Hazard Mitigation Analysis (HMA) to be submitted to include Hazardous Gas Plume Modeling and a detailed site map from an AZ Licensed Fire Protection Engineer. The HMA is the key document to start the discussion of the installation and its associated hazards. On site fire suppression will need to be evaluated including fire flow and storage.
h. Prior to Site Plan approval, the applicant must submit an Emergency Response and Fire Safety Plan for review and approval by the City Fire Marshal. The Emergency Response and Fire Safety Plan shall describe actions to ensure the safety of the employees at the

site, the responders thereto, and the surrounding community in the event of an emergency. The Emergency Response and Fire Safety Plan shall outline the procedures to prevent, mitigate, and effectively respond to an incident should one arise, and include operational contacts.

i. Any RWC communication tower shall be exempt from restriction with the design location or height requirements.
j. Prior to the issuance of any civil permit, the Property Owner/Developer shall pay a pro rata share cost of up to nine (9) regional future traffic signals to be installed within this section of land. The pro rata share is based on a ratio of the project acreage to the developable acreage within the section. The sectional contribution is to be based on the following allocation of costs: (i) 25 percent share of four (4) possible signals at arterial street intersections; (ii) 50 percent share of four (4) possible signals at half-mile collector street intersections or project entries; and (iii) 100 percent share of one (1) possible signal internal to this project. The cost shall be based on an anticipated signal cost as determined by the City. The signal fee will be for the entire parcel of development (**401-66-038)** regardless of any lots that may be split into different parcels as with this multi pad commercial development.
k. Prior to approval of a site plan or pre-plat, a Traffic Impact Analysis is required to be submitted and approved. All requirements of the Traffic Impact Analysis shall be reflected on the approved construction drawings.
l. All non-regional traffic signals that are required by this project shall be funded and constructed by this project prior to Certificate of Occupancy.
m. All regional traffic signals required by this project shall be constructed by this project prior to C of O. This may have a reimbursable component from the regional signal fees collected by the City from other parcels per City Engineer approval.
n. All medians required for controlling site access (RI/RO, ¾ (RI/RO/LI)) shall be constructed with this development.
o. In the event that access to and within the project is deemed a threat to public safety and security by the City, the City has broad authority to take such action as it deems necessary to address such a threat until such time as the Property Owner/Developer eliminates the safety concerns to the City's satisfaction. The Property Owner/Developer is responsible for revising the roadway and access layout to alleviate the City's concerns with respect to public safety and security. Any such changes will be considered a minor change to existing site plan approvals and shall be approved by the City.
p. ITS conduits (2 7-way micro-ducts) must be installed along all arterial streets and any collectors if necessary per City standards, including any necessary splice boxes.
q. Driveway spacing and storage requirements shall be per Table 1 of the COB Engineering Design Standards (EDS) Section 6-3.
r. All major intersections will require right turn slip lanes and dual left turn lanes per City Detail 63300.

s. On major local or local streets with a running length longer than 1200', traffic mitigation must be shown on the plat. Traffic mitigation can include elements such as chicanes and footballs and must be implemented with initial design. These traffic mitigation strategies may require no parking signs in areas where the traffic mitigation elements make on street parking unsafe or unfeasible.
t. 4-legged intersections will require 2 way stop signs at a minimum and all way stops at major intersections.
u. 3-legged intersections that have higher traffic volumes and non-typical traffic patterns are required to have a minimum of a 2 way stop.
v. The property shall be in compliance with all future site plan conditions of approval.
w. Development of this site under this Conditional Use Permit shall conform to current Development Code Standards.
x. The property owner/s and their successor waive any and all claims for diminution in value of the property with regard to any action taken by City of Buckeye as result of this approval.

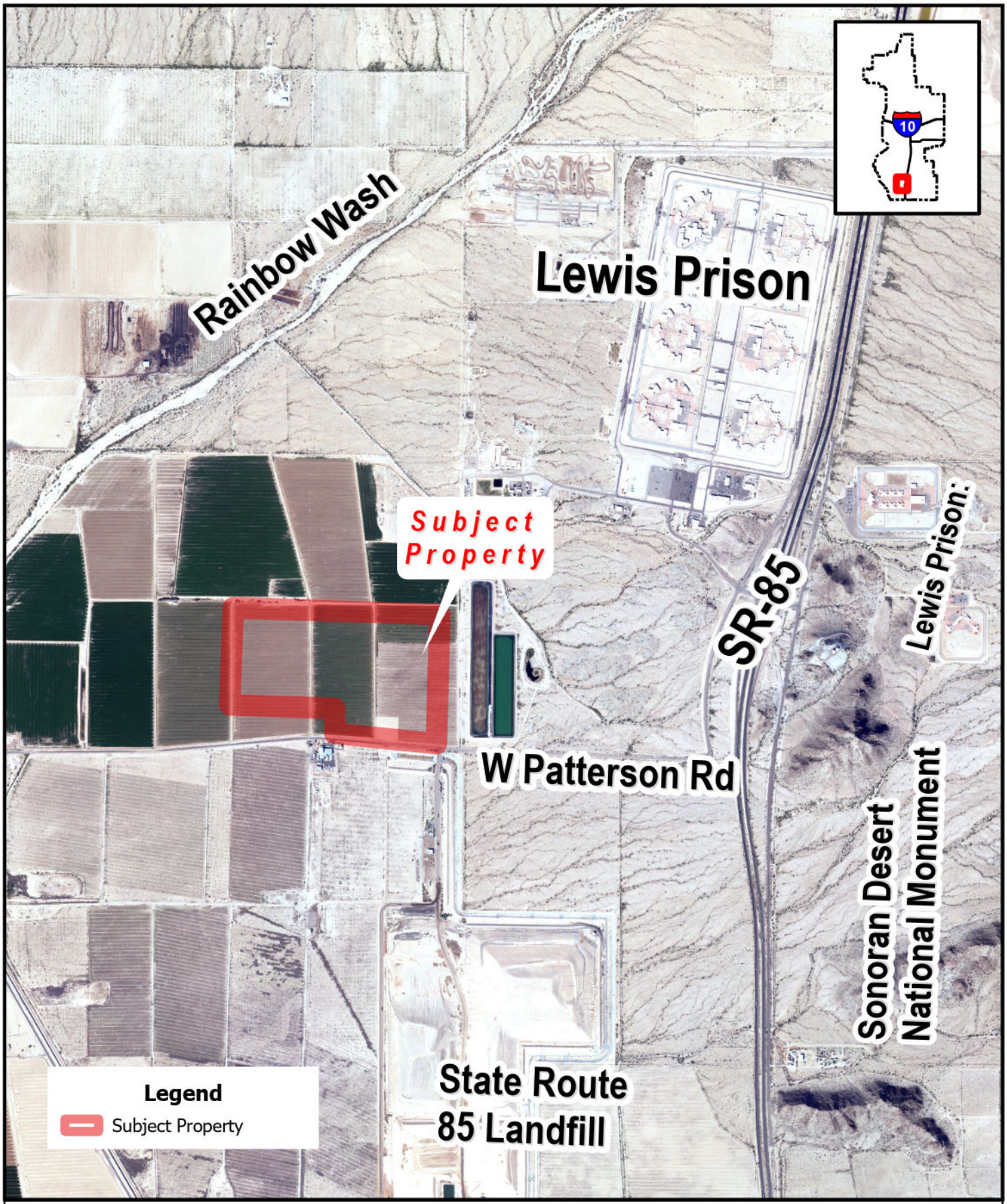
ATTACHMENTS

Exhibit A - Vicinity Map (Aerial Photo)
Exhibit B - General Plan Map
Exhibit C - Zoning Map
Exhibit D – Proposed CUP Narrative
Exhibit E – Public Participation Report

Prepared By:
Joseph Mueller, Senior Planner

Reviewed By:
Ken Galica, Planning Manager

Exhibit A



VICINITY MAP

PLZU-26-0012

Buckeye Energy Center CUP- SR-85 & W Patterson Rd

Council District #2

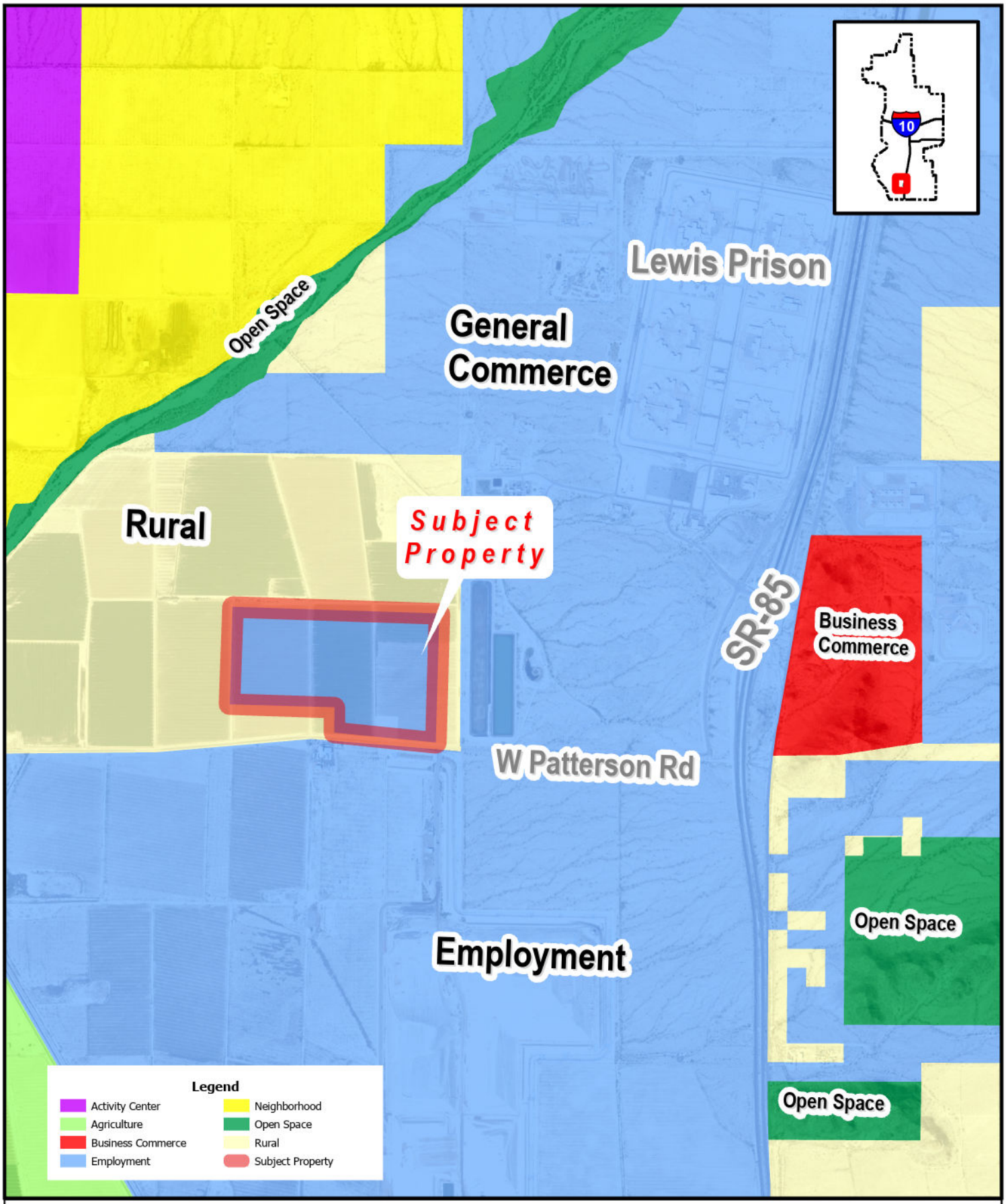


Exhibit B - General Plan Land Use Map

PLZU-26-0012

Buckeye Energy Center CUP- SR-85 & W Patterson Rd

Council District #2

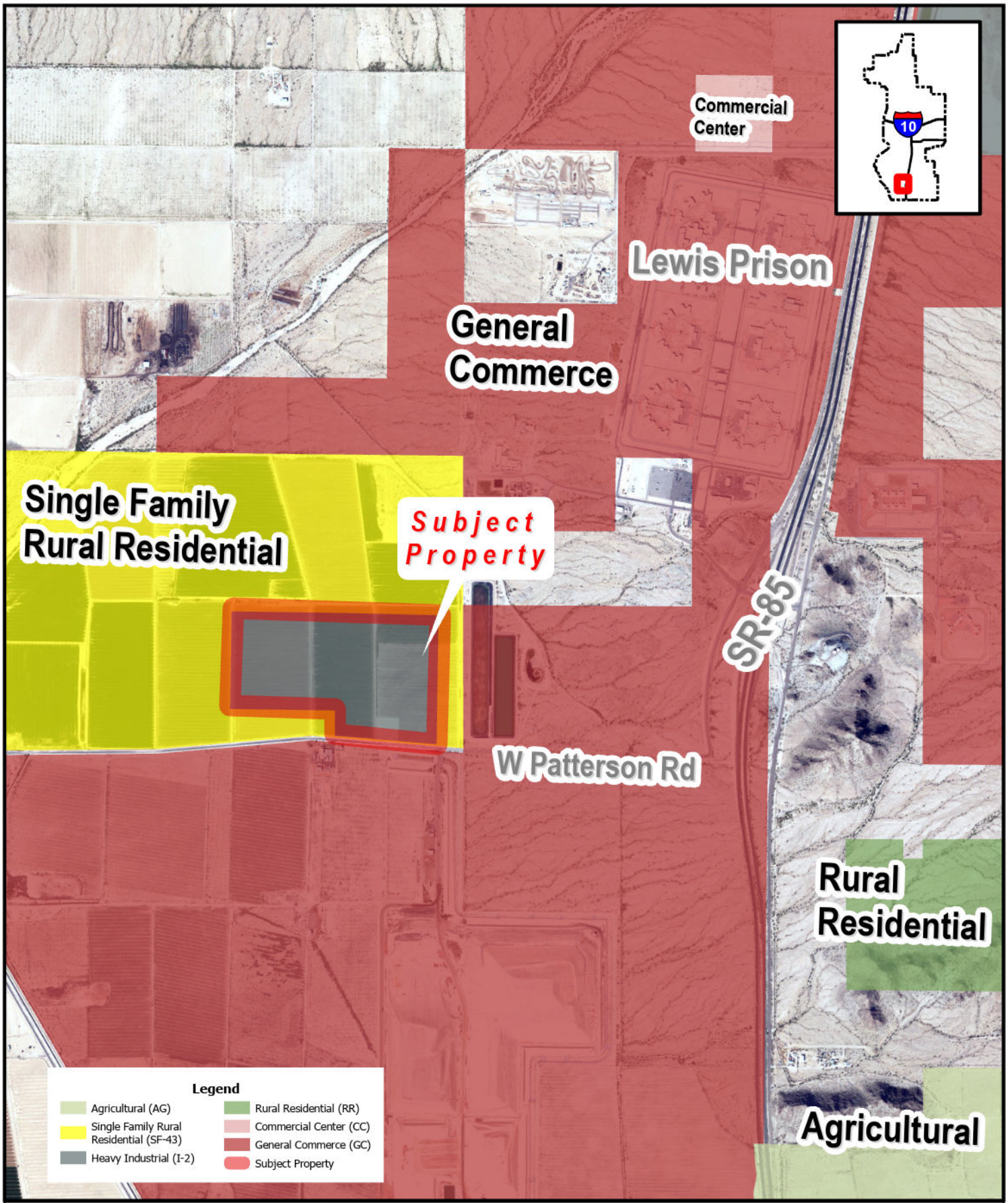


Exhibit C - ZONING MAP

PLZU-26-0012

Buckeye Energy Center CUP- SR-85 & W Patterson Rd

Council District #2

BUCKEYE ARIZONA

N W E S

2R PLZU-26-0012 RECEIVED SEPT 25 2026 WD

Project Narrative: Buckeye Energy Campus

Case: PLZU-26-0012
Site: 28400 W Patterson Road
APN 401-66-038
Rev 2

Fortescue Future Industries LLC

Buckeye Energy Campus
September 25, 2026

Buckeye Energy Campus
Case: PLZU-26-0012
Site: 28400 W Patterson Road
APN 401-66-038

Client Name:	Fortescue Future Industries LLC		
Project Name:	Buckeye Energy Campus		
Document No.:	260729072221_533eeeff	Project No.:	D4025500
Version:	Rev 2	Project Manager:	Chris McHan
Date:	September 25, 2026	Prepared by:	Kim Wetzel/Jacobs

Document history and status

Version	Date	Description	Author	Checked	Reviewed	Approved
Draft	7/31/26	Client review draft	K. Wetzel	C. Ferguson	M. Keller	C. McHan
Final	8/07/26	Submittal	K. Wetzel	C. Ferguson	M. Keller	C. McHan
Revised	9/25/26	Application complete	K. Wetzel	C. Ferguson	M. Keller	C. McHan

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Contents

Acronyms and Abbreviations iv
1. Project Details 1
1.1 General Location 1
1.2 Tracking Number PLZU-26-0012 1
1.3 Current Site Conditions 3
1.4 Citizen Participation Plan 3
2. Project Proposal 3
2.1 Project Elements 6
2.1.1 Data Center Operating Model 6
2.1.2 Data Center Building Design and Landscaping 7
2.1.3 Mechanical Cooling System 8
2.1.4 Thermal Power Generation 9
2.1.5 Project Substation 9
2.1.6 Battery Energy Storage System for Load Smoothing 9
2.1.7 Transmission Lines for Supplemental Power 10
2.1.8 Offsite Roadways 10
2.1.9 Accessibility and Circulation 10
2.1.10 Stormwater Management System 10
2.1.11 Water Treatment Facility and Septic 11
2.1.12 Parks and Open Space 11
2.1.13 Onsite Lighting 11
2.2 Construction 11
2.3 Traffic 12
2.4 Federal Aviation Administration, Noise, and Visibility 12
2.5 Air and Water Quality 12
2.6 Emergency Preparedness 13
2.7 Other Authorizations 14
2.8 Future Development 14
3. Findings of Fact 15
Arizona Revised Statutes (ARS) Article 7 – Airport Zoning and Regulation 15
BDC Chapter 7 Article 2 – Zoning Districts 16
BDC Chapter 7 Article 3 – Use Regulations 16
BDC Chapter 7 Article 4 – Dimensional Standards 21
BDC Chapter 7 Article 5 – Development and Design Standards and Guidelines 22
BDC Chapter 7 Article 8 – Review and Approval Procedures 27
4. Conclusion 30
5. References 31

Appendices

A CUP Application Form
B Fee Worksheet
C Landowner Verification, Phoenix Hydrogen Hub LLC
D Conceptual Layout Plan
E Pre-Application Conference Comments
F Citizen Participation Plan

Tables

Table 1. Project Tax Lot 4
Table 2. Adjacent Properties 4
Table 3. Employees by Operational Intensity 7
Table 5. Permit Authorizations from Other Agencies 14
Table 3.1-1. Table of Allowed Uses (Excerpt) 17
Table 4.1-3. Dimension Standards – Nonresidential and Other Districts, I-2 (Excerpt) 22
Table 5.4-1. Landscaping Requirements (Industrial District Type) (Excerpt) 24
Table 5.6-1. Off-Street Parking Schedule A (Excerpt) 25
Table 6. Office Space Square Footage and Parking Needs by Industry 26

Figures

Figure 1. Project Area 2
Figure 2. Zoning and Land Use 5
Figure 3. Data Center Typology 6
Figure 4. Sample BESS Elevations from the Conceptual Layout Plan 18
Figure 5. Sample Building Elevations from the Conceptual Layout Plan 22

Acronyms and Abbreviations

ADEQ	Arizona Department of Environmental Quality
ADU	accessory dwelling units
AFB	Air Force Base
AGFD	Arizona Department of Game and Fish
APN	Assessor parcel number
APS	Arizona Public Service
ARS	Arizona Revised Statutes
AZPDES	Arizona Pollutant Discharge Elimination System
BDC	City of Buckey Development Code
BESS	battery energy storage system
BTM	behind-the-meter
COB	City of Buckeye
CUP	Conditional Use Permit
EDS	Engineering Design Standards
ESL	Environmentally Sensitive Land
ETA	Employment Transition Area
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
ft^2	square foot (feet)
GC	General Commerce Zoning District
HMA	Hazard Mitigation Analysis
I-2	Heavy Industrial Zoning District
IPaC	Information for Planning and Consultation
landowner and Applicant	Phoenix Hydrogen Hub, LLC
MAG	Maricopa Association of Governments
MCAQD	Maricopa County Air Quality Department
PAC	Pre-Application Conference
PZC	Planning and Zoning Commission
ROW	right-of-way
SF-43	Single Family Rural Residential Zoning District
SR	State Route
SVT	sight visibility triangle
TBD	to be determined

1. Project Details

Phoenix Hydrogen Hub, LLC (the landowner and Applicant), represented by USA Fortescue Future Industries LLC (Fortescue) and Jacobs, is seeking a Conditional Use Permit (CUP) for a data center with onsite power and accessory uses on Heavy Industrial (I-2) zoned land (parcel APN 401-66-038) in the southern end of the City of Buckeye at South 283rd Avenue and West Patterson Road.

The accessory uses to the data center include thermal power generation, power substation, battery energy storage, and drinking water treatment. The applications for Site Plan Review and construction permits will be submitted later, as described in Section 1.3.

Appendix A provides the Buckeye Energy Center CUP application form, Appendix B provides the fee worksheet, and Appendix C provides the landowner verification.

1.1 General Location

28400 W Patterson Road, Buckeye, AZ 85326

33°11'34"N 112°40'27"W

Located in a portion of Section 4, Township 3 South, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County.

Located west of State Route (SR) 85 at the corner of Patterson Road and future major arterial 283rd Avenue on Assessor Parcel Number (APN) 401-66-038.

Figure 1 is a vicinity map.

Appendix D is the Conceptual Layout Plan.

The 157-acre subject parcel (APN 401-66-038) is located approximately 13 miles south of the center of Buckeye City in Maricopa County, Arizona, and approximately 1 mile west of State Route 85.

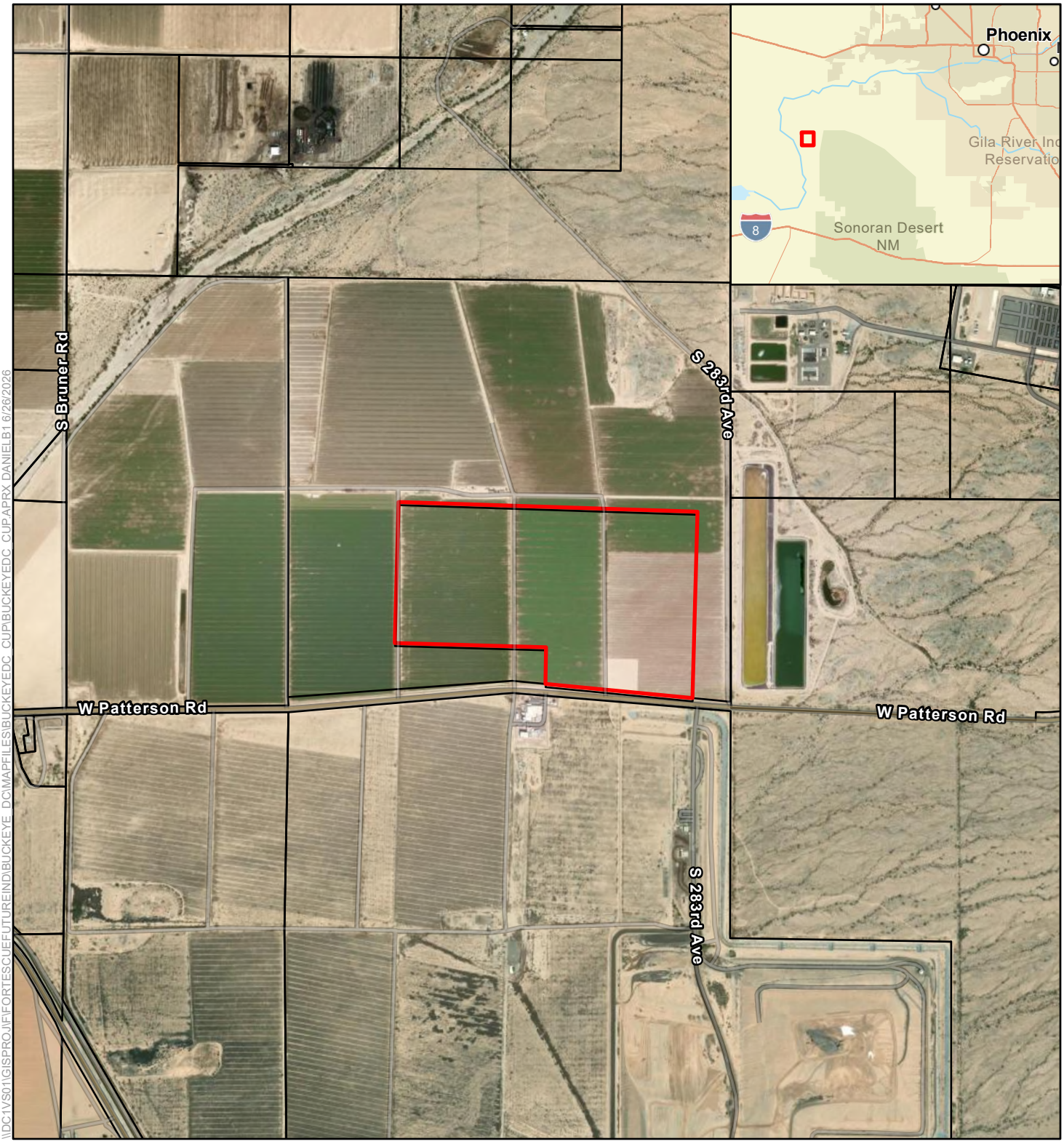
1.2 Tracking Number PLZU-26-0012

The site was previously zoned SF-43 when the land was incorporated along with parcel 40166038 into the Town of Buckeye in 2010 (Ordinance 04-10). The site was rezoned from SF-43 to I-2 for a hydrogen hub project (Ordinance 18-23). A Stipulation Modification was recently approved by the City of Buckeye (Ordinance 04-26) to remove the requirement for development as a hydrogen production facility.

This project is adjacent to, but not subject to conditions associated with, Woolsey Peak Substation (PLZSP-25-0048). It should be noted that the substation encroaches on the subject parcel slightly.

- Pre-Application Request submitted June 10, 2026
- Pre-Application Conference (PAC) hosted June 25, 2026
- PAC Report received July 2, 2026 (Appendix E)

Comments received during the PAC are addressed in this CUP application or will be met/addressed during Site Plan Review.



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Legend

- CUP Project Area
- Parcel Boundary

Figure 1. Project Area
Conditional Use Permit
Buckeye, Arizona

0 800 1,600 ft.

Source: ESRI World Imagery (2025); City of Buckeye (2026)

1.3 Current Site Conditions

The parcel is zoned Heavy Industrial (I-2) and designated as Employment by the Buckeye General land use plan map.

The site is generally flat with a 1.0% slope running from the northeastern direction to the southwestern direction.

The site is currently used for agriculture (alfalfa). There are no naturally occurring wetlands or streams, but the site is irrigated. There is little to no undisturbed land or native vegetation within parcel 401-66-038.

The parcel is in the southeast corner of a larger 920-acre agricultural property which is actively farmed for alfalfa and includes a relocatable farm office building, water wells, and storage buildings. Surrounding property uses include active agriculture, Cargill oilseed processing plant, the City of Phoenix State Route 85 Landfill, undeveloped Arizona Department of Transportation property, and State Prison Complex Lewis and its wastewater treatment facility. Based on a review of the Southwest Regional Gap Analysis Land Cover Dataset (Lowry, et al. 2005) and aerial imagery, three vegetation communities were identified as potentially occurring northwest and southwest of the site: Sonora-Mojave Creosote bush-White Bursage Desert Scrub, Sonora-Mojave Mixed Salt Desert Scrub, and Agriculture (Insignia 2022).

1.4 Citizen Participation Plan

The Citizen Participation Plan in Appendix F details the strategy to inform citizens of the project. The results of the citizen participation effort will be summarized and compiled into a Citizen Participation Report in advance of the public hearing.

Documentation in the Citizen Participation Report will include:

- Notice of Application to Affected Parties
- Notice of Neighborhood Meeting
- Sign Posting and Affidavit
- Notice of Public Hearing and Affidavit

2. Project Proposal

Phoenix Hydrogen Hub LLC (Applicant) is proposing a data center on the Heavy Industrial (I-2) zoned parcel (APN 40166038, Figure 1) with the following elements:

- Three-100 MW IT load capacity data center buildings with associated customer-owned substation, mechanical cooling plant and battery energy storage system (BESS)
- 300 MW BTM thermal onsite power capacity generation in the form of natural gas reciprocating engines
- Primary onsite high voltage substation
- Transmission lines connecting project substation to Woolsey Peak Substation for 120 MW grid power
- Utilities and other linear infrastructure
- On- and Offsite Roadways, circulation
- Stormwater Management System
- Water Treatment Facility and Septic
- Screening and Landscaping

- Onsite lighting (not shown on Conceptual Layout Plan)

Project elements are shown in the Conceptual Site Plan and described generally in Section 1.6. The design will remain conceptual until specific technologies and equipment are chosen for the data center and accessory utilities.

The parcel is zoned Heavy Industrial (I-2) and designated as Employment by the Buckeye General land use plan map (Table 1). Table 2 and Figure 2 outline the tax lot.

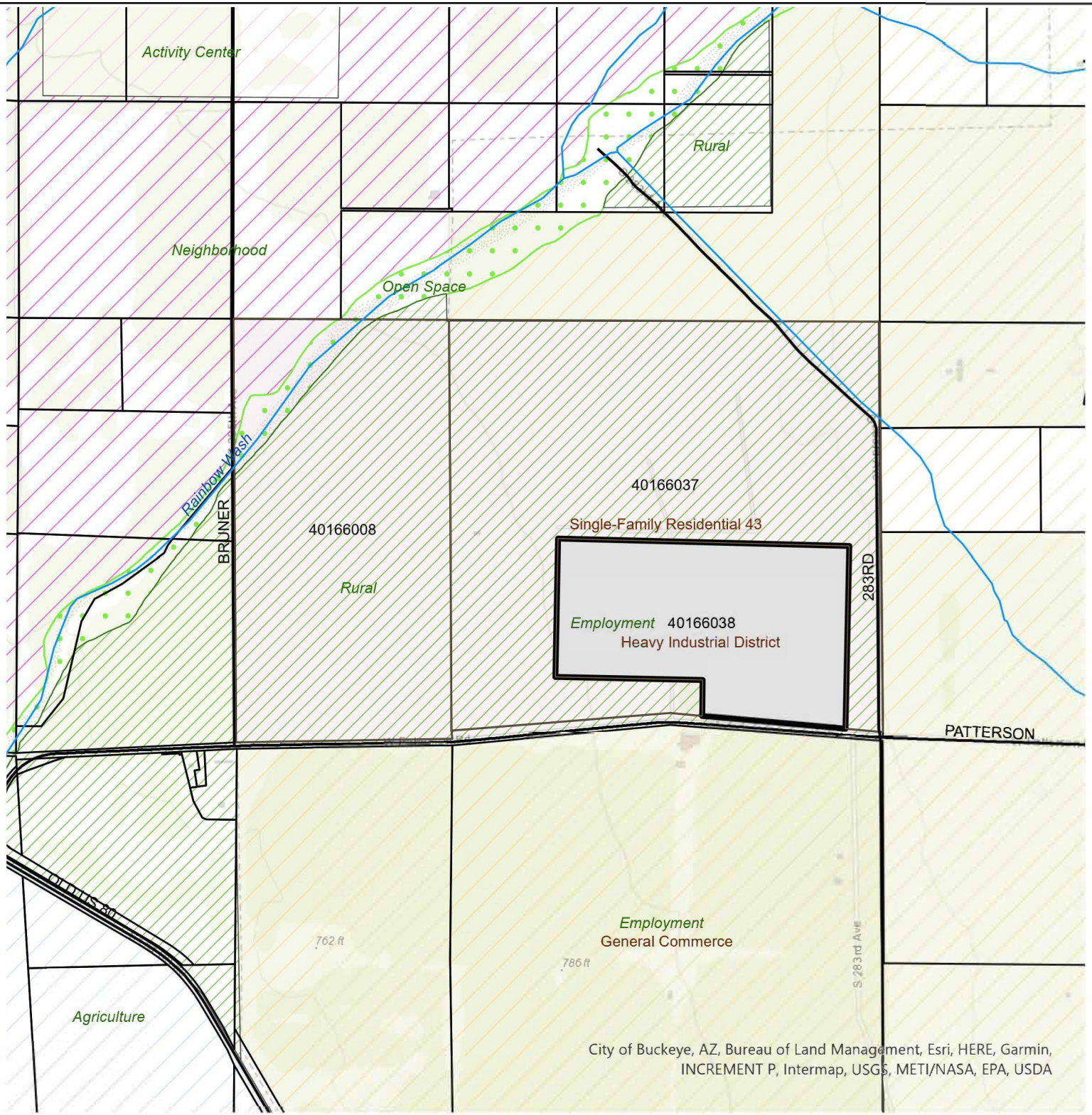
Table 1. Project Tax Lot

Assessor Parcel Number (APN)	Owner	Situs Address	Zone Designation	General Plan Designation	Acres
40166038	Phoenix Hydrogen Hub LLC	28400 W. Patterson Road	Heavy Industrial (I-2)	Employment	157

Table 2. Adjacent Properties

APN	Owner	Situs Address	Zone Designation	General Plan Designation	Acres
40166037	Phoenix Hydrogen Hub LLC	28702 W. Patterson Road	Single Family Residential 43 (SF-43)	Rural	436
40166008	Phoenix Hydrogen Hub LLC	28702 W. Patterson Road	SF-43	Rural	312
40166026C	City of Phoenix	28633 W. Patterson Road	GC	Employment	2,303
40165039B	Arizona Department of Administration	South 283rd Avenue	GC	Employment	279
40165003A	Arizona State Department of Transportation	West Patterson Road	Transportation	Employment	57

GC = General Commerce Zoning District



Fortescue

Buckeye Energy Project
APN 40166038

28702 W. Patterson Road
Buckeye, Arizona 85326

Request to develop a data center with behind-the-meter thermal power generation and ancillary uses on approximately 157 acres of heavy industrial zoned land located west of the corner of State Route 85 and Patterson Road on APN 40166038.



- Streams
- Roads
- Subject Parcel
- Parcels

General Plan Land Use
- Activity Center
- Agriculture
- Business Commerce
- Employment
- Neighborhood
- Open Space
- Rural

Zoning Designation
- Agricultural
- Commercial Center
- General Commerce
- Heavy Industrial District
- Single-Family Residential 43
- Parcels selection

0 0.5 Miles

2.1 Project Elements

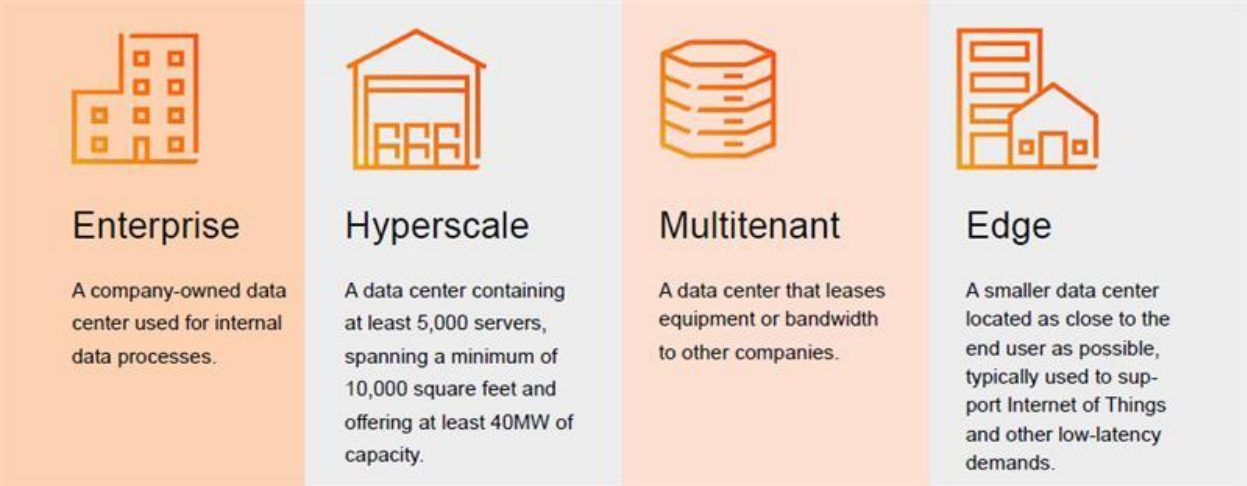
The following sections describe the general elements of the Buckeye Energy Campus. There will be no construction phasing of the elements within A*PN 401-66-038.* The size and location of some elements of the site may change before Site Plan Review. Dimensional requirements and applicable standards would adjust accordingly.

Future design and construction documents will meet the most currently adopted City of Buckeye (COB) Engineering Design Standards (EDS) as well as the most recently adopted Maricopa Association of Governments (MAG) standards and specifications.

2.1.1 Data Center Operating Model

Data centers' scale and configuration can vary based on their operating model. The Buckeye Energy Campus data center is considered "hyperscale" because the campus will support 300MW of capacity spanning 1.7 million square feet. Figure 3 provides a function-based typology.

Figure 3. Data Center Typology



Source: PwC 2026.

The number of employees required to operate a data center is influenced by the operational intensity and the IT load capacity (Table 3). Based on industry standards for data centers, the Buckeye Energy Campus could operate with a range of 45 to 105 full-time employees based on the 300 MW IT load capacity. The operational efficiency of the data center would refine this employee estimate. For example, a highly automated hyperscale campus would utilize closer to 45 employees while a more manual operation with 24/7 onsite staffing presence would utilize more than 100 employees (Table 3). The operating model for this site has not yet been determined. The employee estimate covers the entire campus operation including employees required to operate the primary substation, water treatment facility and other accessory uses.

Potential external impacts resulting from higher operational intensity include:

- **Traffic**: Higher number of employees would induce a small increase in commute trips, shift changes, and deliveries. Increased parking demand and vehicle movement during shift changes could cause brief congestion at the main entrance and closest intersection.
- **Water and Wastewater**: Increased domestic water use and sewage from restrooms and break areas. These utilities are provided onsite and would have no municipal impact.

- **Waste**: More ordinary staff waste and potentially more deliveries, packaging, and service activity.
- **Economic**: Higher employee numbers may result in increased local economic activity as local businesses and services are utilized.

Table 3. Employees by Operational Intensity

Operational Intensity	Operational Employees per MW	Employees for 300 MW	Typical Scenario
Low -Efficient	0.15 to 0.20	45 to 60	Highly automated hyperscale campuses with centralized monitoring and low onsite staff.
Standard	0.24 to 0.28	72 to 84	Regional or colocation data centers with mixed automation and diverse client operations.
High – Labor Intensive	0.30 to 0.35	100 to 105	Smaller enterprise facilities with manual operations, limited automation, and 24/7 onsite presence.

Source: Omaha State University 2025

2.1.2 Data Center Building Design and Landscaping

The project concept contains approximately 276,000 square feet (ft^2) of office space within three larger data center buildings totaling 1,725,000 ft^2. Mechanical cooling plants are located adjacent to each data center building. Approximate heights of the data center buildings and accessory structures are as follows:

- Data Center Buildings: 57 feet
- Mechanical Cooling Plants: 63 feet
- Generators: 63 feet (when added to roof of data centers)

Each data center building is designed with two distinct functional zones: the Data Center (DC) area containing IT equipment, and the DC Administration area containing onsite worker offices. The site layout prioritizes the placement of administrative and employee-oriented spaces near the main entrance to each building, with these areas featuring glazing to enhance visibility and convey a welcoming arrival experience.

Architectural articulation and facade treatments will be carefully employed to differentiate programmatic areas along each building's elevation. A palette of desert colors, textures, and material transitions—accentuated by thoughtfully designed shadow lines will ensure architectural interest on all building façades, contributing to a visually cohesive and contemporary campus environment.

Buildings would feature:

- Modern façades with architectural character and visual appeal (per Planning Department comment July 2, 2026).
- DC and the DC Administration areas.
- Rooftop mounted backup diesel gas powered generators, to provide one-to-one backup power redundancy. Equipment on rooftops would be screened.
- Electromagnetic Frequency and Radio Frequency Interference shielding to prevent any interference with aircraft or installation-level equipment and to avoid any loss of radar coverage (in accordance with Luke Air Force Base (AFB) comment July 2, 2026).

- Fire protection system as required by COB Ordinance 03-22 (in accordance with COB Ordinance 18-23 May 2, 2023) including sprinklers, fire pump house and storage tank. Other safety features discussed in Section 2.6.
- Site landscaping would incorporate Sonoran plant species as much as possible, per PAC comment (Appendix E).
- Pleasing screening walls that would be no more than 20 feet tall and that articulate movement at least every 200-feet per BDC Chapter 7 Article 5.4.6 and PAC comment.

2.1.3 Mechanical Cooling System

Detailed design of the proposed data center campus has not yet been completed. Final cooling system selection and sizing will occur during subsequent engineering before Site Plan Review. The Applicant's objective is to minimize potable water demand while maintaining operational reliability and efficiency.

Closed-Loop Cooling System

The Applicant will use a closed-loop cooling system optimized for arid climates and designed to minimize water consumption. Evaporative cooling and cooling towers are not proposed.

The mechanical cooling system will include a combination of technologies including closed-loop cooling water distribution systems, air-cooled coolers, heat exchangers, pumps, and other mechanical equipment commonly used at hyperscale data centers. Other technologies may include air-cooled chillers, closed-circuit fluid coolers, dry coolers, rear-door or direct-to-chip liquid cooling heat rejection systems, and hybrid cooling technologies that reduce potable water use while maintaining operational reliability. Emergency backup cooling components may also be incorporated as needed to ensure reliability; these will also be closed-loop systems.

Under normal operating conditions, the cooling system is not expected to produce steam. Heat generated within the data halls will be transferred through a closed-loop liquid system to exterior cooling equipment, where it will be released to the atmosphere as heat exhaust. Although a campus with an ultimate IT load of approximately 300 MW will dissipate a substantial amount of heat, this process occurs through distributed cooling equipment and does not result in visible emissions such as steam, smoke, or industrial process exhaust. Similar to large commercial HVAC systems, this form of heat rejection is not considered a regulated air emission source. Fortescue would conduct a Computational Fluid Dynamics model to understand and minimize heat exhaust during Site Plan Review.

Cooling equipment will generate operational noise from fans, pumps, and related mechanical components. To ensure compliance with applicable City noise standards, final design will incorporate appropriate mitigation measures that may include equipment selection, acoustical screening, sound-attenuating enclosures, perimeter walls, equipment orientation, and site layout strategies. A detailed acoustical analysis will be prepared during final design to verify compliance at nearby property lines and other sensitive receptors.

Water Use

Because final equipment selection has not yet occurred, water usage estimates are preliminary. The specific equipment along with decisions on the final cooling architecture, phasing, pipe routing, thermal storage requirements, and equipment configuration will have a direct impact on the amount of water required. A closed-loop liquid cooling system serving a large data center campus may require an initial fill volume ranging from 500,000 to 2 million gallons. This represents a one-time system fill rather than ongoing consumption.

Under normal operation, a closed-loop system is designed to continuously recirculate the cooling fluid and therefore requires only limited makeup water to compensate for:

- Minor maintenance activities;
- Periodic equipment servicing;
- Small system losses; and
- Long-term operational adjustments.

Routine flushing and refilling are not expected under normal operating conditions. Any future maintenance-related drain-down and refill events would be infrequent and limited to specific portions of the system rather than the entire campus.

2.1.4 Thermal Power Generation

Initially, the project will receive approximately 120 MW of electrical service from the Arizona Public Service (APS) transmission system via the Woolsey Peak Substation. Electrical service will be provided pursuant to an Energy Supply Agreement (ESA) negotiated with APS.

In addition to the 120 MW utility service, the project will include a dedicated behind-the-meter natural gas-fired thermal generation facility capable of supplying approximately 300 MW of primary electrical generation to support the facility's operations. The generating facility will utilize high-efficiency natural gas reciprocating engine-generator units.

To achieve the project's required 99.99% electrical reliability and availability, the total installed generating capacity will exceed 300 MW. This additional installed capacity provides operational redundancy, allowing the facility to maintain the required power output during scheduled maintenance, equipment outages, and contingency events without interrupting operations.

Natural gas for the behind-the-meter generating facility will be supplied from the existing regional natural gas transmission system. The nearest major natural gas transmission corridor is located approximately 2 miles north of the project site. Natural gas will be delivered to the facility through a new natural gas pipeline designed, permitted, constructed, owned, and operated by Southwest Gas, the local natural gas utility. The pipeline will provide a reliable fuel supply to support operation of the onsite generating facility and will be designed and constructed in accordance with all applicable federal, state, local, and utility standards.

The thermal power generating facility would utilize a technology with minimal water requirements, such as air-cooled combustion turbines or reciprocating engine generators. Such facilities generally do not require large quantities of cooling water compared to conventional steam-cycle power plants.

Any water demand associated with the natural gas facility would be included in future utility analyses and quantified as part of subsequent design and permitting efforts once the generation technology is finalized.

2.1.5 Project Substation

Onsite electrical infrastructure includes a primary substation and room for customer-owned substations that would receive, transform, and distribute power throughout the data center campus, as shown on the Conceptual Site Plan (Appendix D). Together with the onsite generation facilities, this infrastructure provides reliable electrical service to support continuous data center operations.

2.1.6 Battery Energy Storage System for Load Smoothing

The BESS facilities are accessory to and serve the onsite data center campus. The BESS provides short-duration energy storage for load smoothing and peak demand management within the campus electrical

system and is not intended to provide utility-scale energy storage or offsite power services. The BESS will not be connected to the grid.

2.1.7 Transmission Lines for Supplemental Power

Initially, the DC will be powered by the APS Woolsey Peak Substation which is currently being permitted spanning the eastern edge of the property (PLZSP-25-0048 Woolsey Peak Substation Site Plan).

After the thermal power plant is commissioned, site transmission lines greater than or equal to 69 kilovolts would be overhead while transmission lines less than 69 kilovolts, including existing lines, would be underground. Transmission line materials, height, and spacing would be provided during Site Plan Review.

2.1.8 Offsite Roadways

Patterson Road, a major arterial roadway, will have a 70-foot-wide of right-of-way (ROW) and an additional 5 feet of ROW for right turn lanes in accordance with Section 6-3 of the EDS for street requirements. The property's W Patterson Road frontage will be improved in accordance with City standards, including the installation of curb, gutter, paving and sidewalks, as well as streetlights and landscaping. The entrance to the facility would have a separate turn lane.

Wilson Road/283rd Avenue, a major arterial roadway, will have 70 feet of ROW and an additional 5 feet of ROW for right turn lanes. The secondary entrance to the site would have a 30-foot radius return to comply with Section 6-3 and Detail 63452 of the EDS for street requirements.

Improvements to Empire Boulevard and S Bruner Road are not included in this proposal because the parcel is not connected to these roadways.

In accordance with an email with Buckeye Planning Manager Ken Galica on October 16, 2025, "Above ground improvements like detention ponds and access roads should be contained on the parcel being developed with a possible exception that you could place a driveway to Patterson right at the property line so it would be shared in the future by both," the main entrance is aligned with the roadway to Cargill.

Street lighting will be required along all public streets in accordance with COB EDS 7-1 and Street Light Improvement District requirements in accordance with City of Buckeye Ordinance 43.05.

2.1.9 Accessibility and Circulation

Data center buildings' orientation faces W Patterson Road with property layout and circulation designed to enhance accessibility and meet fire access requirements. Roadways will be paved, 26-foot minimum width. The final design will meet the COB EDS for curb, gutter and sidewalks, extending from the ROW. The campus will be secured. Buildings will be designed to Americans with Disabilities Act standards.

2.1.10 Stormwater Management System

The stormwater plan including grading and drainage plans will meet the requirements of the COB's MS4 permit as issued by Arizona Department of Environmental Quality (ADEQ) (Permit Number AZG2016-002).

Stormwater design specifications will include dissipation within 24-36 hours to avoid the attraction of birds or waterfowl, in accordance with comment by Luke Airforce Base. Drainage comments provided by COB Development Services Department Engineering on July 2, 2026, will be incorporated into the Site Plan, based on EDS 5-1.

Any existing irrigation canals adjacent to circulation roads will be abandoned, relocated appropriately and/or placed underground with the appropriate ROW dedication, in accordance with COB Municipal Code Chapter 7 Article 6.4.3.D.2.

Materials, stockpiles, and other construction waste will be controlled in accordance with City Code Chapters 9, 10, 16, 19, and 20 and International Building Code Section 3307 to avoid stormwater contamination.

2.1.11 Water Treatment Facility and Septic

There are three private wells outside parcel 401-66-037 that may provide water for the offices and restrooms throughout the site. Well water will be filtered and treated to meet drinking water standards. Water quality and geotechnical/soil sampling will be analyzed before Site Plan Review submittal.

Using ADEQ unit design flows, approximately 105 employees in an office building setting are estimated using 20 gallons of water per person which would generate 2,100 gallons per day water (18 A.A.C. 9).

Sewer and grey water will be managed through a Type 4 conventional onsite septic system. Portions of the septic system will be below ground (e.g., the leech field and vault) and portions of the septic system may be above (e.g., ground septic tank and aeration blower). The size of the wastewater disposal area will depend on a percolation test and soil absorption rate. There will be no evaporation pond that could attract birds.

The project will steward water resources through a combination of building design and industry standard conservation practices. The proposed buildings will limit southern sun exposure to reduce interior cooling systems. The closed-loop mechanical cooling system is entirely self-contained and does not employ evaporative cooling methods that result in evaporative or condensation loss. Large data centers with closed-loop, zero-water-evaporation mechanical dry cooling systems use water for initial fill up (500,000 to 2 million gallons) and small system losses (i.e., no routine flushing or refill).

2.1.12 Parks and Open Space

No park areas are proposed as part of the project. Open Space areas will be designed in accordance with applicable City plans, design guidelines, and development standards. Current COB plans do not indicate future parks or open space incorporated in the project parcel. An outdoor seating/break area will be provided for employees at each building.

2.1.13 Onsite Lighting

Building lighting fixture design will complement the architectural theme. The building entry areas would be accentuated with accent lighting to help create a focal point. Energy efficient lighting, such as LED, would be used throughout the project and glare will be minimized using soft or reflected lighting. Lighting will be shielded to direct the light downward so as not to cause dark sky pollution or light trespass onto adjacent properties.

The future Site Plan will contain a photometric plan and reflect the PAC comments that any exterior lights would have a correlated color temperature of 3,000 Kelvin or lower, no light trespass of more than 0.1 FC offsite, and no hot spot concentrations of light onsite will be required with submittal of the Site Plan.

2.2 Construction

Temporary laydown areas for construction would be discussed during the Site Plan Review. It is anticipated there is sufficient laydown area onsite. If additional space is required, the Applicant acknowledges a

Temporary Use Permit may be required from the City. Solid waste/trash generated during construction and operation will be collected by a COB licensed trash hauler and taken to a permitted landfill.

There is no anticipated impact on schools, parks, or police because the number of jobs generated would not cause a meaningful increase in the local population.

2.3 Traffic

Once operational, the data center will employ approximately 45-105 people. This is far less people relative to other office uses of equivalent size. Some characteristics of traffic for data centers are:

- Operational traffic stems primarily from employee commutes.
- Operation is likely 24/7 with staggered shifts, spreading traffic across the day.
- Deliveries and maintenance visits would be infrequent.
- Visitor traffic would be minimal due to security controls.

As a result, the operating data center often generates far fewer vehicle trips than warehouses, office parks, shopping centers, or manufacturing facilities of similar size.

Construction of the facility is likely to result in a temporary increase in both commuter and heavy truck traffic due to the large number of construction employees and frequent deliveries of construction materials.

As part of Site Plan Review, a full Traffic Impact Assessment will be conducted accounting for both temporary and permanent impacts to traffic.

2.4 Federal Aviation Administration, Noise, and Visibility

During Site Plan Review, the project would be informally reviewed by the Department of Defense Siting Clearinghouse for Energy, Installations, and Environment and the Committee on Foreign Investment in the United States. If required, plume analyses will be conducted for both visible and nonvisible exhaust emissions.

- For nonvisible plumes and turbulence effects, the MITRE Exhaust Plume Analyzer (Federal Aviation Administration [FAA] approved) will be used to evaluate site-specific operational conditions. Modeling efforts will follow MITRE-recommended methodologies and include comprehensive documentation of all assumptions, input parameters, and software limitations, including those associated with model dimensionality and wind-direction sensitivity.
- For visible plume assessments, a Computational Fluid Dynamics analysis will be performed to evaluate plume behavior and confirm that plume visibility. The analysis will consider known flight paths, approach and departure procedures, and operational altitudes in the vicinity of the project site.
- For sound attenuation, the appropriate design and equipment decisions would be made to ensure compliance with ARS § 28-8482.

Coordination with Luke AFB is expected to obtain and verify relevant flight operational information, including known flight corridors and altitude profiles, ensuring that the proposed development does not create impacts to current or foreseeable military aviation activities. If necessary, a notification program could be implemented with Luke AFB operations.

2.5 Air and Water Quality

Dust control requirements described by Public Works comments (July 2, 2026, Appendix E) will be met to ensure dust control during construction. During operation, dust will be controlled because internal roadways experiencing commercial traffic will be paved and previously disturbed surfaces will be

landscaped. These measures and others will be included as part of a Dust Control Plan required for the Maricopa County Air Quality Department (MCAQD) Dust Control Permit.

The proposed electrical generation units will be subject to the Clean Air Act administered by MCAQD. Additionally, the proposed units must comply with the standards specified by the *National Emissions Standards for Hazardous Air Pollutants.* The facility will be designed to comply with all relevant operating standards and will secure all required permits and authorizations.

The project would acquire an Arizona Pollutant Discharge Elimination System (AZPDES) Construction General Permit for stormwater discharges associated with construction activity. The following components will be developed in support of the AZPDES submittal:

- Stormwater Pollution Prevention Plan (SWPPP)
- Erosion and Sediment Control Plan
- Landscaping Plan including revegetation plan
- Drainage Report
- Spill Prevention, Control, and Countermeasures (SPCC) Plan for fuel storage tanks, if triggered by capacity

2.6 Emergency Preparedness

This project will comply with the latest National Fire Protection Association (NFPA) fire and safety codes and American National Standards Institute (ANSI) guidance:

- 2024 International Fire Code, with Buckeye's Chapter 12 Amendments
- NFPA 855, Standard for the Installation of Stationary Energy Storage Systems
- ANSI/UL 9540:2023, Standard for Energy Storage Systems and Equipment

A Hazard Mitigation Analysis (HMA) with Hazardous Gas Plume Modeling, a detailed site map from an Arizona Licensed Fire Protection Engineer, and a Site Safety Plan will be submitted during Site Plan Review.

The project will incorporate fire hydrant types and locations in coordination with the Buckeye Fire Chief and City Engineer. A draft Emergency Response Plan and HMA will be shared with the COB Fire Department and Building and Safety Department in advance of the Site Plan Review. Before Site Plan Review, a meeting will be convened with the Fire Chief and City Attorney to agree upon emergency response times, staffing, fire equipment and housing for each phase of development.

The project will provide operational fire protection systems and required fire flow before delivery of any combustible materials to the site, in accordance with the plans approved by the Buckeye Fire Chief and City Engineer. A water storage reservoir will meet fire flow and fire suppression requirements. There are no immediate plans for a communication tower.

Internal roads will provide fire apparatus access to all structures within the site. Manual and electric gates will be permitted separately with COB Fire Department, outfitted with the FD emergency access equipment. There are two access/entrance roads at diagonal dimensions from W Patterson Road and S 283rd Avenue that are more than one half of the length of the max overall diagonal dimension of the lot, to meet fire department access requirements. These emergency access features are reflected on the Conceptual Site Plan included as Appendix D within this application.

2.7 Other Authorizations

The CUP is one of several permits that would be acquired before construction could begin. In addition to local approvals, the project may require authorizations, permits or approvals from other regulatory agencies (Table 5).

Table 5. Permit Authorizations from Other Agencies

Agency	Permit Authorization	Trigger
U.S. Fish and Wildlife Service	Migratory Bird Treaty Act	Complete vegetation clearing outside of nesting bird season (February 1 to August 31) or complete nest survey 2 days before clearing.
Arizona Department of Game and Fish (AGFD)	Arizona On-line Environmental Review Tool	Assessment of fish and wildlife resources.
Arizona Department of Agriculture (AZDA)	Notice of Intent to Clear Land Arizona Protected Native Plants and Wood Removal Application	If there are native plants present, a field survey will be conducted to confirm.
ADEQ	Notice of Intent AZPDES, Construction General Permit, Permit No. AZG2020-001	Land disturbance, including clearing, grading, excavating and stockpiling materials greater than 1 acre.
State Historic Preservation Office (SHPO)	Section 106 National Historic Preservation Action and Arizona State Historic Preservation Act Tribal Notification	Location that may be archaeologically sensitive. A pedestrian survey of the Site may be appropriate to identify and evaluate any previously undocumented cultural resources.
MCAQD	Title V, Synthetic Minor, and/or Nonattainment New Source Review (NSR)	Construction and temporary operation using natural gas-fired reciprocating engine generators for prime power.
	Dust Control Permit	Land disturbance greater than 0.1 acre.
Maricopa County Environmental Services Department	Septic System Permit Notice of Intent to Discharge	Installation of septic tank and disposal works system
	Water Treatment Permit	Potable water provided at a facility that services the same 25+ individual for at least 6 months/year

2.8 Future Development

Future phases of site development may include solar development on the balance of the property to the west of APN 401-66-038 (APNs 40166037 and 40166008). The solar development would be intended to further reduce grid needs and provide additional carbon free generation. We expect this will occur as part of a future Planned Area Development land use approval process with the COB.

3. Findings of Fact

In accordance with BDC, Chapter 7 (Development Code), the proposed project is located on a parcel zoned Heavy Industrial (I-2) with a General Plan designation of "Employment."

The proposed data center campus meets the definition of a "data center" under the Office land use (BDC Chapter 7, Article 3, Section 3.5(E)(1)). Pursuant to Table 3.1-1, data centers and associated industrial infrastructure are identified as conditional uses within the I-2 Heavy Industrial zoning district. The proposed project is therefore appropriately reviewed through the CUP process.

In accordance with BDC Chapter 7, Article 2, Section 2.6, the purpose of the I-2 district is to accommodate intensive industrial and employment-generating uses, including manufacturing, processing, and large-scale utility or infrastructure operations. The proposed data center campus, including supporting energy and utility infrastructure, is consistent with this intent.

The subject property was rezoned to I-2 under Ordinance 18-23 and designated employment through a concurrent General Plan amendment. A subsequent stipulation modification in 2025 (Ordinance 04-25) removed the prior restriction limiting development to a hydrogen production facility, allowing the site to develop with uses permitted in the I-2 zoning district.

The project is consistent with both the I-2 zoning district and the Employment land use designation. The site is located within an established agricultural area characterized by farming infrastructure and dispersed institutional uses like the prison complex and landfill. The site is separated from residential land uses by more than one-half mile and therefore would not be considered an Employment Transition Area (as described in the COB 2040 General Plan). The site also has access to State Route 85, which supports industrial development at this location.

Accordingly, the proposed data center represents appropriate and compatible industrial use for the subject property, and the request for a CUP is consistent with the City's zoning framework and General Plan.

Arizona Revised Statutes (ARS) Article 7 – Airport Zoning and Regulation

ARS § 28-8481. Planning and zoning; military airport and ancillary military facility's operation compatibility; compliance review; penalty; definitions

Response: PAC comments from Luke AFB July 2, 2026, stated the project location is directly under military visual training route 242 where Luke AFB flight operations may occur as low as 300 feet above ground level (Appendix E). The concern is emission of air, steam, dust or high-velocity plumes, smoke, or sound attenuation could impair pilot visibility or aircraft operation. The stormwater system cannot create standing water that would attract birds.

FAA Obstruction Analysis would be submitted using the preliminary design to confirm that any vertical structure would not impede flight paths or visibility.

The Department of Defense Siting Clearinghouse for Energy, Installation, and Environment would review the project design. The proposed reciprocating engines do not generate steam plumes and are not expected to generate enough particulate matter to obscure visibility. The data centers will not be cooled with evaporation towers. Air quality modeling would confirm these assumptions.

BDC Chapter 7 Article 2 – Zoning Districts

Section 2.6 Industrial Districts

2.6.1 General Purposes of Industrial Districts.

The industrial zoning districts generally are intended to:

A. Provide appropriately located areas, consistent with the General Plan, for industrial uses;

B. Strengthen the City's economic base and provide employment opportunities close to home for residents of the City and surrounding communities; and

C. Minimize any negative impact of industrial development on adjacent residential land uses.

Response: The site was rezoned industrial, consistent with the General Plan. The proposed campus, including data centers and supporting energy and utility infrastructure, will bring tax revenue, employment opportunities, and roadway improvements for local residents, businesses, and state facilities. The campus technologies were chosen to reduce water use and minimize impacts on the local electrical grid. Water would come from a private well and would be a smaller quantity than currently used for alfalfa irrigation. The separation distance of the large parcels in this area of South Buckeye ensures the permissible noise and air emissions would not interfere with the adjacent institutional uses and there are no neighboring residential land uses.

2.6.3 Heavy Industrial Use (I-2).

The I-2 district is intended to provide for heavy industrial development that has some, any, or all of the following: (a) potentially noxious impacts, or (b) very heavy truck traffic for supplies, storage, or shipping, or (c) outdoor storage and operations. Examples include heavy manufacturing, storage, major freight terminals, waste and salvage, large dairy operations, distribution centers, processing, and other related uses. The intent is to preserve this land especially for industry in locations with access to major streets as designated on the General Plan map, as well as locations generally accessible to railroad transportation. The district is also intended for military uses. Because of the intensive nature of the uses that may be allowed in this district, a buffer and other site design requirements may be necessary around this district to protect other zoning districts except the I-1 District.

Response: The project is consistent with the intent of the I-2 district as a large-scale industrial use with supporting energy and utility infrastructure. The site provides the characteristics described in the code, including a large parcel, access to State Route 85, and location within an established industrial area. The project is also appropriately separated from residential uses. "Data center" is defined as a type of office, described in BDC Chapter 7 Article 3 Section 3.5.E(1).

BDC Chapter 7 Article 3 – Use Regulations

Section 3.1 Table of Allowed Uses

Table 3.1-1 lists the principal uses allowed within all base zoning districts. Each of the listed uses is defined in Article 3, Section 3.5, *Definitions of Use Categories and Specific Use Types.*

3.1.1. Explanation of Table Abbreviations.

A. Permitted Uses. "P" in a cell indicates that the use is allowed by right. Permitted uses are subject to all other applicable regulations of this Development Code, including the use-specific standards in

Section 3.2, the dimensional standards in Article 4, *Dimensional Standards*, and the requirements of Article 5, *Development and Design Standards and Guidelines.*

B. Conditional Uses.

1. "C" in a cell indicates that in the respective zoning district the use is allowed only if reviewed and approved in compliance with the procedures of Section 8.7, *Conditional Use Permits.* Conditional uses are subject to all other applicable regulations of this Development Code, including the use-specific standards in Section 3.2, the dimensional standards in Article 4, *Dimensional Standards*, and the requirements of Article 5, *Development and Design Standards and Guidelines.*

2. The "C" designation in Table 3.1-1: *Table of Allowed Uses* in a given zoning district does not constitute an authorization or an assurance that the use will be permitted. Rather, each Conditional Use Permit (CUP) application shall be evaluated as to its probable effect on adjacent properties and surrounding areas, among other factors, and may be approved or denied in compliance with the procedures in Section 8.7, *Conditional Use Permits.*

C. Prohibited Uses. A blank cell indicates that the use is prohibited in the respective zoning district.

D. Use-Specific Standards. Regardless of whether a use is allowed by right or as a conditional use, additional standards may be applicable to the use. Use-specific standards are noted through a cross-reference. Cross-references in the last column of the table refer to Section 3.2, *Use-Specific Standards.* These standards apply in all zoning districts unless otherwise specified.

Excerpt from Table 3.1-1 Table of Allowed Uses from BDC Chapter 7 Article 3 Section 3.1

Table 3.1-1. Table of Allowed Uses (Excerpt)

Use Category	Use Type	Nonresidential Zone: I-2	Use Standards
Office	Data Center	C	None
Utility	BESS	P	3.2.2.A
	Utility facility, major	P	None
	Utility facility, minor	P	None

P = Permitted

C = Conditional Use

Response: The DC use type is a Conditional Use in the I-2 zone per Table 3.1-1. Section 8.7 of the Findings of Fact discusses the probable effect of the data center on adjacent properties.

Accessory uses to the DC include the thermal power generation facility, primary substation and customer substations, backup generators, water treatment facility, septic system, and BESS. If these accessory uses are considered Major or Minor Utility Facilities (they are not good fits to either definition), they are permitted uses in the I-2 zone.

Section 3.2.2 describes the BESS use standards. There are no use-specific standards for data centers or major/minor utilities identified in Table 3.1-1.

Section 3.2 Use-Specific Standards

3.2.2 Public and Institutional Uses.

A. Battery Energy Storage Systems (BESS). Battery Energy Storage Facility regulations are intended to protect the health, welfare, safety, and quality of life for the public, to ensure compatible land uses in

the areas affected by energy storage facilities, and to mitigate the impacts of energy storage facilities on the environment.

1. Applicability. The requirements of this Section shall apply to all utility-scale BESS facilities permitted, installed, or modified after the effective date, excluding general maintenance and repair. Utility-scale BESS facilities constructed or installed prior to the effective date are not required to meet the requirements of this Chapter. Modifications to, retrofits or replacements of an existing BESS that increases the total energy storage system designed discharge duration or power rating shall be subject to the requirements of this Chapter.

2. Development Standards.

a. The City will enforce the latest edition of UL 9540 and NFPA 855, Standard for the Installation of Stationary Energy Storage Systems. Other standards may be required as needed by the Fire Chief.

Response: The BESS will comply with UL 9540 and NFPA 855 to protect the health and safety of the public. More will be known about the BESS manufacturer and configuration at the time of Site Plan Review. A meeting will be scheduled with the Fire Chief before Site Plan Review submission. The purpose of the BESS is for uninterrupted power for the data center, so it would be inherently compatible to the data center in both use and physical character.

b. All BESS facilities will be separated from any existing or planned residential properties by a minimum 150 feet measured from the BESS facility to one of the following:

i. If there is an existing residential structure, the measurement will be to the closest part of the residential structure;

ii. If platted for residential use with no structures, the measurement will be to the closest building setback line; or

iii. If zoned residential with no platting, the measurement will be to the residentially zoned property line.

c. Walls are required where the use is visible from public view, except in instances where public view of the project is in a remote area, or walls would not be consistent with the character of the surrounding community, as determined by the Zoning Administrator. If a wall is required for screening, the site shall be fully enclosed by a minimum eight-foot, non-scalable solid wall. Where not visible from public view, the site shall be enclosed by a minimum eight-foot, non-scalable solid wall or tubular steel or wrought iron fencing. Walls shall be in conformance with Section 5.4.6, *Fences, Walls, and Screening*. When sound and visual attenuation requires a wall exceeding eight feet above the grade of the adjacent roadway, earth mounds shall be used, such that no more than eight feet of the wall is visible from the roadway. The mounds shall not exceed a 4:1 ratio slope.

Response: The BESS structures will likely be screened or partially screened by the articulated wall. The wall would be 8 to 20 feet tall, and the BESS cabinets would be no more than 15 feet tall, located at least 380 feet from W Patterson Road and 1,300 feet from W 283rd Avenue. The BESS, along with the data center buildings and other mechanical equipment, will be screened in conformance Section 5.4.6. Figure 4 provides an elevation view of a portion of the BESS.

Figure 4. Sample BESS Elevations from the Conceptual Layout Plan



d. No landscaping is required on the interior side of the screen walls described in subparagraph (c.) above, regardless of the percentage of open space landscaped required. The minimum required open space is limited to the perimeter landscaping surrounding the perimeter screening wall or fencing.

e. Solid walls surrounding facilities which are below grade of an adjacent street shall incorporate a berm/slope along the entire length of the wall to ensure facilities are not visible from public view.

f. Accessory structures such as utility poles or utility connection equipment, substation switchyard and similar equipment, necessary for the operation of the facility may exceed the height standards of the applicable zone and the provisions of Section 3.3.3, subject to approval as part of a Site Plan application.

Response: It is not anticipated that utility poles would exceed the I-2 zone height standards of 65-feet due to the comments from Luke AFB (Appendix E).

g. Except as set forth in subparagraph (f.) above, no equipment or appurtenances not in an enclosed structure may exceed the screen wall height described in subparagraph (c.), above, unless it can be demonstrated through a line-of-sight analysis to the satisfaction of the approval body that the wall height will sufficiently screen the equipment and/or appurtenances. Enclosures for batteries and other systems shall not exceed 15 feet in height.

h. All parking, fire access roadways, and drive aisles shall be paved with asphalt or concrete. All parking lots shall comply with Section 5.6, *Off-Street Parking*.

i. All improvements and site specifications are subject to approval of a Hazard Mitigation Analysis. The Hazard Mitigation Analysis reports shall be reviewed by the City of Buckeye Fire Department and Building and Safety Department. The purpose of this analysis is to evaluate the potential for adverse effects to people or the environment related to hazards and hazardous materials. This plan will be required prior to BESS commissioning.

Response: Noted.

3. Decommissioning Plan.

Prior to issuance of any permits related to decommissioning activities, the applicant shall submit a Decommissioning Plan containing a narrative description of the activities to be accomplished for removing the energy storage system from service, and from the facility in which it is located. The Decommissioning Plan must also include:

a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;

b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

c. The manner in which the BESS will be decommissioned, and the site restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and

Response: A draft Decommissioning Plan will be submitted during Site Plan Review.

d. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

4. Ownership Changes.

If the owner of the BESS facility changes or the owner of the property changes, the project approvals will remain in effect, provided that the successor owner or operator assumes in writing all the obligations of the project, site plan approval, and Decommissioning Plan. A new owner or operator of the BESS facility shall notify the Department of the change in ownership or operator within 30 days of the ownership change. A new owner or operator shall provide notification in writing of the change in ownership or operator to the Department. The project and all approvals for the BESS facilities would be void if a new owner or operator fails to provide written notification to the Department in the required timeframe. Reinstatement of a voided project or approvals will be subject to the same review and approval processes for new applications under this Chapter.

Site Plan Expiration. A BESS facility Site Plan approval may be administratively extended by the Zoning Administrator. There is no limit on the number of extensions that may be granted.

Response: Requirements noted. It the owner of the data centers change, the obligations of the BESS facility would flow with the parcel purchase.

Section 3.3 Accessory Uses and Structures

General Standards. All accessory uses and structures, except as provided in Section 3.3.4.A, *Accessory Dwelling Units*, for accessory dwelling units (ADUs) must comply with the following general standards:

A. Compliance with this Development Code. All accessory uses and structures are subject to the dimensional requirements of Article 4, *Dimensional Standards*. In the case of any conflict between the accessory use/structure standards of this Section and any other requirement of this Development Code, the more restrictive standards shall control.

Location.

1. In all zoning districts, the accessory use or structure shall be conducted and/or located on the same lot(s) as the principal use and to the rear of the front setback line, unless otherwise approved by the Zoning Administrator. Refer to Section 4.2.3.B for standards applicable to projections into required setbacks.

2. In all residential zoning districts, accessory structures located to the rear of the primary structure need not comply with the side or rear setback lines applicable to the primary structure provided that the accessory structure is not located closer than three feet from any property line. The side and rear setback for accessory structures greater than ten feet in height is a minimum of five feet. Accessory structures with vehicle entrances which directly face an alley shall be setback at least ten feet from the property line along the alley.

3. In all nonresidential zoning districts accessory structures located to the side or rear of the primary structure need not comply with the side or rear setback lines applicable to the primary structure and may be located on a side or rear property line in compliance with applicable City Building Code requirements. Accessory structures with vehicle entrances which directly face an alley must be setback at least ten feet from the property line along the alley.

C. Size and Height.

1. Both primary and accessory structures together must comply with the applicable lot coverage requirements established by this Development Code.

2. The maximum height of any accessory structure in all zoning districts except the industrial zoning districts shall not exceed 24 feet in height provided the structure complies with all applicable setbacks.

However, if an accessory structure encroaches into a setback area as allowed in Section 3.3.3.B, the maximum allowed height is 15 feet.

3. Within the industrial zoning districts the maximum height of any accessory structure must comply with the height limitation for the zoning district established in Table 4.1-3: *Dimensional Standards—Nonresidential and Other Districts*.

4. Within the R1-43, RR, and AG Zoning Districts, accessory structures are exempt from the maximum area and are limited to a maximum height of 22 feet and together with the primary structure, must comply with the applicable lot coverage requirements established by this Development Code.

D. Same Utility Meter Required. The principal use and the accessory use shall utilize the same utility meter.

E. Architectural Character. Accessory structures or portions of structures visible from public rights-of-way or adjacent properties with a gross floor area of 225 square feet or more shall be compatible to and complimentary with the associated primary structure in terms of building materials and architectural style. Within the R1-43, RR, and AG Zoning Districts, accessory structures are exempt from architectural character requirements except that structure color shall complement the character of the primary structure.

Response: Commercial uses/Office do not specifically limit accessory uses unless the use is prohibited. Because BESS is an allowed use in the I-2 zone, it may be allowed as an accessory use to a data center (3.5.5.F). The BESS accessory uses will comply with Use Standards 3.2.2.A. (described in Section 3.2). Other accessory uses within the Buckeye Energy Center Campus, like fuel storage, substation, and power generation plant, do not have unique use standards.

BDC 3.3.F Utility Accessory Uses

This category includes both major utilities, which are infrastructure services providing regional or community-wide service, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood where the service is provided. Services may be publicly or privately provided. Accessory uses may include control, monitoring, data, or transmission equipment.

Response: The substations shown on the Conceptual Site Plan will be connected to the Woolsey Peak Substation. A small portion of the Woolsey Peak Substation is on the eastern boundary of the subject parcel.

Section 3.4 Temporary Uses and Structures

3.4.3 General Requirements for All Temporary Uses and Structures

Response: Buckeye Energy Campus may include uses and structures such as a temporary batch plant, outdoor storage, mobile office space, worker parking, additional access driveways, and mobile restrooms. These temporary structures and uses would be removed after construction and the ground surface returned to preconstruction condition. The Conceptual Layout Plan does not show these items.

BDC Chapter 7 Article 4 – Dimensional Standards

Section 4.1 Tables of Dimensional Standards

All primary and accessory structures are subject to the dimensional standards set forth in the tables in this Section. These general standards may be further limited or modified by other applicable sections of

this Development Code. General rules for measurement and exceptions are in Section 4.2, *Measurements and Exceptions.*

Table 4.1-3. Dimension Standards – Nonresidential and Other Districts, I-2 (Excerpt)

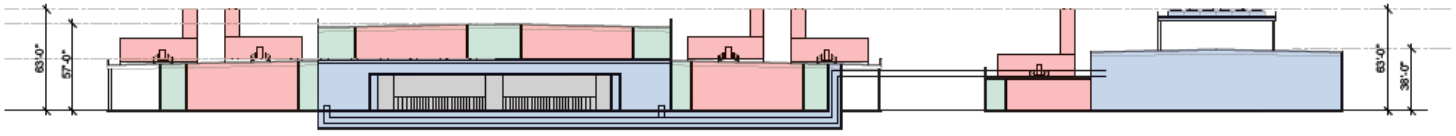
Front minimum setback	50 feet if adjacent to arterial roadway; 20 feet from all other land uses
Side minimum setback	200 feet from residential district; No setback from rail ROW; 20-foot setback from all other land uses
Rear minimum setback	200 feet from residential district; No setback from rail ROW; 20-foot setback from all other land uses
Building height	65 feet tall at the setback line; increase 1 foot for every 3 feet in addition setback to a maximum of 120 feet tall

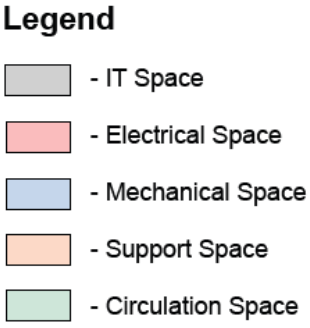
Response: Based on the current land use of rural/agricultural, the setbacks on the Site Plan are as follows:

- Front and Streetside Setback – 50 feet
- Side Setback, including the "elbow" portion in the southwestern part of the property – 20 feet
- Rear Setback – 20 feet

The proposed building height will not exceed 65 feet tall at the setback line and would be subject to the results of an FAA Obstruction Evaluation/Airport Airspace Analysis and Spectrum Analysis (OE/AAA) (Figure 5).

Figure 5. Sample Building Elevations from the Conceptual Layout Plan





BDC Chapter 7 Article 5 – Development and Design Standards and Guidelines

Section 5.2 Topography and Natural Features Preservation

5.2.3.D. Driveways.

1. If any portion of a driveway grade is more than 20 percent, the entire residence and all accessory buildings over 120 square feet of roof area shall be protected with an approved fire sprinkling system.

2. Residential driveways with turning radii of less than 35 feet may be used provided all structures are protected with an approved fire sprinkling system.

3. Any driveway cut greater than 12 feet in depth shall not have a length greater than 200 feet.

Response: No portion of the driveway exceeds 20% grade, no residential driveways are present on the property, and no driveways are cut to a depth greater than 12 feet. Therefore, an approved sprinkling system is not required.

E. Retaining Walls and Erosion Control Measures.

1. The design of all retaining walls and erosion control measures shall be prepared by a registered professional engineer or architect who is licensed to practice in the State of Arizona.

2. Raw spill slopes are prohibited.

3. The slope from retaining walls shall be no more than 4:1.

4. When multiple retaining walls are utilized, the top of the footing of the upper retaining wall will be at least one foot below the top of the lower retaining wall. The slope between the walls will terminate four inches below the top of the top of the lower retaining wall.

5. All exposed disturbed area fill shall be contained behind retaining walls or landscaped.

6. Retaining walls shall not exceed 20 feet in height. If additional height is needed, the wall shall be offset at a minimum of four feet or one foot per one foot of height. Privacy fences may be erected on a retaining wall so long as the total height does not exceed 20 feet.

Response: Disturbed areas would be landscaped after construction. The Erosion Control Plan will be submitted at the Site Plan Review. Due to flat slope of the site, it is anticipated there would be no retaining walls.

Section 5.3 Open Space

A. Open spaces shall be provided by all new development consistent with the most current and applicable City plans, including the City's Parks and Recreation Master Plan, the El Rio Design Guidelines and Planning Standards, the "Wildlife Corridors Best Management Practice Guide," the El Rio District Area Plan, and any other applicable Specific Area Plan or adopted design guideline.

B. Mountain ridge lines should be protected from development to maintain the visual identity of Buckeye.

C. Maximize land use compatibility around open space tracts to enhance community/recreational opportunities.

D. Open spaces should be connected together to provide continuity (see Figure 5.3-A).

Response: The City's Future Open Space and Trail Map do not indicate future open space designation within the site (Buckeye 2022).

Section 5.4 Landscaping

5.4.2. General Description of Landscaping Requirements.
A. All development shall meet the requirements of Section 5.2.4, Protection of Native Plant Species within Pristine or Environmentally Sensitive Areas unless preservation and/or relocation of native plants on a development site is infeasible as determined by the Zoning Administrator.

B. In addition, one or more of the five types of landscaping in Section 5.4.3, Landscaping Required, may be required for a development, depending on the use and zoning district of the property, adjacent properties, and the portion of the property involved. These types of landscaping are: (1) site enhancement landscaping, (2) site perimeter landscaping, (3) parking lot landscaping, (4) building foundation landscaping, and (5) entryways.

C. Each type of required landscaping shall meet the minimum standards of Section 5.4.4, General Requirements for all Landscaping, and shall be shown on a Landscaping Plan that meets the requirements of this Development Code.

D. No unapproved landscaping, object, structure, or sign shall be placed within a sight visibility triangle (SVT), as specified in the Engineering Design Standards, unless otherwise approved by the City Engineer (see Figure 5.4-A).

Response: The Conceptual Layout Plan (Appendix D) displays the intent to unify the appearance of the campus within an articulated screening wall along S 283rd Avenue and W Patterson Road, defined main/public entrance, integrated xeriscaping, and adequate space for most landscaping minimum requirements (in accordance with Table 5.4-1 of BDC Chapter 7 Article 5 Section 5.4).

Table 5.4-1. Landscaping Requirements (Industrial District Type) (Excerpt)

Min. percentage of parcel to be landscaped	10%
Site enhancement	1 tree, 5 other plantings per 500 ft^2
Site Perimeter	1 tree, 5 other plantings per 25 linear feet
Landscaping inside parking areas	1 tree, 5 other plantings per landscape island
Building foundation	1 tree, 5 other plantings per 25 linear feet
Acceptable landscape surface	Granite, undisturbed desert

For example, landscaped areas are shaded on the Conceptual Layout Plan (Appendix D). The minimum percentage of parcel landscaping (10% or 15.7 acres) would be exceeded. However, portions of the DC buildings' foundation would not be logical or safe to landscape due to building maintenance, fire department access, security standoff and surveillance, protection of waterproofing and underground utilities.

A Conceptual Landscape Plan will be provided during Site Plan Review detailing use of Sonoran plants, visual interest features like boulders, and texture/color use on articulated screening walls.

Section 5.6 Off-Street Parking

5.6.3 Off-Street Parking Requirements

A. Schedule A. Unless otherwise expressly stated in this Development Code, off-street parking spaces shall be provided in compliance with Table 5.6-1, Off-Street Parking Schedule A. Unless otherwise approved, lots containing more than one activity must provide parking and loading in an amount equal to the total of the requirements for all activities.

Table 5.6-1. Off-Street Parking Schedule A (Excerpt)

Use Category	Use Type	Number of Spaces Required
Utility	BESS	For sites occupied daily by employees or contractors, one space per employee or contractor For unoccupied sites, one space
	Utility facility, major	1 space per employee plus one space per fleet vehicle kept at the site, or one space per 350 sf of office area, whichever is greater
	Utility facility, minor	None
Office	Office, business or professional	1/350 sf

5.6.3.D. Parking Demand Study. A parking demand study substantiates the basis for granting a specific number of spaces, which may vary from the space requirements listed in Schedule A or B. In order to evaluate a proposed project's compliance with Section 5.6, the Zoning Administrator may require submittal of a parking demand study. Any Schedule A or B use may submit a parking demand study; the approved study will determine the number of spaces required for the proposed project.

1. Parking Reductions. In order to approve a parking demand study that reduces parking below minimum requirements listed in Schedule A or B, all of the following criteria must be met:

a. The reduction in parking can be justified due to one of the following:

i. A business employs less people per square foot than the accepted industry standard for that use and is able to demonstrate this variation from the mean through a statistical comparison.

ii. Lowered parking demand can be predicted as a result of sharing parking between intermittent uses, occurring on the same property or within a master planned development, with non-conflicting parking demands (e.g., a nightclub and a bank).

iii. A development is designed to take advantage of adjacent public transit opportunities.

b. The reduction in parking will not cause fewer off-street parking spaces to be provided for the proposed use than the number of such spaces necessary to accommodate all vehicles attributable to such use under the normal and reasonably foreseeable conditions of operation of such use.

c. The reduction in parking will not increase the demand for parking spaces on the public streets in the immediate vicinity of the proposed use.

d. The reduction in parking will not increase the demand for parking spaces upon adjacent private property in the immediate vicinity of the proposed use, unless as part of an approved joint-parking agreement.

e. The applicant will incorporate measures intended to reduce vehicle trips to the site, including, but not limited to, the provision of spaces reserved for carpool use, the provision of weather-protected short-term bike parking and the provision of showers and changing facilities in commercial buildings over 50,000 square feet in floor area.

Response: Each data center building would have approximately 47,000 ft^2 of office space per floor. Each data center's office area is two stories. The net floor area for the three data center buildings is approximately 282,000 ft^2. The Conceptual Layout Plan (Appendix D) demonstrates adequate space for 450 parking stalls which does not meet the COB parking standard of one stall per 350 ft^2 of office or 806 stalls. Table 6 demonstrates the low ratio of employees to data center office square footage.

Table 6. Office Space Square Footage and Parking Needs by Industry

Square Footage Needs	Ft² per Employee	Project Office Space (ft²)	Employees
Typical office tenants (higher density)[a]	150	282,000	1,880
Typical office tenants (lower density)[b]	250	282,000	1,128
Buckeye off-street parking requirement[c]	350	282,000	806
Data Center with Efficient Operations[d]	6,267	282,000	45
Data Center with Manual Operations[d]	2,686	282,000	105

[a] Higher density office space examples include hybrid work models and open-plan offices with reduced daily occupancy.

[b] Low density office space examples include legal and medical offices.

[c] City of Buckley Off-street parking schedule from Table 5.6-1.

[d] Office space square footage was estimated based on number of employees from Table 1.

Even if the data center operational model is manual, the campus would not require more than 105 full-time employees. When the Site Plan Review is conducted, a parking demand study will be provided to demonstrate the appropriate number of parking spaces for the anticipated number of office workers as well as parking space for maintenance and heavy equipment.

Section 5.10 Industrial Building Standards and Guidelines

5.10.2.B. Site Design Standards.

1. General Site Design.

a. Site elements such as buildings, parking areas, driveways, sidewalks, and outdoor recreational spaces must be arranged to emphasize the aesthetically pleasing components of the site (e.g., landscaping and the superior architectural design of office building elements) and to screen less attractive elements (e.g., service facilities, loading docks, outdoor storage, equipment areas, and refuse enclosures) through the proper placement and design of buildings, screen walls, and landscaping.

Response: The building exterior is not currently designed. It will emulate a high-quality office park aesthetic. The Conceptual Layout Plan (Appendix D) demonstrates adequate room for landscaping and flexibility for various parking schemes. The Site Plan Review will provide other details including placement and screening of refuse containers.

Section 5.11 Exterior Lighting

5.11.3. General Lighting Standards

A. Conformance with State and Local Requirements.

All lighting shall be designed to conform to the standards of the state "dark skies" requirements established in A.R.S. § 49-1101 et seq., and the requirements set forth in this Section. In areas identified as Environmentally Sensitive Land (ESL), reduced lighting standards may be required in compliance with Chapter 7 of the *Engineering Design Standards*.

Response: Buckeye Energy Campus will comply with "dark skies" standards. Lighting details will be identified in the Site Plan Review.

BDC Chapter 7 Article 8 – Review and Approval Procedures

Section 8.7 Conditional Use Permits

8.7.3.C. Approval Criteria

A CUP may be approved only if the Planning and Zoning Commission determines that all of the following criteria have been met.
1. The proposed use is consistent with the General Plan and all applicable provisions of this Development Code and applicable state and federal regulations;

Response: The proposed use is consistent with the General Plan land use category designation "Employment" because industrial uses and data centers specifically, contribute to the overall local and regional economy by supporting employment generating businesses.

2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in Article 3 of this Development Code;

Response: The proposed use, (i.e., office, data center) with accessory uses of power generation and water treatment, is consistent with the purpose and intent of heavy industrial zoning district (I-2).

3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

Response: I-2 zoning is intended to separate potentially noxious activities from incompatible zoning districts while still being adjacent to major streets. The proposed use is compatible with adjacent land uses because of the distance to incompatible uses and the technology and design choices that will minimize impacts. Some impact minimization and avoidance measures are described by resource area below:

Air Quality

- The proposed activity will generate air emissions. The MCAQD air permitting process would require compliance with regional air quality standards and nonattainment areas. Potential air emissions would be modeled and technologies modified to meet standards that protect public health.
- Dust would not be generated by data center equipment, and its accessory uses during operation. Dust would be controlled within the ROW by suppression techniques and landscaping.
- An Air Quality Impact Analysis and Dust Control Plan would be approved by COB and/or the County to ensure best management practices for dust abatement during construction (COB Code Chapter 9 Article 9-2).
- Odors associated with pavement or asphalt work would be limited to the construction phase. Data centers and their accessory utilities do not emit odors. Odor that could be emitted from diesel-powered backup generators would only occur during power outage/emergencies.

Noise, Light and Traffic

- The proposed activity will generate noise. The COB noise ordinance does not set a fixed decibel limit on noise emitted by industrial land uses. Instead, it uses a general prohibition on noises (intensity or duration) which are determined to be unreasonable, disturbing, or unnecessary. Additionally, the site design standards for industrial sites require noise impacts to be minimized (BDC Section 5.10.2).
- There are no residential land uses or "noise-sensitive receivers within a mile, but the nearest institutional land use" (not explicitly classified as a "noise-sensitive receiver") would be the prison, 0.85 mile to the northeast.

- Detailed acoustical analysis and final noise control design will be completed as part of the Site Plan Review process. The project will incorporate engineered noise mitigation measures, as necessary, to ensure operational noise levels are appropriately controlled at adjacent properties and identified sensitive receptors. Potential mitigation measures may include acoustical enclosures for generators, intake and exhaust silencers, sound-attenuating screening walls or barriers, strategic equipment layout and orientation, and other site-specific design features. Through the implementation of these measures during final design, the project is expected to limit noise impacts to surrounding receptors, including nearby environmental and wildlife areas, and comply with applicable City noise requirements.
- Construction traffic would be noticeable but not have a significant adverse impact on daily drivers because the increase in traffic volume on roadways would be offset by the improvements to the County roads.
- During operation, traffic would also be noticeable to daily drivers, but due to the improved roadways and limited number of onsite staff, the impact would be negligible. There may be a slight increase in traffic during shift changes, but heavy truck traffic would be limited to scheduled maintenance. A Traffic Impact Analysis would be provided for approval as part of Site Plan Review.
- Onsite lighting would not extend past the property line. Alfalfa farming wraps around three sides of the parcel with several institutional uses adjacent to the agricultural uses. The nearest planned residential development is approximately one mile away; therefore, no adverse impacts are anticipated.

Water Resources

- The closed-loop mechanical cooling system reduces water use by an order of magnitude compared to a chilled water-cooling system or evaporative cooling stacks. Fortescue would conduct a Computational Fluid Dynamics model to support design modifications that minimize heat exhaust.
- The project would acquire an AZPDES Construction General Permit for stormwater discharges associated with construction activity. The following components will be developed in support of the AZPDES submittal:
  - Stormwater Pollution Prevention Plan (SWPPP)
  - Erosion and Sediment Control Plan
  - Landscaping Plan including revegetation plan
  - Based on fuel capacity, there may be a SPCC Plan for the fuel storage tanks
- There are no surface waters (or impaired waters) adjacent to the project site. The project is not anticipated to affect water resources because sufficient water sources are onsite and water would be treated onsite for mechanical cooling and drinking.
- The mechanical cooling system minimizes waste usage and does not generate contaminated water.

Biological Resources

- Fortescue conducted biological and cultural resource desktop studies of the site in 2022 and 2025 (AECOM 2025a, 2025b). The project is not anticipated to have new adverse effects to biological resources because the long history of agriculture use has removed native plants and habitat.
- A noise baseline study was conducted to document ambient hourly noise levels (AECOM 2025c). Strategies to mitigate equipment operation noise are described in Section 2.1.3. Noise will dissipate with distance. The Biological resources/receptors beyond the project boundary include:
  - Unnamed wash, tributary of the Gila River – 0.2 mile
  - Rainbow Wash, tributary of the Gila River – 0.7 mile
- A Project Evaluation Request has been submitted to the Arizona Game and Fish Department to discuss the project. Fortescue would actively coordinate with AGFD during the design phase to mitigate noise

that could impact wildlife. A Noise Impact Assessment Report could be provided during the Site Plan Review.

- Due to active agriculture, there is low chance of native plants and wildlife. Vegetation will be surveyed before the Site Plan Review to confirm whether any native vegetation remains. A bird nest survey would be conducted before any site clearing activities, in particular, surveys for burrowing owl would be conducted following the survey protocols established by the U.S. Fish and Wildlife Service and the AGFD (Arizona Burrowing Owl Working Group. 2009).

Measures will be put in place to prevent the introduction of invasive species during construction. **4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;**

Response: Common concerns about data centers that are distant from residential areas are energy use and water use. The proposed data center campus would generate more than 70% of its own electrical power onsite with the thermal power plant, onsite high voltage substation, and one-to-one backup power from generators. The remaining 30% of the project's electrical demand would come from APS under an ESA. This arrangement would add a new APS substation to the region, strengthening local electrical infrastructure and supporting the grid without increasing strain on existing customers or affecting rates. This approach aligns with the APS "growth pays for growth" strategy that ensures that the costs of serving new development are borne by that development rather than shifted to other ratepayers.

Large data centers with closed-loop, zero-water-evaporation mechanical dry cooling systems use water for initial fill up (500,000 to 2 million gallons), and limited additional water for minor maintenance activities, periodic sampling/testing, small system losses or long-term operational adjustments. Typical water demand after initial filling for dry cooling systems is less than 5% (25,000 to 100,000 gallons per year) for standard operations. In comparison, the existing alfalfa farm has reported an average annual water consumption of 4,666 gallons per minute (7,526 acre-feet/year or approximately 2.45 billion gallons) per year over the past 2 years.

5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;

Response: City water and sewer are not available at the site. The project would not impact public service levels for water, sewer stormwater or emergency access because water would be drawn from a well, sewer would be treated onsite, stormwater would be managed with retention ponds, and emergency access would be accommodated per fire code standards. A new natural gas pipeline tie-in will be provided by Southwest Gas.

During Site Plan Review, a Preliminary Water Report would be submitted to detail the well water quality and availability and the proposed water demand, proposed infrastructure, and fire flow requirements.

Emergency/fire protection services would be needed in a rare occurrence, but nuisance calls would not occur because the site will be secure and not generally open to the public. Leading up to the Site Plan Review, there will be coordination with the COB Fire Medical and Rescue Department to review the draft Emergency Management Plan to ensure accuracy and establish communication.

6. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

Response: Due to active agriculture, there is low chance of native plants and wildlife. Vegetation will be surveyed before the Site Plan Review to confirm whether any native vegetation remains. A bird nest survey would be conducted before any site clearing activities. Potential noise impacts would be mitigated to the extent practicable.

The project is designed to avoid impacts to public services and maximize economic benefit to the region. There would be negligible strain on public schools, police, or emergency services. The transportation system would benefit from the half-street improvements. Drinking and wastewater would be treated onsite and power use from the grid would never exceed 120MW. Due to the history of agricultural practices at the site, the project would not displace native plants or habitat, and it would reduce water use compared to water use for irrigation today. Permissible noise and air emissions are unlikely to impact adjacent properties due to distance. Data center operations generate minimal solid waste and do not generate odor, dust or hazardous waste.

The project will be designed to ensure all potential impacts are minimized and mitigated, and to comply with the various regulatory requirements and approvals required for the proposed development.

4. Conclusion

The Buckeye Energy Project conceptual design is consistent with the intent and requirements of applicable provisions of the Buckeye Development Code and the *COB General Plan*. The project meets the applicable standards for the Employment General Land Use because it will create temporary and permanent jobs. As demonstrated in the Findings of Fact, the project is a "data center," which is a conditional use within the I-2 Heavy Industrial zoning district. The accessory uses of the data center are not explicitly prohibited, and the accessory BESS would comply with applicable standards. Approval of this application will enable the City to continue towards its *2040 Imagine Buckeye* vision for diverse business opportunities without extending water, wastewater, or power.

5. References

AECOM. 2025a. *Project Genesis 2.0 Biological Resources Desktop Review.* December.

AECOM. 2025b. *Project Genesis 2.0 Cultural Resource Assessment.* Buckeye, Maricopa County, Arizona. November.

AECOM. 2025c. *Project Genesis 2.0 Baseline Ambient Noise Survey Results Memo.* November.

Arizona Administrative Code 18 A.A.C. 9., 2025. Title 18. Environmental Quality, Chapter 9. Department of Environmental Quality – Water Pollution Control. Supplement 25-2. R18-9-E323. 4.23 General Permit: 3000 to less than 24,000 Gallons Per Day Design Flow https://apps.azsos.gov/public_services/title_18/18-09.pdf.

Arizona Burrowing Owl Working Group. 2009. *Burrowing Owl Project Clearance Protocol.* https://www.blm.gov/sites/blm.gov/files/documents/files/PDO_08c.pdf.

City of Buckeye. 2022. *General Plan.* 2040 Imagine Buckeye. https://www.buckeyeaz.gov/business/development-services/planning-zoning/general-plan.

Federal Emergency Management Agency (FEMA). 2013. *National Flood Hazard Map Service.* Flood Insurance Rate Map. Maricopa County, Arizona and Unincorporate Area. Panel 2935 of 4425. Map Number 04013C2935L.

Insignia Environmental. 2022. *TC Energy Corporation Phoenix Hydrogen Hub Project – HLM Parcel Desktop Environmental Analysis Report.* July.

Lowry, J.H, Jr., R. D. Ramsey, K. Boykin, D. Bradford, P. Comer, S. Falzarano, W. Kepner, J. Kirby, L. Langs, J. Prior-Magee, G. Manis, L. O'Brien, T. Sajwaj, K. A. Thomas, W. Rieth, S. Schrader, D. Schrupp, K. Schulz, B. Thompson, C. Velasquez, C. Wallace, E. Waller, and B. Wolk. 2005. *Southwest Regional Gap Analysis Project: Final Report on Land Cover Mapping Methods, RS/GIS Laboratory, Utah State University, Logan, Utah.* https://swregap.org/data/landcover/.

Omaha State University. 2025. *Data Center Employment Forecast Analysis.* Hamm Institute for American Energy. November.

PwC. 2026. *Economic Contribution of Data Centers in the United States, 2023-2024.* May. https://www.datacentercoalition.org/reports-and-publications.

U.S. Fish and Wildlife Service (USFWS). 2026. *Information for Planning and Consultation (IPaC) System.* https://ipac.ecosphere.fws.gov/.

City of Buckeye
Community Participation Report

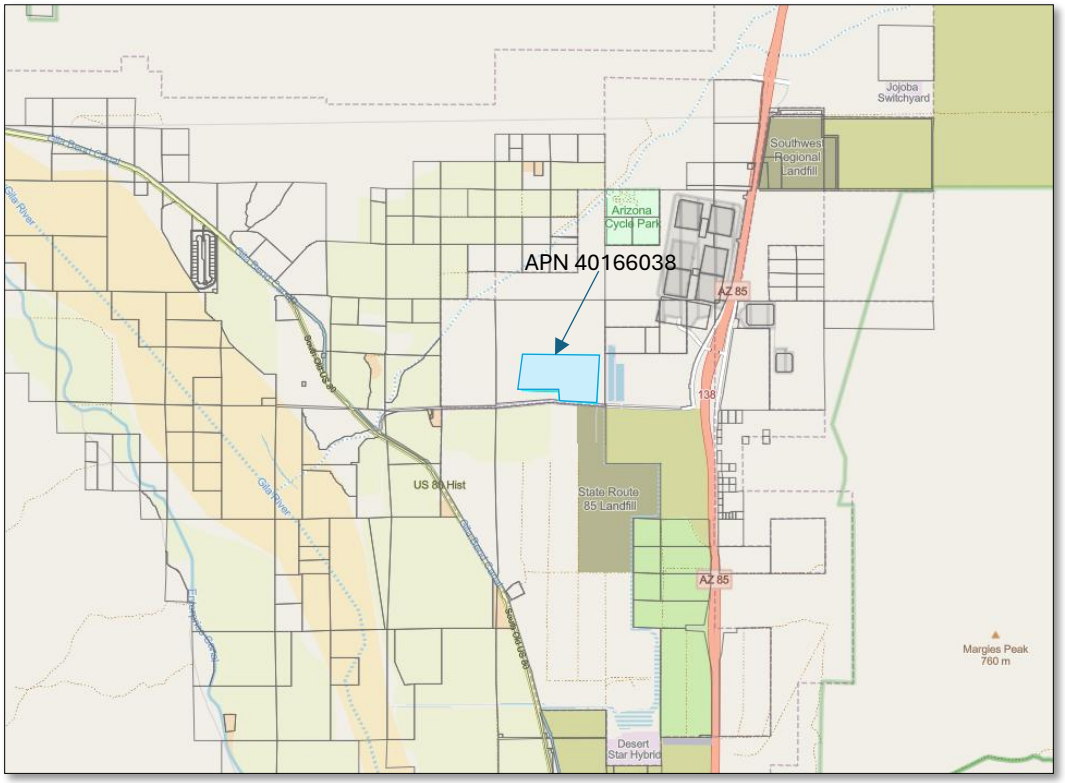
November 6, 2026

Conditional Use Permit Application
PLZU-26-0012 Buckeye Energy Project

Request to develop a data center with behind-the-meter thermal power generation and ancillary uses on approximately 157 acres of heavy industrial zoned land located west of the corner of State Route 85 and Patterson Road on APN 40166038.

Fortescue

28702 W. Patterson Road
Buckeye, Arizona 85326

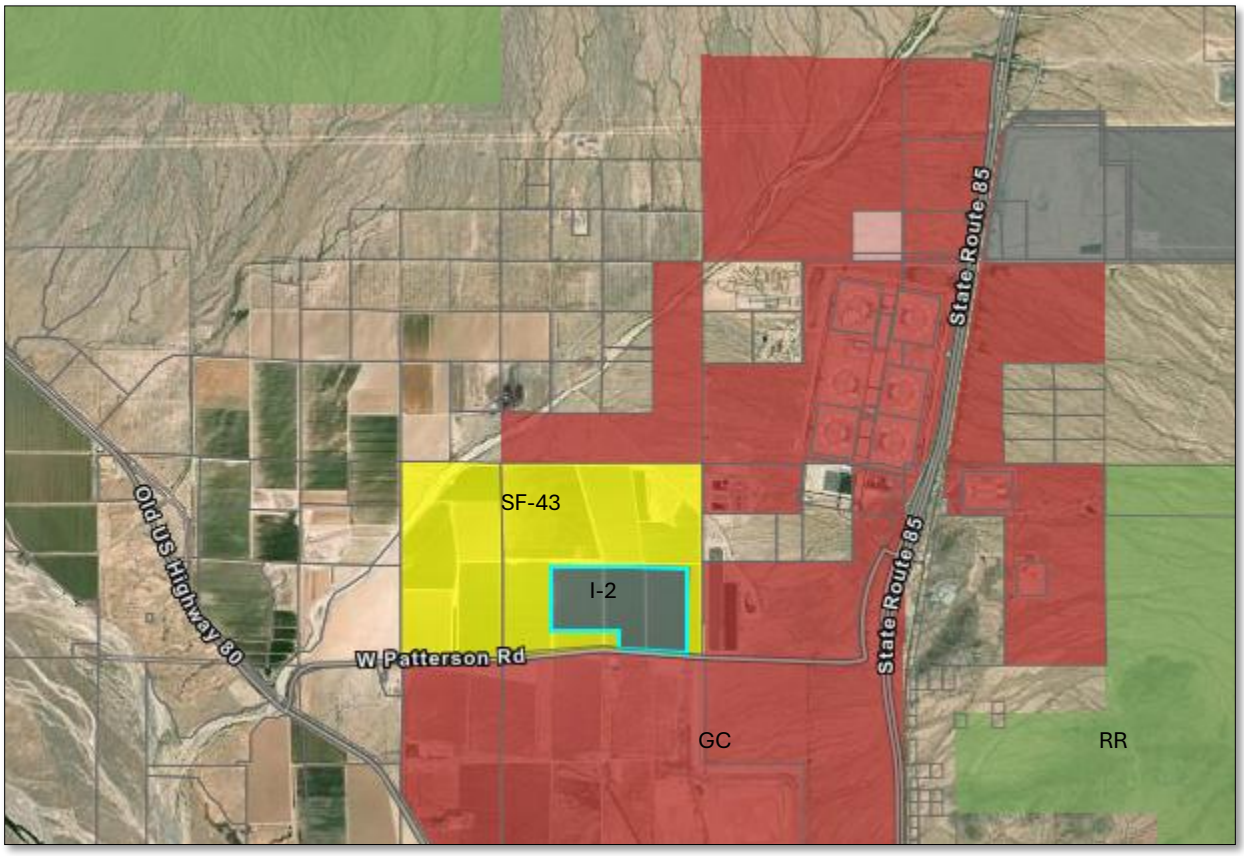


1. Introduction

This Citizen Participation Report has been prepared by Fortescue (Applicant) in accordance with the Citizen Participation Plan developed in compliance with Section 8.2.3.H of the City of Buckeye (City) Development Code to document the results of public outreach completed in relation to the Conditional Use Permit application (Application).

The Applicant, in collaboration with a development partner, is proposing to construct a data center with behind-the-meter thermal power generation on a Heavy Industrial (I-2) zoned parcel. The proposed development would include data center buildings, natural gas reciprocating engines, stormwater, water, and wastewater infrastructure, as well as a project substation.

Figure 1: APN 40166038 and Current Zoning



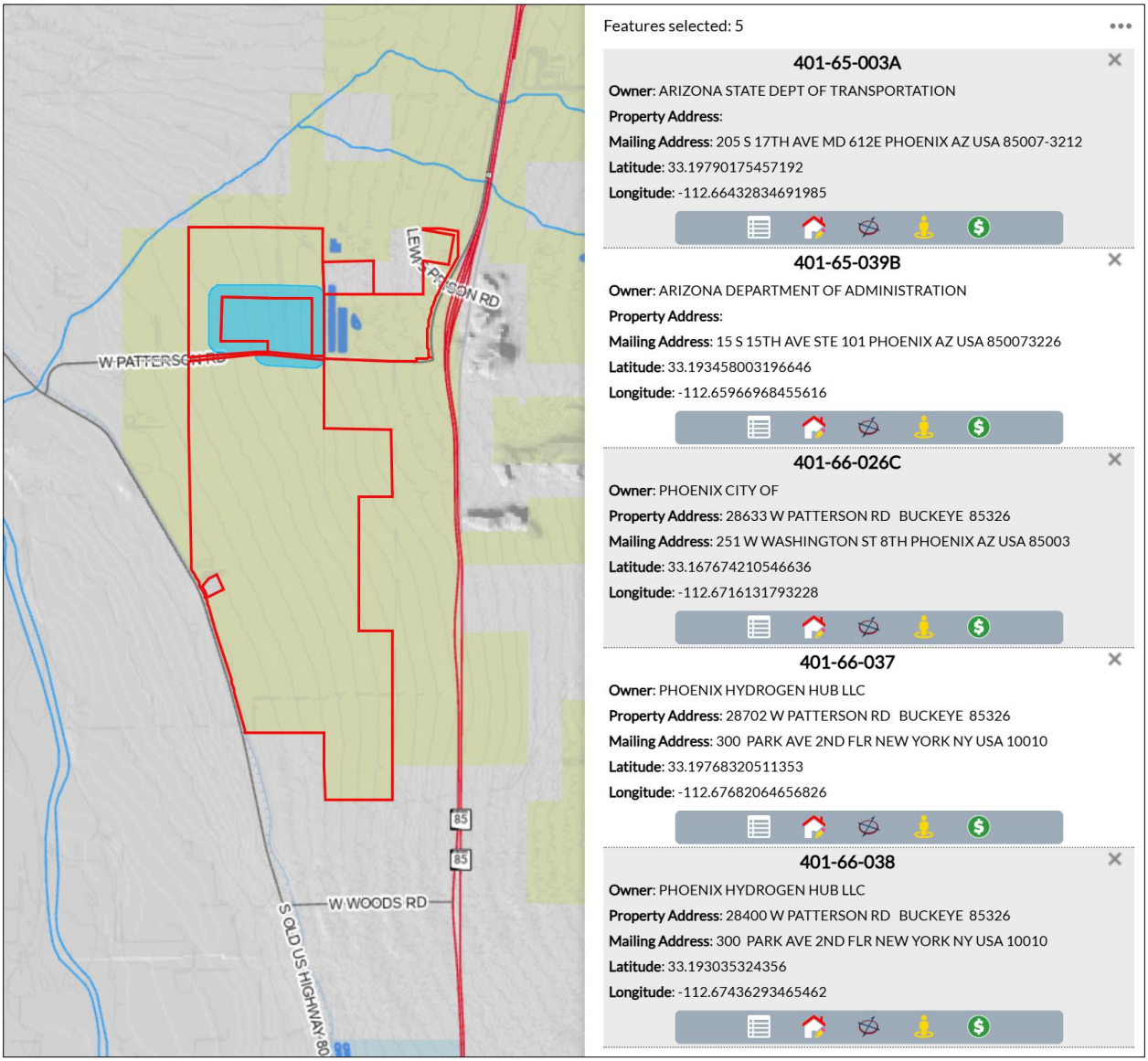
2. Affected Parties

Mailings required by the City were issued to owners of property located within 500 feet of APN 40166038.

No homeowner associations or registered neighborhood organizations were identified within 500 feet.

The property owners within 500 feet include the Arizona State Department of Transportation, the Arizona Department of Administration, the City of Phoenix, and Phoenix Hydrogen Hub LLC (same as applicant).

Figure 2: 500-ft Buffer of APN40166038



3. Community Participation

Fortescue provided opportunities to learn about the proposal and participate in the application process through providing notices of applications, meetings, and hearings, hosting a neighborhood meeting, and participating in the Planning Commission and City Council public hearings related to the Application.

3.1. Notice of Application

A Notice of Application was mailed to the Affected Parties on September 2, 2026 (Attachment A).

3.2. Notice of Neighborhood Meeting

A Notice of Neighborhood Meeting was mailed to the Affected Parties on September 30, 2026. Additionally, an email notification was also sent to the Affected Parties on October 1, 2026 (Attachment B).

3.3. Neighborhood Meeting

A Neighborhood Meeting was held on Thursday, October 15, 2026, from 6:00 pm to 7:00 pm at the Buckeye Chamber of Commerce located at 508 E. Monroe Avenue in the City of Buckeye.

The following information was available at the meeting: Sign in sheet, Project Fact Sheet, Project Area Map, Project Zoning and Land Use Map, and Conceptual Layout Plan.

Three representatives of the applicant attended the meeting to discuss the application and respond to any questions. Joseph Mueller, Senior Planner, attended on behalf of the City of Buckeye. In addition, the City of Buckeye Neighborhood Services Coordinator attended.

Figure 3: Neighborhood Meeting Sign-In Sheet

Neighborhood Meeting

PLZU-26-0012 Conditional Use Permit for Buckeye Energy Project

Sign in Sheet

Name Organization	Address	Email	Are you interested in receiving additional notices regarding this application?
Austin Miller City of Phoenix	28361 W. Patterson Rd	Austin.Miller@phoenix.gov	Yes
Cam McCutchen 585-201-9802	1850 N. Central Ave	cjmccutchen@[illegible]tb law.com	Yes
Janene Van Leeuwen City of Buckeye	530 E Monroe	jvanleeuwen@buckeyeaz.gov	Yes
Joseph Mueller City of Buckeye	945 N 215 Ave	JMueller@BUCKEYEAZ.GOV	—
Lucas & Alyssa Kimble	25786 W Coles Rd Buckeye	alyssaekimble@gmail.com	

4. Upcoming Participation

4.1. Public Hearings

Signs were posted in two locations on the Property on November 4, 2026, with information on the time and place of the Planning and Zoning Commission hearing. Photos of the signs and the Affidavit of Posting are provided in Attachment C.

Figure 4: Sign Locations



4.2. Notification Letters

Notification letters were issued to the Affected Parties on October 29, 2026, with information on the date, time, and place of the Planning and Zoning Commission meeting. Emails were also sent to individuals on the Neighborhood Meeting Sign-In Sheet. Copies of the letter and the Affidavit of Mailing are provided in Attachment D.

4.3. Legal Notice

A legal advertisement was placed in the November 4th edition of the West Valley View. A copy of the ad and the related affidavit is in Attachment E.

5. Community Responses

In response to the Notice of Application and the Notice of Neighborhood Meeting, the following responses were received from the Community.

Who	Date	Comment
Construction Company	9/30/2026	Inquiring about construction opportunities.
Phoenix Land Survey business	10/27/2026	Inquiring about business opportunities.
Neighboring Landowner	10/15/2026 Neighborhood Meeting	Questions around: water use, transportation, any planned road improvements
Neighboring Landowner	10/15/2026 Neighborhood Meeting	Questions around: road use and improvements, security
Land Use Planner from local law firm	10/15/2026 Neighborhood Meeting	Interested in learning more about the proposed development and discussing some of the infrastructure and planning considerations.

Attachment A

Notice of Application

2 September 2026

Notice of Application: PLZM-26-0077 CUP for Buckeye Energy Project

Dear Property Owner:

Fortescue has recently submitted a Conditional Use Permit Application requesting authorization to develop a data center with behind-the-meter thermal power generation and ancillary uses on a heavy industrial (I-2) zoned parcel (APN40166038) within the City of Buckeye.

As a property owner of record within 500-feet of the Property, this notice is being sent to you to inform you of this application and to provide you with an opportunity to relay questions or comments regarding the application to us or to the City representative. Contact information is provided below.

We are available to contact throughout the application review process, please feel free to contact us at:

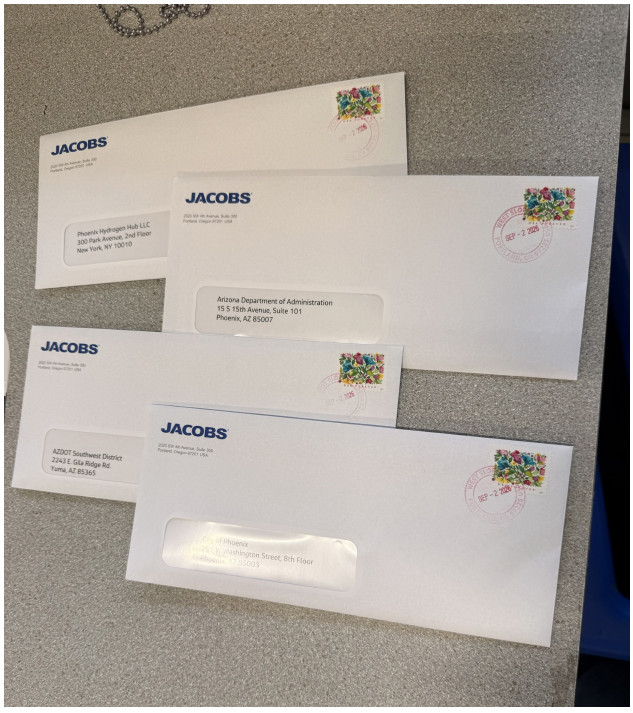
Christy McDonough, Approvals and Environment, Fortescue
Christy.McDonough@Fortescue.com; 302-438-4598

If you require additional information from the City of Buckeye Development Services Department, Planning & Zoning Division, please contact:

Joseph Mueller, Senior Planner
jmueller@buckeyeaz.gov; 623-204-5505

Yours sincerely

FORTESCUE



Attachment B

Notice of Neighborhood Meeting

30 September 2026

Notice of Neighborhood Meeting: PLZU-26-0012 CUP for Buckeye Energy Project

Dear Property Owner:

Fortescue has recently submitted a Conditional Use Permit application requesting authorization to develop a data center with behind-the-meter thermal power generation and accessory uses on a heavy industrial (I-2) zoned parcel (APN40166038) within the City of Buckeye.

As a property owner of record within 500-feet of the Property, this notice is being sent to you to notify you that a Neighborhood Meeting has been scheduled to share information and provide an opportunity for you to ask questions or provide comments on the application.

Thursday, October 15, 2026

6:00 – 7:00 PM

Buckeye Chamber of Commerce, 508 E. Monroe Avenue, Buckeye, AZ 85326

We are available throughout the application review process. Please feel free to contact us at:

Christy McDonough, Approvals and Environment, Fortescue
Christy.McDonough@Fortescue.com; 302-438-4598

If you require additional information from the City of Buckeye Development Services Department, Planning & Zoning Division, please contact:

Joseph Mueller, Senior Planner
jmueller@buckeyeaz.gov; 623-204-5505

Yours sincerely

FORTESCUE

Outlook

PLZU-26-0012 Neighborhood Meeting Notice - Oct 15 Buckeye Chamber of Commerce

From Wetzel, Kim <Kim.Wetzel@jacobs.com>
Date Thu 10/1/2026 1:09 PM
To swpermit@azdot.gov <swpermit@azdot.gov>; sdyer@azdot.gov <sdyer@azdot.gov>; CPowell@azdot.gov <CPowell@azdot.gov>
Cc Christy McDonough <christy.mcdonough@fortescue.com>

1 attachment (90 KB)
Notice of Neighborhood Meeting_Mailing.pdf;

Greetings -
On behalf of Fortescue, I am emailing a copy of a letter that was sent yesterday inviting you to a neighborhood meeting on Thursday, October 15, 6-7pm at the Buckeye Chamber of Commerce (attached). Fortescue is seeking a Conditional Use Permit for the "Buckeye Energy Center" project, a data center with onsite power and accessory uses on Heavy Industrial zoned land.
Your parcel APN 40165003A is within 500 ft to the subject parcel. We are happy to answer any questions via email or in person at the neighborhood meeting.
Thank you for your attention.
Best,
Kim

Kim Varner Wetzel, AICP (she/her) | Jacobs | Senior Planner
Mobile: +01.907.440.1591 Teams: +01.907.762.1009 | kim.wetzel@jacobs.com

Outlook

Correction: PLZU-26-0012 Neighborhood Meeting Notice - Oct 15 Buckeye Chamber of Commerce

From Wetzel, Kim <Kim.Wetzel@jacobs.com>
Date Thu 10/1/2026 1:28 PM
To solid.waste@phoenix.gov <solid.waste@phoenix.gov>
Cc Christy McDonough <christy.mcdonough@fortescue.com>

Apologies for the typo - the Public Works parcel within 500ft of the subject parcel is 40166026C.

From: Wetzel, Kim <Kim.Wetzel@jacobs.com>
Sent: Thursday, October 1, 2026 1:15 PM
To: solid.waste@phoenix.gov <solid.waste@phoenix.gov>
Cc: Christy McDonough <christy.mcdonough@fortescue.com>
Subject: PLZU-26-0012 Neighborhood Meeting Notice - Oct 15 Buckeye Chamber of Commerce

Greetings -
On behalf of Fortescue, I am emailing a copy of a letter that was sent yesterday inviting the City to a neighborhood meeting on Thursday, October 15, 6-7pm at the Buckeye Chamber of Commerce (attached).
Fortescue is seeking a Conditional Use Permit for the "Buckeye Energy Center" project, a data center with onsite power and accessory uses on Heavy Industrial zoned land. I understand that the Public Works Department manages parcel APN ~~40165003A~~ which is within 500 ft to the subject parcel.
We are happy to answer any questions via email or in person at the neighborhood meeting.
Thank you for your time!
Best,
Kim

Kim Varner Wetzel, AICP (she/her) | Jacobs | Senior Planner
Mobile: +01.907.440.1591 Teams: +01.907.762.1009 | kim.wetzel@jacobs.com

Outlook

PLZU-26-0012 Neighborhood Meeting Notice - Oct 15 Buckeye Chamber of Commerce

From Wetzel, Kim <Kim.Wetzel@jacobs.com>
Date Thu 10/1/2026 1:12 PM
To cathy.merino@azdoa.gov <cathy.merino@azdoa.gov>
Cc Christy McDonough <christy.mcdonough@fortescue.com>

1 attachment (90 KB)
Notice of Neighborhood Meeting_Mailing.pdf;

Hello Cathy-
On behalf of Christy McDonough at Fortescue, I am emailing a copy of a letter that was sent yesterday inviting you to a neighborhood meeting on Thursday, October 15, 6-7pm at the Buckeye Chamber of Commerce (attached). Fortescue is seeking a Conditional Use Permit for the "Buckeye Energy Center" project, a data center with onsite power and accessory uses on Heavy Industrial zoned land.
Your parcel APN 40165039B is within 500 ft to the subject parcel. We are happy to answer any questions via email or in person at the neighborhood meeting.
Thank you for your time!
Kim

Kim Varner Wetzel, AICP (she/her) | Jacobs | Senior Planner
Mobile: +01.907.440.1591 Teams: +01.907.762.1009 | kim.wetzel@jacobs.com

Outlook

[EXTERNAL] USPS® Item Delivered, In/At Mailbox 420850073226957011462595627345049O

From USPS Tracking <auto-reply@tracking.usps.com>
Date Fri 10/2/2026 12:41 PM
To Wetzel, Kim <Kim.Wetzel@jacobs.com>

This Message Is From an External Sender
This message came from outside your organization.

Hello ,

Your item was delivered in or at the mailbox at 12:39 pm on October 2, 2026 in PHOENIX, AZ 85007.

Tracking Number:
420850073226957011462595627345049O

Delivered, In/At Mailbox

Tracking & Delivery Options

My Account

Outlook

[EXTERNAL] USPS® Item Delivered, Individual Picked Up at Post Office 420850032295957011462595627345045 2

From USPS Tracking <auto-reply@tracking.usps.com>
Date Fri 10/2/2026 2:05 PM
To Wetzel, Kim <Kim.Wetzel@jacobs.com>

This Message Is From an External Sender
This message came from outside your organization.

Hello ,

Your item was picked up at the post office at 2:02 pm on October 2, 2026 in PHOENIX, AZ 85003.

Tracking Number:
420850032295957011462595627345045 2

Delivered, Individual Picked Up at Post Office

Tracking & Delivery Options

My Account

Outlook

[EXTERNAL] USPS® Item Delivered, In/At Mailbox 420853652101957011462595627345047 6

From USPS Tracking <auto-reply@tracking.usps.com>
Date Sat 10/3/2026 11:13 AM
To Wetzel, Kim <Kim.Wetzel@jacobs.com>

This Message Is From an External Sender
This message came from outside your organization.

Hello ,

Your item was delivered in or at the mailbox at 11:12 am on October 3, 2026 in YUMA, AZ 85365.

Tracking Number:
420853652101957011462595627345047 6

Delivered, In/At Mailbox

Tracking & Delivery Options

My Account

Attachment C

Sign Posting

AFFIDAVIT OF SIGN POSTING
City of Buckeye

Case No: PLZU-26-0012
Project Name:
Applicant Name: Jacobs Federal & Environmental (F&E)
Location: 28702 W. Patterson

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statue, the **applicant** for public hearing in the City of Buckeye shall post signs as Prescribed by the "City of Buckeye Site Posting Requirements." **It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to update the hearing information on the sign until the final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within 10 days after final disposition of the case.**

I confirm that the site has been posted as detailed by the City of Buckeye Site Posting Requirements for the case above and the site was posted at least fifteen (15) prior to the public hearing.

Applicant's/Representative's signature: Meghan Liggett

SUBSCRIBED AND SWORN before me on 11/03/26

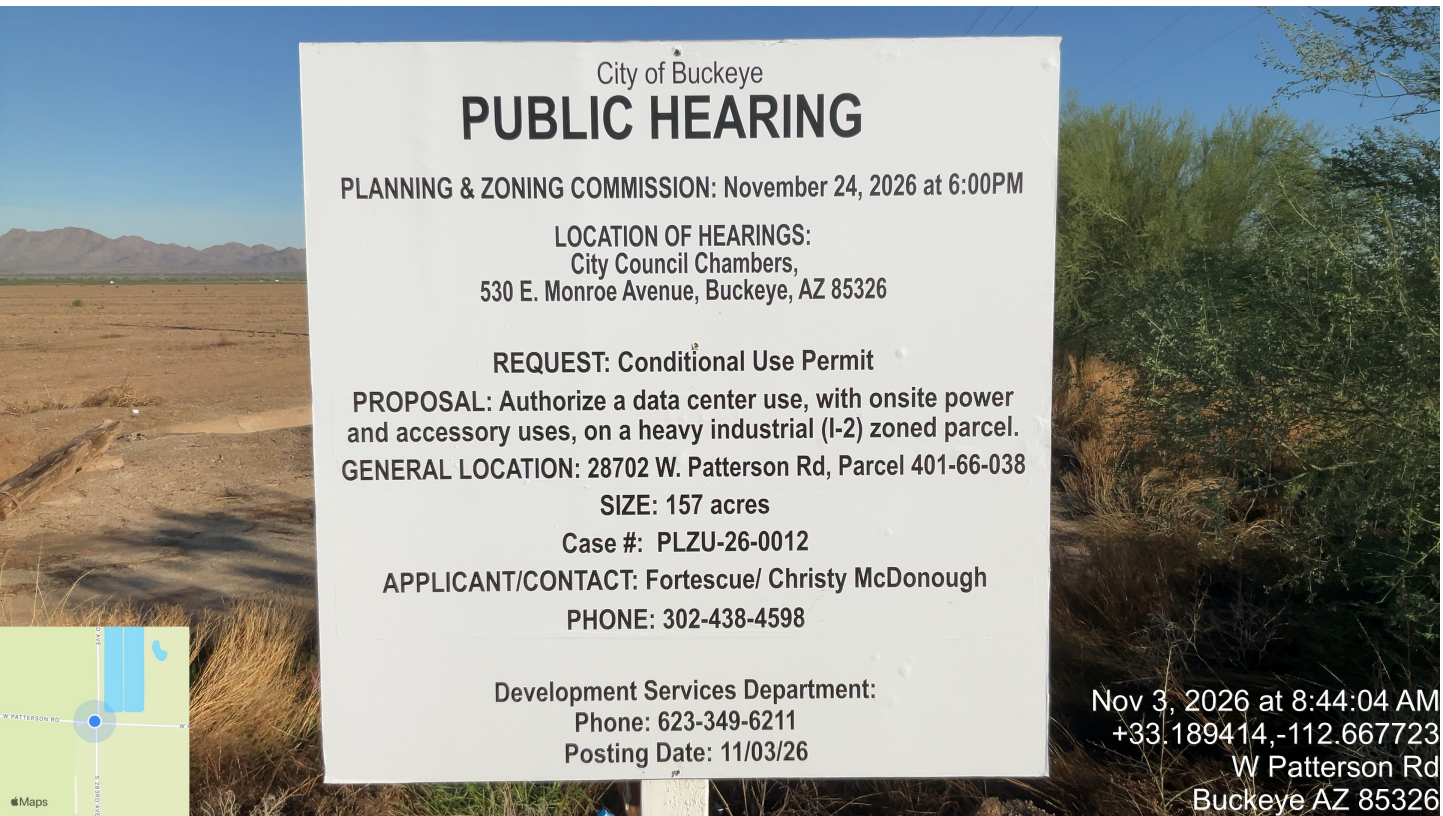
Notary Public: Marybeth Conrad

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 673441
My Comm. Expires Oct 25, 2028

My Commission Expires:

10-25-28


City of Buckeye
PUBLIC HEARING
PLANNING & ZONING COMMISSION: November 24, 2026 at 6:00PM
LOCATION OF HEARINGS:
City Council Chambers,
530 E. Monroe Avenue, Buckeye, AZ 85326
REQUEST: Conditional Use Permit
PROPOSAL: Authorize a data center use, with onsite power and accessory uses, on a heavy industrial (I-2) zoned parcel.
GENERAL LOCATION: 28702 W. Patterson Rd, Parcel 401-66-038
SIZE: 157 acres
Case #: PLZU-26-0012
APPLICANT/CONTACT: Fortescue/ Christy McDonough
PHONE: 302-438-4598
Development Services Department:
Phone: 623-349-6211
Posting Date: 11/03/26
Maps
Nov 3, 2026 at 8:52:01 AM
+33.189702,-112.672282
28484–28718 W Patterson Rd
Buckeye AZ 85326


City of Buckeye
PUBLIC HEARING
PLANNING & ZONING COMMISSION: November 24, 2026 at 6:00PM
LOCATION OF HEARINGS:
City Council Chambers,
530 E. Monroe Avenue, Buckeye, AZ 85326
REQUEST: Conditional Use Permit
PROPOSAL: Authorize a data center use, with onsite power and accessory uses, on a heavy industrial (I-2) zoned parcel.
GENERAL LOCATION: 28702 W. Patterson Rd, Parcel 401-66-038
SIZE: 157 acres
Case #: PLZU-26-0012
APPLICANT/CONTACT: Fortescue/ Christy McDonough
PHONE: 302-438-4598
Development Services Department:
Phone: 623-349-6211
Posting Date: 11/03/26
Nov 3, 2026 at 8:44:04 AM
+33.189414,-112.667723
W Patterson Rd
Buckeye AZ 85326

Attachment D

Notice of Public Hearing and Affidavit of Mailing

28 October 2025

Notice of Public Hearing

Dear Property Owner:

As a property owner of record within 500-feet of the Property, this notice is being sent to you to inform you of an upcoming Public Hearing.

The City of Buckeye Planning and Zoning Commission will hold a public hearing on Tuesday, November 24, 2026, 6:00 p.m. at the City Council Chambers, located at 530 E Monroe Avenue, for the purpose of hearing all persons for or against the following request:

Case No. PLZU-26-0012: Request by Fortescue for the approval of a Conditional Use Permit to allow the development of a data center with behind-the-meter thermal power generation and ancillary uses on Parcel 401-66-038 within a heavy industrial (I-2) zoning designation. The parcel is located at 28400 W Patterson Road.

For any queries on the proposal, please feel free to contact us at:

Christy McDonough, Approvals and Environment, Fortescue

Christy.McDonough@Fortescue.com; 302-438-4598

If you require additional information from the City of Buckeye Development Services Department, Planning & Zoning Division, please contact:

Joseph Mueller, Senior Planner

jmueller@buckeyeaz.gov; 623-204-5505

Yours sincerely

FORTESCUE

State of Oregon Notarial Certificate (ORS Ch. 194.280, 194.285)

Verification on Oath or Affirmation

State of OREGON

County of Washington

Signed and sworn to (or affirmed) before me on (date) November 6th, 20 26

by (name(s) of individuals making statement) Kimberly Wetzel.

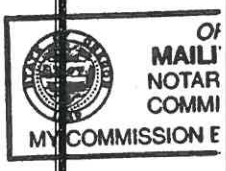
Mailie E. Kurkowski

Notary Public - State of Oregon

My commission expires May 13, 2029

Official Stamp

OFFICIAL STAMP
MAILIE E KURKOWSKI
NOTARY PUBLIC-OREGON
COMMISSION NO. 1058829
MY COMMISSION EXPIRES MAY 13, 2029



Document Description

This certificate is attached to page 3 of a FedEx Package Confirmation (title or type of document), dated Nov 6th, 20 26, consisting of 4 pages.

FedEx

November 05, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 879427912870

Delivery Information:

Status:	Delivered	**Delivered To:**	Shipping/Receiving
Signed for by:	J.Snyder	**Delivery Location:**	
Service type:	FedEx 2Day		
Special Handling:	Deliver Weekday		PHOENIX, AZ,
		Delivery date:	Oct 30, 2026 09:06

Shipping Information:

Tracking number:	879427912870	**Ship Date:**	Oct 29, 2026
		Weight:	0.5 LB/0.23 KG

Recipient:
PHOENIX, AZ, US,

Shipper:
HILLSBORO, OR, US,

ICIAL STAMP
E KURKOWSKI
PUBLIC-OREGON
SION NO. 1058829
PIRES MAY 13, 2029

11/6/26

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.

Thank you for choosing FedEx

November 05, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 879428050953

Delivery Information:			
Status:	Delivered	**Delivered To:**	Shipping/Receiving
Signed for by:	K.Arnold	**Delivery Location:**	
Service type:	FedEx 2Day		
Special Handling:	Deliver Weekday		PHOENIX, AZ,
		Delivery date:	Oct 30, 2026 10:47

Shipping Information:			
Tracking number:	879428050953	**Ship Date:**	Oct 29, 2026
		Weight:	0.5 LB/0.23 KG

Recipient:	**Shipper:**
PHOENIX, AZ, US,	HILLSBORO, OR, US,

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.

Thank you for choosing FedEx

FedEx

November 05, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 879427822525

Delivery Information:

Status:	Delivered	**Delivered To:**	Shipping/Receiving
Signed for by:	B.Bazorco	**Delivery Location:**	
Service type:	FedEx 2Day		
Special Handling:	Deliver Weekday		YUMA, AZ,
		Delivery date:	Oct 30, 2026 12:59

Shipping Information:

Tracking number:	879427822525	**Ship Date:**	Oct 29, 2026
		Weight:	0.5 LB/0.23 KG

Recipient:

YUMA, AZ, US,

Shipper:

HILLSBORO, OR, US,

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.

Thank you for choosing FedEx


FedEx
ORIGIN ID:VKWA (907) 440-1591
KIMBERLY WETZEL
1870 NE JAMIE DR
HILLSBORO, OR 97124
UNITED STATES US
SHIP DATE: 29OCT20
ACTWGT: 0.10 LB
CAD: 6574603/RDSA2710
TO CITY OF PHOENIX
REALTY DEPT
251 W WASHINGTON ST
8TH FLOOR
PHOENIX AZ 85003
FedEx Express
MON - 02 NOV 5:00P
TRK# 8794 2805 0053
TO ATTN: CATHY MERINO
ARIZONA DEPT ADMINISTRATION
100 NORTH 15TH AVENUE
STE 302
PHOENIX AZ 85007
(602) 814-3547
FedEx Express
MON - 02 NOV 5:00P
** 2DAY **
TRK# 8794 2791 2870
85007
PHX
TO ARIZONA DEPT TRANSPORTATION
SW DISTRICT
2243 E GILA RD
YUMA AZ 85365
(000) 000-0000
FedEx Express
MON - 02 NOV 5:00P
** 2DAY **
TRK# 8794 2782 2525
CP YUMAG
YUMA 85365
AZ-US PHX
Envelope
Recycle me.

Attachment E

Legal Ad and Affidavit of Publication

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

West Valley View
250 N. Litchfield Road, #100, Goodyear, AZ 85338
(480) 898-7926

State of Florida, County of Broward, ss:

I, Anjana Bhadoriya, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of West Valley View, a publication that is a "legal newspaper" as that phrase is defined for the city of Goodyear, for the County of Maricopa, in the state of Arizona, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates.

Publication Dates:
- Nov 4, 2026

Notice ID: qtdA3kiO806zq5DTqY1D
Notice Name: Planning Commission Meeting 11/24/26
Publication Fee: $91.29

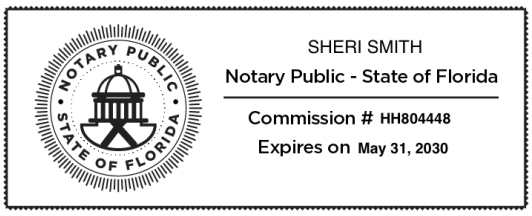
Anjana Bhadoriya

_____
Agent

VERIFICATION
State of Florida
County of Broward

Signed or attested before me on this: 11/05/2026

S Smith _____
Notary Public
Notarized remotely online using communication technology via Proof.



City of Buckeye

NOTICE IS HEREBY GIVEN that the City of Buckeye Community Planning and Zoning Commission will hold a public hearing on Tuesday, November 24, 2026 to be held at the City Council Chambers, located at 530 E Monroe Avenue at 6:00 p.m., for the purpose of hearing all persons for or against the following request:

Case No. PLZU-26-0012: Request by Fortescue for the approval of a Conditional Use Permit to authorize a data center use, with onsite behind-the-meter power generation and accessory uses, on a heavy industrial (I2) zoned parcel. The parcel is located at 28702 W Patterson Road, Parcel 401-66-038, situated within the south half of Section 4, Township 3 South, Range 4 West, Gila and Salt River Meridian, City of Buckeye, Arizona.

For additional information, please contact the Development Services Department at 623-349-6211.

Published in the West Valley View, Nov 4, 2026

PUBLIC NOTICES

Person Filing: Matthew Jeremy Rasor
Address (if not protected): 2528 North 199th Drive
City, State, Zip Code: Buckeye, AZ, 85396
Telephone: 480-212-2463
Email Address: mattrasor73@gmail.com
Lawyer's Bar Number: N/A
Licensed Fiduciary Number: N/A
Representing □ Self, SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY
In the Matter of the Estate of:
Case Number: PB2025-008519
PBIP44f042525
Cina Bea Halberg
□ an Adult or □ a Minor, deceased
NOTICE TO CREDITORS OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND/OR INFORMAL PROBATE OF A WILL
NOTICE IS GIVEN THAT:

Personal Representative: (name) Matthew Jeremy Rasor
has been appointed Personal Representative of this Estate on (date). 12/10/2025
Deadline to make claims. All persons having claims against the Estate are required to present their claims within four months after the date of the first publication of this Notice. or if this Notice is received by mail or delivery, within 60 days of the mailing or delivery. whichever is later. If claims are not timely made, they will be forever barred.
Notice of claims: Claims must be presented by delivering or mailing a written statement of the claim to the Personal Representative at (address)
2528 North 199th Drive, Buckeye, AZ, 85396
4. Notice of appointment. A copy of the Notice of Appointment is attached to the copies of this document mailed to all known creditors.

Published in the West Valley View, Oct 21, 28, Nov 4, 2026

Please be advised that Equify Financial, LLC will conduct a Public Sale of the following equipment of at 10:00 A.M MST on November 10, 2026 at 13662 W Main St Goodyear, AZ 35338:
2024 Brazos 55TON RGN 26' Well, 9'1" Susp, Lowboy Trailer VIN:4B9BKL-T31RH054003
2025 Brazos Pit Viper 28' x 48" End Dump Trailer VIN:4B9BK-DE27SH054331
The equipment will be sold on an "as-is", "where-is" basis to the highest qualified bidder for cash, and Equify Financial, LLC reserves the right to bid at the sale. For further information, or to make arrangements to inspect the equipment prior to the sale, please contact Paul Williamson at (817) 490-6800.
Published in the West Valley View, Oct 28, Nov 4, 2026

INVITATION TO BID
Bids Due: December 10, 2026 – 10:00am
Project: Regent Hills Ph3B CFD Landscape Improvements and Highlands Ph3A CFD Landscape Improvements

DMB White Tank LLC seeks qualified General Contractors, with a **minimum CR-21 Hardscaping and Irrigation Systems** , to submit separate sealed bids for the above referenced projects which consists of, but is not limited to, all work associated with installation of the landscape and irrigation in accordance with the plans and specifications (the "Work"). The Successful Contractor shall be responsible for all coordination associated with the Work. Copies of the plans, bid documents and detailed information for this project will be available on November 4, 2026. All interested parties should contact Jennifer Tweedie at jtweedie@dmbinc.com to obtain access to the electronic bid documents. Please reference the project names listed above in the email subject line. A **MANDATORY** pre-bid meeting will be held on November 12, 2026 at 11:00am. The pre-bid meeting will be held via Zoom call. A meeting invitation will be sent to all interested qualified parties. Sealed bids will be received until 10:00am on December 10, 2026, at the DMB Verrado Offices – 4236 N. Verrado Way Suite A200, Buckeye, AZ 85396. Bids submitted after 10:00am will not be accepted. Bids will be opened privately but read aloud at 10:15am via Zoom call. A meeting invitation will be sent to all qualified parties. Unless all bids are rejected, the Contract will be awarded within twenty-one (21) days. The Contract will be awarded to the lowest qualified bidder that submits a complete and accurate bid. A complete and accurate bid will include all information requested in the bid documents. Every bid made by a Contractor pursuant to this Notice shall be accompanied by a surety bond for ten percent (10%) of the bid amount, listing DMB White Tank LLC as the Obligee, as a guarantee that the Contractor will enter into a contract to perform the Work, or as liquidated damages in the event the Contractor refuses or fails to enter into the Contract with DMB White Tank LLC upon award. The bonds will be returned to all Contractors whose bids are not awarded the Contract, and to the successful Contractor, upon execution of the Contract, and receipt of Payment and Performance bonds for the Work. The cost for providing Payment and Performance bonds shall be included in the bid submittal. A Payment and Performance bond will be required in the amount of 100% of the original Contract value for the duration of the Contract. All bidders shall be required to submit, with their bid proposal, a completed Certificate of Insurance evidencing their ability to meet the insurance requirements for this project. The Contractor shall carry property damage and public liability insurance and shall hold and save harmless DMB White Tank LLC, the City of Buckeye and the Verrado District 1 and Western Overlay Community Facilities Districts from any employer's liability and from any and all liens for materials or labor in connection with this Work as specified in the bid documents. Any bids submitted without the bid bond, certificate of insurance and any other items as required in the bid documents will be deemed incomplete and will be rejected. DMB White Tank LLC reserves the right to reject any and all bids and to withhold the award for any reason DMB White Tank LLC determines necessary and appropriate. Award of the successful bid shall be subject to approval by DMB White Tank LLC or its representatives. Interested parties shall refer to the bid package and addendums for further information or contact Jennifer Tweedie at jtweedie@dmbinc.com – reference **Regent Hills Ph3B CFD Landscape Improvements and Highlands Ph3A CFD Landscape Improvements**. No engineer's estimate will be distributed.
Published in the West Valley View, Oct 28, Nov 4, 2026

City of Buckeye

NOTICE IS HEREBY GIVEN that the City of Buckeye Community Planning and Zoning Commission will hold a public hearing on Tuesday, November 24, 2026 to be held at the City Council Chambers, located at 530 E Monroe Avenue at 6:00 p.m., for the purpose of hearing all persons for or against the following request:

Case No. PLZU-26-0012: Request by Fortescue for the approval of a Conditional Use Permit to authorize a data center use, with onsite behind-the-meter power generation and accessory uses, on a heavy industrial (I2) zoned parcel. The parcel is located at 28702 W Patterson Road, Parcel 401-66-038, situated within the south half of Section 4, Township 3 South, Range 4 West, Gila and Salt River Meridian, City of Buckeye, Arizona.

For additional information, please contact the Development Services Department at 623-349-6211.

Published in the West Valley View, Nov 4, 2026

NOTICE OF PUBLIC SALE

Pursuant to A.R.S. § 33-1701 to 33-1706, BriteLock Storage Buckeye, located at **395 N Watson Rd., Buckeye, AZ 85396**, will hold a public Lien Sale of the following units to satisfy the lien.
The Sale will take place online at **storageauctions.net** on **Wednesday, 11/19/2026 at 10 AM.**

Unit	Name	Contents
158	Carl Mason	Desk, Child Tent, Misc
426	Raijaun Taylor	Furniture
182	Luis Gallardo	Couch, Chair,
162	Jeffery Clark	Broom, Boxes Furniture, Gaming Chair, Totes

Published in the West Valley View, Nov 4, 11, 2026

CRAFT FAIR

Cotton Lane Resort
17506 W Van Buren ST Goodyear, AZ 85338
Craft Fair
Saturday November 14 9am-2pm
Inside Event Center

EMPLOYMENT-GENERAL

WINGFIELD LIVESTOCK TRANS
Is hiring full time service techs for semi truck fleet. Duties include PM services and general maintenance in a large enclosed shop.
Basic tools are required. Excellent pay & opportunity for motivated people.
Call 623-936-5459 or email winglivetrans@gmail.com

REAL ESTATE - FOR SALE



FOR SALE BY OWNER
near 107th ave and Durango 2 bd/1 ba very large lot, no HOA, detached garage
185k contact Jorge
602-571-1646

SCRAMBLERS

Solution
1. Cosmic; 2. Mortal
3. Alley; 4. Linger
Today's Word
SALARY

Even Exchange

answers

1.	Brooks, Brooke	6.	Puddle, Cuddle
2.	Tense, Tease	7.	Twins, Twine
3.	Letter, Litter	8.	Wilma, Willa
4.	Expel, Excel	9.	Kitten, Mitten
5.	Robin, Rosin	10.	Shake, Snake

9	+	5	÷	7	=	2		
+		+		-				
3	-	2	÷	1	=	1		
÷		×		+				
6	+	8	+	4	=	18		
=		=		=				
2		56		10				

8	4	9	6	5	2	3	1	7
1	6	5	3	9	7	2	4	8
3	7	2	4	8	1	5	9	6
2	3	1	8	4	6	7	5	9
6	5	7	9	2	3	4	8	1
4	9	8	7	1	5	6	3	2
5	1	6	2	3	8	9	7	4
9	2	3	1	7	4	8	6	5
7	8	4	5	6	9	1	2	3

	D	E	C	O	R		S	C	A	P	E	S
R	E	D	O	N	E		O	H	R	A	T	S
F	E	N	N	E	L		L	E	A	R	N	T
D	R	A	G		A	S	I	F		T	A	S
			A	N	T	E		S	P	Y		
A	L	P		A	I	R	S		E	D	I	E
S	E	L	F	P	O	R	T	R	A	I	T	S
P	E	A	R		N	A	R	Y		P	O	P
		Y	O	O		N	E	E	D			
A	F	B		W	H	O	A		D	C	T	O
B	L	A	I	N	E		K	I	L	L	E	R
B	E	C	K	E	R		E	M	B	E	R	S
R	A	K	E	R	S		R	A	Y	O	N	

LEGAL NOTICES
Place your notice today.
480-898-5624
legals@timeslocalmedia.com

