
Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	MCP250007 – Project Baccara
Hearing Date:	April 9, 2026
Supervisor District:	4
Applicant:	Madison Leake, Burch & Cracchiolo
Owner:	Baccara Eagle Land, LLC
Request:	Military Compatibility Permit (MCP) for utility land uses to include gas power generation facility and data center in the IND-3 MAAMF & Rural-43 MAAMF zoning districts
Site Location:	Generally located north of Olive Rd. and ½-mile west of Litchfield Rd. in the west Glendale area
Site Size:	Approx. 160 acres
Density:	N/A
County Island:	Yes (Glendale, Surprise & El Mirage)
County Plan:	White Tank Grand Avenue –Military Compatible
Municipal Plan:	City of Glendale – Luke Compatible Land Use Area
Municipal Comments:	City of Glendale – Pre-annexation Development Agreement
Support/Opposition:	2 in support / 225 in opposition
Recommendation:	Approve with conditions

Project Summary:

1. This request is a Military Compatibility Permit (MCP) without a Plan of Development (POD) for utility land uses to include a gas power generation facility (with nameplate capacity of 700 MW, and an expected summer peak output of 535 MW) and data center on a 160 acre site located north of Olive Rd. and approximately ½-mile west of Litchfield Rd. in the west Glendale area. The underlying zoning is IND-3 IUPD MAAMF & Rural-43 MAAMF zoning districts and within the statutorily defined high noise or accident potential zone of Luke Air Force Base (LAFB), specifically within the 75 and 80 LDN noise contours.
2. The property owner is currently in discussions with the City of Glendale to process a POD (site plan design) and construction permitting through the City after annexation. This application is only to establish entitlement for the utility land uses with amended development standards. The narrative report states the timeline for the project is set to commence in 2027 with site design and phasing currently not determined at this time. The subject site is within the City of Glendale's municipal planning area and immediately adjacent to the jurisdiction. The site is subject to a wastewater agreement with Glendale.
3. On August 4, 1999 the Board of Supervisors (BOS) approved IND-3 IUPD zoning on approximately 154 acres, for a grain processing facility and industrial park per Z 99-27. The BOS approved an amendment on June 6, 2001 per Z2000193. The Coast Grain project included vertical grain silo structures. The IND-3 IUPD permits a 180' max. building height, landscaped berms instead of solid wall screening, and 20' max. parking lot lights. Coast Grain never developed on site.
4. Subsequent to the approval of the IND-3 IUPD zoning, the Arizona Revised Statutes were revised to delineate the high noise and accident potential zones around military airbases and ancillary military facilities. The revised statutes resulted in the county's Military Airbase and Ancillary Military Facility (MAAMF) overlay zoning districts that coincide with the boundaries of the state-delineated high noise contours and accident potential zones. The site is within the MAAMF, specifically within the 75 and 80 LDN noise contours. New residential uses are prohibited within the MAAMF. Legislative approval of an MCP is required for non-residential development within the MAAMF. The MCP has prerequisites for a use consistency and compatibility determination (UCCD) by both Luke Air Force Base (LAFB) and the County.
5. Project Baccara is a new, unrelated development project on the site. The applicant has submitted a conceptual site plan with a general layout to include:
 - a. Natural gas power generating facility with turbines
 - b. Backup power with propane and diesel
 - c. Field electrical substation
 - d. Data center buildings and appurtenances
 - e. Screening, parking and security
6. Pursuant to state law and Maricopa County Zoning Ordinance (MCZO), the list of uses was provided to LAFB for consideration of compatibility and consistency with the high noise or accident potential of a military airport or ancillary military facility. In a letter dated March 13, 2026 LAFB determined that the proposed development is not compatible and consistent unless specified conditions are satisfied. LAFB requested the conditions due to the site's location within a critical arrival and departure area for the LAFB's mission. In an effort to mitigate potential risks, a list of conditions as outlined by LAFB must be addressed during the design and post-construction phases.

7. The applicant provided a response letter dated March 18, 2025 addressing how they intend to comply with LAFB's conditions. Shown below are the conditions and response. These conditions have been included in staff's recommendation for approval of MCP250007.

LAFB - Spectrum utilization and Electromagnetic interference

The project should incorporate proper EMF and RFI shielding to prevent any interference with aircraft or installation-level equipment and to avoid any loss of RADAR coverage.

Applicant's response – Project Bacarra will not generate measurable interference with military or civilian aviation systems. Project Baccara's systems operate solely on fiber optic networks, with no microwave, radar or high frequency transmitters, and are compliant with all FCC, CAA and DOD requirements.

LAFB - Impairment of pilot's visibility

The facility's operations must not release at any time any substances into the air, such as steam, dust, high-velocity plumes, or smoke, that could impair pilot's visibility or otherwise interfere with safe operations of aircraft.

Applicant's response - Project Baccara will not create any glare, glint, reflection or nighttime light interference that could impair pilot visibility or otherwise interfere with the safe operation of aircraft. All exterior lighting will comply with the County's lighting code and will utilize cutoff fixtures directed downward. No reflective materials, solar panels or mirrored glass will be used. Project Baccara will comply with all County dust control regulations during both construction and operations. To address potential plume or exhaust impact, Takanock hired an expert consultant to conduct an independent study assessing the impacts of turbine exhaust on military or civilian aviation. The study utilized the standard, government developed modeling tool and methodology, also used by the FAA, which showed that exhaust from the turbine stacks, which is hot air only (not steam or vapor), poses no significant risk and is within the thresholds of FAA regulatory guidance. Takanock went further and engaged another consultant with military aviation experience to provide the pilot's perspective and to perform observation flights at similarly situated turbines near a Virginia airfield. All of this research was presented to LAFB to demonstrate that there will be no impairment of pilots' visibility or safety.

LAFB – Air Quality

To safeguard the health of base personnel and their families, the project will actively control and mitigate all pollutants from its gas-powered turbines. This will be accomplished through rigorous and continuous monitoring to ensure adherence to the most stringent standards set by the Arizona Department of Environmental Quality (ADEQ).

Applicant's response – Project Baccara will actively monitor and control emissions to the level allowable under its air permits. As acknowledged in the LAFB March 13, 2026 letter, air quality is regulated by Maricopa Air Quality Department (MCAQD), the US Environmental Protection Agency (EPA) and Arizona Department of Environmental Quality (ADEQ). Project Baccara has received a draft air permit from MCAQD which is currently under review by EPA. The draft permit shows that, with proposed operational limits, Project Baccara will remain within the acceptable limits necessary to protect air quality.

LAFB – Explosives facilities or similar activities

A catastrophic fire in these facilities could result should an aircraft mishap occur on site. Mitigation measure for a gas plant failure are critical to avoid risking the health/safety of LAFB personnel or the surrounding communities.

LAFB – Natural Gas Facility

It is our understanding that the facility's design ensures that natural gas is supplied via direct underground pipeline from an external source and is used exclusively for on-demand electrical power generation. No natural gas will be stored on the Project Baccara site, a critical measure to mitigate terrorist threats and ensure public safety in accordance with ARS § 49-1502.

Applicant's response to Explosives facilities, similar activities and Natural Gas Facility - Project Baccara will meet or exceed all relevant fire and safety codes to mitigate any fire risks. All natural gas fuel will be delivered via underground pipelines with no on-site storage. Propane, which is a backup fuel, will also be delivered via underground pipelines except for limited on-site storage for rapid deployment which will be stored in compliance with applicable National Fire Protection Association (NFPA) standards.

LAFB Additional Requirements – FAA and FCC

FAA and FCC Authorizations: All structures, including new transmission lines, are subject to the results of an FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) and Spectrum Analysis. Full FCC authorizations must be obtained for all equipment that may impact communication and equipment systems.

Applicant's response - Full FCC authorizations will be obtained for all equipment that may impact communication equipment systems. Project Baccara will file for and be compliant with all FAA and FCC authorizations and regulations.

LAFB Additional Requirements – DOD Siting Clearinghouse Review

DoD Siting Clearinghouse Review: The project must be submitted for an informal review through the DoD Siting Clearinghouse for Energy, Installations, and Environment. The project narrative can be sent to: osd.dod-siting-clearinghouse@mail.mil.

Applicant's response - Project Baccara will be submitted for informal review through the DOD Siting Clearinghouse for Energy, Installations and Environment. As required, a project narrative will be submitted, and Project Baccara will incorporate any recommendations into the final design.

LAFB Additional Requirements – CFIUS Review

Investments and real estate transactions within the military installation footprint of Luke AFB may be subject to review by the Committee on Foreign Investment in the United States (CFIUS). For more information, please refer to the Department of the Treasury's website at <http://www.treasury.gov/cfius>.

Applicant's response - Project Baccara is privately developed and financed by US based entities.

LAFB Additional Requirements – Sound Attenuation and Notification

As the development is within the "territory in the vicinity of a military airport," it will be subject to approximately 170 overflights per day. We recommend a review of the sound attenuation requirements in A.R.S. § 28-8482. A robust notification program is essential to inform all potential occupants about LAFB's operations.

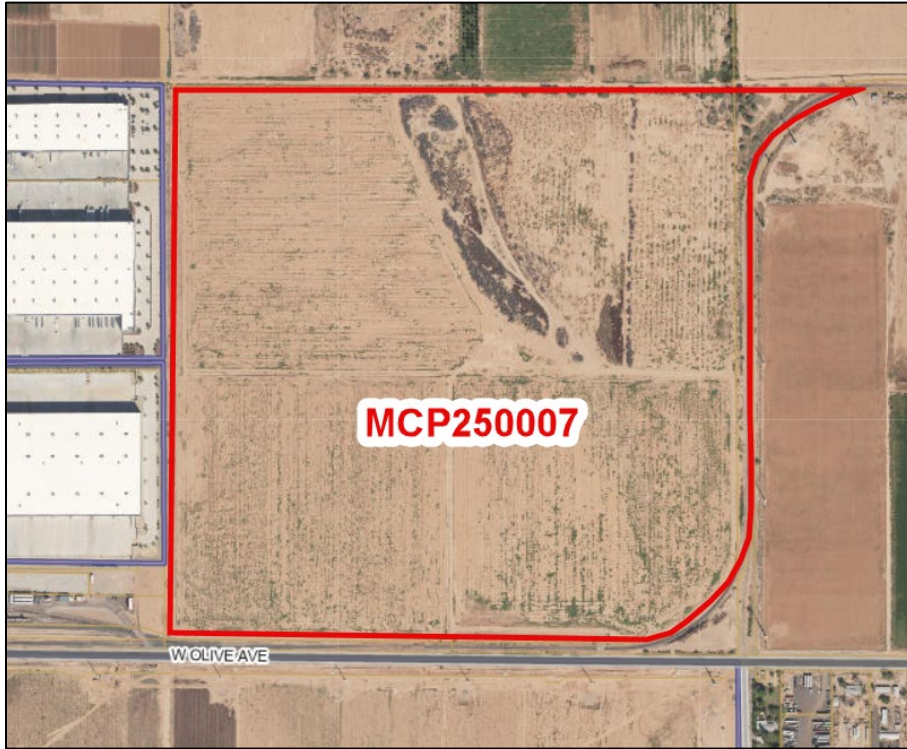
Applicant's response - Project Baccara is aware of the projected overflights and has reviewed and will abide by the sound attenuation requirements in A.R.S. § 28-8482 to ensure notification to occupants regarding LAFB operations.

8. According to the narrative, EPCOR will provide water and wastewater service to the development. Existing lines are located in Hatcher Rd. and Olive Ave. adjacent to the site, with a looped water system proposed within the project area. There is on-going coordination to receive recycled water from Mark Anthony Brewing. EPCOR will provide potable water, with the potential to utilize ground water due to water rights, to supplement other needed sources. The plan includes an on-site APS substation with interconnected transmission and distribution equipment on the site. There is on-going coordination with the adjacent Plains Terminal to establish a lateral line for liquid propane gas (LPG), which would reduce the need for onsite storage or truck traffic for refilling. The LPG use would be for backup fuel for power generation.

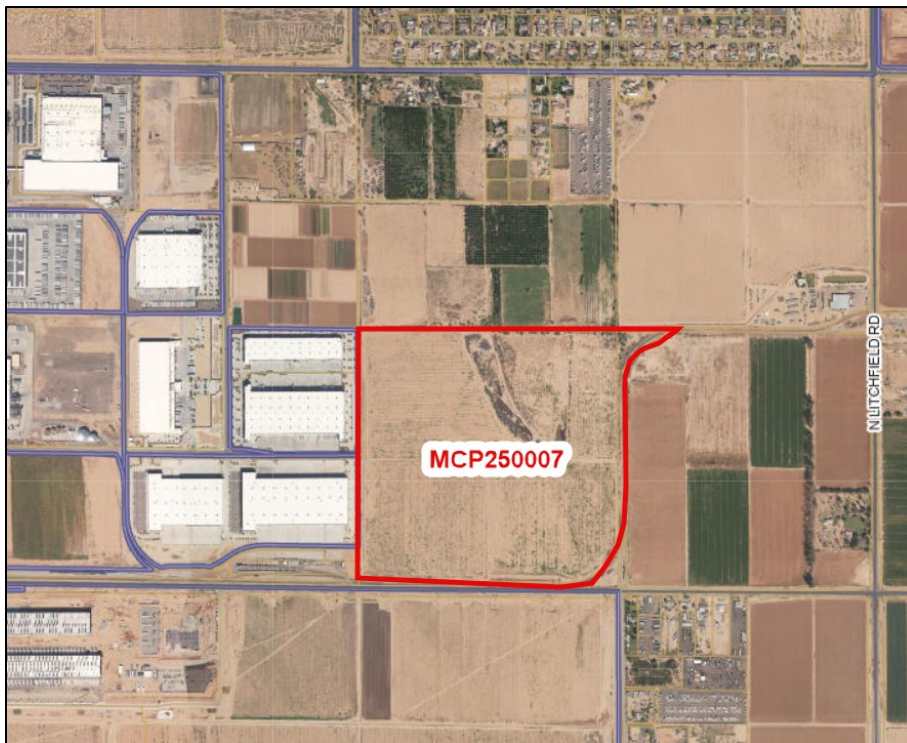
9. As part of the MCP application, the applicant is requesting to amend underlying zoning district development standards - additional height for the turbine stacks, reduction in parking spaces, and modifications to screening height and perimeter fencing.

REGULATION	PROPOSED ZONING DISTRICTS REGULATIONS (IND-3 MAAMF & Rural-43 MAAMF)
Maximum Height	Turbine stack height: 72-feet
Turbine Stack Setback	150' minimum from all lot lines
Minimum Setbacks	75' (except ancillary facilities such as wells, pump houses or security structures) from all lot lines
Minimum Screening	Along the north and east perimeter of use, a minimum 8' high solid wall shall be provided. Along the west and south perimeter of use, a minimum 8' high anti-climb fence (such as Ameriscar Impasse II or similar) and landscape screening
Minimum Parking Spaces	1 : 10,000 sf of data center floor space, 1: 1,500 sf of turbine yard building floor space
Minimum Loading Spaces	1 : 150,000 sf of floor area

Aerial photo of subject site.



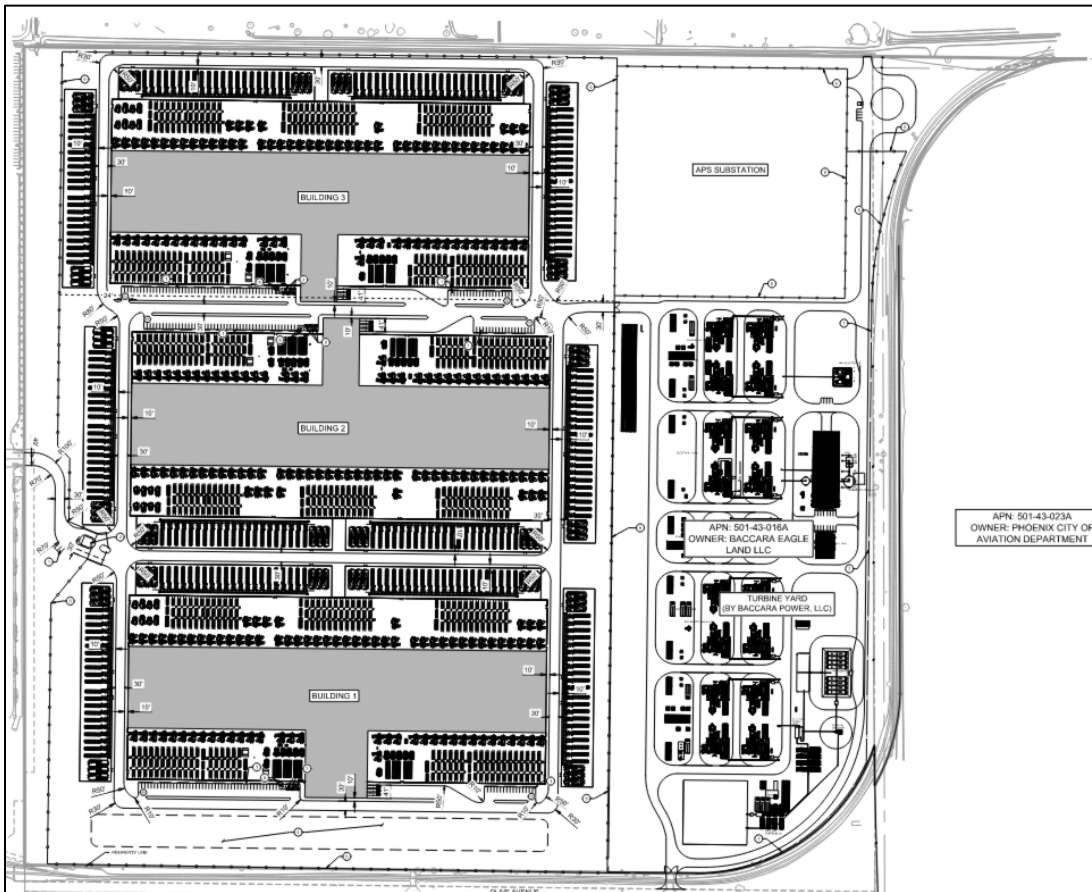
Aerial image & surrounding environs.



Eagle view of subject site looking south into subject parcel (aerial image dated 1/13/24).



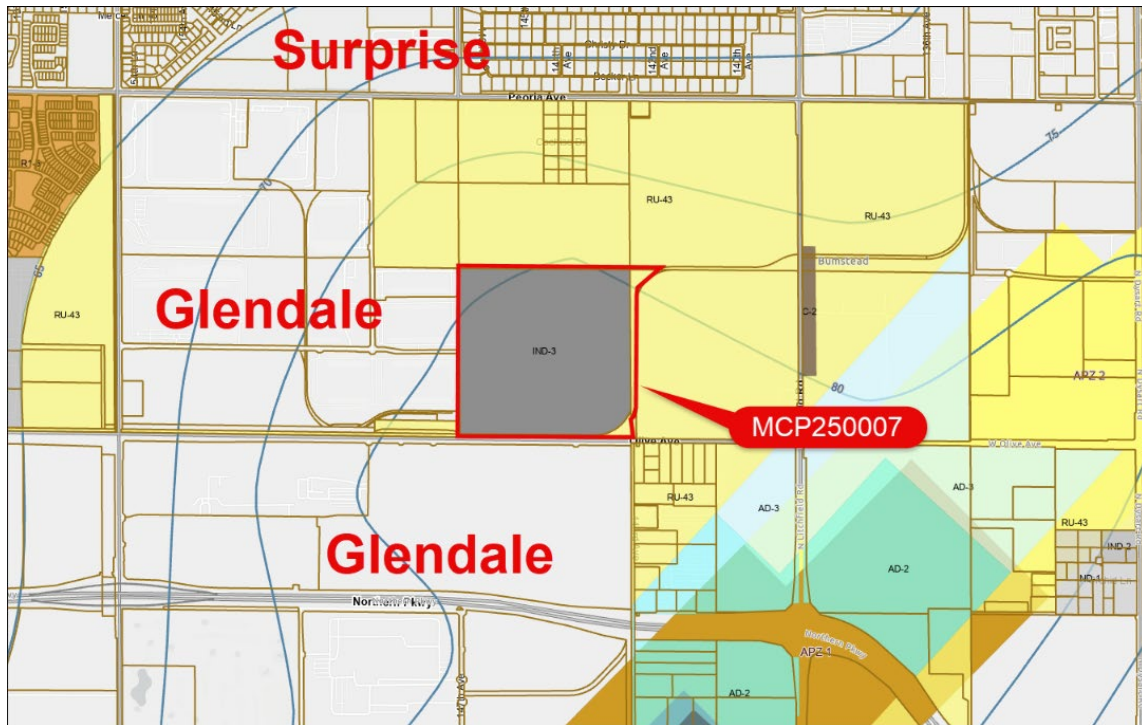
Conceptual Site Plan for the project.



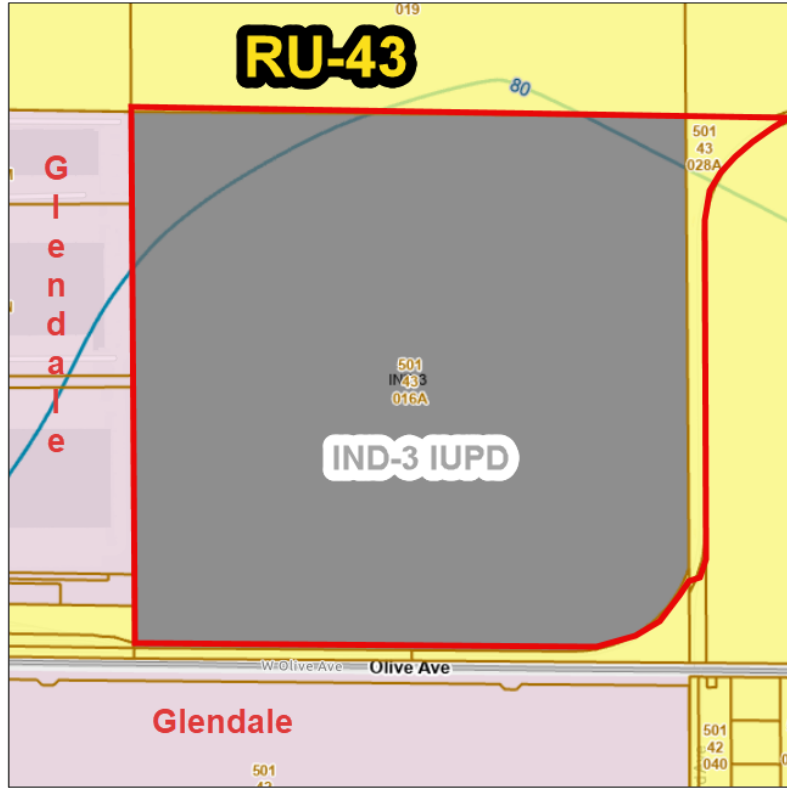
Existing On-Site and Adjacent Zoning / Land Use:

- 10. On-site: IND-3 IUPD MAAMF & Rural-43 MAAMF / Agriculture
- North: Rural-43 MAAMF / Agricultural
- South: Rural-43 / ATSF Railroad then Olive Ave then City of Glendale
- East: Rural-43 MAAMF / Agricultural – Municipal Ownership (City of Phoenix Aviation Dept)
- West: City of Glendale PAD / Industrial

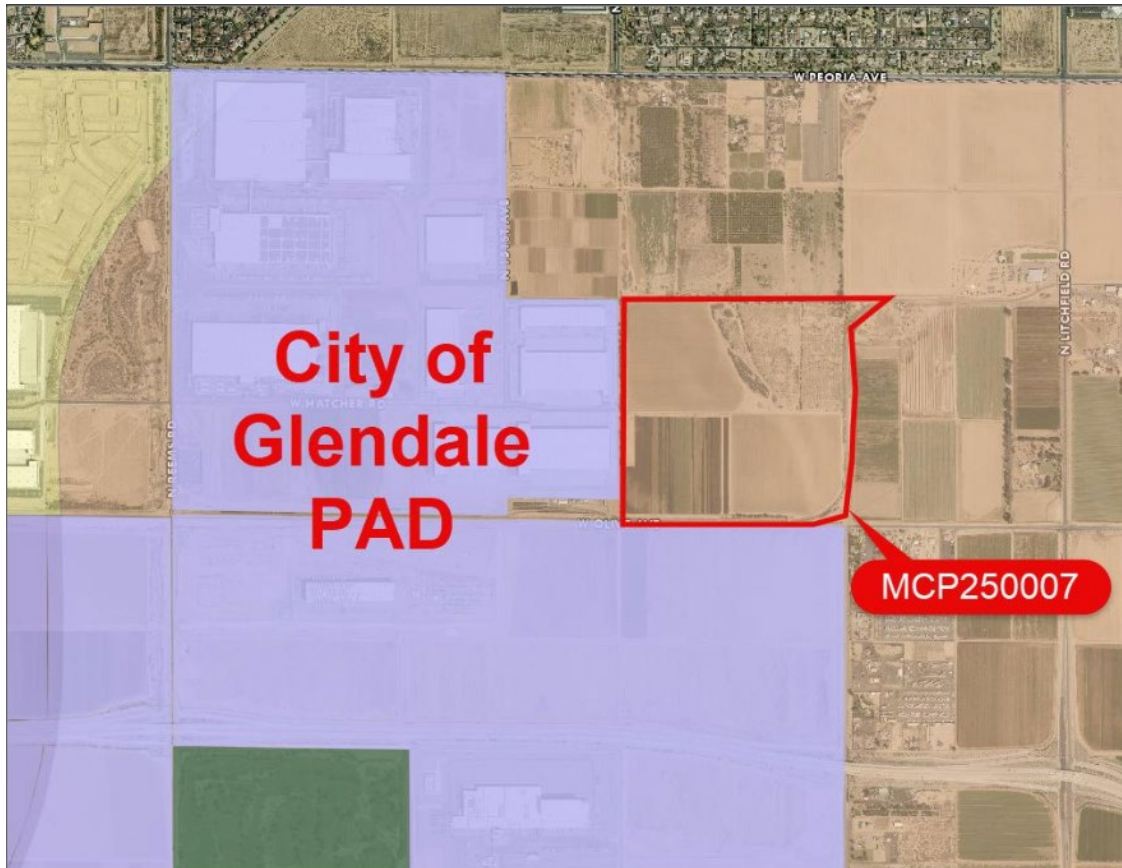
Regional County Zoning District map



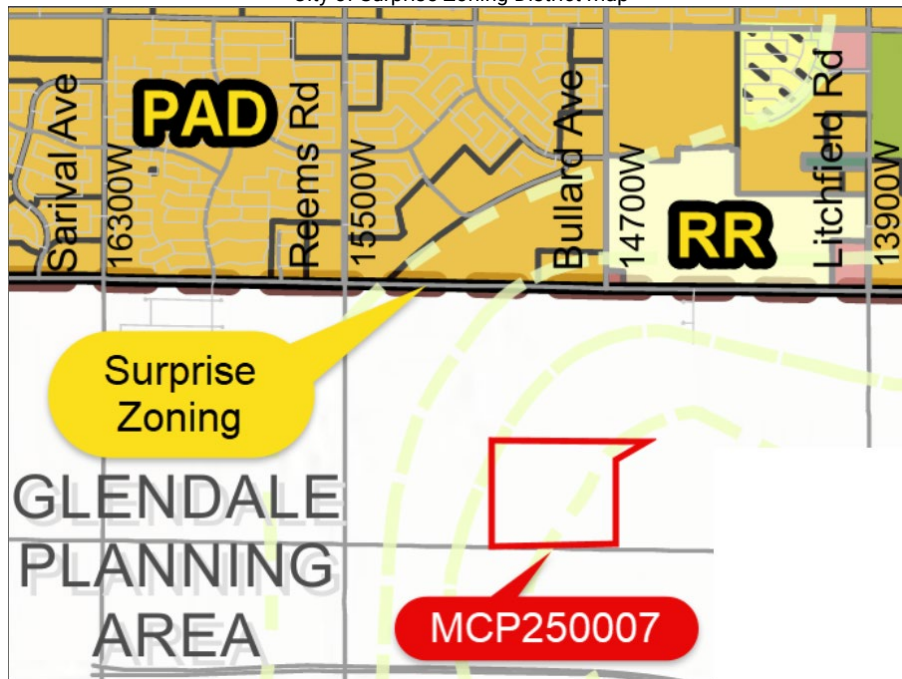
Site Zoning Detail



City of Glendale Zoning District map with jurisdictional boundary directly to the west.



City of Surprise Zoning District map



Utilities and Services:

- 11. Water: EPCOR to provide services upon annexation into Glendale
- Wastewater: EPCOR to provide services upon annexation into Glendale
- Fire: Rural Metro until annexation into Glendale
- Police: MCSO until annexation into Glendale

Right-of-Way:

- 12. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

Street Name	Half-width Existing R/W	Half-width Proposed R/W	Future Classification
143 rd Ave	0'	40'	(Mid-Section Alignment)
Northern Property Line	0'	40'	(Mid-section Alignment)
Olive Ave	0'	65'	Urban Principal Arterial

Adopted Plans:

- 13. **White Tank Grand Ave Area Plan** (adopted December 6, 2023): Designates the subject site as Military Compatible which includes uses determined to be compatible and consistent with the high noise and accident potential zone (HNAPZ) of a military airport or ancillary military facility.
- 14. **Glendale General Plan** (adopted April 26, 2016): The City of Glendale General Plan designates the site as Luke Compatible Land Use Area. The Glendale General Plan describes this designation as areas that are delineated by the 1988 JLUS 65 LDN noise contour. The Plan supports the state legislation related to the operations of the military facility and discourages residential and other noise sensitive land uses within the Luke Compatible Land Use.

Public Participation Summary:

15. The applicant complied with the Maricopa County Public Participation Process with the required posting of the property and notification by first class mail to the adjacent property owners within 600' of the subject site (where 300' is the required minimum). Interested parties and attendees who registered to be notified at various public information sessions who provided mailing addresses held by the applicant were also included in the notices sent by staff. Staff confirms that the mailing labels provided for the required notices reflected properties within 600', however the notices sent did not indicate that a 600' buffer was used. The applicant sent informational mailers to property owners within one mile of the project site on July 30, 2024, with a description of the proposal, schedule for informational sessions, contact information and a toll-free information phone number and project website link. A second notification was mailed to stakeholders and private property owners within one mile of the project site on September 4, 2025. The second notification newsletter was sent to participants who registered for the informational meetings held by the applicant and those who requested to join an email list. These mailers included a map of the project as well as information about the project, summaries of environmental studies conducted, and information about upcoming information sessions held in person and virtually. A third mailer was sent to property owners and stakeholders within 1 mile of the site on October 28, 2025. Participants who registered for previous open houses were also notified.
16. Online virtual information sessions consisting of detailed presentations and answers to questions submitted through a Q&A feature were held twice on August 14, 2025, at 12 pm and 5:30 pm and September 23, 2025, at 12 pm and 5:30 pm with the same format as the first virtual session. The applicant held an in-person information session on September 18 from 4:30 pm to 6:30 pm at the Sierra Montana Recreation Center in Surprise, AZ. The project team was present to answer questions and address public comments. A second in person information session was held on November 12, 2025, at the Hilton Garden Inn in Surprise. Social media advertisements were also used to notify the public of these information sessions and upcoming public hearings. All advertisements were geotargeted to zip codes that fell within 1-mile of the subject property. A project website was created to list these information sessions, information regarding the project and project documents. The website included the toll-free information line, project contact emails and a comment form to send comments to the project team. Per the Citizen Participation Results Report, 334 addresses were sent notification mailers, and 196 email addresses were included in an e-mailing list. 218 people attended the virtual and in-person information sessions, attendees may have registered multiple times if they attended more than session.
17. Top concerns raised by the public included:

Impact of natural gas generators on air quality - This is managed by an air quality permit pending issuance by Maricopa County Air Quality Department (MCAQD) which requires US Environmental Protection Agency review. The permit reflects the conditions that will be allowed to ensure the project is operating within acceptable levels of emissions.

Noise – A noise study was conducted and sampled present day noise levels over a 24-hour period and excluded intermittent overhead jet noise out of Luke Air Force Base. The noise study modeled noise from the project sources assuming maximum operating conditions. The study found that in all time ranges, day, evening and overnight, the additional noise from operations of the project will not be detectable at the nearest residence location or beyond.

Water Use – The projected water use of the development will be less than half of the existing irrigation groundwater rights associated with the Bacarra property. The project plans to use recycled wastewater from an adjacent industrial user, further reducing groundwater demand. Additional analysis indicates that the projected use of groundwater would not impact water availability of local wells. The projected water demand for the development is a maximum of 116 acre-feet annually.

Visual & Community Impact – Concerns regarding the appropriateness of the location were received. The project site has been zoned heavy industrial IND-3 for two decades, which would allow the proposed use. The site is already adjacent to industrial centers to the west and south within Glendale city limits. Further, the MAAMF zoning districts and within the statutorily defined high noise or accident potential zone of Luke Air Force Base (LAFB) prohibits new residential development and allows certain industrial uses. Residential properties developed prior to the MAAMF overlay are considered legal non-conforming.

18. Staff received 2 memos of support, 84 memos of opposition, and a petition in opposition with 141 signatures, and a change.org petition in opposition with 4,171 signatures.
19. Topics of concern received by staff included:
 - the projects sitting too close to existing residences and too close to Luke AFB that negatively impact airfield operations
 - pollution and local risks to health
 - excessive noise levels
 - excessive water use
 - increases in local temperature due to project's power generation
 - visual impacts
 - reduction in nearby residential property values
 - perceived lack of notification of the project and perceived lack of transparency in the process and public outreach
 - no benefit for the community and detrimental environmental, ecological and biological impacts
 - negative effects of electromagnetic fields
 - lack of full-time employment opportunities after construction
 - light pollution
 - negative impacts to agriculture
 - health impacts on children, the elderly and those with chronic medical conditions
 - negative impact on quality of life
 - perception of non-compatibility with Luke AFB operations being a utility

Outstanding Concerns from Reviewing Agencies:

20. The AZ State Historic Preservation Office (SHPO) requested to review and comment on a Class III cultural resources survey prior to any ground-disturbing activities on the subject parcel. This requirement is already a condition as part of the Certificate of Environmental Compatibility (CEC) before the ACC and is reflected in the CEC conditions.

Staff Analysis:

21. Glendale provided an e-mail on 12/12/25 stating the site is within the their municipal planning area and is part of a wastewater agreement, the developer has submitted a pre-annexation

development agreement (PADA). The County hasn't received any additional correspondence from the City on the MCP application or status of the PADA.

22. City of Surprise requested several studies on the proposed use. The applicant provided the majority of the studies with the 2nd submittal. Comment on the studies was not provided. Two additional studies, a well impact report and emergency management plan, were provided to the City of Surprise prior to the publishing of this report. Staff anticipates official comment from the City.
23. The subject site is currently zoned IND-3 IUPD, the county's highest-intensity industrial zoning district. The MCZO lists utility and heavy industrial land use as permitted land uses. However, due to the site's location within the MAAMF overlay, despite underlying zoning, the subject site requires compatibility determination in coordination with LAFB. LAFB issued a compatibility determination conditioned upon compliance with specified requirements. Staff have incorporated those conditions into the recommended conditions of approval. With these conditions in place, the proposed land use is considered compatible with LAFB operations pursuant to state statute. The underlying IND-3 IUPD zoning would indicate the site is otherwise appropriate for heavy industrial uses including vertical structures. Therefore, the application is being presented for consideration as a compatible land use. Site design and construction permitting are anticipated to occur through the City of Glendale upon annexation. If annexation does not occur, a Plan of Development (POD) will be required and subject to Board of Supervisors approval prior to construction permitting.
24. There are existing industrial land uses to the west and south of the subject site within City of Glendale jurisdiction. The property is also subject to a wastewater agreement with the City of Glendale. Staff finds the proposed industrial use is appropriate considering adjacent industrial development, anticipated annexation into Glendale city limits, railroad siding, the underlying IND-3 zoning, the immediate area's lack of residential development and prohibition against new future residential uses within the MAAMF overlay.
25. LAFB has specified conditions for compatibility that would ensure the proposal and operation do not impede their mission. Although significant public opposition has been received, the proposal is compatible with area plans and with safeguards requested by LAFB to ensure flight operations are not disturbed.

Recommendation:

26. Staff recommends the Commission adopt a motion recommending that the Board of Supervisors **approve MCP250007** subject to the following conditions 'a' – 'p':
 - a. Development of the site shall be in substantial conformance with the Narrative Report entitled "Project Baccara Military Compatibility Permit Narrative", consisting of 20 pages, revision dated 3/17/2026, and stamped received 3/19/26, except as modified by the following conditions.
 - b. The Military Compatibility Permit will only allow the following land uses pursuant to MCP250007:
 1. Natural gas power generating facility with turbines
 2. Backup power with propane and diesel
 3. Field electrical substation

4. Data center buildings and appurtenances
 5. Screening, parking and security
- c. The following IND-3 MAAMF and Rural-43 MAAMF zoning district standards shall apply:
1. Maximum gas turbine stack height: 72'
 2. Minimum gas turbine setback: 150' measured from any lot line.
 3. Minimum setback: 75' measured from any lot line.
 4. Minimum parking spaces: Data Center uses 1 : 10,000 sq. ft. of floor space.
 5. Minimum parking spaces: Gas Turbine Yard uses 1 : 1,500 sq. ft. of floor space.
 6. Minimum screening: Along the north and east perimeter of use, a minimum 8' high solid wall shall be provided. Along the west and south perimeter of use, a minimum 8' high anti-climb fence (such as Ameriscar Impasse II or similar) and landscape screening shall be provided.
- d. Changes to the Baccara Project Military Compatibility Permit MCP250007 with regard to any of the approved land uses or the conditions approved by the Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Revised applications shall be in accordance with the applicable zoning ordinance and County regulations in effect at the time of amendment application. Non-compliance with the approved Baccara Project Military Compatibility Permit, including the narrative report or approved conditions constitutes a violation in accordance with the Maricopa County Zoning Ordinance.
- e. Unless effective annexation into the City of Glendale, prior to approval of a precise Plan of Development approval, the applicant shall provide the Maricopa County Planning and Development Department with an executed pre-annexation service agreement with the City of Glendale that identifies the detail for when the proposed project will be annexed and the provision of water and sewer service. In lieu of pre-annexation service agreement the developer must provide a 'will serve' letter from the certificated water and sewer provider(s).
- f. Unless effective annexation into the City of Glendale, approval by the Board of Supervisors of a Plan of Development will be required prior to approval and issuance of construction permits to develop and establish use of the site. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.
- g. The development and operation of the site shall comply with all Conditions for Compatibility and Additional Requirements identified in the Luke Air Force Base letter dated March 13, 2026, which are incorporated herein by reference.
- h. The applicant shall submit a Military Compatibility Compliance Report as part of the Plan of Development application and building permits subject to review and approval by the Maricopa County Planning and Development Department, in coordination with Luke Air Force Base, prepared and sealed by qualified professionals, demonstrating compliance

with all applicable Luke Air Force Base requirements as outlined in the letter dated March 13, 2026, including but not limited to:

1. Electromagnetic interference (EMF/RFI):
A technical analysis demonstrating that the facility will not create interference with military or civilian aviation systems, communications equipment, or radar operations.
 2. Airspace and communications (FAA/FCC):
Documentation of completed FAA Obstruction Evaluation/Airport Airspace Analysis (OE/AAA), any required spectrum analysis, and all required FCC authorizations, demonstrating that no structure or equipment constitutes a hazard to air navigation or communications.
 3. Visibility, lighting, and exhaust/plume impacts:
A glare analysis and exhaust/plume study demonstrating that lighting, reflective surfaces, emissions, heat exhaust, or atmospheric effects will not impair pilot visibility or interfere with aircraft operations.
 4. Air quality compliance (ADEQ):
Evidence of all required air quality permits and demonstration that emissions will comply with applicable federal, state, and local regulatory limits.
 5. Fire protection and hazard mitigation:
A plan demonstrating that the facility is designed to minimize risks associated with fire, explosion, or aircraft impact, including coordination with and approval by the applicable fire authority.
 6. Fuel system design:
Demonstration that no natural gas storage will occur on-site and that all fuel delivery and backup systems comply with applicable safety regulations and codes.
 7. DoD Siting Clearinghouse review:
Documentation confirming submittal to the Department of Defense Siting Clearinghouse and demonstration that any recommendations or conditions resulting from that review have been incorporated into the project design.
 8. Sound attenuation and notification:
Demonstration of compliance with A.R.S. § 28-8482 and implementation of a notification program informing occupants and users that the property is located within the vicinity of a military airport and subject to aircraft overflights.
- i. The operation of the facility shall not create visual, atmospheric, or electronic interference with aircraft operations. If such impacts are identified by Luke Air Force Base, the FAA, or other regulatory agencies, the operator shall take corrective action to eliminate the impact. Failure to do so shall constitute a violation of this approval.
- j. All development standards and design criteria, including amenity and enhancement guidelines, shall be established at the time of precise plan of development or amendment thereto. All precise plans of development or amendments thereto shall be approved by the Board of Supervisors, upon recommendation by the Commission.
- k. All buildings subject to noise attenuation as per ARS § 28-8482(B).
- l. The following Planning Engineering conditions shall apply:
1. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of

the Maricopa County Zoning Ordinance; Drainage Polices and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

2. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the site's drainage infrastructure.
 3. Maricopa County does not supply water, fire, or sewer services. It is the applicant/owner's responsibility to coordinate and secure water, fire and sewer services for the site.
 4. Sealed final Grading and Drainage (Site Infrastructure) Plans and Sealed Final drainage report must be submitted with the application for Building Permits.
- m. The following Maricopa County Environmental Services Department (MCESD) conditions shall apply:
1. Per the Safe Drinking Water Act, any water system that supplies more than 25 people or 15 service connections per day for at least 60 days per year is classified as a Public Water System (PWS). If the above criteria are met, a Public Water System application and a New Source Approval application are required and must be submitted to the MCESD's Drinking Water Program. A water quality analysis report will be required with submittal and is good within one-year of testing.
 2. Per the Safe Drinking Water Act, a Community Water System (CWS) is defined as a Public Water System that serves the same 25 or more year-round residents. A Non-Transient Non-Community Water System (NTNCWS) is defined as a Public Water System that serves the same 25 or more persons for at least six months per year. If a new CWS or NTNCWS is being created, then the following major requirements must be complete prior to the issuance of a CWS or NTNCWS permit:
 - a. The Arizona Department of Environmental Quality (ADEQ) requires new CWS and NTNCWS to submit an Elementary Business Plan. Please contact ADEQ at capdev@azdeq.gov for more information on this requirement. New Source Approval is required for both groundwater and surface water sources.
 - b. New Source Approval is required for both groundwater and surface water sources.
 - c. Engineering Approval may be required by MCESD Subdivision and/or Treatment Programs.
 - d. Certified Operator – All public water systems must obtain the services of a certified water operator.
 3. A public Water System application and a New Source Approval application are required and must be submitted to the MCESD Drinking Water Program.
 4. An Approval to Construct application is required to be submitted to the MCESD's Treatment Program for all PWS water treatment facilities. For questions, please contact the Water/Wastewater Treatment Program at (602) 372-2861 or email treatmentplantprogram@maricopa.gov

5. An Approval to Construct application is required to be submitted to the MCESD's Treatment Program for all PWS water treatment facilities. For questions, please contact the Water/Wastewater Treatment Program at (602) 372-2861 or email treatmentplantprogram@maricopa.gov.
 6. An Approval to Construct application is required to be submitted to the MCESD's Subdivision & Infrastructure Program for all PWS water system infrastructure. For questions, please contact the Subdivision & Infrastructure Program at (602) 506-1058 or email subdivision@maricopa.gov . For additional Drinking Water related questions, please contact the Drinking Water program at (602) 506-6935.
- n. The property owners and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
 - o. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property may be considered for revocation to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Military Compatibility Permit. The Military Compatibility Permit enhances the value of the property above its value as of the date the Military Compatibility Permit is granted and reverting to the prior zoning results in the same value of the property as if the Military Compatibility Permit had never been granted.
 - p. The IUPD approved per Z 99-027 as amended Z2000193 is unnecessary and removed with approval of this Military Compatibility Permit.

Presented by: Daniel Johnson, Planner
 Reviewed by: Rachel Applegate, Planning Supervisor

Attachments:

- Case Map (1 page)
- Conceptual Site Plan (reduced 8.5"x11", 1 page)
- Narrative Report (20 pages)
- MCESD comments (3 pages)
- Planning Engineering comments (2 pages)
- Luke AFB Compatibility Finding & Conditions for Compatibility (3 pages)
- Noise Study (45 pages)
- Biological Study (60 pages)
- Geotechnical Report (24 pages)
- Title V Air Quality Permit (102 pages)
- State Historic Preservation Office correspondence & applicant response (2 pages)
- City of Glendale correspondence (2 pages)
- Emergency Management Proposal (1 pages)
- Groundwater Assessment Study (12 pages)
- Public Comment (247 pages)
- Change.org petition of opposition (93 pages)
- 300' Opposition Map (1 page)