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**Planning Commission Staff Report**  
**ADDENDUM**

**TO:** PLANNING COMMISSION

**FROM:** SAL DISANTO, PLANNER I *SD*  
(480) 503-6759, [SAL.DISANTO@GILBERTAZ.GOV](mailto:SAL.DISANTO@GILBERTAZ.GOV)

**THROUGH:** ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER *Am*  
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**MEETING DATE:** NOVEMBER 2, 2022

**SUBJECT:** **UP22-57 SUPERSTITION/CORBELL ENERGY STORAGE** - SPECIAL USE PERMIT: REQUEST TO APPROVE A SPECIAL USE PERMIT ON APPROXIMATELY 3.05 ACRES LOCATED AT 510 N. ITHICA STREET FOR AN ENERGY STORAGE FACILITY IN THE GENERAL INDUSTRIAL (GI) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD).

**STRATEGIC INITIATIVE:** Prosperous Community

To allow an energy storage facility to operate in an industrial park.

**RECOMMENDED MOTION**

Make the Findings of Fact and approve UP22-57 **Superstition/Corbell Energy Storage**: A Special Use Permit for approximately 3.05 acres located at 510 N. Ithica Street to allow for an energy storage facility in the General Industrial (LI) zoning district with a Planned Area Development (PAD) overlay, subject to conditions.

## APPLICANT

Company: Withey Morris PLC  
Name: Alex Hayes/Adam Baugh  
Address: 2525 E. Arizona Biltmore Cir Unit: A-212  
Phoenix, AZ 85016  
Phone: 602-265-0094  
Email: [hayes@witheymorris.com](mailto:hayes@witheymorris.com)  
[adam@witheymorris.com](mailto:adam@witheymorris.com)

## OWNER

Company: Hyder-Gilbert LLC  
Name: William Hyder  
Address: 11411 E Sweetwater Ave.  
Scottsdale, AZ 85259  
Phone: 602-571-5184  
Email: [williamhyder@msn.com](mailto:williamhyder@msn.com)

## BACKGROUND/DISCUSSION

### History

Date	Description
<i>June 5, 1984</i>	Town Council approved annexation of approx. 2,085 acres (Ord. No. 377) into the Town of Gilbert.
<i>February 1990</i>	Final Plat creating the Tremaine Industrial Park was recorded

### Overview

The subject site is located at the northwest corner of Ithica Street and Commerce Avenue within Tremaine Industrial Park. The proposed site location is roughly 3.05 acres. The site is currently used as a truck parking area, and the applicant is seeking to transition the site into an energy storage facility with associated equipment. The parcel is currently zoned General Industrial (GI) with a Planned Area Development (PAD) overlay. The property is surrounded by General Industrial (GI) zoning to the north and west, while the east and south property lines are adjacent to the General Industrial (GI) zoning district as well as the Public Facility/Institutional (PF/I) zoning district. The applicant wishes to place 100 outdoor rated, modular, un-occupiable battery containers, or packs, on site with associated equipment. The purpose for these battery packs is to store energy/power from the grid during periods of low demand and to deliver energy back to the grid during times of high demand. An 8' perimeter wall will be utilized along all property lines, as well as landscaping along Ithica Street and Commerce Avenue creating sufficient screening. Gated access to the site is provided on Ithica Street and Commerce Avenue.

Per section 3.1.2 of the Land Development Code, Utilities Facilities, Large Scale would be a permitted use within the General Industrial (GI) zoning district with Planning Commission approval of a Special Use Permit.



**Surrounding Land Use & Zoning Designations:**

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Industrial	General Industrial (GI)	Contractors Yard
South	Public Facility / Institutional and Industrial	Public Facility / Institutional (PF/I) and General Industrial (GI)	Roofing Supply / SRP Substation
East	Public Facility / Institutional and Industrial	Public Facility / Institutional (PF/I) and General Industrial (GI)	Contractors Yard/ SRP Substation
West	Industrial	General Industrial (GI)	C & B Piping
Site	Industrial	General Industrial (GI)	Energy Storage Facility

**Project Data Table**

Site Development Regulations	Required per LDC	Proposed
Minimum Building Setback (ft.)		
Front (Collector or Local, South)	30'	49'
Side (Employment, West)	0'	53'

Side (Street, East)	25'	25'
Rear (Employment, North)	0'	57'5"
Minimum Landscape area (ft.)		
Front (Collector or Local, South)	25'	25'
Side (Employment, West)	5'	0' – Gated
Side (Street, East)	25'	20'
Rear (Employment, North)	5'	0' – Gated

## DISCUSSION

The applicant is proposing to establish an energy recycling facility at the northwest corner of Ithica Street and Commerce Avenue, located within Tremaine Industrial Park. They are proposing to use the entirety of the approximately 3.05-acre site to develop and place roughly 100 outdoor rated, modular, un-occupiable battery containers, or packs, on site with associated improvements. The intent for this project is to provide new energy resources as well as assisting the Corbell SRP Substation (located to the east) in storing energy during low demand periods while also delivering the energy back during high demand periods. The battery packs are designed to be enclosed units which include battery cells and module tray, a smart inverter, AC main breaker, low voltage interface panel, thermal system and controller, and will be roughly 9' in height including the foundation. Staff has made the determination that this use would be considered Utilities Facilities, Large-Scale and Per Land Development Code (LDC) would require a Special Use Permit in the General Industrial (GI) zoning district. The Planning Commission is required to make four findings in order to approve a Special Use Permit. The findings are listed here, along with the reasons why staff considers that the findings are or are not met in this case. These findings are:

- 1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general.***

The storage has been described as being self-contained with no employees working within the vicinity. The project location is fully surrounded by other Industrial uses. While neighbors attended the neighborhood meeting, no concerns regarding health, safety, or general welfare were raised.

- 2. The proposed use conforms to the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.***

Staff has determined the proposed **energy storage facility** conforms to the 2020 General Plan's following goals and policies:

- *Opportunity Goal 5 Policy 73 – Support sustainable energy practices by promoting energy conservation and alternative energy use and production;*

**Superstition/Corbell Energy Storage** will provide capacity and energy services to the Salt River Project (SRP) electrical grid in southeast Phoenix, enhancing grid reliability and accelerating the integration of readily available, domestically produced renewable energy sources. The facility will store energy during low demand periods and then will be released back to the grid during peak demand periods.

3. *The proposed use conforms to the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.*

With a valid SUP, the proposed use complies with the Land Development Code standards for the General Industrial (GI) zoning district. The use shall adhere to any nuisance laws under the Municipal Codes such as, but not limited to, noise and odors.

4. *The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.*

Town staff has not identified any potential negative impacts of the proposed facility and has determined the processes and procedures of the energy recycling facility will appropriately mitigate any external impacts on the surrounding residents and businesses.

Pursuant to the above analysis, Staff is of the opinion that the project meets the four findings required for granting the Special Use Permit.

## **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

The applicant held a virtual neighborhood meeting, on August 17, 2022, to inform the residents of their process and to answer any questions they might have. The neighborhood meeting was attended by two residents and one reporter from the Gilbert Sun News. The applicant commenced the neighborhood meeting by providing an overview of the development team as well as an overview of the virtual neighborhood meeting format. The applicant proceeded to show a PowerPoint presentation explaining site history, proposed use, and the overall development timeline. The attendees did not have any questions or concerns for the development team.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **STAFF RECOMMENDATION**

Make the Findings of Fact and approve UP22-57, **Superstition/ Corbell Energy Storage**: A Special Use Permit for approx. 3.05 acres. located at 510 N. Ithica Street to allow for an energy recycling facility in the General Industrial (GI) zoning district with a Planned Area Development (PAD) overlay, subject to conditions:

- a. The Project shall be in substantial conformance with the site plan shown on the Exhibits provided under Attachment No. 5.
- b. Development of this site shall comply and conform with all standards set forth by the Fire Marshall.

Respectfully submitted,

*Sal DiSanto*

Sal DiSanto  
Planner I

**Attachments and Enclosures:**

- 1) Findings of Fact
- 2) Notice of Public Hearing/Vicinity Map
- 3) Aerial Photo
- 4) Applicant's Narrative
- 5) Site Plan

**FINDINGS OF FACT  
UP22-57- Corbell Energy Storage**

1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;
2. The proposed use conforms with the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council;
3. The proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements; and
4. The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.

# UP22-57 Corbell Energy Attachment 2: NOPH/ Vicinity Map

PLANNING COMMISSION DATE:

Wednesday, November 2, 2022\* TIME: 6:00 PM

LOCATION: Gilbert Police Department - Amphitheater  
75 E Civic Center Dr., Gilbert, AZ 85296

\*Call Planning Division to verify date and time: (480) 503-6759

The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports are available prior to the meeting at [www.gilbertaz.gov/departments/development-services/planning/planning-commission](http://www.gilbertaz.gov/departments/development-services/planning/planning-commission) and [www.gilbertdocs.com/gilbertagendaonline](http://www.gilbertdocs.com/gilbertagendaonline).

## REQUESTED ACTION:

**UP22-57 CORBELL ENERGY STORAGE:** Request to approve a Special Use Permit for approx. 3.11 acres located at 510 N Ithica Street to allow an energy storage facility in the General Industrial (GI) zoning district with a Planned Area Development (PAD) overlay, subject to conditions.

## SITE LOCATION:



APPLICANT: Withey Morris  
CONTACT: Alex Hayes, Adam Baugh  
ADDRESS: 2525 E Arizona Biltmore Cir Unit:A-212  
Phoenix, AZ 85016

TELEPHONE: 602-346-4636  
E-MAIL: [hayes@witheymorris.com](mailto:hayes@witheymorris.com),  
[adam@witheymorris.com](mailto:adam@witheymorris.com)

# Aerial Map

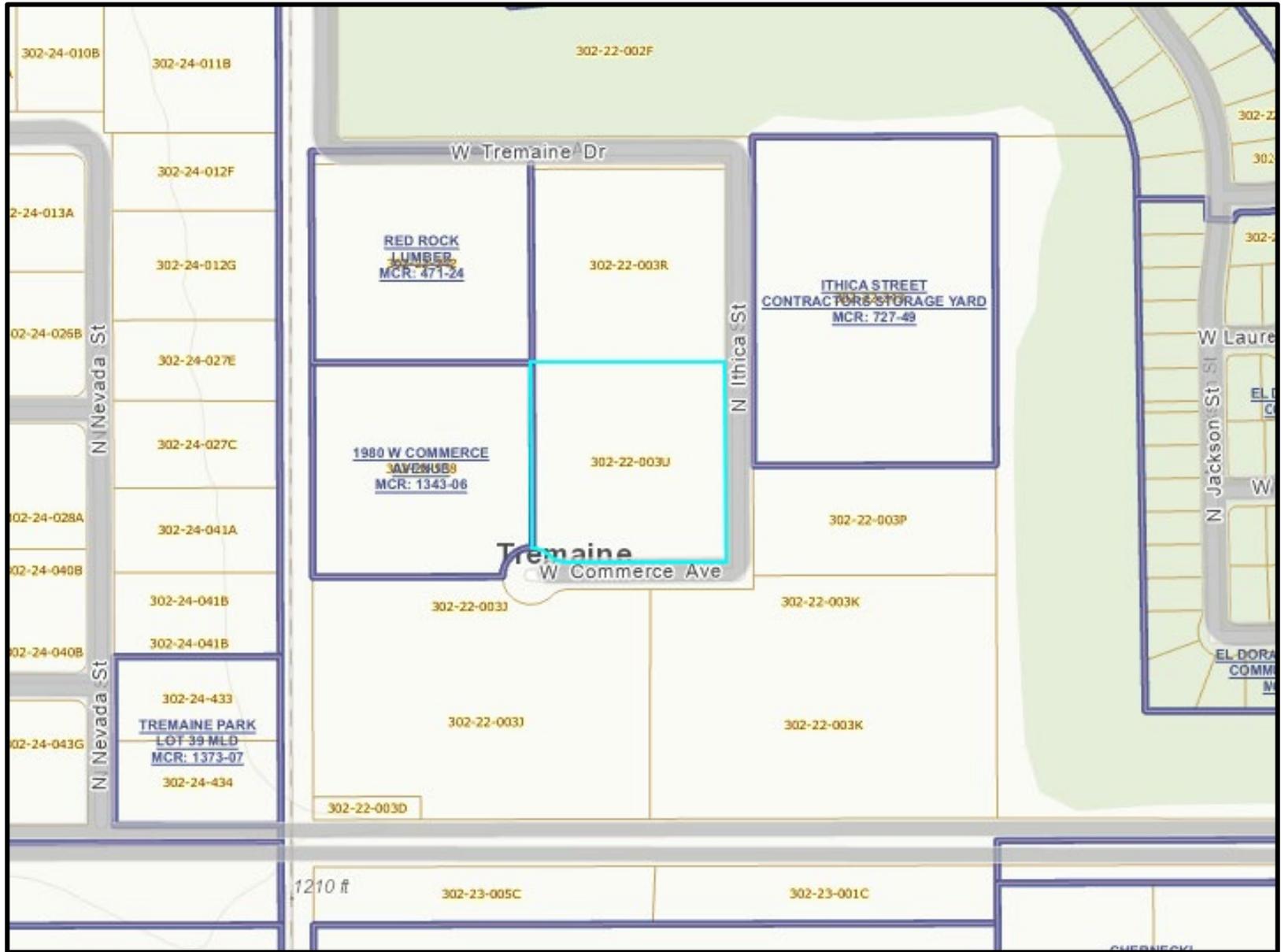
UP22-57 Corbell Energy  
Attachment 3: Aerial Map



510 N Ithica St, Gilbert



# Parcel Map



510 N Ithica St, Gilbert





# Superstition Energy Storage Project

510 N Ithica Street

## Development Team

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### Developer:



**Plus Power, LLC**  
1780 Hughes Landing Blvd, Suite 675  
The Woodlands, TX 77380  
Contact: Lucy Marton  
[lmarton@pluspower.com](mailto:lmarton@pluspower.com)  
(314) 607-1493

### Attorney:



**Withey Morris, PLC**  
2525 E. Arizona Biltmore Circle, Suite A-212  
Phoenix, AZ 85016  
Contacts: Adam Baugh  
[adam@witheymorris.com](mailto:adam@witheymorris.com)  
(602) 230-0600

### Planning/Landscape Architect



**Rvi Planning + Architecture**  
120 South Ash Avenue  
Tempe, AZ 85281  
Contact: Michael Dew  
[mdew@rviplanning.com](mailto:mdew@rviplanning.com)  
(480) 994-0994

### Civil/Traffic Engineer



**Atwell Group**  
4700 E Southern Avenue  
Mesa, AZ 85208  
Contact: Ramzi Georges  
[rgeorges@atwell-group.com](mailto:rgeorges@atwell-group.com)  
(480) 218-8831

## **Project Location and Site Condition**

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The subject property is approximately 3.05 acres of vacant land located at 510 N Ithica Street, otherwise known as Maricopa County Assessor Parcel Number 302-22-003U (the “Property”) as shown on the Aerial Map at **Tab 1**. The site is currently utilized as gravel truck parking. It has no landscaping and is surrounded by a block wall on the west and north perimeters and chain-link fence on the east and south perimeters. The Property is surrounded by industrial storage uses zoned General Industrial (GI) and the Salt River Project (SRP) Corbell Substation zoned Public Facility/Institutional (PF/I).

## **Request**

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This application requests a Special Use Permit (SUP) to accommodate a Large-Scale Utility Facility.

## **General Plan and Zoning**

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The General Plan land use designation for the Property is Industrial (I) as shown on the General Plan Map at **Tab 2**. The Industrial classification designates areas for a variety of industrial activities, ranging from light industrial uses, such as assembly, light manufacturing, warehousing, offices, contractors’ yards, laboratories, and research and development firms to general industrial uses such as heavy utility, truck terminals, and manufacturing facilities.

The Property is zoned General Industrial (GI) as indicated on the Zoning Map at **Tab 3**. The GI district permits more intense employment uses, including utilities. Large-Scale Utility Facilities are allowed in the GI district with an SUP. Pursuant to the Gilbert Land Development Code, utility facilities are considered “Large-Scale” if they occupy two (2) acres or more.

## **Development Proposal**

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The Superstition Energy Storage Project will provide new capacity and energy resources for SRP, enhancing grid reliability and enabling future load growth in Gilbert and surrounding communities. The Project will draw energy from the grid during periods of low demand (i.e. middle of the night) and deliver energy back to the grid during times of high demand (i.e. summer afternoons). It is anticipated to provide 90 MW/360MWh of energy capacity and will interconnect to SRP’s Corbell substation located directly south of the Property across Commerce Avenue. The proposed energy storage facility incorporates the latest battery technology and design practices, which has moved away from battery storage being placed within an enclosed building. Instead, the facility will utilize outdoor-rated, modular, un-occupiable, battery containers or “packs”. The overall site design is efficient, considers security measures, and responds to existing and proposed adjacent uses. The gated facility incorporates masonry block walls around the entire facility and landscape buffers on the eastern and southern property edges. The site is designed with gated access on the east and southwest corner of the site and efficient on-site circulation, providing easy and sufficient access to all system components.

The facility will include battery packs positioned in organized rows to maximize the space available at the site and a fenced high-voltage switchyard which will include the system components that facilitate the step-up in voltage and delivery of power from the site to the Corbell Substation. The battery packs are enclosed units which include battery cells and module tray, a smart inverter, AC main breaker, low voltage interface panel, thermal system and controller, and measure up to nine feet (9') in height, including foundation. The current proposed site plan (see Exhibit 6) includes a maximum of 100 battery packs; however, the exact number of battery packs located on site will need to accommodate the ultimate system size optimized for use with the partnering utility SRP and the latest technology specifications at the time of installation. Associated with each grouping, or "string", of (4) battery packs is a medium voltage (MV) transformer, measuring up to nine feet (9') in height. The MV transformers are connected to a generation step-up (GSU) transformer located in the switchyard in the southeast corner of the site. A line will be raised up out of the GSU to a single "dead-end" transmission tower in the switch yard in the southeastern portion of the site which will support the northern end of a 440ft long 230kV overhead transmission line in the Public Utility Easement (PUE) to transfer the power west to the Corbell Substation.

In addition to the system components (battery packs, transformers, and the project substation dead end tower), there will be a MV switchgear and controls enclosure that will hold associated power electronics equipment and control system elements. The switchgear and control enclosure will be no more than ten feet (10') in height. The enclosure will not contain any water or sewer plumbing, and will be designed for temporary, short-term use during specific maintenance tasks. The enclosure will not be visible above the masonry block wall surrounding the perimeter.

Remaining site improvements associated with the facility include grading, utility distribution and communication lines, drive aisles and entrance access gates from adjacent public streets (West Commerce and North Ithica), walls and fencing, landscaping, and security cameras and lighting.

Roads are provided throughout the project site for construction, operations, maintenance, and emergency response access. A 25' landscape buffer (including 17' behind the PUE and the 8' PUE itself) is provided on the east and south perimeters where the property fronts the right-of-way. A detention pond is proposed for the site, centered at the northwest corner and extending to the middle of the north property line where the existing low outfall is. All equipment is proposed to be set back from the fencing as required for equipment access and safety.

## **Special Use Permit Criteria**

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- 1. The proposed use will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to abutting property, to the neighborhood, or to the public in general.**

The Superstition Energy Storage Project will be developed in conformance with the General Industrial zoning district site development regulations, ensuring proper screening and buffering. The proposed use will not create any risks to the health, safety, or welfare of

residents or employees in the surrounding area, nor to the general public. To the contrary, the proposed use will add capacity to the SRP power system, creating a more reliable grid to the benefit of the residents of Gilbert and the surrounding communities.

**2. The proposed use conforms with the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.**

The General Plan classification for the Property is Industrial, which designates areas for general industrial uses, including utilities. The proposed use is consistent with this designation. Additionally, with the opportunity for interconnection with an existing utility facility (SRP's Corbell substation), the proposed use creates a highly efficient solution for additional energy capacity and grid reliability. This helps further the Town of Gilbert's goal of providing safe and dependable services to its residents.

The Property is not located within any Growth or Character Areas.

**3. The Proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, state, or Federal requirements.**

The Project will be developed in conformance with the General Industrial zoning district site development regulations and will conform with all applicable local, state, or Federal requirements for energy storage facilities. It will also comply with the industrial design guidelines as outlined by the Town of Gilbert.

**4. The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.**

The Property is surrounded by industrial and utility uses and the proposed use is consistent and compatible with these more intensive uses. The proposed use will not interfere with the use and enjoyment of these properties. Moreover, it is sufficiently buffered from any residential or other dissimilar uses, which substantially mitigates the potential for any impacts of the proposed use.

## **Conclusion**

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The Property is surrounded by industrial and utility uses and is an ideal location for the proposed use. The Property will be developed in conformance with the General Industrial zoning district site development regulations. Once completed, the Superstition Energy Storage Project will enhance SRP's ability to provide reliable electrical service to the residents of the Town of Gilbert and the surrounding communities.

**TAB 1**

# Aerial Map

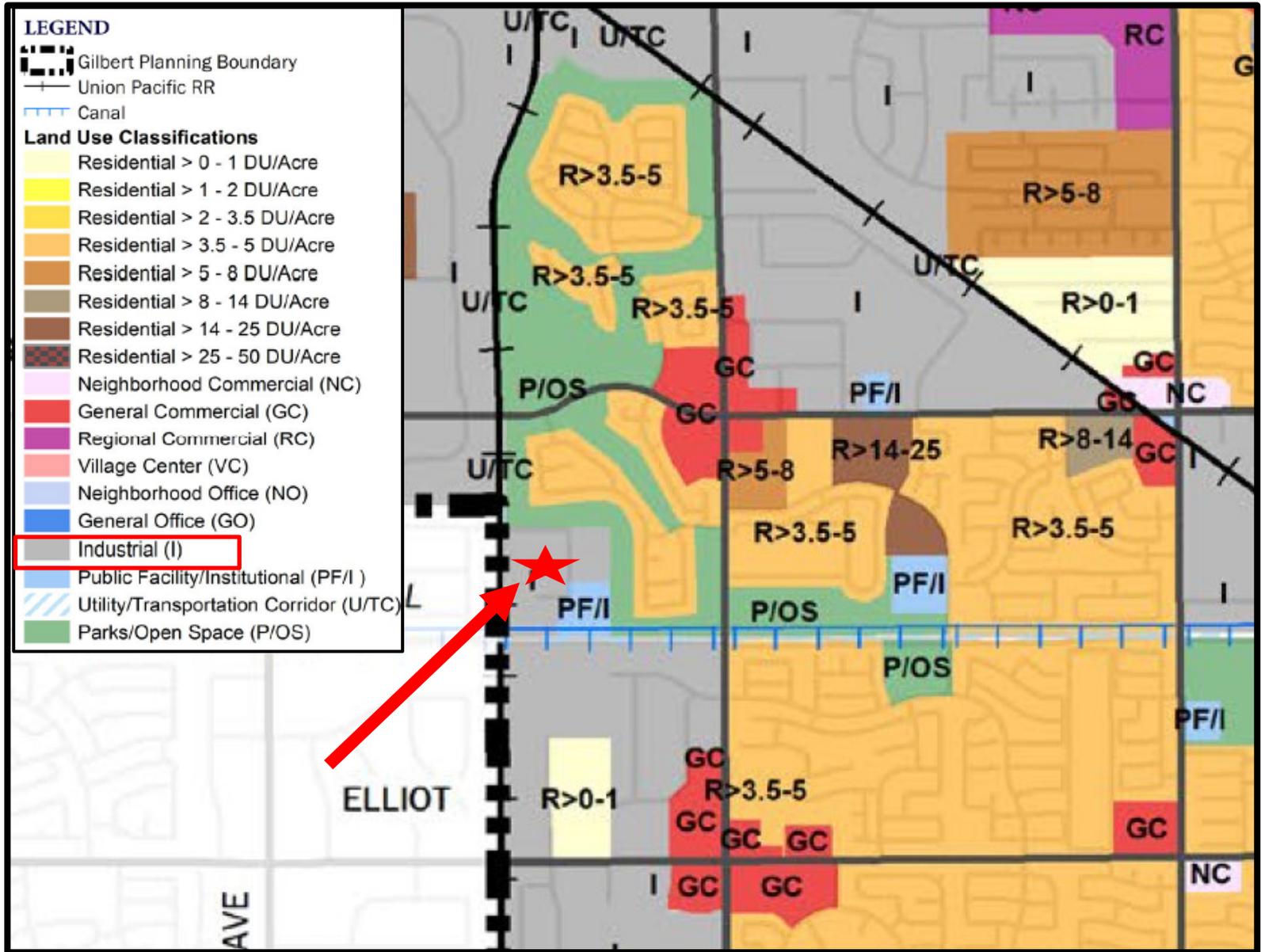


510 N Ithica St, Gilbert



**TAB 2**

# General Plan Map

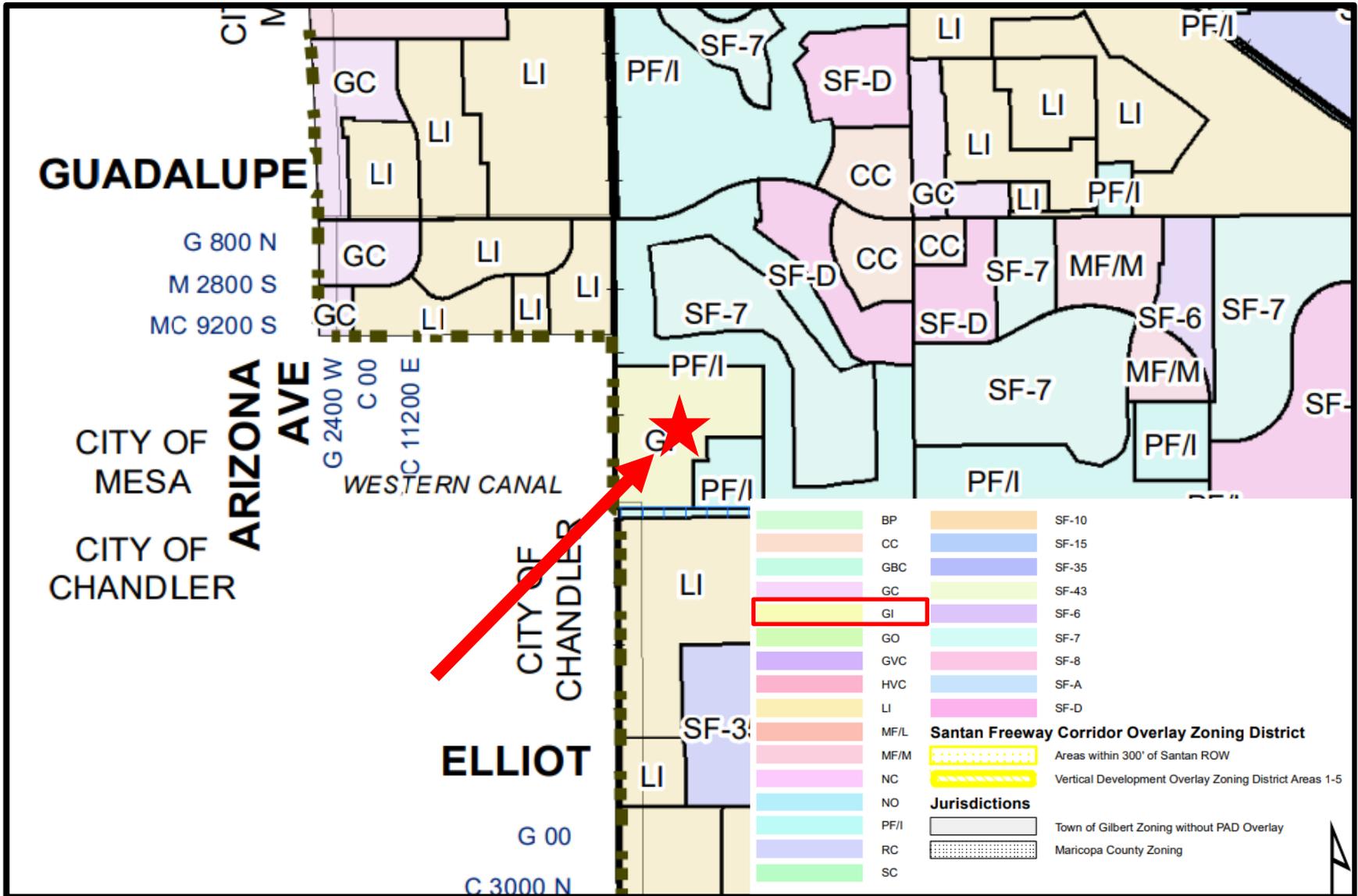


510 N Ithica St, Gilbert



**TAB 3**

# Zoning Map



510 N Ithica St, Gilbert



