City Council Regular Meeting

Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338
Monday, July 19, 2021
6:00 PM

Mayor
Georgia Lord

Vice Mayor
Brannon Hampton

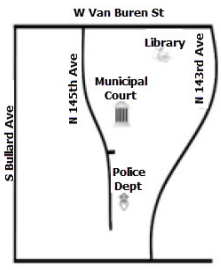
Councilmember
Joe Pizzillo

Councilmember
Sheri Lauritano

Councilmember
Wally Campbell

Councilmember
Bill Stipp

Councilmember
Laura Kaino



CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR
Please complete a speaker card and submit it to the City Clerk prior to the meeting being convened, if possible. Each speaker is limited to three (3) minutes. Once the City Clerk has called your name, step up to the lectern and begin by clearly stating your name for the record and whether you are a Goodyear resident.

NON-AGENDA ITEMS
Members of the public may address the City Council regarding any non-agenda item within the jurisdiction of the City Council. The City Council will listen to comments and may take any of the following actions:

- Respond to criticism.
- Request that staff investigate and report on the matter.
- Request that the matter be scheduled on a future agenda.

AGENDA ITEMS
Members of the public may address the City Council regarding any item on the Consent, Public Hearing and/or Business portions of the agenda. Each speaker's name will be called in turn once the item has been reached and after City staff have completed their presentation.

PROCEDURES
Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Goodyear City Council and to the general public that the Council of the city of Goodyear will hold a meeting open to the public. Public body members of the city of Goodyear will attend either in person or by telephone conference call and/or video communication. The Goodyear City Council may vote to go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(3), which will not be open to the public, to discuss certain matters. Meetings are conducted in accordance with the City Council Meetings Council Rules of Procedure adopted by Resolution No.2018-1879

City Clerk's Office: 190 N. Litchfield Rd, Goodyear, AZ 85338 (623) 882-7830
www.goodyearaz.gov/cityclerk
City Council Meeting Live Broadcast: https://www.facebook.com/goodyearazgov/videos

Monday, July 19, 2021	6:00 p.m.	Meeting Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER STIPP

ROLL CALL

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

1. **APPROVAL OF MINUTES**

   Recommendation

   Approve the draft minutes from the Regular Meeting held on June 21, 2021 and July 12, 2021 and the Special Meeting held on July 1, 2021 and July 12, 2021. (Darcie McCracken, City Clerk)

2. **APPROVE EXPENDITURE UP TO $1,030,000 FOR THE REPLACEMENT OF A MOBILE COMMAND POST VEHICLE FOR USE BY POLICE AND FIRE DEPARTMENTS AND RELATED BUDGET TRANSFERS**

   Recommendation

   Approve expenditure of FY2022 funds in the amount of $1,030,000 for the purchase of a mobile command post vehicle for shared use by the Goodyear Police and Fire departments and related budget transfers. (Kevin Devery, Fleet Superintendent)

3. **APPROVE FY2022 BUDGET TRANSFERS RELATED TO THE EXPENDITURE OF THE AMERICAN RESCUE PLAN ACT FUNDS AND THE CITY OF GOODYEAR COVID RESPONSE**

   Recommendation

   Approve all necessary FY2022 budget transfers related to the expenditure of the American Rescue Plan Act (ARPA) funds and the city of Goodyear COVID response. (Jared Askelson, Deputy Finance Director)

4. **FINAL PLAT FOR PV303 WEST II - PHASE 2**

   Recommendation

   Approve the Final Plat of PV303 West II – Phase 2 (the “Final Plat”) subdividing 106.77 acres into 5 lots generally located at the intersection of South Cotton Lane and West Thomas Road, subject to stipulations. (Christopher Baker, Development Services Director)

5. **RE-PLAT OF LOT 3 AT HUDSON COMMONS**

   Recommendation

Approve the Re-Plat of Lot 3, Hudson Commons (the “Final Plat”) subdividing approximately 2.07 acres into two parcels subject to stipulations. (Christopher Baker, Development Services Director)

6. **ACCEPTANCE OF A PUBLIC UTILITY AND EASEMENT FOR THE CABANA ON BULLARD DEVELOPMENT**

Recommendation

Accept the Public Utility and Sidewalk Easement from Bullard & Van Buren, LLC, a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

7. **PRELIMINARY PLAT FOR QUIKTRIP STORE #1417**

Recommendation

Approve the request for a Preliminary Plat for QuikTrip Store #1417. (Jason Barr, Assistant Planner)

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

A. Open the Public Hearing
B. Staff Presentation
C. Applicant Presentation (if applicable)
D. Receive Public Comment
E. Close the Public Hearing

8. **USE PERMIT FOR A CONVENIENCE USE (CONVENIENCE STORE WITH GAS STATION)**

Recommendation

Approve a request for a Use Permit for a convenience use (convenience store with gas sales) to be constructed on an approximately 2.5-acre parcel as described in the preliminary site plan signed February 24, 2021 submitted with the Use Permit application, which is located in the C-2 (General Commercial) zoning district at the southwest corner of McDowell Road and Bullard Avenue, subject to stipulations. (Jason Barr, Assistant Planner)

9. **REZONE FOR ESTRELLA COMMONS DISTRICT**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2170, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 21-02 CITY OF GOODYEAR, AZ – REZONE CASE”; “ESTRELLA COMMONS DISTRICT COMMERCIAL – LEGAL DESCRIPTION”; “ESTRELLA COMMONS DISTRICT MULTIFAMILY – LEGAL DESCRIPTION; AND “ESTRELLA COMMONS DISTRICT PAD OVERLAY.”

2. ADOPT ORDINANCE NO. 2021-1509, CONDITIONALLY REZONING APPROXIMATELY 27 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO MULTIFAMILY (MF-24) AND GENERAL COMMERCIAL (C-2) WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN

EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. (Alex Lestinsky, Senior Planner)

10. **PLANNED AREA DEVELOPMENT AMENDMENT TO AMEND THE RESTATED AND AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2173 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-01A”; “LEGAL DESCRIPTION”; AND RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH DATED JULY 2021”.

2. ADOPT ORDINANCE NO. 2021-1513 CONDITIONALLY REZONING APPROXIMATELY 268.5 GROSS ACRES LOCATED ON THE EAST SIDE OF ESTRELLA PARKWAY, BETWEEN BULLARD AVENUE AND JUST NORTH OF W. GOODYEAR BOULEVARD TO ADD APPROXIMATELY 14 ACRES TO THE EXISTING 254.5-ACRE RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH; TO REZONE THE APPROXIMATELY 14 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; TO CLARIFY AND CONSOLIDATE THE EXISTING PAD RESIDENTIAL PERMITTED USES TABLE; TO UPDATE THE EXISTING PAD LAND USE SUMMARY; AND TO REVISE THE EXISTING PAD BUILDING TYPES TO MORE APPROPRIATELY IDENTIFY THEM AS LAND USE TYPES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Karen Craver, Principal Planner)

11. **REZONE APPROXIMATELY 240.32 ACRES LOCATED AT THE NORTHWEST CORNER OF 181st AVENUE AND YUMA ROAD FROM R1-4, R1-6 AND R1-7 TO R1-4 (SINGLE-FAMILY DETACHED) ZONING DISTRICT, WITH R1-4 REDUCED DEVELOPMENT STANDARDS WITH A PAD OVERLAY.**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2165, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR – LA PRIVADA.

2. ADOPT ORDINANCE NO. 2021-1505, CONDITIONALLY REZONING APPROXIMATELY 240.32 ACRES GENERALLY LOCATED NORTHWEST OF 181st AVENUE AND YUMA ROAD; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Christian Williams, Planner)

12. **USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)**

Recommendation

Approve a request for a use permit for a convenience use (restaurant with drive-through) on a 1.9-acre parcel within the Pebble Creek Marketplace Planned Area Development, subject to stipulations. (Steve Careccia, Principal Planner)

13. **USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)**

Recommendation

Approve a request for a use permit for a convenience use (restaurant with drive-through) on a 1.1-acre parcel within the Centerra Crossing Planned Area Development, subject to stipulations. (Steve Careccia, Principal Planner)

14. **AMENDMENT TO LOT 19 OF THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2171 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED: “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-11”.

2. ADOPT ORDINANCE NO. 2021-1510 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY AMENDING THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT DATED DECEMBER 2006 TO ALLOW AN INDOOR GUN RANGE AS A PERMITTED USE ON LOT 19; AMENDING THE ZONING MAP; AND PROVIDING FOR NON-ABRIDGEMENT, CORRECTIONS, SEVERABILITY, PENALTIES AND AN EFFECTIVE DATE. (Steve Careccia, Principal Planner)

BUSINESS

15. **COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR CIVIC SQUARE**

Recommendation

Approve the comprehensive sign package for the Goodyear Civic Square, subject to stipulations. (Steve Careccia, Principal Planner)

16. **SCOPE AND FEE PROPOSAL FOR WEST GOODYEAR FIRE AND POLICE SUBSTATION**

Recommendation

Approve the expenditure of up to $1,480,000 for Project #30007 Fire Station 188, including planning for a future police substation serving West Goodyear, and authorize a necessary budget transfer. (Tim Wayne, Deputy Fire Chief; David Farrow, Deputy Chief of Police; Mario Saldamando, Project Management Coordinator)

17. **APPROVAL OF NEW TEN-YEAR LEASE TO FRANKLIN PIERCE UNIVERSITY AND TERMINATION OF THE EXISTING LEASE**

Recommendation

ADOPT RESOLUTION NO. 2021-2174 AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A TEN-YEAR LEASE AGREEMENT AND ASSOCIATED DOCUMENTS FOR THE LEASE OF A PORTION OF BUILDING A OF THE GOODYEAR MUNICIPAL COMPLEX TO FRANKLIN PIERCE UNIVERSITY; AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL TERMINATION OF THE EXISTING LEASE AGREEMENT; AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE REQUIRED BUDGET TRANSFERS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Linda Beals, Real Estate Coordinator)

INFORMATION ITEMS

Comments, commendations, report on current events and presentations by Mayor, Councilmembers, staff or members of the public. The Council may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R.S. § 38-431.02.

1. Reports from the Mayor and City Council
    a. This may include current events and activities as well as requests for information or future agenda items.
2. Report from the City Manager
    a. This may include updates from events, staff summary, update of legislative issues, clarification on items being requested by City Council and Manager's update on Council Related Matters.

FUTURE MEETINGS

Monday, August 23, 2021	Work Session	5:00 p.m.
Monday, August 23, 2021	Regular Meeting	6:00 p.m.

ADJOURNMENT

THE CITY OF GOODYEAR ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (623) 882-7830 or Arizona Relay (TDD) 7-1-1 to request an accommodation to participate in this public meeting.

LA CIUDAD DE GOODYEAR PROCURA HACER TODA JUNTA PUBLICA ACCESIBLE A PERSONAS CON DISCAPACIDADES. Con un aviso de 48 horas por adelantado se puede proveer asistencia especial a personas con discapacidades visuales o auditivas durante la junta. Se harán adaptaciones razonables con previa solicitud para personas con discapacidades o para residentes que no hablan inglés. Favor de llamar a la Secretaria Municipal al (623) 882-7830 o Retransmisión de Arizona (TDD) 7-1-1 para solicitar adaptaciones para participar en la junta pública.

POSTING VERIFICATION
This agenda was posted on 7/14/2021 at 5:15 p.m. by PP.

AGENDA ITEM #: 1.
DATE: 07/19/2021
AI #:379

APPROVAL OF MINUTES

SUBJECT
APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the Regular Meeting held on June 21, 2021 and July 12, 2021 and the Special Meeting held on July 1, 2021 and July 12, 2021. (Darcie McCracken, City Clerk)

Attachments

June 21, 2021 Draft Regular Meeting Minutes
July 1, 2021 Draft Special Meeting Minutes
July 12, 2021 Draft Special Meeting Minutes
July 12, 2021 Draft Regular Meeting Minutes

City Council Regular Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338

Monday, June 21, 2021	6:00 p.m.	Meeting Minutes

CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR LORD

ROLL CALL

Present:	**Mayor Georgia Lord**; **Vice Mayor Brannon Hampton**; **Councilmember Joe Pizzillo**; **Councilmember Sheri Lauritano**; **Councilmember Wally Campbell**; **Councilmember Bill Stipp**; **Councilmember Laura Kaino**
Staff Present:	City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

COMMUNICATIONS

1. **RECOGNIZE THE WINNERS OF THE 2021 GOODYEAR TEACHERS ROCK - KIDS' CHOICE AWARD**

Digital Communications Director Tammy Vo discussed the selection of the 2021 Goodyear Teachers Rock - Kids' Choice Award and provided a video presentation of each of the winners. The winners were: Mrs. Chandra Armstrong, Palm Valley Elementary School, Mr. Ramon Carranza, St. John Vianney Catholic School, Mr. David Matsuura, Copper Trails Elementary School, and Ms. Rebekah Shoup, BASIS Goodyear.

Mayor Lord congratulated the winning teachers for their dedication to students and presented each one with a plaque.

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Joe Pizzillo to APPROVE Consent Agenda Items 2 through 6. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

2. **APPROVAL OF MINUTES**

Recommendation
Approve draft minutes from the Regular and Special Meetings held on June 7, 2021. (Darcie McCracken, City Clerk)

3. **RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR CRACKER BARREL #277**

Recommendation
Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 148460 a request by Andrea Dahlman Lewkowitz, agent/applicant for Cracker Barrel Old Country Store, Inc., for a new Series 12 liquor license for Cracker Barrel #277, located at 1209 N Litchfield Rd., Goodyear, Arizona 85395 (Generally located on the east side of Litchfield Rd., approximately one-fifth of a mile south of McDowell Rd). (Darcie McCracken, City Clerk)

4. **CITY COUNCIL SUBCOMMITTEE APPOINTMENTS**

Recommendation
Recognize the City Council subcommittee appointments for FY2022. (Rosalva Zimmerman, Assistant to the Mayor)

5. **ACCEPTANCE OF EASEMENTS FOR THE LAKIN PARK DEVELOPMENT**

Recommendation
Accept a Wastewater Line, Water Line and Access Facilities Easement and a Wastewater Line and Access Facilities Easement from W/C Lakin 1B VIII, LLC, a Delaware limited liability company; and a Wastewater Line and Access Facilities Easement from W/C Lakin Owner VIII, L.L.C., a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

6. **PRELIMINARY PLAT FOR AIRPARK LOGISTICS CENTER**

Recommendation
Approve the Preliminary Plat for Airpark Logistics Center, subdividing approximately 170.25 acres on the east side of Bullard Avenue and the Bullard Wash, extending from Yuma Road on the north to south of Lower Buckeye Parkway on the south (the “Property”), subject to stipulations. (Katie Wilken, Planning Manager)

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

A. Open the Public Hearing
B. Staff Presentation
C. Applicant Presentation (if applicable)
D. Receive Public Comment
E. Close the Public Hearing

7. VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY

The Public Hearing was opened on May 24, 2021.

Principal Planner Karen Craver presented the View 10 Business Center Rezoning and Planned Area Development (PAD) Overlay. Ms. Craver stated the property was located on the southeast corner of McDowell Road and Sarival Avenue. The property consisted of 48 acres within the Palm Valley Phase VIII. She noted that the property was currently zoned as PAD/ Mixed Use Commercial which translated into the City's C-2 General Commercial Zoning District.

Ms. Craver discussed View 10 Business Center's proposal for the property noting that 30 acres would consist of C-2 General Commercial and 18 acres would consist of Multifamily 24 (MF-24). She added that the PAD Overlay in the C-2 Parcel allowed for retail/warehouse use. The PAD Overlay within the MF-24 parcel allowed for 4-story buildings beyond 200 feet of the north property line.

Ms. Craver briefly reviewed the architectural character images for the property. She added that staff and the Planning and Zoning Commission recommended approval of the proposal.

Applicant Jeff Blilie with Beus, Gilbert, McGroder PLLC, added that they conducted a couple of neighborhood outreaches to make sure there were no concerns. He stated that he only received one phone call in support of the project.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:20 p.m.

Council asked if the retail/warehouse was combined or separate. Mr. Blilie explained that the use they were looking for was that of Living Spaces, furniture store/warehouse.

Council thanked Mr. Blilie for not placing the apartments adjacent to the freeway and added that the architecture was very attractive.

Council inquired about the operating hours of 7:00 a.m. – 7:00 p.m. for the retail adding that 7:00 p.m. was too early to close. Mr. Blilie agreed and stated they were open to modifying the stipulation.

City Attorney Roric Massey reviewed Exhibit E of the ordinance, which contained the restriction on warehouse hours, and suggested adding to the stipulation "customer pickup shall be allowed until 9:00 p.m."

MOTION BY Councilmember Laura Kaino, **SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2021-2153 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 22-05A"; "VIEW 10 LEGAL DESCRIPTION"; "C-2 PARCEL LEGAL DESCRIPTION; "MF-24 PARCEL LEGAL DESCRIPTION"; "VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY DATED MAY, 2021"; AND "ARCHITECTURAL CHARACTER IMAGES". The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2021-1503 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 48.12 GROSS ACRES LOCATED AT THE SOUTHEAST CORNER OF SARIVAL AVENUE AND MCDOWELL ROAD FROM PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL TO C-2 GENERAL COMMERCIAL (30.51 ACRES) AND MF-24 MULTI-FAMILY RESIDENTIAL (17.61 ACRES) WITH A PLANNED AREA DEVELOPMENT OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES AND AMENDING EXHIBIT E, SUBSECTION 2, SUBSECTION F, THE WAREHOUSE HOURS OF OPERATION ARE LIMITED TO TIMES BETWEEN 7:00 AM. – 7:00 P.M., CUSTOMER PICK-UP SHALL BE ALLOWED IN THE WAREHOUSE UNTIL 9:00 P.M. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

8. **WILHELM AUTOMOTIVE WIRELESS COMMUNICATION FACILITY (WCF) ON PROPERTY ZONED PAD (PLANNED AREA DEVELOPMENT)**

Mayor Lord opened the Public Hearing at 6:36 p.m.

Planner Christian Williams presented a special use permit request on approximately 1.5 acres located west of the southwest corner of Old Litchfield Road and Indian School Road. He noted that the property was currently zoned Planned Area Development (PAD) under Palm Valley PAD with a zoning of mixed-use commercial (C-2 General Commercial Zoning).

Mr. Williams provided the details of the surrounding neighborhoods and properties near the subject property. He stated that the applicant proposed to develop an underutilized portion of the rear yard of the Wilhelm Automotive into a wireless communication facility.

Declan Murphy with Towercom T-Mobile thanked Mr. Williams for his time and effort and

was available for questions.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:40 p.m.

Council inquired about who would be building the tower. Mr. Murphy replied that Towercom would build and design the site so that it could accommodate up to three wireless carriers.

MOTION BY Councilmember Joe Pizzillo, **SECONDED BY Vice Mayor Brannon Hampton to APPROVE the request for a Special Use Permit for a Wireless Communication Facility (WCF) on an approximately 1.5-acre property zoned Planned Area Development (PAD) located west of the southwest corner of Old Litchfield and Indian School Roads, subject to stipulations. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

9. **PUBLIC HEARING ON NON-UTILITY USER FEES**

Mayor Lord opened the Public Hearing at 6:44 p.m.

Finance Director Doug Sandstrom briefly reviewed the proposed user fees. Mr. Sandstrom reminded the Council that the last full external cost of service study was conducted in 2009. He reviewed the primary goals of the study and the overview of fees by department.

Mr. Sandstrom spoke about the various project examples along with a cost comparison to other valley cities. He discussed the implementation steps following the public hearing noting that the fees would be brought back for council consideration on July 12, 2021.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:51 p.m.

BUSINESS

10. **SET THE PRIMARY AND SECONDARY PROPERTY TAX LEVIES FOR FY2022**

Finance Director Doug Sandstrom presented the final step of the Fiscal Year (FY) 2022 budget process which was the adoption of property tax levies.

Mr. Sandstrom relayed that the property tax levy being proposed was $11,706,200 for the primary property tax and $8,604,300 for the secondary property tax. He stated that the combined estimated property tax rate would be $1.735 per $100 of assessed valuation.

MOTION BY Councilmember Joe Pizzillo, **SECONDED BY Vice Mayor Brannon Hampton to ADOPT ORDINANCE NO. 2021-1506 LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF GOODYEAR, SUBJECT TO PRIMARY AND SECONDARY TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNTS ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET FOR THE PURPOSE OF PAYING FOR VARIOUS EXPENSES; TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUES; PROVIDING FUNDS FOR VARIOUS BOND PREEMPTIONS, FOR THE PURPOSE OF PAYING PRINCIPAL AND INTEREST UPON BONDED INDEBTEDNESS; ALL FOR FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2022. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**

NAY: **Councilmember Bill Stipp**

Passed

11. **APPROVE THE EXPENDITURE UP TO $1,300,000 FOR LEASE OF THE SITE 21 REVERSE OSMOSIS TREATMENT UNITS AND RELATED BUDGET TRANSFER**

Deputy Public Works Director Barbara Chappell presented information about Site 21 Water Production Facility located on the west side of Sarival Avenue just south of Interstate 10 (I-10).

Ms. Chappell discussed the water treatment that was conducted at the site and stated that the City noticed a spike in nitrate in the groundwater. She added that research was being conducted to determine the sudden spike. In the meantime, in order to treat the water wells, staff selected Suez WTS Services USA, Inc. to provide mobile reverse osmosis systems as a temporary solution until a permanent solution could be found.

Council inquired about the purchase cost of each unit. Ms. Chappell replied that they did not look at purchasing a unit as the units were not available for sale, since they were mobile units. If the City wanted to install permanent reverse osmosis units at the facility, the cost would be about $5-$6 million.

Council asked if there was a spike in nitrate in other water wells. Ms. Chappell responded that in the west valley there were other wells that had been experiencing increased levels of nitrate. She added that the City's Site 18 was having additional treatment measures installed that was not previously needed.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Sheri Lauritano to APPROVE the expenditure of FY2022 funds in the amount of $1,300,000 to lease and provide operational support of two (2) reverse osmosis mobile trailers at the Site 21 facility and related budget transfer. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

12. **EXPENDITURE APPROVAL FOR SRP WATER WHEELING FEES FOR CAP DELIVERIES**

Water Resources & Sustainability Manager Gretchin Erwin presented a request to approve an expenditure in excess of $500,000 for both Fiscal Year (FY) 2021-2022 to pay for the wheeling or transportation costs in the Salt River Project (SRP) Canals for the delivery of the Central Arizona Project (CAP) water.

Ms. Erwin provided a brief history of the City's agreement with SRP to transport the City's CAP water. She stated that the agreements directly put to use the CAP water, added resilience to the City's water system and lessened the reliance on groundwater.

MOTION BY Councilmember Laura Kaino, **SECONDED BY Councilmember Wally Campbell to APPROVE the expenditure of $556,000 for FY2021 and $700,000 for FY2022 to pay wheeling fees to Salt River Valley Water Users' Association and the Salt River Project (SRP) Agricultural Improvement and Power District for the delivery of CAP water. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

13. **BULLARD WASH IRRIGATION TAILWATER STUDY PROFESSIONAL SERVICES CONTRACT**

Utilities Engineer Chris Hamilton presented information on the Bullard Wash Tailwater and Drainage Study. Mr. Hamilton discussed the background of the Bullard Wash stating that the wash had historically provided conveyance of storm water and agricultural tail water in the region.

Mr. Hamilton relayed that over the last several months tailwater flows had been unusually high and had overwhelmed the capacity of the 24-inch pipe causing surface flows into the wash. He added that the City and Pebblecreek Homeowners Association (HOA) met to develop a holistic solution that would improve surface flows along the wash when the pipes were overwhelmed.

Mr. Hamilton reviewed the scope of the project and stated that the coordination between the City and the Pebblecreek HOA was essential since surface flow improvements upstream of Pebblecreek would impact the privately-owned sections of the Bullard Wash. He stated the City was expecting to implement a solution over the next 12 months.

Council asked for an explanation of the cost for the study and how it was split. Mr. Hamilton replied that the cost of the study would be $76,630 and the cost split would be 72.5 percent for the City and 27.5 percent for the HOA.

Council expressed that they were anxious to find a resolution to this issue.

Council inquired if anyone was working on trying to have the farmers recapture their excess water. Ms. Chappell replied that they met with the Arizona Department of Water Resources to discuss and address the issues the City was facing and hoped some

conservation measures would be adopted.

MOTION BY Councilmember Wally Campbell, **SECONDED BY Councilmember Sheri Lauritano to APPROVE an agreement with the PebbleCreek Golf Resort Homeowners Association No. 1, Inc. (HOA) to enter into a professional services contract with JE Fuller for completion of a study for improvements to the Bullard Wash from Camelback Road to I-10. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

INFORMATION ITEMS

Councilmember Stipp stated that he was nominated and appointed as the Treasurer of the Valley Metro Board of Directors and also was serving on the Audit and Finance Subcommittee as Chair.

Councilmember Pizzillo requested a presentation, after the Council break, on how the new fire stations were working within the community and impacting service levels.

Council asked for a discussion about the special use permitting, the need for a PAD and straight zoning and where the City stood with zoning requirements.

Council requested information about an intersection study for southbound Bullard Avenue and Van Buren Street.

City Manager Julie Karins relayed that the Goodyear Recreation Campus public grand opening would be held on Saturday, July 3, with several activities for the community. Ms. Karins also noted that the Goodyear Ballpark would be hosting the City's signature Star Spangled 4th Event on July 4, with live entertainment, food and beverages, giveaways and activities for kids.

FUTURE MEETINGS

July 1, 2021	Special Meeting	5:00 p.m.
July 12, 2021	Regular Meeting	6:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:28 p.m.

_____ _____

Darcie McCracken, City Clerk Georgia Lord, Mayor

Date:_____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the city of Goodyear, Arizona, held on June 21, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021. SEAL:

_____
Darcie McCracken, City Clerk

City Council Special Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338

Thursday, July 1, 2021	**Immediately following the Work Session that began at 5:00 p.m.**	**Meeting Minutes**

CALL TO ORDER

Mayor Lord called the Special Meeting to order at 6:01 p.m.

ROLL CALL

Present: **Mayor Georgia Lord**; **Councilmember Joe Pizzillo**; **Councilmember Sheri Lauritano**; **Councilmember Wally Campbell**; **Councilmember Bill Stipp**; **Councilmember Laura Kaino**

Absent: **Vice Mayor Brannon Hampton**

Staff Present: City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

MOTION BY Councilmember Wally Campbell, **SECONDED BY Councilmember Joe Pizzillo** to EXCUSE Vice-Mayor Hampton. The motion carried as follows:

AYE: **Mayor Georgia Lord**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

BUSINESS

COUNCIL, WITH A VOTE, MAY CONVENE INTO EXECUTIVE SESSION AS POSTED FOR THE FOLLOWING:

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Joe Pizzillo** to CONVENE an Executive Session. The motion carried as follows:

AYE: **Mayor Georgia Lord**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

1. Pursuant to A.R.S. 38-431.03(A)(3) & (7): Consultation with the City's Attorney and City Manager to receive legal advice and an update regarding options for the possible acquisition of real estate for a public use generally located near the intersection of Bullard Avenue and Lower Buckeye Road.

Mayor Lord convened the Executive Session at 6:02 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Lord adjourned the Executive Session at 6:29 p.m.

RECONVENING OF SPECIAL MEETING

The Special Meeting was reconvened at 6:29 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Special Meeting at 6:29 p.m.

_____ _____
Darcie McCracken, City Clerk Georgia Lord, Mayor

Date:_____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL SPECIAL MEETING of the city of Goodyear, Arizona, held on July 1, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021. SEAL:

_____
Darcie McCracken, City Clerk

City Council Special Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338

Monday, July 12, 2021	4:30 p.m.	Meeting Minutes

CALL TO ORDER

Mayor Lord called the Special Meeting to order at 4:30 p.m.

ROLL CALL

Present: **Mayor Georgia Lord**; **Vice Mayor Brannon Hampton**; **Councilmember Joe Pizzillo**; **Councilmember Sheri Lauritano**; **Councilmember Wally Campbell**; **Councilmember Bill Stipp**; **Councilmember Laura Kaino**

Staff Present: City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

BUSINESS

A VOTE MAY BE HELD TO CALL AN EXECUTIVE SESSION FOR THE FOLLOWING:

MOTION BY Councilmember Wally Campbell, **SECONDED BY Councilmember Joe Pizzillo** to CONVENE an Executive Session. The motion carried as follows:

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

1. Pursuant to A.R.S. § 38-431.03(A)(3) & (4): Discussion and consultation with the City Attorney and City Manager to receive an update, to consider its position, and to provide instruction/direction to City Attorney and City Manager regarding City's position in connection with contractual negotiations associated with economic development opportunities.

2. Pursuant to A.R.S. 38-431.03(A)(3) & (7): Consultation with the City's Attorney and City Manager to receive legal advice and an update regarding options for the possible acquisition of real estate for a public use generally located near the intersection of Litchfield and Yuma Roads.

3. Pursuant to A.R.S. 38-431.03(A)(3) & (7): Consultation with the City's Attorney and City Manager to receive legal advice and an update regarding options for the possible acquisition of real estate for a public use generally located near the intersection of Bullard Avenue and Lower Buckeye Road.

Mayor Lord convened the Executive Session at 4:32 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Lord adjourned the Executive Session at 5:55 p.m.

RECONVENING OF SPECIAL MEETING

Mayor Lord reconvened the Special Meeting at 5:55 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Special Meeting at 5:55 p.m.

_____ _____

Darcie McCracken, City Clerk Georgia Lord, Mayor

Date:_____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL SPECIAL MEETING of the city of Goodyear, Arizona, held on July 12, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021. SEAL:

_____

Darcie McCracken, City Clerk

City Council Regular Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338

Monday, July 12, 2021	6:00 p.m.	Meeting Minutes

CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER LAURITANO

ROLL CALL

Present:	**Mayor Georgia Lord**; **Vice Mayor Brannon Hampton**; **Councilmember Joe Pizzillo**; **Councilmember Sheri Lauritano**; **Councilmember Wally Campbell**; **Councilmember Bill Stipp**; **Councilmember Laura Kaino**
Staff Present:	City Manager Julie Karins; City Attorney Roric Massey; City Clerk Darcie McCracken

COMMUNICATIONS

1. Representative Joanne Osborne will present Mayor Lord with a proclamation recognizing and celebrating the city's 75th Anniversary.

   Representative Joanne Osborne presented the Mayor Lord with a proclamation for the City's 75th Anniversary Celebration. Representative Osborne also presented each Councilmember with gifts from years past.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Laura Kaino to APPROVE Consent Agenda Item 2 through 8. The motion carried by the following vote:

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

2. **RECOMMEND APPROVAL OF A LIQUOR LICENSE ACQUISITION OF CONTROL FOR COBBLESTONE AUTO SPA & MARKET**

Recommendation
Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 150666, a request from Amy S. Nations, agent for Cobblestone Auto Spa 33 LLC dba Cobblestone Auto Spa & Market, for an acquisition of control of Liquor License No. 010070001471 assigned to Cobblestone Auto Spa & Market, located at 14031 W. Indian School Rd., Goodyear, Arizona (Generally located on the southeast corner of Litchfield Road and Indian School Road). (Darcie McCracken, City Clerk)

Council inquired about what a liquor license looked like for an auto spa. City Clerk Darcie McCracken explained that it was an Acquisition of Control Liquor License which was only changing the ownership structure.

3. **APPOINTMENTS AND REAPPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

Recommendation
Approve the appointments and reappointments to the Boards, Commissions and Committees. (Darcie McCracken, City Clerk)

4. **FINAL PLAT FOR PEBBLECREEK PHASE II UNIT 46**

Recommendation
Approve the final plat for PebbleCreek Phase II Unit 46 subdividing approximately 31.15 acres into 74 lots and 4 tracts located south Indian School Road, west of Sarival Avenue, within the PebbleCreek Planned Area Development (PAD), subject to stipulations. (Katie Wilken, Planning Manager)

5. **FINAL PLAT FOR PEBBLECREEK PHASE II UNIT 47B**

Recommendation
Approve the final plat for PebbleCreek Phase II Unit 47B subdividing approximately 28.65 acres into 87 lots and 5 tracts located south of Indian School Road, west of Sarival Avenue, within the PebbleCreek Planned Area Development (PAD), subject to stipulations. (Katie Wilken, Planning Manager)

6. **INTERGOVERNMENTAL AGREEMENT BETWEEN MARICOPA COUNTY AND THE CITY OF GOODYEAR REGARDING MARICOPA COUNTY SHERIFF'S OFFICE BASIC ACADEMY TRAINING CENTER**

Recommendation
Approve the Intergovernmental Agreement between Maricopa County and the City of Goodyear for training of the Goodyear Police Department recruits at the MCSO Basic Academy Training Center. (Santiago Rodriguez, Chief of Police)

7. **APPROVE AMENDMENT TEN TO THE IGA BETWEEN THE CITY OF GOODYEAR AND THE REGIONAL PUBLIC TRANSIT AUTHORITY FOR THE CONTINUED PROVISION OF TRANSIT SERVICES**

Recommendation
Authorize the City Manager to approve Transit Services Amendment Ten between the City of Goodyear and the Regional Public Transit Authority for the continued provision of transit services in Goodyear and related FY2022 budget transfer. (Christine McMurdy, Project Management Coordinator)

8. **ACCEPTANCE OF A WATER LINE AND ACCESS FACILITIES EASEMENT FOR THE REV AT BALLPARK VILLAGE DEVELOPMENT**

Recommendation
Accept the Water Line and Access Facilities Easement from OZB BG HARVARD, LP, an Arizona limited partnership. (Linda Beals, Real Estate Coordinator)

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

A. Open the Public Hearing
B. Staff Presentation
C. Applicant Presentation (if applicable)
D. Receive Public Comment
E. Close the Public Hearing

9. **LAKIN PARK MULTIFAMILY ANNEXATION**

Mayor Lord opened the Public Hearing 6:14 p.m.

Senior Planner Alex Lestinsky presented the Lakin Park Multifamily Annexation. Ms. Lestinsky explained that the subject property was located just south of the MC 85 and west of Cotton Lane and that 2.8 acres of the property needed to be annexed into the City. She also reviewed the annexation process.

Ms. Lestinsky spoke about the evaluation criteria for annexations such as the City's ability to provide basic services in a timely manner and with an acceptable revenue to cost ratio. She added that the City was able to meet those requirements.

Kyle Barichello, with RVi Planning & Landscape Architecture, thanked Ms. Lestinsky for her help on the project and added that more information would be presented during the Planned Area Development hearing.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:20 p.m.

No further Council action was needed at this time.

BUSINESS

10. **FY2021-2022 COMMUNITY FUNDING RECOMMENDATIONS**

Grants and Neighborhood Services Supervisor Christina Panaitescu spoke about advancing the Goodyear Community Funding Subcommittee community funding recommendations. Ms. Panaitescu explained that the competitive grant process supported non-profit agencies delivering health or human services and quality of life programs to Goodyear residents.

Ms. Panaitescu went over the 2020-2021 program highlights noting that over 1,300 unique Goodyear residents benefited from services provided by funded agencies in the first six months. She discussed the funding process for Fiscal Year 2022 adding that 45 applications were submitted and $160,200 in Goodyear Community Funding would be disbursed to 27 agencies.

Council expressed appreciation for the work the Goodyear Community Funding Subcommittee members did on selecting the grant recipients.

MOTION BY Councilmember Joe Pizzillo, **SECONDED BY Vice Mayor Brannon Hampton to APPROVE the recommended allocations for FY2021-2022 Community Funding. The motion carried by the following vote:**

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

11. **AMENDMENT TO THE MUNICIPAL USER FEE SCHEDULE**

Finance Director Doug Sandstrom presented the adoption of the Fiscal Year 21-22 User Fee Schedule. Mr. Sandstrom reviewed the primary goals of the fee study and added that the study was conducted using a bottom-up approach.

Mr. Sandstrom provided a brief fee overview and proposed cost recovery for each department as well as an overview of the recommended modifications from the July 1, 2021 Council Meeting.

Mr. Sandstrom explained that adoption of Resolution 2021-2167 would establish and implement fees on September 1, 2021. He noted that the ordinances in Items 12 and 13 of the agenda were related to the adoption of this resolution. He explained that the ordinances would remove language that referenced fees and would state that fees be established by resolution.

Council appreciated the public outreach that was conducted and thanked Mr. Sandstrom for all the work that was involved in establishing the user fees.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Wally Campbell to ADOPT RESOLUTION NO. 2021-2167, APPROVING AND ADOPTING A DOCUMENT ENTITLED THE GOODYEAR MUNICIPAL USER FEE SCHEDULE REPLACING AND SUPERCEDING THE MUNICIPAL USER FEE SCHEDULE ADOPTED BY RESOLUTION NO. 10-1357 AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

12. **AMENDMENT OF GOODYEAR CITY CODE CHAPTER 19, ARTICLE 19-3, SECTION 9-3-1**

This item was previously heard with Item 11.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Laura Kaino to ADOPT ORDINANCE NO. 2021-1511 AMENDING ARTICLE 19-3 (ESTABLISHMENT OF FEES AND TIME OF PAYMENT) OF THE GOODYEAR CITY CODE BY REVISING THE SECTION OUTLINED BELOW; PROVIDING TERMS FOR IMPLEMENTATION, CORRECTIONS OF SCRIVENERS ERRORS, SEVERABILITY, REPEAL AND AN EFFECTIVE DATE. The motion carried by the following vote:

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

13. **AMENDMENT OF SECTION 9-1-1 OF ARTICLE 9-1 OF THE GOODYEAR CITY CODE**

This item was previously heard with Item 11.

MOTION BY Vice Mayor Brannon Hampton, SECONDED BY Councilmember Joe Pizzillo ADOPT ORDINANCE NO. 2021-1504 AMENDING SECTION 9-1-1 OF ARTICLE 9-1 OF CHAPTER 9 (BUILDINGS AND BUILDING REGULATIONS) OF THE GOODYEAR CITY CODE BY REVISING THE SECTIONS OUTLINED BELOW; PROVIDING TERMS FOR IMPLEMENTATION, CORRECTIONS OF SCRIVENERS ERRORS, SEVERABILITY, REPEAL AND AN EFFECTIVE DATE. The motion carried by the following vote:

AYE: **Mayor Georgia Lord**, **Vice Mayor Brannon Hampton**, **Councilmember Joe Pizzillo**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

Passed - Unanimously

14. **WESTERN AVENUE**

Deputy City Manager Dan Cotterman spoke about the City owned buildings located on the northeast corner of Western Avenue and Litchfield Road. Mr. Cotterman explained that the buildings had been vacant since April 2017 and the City currently had no identified use for them.

Mr. Cotterman discussed the previous Council direction on transferring the old fire station to the Fire Charity for use as a fire museum and to sell the remaining property. He added that an agreement with the Fire Charity was brought forward to the Council in October 2020. Council tabled the agreement and asked staff to work with the Fire Charity on amending the terms of the agreement. Staff worked with the Charity on amending the terms and the City recently heard that the Charity was no longer interested in pursuing the project.

Mr. Cotterman identified and reviewed four options for consideration on how to proceed with the buildings on the property. The options included to sell the property in as-is condition, razing the buildings and create public parking, razing the buildings and hold the land for future use, or continue holding the property as-is for future use. He noted that staff was recommending option two, to raze the buildings and create public parking.

A discussion followed regarding the previous appraisal amounts of the property. Council expressed wanting to keep the buildings for historical purposes or keeping them as-is in hopes of future development while other Councilmembers were in favor of staff's recommendation.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Joe Pizzillo to AUTHORIZE the creation of a $1.9M CIP project for inclusion in the FY2023 budget, to pursue option two, which is to raze the buildings, create parking and add green space to the city owned properties located at the northeast corner of Western Avenue and Litchfield Road. The motion carried as follows:**

AYE: **Mayor Georgia Lord**, **Councilmember Joe Pizzillo**, **Councilmember Bill Stipp**, **Councilmember Laura Kaino**

NAY: **Vice Mayor Brannon Hampton**, **Councilmember Sheri Lauritano**, **Councilmember Wally Campbell**

Passed

INFORMATION ITEMS

Council thanked the Parks and Recreation team for the Fourth of July celebration and the grand opening of the Goodyear Recreation Campus.

City Manager Julie Arendall requested clarification on whether Councilmember Pizzillo was requesting written information or a work session on his June 21, 2021 request for information from the Goodyear Fire Department on the impact on service with the addition of the two new fire stations. After a brief discussion, consensus from the Council was to schedule a work session after the Council break for an update from the Fire Department.

FUTURE MEETINGS

July 19, 2021	Work Session	5:00 p.m.
July 19, 2021	Regular Meeting	6:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 6:58 p.m.

_____ _____

Darcie McCracken, City Clerk Georgia Lord, Mayor

Date:_____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the city of Goodyear, Arizona, held on July 12, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021. SEAL:

_____

Darcie McCracken, City Clerk

AGENDA ITEM #: 2.
DATE: 07/19/2021
AI #:365

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE EXPENDITURE UP TO $1,030,000 FOR THE REPLACEMENT OF A MOBILE COMMAND POST VEHICLE FOR USE BY POLICE AND FIRE DEPARTMENTS AND RELATED BUDGET TRANSFERS

STAFF PRESENTER(S): Kevin Devery, Fleet Superintendent

SUMMARY

Request City Council approval of the expenditure of FY2022 funds for the replacement of a mobile command post vehicle and related budget transfers.

Recommendation

Approve expenditure of FY2022 funds in the amount of $1,030,000 for the purchase of a mobile command post vehicle for shared use by the Goodyear Police and Fire departments and related budget transfers. (Kevin Devery, Fleet Superintendent)

FISCAL IMPACT

The FY2022 Fleet Asset Management Fund includes an unappropriated fund balance estimated at $6.3 million. The FY2022 Capital Improvement Program includes $906,900 in Fleet Asset Management funds for the replacement of the 18-year-old mobile command vehicle that has reached the end of its useful lifecycle. The quote for the vehicle has come in at $974,300 and we are estimating an additional $55,700 for internal processing and upfitting costs to place the vehicle in service. We are requesting to use $123,100 of available fleet asset management fund balance to cover the CIP Project overage.

BACKGROUND AND PREVIOUS ACTIONS

Per Resolution 08-1255, all expenditures of budgeted funds in excess of $500,000 must obtain Council approval. The existing unit was a repurposed Recreational Vehicle (RV) which was scheduled for replacement in FY2020. Early in FY2020, Fleet and Equipment Management worked with Police to develop specifications for a more suitable vehicle. The new specifications delayed the scheduling for the replacement and raised the cost of the command vehicle. The FY2022 budget includes funding for a command post vehicle that will be shared by both the Police and Fire Departments; however, market conditions have created a budget shortfall of $123,100 that requires the budget transfer from the Fleet Asset Management fund.

STAFF ANALYSIS

The command post vehicle is a large specialized and dedicated vehicle that provides over 10 workstations and complete digital communication systems (data, telephone, satellite and multi-band radio) for running a completely independent and self-contained mobile command post for emergency or special event situations.

AGENDA ITEM #: 3.
DATE: 07/19/2021
AI #:395

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE FY2022 BUDGET TRANSFERS RELATED TO THE EXPENDITURE OF THE AMERICAN RESCUE PLAN ACT FUNDS AND THE CITY OF GOODYEAR COVID RESPONSE

STAFF PRESENTER(S): Jared Askelson, Deputy Finance Director

SUMMARY

Approval of all necessary FY2022 budget transfers in order to provide the specific budget authority required for the expenditure of funds related to the American Rescue Plan Act (ARPA) and the city of Goodyear COVID response

Recommendation

Approve all necessary FY2022 budget transfers related to the expenditure of the American Rescue Plan Act (ARPA) funds and the city of Goodyear COVID response. (Jared Askelson, Deputy Finance Director)

FISCAL IMPACT

The FY2022 Budget includes anticipated American Rescue Plan funding. As discussed during the budget process, these funds are included in the budget as contingencies as the specific use for them had yet to be determined. Funds will need to be transferred to provide the appropriate budget authority in order to implement the programs discussed during the work session, the capital projects to be accelerated and all other elements associated with the implementation of the city's COVID response and the expenditure of our ARPA allocation.

Funding will be re-allocated from existing contingency accounts to the following programs/projects:

Resident Support - $4,550,000
Specialty Court Pilot - $300,000
Small Business Assistance - $3,000,000
Stormwater Projects - $6,850,000
COVID Expenses - $500,000

Costs associated with payouts under the COVID Leave Bank are anticipated to be absorbed by personnel savings in each department, however this may not always be possible due to the overall budget of the department, the value of payouts, and improvements in our budgeting process designed to more accurately budget personnel costs which will reduce potential available savings. Transfers associated with the COVID Leave Banks will be processed as

required.

BACKGROUND AND PREVIOUS ACTIONS

A work session was held with Council on July 19, 2021 to discuss the city of Goodyear's response to the COVID panic related to programs and expenditures made possible through the American Rescue Plan Act funding.

STAFF ANALYSIS

Approval of the proposed transfers will allow for the implementation of the city's COVID response programs and the expenditure of all ARPA funds. As discussed, ARPA funding will be utilized on several infrastructure projects in order to reduce the administrative burden of federal requirements, freeing up general fund dollars for the proposed programs.

AGENDA ITEM #: 4.
DATE: 07/19/2021
AI #:377

CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT FOR PV303 WEST II - PHASE 2

STAFF PRESENTER(S): Christopher Baker, Development Services Director

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OTHER PRESENTER(S):
James A. Brucci, Hunter Engineering

SUMMARY

A Final Plat of PV303 West II – Phase 2 subdividing approximately 106.77 acres into 5 lots at the intersection of South Cotton Lane and West Thomas Road.

Recommendation

Approve the Final Plat of PV303 West II – Phase 2 (the "Final Plat") subdividing 106.77 acres into 5 lots generally located at the intersection of South Cotton Lane and West Thomas Road, subject to stipulations. (Christopher Baker, Development Services Director)

STIPULATIONS

1. Prior to recordation of the Final Plat all technical corrections to the Final Plat required by the City Engineer shall be made.
2. Owner shall provide a completed Storm Water Maintenance Agreement (SWMA) to be approved and recorded by the City prior to the issuance of the final grading & drainage construction permits.
3. Prior to recordation of the Final Plat, a current title report for the property included within the Final Plat (the "PV303 West II – Phase 2 Property") shall be submitted to the city and the Final Plat shall be modified as needed to reflect the current ownership and current lender including on the Final Plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the PV303 West II – Phase 2 Property. The property owner(s) shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing the Final Plat is authorized to do so.
4. Prior to recordation of the Final Plat, and assuming there has been no change in ownership, the signature block(s) on the Final Plat for the property owner(s) shall be revised as needed to reflect the management structure of the limited liability companies and property owner(s) shall provide documentation satisfactory, to the City Attorney or his designee, establishing he/she has the authority to bind the property owner on whose behalf he/she is signing the final plat.
5. Prior to recordation of this Final Plat, the property owner shall record the 16-ft water

easement identified in this Final Plat and insert the recording information into the Final Plat.

6. Prior to recordation of the Final Plat, the property owner shall record the 50-ft private access easement identified in this Final Plat that provides access to Lots 2, 3,4,5 and shall insert the recording information into the Final Plat.
7. Prior to recordation of the Final Plat, the property owner shall record the private access easement through Lot 4 identified in this Final Plat that provides access to Lot 6 and shall insert the recording information into the Final Plat.
8. Prior to recordation of the Final Plat, property owner shall record all of the other easements identified referred to in this Final Plat and shall insert the recording information into the Final Plat.
9. Prior to recordation of the Final Plat, an in-lieu payment in the amount of $145,000 shall be remitted to the City of Goodyear, which represents 25% of the estimated cost of a full traffic signal (all four legs) at the intersection of Cotton and Thomas Road.
10. Prior to recordation of the final plat, an in-lieu payment in the amount of $280,000 shall be remitted to the City of Goodyear, which represents 50% of the estimated cost of a full traffic signal (all four legs) at the intersection of Cotton and Osborn Road.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The subject property is a part of the PV303 Planned Area Development (PAD). The PV303 was last amended on June 25, 2018, with City Council adoption of Ordinance No. 2018-1391. The preliminary plat of PV303 West II was approved by the City Council on December 17, 2018.

STAFF ANALYSIS

As set forth in the attached preliminary plat Council Action Report, the proposed subdivision is consistent with the General Plan and will not adversely impact the surrounding area. Further, the proposed subdivision is in substantial conformance with the preliminary plat , and, as set forth in the council action report for the preliminary plat attached hereto, is consistent with the technical requirements of the city’s subdivision regulations and engineering standards, and provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

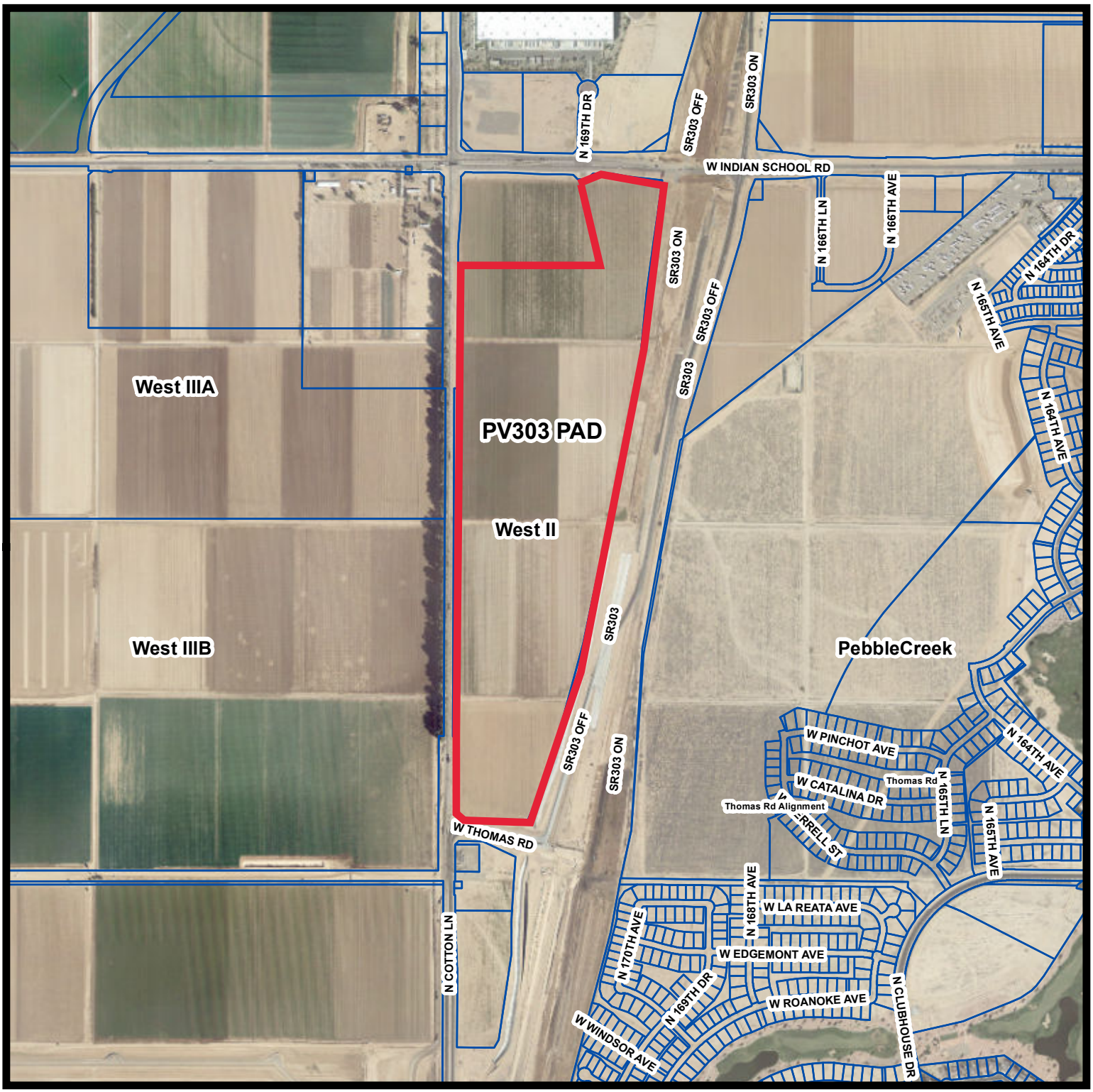
Attachments

Aerial Photo

Preliminary Plat Council Action Report

Final Plat

Aerial Photo
Final Plat of PV303 West II - Phase 2
Case No. 21-520-00003



N

Drawn By: Guadalupe Ortiz Cortez
City of Goodyear, Development Services Department
Date: June 29, 2021

AGENDA ITEM #: _____
DATE: December 17, 2018
CAR#: 2018-6524

CITY OF GOODYEAR
COUNCIL ACTION REPORT

SUBJECT: Preliminary Plat of PV303 West II	**STAFF PRESENTER:** Steve Careccia, Planner III **CASE NUMBER:** 18-500-00019 **APPLICANT:** Nicholaus Fischer, Merit Partners

PROPOSED ACTION:

Approve the request for a Preliminary Plat of PV303 West II, subject to the following stipulations:

1. Compliance with the stipulations stated in Section 2 of Ordinance No. 2018-1391, the ordinance amending the land being developed as the PV303 Planned Area Development;

2. Trees shall be placed along the east property line, including the area between the private access easement and the east property line, in accordance with the Zoning Ordinance and PV303 Planned Area Development;

3. Prior to obtaining construction permits and final plat recordation, the proposed water easements for all required water lines for each phase shall be recorded and the recording number shall be added to each final plat, respectively:

4. Prior to obtaining construction permits and final plat recordation, the proposed sewer easements for all required sewer lines for each phase shall be recorded and the recording number shall be added to each final plat, respectively;

5. The property owner shall dedicate the following rights-of-way, in form and substance acceptable to the City Engineer and in accordance with an approved phasing plan, prior to or concurrent with recordation of any Final Plat:

    a. East half of Cotton Lane right-of-way, 55 feet from centerline.

6. The 40’ Access & Utility Easement within Tract A shall be recorded prior to obtaining construction permits and final plat recordation;

7. The underground placement of all permanent utilities, excluding power lines 69 kV or larger, within the proposed development, and abutting the Development’s portion of perimeter arterial streets shall be completed per phase prior to issuance of the first Certificate of Occupancy;

8. The property owner is responsible for the half–street improvements along Cotton Lane and Indian School Road. Improvements shall include, but are not limited to, curb, gutter,

sidewalk, paving, half street width of the median, landscaping, landscape irrigation, street lights, traffic signals (as necessary), signing and striping. Improvements shall be completed in accordance with an approved phasing plan prior to issuance of the first Certificate of Occupancy; and,

9. This development is responsible for 25% of the cost to install a traffic signal at the intersection of Indian School Road and Cotton Lane. If warranted this project will be responsible to construct the signal at the time of development. If not warranted, or if the traffic signal is being constructed by others during the development of the property, or if the traffic signal was constructed by others, an in-lieu payment shall be collected for the development's proportionate share of the signal cost prior to issuance of the first building permit within the project. The in-lieu payment shall be based on the actual cost of the traffic signal if it has already been constructed or upon an engineer's estimate of the probable cost of such signal, which shall be approved by the City Engineer or his/her designee.

BACKGROUND AND PREVIOUS ACTIONS:

The subject property is a part of the PV303 Planned Area Development (PAD). The PV303 was last amended on June 25, 2018, with City Council adoption of Ordinance No. 2018-1391.

Pursuant to the PV303 PAD, as amended, the subject property is designated as Phase West II. The property is intended for Light Industrial uses.

The Planning and Zoning Commission considered this item at their regular meeting of December 5, 2018. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council.

STAFF ANALYSIS:

Surrounding Uses:

Existing land uses and zoning surrounding the subject property include the following:

- North – Indian School Road and undeveloped property designated for industrial uses.
- South – Thomas Road alignment and undeveloped property within the PV303 PAD designated for commercial development and an APS electrical substation.
- East – Loop 303 Freeway.
- West – Cotton Lane and undeveloped property within the PV303 PAD designated for industrial uses.

Details of the Request:

The request is for a preliminary plat subdividing 121.95 acres into five lots. The subdivision is intended to facilitate the development of light industrial uses on the property.

Luke AFB:

The subject property is located within the vicinity of a military airport. Given the light industrial use of the property, it is anticipated that airport operations will not be adversely impacted by this

subdivision. The developer will be required to provide notice of base operations to all future tenants/businesses.

Phoenix Goodyear Airport:
Given the location and distance of the property from the airport, it is anticipated that airport operations will not be adversely impacted by this subdivision. The developer will be required to provide notice of airport operations to all future tenants/businesses.

Fire Department:
Response times are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Goodyear Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#185	3.89	1.95	5.76	2.88	#184/181	9.37	4.69	11.26	5.63

Police Department:
The subdivision is located within an existing police patrol beat and the current level of service within the beat can accommodate the development of the property.

Water/Wastewater:
The city of Goodyear will not provide water or wastewater service to the property. (Liberty is the water and wastewater service provider.)

Streets/Access:
The property is adjacent to Indian School Road and Cotton Lane (city of Goodyear rights-of-way). Future development will be responsible for improving adjacent roadways to their ultimate condition and constructing other internal public roadways as needed to serve the development.

FISCAL ANALYSIS:

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development.

RECOMMENDATION:

The preliminary plat is consistent with the technical requirements of the city's subdivision regulations and engineering standards. The preliminary plat is consistent with the land use and development standards approved by the PV303 PAD for the parcel. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat

FINAL PLAT

FOR

PV303 WEST II -PHASE 2

THAT PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:

STATE OF ARIZONA)
)S.S.
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS:

THAT MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOTS 2, 3, 4, AND 6 ON THIS FINAL PLAT FOR PV 303 WEST II, PHASE – 2 AND MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS OWNER OF LOT 5 SHOWN ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HAVE SUBDIVIDED UNDER THE NAME OF PV 303 WEST II – PHASE 2 A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREIN AND HEREBY DECLARES THAT SAID FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING THE SAME. EACH LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER, HEREBY DEDICATES AND CONVEYS TO THE CITY OF GOODYEAR, IN FEE, THE PORTION OF PROPERTY IDENTIFIED AS "R/W DEDICATED HEREON" ADJACENT TO THE NORTHERN BOUNDARY OF LOTS 3 AND 4 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 AND INCLUDED IN THE PREMISES DESCRIBED HEREIN.

MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES AND CONVEYS TO THE CITY OF GOODYEAR, IN FEE, THE PORTION OF PROPERTY IDENTIFIED AS "R/W DEDICATED HEREON" ADJACENT TO THE NORTHERN BOUNDARY OF LOT 5 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 AND INCLUDED IN THE PREMISES DESCRIBED HEREIN.

MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF LOT 5 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR PERPETUAL PUBLIC UTILITY EASEMENTS WITHIN, ON, ACROSS, OVER AND UNDER ALL AREAS WITHIN LOT 5 DESIGNATED AS PUE AS SHOWN ON THIS PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN (THE "PUBLIC UTILITY EASEMENT AREAS"). SUCH PUBLIC UTILITY EASEMENTS ARE FOR THE PURPOSES OF: ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REMOVING, REPAIRING, AND REPLACING, PUBLIC UTILITY IMPROVEMENTS WITHIN, ON, OVER, ACROSS, ABOVE AND UNDER THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REMOVING, REPAIRING, AND REPLACING, PUBLIC SIDEWALKS OVER AND ABOVE THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS LOCATED WITHIN THE PUBLIC UTILITY EASEMENT AREAS. THE PUBLIC UTILITY EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE PUBLIC UTILITY EASEMENT AREAS.

MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOTS 3 AND 4, ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR PERPETUAL PUBLIC UTILITY EASEMENTS WITHIN, ON, ACROSS, OVER AND UNDER ALL AREAS WITHIN LOT 3 AND 4 DESIGNATED AS PUE AS SHOWN ON THIS PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN (THE "PUBLIC UTILITY EASEMENT AREAS"). SUCH PUBLIC UTILITY EASEMENTS ARE FOR THE PURPOSES OF: ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REMOVING, REPAIRING, AND REPLACING, PUBLIC UTILITY IMPROVEMENTS WITHIN, ON, OVER, ACROSS, ABOVE AND UNDER THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REMOVING, REPAIRING, AND REPLACING, PUBLIC SIDEWALKS OVER AND ABOVE THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS LOCATED WITHIN THE PUBLIC UTILITY EASEMENT AREAS. THE PUBLIC UTILITY EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE PUBLIC UTILITY EASEMENT AREAS.

MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF LOT 5 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR PERPETUAL SIDEWALK EASEMENTS ON, OVER AN ACROSS ALL AREAS WITHIN LOT 5 DESIGNATED AS "SIDEWALK EASEMENT" AS SHOWN ON THIS PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES ("SIDEWALK EASEMENT AREAS"). SUCH SIDEWALK EASEMENTS ARE FOR THE PURPOSES OF: INSTALLING, OPERATING, MAINTAINING, REPLACING, AND/OR REPAIRING PUBLIC SIDEWALKS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; PROVIDING ACCESS FOR THE PURPOSES SET FORTH HEREIN; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS INSTALLED WITHIN THE SIDEWALK EASEMENT AREAS. THE SIDEWALK EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE SIDEWALK EASEMENT AREAS.

MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOTS 3 AND 4, ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR PERPETUAL SIDEWALK EASEMENTS ON, OVER AN ACROSS ALL AREAS WITHIN LOTS 3 AND 4 DESIGNATED AS "SIDEWALK EASEMENT" AS SHOWN ON THIS PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES ("SIDEWALK EASEMENT AREAS"). SUCH SIDEWALK EASEMENTS ARE FOR THE PURPOSES OF: INSTALLING, OPERATING, MAINTAINING, REPLACING, AND/OR REPAIRING PUBLIC SIDEWALKS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; PROVIDING ACCESS FOR THE PURPOSES SET FORTH HEREIN; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS INSTALLED WITHIN THE SIDEWALK EASEMENT AREAS. THE SIDEWALK EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE SIDEWALK EASEMENT AREAS.

MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOTS 3, AND 4 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR TEMPORARY DRAINAGE EASEMENTS ON, OVER, ACROSS AND UNDER ALL AREAS WITHIN LOTS 3, AND 4 DESIGNATED AS "TEMPORARY DRAINAGE EASEMENT" AS SHOWN ON THIS PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES ("DRAINAGE EASEMENT AREAS"). SUCH TEMPORARY DRAINAGE EASEMENTS ARE FOR THE PURPOSES OF: THE RECEIPT, ACCEPTANCE, RETENTION, DIVERSION AND CONVEYANCE OF STORM WATER FLOWS GENERATED WITHIN THE PROPERTY AND FROM ADJACENT ROADWAYS; AND FOR ENTRY UPON, CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT AND OPERATION OF DRAINAGE IMPROVEMENTS REQUIRED BY THE CITY OF GOODYEAR AND ITS PERMITTEES TO ALLOW FOR THE RECEIPT, ACCEPTANCE, RETENTION, DIVERSION AND/OR CONVEYANCE OF STORM WATER FLOWS WITHIN THE DRAINAGE EASEMENT AREAS. NO IMPROVEMENTS SHALL BE CONSTRUCTED WITHIN THE DRAINAGE EASEMENT AREAS THAT IMPEDE THE FLOW OF STORM WATER OVER, UNDER, OR THROUGH THE DRAINAGE EASEMENT AREAS OR THAT MATERIALLY REDUCES THE RETENTION CAPACITY OF THE DRAINAGE EASEMENT AREAS. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL DRAINAGE IMPROVEMENTS CONSTRUCTED WITHIN THE DRAINAGE EASEMENT AREAS ("MAINTENANCE OBLIGATIONS"). THE CITY IS NOT OBLIGATED TO PERFORM ANY OF OWNER'S MAINTENANCE OBLIGATIONS, BUT, IF IN THE OPINION OF THE CITY ENGINEER, THE CITY'S DIRECTOR OF PUBLIC WORKS AND/OR THEIR RESPECTIVE DESIGNEES, GRANTOR HAS FAILED TO ADEQUATELY PERFORM ANY OF ALL OF ITS MAINTENANCE OBLIGATIONS, THE CITY MAY UNDERTAKE ALL OR PART OF OWNER'S MAINTENANCE OBLIGATIONS AT OWNER'S EXPENSE. IF THE CITY UNDERTAKES ALL OR PART OF OWNER'S MAINTENANCE OBLIGATIONS, OWNER SHALL REIMBURSE THE CITY FOR THE COSTS THE CITY INCURRED IN DOING SO WITHIN THIRTY DAYS OF OWNER'S RECEIPT OF AN INVOICE FROM THE CITY. THE TEMPORARY DRAINAGE EASEMENTS GRANTED HEREIN SHALL REMAIN IN EFFECT UNTIL PERMANENT DRAINAGE IMPROVEMENTS THAT WILL ACCOMMODATE 100% OF THE STORM WATER THAT THE TEMPORARY DRAINAGE EASEMENT GRANTED HEREIN WAS DESIGNED TO ACCEPT HAVE BEEN CONSTRUCTED AND, IF REQUIRED BY THE CITY ENGINEER OR HIS DESIGNEE, THE CITY OF GOODYEAR HAS BEEN PROVIDED A PERMANENT DRAINAGE EASEMENT FOR THE PERMANENT DRAINAGE IMPROVEMENTS. THE TEMPORARY DRAINAGE EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE DRAINAGE EASEMENT AREAS.

MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF LOT 5 ON THIS FINAL PLAT FOR PV 303 WEST II – PHASE 2 HEREBY DEDICATES TO THE CITY OF GOODYEAR TEMPORARY DRAINAGE EASEMENTS ON, OVER, ACROSS AND UNDER ALL AREAS WITHIN LOT 5 DESIGNATED AS "TEMPORARY DRAINAGE EASEMENT" AS SHOWN ON THIS PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES ("DRAINAGE EASEMENT AREAS"). SUCH TEMPORARY DRAINAGE EASEMENTS ARE FOR THE PURPOSES OF: THE RECEIPT, ACCEPTANCE, RETENTION, DIVERSION AND CONVEYANCE OF STORM WATER FLOWS GENERATED WITHIN THE PROPERTY AND FROM ADJACENT ROADWAYS; AND FOR ENTRY UPON, CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT AND OPERATION OF DRAINAGE IMPROVEMENTS REQUIRED BY THE CITY OF GOODYEAR AND ITS PERMITTEES TO ALLOW FOR THE RECEIPT, ACCEPTANCE, RETENTION, DIVERSION AND/OR CONVEYANCE OF STORM WATER FLOWS WITHIN THE DRAINAGE EASEMENT AREAS. NO IMPROVEMENTS SHALL BE CONSTRUCTED WITHIN THE DRAINAGE EASEMENT AREAS THAT IMPEDE THE FLOW OF STORM WATER OVER, UNDER, OR THROUGH THE DRAINAGE EASEMENT AREAS OR THAT MATERIALLY REDUCES THE RETENTION CAPACITY OF THE DRAINAGE EASEMENT AREAS. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL DRAINAGE IMPROVEMENTS CONSTRUCTED WITHIN THE DRAINAGE EASEMENT AREAS ("MAINTENANCE OBLIGATIONS"). THE CITY IS NOT OBLIGATED TO PERFORM ANY OF OWNER'S MAINTENANCE OBLIGATIONS, BUT, IF IN THE OPINION OF THE CITY ENGINEER, THE CITY'S DIRECTOR OF PUBLIC WORKS AND/OR THEIR RESPECTIVE DESIGNEES, GRANTOR HAS FAILED TO ADEQUATELY PERFORM ANY OF ALL OF ITS MAINTENANCE OBLIGATIONS, THE CITY MAY UNDERTAKE ALL OR PART OF OWNER'S MAINTENANCE OBLIGATIONS AT OWNER'S EXPENSE. IF THE CITY UNDERTAKES ALL OR PART OF OWNER'S MAINTENANCE OBLIGATIONS, OWNER SHALL REIMBURSE THE CITY FOR THE COSTS THE CITY INCURRED IN DOING SO WITHIN THIRTY DAYS OF OWNER'S RECEIPT OF AN INVOICE FROM THE CITY. THE TEMPORARY DRAINAGE EASEMENTS GRANTED HEREIN SHALL REMAIN IN EFFECT UNTIL PERMANENT DRAINAGE IMPROVEMENTS THAT WILL ACCOMMODATE 100% OF THE STORM WATER THAT THE TEMPORARY DRAINAGE EASEMENT GRANTED HEREIN WAS DESIGNED TO ACCEPT HAVE BEEN CONSTRUCTED AND, IF REQUIRED BY THE CITY ENGINEER OR HIS DESIGNEE, THE CITY OF GOODYEAR HAS BEEN PROVIDED A PERMANENT DRAINAGE EASEMENT FOR THE PERMANENT DRAINAGE IMPROVEMENTS. THE TEMPORARY DRAINAGE EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE DRAINAGE EASEMENT AREAS.

MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNERS, COVENANTS TO THE CITY OF GOODYEAR AND AGREES AS FOLLOWS:

IN WITNESS THEREOF, _____, AS OWNER MPS WEST II, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS HEREUNTO CAUSED HIS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED.

MPS WEST II, LLC,
AN ARIZONA LIMITED LIABILITY COMPANY

BY: MS 303, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, ITS MANAGER

BY: MERIT 303, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, ITS MANAGER

BY: MERIT PARTNERS, INC., AN ARIZONA CORPORATION, ITS MANAGER

BY: _____

NAME: _____
ITS: PRESIDENT

IN WITNESS THEREOF, _____, AS OWNER MDH F1 PHX PV303, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS HEREUNTO CAUSED HIS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED.

DATED THIS_____DAY OF_____, 2021.

MDH F1 PHX PV303, LLC,
A DELAWARE LIMITED LIABILITY COMPANY

BY: _____
NAME: ARUN SINGH

TITLE: CHIEF FINANCIAL OFFICER

ACKNOWLEDGMENT:

STATE OF ARIZONA)
)S.S.
COUNTY OF MARICOPA)

ON THIS _____DAY OF _____ , 2021, BEFORE ME, THE UNDERSIGNED, PERSONALLY

APPEARED _____WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS
(OWNER NAME)
SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES CONTAINED HEREIN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT:

STATE OF GEORGIA)
)S.S.
COUNTY OF FULTON)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____DAY OF _____ , 2021, BY

ARUN SINGH, CHIEF FINANCIAL OFFICER OF MDH F1 PHX PV 303, LLC, A DELAWARE LIMITED LIABILITY COMPANY ON BEHALF OF THE LIMITED LIABILITY COMPANY.

_____ PERSONALLY KNOWN _____ PRODUCED IDENTIFICATION TYPE AND # OF

ID_____

_____
(SIGNATURE OF NOTARY) DATE

_____
(PRINTED NAME OF NOTARY)

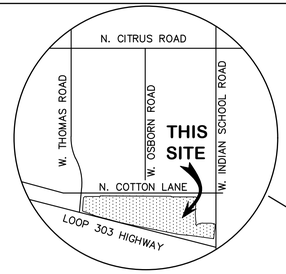
MY COMMISSION EXPIRES: _____

LENDER'S CONSENT AND SUBORDINATION & NOTES:

SEE SHEET 2 OF 5.

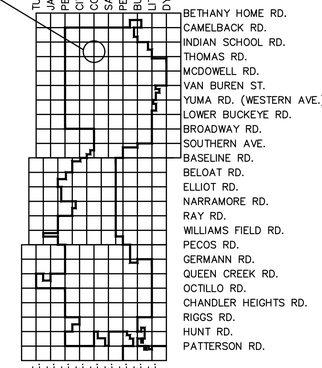
LEGAL DESCRIPTION

SEE SHEET 3 OF 5 FOR GROSS AND NET LEGAL DESCRIPTIONS.



VICINITY MAP

SECTION 25
T.2N.,R.2W.



OWNER

MERIT PARTNERS INC
2555 EAST CAMELBACK ROAD, SUITE 180
PHOENIX, AZ 85016
CONTACT: NIC FISCHER
PHONE: (480)483-0380
EMAIL: nic@mpiaz.com

SURVEYOR

HUNTER ENGINEERING INC.
10450 N 74TH STREET
SCOTTSDALE, AZ.
PHONE: 480-991-3985
ATTN: JAMES A. BRUCCI
EMAIL: jbrucci@hunterengineeringpc.com
WEBSITE: www.hunterengineeringpc.com

SHEET INDEX:

SHEET 1	COVER SHEET, DEDICATION
SHEET 2	LENDER'S CONSENT AND SUBORDINATION & NOTES
SHEET 3	LEGAL DESCRIPTION
SHEET 4	FINAL PLAT MAP-SOUTH END
SHEET 5	FINAL PLAT-NORTH END

LOT AREAS:

LOT 2	404,672 SQ.FT.±	9.290 AC.±
LOT 3	1,341,691 SQ.FT±	30.801 AC.±
LOT 4	1,157,302 SQ.FT.±	26.568 AC.±
LOT 5	1,736,955 SQ.FT.±	39.875 AC.±
LOT 6 (WELL SITE)	10,410 SQ.FT.±	0.239 AC±
TOTAL:	4,651,031 SQ.FT.±	06.773 AC.±

UTILITIES:

WATER	LIBERTY WATER
SEWER	LIBERTY SEWER
TELEPHONE	CENTURY LINK
ELECTRICITY	ARIZONA PUBLIC SERVICE
CABLE TV	COX COMMUNICATIONS
GAS	SOUTHWEST GAS

LAND SURVEY CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

_____
REGISTERED LAND SURVEYOR #45835

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D.
HEATH JR.
Date Signed 7/7/21
ARIZONA U.S.A.
Expires 3/31/2022

JULY 07, 2021
DATE

FINAL PLAT APPROVALS

APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA

THIS _____ OF _____,2021.

BY: _____ DATE: _____
GEORGIA LORD, MAYOR

BY: _____ DATE: _____
DARCIE MCCRACKEN CITY CLERK

APPROVED BY THE CITY ENGINEER OF THE CITY OF GOODYEAR, ARIZONA

THIS _____ OF _____,2021.

BY: _____ DATE: _____
SUMMET MOHAN, CITY ENGINEER

NO.	DATE	REVISION	BY

PURPOSE: FINAL PLAT

DRAWN BY: PJE
CHECKED BY: JAB

HUNTER ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

FINAL PLAT
PV303 WEST II-PHASE 2
HAT PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 25
TWNSHP: 2N
RANGE: 2W

JOB NO.: MERT025-FP

SCALE N.T.S.

SHEET 1 OF 5

LENDER CONSENT AND SUBORDINATION:

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE UNDERSIGNED, AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST AND FIXTURE FILING RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2018–0013736, DATED JANUARY 5, 2018, ENCUMBERING ALL OR PART OF THE PROPERTY SUBJECT TO THIS FINAL PLAT, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT AND DOES HEREBY RELEASE FROM THE LIEN OF THE DEED OF TRUST THAT PORTION OF THE PROPERTY CONVEYED AND DEDICATED AS SHOWN ON THIS SUBDIVISION PLAT AND DOES HEREBY SUBORDINATE THE LIEN OF THE DEED OF TRUST TO THE EASEMENTS DEDICATED AND GRANTED HEREIN AS SHOWN ON THIS SUBDIVISION PLAT. IT IS EXPRESSLY UNDERSTOOD THAT THIS RELEASE AND SUBORDINATION APPLIES ONLY TO THE PORTIONS OF THE PROPERTY BEING CONVEYED AND DEDICATED AND SHALL NOT IN ANY WAY, AFFECT THE LIEN OF THE DEED OF TRUST UPON THE REMAINDER OF THE PROPERTY. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2018–0013736.

DATED: _____

WESTERN ALLIANCE BANK, AN ARIZONA CORPORATION

BY: _____
NAME: _____
ITS: _____

ACKNOWLEDGMENT:

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

ON THIS _____ DAY OF _____, 2021 BEFORE ME, THE

UNDERSIGNED, PERSONALLY APPEARED _____, WHO

ACKNOWLEDGED HIMSELF/HERSELF TO BE THE _____ OF _____
AND BEING AUTHORIZED TO DO SO ON BEHALF OF SAID ENTITY, EXECUTED THE FOREGOING PLAT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

LENDER CONSENT AND SUBORDINATION:

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE UNDERSIGNED, AS BENEFICIARY UNDER THAT CERTAIN CONSTRUCTION DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2021–0551495, DATED MAY 17, 2021, ENCUMBERING ALL OR PART OF THE PROPERTY SUBJECT TO THIS FINAL PLAT, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT AND DOES HEREBY RELEASE FROM THE LIEN OF THE DEED OF TRUST THAT PORTION OF THE PROPERTY CONVEYED AND DEDICATED AS SHOWN ON THIS SUBDIVISION PLAT AND DOES HEREBY SUBORDINATE THE LIEN OF THE DEED OF TRUST TO THE EASEMENTS DEDICATED AND GRANTED HEREIN AS SHOWN ON THIS SUBDIVISION PLAT. IT IS EXPRESSLY UNDERSTOOD THAT THIS RELEASE AND SUBORDINATION APPLIES ONLY TO THE PORTIONS OF THE PROPERTY BEING CONVEYED AND DEDICATED AND SHALL NOT IN ANY WAY, AFFECT THE LIEN OF THE DEED OF TRUST UPON THE REMAINDER OF THE PROPERTY. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2021–0551495.

DATED: _____

U.S. BANK NATIONAL ASSOCIATION,
A NATIONAL BANKING ASSOCIATION

BY: _____
NAME: _____
ITS: _____

ACKNOWLEDGMENT:

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

ON THIS _____ DAY OF _____, 2021 BEFORE ME, THE

UNDERSIGNED, PERSONALLY APPEARED _____, WHO

ACKNOWLEDGED HIMSELF/HERSELF TO BE THE _____ OF _____
AND BEING AUTHORIZED TO DO SO ON BEHALF OF SAID ENTITY, EXECUTED THE FOREGOING PLAT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTES:

1. NO STRUCTURES OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE UTILITY EASEMENTS EXCEPT: UTILITIES, ASPHALT PAVING, GRASS, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING. THE CITY OF GOODYEAR SHALL NOT BE REQUIRED TO REPLACE OR PROVIDE REIMBURSEMENT FOR THE COST OF REPLACING ANY OBSTRUCTIONS, PAVING OR PLANTING THAT IS REMOVED DURING THE COURSE OF MAINTAINING, CONSTRUCTING OR RECONSTRUCTING UTILITY FACILITIES.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION SHALL BE PLANTED NOR WILL BE ALLOWED TO GROW WITHIN, ON OR OVER ANY DRAINAGE EASEMENT WHICH WOULD OBSTRUCT OR DIVERT THE FLOW OF STORM WATER. THE CITY MAY, IF IT SO DESIRES, CONSTRUCT OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND OF THE DRAINAGE EASEMENT.
3. IMPROVEMENTS MADE WITHIN A CITY RIGHT–OF–WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURBS, GUTTERS, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STREET STRIPING.

   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO–YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.

   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.

   c. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF A SEALANT ON ALL CRACKS AND JOINTS, AND APPLICATION OF A SEALANT OVER ALL ASPHALT PAVEMENTS.

   c. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND AN APPROXIMATE HEIGHT OF 3–INCHES, MOWING SHALL BEGIN IMMEDIATELY TO A 2–INCH HEIGHT AND SHALL BE MOWED THEREAFTER AND REDUCED IN SAFE INCREMENTS TO A HEIGHT OF 2–INCHES.

   d. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.

   f. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO–YEAR WARRANTY PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.

   LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS–OF–WAY, AND STREET CENTER MEDIAN LANDSCAPING.

   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL PLANTED AREAS INCLUDING IRRIGATION SYSTEMS FOR A PERIOD OF TWO–YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.

   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.

   c. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE–SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE GOOD NORMAL GROWTH.

   d. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND AN APPROXIMATE HEIGHT OF 3–INCHES, MOWING SHALL BEGIN IMMEDIATELY TO A 2–INCH HEIGHT AND SHALL BE MOWED THEREAFTER AND REDUCED IN SAFE INCREMENTS TO A HEIGHT OF 2–INCHES.

   e. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL TURF AREA SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.

   f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO–YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

4. STRUCTURES WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO A HEIGHT OF THREE (3) FEET; LANDSCAPING WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO GROUND COVER, FLOWERS AND GRANITE LESS THAN TWO (2) FEET (MATURE) IN HEIGHT AND/OR TREES WITH BRANCHES NOT LESS THAN SEVEN (7) FEET ABOVE THE TREES SHALL NOT BE PLACED LESS THAN EIGHT (8) FEET APART.
5. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE AND REPAIR OF ALL FACILITIES ASSOCIATED WITH STORMWATER MANAGEMENT ON A PROPERTY.
6. THIS PARCEL IS SUBJECT TO ATTENDANT NOISE, VIBRATIONS, DUST, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY OVERFLIGHTS AND BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM PHOENIX–GOODYEAR AIRPORT AND LUKE AIR FORCE BASE.
7. THIS DEVELOPMENT IS SUBJECT TO ATTENDANT NOISE CAUSED FROM VEHICULAR TRAFFIC ON INTERSTATE 10 AND THE PROPOSED LOOP 303.
8. THIS DEVELOPMENT IS ADJACENT TO AGRICULTURAL USES AND IS THEREFORE SUBJECT TO NOISE, DUST AND ODORS ASSOCIATED WITH SUCH A USE.
9. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND (EXCEPTIONS ARE TO BE NOTED).
10. ALL LOT CORNERS SHALL BE MONUMENTED WITH ½"REBAR WITH CAP, TAG OR OTHER MONUMENTATION AS DESCRIBED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.

FEMA NOTES:

THE CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) FOR THIS AREA, MAP NUMBER 04013C 2135L & 04013C 2130L (EFFECTIVE REVISED DATE OCTOBER 16, 2013), DESIGNATES THE PROPERTY WITHIN FLOOD HAZARD ZONE X

ZONE: X IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT, OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

BASIS OF BEARING:

BASIS OF BEARING FOR THIS SURVEY IS A BEARING OF NORTH 00°15'40" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO THE FINAL PLAT OF "FIRST PARK PV, PHASE 2", RECORDED IN BOOK 1505, PAGE 5, MARICOPA COUNTY RECORDS, ARIZONA.

NO.	DATE	REVISION	BY

PURPOSE: **FINAL PLAT**

DRAWN BY: PJE
CHECKED BY: JAB

HUNTER ENGINEERING
CIVIL AND SURVEY
9450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D. HEATH JR.
Signed 7/14/21
ARIZONA U.S.A.
Expires 3/31/2022

FINAL PLAT
PV303 WEST II-PHASE 2

HAT PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 25
TWNSHP: 2N
RANGE: 2W

JOB NO.: MERT025–FP

SCALE: N.T.S.

SHEET 2 OF 5

GROSS LEGAL DESCRIPTION

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25, FROM WHICH A FOUND ALUMINUM CAP FOR THE WEST QUARTER CORNER OF SAID SECTION 25 BEARS SOUTH 00 DEGREES 16 MINUTES 51 SECONDS WEST, A DISTANCE OF 2641.35 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 51 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 781.96 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 15 SECONDS EAST DEPARTING SAID WEST LINE, A DISTANCE OF 55.00 FEET TO THE EAST RIGHT–OF–WAY LINE OF NORTH COTTON LANE AS SHOWN IN THE MAP OF DEDICATION RECORDED IN BOOK 1359 OF MAPS, PAGE 15, OF MARICOPA COUNTY RECORDS (MCR), SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 46 DEGREES 35 MINUTES 53 SECONDS EAST DEPARTING SAID EAST RIGHT–OF–WAY LINE, A DISTANCE OF 45.58 FEET FOR A POINT OF CURVATURE OF A NON–TANGENT CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 358.89 FEET, A CENTRAL ANGLE OF 02 DEGREES 43 MINUTES 11 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 83 DEGREES 05 MINUTES 21 SECONDS EAST, A CHORD DISTANCE OF 17.03 FEET;

THENCE IN AN EASTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, A DISTANCE OF 17.04 FEET;

THENCE SOUTH 81 DEGREES 43 MINUTES 46 SECONDS EAST TANGENT TO SAID CURVE, A DISTANCE OF 148.72 FEET FOR A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 2,525.00 FEET, A CENTRAL ANGLE OF 16 DEGREES 52 MINUTES 15 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 89 DEGREES 50 MINUTES 07 SECONDS EAST, A CHORD DISTANCE OF 740.80 FEET;

THENCE IN AN EASTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 743.49 FEET;

THENCE SOUTH 67 DEGREES 05 MINUTES 14 SECONDS EAST, NON–TANGENT TO SAID CURVE, A DISTANCE OF 56.17 FEET;

THENCE NORTH 52 DEGREES 40 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.00 FEET FOR A POINT OF CURVATURE OF A NON–TANGENT CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 395.00 FEET, A CENTRAL ANGLE OF 37 DEGREES 36 MINUTES 38 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 18 DEGREES 31 MINUTES 29 SECONDS WEST, A CHORD DISTANCE OF 254.66 FEET;

THENCE IN A NORTHERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, A DISTANCE OF 259.29 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 50 SECONDS EAST TANGENT TO SAID CURVE, A DISTANCE OF 294.06 FEET;

THENCE NORTH 13 DEGREES 35 MINUTES 52 SECONDS EAST, A DISTANCE OF 65.12 FEET;

THENCE NORTH 00 DEGREES 17 MINUTES 26 SECONDS EAST, A DISTANCE OF 35.51 FEET TO THE SOUTH RIGHT–OF–WAY LINE OF WEST INDIAN SCHOOL ROAD AS SHOWN IN THE MAP OF DEDICATION RECORDED IN BOOK 1042 OF MAPS, PAGE 7, MCR;

THENCE CONTINUING NORTH 00 DEGREES 17 MINUTES 26 SECONDS EAST, A DISTANCE OF 9.86 FEET;

THENCE NORTH 45 DEGREES 39 MINUTES 10 SECONDS EAST ALONG SAID SOUTH RIGHT–OF–WAY LINE, A DISTANCE OF 47.02 FEET;

THENCE SOUTH 89 DEGREES 21 MINUTES 39 SECONDS EAST ALONG SAID SOUTH RIGHT–OF–WAY LINE, A DISTANCE OF 130.83 FEET TO THE WEST RIGHT–OF–WAY LINE OF STATE ROUTE 303 RECORDED IN DOCUMENT NO. 2009–1013638, MCR;

THENCE SOUTH 80 DEGREES 23 MINUTES 43 SECONDS EAST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 137.40 FEET;

THENCE SOUTH 83 DEGREES 49 MINUTES 49 SECONDS EAST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 248.30 FEET;

THENCE SOUTH 07 DEGREES 52 MINUTES 53 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 822.05 FEET;

THENCE SOUTH 05 DEGREES 39 MINUTES 29 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 454.61 FEET;

THENCE SOUTH 11 DEGREES 10 MINUTES 31 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 1,479.31 FEET TO A FOUND 3" ARIZONA DEPARTMENT OF TRANSPORTATION CAP STAMPED "RLS #39229";

THENCE NORTH 78 DEGREES 11 MINUTES 14 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 4.69 FEET TO A FOUND 3" ARIZONA DEPARTMENT OF TRANSPORTATION CAP STAMPED "RLS #39229";

THENCE SOUTH 11 DEGREES 33 MINUTES 45 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 663.23 FEET TO A FOUND 3" ARIZONA DEPARTMENT OF TRANSPORTATION CAP STAMPED "RLS #39229";

THENCE SOUTH 15 DEGREES 09 MINUTES 24 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 951.85 FEET TO A FOUND 3" ARIZONA DEPARTMENT OF TRANSPORTATION CAP STAMPED "RLS #39229";

THENCE SOUTH 20 DEGREES 07 MINUTES 13 SECONDS WEST ALONG SAID WEST RIGHT–OF–WAY LINE, A DISTANCE OF 493.02 FEET TO A FOUND 3" ARIZONA DEPARTMENT OF TRANSPORTATION CAP STAMPED "RLS #39229" AT THE INTERSECTION OF SAID WEST RIGHT–OF–WAY LINE AND THE NORTH RIGHT–OF–WAY LINE OF WEST THOMAS ROAD;

THENCE NORTH 86 DEGREES 07 MINUTES 23 SECONDS WEST ALONG SAID NORTH RIGHT–OF–WAY LINE, A DISTANCE OF 481.84 FEET TO THE BEGINNING OF A CORNER CLIP AT THE INTERSECTION OF THE NORTH RIGHT–OF–WAY LINE WEST THOMAS ROAD AND THE EAST RIGHT–OF–WAY LINE OF NORTH COTTON LANE AS DESCRIBED IN DOCUMENT 2011–0671145, MCR;

THENCE NORTH 42 DEGREES 55 MINUTES 20 SECONDS WEST ALONG SAID CORNER CLIP, A DISTANCE OF 73.23 FEET TO THE END OF SAME;

THENCE NORTH 00 DEGREES 15 MINUTES 40 SECONDS EAST ALONG THE EAST RIGHT–OF–WAY LINE OF NORTH COTTON LANE, BEING 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 550.62 FEET;

THENCE NORTH 89 DEGREES 44 MINUTES 44 SECONDS WEST ALONG SAID EAST RIGHT–OF–WAY LINE, A DISTANCE OF 22.00 FEET;

THENCE NORTH 00 DEGREES 15 MINUTES 40 SECONDS EAST, BEING 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 1,607.52 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 51 SECONDS EAST, BEING 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 966.57 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 48 SECONDS EAST, A DISTANCE OF 22.00 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 51 SECONDS EAST, BEING 55.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 893.02 FEET TO THE POINT OF BEGINNING.

NO.	DATE	REVISION	BY

PURPOSE:
FINAL PLAT

DRAWN BY: PJE
CHECKED BY: JAB

HUNTER ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D. HEATH JR.
Date Signed 7/13/21
ARIZONA U.S.A.
Expires 3/31/2022

FINAL PLAT
PV303 WEST II-PHASE 2

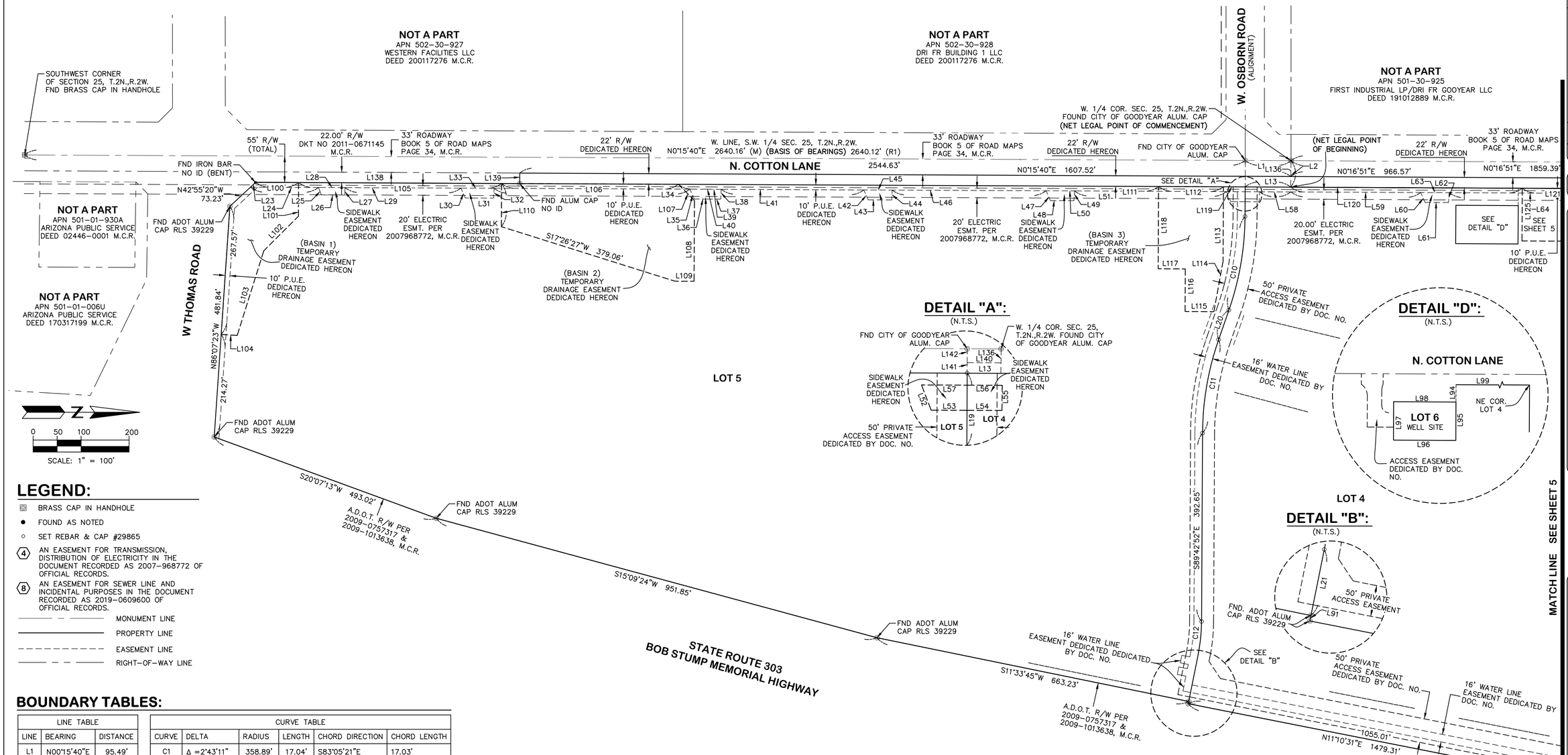
PART OF PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 25
TWNSHP: 2N
RANGE: 2W

JOB NO.:
MERT025–FP

SCALE
N.T.S.

SHEET
3 OF 5



DETAIL "A":
(N.T.S.)

DETAIL "D":
(N.T.S.)

DETAIL "B":
(N.T.S.)

LEGEND:

- BRASS CAP IN HANDHOLE
- FOUND AS NOTED
- SET REBAR & CAP #29865
- (4) AN EASEMENT FOR TRANSMISSION, DISTRIBUTION OF ELECTRICITY IN THE DOCUMENT RECORDED AS 2007-968772 OF OFFICIAL RECORDS.
- (8) AN EASEMENT FOR SEWER LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 2019-0609600 OF OFFICIAL RECORDS.
- MONUMENT LINE
- PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE

SCALE: 1" = 100'

BOUNDARY TABLES:

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°15'40"E	95.49'
L2	S89°10'48"E	55.00'
L5	N00°17'26"W	35.51'
L6	N00°17'26"W	9.86'
L7	N45°39'10"E	47.02'
L8	S89°20'16"E	39.99'
L9	N81°43'51"W	148.72'
L10	S00°16'51"W	58.00'
L11	S89°43'15"E	55.00'
L13	S00°15'40"W	94.88'
L14	N52°40'12"E	50.00'
L15	N46°35'53"E	45.58'
L16	S81°43'46"E	148.72'
L17	S67°05'14"E	56.17'
L19	S89°44'20"E	61.70'
L20	N70°45'01"W	65.27'
L21	N78°35'22"W	100.25'
L22	N84°20'31"W	14.55'
L91	N78°11'14"W	4.69'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	Δ =2°43'11"	358.89'	17.04'	S83°05'21"E	17.03'
C3	Δ =37°36'38"	395.00'	259.29'	N18°31'29"W	254.66'
C4	Δ =31°08'41"	420.00'	228.30'	S15°17'36"E	225.50'
C5	Δ =17°59'44"	2500.00'	785.20'	N89°16'17"E	781.98'
C6	Δ =7°59'35"	383.89'	53.55'	N85°43'38"W	53.51'
C7	Δ =58°09'08"	380.00'	385.68'	N23°23'45"W	369.34'
C8	Δ =15°08'31"	395.00'	104.39'	S44°54'03"E	104.09'
C9	Δ =52°45'09"	395.00'	363.68'	N26°05'44"W	350.97'
C10	Δ =18°59'19"	600.00'	198.85'	N80°14'41"W	197.94'
C11	Δ =18°57'50"	600.00'	198.59'	S80°13'57"E	197.68'
C12	Δ =11°17'21"	350.00'	68.96'	N84°04'11"W	68.85'

LINE TABLE		
LINE	BEARING	DISTANCE
L94	S89°43'15"E	36.25'
L95	S89°43'15"E	80.00'
L96	S00°16'45"W	130.00'
L97	N89°43'15"W	80.00'
L98	N00°16'45"E	130.00'
L99	N00°16'51"E	353.06'
L136	S89°10'48"E	33.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L137	N89°59'48"E	22.00'
L138	N00°15'40"E	550.62'
L139	N89°44'44"W	22.00'
L140	S00°15'40"W	95.09'
L141	S89°44'20"E	22.00'
L142	S89°52'13"E	33.00'

SIDEWALK EASEMENT TABLES:

LINE TABLE		
LINE	BEARING	DISTANCE
L25	N69°09'02"E	16.62'
L26	N00°15'40"E	49.02'
L27	N89°10'24"W	15.50'
L28	N00°15'40"E	55.16'
L30	N66°26'40"E	22.41'
L31	N00°15'40"E	59.02'
L32	N86°35'23"W	20.53'
L33	S00°15'40"W	69.20'
L35	N66°26'40"E	22.41'
L36	N00°15'40"E	27.51'
L37	N00°15'40"E	27.51'
L38	N86°35'23"W	20.53'
L39	S00°15'40"W	28.61'
L40	S00°15'40"W	36.58'
L42	N66°26'40"E	22.41'

LINE TABLE		
LINE	BEARING	DISTANCE
L43	N00°15'40"E	49.02'
L44	N86°35'23"W	20.53'
L45	S00°15'40"W	59.20'
L47	N66°26'40"E	22.41'
L48	N00°15'40"E	49.02'
L49	N86°35'23"W	20.53'
L50	S00°15'40"W	59.20'
L52	N66°53'31"E	22.77'
L53	N00°10'40"E	29.92'
L54	N00°10'40"E	29.11'
L55	N86°38'55"W	20.84'
L56	S00°15'40"W	30.24'
L57	S00°15'40"W	38.95'
L60	N66°27'49"E	22.41'
L61	N00°16'51"E	49.02'

LINE TABLE		
LINE	BEARING	DISTANCE
L62	N86°34'12"W	20.53'
L63	S00°16'50"W	59.20'
L65	S66°27'48"W	22.41'
L66	S00°16'51"W	59.02'
L67	S86°34'11"E	20.53'
L68	N00°16'50"E	69.20'
L71	N66°27'46"E	22.41'
L72	N00°16'51"E	59.02'
L73	N86°34'10"W	20.53'
L74	S00°16'50"W	69.20'
L76	N66°27'44"E	22.41'
L77	N00°16'51"E	49.02'
L78	N86°34'10"W	20.53'
L79	S00°16'47"W	56.14'

EASEMENT TIE TABLE:

LINE TABLE		
LINE	BEARING	DISTANCE
L13	S00°15'40"W	94.88'
L23	S42°55'20"E	14.61'
L24	N00°15'40"E	141.85'
L29	N00°15'40"E	241.78'
L34	N00°15'40"E	408.24'
L41	N00°15'40"E	297.37'
L46	N00°15'40"E	320.80'
L51	N00°15'40"E	316.76'
L58	N00°15'40"E	65.17'
L59	S00°16'50"W	270.59'
L64	S00°16'50"W	300.80'
L69	S00°16'51"W	127.28'
L70	S00°16'50"W	163.53'
L75	S00°16'50"W	320.80'
L80	S00°16'51"W	429.12'

LINE TABLE		
LINE	BEARING	DISTANCE
L81	N46°35'53"E	13.83'
L82	N46°35'53"E	31.75'
L105	N00°15'40"E	423.18'
L111	N00°15'40"E	1001.11'
L119	N00°15'40"E	45.39'
L120	S00°16'52"W	482.81'
L126	S00°16'51"W	102.01'

TEMPORARY DRAINAGE EASEMENT TABLES:

LINE TABLE		
LINE	BEARING	DISTANCE
L100	N00°15'40"E	89.66'
L101	N89°44'20"W	70.00'
L102	N44°58'22"W	102.14'
L103	N72°33'14"W	185.00'
L104	N03°52'37"E	33.41'
L106	N00°15'40"E	368.57'
L107	S45°15'40"W	47.49'
L108	N89°44'20"W	168.39'
L109	N00°15'40"E	40.00'
L110	S89°44'20"E	90.00'
L112	N00°15'40"E	135.14'
L113	S89°44'20"E	154.72'
L114	S79°42'52"E	107.22'
L115	S00°17'08"W	60.00'
L116	N89°42'52"W	88.76'

LINE TABLE		
LINE	BEARING	DISTANCE
L117	S00°17'08"W	56.58'
L118	N89°42'52"W	171.50'
L121	S00°16'51"W	125.12'
L122	N45°16'50"E	49.33'
L123	S89°43'10"E	75.00'
L124	S00°16'45"W	160.00'
L125	N89°43'10"W	109.88'
L127	S00°16'51"W	117.68'
L128	S89°43'15"E	120.00'
L129	S00°16'45"W	87.68'
L130	S45°16'45"W	42.43'
L132	N45°16'50"E	49.30'
L133	S89°43'10"E	75.00'
L134	N89°43'10"W	109.87'
L135	S00°16'51"W	275.14'

NO.	DATE	REVISION	BY

PURPOSE: FINAL PLAT

DRAWN BY: PJE
CHECKED BY: JAB

HUNTER ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D. HEATH JR.
Date Signed 7/13/22
ARIZONA U.S.A.
Expires 3/31/2024

FINAL PLAT
PV303 WEST II-PHASE 2

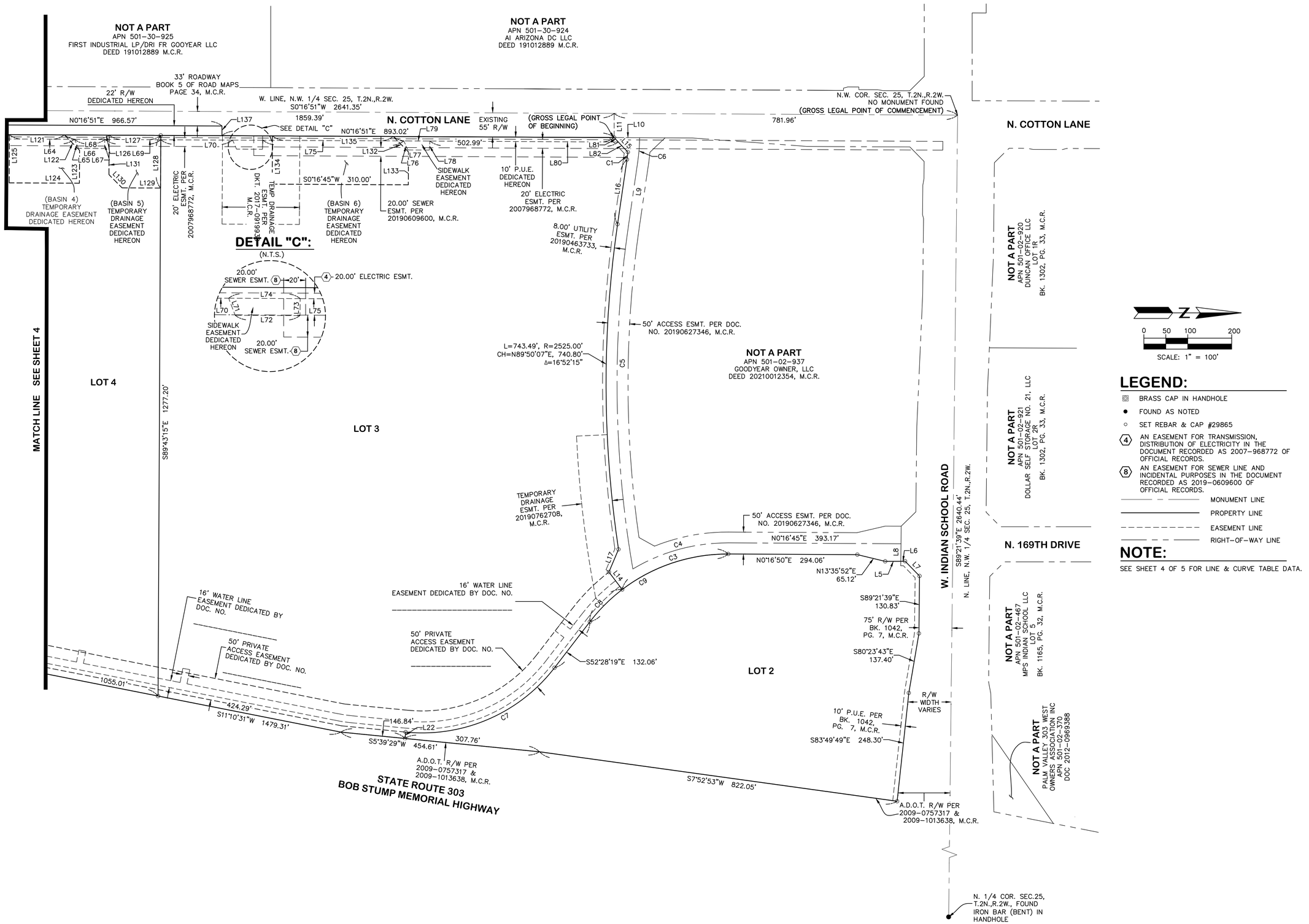
HAT PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 25
TWNSHP: 2N
RANGE: 2W

JOB NO.: MERT025-FP

SCALE 1"=100'

SHEET 4 OF 5



0 50 100 200

SCALE: 1" = 100'

LEGEND:

- ▨ BRASS CAP IN HANDHOLE
- ● FOUND AS NOTED
- ○ SET REBAR & CAP #29865
- (4) AN EASEMENT FOR TRANSMISSION, DISTRIBUTION OF ELECTRICITY IN THE DOCUMENT RECORDED AS 2007-968772 OF OFFICIAL RECORDS.
- (8) AN EASEMENT FOR SEWER LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 2019-0609600 OF OFFICIAL RECORDS.
- MONUMENT LINE
- PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE

NOTE:

SEE SHEET 4 OF 5 FOR LINE & CURVE TABLE DATA.

NO.	DATE	REVISION	BY

PURPOSE: **FINAL PLAT**

DRAWN BY: PJE
CHECKED BY: JAB

HUNTER ENGINEERING
CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D.
HEATH JR.
Date Signed 7/13/21
ARIZONA U.S.A.
Expires 3/31/2022

FINAL PLAT

PV303 WEST II-PHASE 2

HAT PORTION LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SECTION: 25
TWNSHP: 2N
RANGE: 2W

JOB NO.: MERT025-FP

SCALE 1"=100'

SHEET 5 OF 5

AGENDA ITEM #: 5.
DATE: 07/19/2021
AI #:378

CITY COUNCIL ACTION REPORT

SUBJECT: RE-PLAT OF LOT 3 AT HUDSON COMMONS

STAFF PRESENTER(S): Christopher Baker, Development Services Director

---

OTHER PRESENTER(S):
Kirk J. Pangus, Hilgart Wilson

SUMMARY

A Re-Plat of Lot 3, Hudson Common subdividing Lot 3 into two parcels located at the intersection of West Hudson Street and North Estrella Parkway.

Recommendation

Approve the Re-Plat of Lot 3, Hudson Commons (the “Final Plat”) subdividing approximately 2.07 acres into two parcels subject to stipulations. (Christopher Baker, Development Services Director)

STIPULATIONS

1. Prior to recordation of the Final Plat, Owner shall record the private sewer easement and the private 28’ water easement identified in the Final Plat, which shall be in a form approved by the City Attorney or his designee, and shall insert the recording information for each of the easements into the Final Plat.
2. Prior to recordation of the final plat, Owner shall submit a current title report for the Property and shall modify this plat to reflect the current ownership and current lender(s) including on the final plat a Lender Consent in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the property being platted herein. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the person(s) executing this final plat is authorized to do so.
3. All technical corrections to the final plat required by the City Engineer shall be made prior to the recordation of the Final Plat including modifications to the signature and approval blocks to comply with applicable standards and requirements.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development.

BACKGROUND AND PREVIOUS ACTIONS

The Master Plat of Hudson Commons was approved by City Council on October 23, 2017.

STAFF ANALYSIS

As set forth in the attached re-plat Council Action Report, the proposed replat is consistent with the General Plan and will not adversely impact the surrounding area. Further, the proposed subdivision is consistent with the technical requirements of the city's subdivision regulations and engineering standards, and provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

Attachments

Aerial Photo

Final Plat

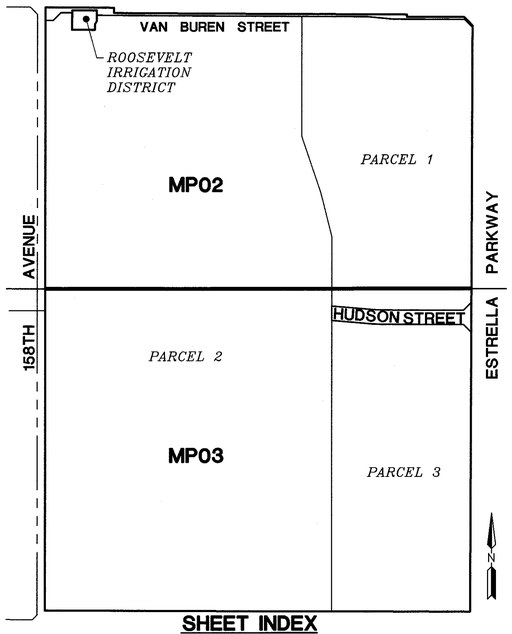
RePlat

Hudson Commons, Lot 3
North of W Hudson Street
West of N Estrella Parkway
South of W Van Buren Street

20-520-00011 - Re-Plat of Hudson Commons, Lot 3

MASTER PLAT
OF
HUDSON COMMONS
GOODYEAR, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



SHEET INDEX

SCALE: 1"=300'

PROJECT/TRACT USE AND AREAS (NET)		
PARCEL NO.	USE	AREA (ACRES)
PARCEL 1	COMMERCIAL	18.3790
PARCEL 2	SINGLE-FAMILY RESIDENTIAL	66.3861
PARCEL 3	MULTI-FAMILY RESIDENTIAL	16.0903

UTILITY PROVIDERS	
SEWER	GOODYEAR
WATER	GOODYEAR
FIRE	GOODYEAR
ELECTRIC	APS
NATURAL GAS	SW GAS
TELEPHONE	COX AND CENTURY LINK

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS:

THAT **ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION,** AS OWNER HAS SUBDIVIDED UNDER THE NAME OF "MASTER PLAT OF HUDSON COMMONS" BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISHES THIS "MASTER PLAT OF HUDSON COMMONS" AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING THE SAME. EACH LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR THE PUBLIC STREETS, IN FEE, SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR AND ITS PERMITTEES A NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS ("PUE") UPON, OVER, ACROSS AND UNDER ALL AREAS IN THIS PLAT DESIGNATED AS "PUE" FOR THE PURPOSE OF INSTALLING, OPERATING, MAINTAINING, REPLACING, AND/OR REPAIRING IMPROVEMENTS FOR SEWER, WATER, GAS, ELECTRIC, AND ANY OTHER UTILITY SERVICES ("PUBLIC UTILITY FACILITIES") AND FOR PROVIDING INGRESS AND EGRESS TO THE EASEMENT AREAS FOR SUCH PURPOSES. NO STRUCTURES OR IMPROVEMENTS MAY BE CONSTRUCTED ON, IN, OVER OR UNDER THE PUBLIC UTILITY EASEMENT AREAS IF SUCH IMPROVEMENTS WILL INTERFERE WITH THE USE OF THE EASEMENT AREAS FOR PUBLIC UTILITY FACILITIES, EXCEPT THAT ROADWAYS, SIDEWALKS, AND LANDSCAPING, AS APPROVED BY THE CITY, MAY BE CONSTRUCTED OR INSTALLED ON OR OVER SUCH PUBLIC UTILITY EASEMENT AREAS. PUBLIC UTILITY PROVIDERS SHALL BE AND REMAIN RESPONSIBLE FOR THEIR UTILITY FACILITIES, AND SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY IMPROVEMENTS INSTALLED AND/OR CONSTRUCTED WITHIN THE PUBLIC UTILITY EASEMENT AREAS, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING IMPROVEMENTS STREETS, AND SIDEWALKS DAMAGED DURING THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF THEIR UTILITY FACILITIES.

ESTRELLA VAN BUREN PROPERTIES, INC., AN ARIZONA CORPORATION, INCLUDING ITS HEIRS, SUCCESSORS AND ASSIGNS, AS OWNERS DEDICATES TO THE CITY OF GOODYEAR A PERMANENT EASEMENT UPON, OVER AND ACROSS ALL AREAS IN THIS PLAT DESIGNATED AS A SIDEWALK EASEMENT FOR USE BY THE CITY AND ITS PERMITEES FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING AND REPLACING SIDEWALKS TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AS NEEDED FOR SUCH PURPOSES AND FOR USE AS A SIDEWALK BY THE PUBLIC.

ALL OTHER EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN HEREON.

AN EASEMENT FOR INGRESS AND EGRESS, FOR AND ON BEHALF OF THE ROOSEVELT IRRIGATION DISTRICT IS HEREBY PROVIDED.

IN WITNESS WHEREOF, **ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION,** AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURES OF THE UNDERSIGNED OFFICER THEREUNTO DULY AUTHORIZED TO DO SO.

BY: **ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION,**

BY: _____ DATE: _____
MELVIN EKSTRAND
ITS: PRESIDENT

ACKNOWLEDGMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED OFFICER PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT OF **ESTRELLA VAN BUREN PROPERTIES, INC, AN ARIZONA CORPORATION,** AND ACKNOWLEDGED THAT HE, AS SUCH OFFICER BE AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.
IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

LEGAL DESCRIPTION

A PORTION OF LAND BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE ACCEPTED AS THE NORTHEAST CORNER OF SAID SECTION 7 FROM WHICH A FOUND BRASS CAP IN HAND HOLE ACCEPTED AS THE EAST QUARTER CORNER OF SAID SECTION 7 THEREOF BEARS SOUTH 00°10'47" WEST, 2638.71 FEET;

THENCE SOUTH 00°10'47" WEST, 99.85 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7;

THENCE LEAVING SAID EAST LINE, NORTH 89°49'13" WEST, 75.00 FEET TO THE **POINT OF BEGINNING** BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF ESTRELLA PARKWAY PER BOOK 490, PAGE 20 RECORDS OF MARICOPA COUNTY, ARIZONA AND BEING 75.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7;

THENCE SOUTH 00°10'47" WEST, 2450.94 FEET ALONG SAID PARALLEL LINE;

THENCE NORTH 89°49'13" WEST, 1781.10 FEET TO THE EAST RIGHT-OF-WAY LINE OF 158TH AVENUE AS SHOWN ON THE FINAL PLAT OF WILDFLOWER RANCH UNIT VII RECORDED AS BOOK 510, PAGE 11 RECORDS OF MARICOPA COUNTY, ARIZONA AND AS SHOWN ON THE FINAL PLAT OF WILDFLOWER RANCH UNIT VIII RECORDED AS BOOK 510, PAGE 12 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00°00'15" EAST, 2521.56 FEET ALONG SAID EAST RIGHT-OF-WAY TO THE SOUTH RIGHT-OF-WAY OF VAN BUREN STREET;

THENCE THE FOLLOWING SIX (6) COURES ALONG SAID SOUTH RIGHT-OF-WAY

THENCE SOUTH 89°42'17" EAST, 286.83 FEET;

THENCE SOUTH 00°17'43" WEST, 22.00 FEET;

THENCE SOUTH 89°42'17" EAST, 1227.05 FEET;

THENCE SOUTH 00°10'47" WEST, 10.00 FEET;

THENCE SOUTH 89°42'17" EAST, 240.00 FEET;

THENCE SOUTH 44°45'45" EAST, 49.55 FEET TO THE **POINT OF BEGINNING.**

AND EXCLUDING THEREFROM;
A PORTION OF LAND BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE ACCEPTED AS THE NORTHEAST CORNER OF SAID SECTION 7 FROM WHICH A FOUND BRASS CAP IN HAND HOLE ACCEPTED AS THE EAST QUARTER CORNER OF SAID SECTION 7 THEREOF BEARS SOUTH 00°10'47" WEST, 2638.71 FEET;

THENCE NORTH 89°42'17" WEST, 1648.76 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7;

THENCE LEAVING SAID NORTH LINE, SOUTH 00°17'43" WEST, 45.00 FEET TO A LINE BEING 45.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 BEING THE **POINT OF BEGINNING;**

THENCE LEAVING SAID PARALLEL LINE, SOUTH 00°17'43" WEST, 43.90 FEET;

THENCE SOUTH 28°05'18" WEST, 16.52 FEET;

THENCE SOUTH 00°13'50" WEST, 22.19 FEET;

THENCE NORTH 89°42'17" WEST, 95.47 FEET;

THENCE NORTH 00°17'43" EAST, 80.70 FEET TO THE AFORESAID PARALLEL LINE;

THENCE SOUTH 89°42'17" EAST, 103.14 FEET ALONG SAID PARALLEL LINE TO THE **POINT OF BEGINNING.**

PARTIAL RELEASE AND RECONVEYANCE OF LIEN

THE UNDERSIGNED, RESIDUARY TRUST U/W OF E.W. HUDSON, JR. DECEASED, DATED MARCH 30, 1966, AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2017 0043517 ENCUMBERING THE PROPERTY BEING PLATTED HEREIN, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT AND DOES HEREBY RELEASE FROM THE LIEN OF THE DEED OF TRUST THAT PORTION OF THE PROPERTY CONVEYED AND DEDICATED HEREIN AS SHOWN ON THIS SUBDIVISION PLAT AND DOES HEREBY SUBORDINATE THE LIEN OF THE DEED OF TRUST TO THE EASEMENTS DEDICATED AND GRANTED HEREIN AS SHOWN ON THIS SUBDIVISION PLAT. IT IS EXPRESSLY UNDERSTOOD THAT THIS RELEASE AND SUBORDINATION APPLIES ONLY TO THE PORTIONS OF THE PROPERTY BEING CONVEYED AND DEDICATED AND SHALL NOT, IN ANY WAY, AFFECT THE LIEN OF THE DEED OF TRUST UPON THE REMAINDER OF THE PROPERTY. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS PARTIAL RELEASE AND RECONVEYANCE AND SUBORDINATION ON BEHALF OF THE RESIDUARY TRUST U/W OF E.W. HUDSON, JR. DECEASED, DATED MARCH 30, 1966, AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, AZ AT DOCUMENT NO. 2017 0043517.

RESIDUARY TRUST U/W OF E.W. HUDSON JR.,
DECEASED, DATED MARCH 30, 1966

BY: _____
TRUSTEE

ACKNOWLEDGMENT

STATE OF_____)
) SS
COUNTY OF_____)

ON THIS _____ DAY OF _____, 2017, BEFORE ME PERSONALLY APPEARED THE UNDERSIGNED _____, BENEFICIARY, BY _____ ITS _____, WHOSE IDENTITY WAS PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHO HE OR SHE CLAIMS TO BE, AND ACKNOWLEDGED THAT HE OR SHE SIGNED THE ABOVE DOCUMENT.

BY: _____ MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

AREAS

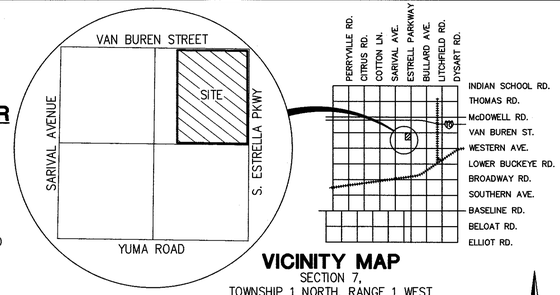
GROSS:	4,461,246 SF OR 102.416 ACRES
RIGHT-OF-WAY	59,887 SF OR 1.374 ACRES
ROOSEVELT IRRIGATION DISTRICT	8,097 SF OR 0.186 ACRES
NET (GROSS MINUS R/W & RID):	4,393,263 SF OR 100.856 ACRES

OWNER/DEVELOPER

HUDSON RESIDUARY TRUST
c/o MEL AND MONA EKSTRAND
1203 EAST ALAMEDA DRIVE
TEMPE, ARIZONA 85282

SURVEYOR

HILGARTWILSON
2141 E. HIGHLAND AVENUE, SUITE 250
PHOENIX, ARIZONA 85016
PH: 602-490-0535
FAX: 602-325-0161
CONTACT: ROBERT A. JOHNSTON



VICINITY MAP
SECTION 7,
TOWNSHIP 1 NORTH, RANGE 1 WEST
NOT TO SCALE

SHEET INDEX

MP01	COVER SHEET, VICINITY MAP, AND NOTES
MP02-MP03	MASTER PLAT SHEETS

BASIS OF BEARING

BASIS OF BEARING IS S00°10'47"W ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

NOTES

A. THIS DEVELOPMENT IS WITHIN THE SERVICE AREA OF THE CITY OF GOODYEAR WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. 45-576 SUBSECTION B THE CITY OF GOODYEAR'S ASSURED WATER SUPPLY DESIGNATION IS SUPPORTED IN PART BY THE CITY'S MEMBERSHIP IN THE CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT (CAGRD). PROPERTY WITHIN THIS DEVELOPMENT MAY BE ASSESSED A FEE BASED ON ITS PRO RATA SHARE OF THE CITY'S COST FOR CAGRD PARTICIPATION.

B. NO STRUCTURES OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE UTILITY EASEMENTS EXCEPT: UTILITIES, ASPHALT PAVING, GRASS, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING. THE CITY OF GOODYEAR SHALL NOT BE REQUIRED TO REPLACE OR PROVIDE REIMBURSEMENT FOR THE COST OF REPLACING ANY OBSTRUCTIONS, PAVING OR PLANTING THAT IS REMOVED DURING THE COURSE OF MAINTAINING, CONSTRUCTING OR RECONSTRUCTING UTILITY FACILITIES.

C. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION SHALL BE PLANTED NOR WILL BE ALLOWED TO GROW WITHIN, ON OR OVER ANY DRAINAGE EASEMENT WHICH WOULD OBSTRUCT OR DIVERT THE FLOW OF STORM WATER. THE CITY MAY, IF IT SO DESIRES, CONSTRUCT OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND OF THE DRAINAGE EASEMENT.

D. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURBS, GUTTERS, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STREET STRIPING.
   a) THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b) DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c) MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF A SEALANT ON ALL CRACKS AND JOINTS, AND APPLICATION OF A SEALANT OVER ALL ASPHALT PAVEMENTS.
   d) AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
   e) IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR WARRANTY PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.

E. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING.
   a) THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL PLANTED AREAS INCLUDING IRRIGATION SYSTEMS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b) DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c) MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE GOOD NORMAL GROWTH.
   f) IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

F. STRUCTURES WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO A HEIGHT OF THREE (3) FEET; LANDSCAPING WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO GROUND COVER, FLOWERS AND GRANITE LESS THAN TWO (2) FEET (MATURE) IN HEIGHT AND/OR TREES WITH BRANCHES NOT LESS THAN SEVEN (7) FEET ABOVE THE GROUND. TREES SHALL NOT BE PLACED LESS THAN EIGHT (8) FEET APART.

G. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE AND REPAIR OF ALL FACILITIES ASSOCIATED WITH STORMWATER MANAGEMENT ON A PROPERTY.

H. THIS PARCEL IS SUBJECT TO ATTENDANT NOISE, VIBRATIONS, DUST, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY OVERFLIGHTS AND BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM PHOENIX-GOODYEAR AIRPORT AND LUKE AIR FORCE BASE.

I. THIS DEVELOPMENT IS ADJACENT TO AGRICULTURAL USES AND IS THEREFORE SUBJECT TO NOISE, DUST AND ODORS ASSOCIATED WITH SUCH A USE.

J. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND (EXCEPTIONS ARE TO BE NOTED).

K. ALL LOT CORNERS SHALL BE MONUMENTED WITH ½" REBAR WITH CAP, TAG OR OTHER MONUMENTATION AS DESCRIBED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.

L. THE CITY OF GOODYEAR IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES OR LANDSCAPED AREAS WITHIN THIS DEVELOPMENT.

M. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE OF ALL STORMWATER MANAGEMENT FACILITIES.

N. MAINTENANCE OF EASEMENTS THAT LIE WITHIN THE BOUNDARIES OF A SUBDIVISION LOT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS OR PROPERTY OWNERS ASSOCIATION.

APPROVALS

APPROVED BY THE CITY OF GOODYEAR, ARIZONA THIS _____ DAY OF _____, 2017.

BY: _____ ATTEST _____
MAYOR CITY CLERK

APPROVED BY: _____ _____
CITY OF GOODYEAR ENGINEER DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL 2017; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE EXTERIOR BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

ROBERT A. JOHNSTON, RLS
RLS# 37495
HILGARTWILSON
2141 E. HIGHLAND AVENUE, SUITE 250
PHOENIX, ARIZONA 85016
P: (602) 490-0535
rjohnston@hilgartwilson.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37495
ROBERT A.
JOHNSTON
Date Signed 10/12/17
ARIZONA, U.S.A.
Expires 3/31/2019

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HILGARTWILSON
ENGINEER | PLAN | SURVEY | MANAGE
2141 E. HIGHLAND AVE. STE. 250 | P: 602.490.0535 / F: 602.368.2436
PHOENIX, AZ 85016 | www.hilgartwilson.com

HUDSON COMMONS
S.W.C. ESTRELLA PARKWAY & VAN BUREN STREET
GOODYEAR, ARIZONA
MASTER PLAT

STATUS:
MUNICIPAL TRACKING NO:
PROJ. NO.: 1365
DATE: APRIL 2017
SCALE: AS SHOWN
DRAWN: SWR
APPROVED: RAJ

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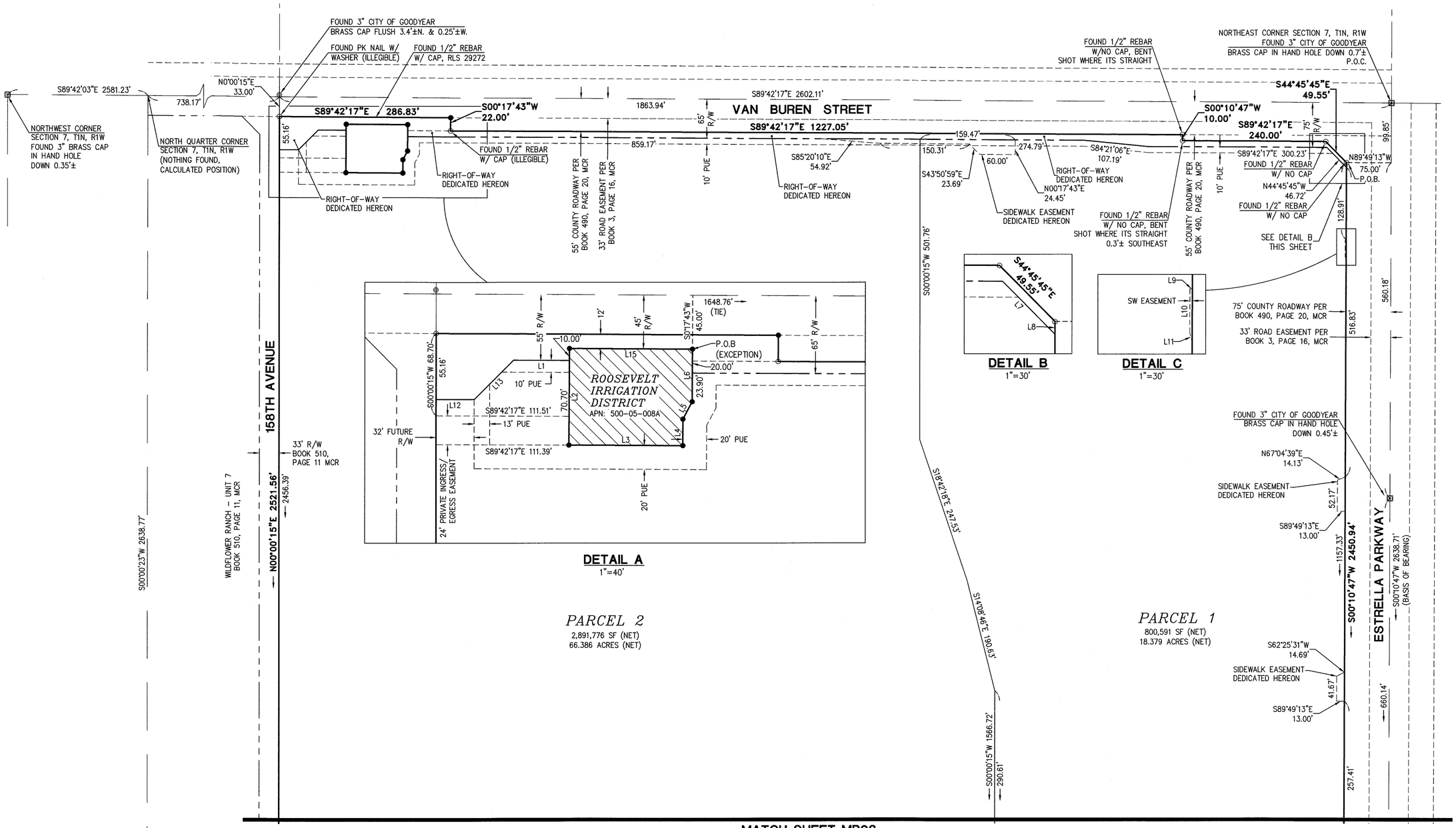
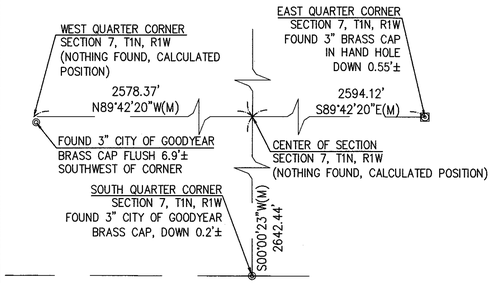
DWG. NO.
MP01
SHT. 1 OF 3





LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	S89°42'17"E	46.75'
L2	N00°17'43"E	80.70'
L3	N89°42'17"W	95.47'
L4	S00°13'50"W	22.19'
L5	S28°05'18"W	16.52'
L6	S00°17'43"W	43.90'
L7	S44°45'45"E	46.72'
L8	N00°10'47"E	8.00'
L9	S89°49'13"E	1.50'
L10	N00°10'47"E	27.73'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L11	N15°11'47"W	5.66'
L12	N89°59'45"W	32.00'
L13	S45°08'59"W	46.55'
L15	N89°42'17"W	103.14'

LEGEND

○	FOUND MONUMENT AS NOTED	◉	SET BRASS CAP FLUSH
⊡	FOUND BRASS CAP IN HAND HOLE	●	SET 1/2" REBAR W/ CAP, RLS 37495 OR AS NOTED
◎	FOUND BRASS CAP FLUSH	PUE	PUBLIC UTILITY EASEMENT
———	BOUNDARY LINE	SWE	SIDEWALK EASEMENT
———	RIGHT-OF-WAY	RID	ROOSEVELT IRRIGATION DISTRICT
———	SECTION LINE	MCR	MARICOPA COUNTY RECORDS
———	CENTER LINE	RLS	REGISTERED LAND SURVEYOR
———	PARCEL LINE	R/W	RIGHT-OF-WAY
- - - - - -	EASEMENT		

N

60 30 0 60 120
SCALE FEET

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37495
ROBERT A. JOHNSTON
Date Signed 10/12/17
ARIZONA, U.S.A.
Expires 3/31/2020

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HILGARTWILSON
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PHOENIX, AZ 85016 www.hilgartwilson.com

HUDSON COMMONS

S.W.C. ESTRELLA PARKWAY & VAN BUREN STREET
GOODYEAR, ARIZONA

MASTER PLAT

STATUS:
PROJ. NO.: 1365
DATE: APRIL 2017
SCALE: AS SHOWN
DRAWN: SWR
APPROVED: RAJ
MUNICIPAL TRACKING NO:

DWG. NO.
MP02
SHT. 2 OF 3

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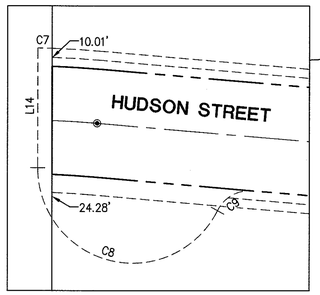
MATCH SHEET MP02



TEMPORARY TURNAROUND EASEMENT
DETAIL D
1"=40'

PARCEL 1

PARCEL 2
2,891,776 SF (NET)
66.386 ACRES (NET)

PARCEL 3
700,895 SF (NET)
16.090 ACRES (NET)

HUDSON STREET

ESTRELLA PARKWAY

158TH AVENUE

WILDFLOWER RANCH – UNIT 8
BOOK 510, PAGE 12, MCR

33' R/W
BOOK 510,
PAGE 12 MCR

N00°00'15"E 2521.56'
2456.39'

S00°00'15"W 1566.72'

1216.07'

S00°10'47"W 2450.94'

550.26'

290.61'
C4
150.46'
C1
30.02'
C5
150.46'
89.81'
S00°00'15"W
60.04'
S85°06'42"E 150.46'
C2
C3
335.87'
30' R/W
10' PUE
5' SIDEWALK EASEMENT DEDICATED HEREON
N45°10'47"E
46.67'
1157.33'
HUDSON STREET 368.87'
S89°49'13"E 443.87'
C6
60.65'
335.87'
S44°49'13"E
46.67'
1167.62'
126.00'
5' SIDEWALK EASEMENT DEDICATED HEREON
RIGHT-OF-WAY DEDICATED HEREON

S00°10'47"W 2638.71'
(BASIS OF BEARING)
FOUND 3" CITY OF GOODYEAR
BRASS CAP IN HAND HOLE
DOWN 0.55'±
660.14'
75.00'

75' COUNTY ROADWAY PER
BOOK 490, PAGE 20, MCR
33' ROAD EASEMENT PER
BOOK 3, PAGE 16, MCR

1230.62'
S00°10'47"W 2638.71'
(BASIS OF BEARING)

1167.62'
S62°25'31"W
14.69'
SIDEWALK EASEMENT
DEDICATED HEREON
41.67'
S89°49'13"E
13.00'

WEST QUARTER CORNER
SECTION 7, T1N, R1W
(NOTHING FOUND, CALCULATED POSITION)
CENTER OF SECTION
SECTION 7, T1N, R1W
(NOTHING FOUND, CALCULATED POSITION)
2578.37'
N89°42'20"W(M)
FOUND 3"
CITY OF GOODYEAR
BRASS CAP FLUSH
6.9'± SOUTHWEST
OF CORNER
S00°00'23"W(M)
2642.44'
SOUTH QUARTER CORNER
SECTION 7, T1N, R1W
FOUND 3" CITY OF GOODYEAR
BRASS CAP, DOWN 0.2'±

FOUND 1/2" REBAR W/ CAP
(WARREN 31610)
1200.01'
N89°49'13"W 1781.10'
581.10'
S89°49'13"E
75.00'
87.92'
EAST QUARTER CORNER
SECTION 7, T1N, R1W
FOUND 3" BRASS CAP
IN HAND HOLE
DOWN 0.55'±

HARRISON STREET (ALIGNMENT)

S89°42'20"E 2594.12'

CITY OF GOODYEAR
APN: 500-09-148A

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L14	N00°00'15"E	66.54'

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C1	500.00'	2°52'33"	25.10'
C2	500.00'	4°42'31"	41.09'
C3	470.00'	4°42'31"	38.63'
C4	530.00'	2°59'23"	27.65'
C5	470.00'	2°44'52"	22.54'
C6	530.00'	4°42'31"	43.56'
C7	540.00'	0°50'57"	8.00'
C8	53.00'	153°25'30"	141.92'
C9	20.00'	68°17'34"	23.84'

LEGEND

○	FOUND MONUMENT AS NOTED	◉	SET BRASS CAP FLUSH
⊠	FOUND BRASS CAP IN HAND HOLE	●	SET 1/2" REBAR W/ CAP, RLS 37495 OR AS NOTED
⊚	FOUND BRASS CAP FLUSH	PUE	PUBLIC UTILITY EASEMENT
	BOUNDARY LINE	SWE	SIDEWALK EASEMENT
	RIGHT-OF-WAY	RID	ROOSEVELT IRRIGATION DISTRICT
	SECTION LINE	MCR	MARICOPA COUNTY RECORDS
	CENTER LINE	RLS	REGISTERED LAND SURVEYOR
	PARCEL LINE	R/W	RIGHT-OF-WAY
	EASEMENT		

N

60 30 0 60 120
SCALE FEET

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37495
ROBERT A.
JOHNSTON
Date Signed 10-
ARIZONA, U.S.A.
Expires 3/31/2020

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PHOENIX, AZ 85016 www.hilgartwilson.com

HUDSON COMMONS

S.W.C. ESTRELLA PARKWAY & VAN BUREN STREET
GOODYEAR, ARIZONA

MASTER PLAT

PROJ. NO.: 1365
DATE: APRIL 2017
SCALE: AS SHOWN
DRAWN: SWR
APPROVED: RAJ

STATUS:

MUNICIPAL TRACKING NO:

DWG. NO.
MP03
SHT. 3 OF 3

RE-PLAT
OF
LOT 3, HUDSON COMMONS
GOODYEAR, ARIZONA
A RE-PLAT OF LOT 3, MINOR LAND DIVISION OF HUDSON COMMONS, ACCORDING TO BOOK 1420 OF MAPS, PAGE 25 RECORDS OF MARICOPA COUNTY, ARIZONA BEING WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER'S STATEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS:

THAT **JB HOLDINGS, INC., AN ARIZONA CORPORATION**, ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER OF LOT 3A, AND **SYV ESTRELLA PARKWAY LLC, A DELAWARE LIMITED LIABILITY COMPANY**, ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER OF LOT 3B, HAS SUBDIVIDED UNDER THE NAME OF "RE-PLAT OF LOT 3, HUDSON COMMONS," LOT 3 OF THE "MINOR LAND DIVISION OF HUDSON COMMONS" ACCORDING TO BOOK 1420 OF MAPS, PAGE 25 RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY DECLARES THAT SAID RE-PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS CONSTITUTING THE SAME, AND THAT EACH LOT SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN EACH RESPECTIVELY ON SAID RE-PLAT.

IN WITNESS WHEREOF,
JB HOLDINGS, INC., AN ARIZONA CORPORATION, AS OWNER, HAS HERE UNDER CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE AUTHORIZED AGENT LISTED BELOW.

BY: _____ DATE: _____
ITS: PRESIDENT

IN WITNESS WHEREOF:
SYV ESTRELLA PARKWAY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREBY CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE AUTHORIZED AGENT AS LISTED BELOW.

BY: _____ DATE: _____
ITS: GENERAL MANAGER

ACKNOWLEDGMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, THE UNDERSIGNED OFFICER PERSONALLY APPEARED **JOHN BEERLING** WHO ACKNOWLEDGED HIMSELF TO BE THE **PRESIDENT** OF **JB HOLDINGS, INC., AN ARIZONA CORPORATION**, AND ACKNOWLEDGED THAT HE, AS SUCH OFFICER BE AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.
IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, THE UNDERSIGNED

OFFICER PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE

THE _____ OF **SYV ESTRELLA PARKWAY, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, AND ACKNOWLEDGED THAT HE, AS SUCH OFFICER BE AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.
IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

PARENT LEGAL DESCRIPTION

LOT 3, MINOR LAND DIVISION OF HUDSON COMMONS ACCORDING TO THE BOOK 1420 OF MAPS, PAGE 25 RECORDS OF MARICOPA COUNTY BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

LOT 3A LEGAL DESCRIPTION

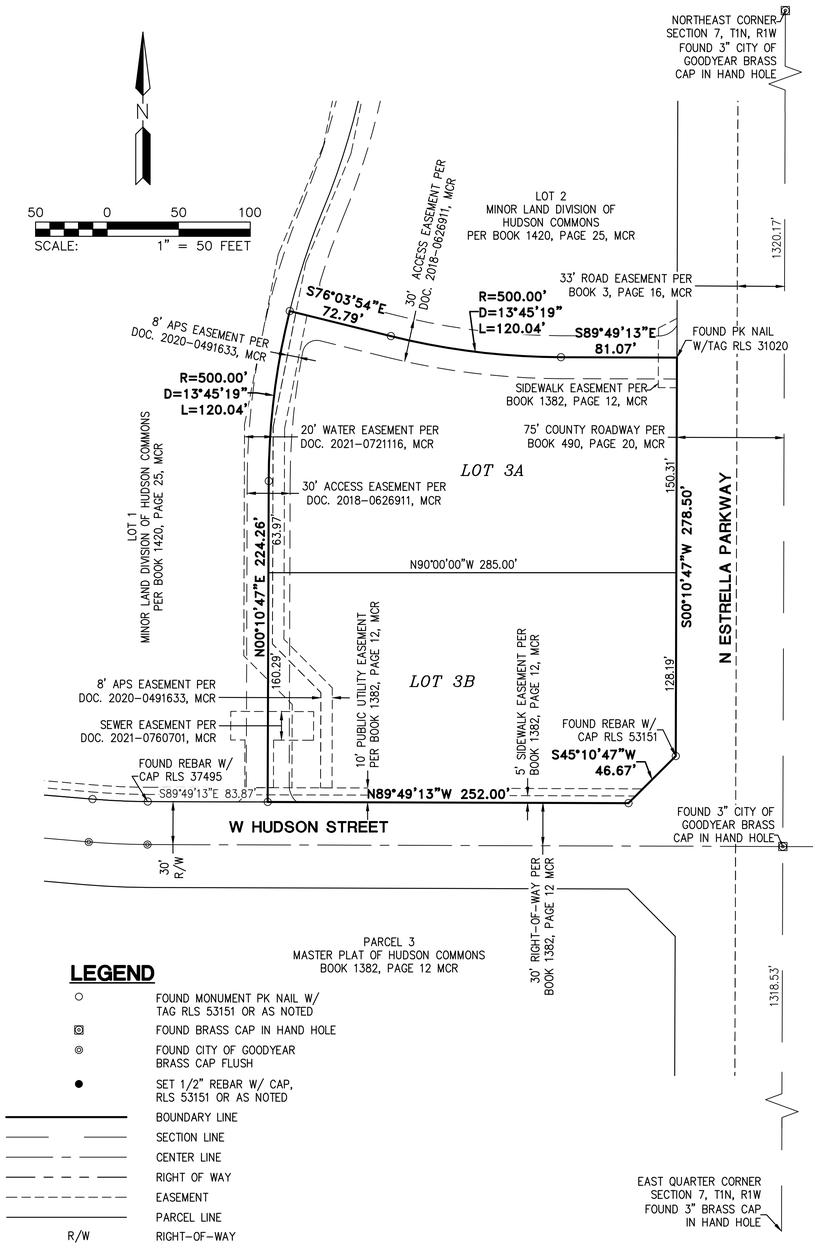
THAT PARCEL OF LAND BEING A PORTION OF LOT 3 OF THE MINOR LAND DIVISION OF HUDSON COMMONS, AS RECORDED IN BOOK 1420, PAGE 25, MARICOPA COUNTY RECORDS, BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE PROPERTY LINE OF SAID LOT 3 THE FOLLOWING 4 COURSES:
THENCE SOUTH 76°03'54" EAST, 72.79 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 500.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°45'19", AN ARC LENGTH OF 120.04 FEET TO A TANGENT LINE;
THENCE SOUTH 89°49'13" EAST, 81.07 FEET;
THENCE SOUTH 00°10'47" WEST, 150.31 FEET;
THENCE DEPARTING SAID PROPERTY LINE, NORTH 90°00'00" WEST, 285.00 FEET TO THE WEST PROPERTY LINE OF SAID LOT 3;
THENCE ALONG SAID WEST PROPERTY LINE THE FOLLOWING 2 COURSES:
THENCE NORTH 00°10'47" EAST, 63.97 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 500.00 FEET;
THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°45'19", AN ARC LENGTH OF 120.04 FEET TO THE **POINT OF BEGINNING**.

LOT 3B LEGAL DESCRIPTION

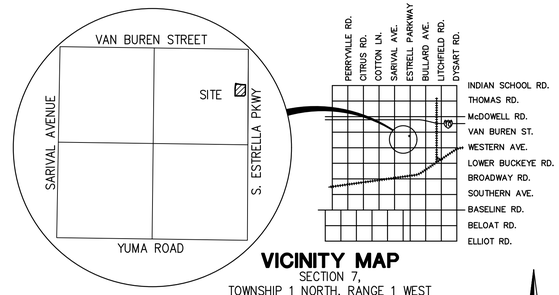
THAT PARCEL OF LAND BEING A PORTION OF LOT 3 OF THE MINOR LAND DIVISION OF HUDSON COMMONS, AS RECORDED IN BOOK 1420, PAGE 25, MARICOPA COUNTY RECORDS, BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3, FROM WHICH THE POINT OF CURVATURE ALONG THE WEST LINE OF SAID LOT 3, BEARS NORTH 00°10'47" EAST, 224.26 FEET;
THENCE NORTH 00°10'47" EAST, 160.29 FEET ALONG SAID WEST LINE;
THENCE LEAVING SAID WEST LINE, NORTH 90°00'00" EAST, 285.00 FEET TO THE EAST LINE OF SAID LOT 3;
THENCE ALONG THE PROPERTY LINE OF SAID LOT 3 THE FOLLOWING THREE (3) COURSES;
THENCE SOUTH 00°10'47" WEST, 128.19 FEET;
THENCE SOUTH 45°10'47" WEST, 46.67 FEET;
THENCE NORTH 89°49'13" WEST, 252.00 FEET TO THE **POINT OF BEGINNING**.



LEGEND

○	FOUND MONUMENT PK NAIL W/ TAG RLS 53151 OR AS NOTED
⊡	FOUND BRASS CAP IN HAND HOLE
◎	FOUND CITY OF GOODYEAR BRASS CAP FLUSH
●	SET 1/2" REBAR W/ CAP, RLS 53151 OR AS NOTED
———	BOUNDARY LINE
——— ———	SECTION LINE
——— – ———	CENTER LINE
——— – – ———	RIGHT OF WAY
– – – – – –	EASEMENT
———	PARCEL LINE
R/W	RIGHT-OF-WAY
MCR	MARICOPA COUNTY RECORDS
RLS	REGISTERED LAND SURVEYOR



VICINITY MAP
SECTION 7,
TOWNSHIP 1 NORTH, RANGE 1 WEST
NOT TO SCALE

N

OWNER/DEVELOPER (LOT 3A)

JB HOLDINGS, INC.
5827 E. INDIAN SCHOOL ROAD
PHOENIX, ARIZONA 85018
ATTN: JOHN BEERLING
PH: 602.339.5702

OWNER/DEVELOPER (LOT 3B)

SYV ESTRELLA PARKWAY, LLC
601 W TONTO DRIVE
CHANDLER, AZ 85248
ATTN: GORDON EKSTRAND
PH: 310.351.3191

SURVEYOR

HILGARTWILSON, LLC
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, ARIZONA 85016
PHONE: (602) 490-0535
CONTACT: KIRK J. PANGUS, RLS

BASIS OF BEARING

BASIS OF BEARING IS S00°10'47"W ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON FINAL PLAT, BOOK 1382, PAGE 12, MARICOPA COUNTY RECORDS.

AREA

LOT 3A	45,046 SQ.FT. OR 1.0341 ACRES, MORE OR LESS
LOT 3B	45,266 SQ.FT. OR 1.0392 ACRES, MORE OR LESS
LOT 3	90,313 SQ.FT. OR 2.0733 ACRES, MORE OR LESS

FLOOD ZONE DESIGNATION

THE SUBJECT PROPERTY LIES WITHIN SHADED ZONE "X" WITH A DEFINITION OF: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREA LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. DESIGNATION DETERMINED BY FEMA FLOOD ZONE MAP 04013C2135L, PANEL NUMBER 2135 OF 4425, EFFECTIVE DATE OCTOBER 16, 2013.

REFERENCE DOCUMENTS

1. ROAD MAP PER BOOK 490, PAGE 20, MCR
2. RECORD OF SURVEY PER BOOK 694, PAGE 38, MCR
3. MASTER PLAT OF HUDSON COMMONS, PER BOOK 1382, PAGE 12, MCR
4. MINOR LAND DIVISION OF HUDSON COMMONS, PER BOOK 1420, PAGE 25, MCR

FINAL PLAT APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA THIS _____ DAY OF _____, 2021

BY: _____ _____
MAYOR GEORGIA LORD DATE

BY: _____ _____
CITY CLERK DARCIE MCCRACKEN DATE

APPROVED BY THE CITY ENGINEER OF THE CITY OF GOODYEAR, ARIZONA THIS _____ DAY OF _____, 2021

BY: _____ _____
CITY ENGINEER SUMEET MOHAN DATE

LAND SURVEYOR CERTIFICATION

I, KIRK J. PANGUS, HEREBY CERTIFY THAT I AM REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT HEREON HAS BEEN PREPARED FROM A SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE SURVEY IS TRUE AND ACCURATELY REPRESENTS THE PROPERTY DESCRIBED HERON. I FURTHER CERTIFY THAT ALL MONUMENTS EXIST OR WILL BE SET AS SHOWN, THAT ALL LOT CORNERS ARE SET OR WILL BE SET, IN ACCORDANCE WITH THE LATEST ADAPTED "ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS"; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY:
KIRK J. PANGUS, RLS
RLS# 19344
HILGARTWILSON, LLC.
2141 E. HIGHLAND AVENUE, SUITE 250
PHOENIX, ARIZONA 85016
P: (602) 490-0535
kpangus@hilgartwilson.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19344
KIRK J.
PANGUS
07/14/2021
Signed
ARIZONA, U.S.A.

NOTE:
A.R.S. 32-151 STATES THAT THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A PERSON OR FIRM THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OR FINDINGS THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.

HILGARTWILSON
ENGINEER | PLAN | SURVEY | MANAGE
2141 E. HIGHLAND AVE. STE. 250 | P: 602.490.0535 / F: 602.368.2436
PHOENIX, AZ 85016 www.hilgartwilson.com

LOT 3 - HUDSON COMMONS
S.W.C. ESTRELLA PKWY. & VAN BUREN STREET
GOODYEAR, ARIZONA
RE-PLAT

PROJ. NO.: 1365	STATUS:
DATE: MAY 2021	
SCALE: AS SHOWN	MUNICIPAL TRACKING NO:
DRAWN: JHVD	
APPROVED: KJP	

DWG. NO.
RP01
SHT. 1 OF 1

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U:\1300\1365\SURVEY\PLAT\COMMERCIAL PH1\1365-LOT 3-RP-01.dwg 7/14/2021 11:20 AM

AGENDA ITEM #: 6.
DATE: 07/19/2021
AI #:404

CITY COUNCIL ACTION REPORT

SUBJECT: ACCEPTANCE OF A PUBLIC UTILITY AND EASEMENT FOR THE CABANA ON BULLARD DEVELOPMENT

STAFF PRESENTER(S): Linda Beals, Real Estate Coordinator

SUMMARY

Acceptance of a Public Utility and Sidewalk Easement, from Bullard & Van Buren, LLC, a Delaware limited liability company, for the Cabana on Bullard northwest corner of Van Buren Street and Bullard.

Recommendation

Accept the Public Utility and Sidewalk Easement from Bullard & Van Buren, LLC, a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

FISCAL IMPACT

There will be no fiscal impact to the City in the fiscal year 2022 of future years associated with the acceptance of this easement.

BACKGROUND AND PREVIOUS ACTIONS

In August of 2020, the Council approved the rezoning of the 10.25 Acre property located at the northwest corner of Van Buren Street and Bullard Avenue to facilitate the development of a 336-unit multi-family complex know as Cabana on Bullard. The owner of the property is currently in the process of developing the property.

One of the requirements to continue with the development of the property is to provide the City with the appropriate Public Utility and Sidewalk Easement that will be located along both Van Buren Street and Bullard Avenue.

STAFF ANALYSIS

The public utility and sidewalk easement is required in order to allow for public utilities and sidewalk improvements to be located along the arterial street frontage. The ability to place these improvements in the appropriate locations allows for the continuity of both the public utilities and sidewalks along the street frontage providing connectivity between the adjacent properties.

Attachments

Easement

When recorded Mail to:

City of Goodyear
City Clerk / LRB
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338
QS-57

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

PUBLIC UTILITY AND SIDEWALK EASEMENT

GRANTOR:	GRANTEE:
BULLARD & VAN BUREN, LLC, a Delaware limited liability company	**CITY OF GOODYEAR, an Arizona Municipal Corporation and its successors and assigns**

For the consideration of One Dollar ($1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **BULLARD & VAN BUREN, LLC, a Delaware limited liability company**, ("GRANTOR") does hereby grant and convey to the **CITY OF GOODYEAR, an Arizona municipal corporation**, its successors, assigns (collectively "GRANTEE"), a permanent easement (the "Easement") upon, over, under, across, above and through the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"). Such Easement is for the purposes of: (i) entering upon, locating, inspecting, installing, constructing, maintaining, operating, replacing, and/or repairing all public utility facilities by GRANTEE and its Permittees; (ii) entering upon, constructing, installing, maintaining, repairing and/or replacing public sidewalks by GRANTEE and its Permittees; and (iii) travel by the public over installed sidewalks.

GRANTEE shall have all rights and privileges necessary or convenient for the full use and enjoyment of the Easement Area for the purposes described above.

GRANTOR reserves the right to use the Easement Area for uses that are not inconsistent with and do not interfere with the use of the Easement Area by GRANTEE and its Permittees for the purposes specified above. No building, structure, or above ground utility facility shall be placed upon the Easement Area without the written permission of GRANTEE.

GRANTOR and its respective successors and assigns shall have no responsibility or liability for the construction, operation, maintenance, or repair of any facilities constructed pursuant to the rights granted by this Public Utility and Sidewalk Easement except to the extent of any warranty required by Grantee as to any such facilities installed by Grantor.

GRANTOR and its respective successors and assigns, hereby waives and releases GRANTEE from any and all liability for damage to GRANTOR'S property resulting from the exercise of the rights granted herein provided that GRANTEE repairs such damage and restores GRANTOR's property to a neat and presentable condition as soon as practicable after the completion of any work within the Easement Area.

This Public Utility and Sidewalk Easement runs with the land and is binding upon GRANTOR and all successors and assigns in interest or title to the Easement Area for the benefit of GRANTEE.

IN WITNESS WHEREOF, this Public Utility and Sidewalk Easement is executed this day of_____, 20_____.

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTOR:
BULLARD & VAN BUREN, LLC,
a Delaware limited liability company

By: GL CABANA BULLARD INVESTORS, LLC,
an Arizona limited liability company
Its: Manager

By: GREENLIGHT COMMUNITIES, LLC,
an Arizona limited liability company
Its: Manager

By: RDP COMMERCIAL, LLC,
an Arizona limited liability company
Its: Manager

By_____
Name: Robert Lyles
Its: Manager

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility and Sidewalk Easement) was acknowledged before me this 2ND day of July, 20 21 by ROBERT LYLES, the Manager of RDP COMMERCIAL, LLC, an Arizona limited liability company, the Manager of GREENLIGHT COMMUNITIES, LLC, an Arizona limited liability company, the Manager of GL CABANA BULLARD INVESTORS, LLC, an Arizona limited liability company, the Manager of BULLARD & VAN BUREN, LLC, a Delaware limited liability company, on behalf of such limited liability company.

Ashley Gray
Notary Public

Notary Public State of Arizona
Maricopa County
Ashley Taylor Gray
My Commission Expires 01/24/2024
Commission Number 576916

Signatures, Acknowledgments and Exhibits on Following Pages

GRANTEE:

ACCEPTED by the **CITY OF GOODYEAR, an Arizona Municipal Corporation**, this ____ day of _____, 20_____.

By:_____

Its:_____

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility and Sidewalk Easement) was acknowledged before me this _____ day of _____, 20____ by _____, as _____ of the **CITY OF GOODYEAR, an Arizona municipal corporation**, on behalf of said corporation.

_____
Notary Public

Exhibit(s) on Following Page(s)

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION
PUBLIC UTILITES EASEMENT
CABANA ON BULLARD
GOODYEAR, ARIZONA

DATE 04/05/21
Job No. P5201

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH. RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5, FROM WHICH A FOUND 'X' MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 5 BEARS NORTH 89 DEGREES 26 MINUTES 22 SECONDS WEST, A DISTANCE OF 2605.00 FEET;

THENCE FOLLOWING SAID SECTION LINE NORTH 89 DEGREES 26 MINUTES 22 SECONDS WEST, A DISTANCE OF 121.69 FEET;

THENCE DEPARTING SAID SECTION LINE NORTH 00 DEGREES 33 MINUTES 38 SECONDS EAST, A DISTANCE OF 65.00 FEET TO THE **POINT OF BEGINNING;**

THENCE NORTH 89 DEGREES 26 MINUTES 22 SECONDS WEST, A DISTANCE OF 860.85 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 35 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 89 DEGREES 26 MINUTES 22 SECONDS EAST, A DISTANCE OF 856.69 FEET;

THENCE NORTH 45 DEGREES 39 MINUTES 31 SECONDS EAST, A DISTANCE OF 25.61 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 24 SECONDS EAST, A DISTANCE OF 85.87 FEET;

THENCE SOUTH 89 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 15.00 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 24 SECONDS EAST, A DISTANCE OF 204.94 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 45 SECONDS EAST, A DISTANCE OF 8.00 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 24 SECONDS EAST, A DISTANCE OF 169.14 FEET;

THENCE SOUTH 89 DEGREES 26 MINUTES 22 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 24 SECONDS WEST, A DISTANCE OF 179.11 FEET;

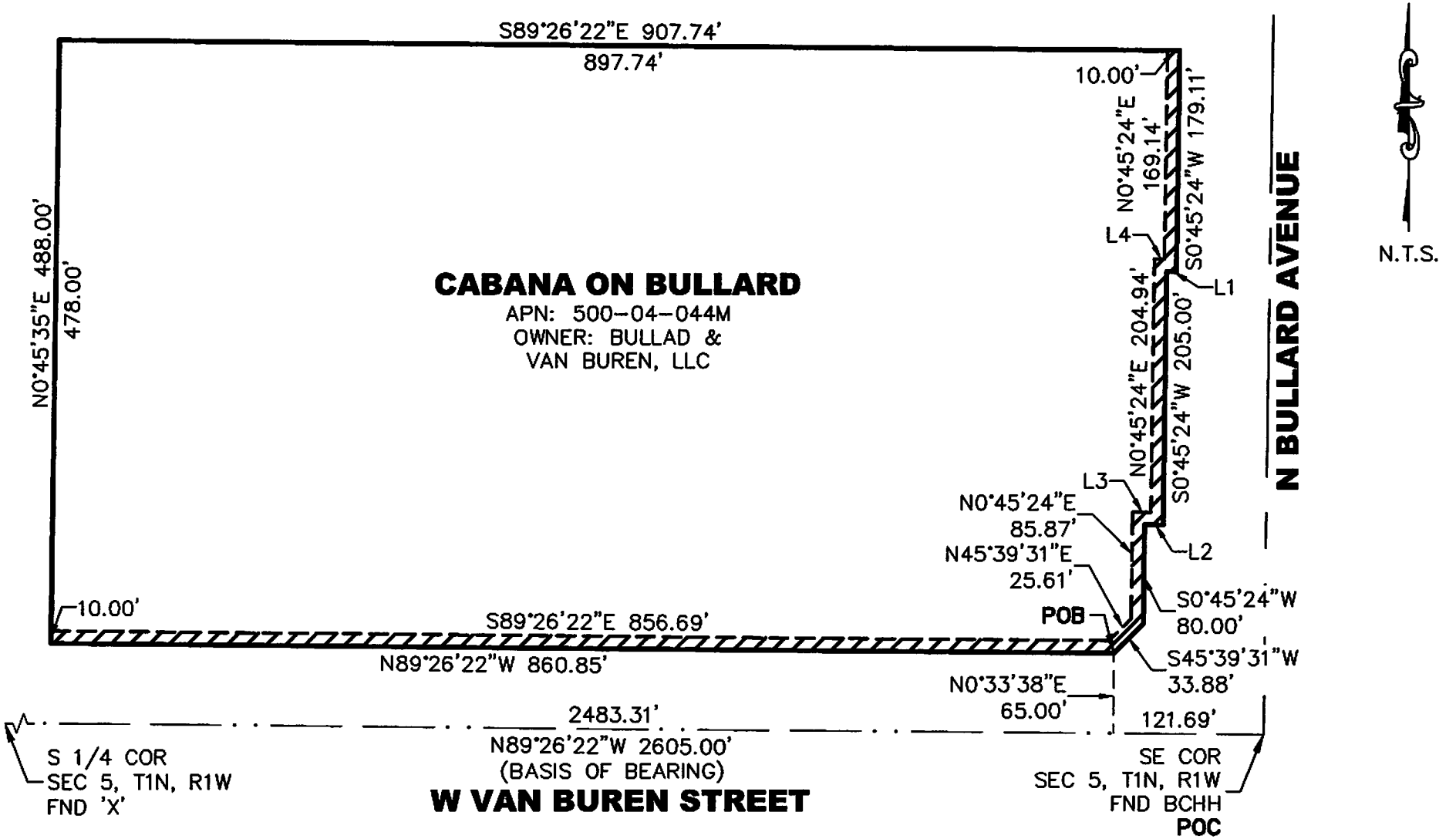
THENCE NORTH 89 DEGREES 36 MINUTES 45 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 24 SECONDS WEST, A DISTANCE OF 205.00 FEET;

THENCE NORTH 89 DEGREES 14 MINUTES 39 SECONDS WEST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 24 SECONDS WEST, A DISTANCE OF 80.00 FEET;

THENCE SOUTH 45 DEGREES 39 MINUTES 31 SECONDS WEST, A DISTANCE OF 33.88 FEET TO THE **POINT OF BEGINNING.**



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35833
JASON A.
SEGNERI
DATE SIGNED 4/7/21
ARIZONA U.S.A.

SIG
A RICK ENGINEERING COMPANY

SURVEY INNOVATION GROUP, INC.
Land Suvey Services
22425 N 16TH STREET SUITE #1
PHOENIX, AZ 85024

P.U.E. DEDICATION

CABANA ON BULLARD

GOODYEAR, ARIZONA

PROJECT NO:	P5201	SHEET:	1 OF 2
DRAWN BY:	TLH	SCALE:	N.T.S.
CHECKED BY:	JAS	DATE:	4/5/2021

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N89°36'45"W	8.00'
L2	N89°14'39"W	15.00'
L3	S89°14'39"E	15.00'
L4	S89°36'45"E	8.00'

S|I|G
A RICK ENGINEERING COMPANY

SURVEY INNOVATION GROUP, INC.
Land Suvey Services
22425 N 16TH STREET SUITE #1
PHOENIX, AZ 85024

P.U.E. DEDICATION

CABANA ON BULLARD

GOODYEAR, ARIZONA

PROJECT NO:	P5201	SHEET:	2 OF 2
DRAWN BY:	TLH	SCALE:	N.T.S.
CHECKED BY:	JAS	DATE:	4/5/2021

CABANA ON BULLARD PUE CLOSURE REPORT

North: 891776.0859' East: 560063.0224'

Segment #1 : Line

Course: S45° 39' 31"W Length: 33.88'

North: 891752.4061' East: 560038.7918'

Segment #2 : Line

Course: N89° 26' 22"W Length: 860.85'

North: 891760.8281' East: 559177.9830'

Segment #3 : Line

Course: N0° 45' 35"E Length: 10.00'

North: 891770.8273' East: 559178.1156'

Segment #4 : Line

Course: S89° 26' 22"E Length: 856.69'

North: 891762.4459' East: 560034.7646'

Segment #5 : Line

Course: N45° 39' 31"E Length: 25.61'

North: 891780.3456' East: 560053.0806'

Segment #6 : Line

Course: N0° 45' 24"E Length: 85.87'

North: 891866.2081' East: 560054.2146'

Segment #7 : Line
Course: S89° 14' 39"E Length: 15.00'
North: 891866.0102' East: 560069.2133'

Segment #8 : Line
Course: N0° 45' 24"E Length: 204.94'
North: 892070.9324' East: 560071.9197'

Segment #9 : Line
Course: S89° 36' 45"E Length: 8.00'
North: 892070.8783' East: 560079.9195'

Segment #10 : Line
Course: N0° 45' 24"E Length: 169.14'
North: 892240.0035' East: 560082.1532'

Segment #11 : Line
Course: S89° 26' 22"E Length: 10.00'
North: 892239.9057' East: 560092.1527'

Segment #12 : Line
Course: S0° 45' 24"W Length: 179.11'
North: 892060.8113' East: 560089.7874'

Segment #13 : Line
Course: N89° 36' 45"W Length: 8.00'
North: 892060.8654' East: 560081.7876'

Segment #14 : Line

Course: S0° 45' 24"W Length: 205.00'

North: 891855.8833' East: 560079.0803'

Segment #15 : Line

Course: N89° 14' 39"W Length: 15.00'

North: 891856.0811' East: 560064.0816'

Segment #16 : Line

Course: S0° 45' 24"W Length: 80.00'

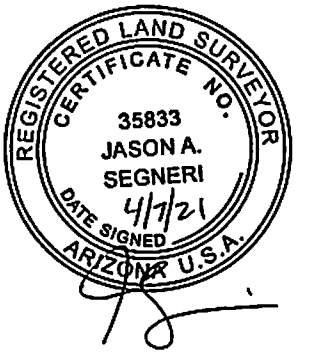
North: 891776.0881' East: 560063.0252'

Perimeter: 2767.09' Area: 13735 Sq. Ft.

Error Closure: 0.0035 Course: N51° 48' 30"E

Error North: 0.00218 East: 0.00277

Precision 1: 790597.14



AGENDA ITEM #: 7.
DATE: 07/19/2021
AI #:354

CITY COUNCIL ACTION REPORT

SUBJECT: PRELIMINARY PLAT FOR QUIKTRIP STORE #1417

STAFF PRESENTER(S): Jason Barr, Assistant Planner

OTHER PRESENTER(S):
Jonathan Naut, QuikTrip Corporation

SUMMARY

The request is for a Preliminary Plat subdividing 5.83 acres into three lots, which is intended to facilitate the development of a QuikTrip convenience store and fuel station.

Recommendation

Approve the request for a Preliminary Plat for QuikTrip Store #1417. (Jason Barr, Assistant Planner)

STIPULATIONS

1. The Property Owner shall dedicate, at no cost to the city, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the city to provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the city of Goodyear subdivision regulations, Building Codes and Regulations, and the city of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the city of Goodyear subdivision regulations, Building Codes and Regulations, and the city of Goodyear's Engineering Design Standards and Policies. The easements shall be dedicated lien free and, unless otherwise agreed to by the city, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this ordinance, the terms of a written development agreement approved by the Council or a written phasing plan approved by the City Engineer or designee, all dedications shall be

made prior to or concurrent with recordation of a final plat that includes the area in which the dedicated property is located as required by the City Engineer or designee;
2. Owner shall construct full half-street improvements required for a Major Arterial as set forth in the Engineering Design Standards in effect at the time the improvements are constructed, except for ½ median and ½ median landscaping, for the south half of W. McDowell Road along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "W. McDowell Road Improvements").
3. Owner shall construct full half-street improvements required for a Major Arterial as set forth in the Engineering Design Standards in effect at the time the improvements are constructed, except for ½ median and ½ median landscaping, for the west half of N. Bullard Avenue along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "N. Bullard Avenue Improvements").
4. In addition to the specific infrastructure identified in this Ordinance, the Property Owner shall construct all infrastructure improvements required by the city of Goodyear subdivision regulations and Engineering Design Standards and Policy Manual in effect at the time of construction;
5. Prior to the earlier of the recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permit for work within the Property, Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the city of Goodyear;
6. At the time of development, all new and existing utilities shall be placed underground except power lines 69kV or larger;

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The subject property is located within the C-2 (General Commercial) zoning district. The parcel was zoned AG (Agriculture) until it was rezoned to C-2 (General Commercial) on May 14, 2007 via ordinance 07-1070.

A Use Permit encompassing part of the subject property is being reviewed concurrently with this Preliminary Plat which will subdivide APN 500-10-709 into three parcels. The parcel closest to the corner of McDowell and Bullard will be the 2.5-acres for the QuikTrip site, to be known as Lot 1. To the west, on Lot 2, there is a use permit for a car wash use proposed that is currently under staff review. Lot 2 will be approximately 1.3 acres. Lot 3 is proposed to be approximately 2 acres and there is no development proposal for the lot at this time.

QuikTrip Corporation is initiating the preliminary plat which is anticipated to be completed prior to the proposed carwash receiving planning approval and entitlements. QuikTrip will be making street improvements such as sidewalks and landscaping along with creating the internal drives for the site. Improvements made will include all of new subdivision's frontage of McDowell Road.

This application for Preliminary Plat has not previously been before the Planning and Zoning Commission nor City Council.

STAFF ANALYSIS

Current Policy:

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The preliminary plat also must be accompanied by information demonstrating the adequacy of utilities, open space and other public facilities necessary to serve the site. The preliminary plat presented herein, subject to the satisfaction of the conditions of approval and as discussed below, satisfies the foregoing requirements. An approved preliminary plat shall expire within 12 months from the date of City Council approval unless either a final plat has been submitted for all or part of the property included in the preliminary plat or an extension has been obtained.

Details of the Request:

This is a request to subdivide 5.83 acres into three lots. The parcel closest to the corner of McDowell and Bullard will be the 2.5-acres for the QuikTrip site, to be known as Lot 1. To the west, on Lot 2, there is a use permit for a car wash use proposed that is currently under staff review. Lot 2 will be approximately 1.3 acres. Lot 3 is proposed to be approximately 2 acres and there is no development proposal for the lot at this time.

Evaluation Criteria:

The Preliminary Plat is consistent with the land use, development standards and density approved by the C-2 (General Commercial) zoning district. The Preliminary Plat is consistent with the technical requirements of the City's Subdivision Regulations and Engineering Design Standards. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

Luke Air Force Base

The subject property is located within the vicinity of a military airport. Given the location of the property and the commercial nature of the proposed use, base operations will not be adversely impacted by this development.

Phoenix-Goodyear Airport

The subject property is located within the Phoenix-Goodyear Traffic Pattern Airspace. Given the location of the property and the commercial nature of the proposed use, airport operations will not be adversely impacted by this development.

Fire Response

Nearest Goodyear Fire Station	Shortest path		Longest path			2nd nearest Fire Station	Shortest path		Longest path		
	Mins	Miles	Mins	Miles			Mins	Miles	Mins	Miles	
#181	3.3	1.65	3.3	1.65		#183	4.95	2.48	4.95	2.48	

Police Response
The property is located within an existing patrol beat and the current level of service within this beat can accommodate the development of the property.

Solid Waste
Solid waste service will be provided by a private company as bulk trash containers will be utilized.

Streets/Transportation
The public streets adjacent to the subject property are improved, and no additional street improvements are required as a result of this development. Landscaping and hardscape improvements within the right-of-way for Bullard Avenue and McDowell Road will be installed by the property owner with the first phase of development. All improvements will need to be completed prior to the issuance of a certificate of occupancy for the convenience use.

Water/Wastewater
Water and wastewater service will be provided by the City of Goodyear.

Planning and Zoning Commission

Only July 7, 2021 staff presented information on the preliminary plat to the Planning and Zoning Commission which was approved by a vote of (5-1). Commissioner Molony was the one vote against.

Attachments

Aerial Photo
Preliminary Plat

Aerial Photo
QuikTrip

Drawn By: Jason Barr
City of Goodyear Development Sevices Department
Date: June 9, 2021

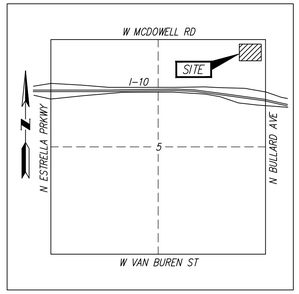
N

PRELIMINARY PLAT

FOR

"QUIKTRIP STORE #1417"

BEING A REPLAT OF LOT 1 OF "MINOR LAND DIVISION FOR TRADECOR PARTNERS GOODYEAR, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND GOODYEAR LODGING INVESTORS 1, LLC, A WISCONSIN LIMITED LIABILITY COMPANY" RECORDED IN BOOK 990, PAGE 5, RECORDS OF MARICOPA COUNTY, ARIZONA. BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA & SALT RIVER BASE & MERIDIAN MARICOPA COUNTY, ARIZONA.



VICINITY MAP

SECTION 5
T.1N., R.1W., G.&S.R.B.&M.
MARICOPA COUNTY, ARIZONA

PARENT LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF
ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT1, MINOR LAND DIVISION MAP FOR SOUTHWEST CORNER OF MCDOWELL ROAD AND BULLARD AVENUE,
ACCORDING TO BOOK 990 OF MAPS, PAGE 5, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

A NON-EXCLUSIVE AND PERPETUAL EASEMENT FOR REASONABLE ACCESS, INGRESS AND EGRESS AND ACROSS THE COMMON AREA FOR THE PARKING OF PASSENGER MOTOR VEHICLES AS SET FORTH IN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED APRIL 29, 2008 IN RECORDING NO. 2008-0378355

APN: 500-10-709

OWNERS

QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION
P.O. BOX 3475
TULSA, OK 74101
PHONE: 480-446-6300
EMAIL: JNAUT@QUIKTRIP.COM

LAND SURVEYOR

THE WLB GROUP
1600 W. BROADWAY ROAD, STE. 150
TEMPE, ARIZONA 85282
ATTN: DON WALDING, R.L.S.
PHONE: 480-736-1600
EMAIL: DWALDING@WLBGROUP.COM

BASIS OF BEARING

THE NORTH LINE OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN SHOWN HEREON AS BEARING N89°27'46"W AND DISTANCE 2619.45.

BENCHMARK

CITY OF GOODYEAR SURVEY BENCHMARK (G357)
NORTHING= 902,154 , ADJUSTED TO 902,156
EASTING= 554,933
ELEVATION = 1016.38 (NAVD 88)
INVENTORY DESCRIPTION= 3" MCHD BCHH
ESTRELLA PARKWAY AND THOMAS ROAD

LOT AREAS

LOT 1: 109,679 SQ. FT., OR 2.5179 ACRES, MORE OR LESS.
LOT 2: 56,035 SQ. FT., OR 1.2894 ACRES, MORE OR LESS.
LOT 3: 88,255 SQ. FT., OR 2.0261 ACRES, MORE OR LESS.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF SEPTEMBER 2020; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

C. DON WALDING, R.L.S. #33880
1600 W. BROADWAY RD., SUITE 150
TEMPE, AZ 85282
PHONE (480) 736-1600

REGISTERED LAND SURVEYOR — CERTIFICATE NO. 33880 — C. DON WALDING — Date Signed 3/30/21 — ARIZONA, U.S.A.

UTILITY PROVIDERS

UTILITY	PROVIDER
ELECTRIC	SALT RIVER PROJECT
GAS	SOUTHWEST GAS
IRRIGATION	SALT RIVER PROJECT
WATER	LIBERTY UTILITIES
WATER	CITY OF GOODYEAR
SEWER	LIBERTY UTILITIES
SEWER	CITY OF GOODYEAR
STORM DRAIN	CITY OF GOODYEAR
CATV	CENTURYLINK

The WLB Group INC. WLB
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Offices located in: Tucson , Phoenix, Flagstaff, and Las Vegas, NV.
1600 W Broadway Rd, Ste. 150
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QUIKTRIP #1417 @ W MCDOWELL RD & N BULLARD AVE

A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

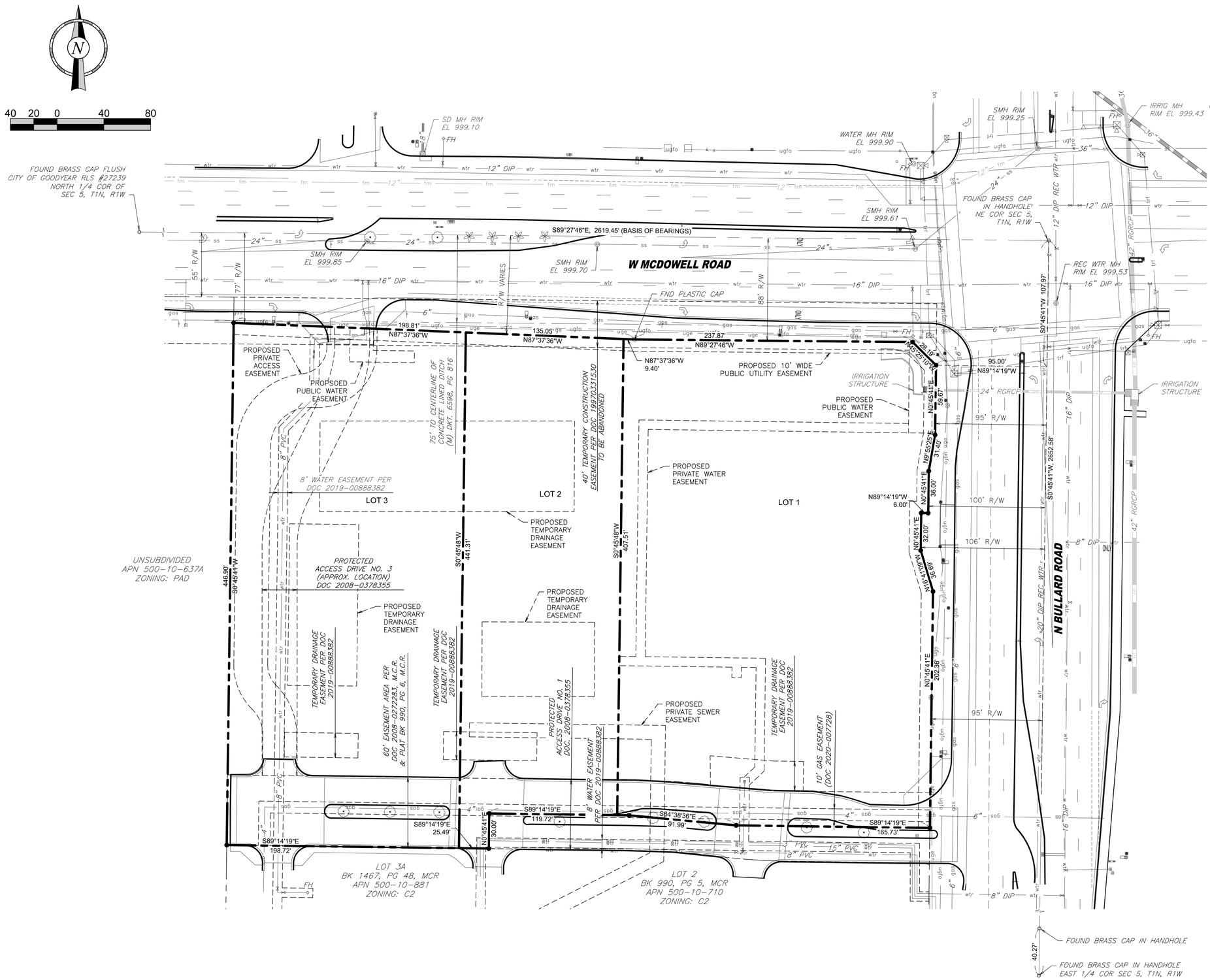
No.	Date	Item

Revisions

Scale	NONE
Job #	220012-A-001
Date	3/30/21
Drawn By	JAW/CLL
Checked By	CDW

Sheet 1 Of 2

N:\110007\Store 1417\01 Civil\00 Survey\PLAT\05-1417_PLAT.dwg



N:\110007\Store 1417\01 Civil\00 Survey\PLAT\05-1417_PLAT.dwg

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QUIKTRIP #1417 @ W MCDOWELL RD & N BULLARD AVE

A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

No.	Date	Item
Revisions		

Scale	1" = 40'
Job #	220012-A-002
Date	3/30/21
Drawn By	JAW/CLL
Checked By	CDW

Sheet 2 Of 2

AGENDA ITEM #: 8.
DATE: 07/19/2021
AI #:340

CITY COUNCIL ACTION REPORT

SUBJECT: USE PERMIT FOR A CONVENIENCE USE (CONVENIENCE STORE WITH GAS STATION)

STAFF PRESENTER(S): Jason Barr, Assistant Planner

OTHER PRESENTER(S):
Jonathan Naut, QuikTrip Corporation

SUMMARY

Use permit request for convenience use (convenience store with gas sales) on property zoned C-2 (GENERAL COMMERCIAL).

Recommendation

Approve a request for a Use Permit for a convenience use (convenience store with gas sales) to be constructed on an approximately 2.5-acre parcel as described in the preliminary site plan signed February 24, 2021 submitted with the Use Permit application, which is located in the C-2 (General Commercial) zoning district at the southwest corner of McDowell Road and Bullard Avenue, subject to stipulations. (Jason Barr, Assistant Planner)

STIPULATIONS

1. Approval of the use permit does not constitute approval of a site plan. All future development will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation
2. A pedestrian plaza shall be developed in substantial conformance with the conceptual site plan and conceptual landscape plan attached hereto. Any changes to the configuration of these improvements, as shown on the conceptual site plan and/or the conceptual landscape plan attached hereto, that result from the approval of the site plan for the Property may require an amendment to the use permit as determined by the Development Services Director or designee;
3. The configuration and location of the proposed building and fuel pump stations and resultant traffic patterns shall be developed in substantial conformance with the conceptual site plan attached hereto. Any changes to the configuration of these improvements, as shown on the conceptual site plan attached hereto, that result from the approval of the site plan for the Property may require an amendment to the use permit as determined by the Development Services Director or designee; and,

4. All signage proposed on the subject property shall require separate review and approval of sign permits. No signage is approved as part of this use permit.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The subject property is located within the C-2 (General Commercial) zoning district. The parcel was zoned AG (Agriculture) until it was rezoned to C-2 (General Commercial) on May 14, 2007 via ordinance 07-1070.

A preliminary plat encompassing the subject property is being reviewed concurrently with this use permit which will subdivide APN 500-10-709 into three parcels. The parcel closest to the corner of McDowell and Bullard will be the 2.5-acres for the QuikTrip site, to be known as Lot 1. To the west, on Lot 2, there is a use permit for a car wash use proposed that is currently under staff review. Lot 2 will be approximately 1.3 acres. Lot 3 is proposed to be approximately 2 acres and there is no development proposal for the lot at this time.

This application for Use Permit has not previously been before the Planning and Zoning Commission nor City Council.

STAFF ANALYSIS

Current Policy:

A use permit requires review by the Planning and Zoning Commission and approval by the City Council through the public hearing process.

Details of the Request:

The applicant is requesting approval of a Use Permit to facilitate the development of a QuikTrip convenience store with gas sales on property zoned C-2 (General Commercial). The subject property consists of undeveloped area which will be subdivided to create three new lots, one of which will house the QuikTrip. The QuikTrip parcel will be approximately 2.5 acres. The parcel will be located at the intersection of McDowell Road and Bullard Avenue.

The preliminary site plan includes an approximately 5,000 square-foot convenience store with a 7,300 square-foot fuel canopy providing 16 fueling stations. Customers will have access to the corner plaza being constructed by the property owner with the first phase of development which will include a seating area.

Vehicular access to the parcel will be provided off of McDowell Road as well as Bullard Avenue. Vehicular access will also be provided by internal drives within the commercial center.

The convenience use is proposed at the intersection of two arterial streets. The Zoning

Ordinance states convenience uses should not be located on an arterial street corner unless the City Council finds the development mitigates the potential impacts of having such a use on the corner. The City's Design Guidelines states convenience uses are to provide structural and design elements that anchor the building to the corner.

Given the highly visible location of the proposed convenience use, staff, the applicant, and property owner collaborated on the design of the building elevations. The intent was to ensure that the building met the City's design guidelines. The end result is a building design that incorporates some of the corporate identity desired by QuikTrip while adhering to the City's design guidelines.

The convenience use is proposed to operate 24 hours a day, seven days a week. The Use Permit does not propose any restrictions on the hours or days of operation.

Evaluation Criteria:
The Zoning Ordinance defines an establishment where the primary business is the sale of food or drink for consumption from an outdoor service window or automobile service window as a "Convenience Use." A convenience use proposed in the General Commercial (C-2) zoning district is required to obtain a Use Permit, which is to be reviewed by the Planning and Zoning Commission and approved by the City Council. Convenience uses are also subject to the provisions of Article 4-2 (Uses Requiring Additional Evaluation), which require an additional assessment regarding the appropriate location and conditions of the use or operation.

Section 1-3-2 (Use Permits) of the Zoning Ordinance provides that the Planning and Zoning Commission and City Council must determine that the proposed use meets the following two findings prior to granting a Use Permit:

1. *The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare*

The proposed use is in conformance with the intent of the City's C-2 (General Commercial) zoning district which is intended to respond to community and regional area demand for goods and services. Regarding persons residing in the area, the closest residents are about 1,745 feet away to the northeast within the Camelot at Palm Valley development. Within the 1,745 feet will be intervening commercial businesses and McDowell Road. As such, given this large separation, it is anticipated that the operation of the convenience use, including the proposed 24-hour operation of the use, will not have any detrimental effect on this residential development.

2. *The proposed use is reasonably compatible with uses permitted in the surrounding area.*

The proposed use will be located within an area intended for similar commercial uses including automotive repair, car washes, and general retail. As such, the proposed use should be compatible with the intended uses of the surrounding area in terms of hours of operation, traffic generation, and intensity (noise, light, etc.)

Surrounding land uses and zoning include:

- North- McDowell Road and undeveloped property entitled for mixed uses including single family residential, multi-family residential, townhomes, commercial, and open space. The site was previously designated to become Goodyear Planned Regional Center.
- South- Two (2) undeveloped pads and two hotels: Springhill Suites and Tru Hotel.
- East- Bullard Avenue and developed commercial property in At Home District PAD.
- West- Undeveloped commercial property with mixed uses as part of Goodyear Planned Regional Center.

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. *Adequacy of the parcel size and configuration to provide for proper access and internal circulation.*

The 2.5-acre parcel is of sufficient size and configuration to accommodate the proposed convenience store and fuel canopy. The proposed access and internal traffic circulation pattern have been designed to be consistent with the overall master design for the area.

2. *Compatibility of the proposed hours of operation with adjacent residential areas.*

The intended QuikTrip is proposed to be open 24 hours per day, 7 days a week. Given the proposed location within commercial zoning and the large distance between the proposed use and the closest residential use being ¼ mile, staff does not recommend any hours of operation restrictions.

3. *Required traffic mitigation measures, if any:*

The convenience use will not adversely impact any public street given the size and configuration of the parcel, which provides sufficient space for vehicles to maneuver and park. The driveways into the parcel will provide the minimum distance of 80 feet between the travel lane and first commercial drive aisle, which is intended to keep commercial traffic within the center from queuing onto the public streets. The location and number of parking spaces comply with City standards.

4. *Other concerns, which may place the advisability of the proposed convenience use in question.*

Staff found no other concerns with the development of a convenience use on the Property.

Planning and Zoning Commission

The Planning and Zoning Commission considered this item at a public hearing held on July 7, 2021. After a presentation from staff, Commissioner Molony asked why a QuikTrip located at Bullard and McDowell would be located so close to another QuikTrip at Van Buren and Estrella. Commissioner Molony also inquired how far the two locations would be from one another. Staff answered that the Van Buren/Estrella location was approximately 1 mile west and about ½ mile south. Commissioner Steiner asked about the number of pumps at the Van Buren/Estrella location compared to the McDowell Bullard location, and the applicant answered that the two locations would have the same amount of fuel stations with 8 individual stations that have the ability to fuel on both sides for a total of 16 fueling stations. Commissioner Ellison responded to Commissioner Molony's concern about the locations being too close together by remarking how it is convenient for him to visit gas stations on the side of the interstate that he lives on instead of having to cross over and then come back again. Upon closure of the public hearing, the Commission voted (5-1) to forward a recommendation of approval to the City Council. There was no public opposition to this item voiced at the hearing.

Attachments

Aerial Photo
Project Narrative
Conceptual Site Plan
Conceptual Building Elevations
Conceptual Landscape Plan
Presentation

Aerial Photo
QuikTrip

Drawn By: Jason Barr
City of Goodyear Development Sevices Department
Date: June 9, 2021

N

NARRATIVE

QT #1417 – SWC Bullard & McDowell
Goodyear, AZ

APPLICANT:
QuikTrip Corporation
Jonathan Naut
1116 E. Broadway Rd., Tempe, AZ 85282
480-446-6318
jnaut@quiktrip.com

SITE PLAN, USE PERMIT AND PLAT REQUEST

QuikTrip is submitting a Site Plan, Use Permit and Plat application following the pre-application meeting with the City held April 30th, 2020.

DESCRIPTION OF SITE AND SCOPE OF DEVELOPMENT

The site sits at the SWC of Bullard & McDowell and is currently part of City of Goodyear within Community Facilities District – McDowell Road Commercial Corridor Assessment District and is already zoned C-2 (General Commercial). This site currently is undeveloped.

The scope of QuikTrip's development will include two structures: a 5,000 square foot convenience store building and related 7,300 square foot fuel canopy. Additionally, parking and landscaping will be provided per City of Goodyear requirements.

West of the proposed QuikTrip, two surplus lots are currently being planned. Immediately west of the QuikTrip, a car wash has been proposed, which will act as a great supplemental use for this development. West of the car wash, no real plans have been set, but potentially a hotel user may come along or other commercial use. The conceptual master site plan has been included with these two uses shown.

BUILDING AND SITE DESIGN

The proposed store is approximately 5,000 square feet. The building will be predominantly brick construction in "Bronzestone" – a traditional red color – with accent bands of contrasting "Midnight" and Sonoma Stone columns. Pedestrian shading is provided by metal awnings with red components. The store will also feature large windows with steel framing, creating a sleek juxtaposition to the brick elements.

Inside, this QuikTrip will feature a full-service counter which will provide a large variety of products to our customers including ice cream cones, pizza, warm pretzels, toasted sandwiches and now full sub sandwiches. Smoothies and shakes are also served at the full-service counter.

Outside the store, the fuel canopy has been designed to complement the architecture of the store and contains the same metal elements in the fascia for site cohesiveness. The canopy will be a double stack eight, to serve up to 16 automobiles at a time. Lighting has been provided to ensure adequate site lighting matching the hotel developments to the south to create a unified design throughout this entire corridor.

QuikTrip's store will be open 24 hours a day, 7 days a week. This store will employ dozens of individuals, and the number of employees present will vary depending on demand. However, QT expects anywhere from 2-6 employees on site at any given time.

The site surrounding the store and fuel canopy has been designed to be harmonious with the existing development adjacent to the site. Utilizing the existing driveway cuts, great care was placed in ensuring ease of ingress and egress and interconnectivity of both projects. Additionally, a conceptual master site plan has been provided with potential additional commercial uses to highlight the ingress and egress of the overall development.

Using a landscape palette consisting of drought tolerant vegetation, the QuikTrip site will enhance the look of this corner while being consistent with the surrounding development. At the intersection, a corner feature and landscaping will be provided along the future underground RID channel. Through conversations with Stantec, RID's 3rd party engineer, the proposed landscaping can be installed without conflict, ensuring adequate landscape is provided.

COMPLIANCE WITH EXISTING GENERAL PLAN AND ZONING

The Goodyear 2025 General Plan dictates this area as Business and Commerce land use districts. Section 3-3-3 of the Goodyear Zoning Ordinance outlines the allowed uses within C-2 General Commercial zoning districts. Article 4 of the Ordinance further outlines the use requirements for convenience uses, which applies to QuikTrip. As part of the project request, QuikTrip is applying for a Use Permit to be allowed to operate on this corner.

The proposed project will not negatively impact anyone working or living within this area of Goodyear. By utilizing existing driveway cuts, the project will not negatively impact the safety of drivers nor generate new traffic to the area. As seen in many studies, gas station and convenience stores capture the existing traffic in the area.

Residents of Goodyear will enjoy the convenience offered by a new QuikTrip at this location. The granting of the use permit is in line with the adjacent commercial uses as well as the previous approval of the use permit on Pebble Creek Parkway & McDowell for a similar use.

ENVIRONMENTAL IMPACTS

In order to mitigate impacts to the environment, QuikTrip has taken many steps to design and build a more sustainable product. The landscape palette has been chosen to utilize low water usage plants that are also drought tolerant. Additionally, a controlled irrigation system is used to monitor the delivery of water usage. Further, by minimizing the concrete areas, a total of 30% of the site will be landscaped to reduce the heat island effect.

In terms of energy usage, QuikTrip installs LED as the primary light source inside and outside of the building. The refrigeration spec used on all new stores since 2015 have introduced highly efficient fan motors and compressors, allowing a 20% reduction in energy used. SRP recently recognized QuikTrip's outstanding efficiency due to a savings of 965,000 kilowatt-hours and reduced peak demand by 136 kilowatts.

BASIS OF BEARING:

PER THE WLB GROUP, THE BASIS OF BEARING IS THE NORTH LINE OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN SHOWN HEREON AS BEARING NORTH 89 DEGREES 27 MINUTES 46 SECONDS WEST AND DISTANCE 2619.45.

BENCHMARK:

PER THE WLB GROUP, THE BENCHMARK IS THE CITY OF GOODYEAR SURVEY BENCHMARK (G357) NORTHING=902,154, ADJUSTED TO 902,156 EASTING=554,933 ELEVATION=1016.38 (NAVD 88) INVENTORY DESCRIPTION=3" MCHD BCHH ESTRELLA PARKWAY AND THOMAS ROAD

PROJECT CONTACT LIST:

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TULSA, OK 74134
TEL: (918) 615-7273
AGOODRIC@QUIKTRIP.COM

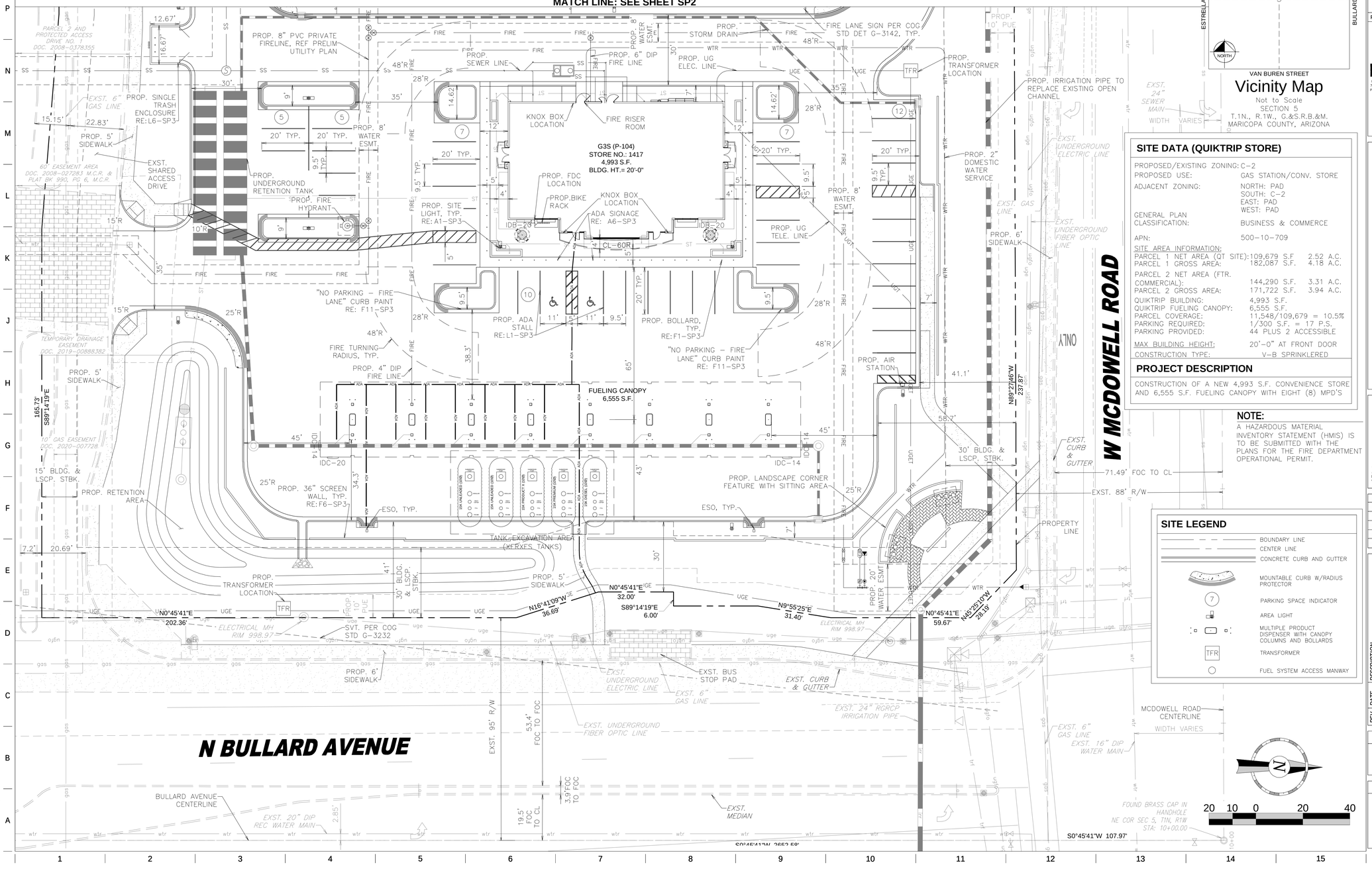
SITE PLAN NOTES:

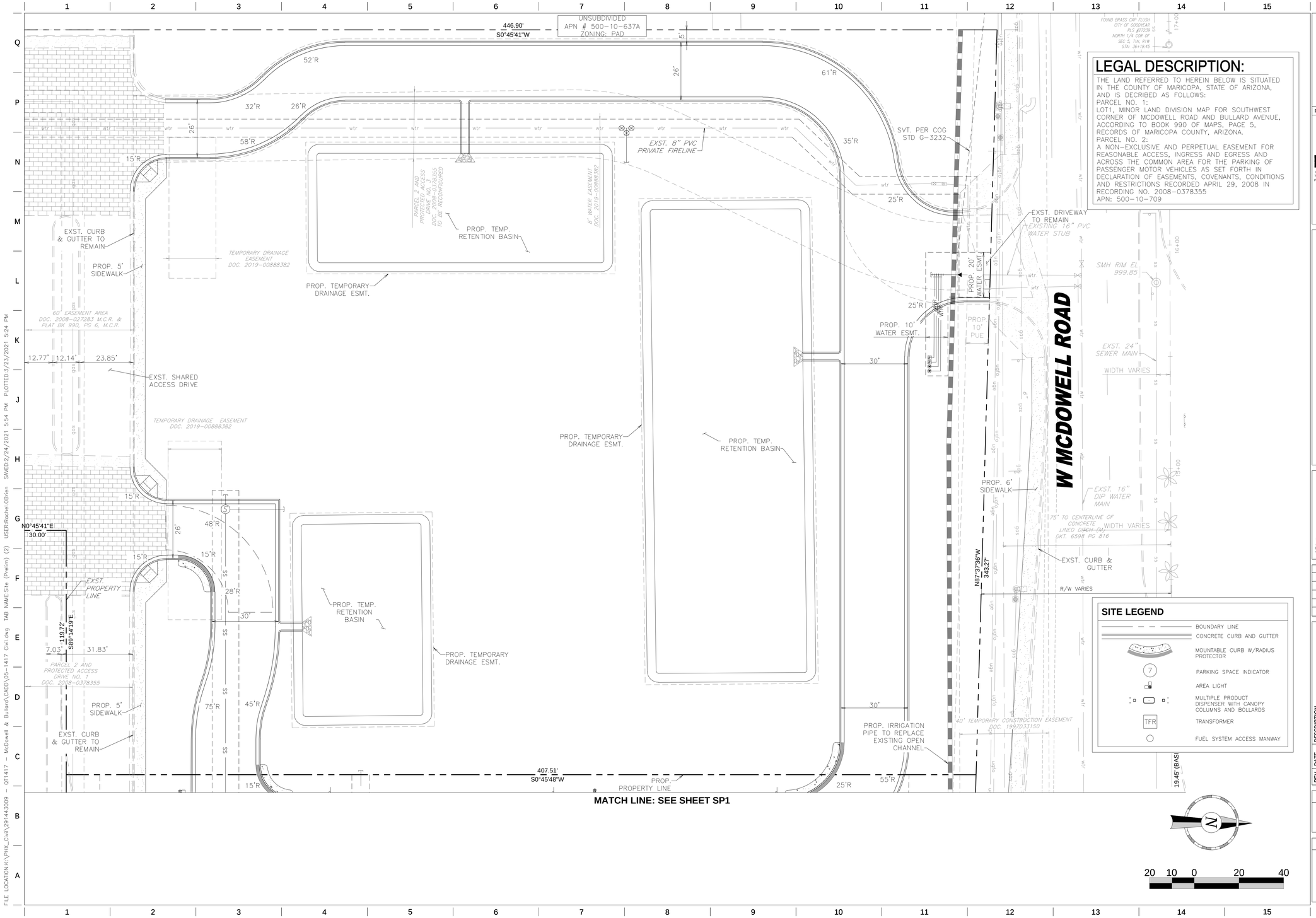
SEE SHEET SP3

LEGAL DESCRIPTION:

SEE SHEET SP2.

MATCH LINE: SEE SHEET SP2


G3S (P-104)
STORE NO.: 1417
4,993 S.F.
BLDG. HT.= 20'-0"
FUELING CANOPY
6,555 S.F.
N BULLARD AVENUE
W MCDOWELL ROAD
PROP. 8" PVC PRIVATE FIRELINE, REF PRELIM UTILITY PLAN
PROP. SEWER LINE
PROP. 6" DIP FIRE LINE
PROP. STORM DRAIN
PROP. UG ELEC. LINE
FIRE LANE SIGN PER COG STD DET G-3142, TYP.
PROP. TRANSFORMER LOCATION
PROP. IRRIGATION PIPE TO REPLACE EXISTING OPEN CHANNEL
PROP. 10' PUE
PROP. 2" DOMESTIC WATER SERVICE
PROP. 6' SIDEWALK
PROP. 8' WATER ESMT.
PROP. UG TELE. LINE
PROP. AIR STATION
PROP. 20' WATER ESMT
PROP. SINGLE TRASH ENCLOSURE RE: L6-SP3
PROP. 5' SIDEWALK
PROP. UNDERGROUND RETENTION TANK
PROP. FIRE HYDRANT
PROP. SITE LIGHT, TYP. RE: A1-SP3
PROP. FDC LOCATION
PROP. BIKE RACK
KNOX BOX LOCATION
FIRE RISER ROOM
ADA SIGNAGE RE: A6-SP3
PROP. ADA STALL RE: L1-SP3
PROP. BOLLARD, TYP. RE: F1-SP3
"NO PARKING - FIRE LANE" CURB PAINT RE: F11-SP3
FIRE TURNING RADIUS, TYP.
PROP. 4" DIP FIRE LINE
PROP. 36" SCREEN WALL, TYP. RE: F6-SP3
PROP. LANDSCAPE CORNER FEATURE WITH SITTING AREA
PROP. RETENTION AREA
TANK EXCAVATION AREA (4 EXFR'ES TANKS)
PROP. 5' SIDEWALK
PROP. TRANSFORMER LOCATION
PROP. 10' PUE
SVT. PER COG STD G-3232
PROP. 6' SIDEWALK
PROP. BUS STOP PAD
PROP. 30' BLDG. & LSCP. STBK.
PROP. 15' BLDG. & LSCP. STBK.
PROP. 5' SIDEWALK
PROP. 6" DIP WATER LINE
PROP. 24" STORM DRAIN
PROP. 8" WATER ESMT.
PROP. 20' WATER ESMT
PROP. 10' PUE
PROP. 2" DOMESTIC WATER SERVICE
PROP. 6' SIDEWALK
PROP. 30' BLDG. & LSCP. STBK.
PROP. 5' SIDEWALK
PROP. 6" DIP WATER LINE
PROP. 20' WATER ESMT
PROP. 10' PUE
PROP. 5' SIDEWALK
PROP. 6' SIDEWALK



MATCH LINE: SEE SHEET SP1

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DECRIBED AS FOLLOWS:
PARCEL NO. 1:
LOT1, MINOR LAND DIVISION MAP FOR SOUTHWEST CORNER OF MCDOWELL ROAD AND BULLARD AVENUE, ACCORDING TO BOOK 990 OF MAPS, PAGE 5, RECORDS OF MARICOPA COUNTY, ARIZONA.
PARCEL NO. 2:
A NON-EXCLUSIVE AND PERPETUAL EASEMENT FOR REASONABLE ACCESS, INGRESS AND EGRESS AND ACROSS THE COMMON AREA FOR THE PARKING OF PASSENGER MOTOR VEHICLES AS SET FORTH IN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED APRIL 29, 2008 IN RECORDING NO. 2008-0378355
APN: 500-10-709

Registered Professional Engineer (Civil) CERTIFICATE NO. 64329 C. GARRETT FRAME Date Signed 02/24/21 ARIZONA, U.S.A. Expires 06/30/23

PROJECT NO.:291443009

Kimley»Horn
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7740 NORTH 16TH STREET, SUITE 300
PHOENIX, ARIZONA 85020 (602) 944-5500

QuikTrip No. 1417

SWC BULLARD AVENUE & MCDOWELL ROAD
GOODYEAR, AZ

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PROTOTYPE:	P-104 (11/06/20)
DIVISION:	05
VERSION:	001
DESIGNED BY:	
DRAWN BY:	
REVIEWED BY:	CGF

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE: 02/24/2021

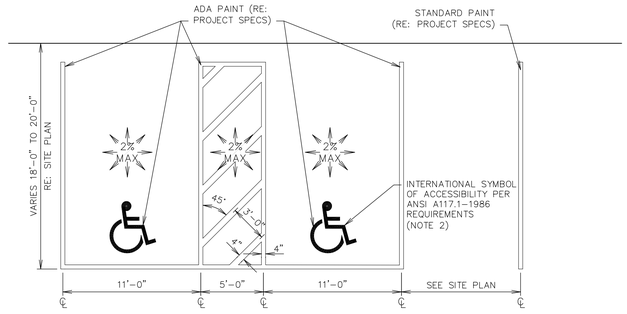
SHEET TITLE:
SITE (PRELIM) (2)

SHEET NUMBER:
SP2
SHEET 2 OF 4

FILE LOCATION:K:\PHX_Civil\291443009 - QT1417 - McDowell & Bullard\CADD\05-1417 Civil.dwg TAB NAME:Site (Prelim) (2) USER:Rachel.OBrien SAVED:2/24/2021 5:54 PM PLOTTED:3/23/2021 5:24 PM

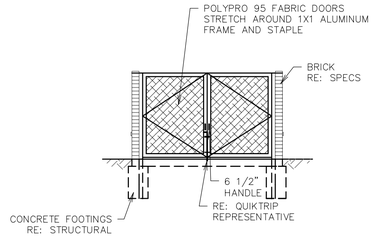
1. RE: SITE PLAN FOR LOCATION OF ADA PARKING SPACES AND ACCESS AISLE IN RELATIONSHIP TO THE DOOR LOCATION. (THIS DETAIL IS FOR STRIPING LAYOUT ONLY)

2. PARKING STRIPES AND THE ADA INTERNATIONAL HANDICAP SYMBOL ARE TO BE PAINTED PER THE MANUFACTURER'S RECOMMENDATIONS. (RE: PROJECT SPECS)

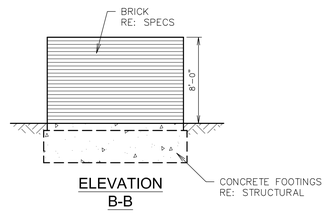


L1 DOUBLE STALL ADA PARKING STRIPING DETAIL

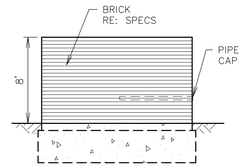
NTS | SN: AD001C008



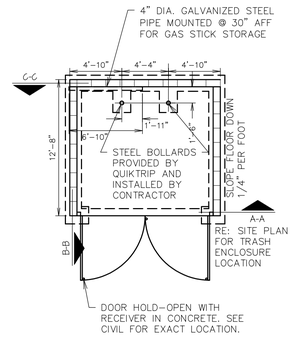
ELEVATION A-A



ELEVATION B-B



ELEVATION C-C



PLAN

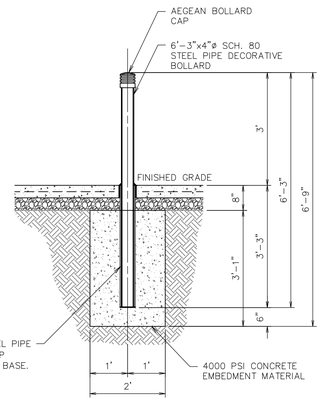
L6 SINGLE TRASH ENCLOSURE

NTS | SN:

SITE PLAN NOTES

1. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURB, GUTTER, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STRIPING. LANDSCAPE RESPONSIBILITIES ARE IDENTIFIED UNDER SEPARATE NOTE:
   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION OF ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENTS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF SEALANT IN ALL PAVEMENT CRACKS AND JOINTS, AND APPLICATION OF SEALANT OVER ALL ASPHALT PAVEMENTS.
   d. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
   e. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
2. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING:
   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL LANDSCAPE IMPROVEMENTS, INCLUDING PLANTED AREAS AND IRRIGATION SYSTEMS, FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND/OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE NORMAL HEALTHY GROWTH.
   d. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES; THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2-INCH HEIGHT.
   e. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL TURF AREAS SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
   f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

NOTES:
1. FILL VOIDS W/SILICA SAND BETWEEN BOLLARD & SLEEVE ONCE BOLLARD IS INSERTED INTO SLEEVE.
2. PAINT COLOR: AT STORE FRONT SIDEWALK IS QT BROWN, ALL OTHER LOCATIONS: YELLOW
3. BOLLARD FOOTING INSTALLED INTO SOIL CAPABLE OF SUSTAINING AN ALLOWABLE LATERAL BEARING PRESSURE OF 200 PSF/FT OF DEPTH.
4. WHERE EMBEDDED IN CONCRETE:
   4.a. EXTEND SLEEVE TO WITHIN ¼" OF TOP OF CONCRETE OR 2" ABOVE GRADE IN LANDSCAPE AREAS
   4.b. 2 LAYERS 15# FELT AROUND PIPE SLEEVE BETWEEN CONCRETE SIDEWALK AND SLEEVE
   4.c. SEAL AROUND PERIMETER JOINT WITH SONOLASTIC NP2 SEALANT

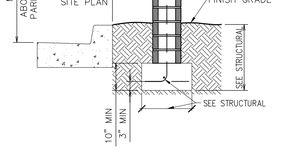


BOLLARD AND SLEEVE SUPPLIED BY QUIKTRIP

F1 4" BOLLARD DETAIL

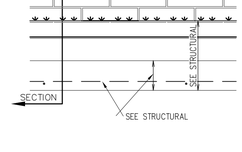
NTS | SN:

NOTE:
PROVIDE EXPANSION JOINT @ MAX. 24'-0" INTERVALS OR AT EACH CHANGE IN WALL HEIGHT OR AT ANY INTERSECTION. SEE STRUCTURAL



SECTION

NOTE:
WHERE GRADE CHANGE NECESSITATES STEP WALL IN 8" INCREMENTS



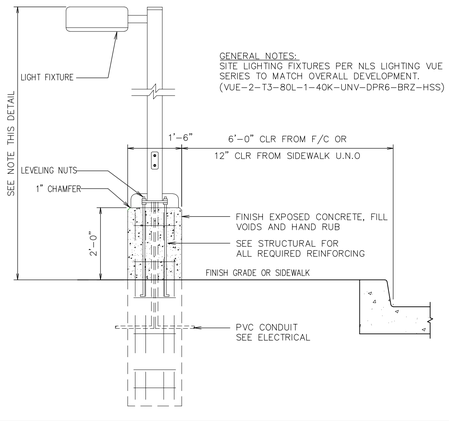
ELEVATION

F6 LANDSCAPE SCREEN WALL DETAIL

NTS | SN:

GENERAL NOTES:
SITE LIGHTING FIXTURES PER NLS LIGHTING VUE SERIES TO MATCH OVERALL DEVELOPMENT. (VUE-2-T3-80L-1-40K-UNV-DPR6-BRZ-HSS)

NOTE: PARKING LOT LUMINAIRES MUST MATCH EXISTING.



LIGHT STANDARD HEIGHTS:
PARKING LOT POLE MAX. HEIGHT STANDARD TO BE:

15' WITHIN 150' OF A RESIDENTIAL DISTRICT.

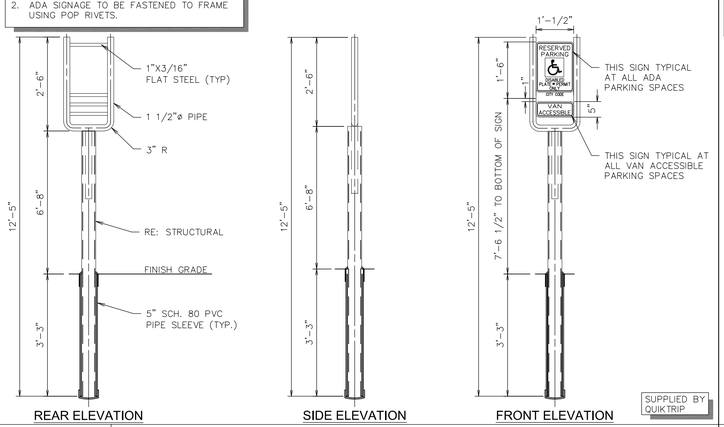
22' WHEN ADJACENT TO NON-RESIDENTAIL DISTRICTS.

ALL NOTED HEIGHTS ARE MAX ABOVE ADJACENT FINISHED GRADE OR ASPHALT SURFACE

A1 LIGHT POLE DETAIL

NTS | SN:

1. RE: SITE PLAN FOR DETERMINING LOCATION.
2. ADA SIGNAGE TO BE FASTENED TO FRAME USING POP RIVETS.

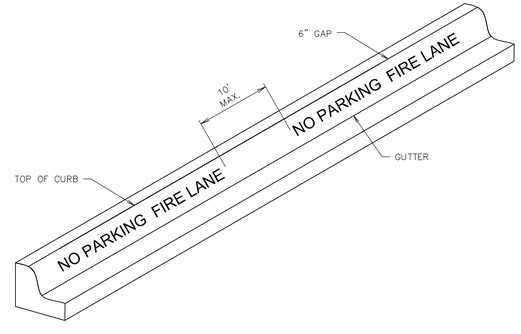


SUPPLIED BY QUIKTRIP

A6 ADA SIGN IN BOLLARD

NTS | SN: AD003C009

FIRE LANE STRIPING TO BE 6" WIDE RED PAINT WITH "NO PARKING FIRE LANE" IN 4" TALL WHITE LETTERS. WORDING MAY NOT BE SPACED GREATER THAN 10' APART. STRIPING TO BE PAINTED ON THE FACE OF CURB WHEN PRESENT AND PAINTED FLAT ON THE PARKING SURFACE WHEN IT IS NOT.



F11 FIRE LANE MARKING - ALONG CURB

NTS | SN: SD038A001

Registered Professional Engineer (Civil) CERTIFICATE NO 64329 C. GARRETT FRAME Date Signed 02/24/21 ARIZONA, U.S.A. Expires 06/30/22

PROJECT NO.: 291443009

Kimley»Horn

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7740 NORTH 16TH STREET, SUITE 300
PHOENIX, ARIZONA 85020 (602) 944-5500

QuikTrip No. 1417

SWC BULLARD AVENUE & MCDOWELL ROAD
GOODYEAR, AZ

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PROTOTYPE: P-104 (11/06/20)
DIVISION: 05
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY: CGF

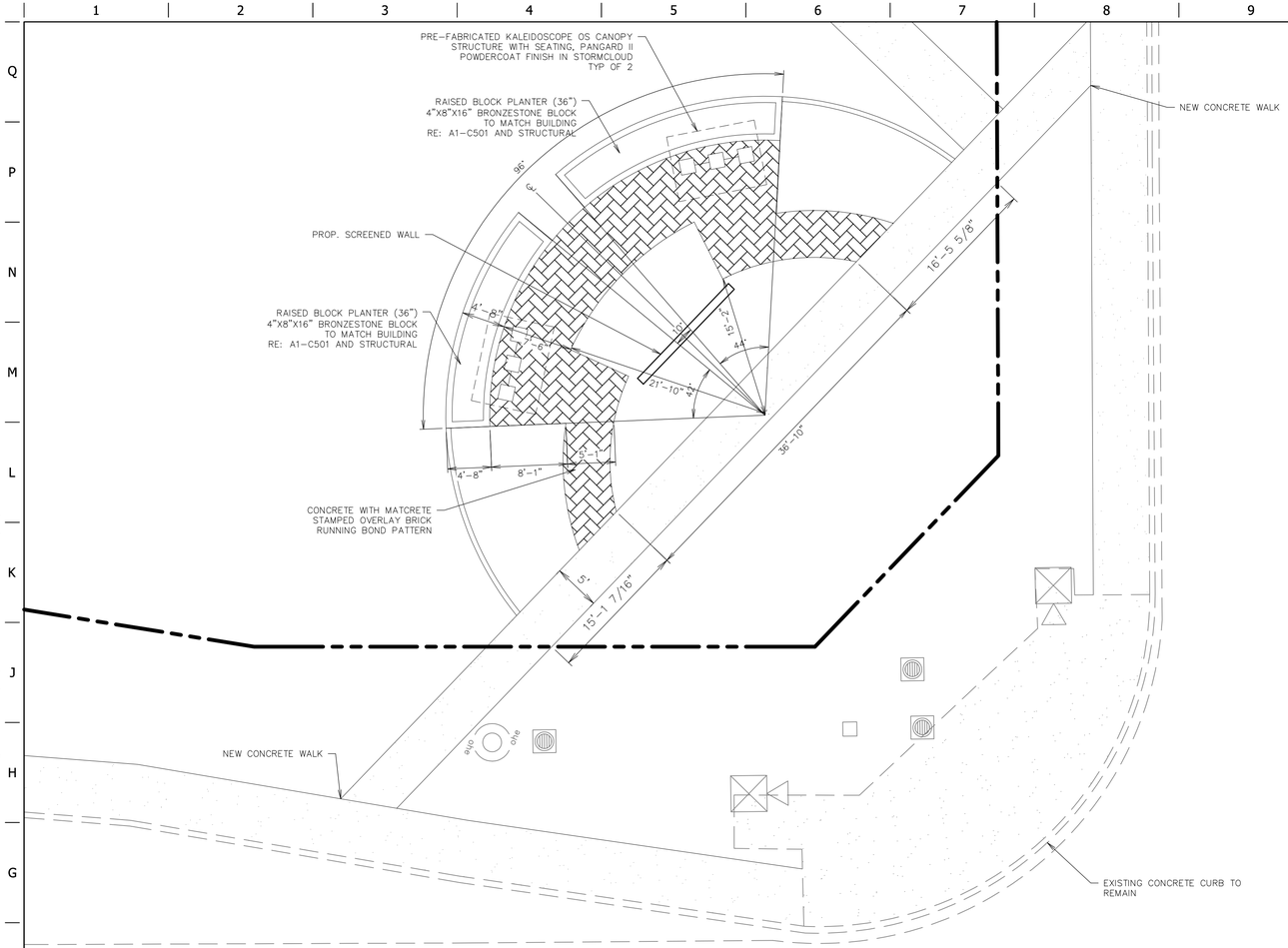
REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: 02/24/2021

SHEET TITLE:
SITE PLAN DETAILS SHEET 1

SHEET NUMBER:
SP3
SHEET 3 OF 4

FILE LOCATION: K:\PHX_Civil\291443009 - QT1417 - McDowell & Bullard\CADD\Details\1417 DETAILS SITE.dwg TAB NAME: SITE DETAIL SHEET 1 USER: Moira.Laughlin SAVED: 2/24/2021 12:53 PM PLOTTED: 2/24/2021 3:18 PM



F1 ENLARGED CORNER FEATURE
NTS SN:

L11 NOT USED
NTS SN:

F11 NOT USED
NTS SN:

A1 NOT USED
NTS SN:

A6 NOT USED
NTS SN:

NOT USED
NTS SN:

Registered Professional Engineer (Civil)
CERTIFICATE NO
64329
C. GARRETT FRAME
Date Signed 02/24/21
ARIZONA, U.S.A.
Expires 06/30/23

PROJECT NO.:291443009

Kimley»Horn

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7740 NORTH 16TH STREET, SUITE 300
PHOENIX, ARIZONA 85020 (602) 944-5500

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GOODYEAR, AZ

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PROTOTYPE: P-104 (11/06/20)
DIVISION: 05
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY: CGF

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE: 02/24/2021

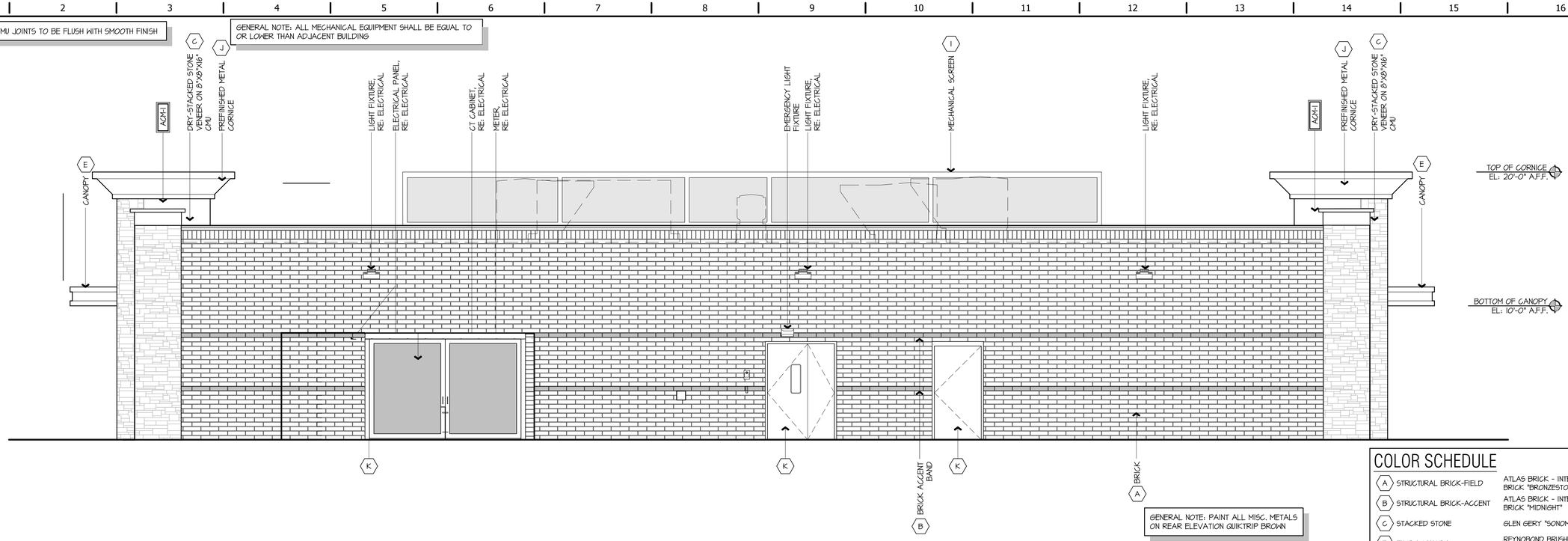
SHEET TITLE:
SITE DETAILS SHEET 2

SHEET NUMBER:
SP4
SHEET 4 OF 4

FILE LOCATION:K:\PHX_Civil\291443009 - QT1417 - McDowell & Bullard\CADD\Details\1417 DETAILS SITE.dwg TAB NAME:SITE DETAIL SHEET 2 USER:Moira.Loughlin SAVED:2/24/2021 12:53 PM PLOTTED:2/24/2021 3:20 PM

GENERAL NOTE: ALL CMU JOINTS TO BE FLUSH WITH SMOOTH FINISH

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



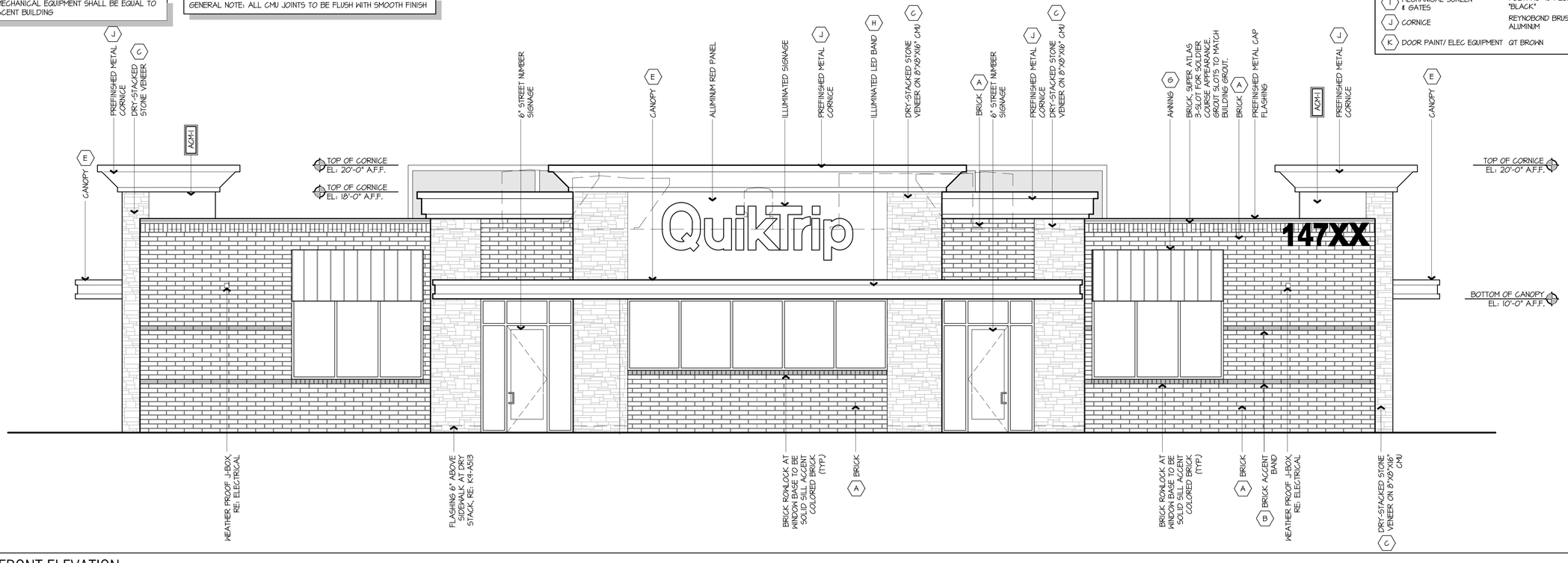
GENERAL NOTE: PAINT ALL MISC. METALS ON REAR ELEVATION QUIKTRIP BROWN

H1 REAR ELEVATION

1/8" = 1'-0" A1-A101

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING

GENERAL NOTE: ALL CMU JOINTS TO BE FLUSH WITH SMOOTH FINISH



A1 FRONT ELEVATION

1/8" = 1'-0" A1-A101

COLOR SCHEDULE

A	STRUCTURAL BRICK-FIELD	ATLAS BRICK - INTERSTATE BRICK "BRONZESTONE"
B	STRUCTURAL BRICK-ACCENT	ATLAS BRICK - INTERSTATE BRICK "MIDNIGHT"
C	STACKED STONE	GLEN GERY "SONOMA"
E	ENTRY CANOPY	REYNOBOND BRUSHED ALUMINM
F	STOREFRONT	KAWNEER SATIN FINISH ALUMINUM CLEAR GLASS
G	WINDOW AWNING	LANE CANOPY - STRANDING SEAM AWNING "QT RED"
H	ILLUMINATED BAND	RED POLYCARBONATE
I	MECHANICAL SCREEN & GATES	POLYPRO 45 MESH "BLACK"
J	CORNICE	REYNOBOND BRUSHED ALUMINM
K	DOOR PAINT/ ELEC EQUIPMENT	QT BROWN

Daniel D. Filuk
REGISTERED ARCHITECT
CERTIFICATE NO. 25037
DANIEL D. FILUK
STATE OF ARIZONA, USA
Expires 12/31/20

KDF #: 20025

KDF ARCHITECTURAL GROUP, LLC
300 W. Clarendon Avenue
Suite 320
Phoenix, AZ 85013
O: 602.234.1868
F: 602.234.1413

QuikTrip No. 1417

SWC McDOWELL RD & BULLARD AVE
GOODYEAR, AZ

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PROTOTYPE	P-103
DIVISION	PHOENIX
VERSION	G3S
DATE	08-01-2020

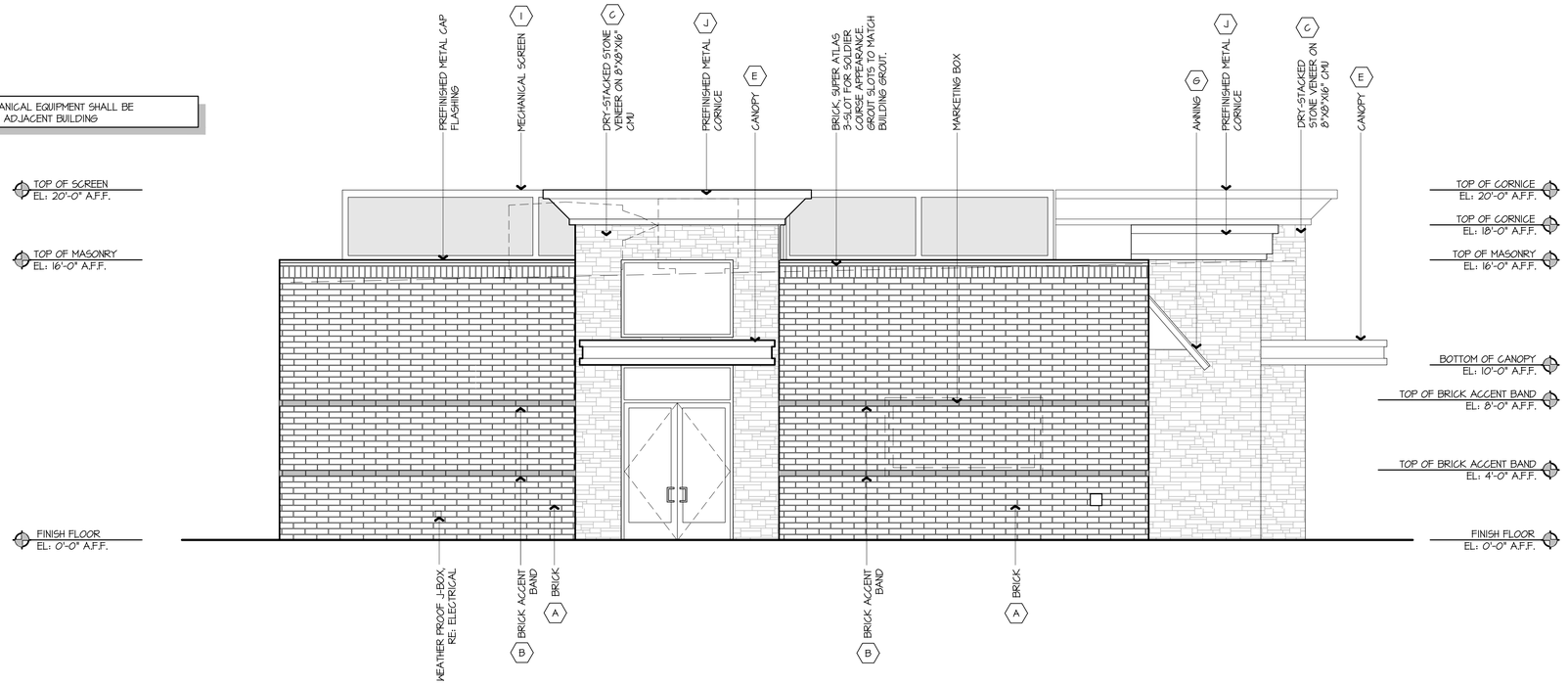
REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: xx/xx/2020

SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A201

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



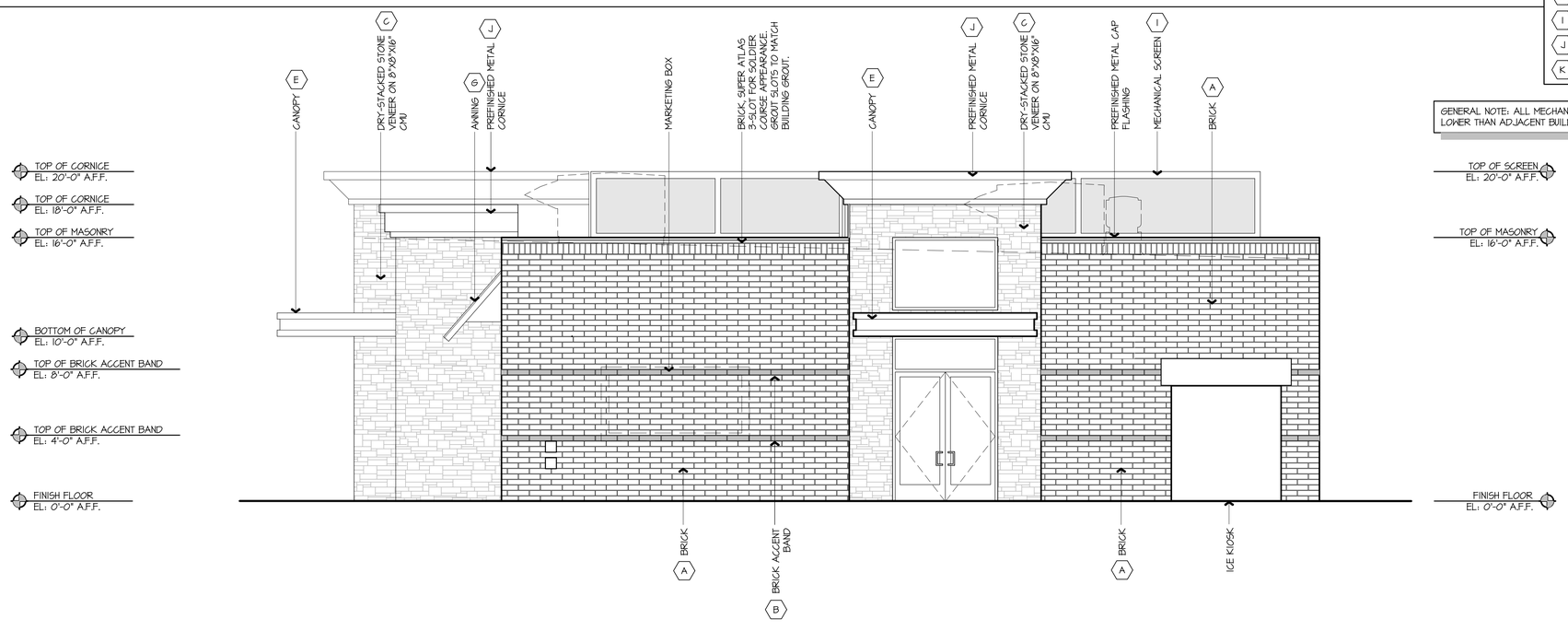
H1 SIDE ELEVATION

3/32" = 1'-0" A1-A101

COLOR SCHEDULE

A	STRUCTURAL BRICK-FIELD	ATLAS BRICK - INTERSTATE BRICK "BRONZESTONE"
B	STRUCTURAL BRICK-ACCENT	ATLAS BRICK - INTERSTATE BRICK "MIDNIGHT"
C	STACKED STONE	GLEN GERY "SONOMA"
E	ENTRY CANOPY	REYNOBOND BRUSHED ALUMINUM
F	STOREFRONT	KAWNEER SATIN FINISH ALUMINUM CLEAR GLASS
G	WINDOW AWNING	LANE CANOPY - STRANDING SEAM AWNING "QT RED"
H	ILLUMINATED BAND	RED POLYCARBONATE
I	MECHANICAL SCREEN & GATES	POLYPRO 45 MESH "BLACK"
J	CORNICE	REYNOBOND BRUSHED ALUMINUM
K	DOOR PAINT/ ELEC EQUIPMENT	QT BROWN

GENERAL NOTE: ALL MECHANICAL EQUIPMENT SHALL BE EQUAL TO OR LOWER THAN ADJACENT BUILDING



A1 SIDE ELEVATION

3/32" = 1'-0" A1-A101

Daniel D. Filuk
REGISTERED ARCHITECT
CERTIFICATE NO. 25037
DANIEL D. FILUK
STATE OF ARIZONA, USA
Expires 12/31/20

KDF #: 20025

KDF ARCHITECTURAL GROUP, LLC
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Phoenix, AZ 85013
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QuikTrip No. 1417

SWC McDOWELL RD & BULLARD AVE
GOODYEAR, AZ

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PROTOTYPE	P-103
DIVISION	PHOENIX
VERSION	G3S
DATE	08-01-2020

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: xx/xx/2020

SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A202

Front Elevation

Right Elevation

Rear Elevation

Left Elevation

QuikTrip.

4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store # 1417	Custom G3S Sonoma Stone & Wide Side Canopies w/ DB Awnings		Address: SWC Bullard & McDowell	City, State: Goodyear, AZ	
Serial # 05-1417-G3S	Scale: 1/8"=1'-0"	Issue Date: 02.16.21	Drawn By: JK	Rev/Notes:	

#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOBOND	FASCIA
4	QT RED	SHERWIN - WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN - WILLIAMS	METAL/PAINT
7	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH
8	CL-60R	ALLEN INDUSTRIES	SIGNAGE
9	SONOMA	GLEN GERY	STACKED STONE
10	IDB-20	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE

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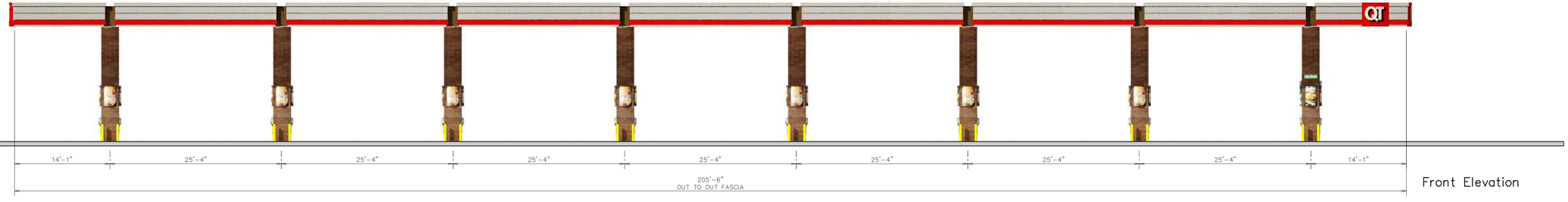
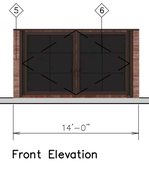


Front Elevation

Left Elevation

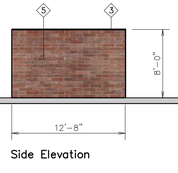
18'-6" Min. / 22'-6" Max.
AFF Top of Canopy
15'-0" Min. Store Side Canopies/ 19'-0" Max.
17'-0" Min. Store Front Canopies/ 19'-0" Max.
AFF Bottom of Canopy



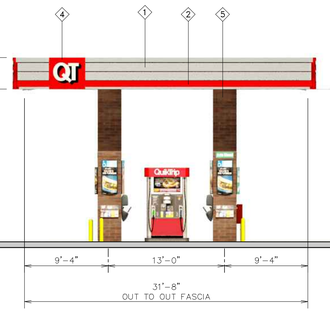
Front Elevation

Trash Enclosure

Finish Floor



Side Elevation



Right Elevation

QuikTrip.
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #	Vertical 8 Canopy Elevations	Address:	City, State:
1417		SWC Bullard & McDowell	Goodyear, AZ

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
05-1417-GV08	1/8"=1'-0"	10.20.20	JK	

#	FINISH	MANUFACTURER	SPECIFICATION
1	BRUSHED ALUMINUM	REYNOBOND	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	LANE	METAL/PAINT
4	IDC-14	ALLEN INDUSTRIES	NON-ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH

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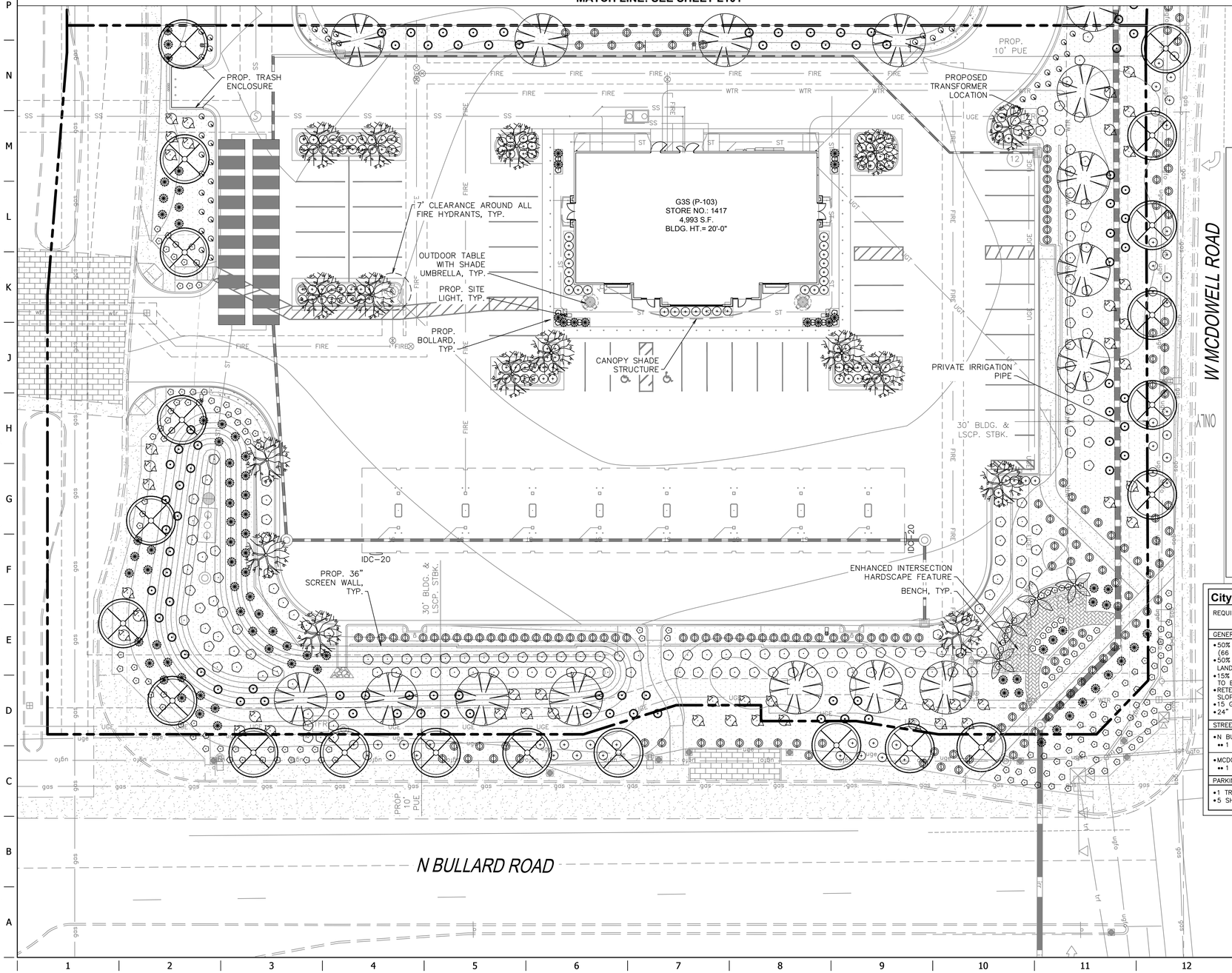
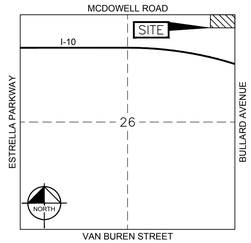
MATCH LINE: SEE SHEET L101





Vicinity Map

Not to Scale
SECTION 26
T.1N., R.1E., G.&S.R.B.&M.
MARICOPA COUNTY, ARIZONA

Landscape Schedule

USE	SYMBOL	COMMON NAME / *Botanical Name*	MINIMUM SIZE	QUANTITIES
SHRUBS		PETITE PINK OLEANDER *Oleander 'Petite Pink'*	5 GAL.	230
		CHIHUAHUAN SAGE *Leucophyllum laevigatum*	5 GAL.	247
		BLUE RANGER *Leucophyllum zygophyllum*	5 GAL.	61
		BAJA RUELLIA *Ruellia peninsularis*	5 GAL.	190
		VALENTINE BUSH *Eremophila maculata 'Valentine'*	5 GAL.	129
		RED YUCCA *Hesperaloe parviflora*	5 GAL.	87
TREES		LIVE OAK *Quercus virginiana*	24" BOX	20
		CHINESE PISTACHE *Pistacia Chinensis*	24" BOX	29
		SWAN HILL OLIVE *Olea europea 'Swan Hill'*	24" BOX	30
		DATE PALM *Phoenix dactylifera*	18' C.T.H.	4
GROUNDCOVER		"NEW GOLD" LANTANA (YELLOW) *Lantana montivedensis*	1 GAL.	253
		BUSH MORNING GLORY *Convolvulus cneorum*	1 GAL.	99
		DECOMPOSED GRANITE – GOLD 3/4" PLUS SCREENED	2" DEEP	59,480 S.F.

City of Goodyear Landscape Requirements

REQUIREMENT	REQUIRED SIZE/QUANTITY	PROVIDED SIZE/QUANTITY
GENERAL LANDSCAPE		
•50% MIN. 24" BOX+ TREES (66 TOTAL TREES) •50% MIN. LIVE COVERAGE IN ALL LANDSCAPE AREAS (54,540 SF) •15% OF LOT AREA (109,679 SF) TO BE LANDSCAPED •RETENTION BASIN SLOPES 6:1 MAX SLOPES •15 GALLON MIN. TREE SIZES •24" BOX MIN. TREE SIZES	•(33) 24" BOX+ TREES •27,270 SF (50%) •16,452 SF (15%) •6:1 MAX SLOPES •8' HT., 4' SP., 1¾" CAL. •10" HT., 6' SP., 2" CAL.	•(66) 24" BOX+ TREES •31,470 SF (57.7%) •33,420 SF (30.5%) •PROVIDED •PROVIDED •PROVIDED
STREETSCAPE		
•N BULLARD AVE (356 LF) •• 1 TREE/25 LF	•15 TREES	•15 TREES
•MCDOWELL RD (540 LF) •• 1 TREE/25 LF	•22 TREES	•22 TREES
PARKING LOT		
•1 TREE PER ISLAND (12 ISLANDS) •5 SHRUBS (5 GAL.) PER ISLAND	•12 TREES •60 SHRUBS (5 GAL.)	•12 TREES •60 SHRUBS (5 GAL.)

20 10 0 20 40

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
60494
ANDREW A. VALESTIN
Date Signed 02/24/21
ARIZONA U.S.A.

PROJECT NO.:291443009

Kimley»Horn

© 2020 KIMLEY-HORN AND ASSOCIATES, INC.
7740 NORTH 16TH STREET, SUITE 300
PHOENIX, ARIZONA 85020 (602) 944-5500

QuikTrip No. 1417

SWC BULLARD AVENUE & MCDOWELL ROAD
GOODYEAR, AZ

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ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION, OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-104 (11/06/20)
DIVISION: 05
VERSION: 001
DESIGNED BY: GMW
DRAWN BY: GMW
REVIEWED BY: AAV

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE: 02/24/2021

SHEET TITLE:
PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER:
L100
SHEET 1 OF 2

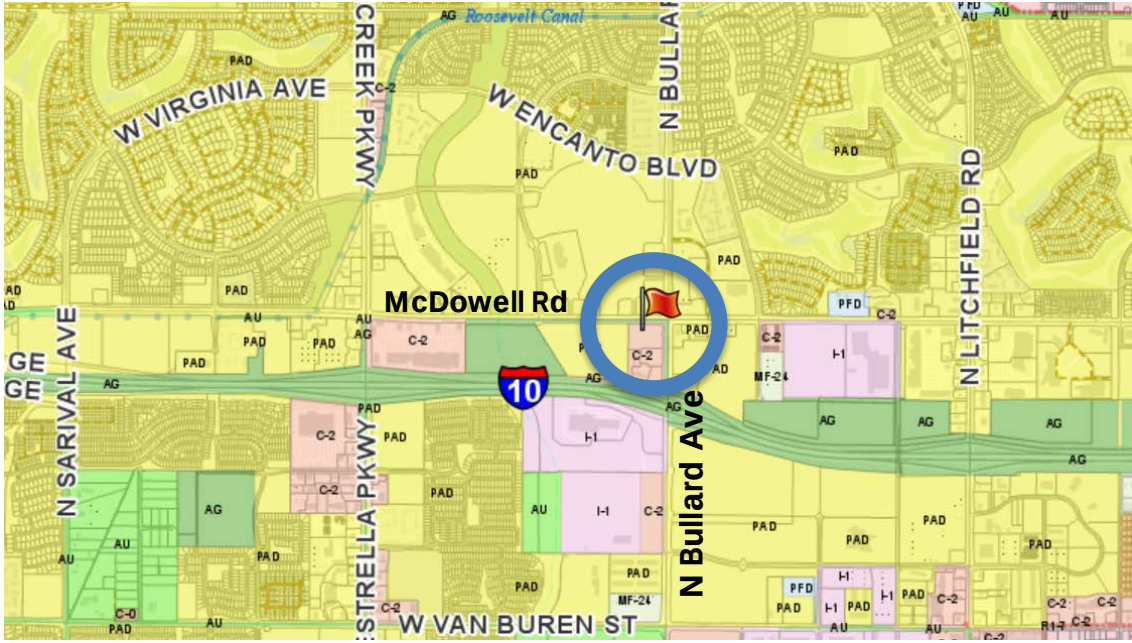
FILE LOCATION:K:\PHX_Civil\291443009 – QT1417 – McDowell & Bullard\CADD\05-1417 Landscape.dwg TAB NAME:Landscape (Prelim) USER:Jacob.Jurgens SAVED:2/24/2021 1:46 PM PLOTTED:2/24/2021 1:47 PM

QuikTrip SWC Bullard & McDowell Use Permit

City Council
July 19, 2021

Location

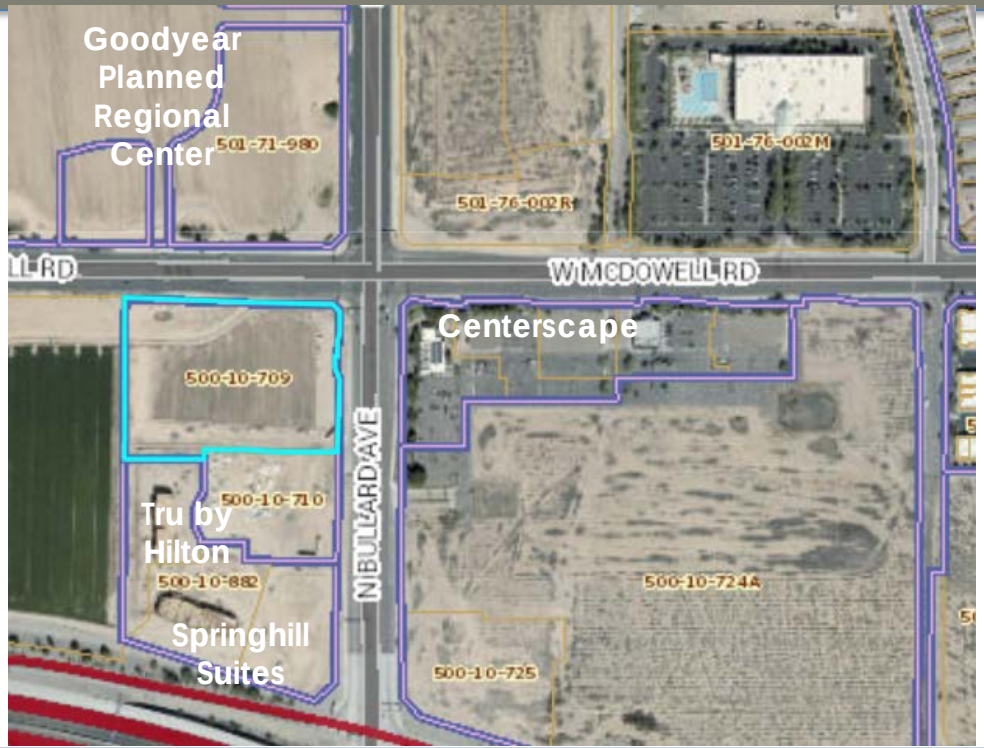
- North Goodyear
  - SWC of Bullard and McDowell
  - Approximately 2.52 (4.18) ac
  - Currently zoned C-2



RIO PASEO
PALM VALLEY CONDOMINIUMS
Virginia Ave
VILLAGES AND COTTAGES AT RIO PASEO
THE PRESEVE AT PALM VALLEY
Market at Estrella Falls
Palm Valley
N Litchfield Rd
N Bullard Ave & W McDowell Rd...
W McDowell Rd
W McDowell Rd
Lowe's Hor Improveme
10
Papago Fwy
10
Walmart
Papago Fwy
10
N Bullard Ave
N Sarival Ave
PARKWAY VILLAGE
WADE ACRES
CANYON TRAILS PLAZA
GOODYEAR VILLAGE CENTER
W Van Buren St
W Van Buren St
WILDFLOWER RANCH
LITCHFIELD MANOR
WILDFLOWER
Google

Location

- Less than ½ mile east of Bullard Wash/Future Civic Sq.
  - North of new hotels
  - South of Goodyear Planned Regional Center
  - West of Centerscape/PF Changs



Proposal

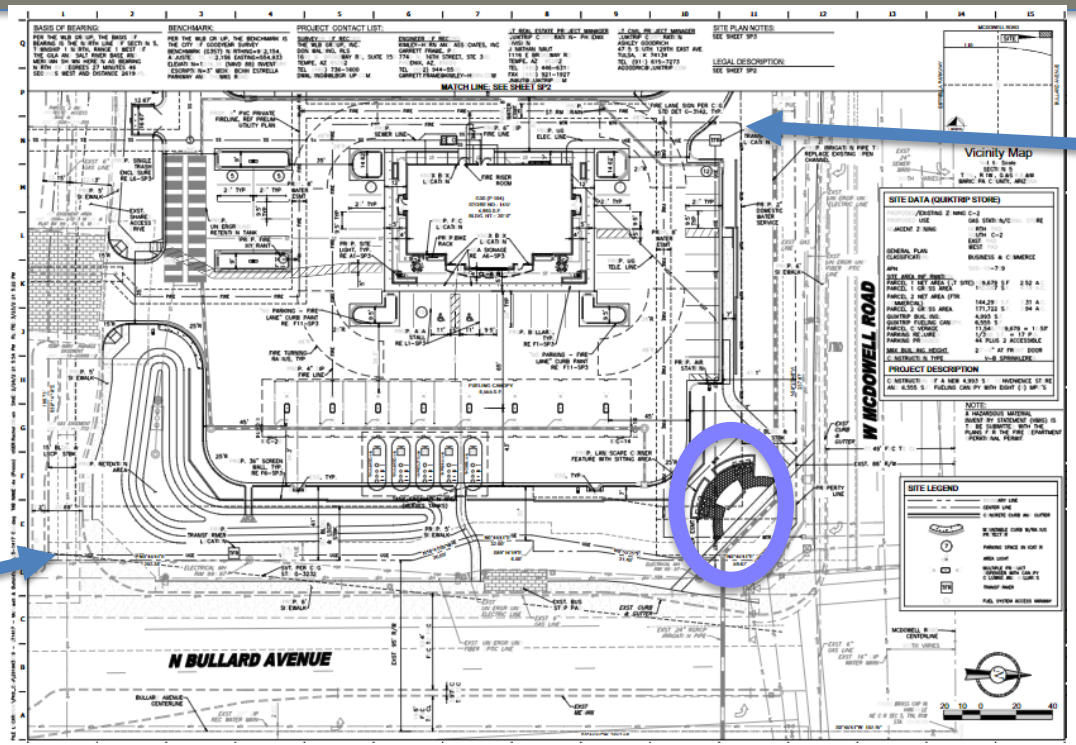
- 5,000 SF Gas Station/C-Store w/ 7,300 SF Fuel Canopy
- 47 parking spaces
- 16 fueling stations, double stacked in 8 rows.

Proposal (Elevations/Design)

Top Left: East (Facing Bullard), Bottom Left (Sides facing McDowell, Hotels), Top Right: West

Proposal (Site Plan)

<u>Bullard:</u>
Left in to shared drive. Right in, Right Out. ¾ access.



McDowell: Right in, Right Out

Recommendation

- Recommend Approval:
  - On July 7, 2021 the Planning Commission voted 5-1 to approve a Use Permit for a Gas Station/C-Store with Fuel Canopy in the C-2 General Commercial Zoning district.

CITY OF Goodyear

Thank You!

AGENDA ITEM #: 9.
DATE: 07/19/2021
AI #:330

CITY COUNCIL ACTION REPORT

SUBJECT: REZONE FOR ESTRELLA COMMONS DISTRICT

STAFF PRESENTER(S): Alex Lestinsky, Senior Planner

OTHER PRESENTER(S):

Ed Bull, Burch and Cracchiolo

SUMMARY

Request a rezone to approximately 27 acres from Preliminary PAD to C-2 and MF-24 with a PAD Overlay.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2170, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 21-02 CITY OF GOODYEAR, AZ – REZONE CASE”; “ESTRELLA COMMONS DISTRICT COMMERCIAL – LEGAL DESCRIPTION”; “ESTRELLA COMMONS DISTRICT MULTIFAMILY – LEGAL DESCRIPTION; AND “ESTRELLA COMMONS DISTRICT PAD OVERLAY.”

2. ADOPT ORDINANCE NO. 2021-1509, CONDITIONALLY REZONING APPROXIMATELY 27 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO MULTIFAMILY (MF-24) AND GENERAL COMMERCIAL (C-2) WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. (Alex Lestinsky, Senior Planner)

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The General Plan Land Use Plan designates the subject property as 'Business & Commerce'. The 'Business and Commerce' land use category provides areas for the growth and development of Goodyear's economic base, including high density residential that supports the area.

The subject property is currently zoned Preliminary Planned Area (PAD) District, under a category called the "District" within the Estrella Commons PAD adopted on April 12, 2015 by Ordinance No. 15-1321. The Planning and Zoning Commission held a public hearing on July 7, 2021 and recommended approval of the request (6-0).

STAFF ANALYSIS

Current Policy:

A rezoning request requires public review and approval by the Planning and Zoning Commission and the City Council. The proposed amendment must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance.

Details of the Request:

The request is to remove the subject property from the Estrella Commons Preliminary PAD zoning and rezone it to the City's General Commercial (C-2) and Multifamily (MF-24) residential zoning districts with a PAD Overlay.

The PAD Overlay provides for the following deviations:

- Additional Permitted Uses (C-2): Drive-through restaurants and Convenience Uses (service stations) have been added to the permitted uses of the C-2 district. The developer currently has two drive-through restaurants and a gas station user who plan to locate in the subject property. A preliminary site plan, which includes the layout of these uses, was provided with the rezone application narrative. Although not approved with the rezoning request the general layout of the pads as depicted in the PAD Overlay Development Regulations Exhibit B – Conceptual Phasing Plan provides for an overview of the site layout. Each pad will require a separate site plan review and approval. Allowing these uses will eliminate the need for additional public hearings for each user. If this request is approved, there will not be a use permit for any drive-through or gas station presented to Planning & Zoning Commission or City Council.
- Development Standards (C-2):
    - Landscape Setback between C-2 and MF-24 – This is proposed to be reduced from 10' to 0'. The MF-24 side will include the additional setback on their side with a 6' wall, 5' sidewalk and 5' landscape buffer to provide for pedestrian connectivity to the commercial pads.
    - Drive-through windows – Similar to other recent drive-through requests, some of the drive-through restaurants are anticipating a drive-through window facing a public street. The PAD Overlay includes requirements that these windows are fully screened which is consistent with what similar projects have provided throughout the city.
- Development Standards (MF-24):
    - Landscape Setback (north) – The Zoning Ordinance requires that the setback abutting a public street be entirely landscaped. The proposed deviation allows the trash enclosure/compactor to locate within the 30' landscape setback on the north edge of the property. This location sets it away from the single-family residents to the east and out of view from the Roosevelt entry and commercial center. The northern boundary is also screened from the freeway by a 12' noise wall.

- Landscape Setback (East) – The applicant is providing a 15’ landscape buffer along the eastern boundary adjacent to the single-family homes. This will provide a landscaped buffer between the single-family homes and the carports. Carports are not permitted within the 15’ landscape setback. Additionally, carport lighting adjacent to single-family residential is required to be appropriately shielded as included in the Development Standard.
- Accessory Building Height – The request is to increase the maximum accessory structure height from 12’ to 22’

- Design Guidelines – supplemental design guidelines have been included in the PAD Overlay to implement a cohesive design throughout the center.

The documents provided in the project narrative, including the conceptual master site plan and phasing plan are conceptual and are not being approved with this rezoning action.

Evaluation Criteria:

1. Consistency with the General Plan.

   As mentioned in the Backgrounds and Previous Actions section, the General Plan designates this area as Business & Commerce. Commercial and higher density residential uses are appropriate in this category.
   General plan Standard 27
   Residential uses with densities over 12 dwelling units per acre may be considered along arterial roads, interstate corridors, or transit corridors. These developments should have access onto an arterial roadway.

   The project is adjacent to the I-10 and has access to I-10 via Roosevelt Street and Estrella Parkway.

   General Plan Standard 29
   High density residential developments should not be located directly adjacent to single family residential developments unless a park or open space area provides a buffer between the uses.

   The multifamily portion is located directly adjacent to the Fulton at Estrella Commons development with 6 homes backing up to the property line and two side yards abut the property line. The applicant has proposed a 15’ landscape setback on the eastern property line. The MF-24 development standards require a 50’+ building setback from the single-family residential zoning district to buildings greater 30’.

   General Plan Standard 30 & 41
   (30) High density residential projects are most appropriate and encouraged to locate adjacent to commercial centers. (41) High Density residential development is permitted in the Business & Commerce category when located adjacent to adjacent to single family residential, commercial area, and/or used as a buffer between the Neighborhoods category and Business & Commerce category.

   The project is within an existing major commercial corridor. The proposed apartment complex serves as a buffer between the proposed commercial and existing single family residential.

   The development standards include a requirement for a public 5’ sidewalk running

north-south along the multifamily property. This provides a safe path connecting the commercial pads for all pedestrians including the multifamily development and adjacent residential developments via Roosevelt Street (Fulton Homes and Curve at Estrella Commons).

2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.

   The subject property is currently irrigated farm field. The property's physical and natural features are suitable for the proposed PAD Overlay and commercial and multi-family use as the property will be required to be graded and developed in accordance with all applicable engineering design guidelines and standards.

3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.

   Uses and development surrounding the subject property include:

   North – Interstate 10
   South – Roosevelt Street; Aldi Grocery Store; Future residential development (Curve at Estrella Commons)
   East – Existing/under construction single family residential (Fulton at Estrella Commons)
   West – Estrella Parkway; Walmart and existing retail development

   The commercial and multi-family uses proposed with this PAD Overlay will be compatible with the development in the surrounding area.

4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning.

   Luke Air Force Base:
   The subject property is located within the vicinity of a military airport. Notice was provided to Luke AFB and they have indicated that given the location of the subject property, base operations will not be adversely impacted by this proposed commercial and multi-family developments.

   Phoenix-Goodyear Airport:
   The subject property is located within the Phoenix-Goodyear Traffic Pattern Airspace. Given the location of the property, airport operations will not be adversely impacted by this proposed commercial and multi-family developments.

5. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

   The preliminary zoning of the property intended the use as a mix of commercial and residential. Estrella Parkway is an existing major commercial corridor for the city and most of the commercially zoned land between I-10 and Van Buren has been developed and occupied, therefore additional commercial property is appropriate for the area.

   The proposed multifamily district will support the existing and proposed commercial centers to the north, west and south.

6. Demands for public services that will be generated by the uses permitted in the proposed

zoning district.

Below is a summary of impact to public services.

Fire Response:
Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Goodyear Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#181	4.63	2.31	4.91	2.42	#184	5.06	2.53	5.34	2.67

Police Response:
The subdivision is located within an existing Police patrol beat and the current level of service within the beat can accommodate the development of the property.

School Districts:
The subject property is located within the Avondale Elementary School District and the Agua Fria Union High School District. The application was sent to the school districts for comment and no objection was received.

Streets/Transportation:
Although the site plan is not approved with the Rezone, the main points of access will be from Roosevelt Street and Estrella Parkway. At the time of site plan review, the required connections to public streets will be reviewed for compliance with City engineering and public safety standards.

Water/Wastewater:
The subject property is located within the city of Goodyear water and wastewater service area.

Solid Waste/Recycling:
Solid waste and recycling services for the property will be contracted through a commercial provider.

7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;

   The subject property is in proximity to where existing public services are provided.

8. General public's concerns.

   Public Participation:
   Pursuant to the Citizen Review process a neighborhood meeting was held via Zoom on June 2, 2021. The applicant was prepared with a presentation for any and all attendees. Staff and the applicant were available for questions. No one from the public attended this Zoom call. To date, one anonymous objection for the multifamily portion has been received via email.

   Notice for the July 2021 public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice and display ad published in the Arizona Republic on June 18, 2021; and a notice of public hearings sign posted on the property.

The public hearing before the Planning and Zoning Commission was held on July 7, 2021. No one from the public spoke in opposition of the request. The Planning and Zoning Commission recommended approval of the request (6-0).

9. Whether the amendment promotes orderly growth and development;

   The subject property is located adjacent to existing infrastructure and developed areas. The amendment will allow development of the subject property and promotes the orderly growth and development of the City.

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

    The development of the proposed commercial and multi-family project will be required to adhere to all applicable design, building, and engineering standards of the city of Goodyear. Adherence to these standards will be evaluated during the site plan, civil engineering, and building plan review processes.

    Since the PAD Overlay proposes allowing Convenience Uses (drive-through restaurants and a gas station), the Use Permit process would be omitted for each individual pad. The required review criteria and a general analysis has been provided for the site below.

    Section 1-3-2 (Use Permits) of the Zoning Ordinance provides that the Planning and Zoning Commission and City Council must determine that the proposed use meets the following to findings prior to granting a use permit:

    1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare;

       The Estrella Parkway corridor already includes a variety of drive-through restaurants and gas stations. The commercial pads will have direct access to Estrella Parkway with supplemental access off of Roosevelt Street. Roosevelt Street provides the main access for Estrella Parkway to the Fulton Single Family Residential to the east of the subject property. Additional drive-through and gas station developments will not be detrimental to the surrounding property.

    2. The proposed use is reasonably compatible with uses permitted in the surrounding area. This section further states that should a Use Permit not be established within two years, then that Use Permit approval shall become null and void;

       As discussed, Estrella Parkway is a commercial corridor for the city and this proposal will supplement restaurant and retail opportunities in this area.

    Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

    1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.

       A site plan will be required for each commercial pad. At the time of each pad review, each individual site will be assessed for proper access and circulation. The PAD Overlay requirements require that drive-through restaurants include

screening over pick-up windows facing a public street, which is similar to many of the recent Use Permit requests for drive-through restaurants within the city.

2. Compatibility of the proposed hours of operation with adjacent residential areas.

   Due to the location of the commercial area, no restrictions on hours of operation are recommended.

3. Required traffic mitigation measures, if any.

   Any required traffic mitigation measures would be reviewed and implemented at the time of each site plan submittal.

4. Other concerns, which may place the advisability of the proposed convenience use in question.

   Staff finds no other concerns with the project.

Attachments

Resolution 2021-2170
Exhibit A - Supplementary Zoning Map
Exhibit B - Legal Description - C-2
Exhibit C - Legal Description - MF-24
Exhibit D - PAD Overlay
Ordinance 2021-1509
Aerial Photo
Project Narrative
Staff Presentation
Applicant Presentation

RESOLUTION NO. 2021-2170

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP 21-02 CITY OF GOODYEAR, AZ – REZONE CASE"; "ESTRELLA COMMONS DISTRICT COMMERCIAL – LEGAL DESCRIPTION"; "ESTRELLA COMMONS DISTRICT MULTIFAMILY – LEGAL DESCRIPTION; AND "ESTRELLA COMMONS DISTRICT PAD OVERLAY."

Now, therefore, be it resolved by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map 21-02 City of Goodyear, AZ – Rezone Case", a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Estrella Commons District Commercial – Legal Description", a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Estrella Commons District Multifamily – Legal Description", a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

That certain document titled "Estrella Commons District PAD Overlay", a copy of which is attached hereto as Exhibit D, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of zoning Ordinance No. 2021-1509.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2021-2170 is a true, correct and accurate copy of Resolution No. 2021-2170, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said resolution.

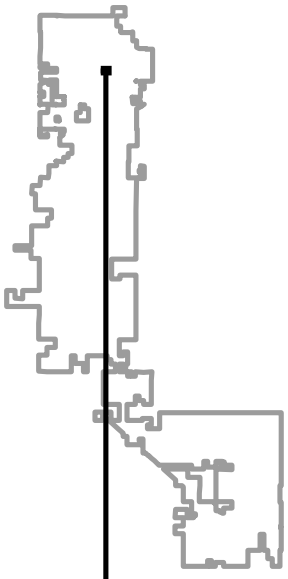
Given under my hand and sealed this _____day of _____, 20____.

seal

_____
City Clerk

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-02

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2021.

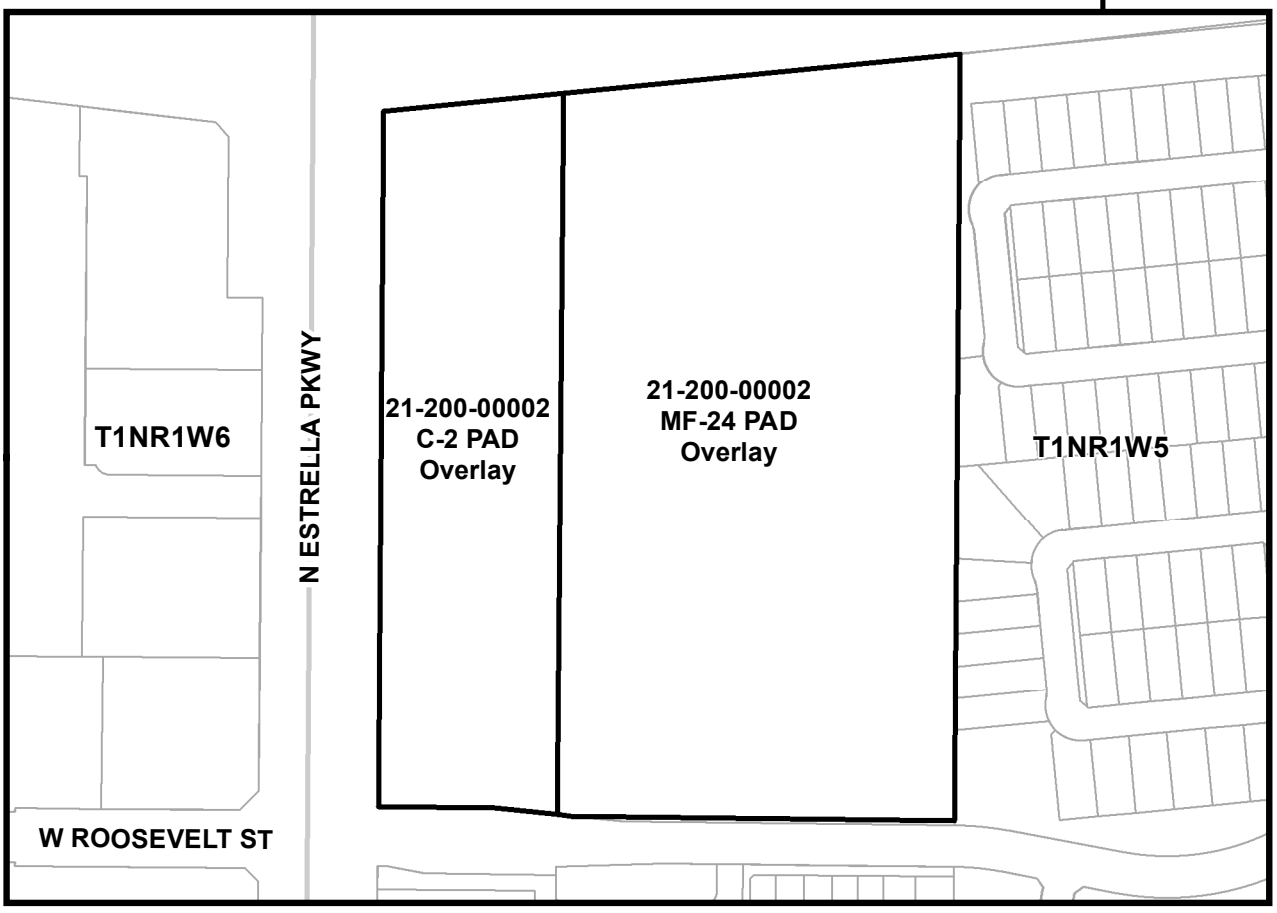


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A portion of the Northwest Quarter of Section 5, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	REZONE FROM PAD TO C-2 PAD Overlay AND MF-24 PAD Overlay 21-200-00002	June 2021

Exhibit B

ESTRELLA COMMONS DISTRICT
COMMERCIAL
LEGAL DESCRIPTION
GROSS PARCEL
GOODYEAR, ARIZONA

DATE: 6/07/21
Job No. 5712

LOCATED IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 5;

THENCE NORTH 00 DEGREES 26 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 1,138.66 FEET;

THENCE DEPARTING SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 5, SOUTH 89 DEGREES 33 MINUTES 55 SECONDS EAST, A DISTANCE OF 110.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ESTRELLA PARKWAY AND THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10;

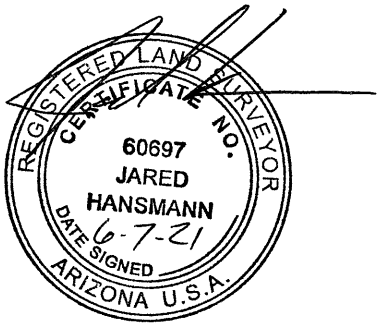
THENCE NORTH 84 DEGREES 21 MINUTES 43 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10, A DISTANCE OF 281.35 FEET;

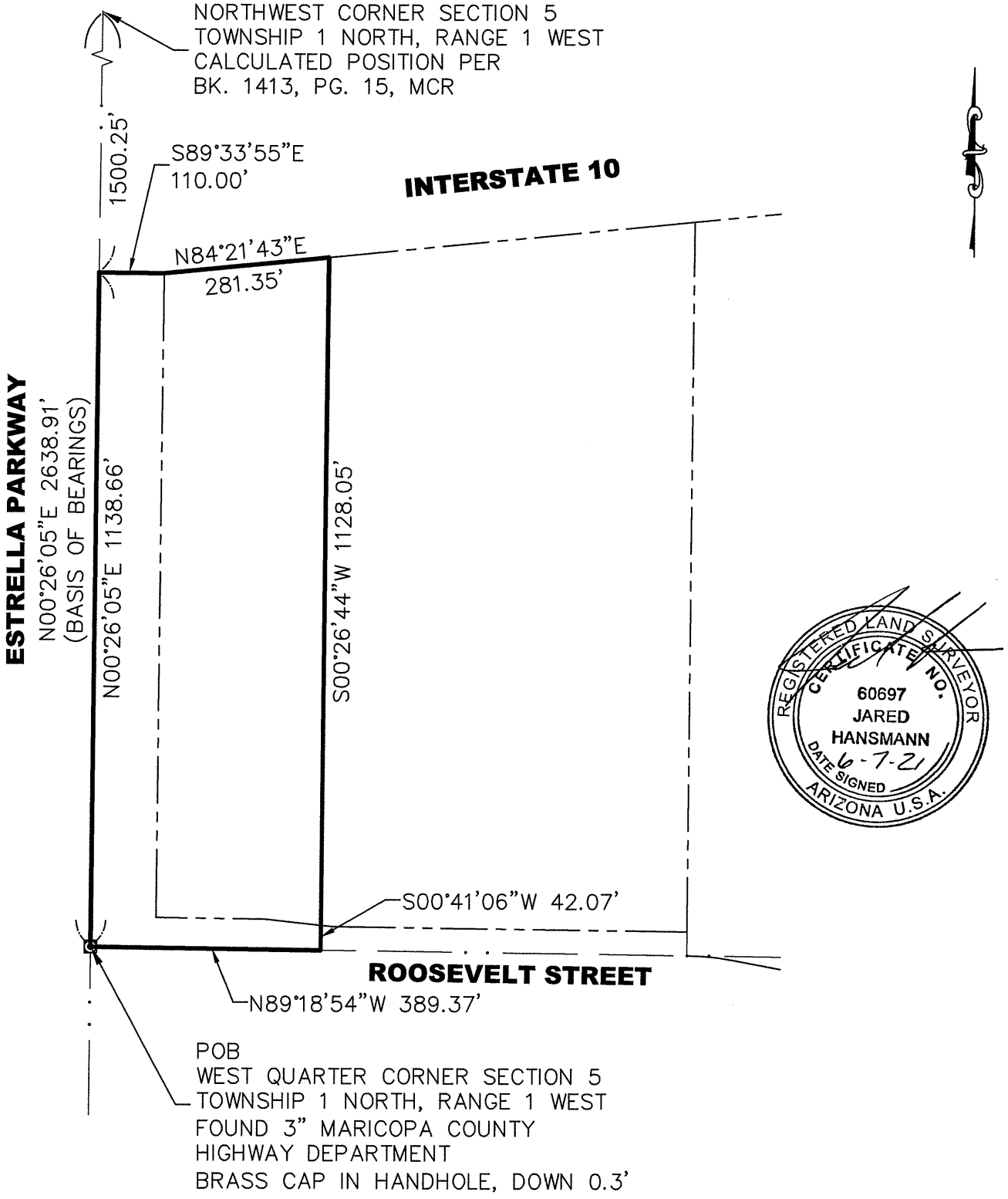
THENCE DEPARTING THE SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10, SOUTH 00 DEGREES 26 MINUTES 44 SECONDS WEST, A DISTANCE OF 1,128.05 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROOSEVELT STREET;

THENCE SOUTH 00 DEGREES 41 MINUTES 06 SECONDS WEST, A DISTANCE OF 42.07 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 5;

THENCE NORTH 89 DEGREES 18 MINUTES 54 SECONDS WEST, ALONG SAID SOUTHERY LINE OF THE NORTHWEST QUARTER OF SECTION 5, A DISTANCE OF 389.37 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 448,173 SQUARE FEET OR 10.289 ACRES, MORE OR LESS.





S|I|G
SURVEY INNOVATION GROUP, INC
Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781
22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

ESTRELLA COMMONS DISTRICT
COMMERCIAL
GROSS PARCEL
GOODYEAR, AZ.

JOB # 5712	DWG: RETAIL–MULTI–FAMILY		DATE 6/07/21
SCALE: 1"=250'	DRAWN: DSR	CHK: JH	SHEET 1 OF 1

Exhibit C

ESTRELLA COMMONS DISTRICT
MULTI-FAMILY
LEGAL DESCRIPTION
GROSS PARCEL
GOODYEAR, ARIZONA

DATE: 6/07/21
Job No. 5712

LOCATED IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 5;

THENCE SOUTH 89 DEGREES 18 MINUTES 54 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 389.37 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 5, NORTH 00 DEGREES 41 MINUTES 06 SECONDS EAST, A DISTANCE OF 42.07 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROOSEVELT STREET;

THENCE NORTH 00 DEGREES 26 MINUTES 44 SECONDS EAST, A DISTANCE OF 1,128.05 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10;

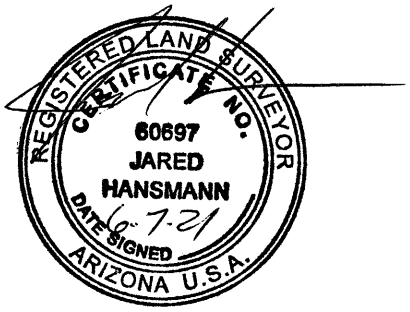
THENCE NORTH 84 DEGREES 21 MINUTES 43 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10, A DISTANCE OF 623.73 FEET;

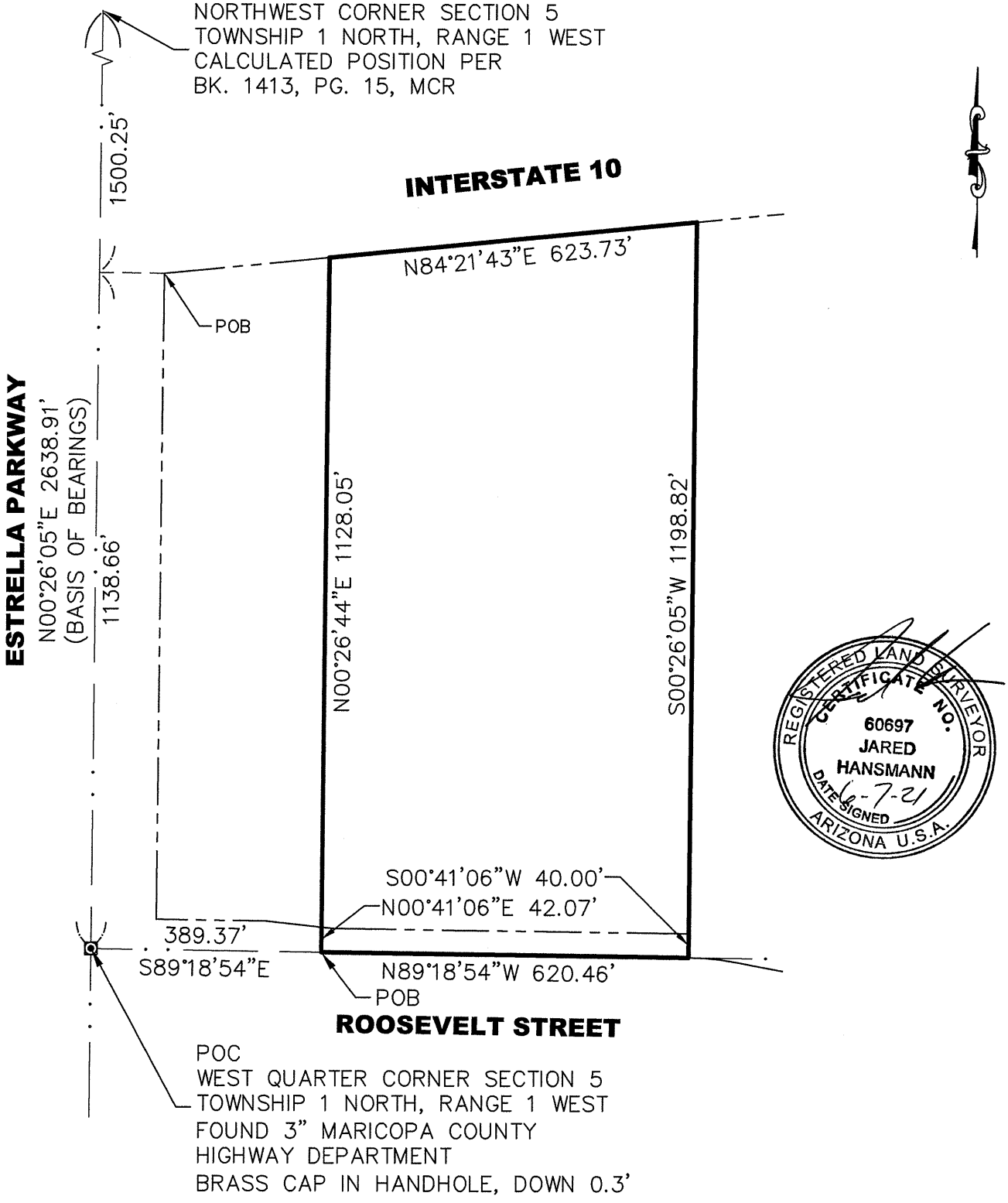
THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 10, SOUTH 00 DEGREES 26 MINUTES 05 SECONDS WEST, A DISTANCE OF 1,198.82 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ROOSEVELT STREET;

THENCE SOUTH 00 DEGREES 41 MINUTES 06 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH 89 DEGREES 18 MINUTES 54 SECONDS WEST, ALONG SAID SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5, A DISTANCE OF 620.46 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 747,185 SQUARE FEET OR 17.153 ACRES, MORE OR LESS.





SIG

SURVEY INNOVATION GROUP, INC

Ph (480) 922 0780 ***Land Surveying Services*** Fx (480) 922 0781

22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

ESTRELLA COMMONS DISTRICT MULTI-FAMILY GROSS PARCEL GOODYEAR, AZ.

JOB # 5712	DWG: RETAIL–MULTI–FAMILY		DATE 6/07/21
SCALE: 1"=250'	DRAWN: DSR	CHK: JH	SHEET 1 OF 1

Exhibit D

"Estrella Commons District PAD Overlay"

Development Regulations

June 8, 2021

Commercial Portion of Estrella Commons

Permitted Uses: The permitted uses allowed in the portion of the property zoned C-2 (General Commercial) are the uses allowed in the C-2 (General Commercial) Zoning District as set forth in the City of Goodyear Zoning Ordinance in effect at the time of development as modified herein. Subject to the requirements set forth herein, the following uses are permitted without the need for a separate Use Permit: a) restaurants (with or without drive-throughs and regardless of the percentage of floor area devoted for food preparation; restaurants may include outdoor dining), and automotive service stations (gas stations) with convenience stores.

Development Standards: The development standards for C-2 Commercial Zoning District as set forth in the Goodyear Zoning Ordinance in effect at the time of development shall apply to the portion of the Property zoned C-2 (General Commercial), except as modified below:

Development Standard	Estrella Commons - PAD
Landscape Setback between adjacent multifamily use	0’
Wall separating C-2 from adjacent residential district	No wall shall be constructed on the C-2 portion. There shall be a 6’ wall separating the residential use from the commercial use on the residential portion of the Property. There will also be a 5’ sidewalk running north-south on the west (retail) side of the wall along with 5’ of landscaping to provide safe and comfortable pedestrian connectivity.
Drive-Through Window locations	May face onto a public street There shall be a minimum 3’ masonry wall screening the drive-through lanes that front a public street or public right-of-way such as bus bays, bike lanes and the like, and green-screen (or other screening mechanism) to screen any drive-through window fronting a public street or public right-of-way such as bus bays, bike lanes and the like. Drive-through lanes shall be designed in accordance with Commercial Design Guidelines Chapter 4 part D(2)(b and c) with a minimum of 150 feet of queuing before the first stopping point (which may be aggregated in two drive aisles) and shall not queue back into any public street or public right-of-way such as bus bays, bike lanes and the like. If any drive-through lane queues back into a public street or public right-of-way such as bus bays, bike lanes and the like, it shall be a zoning violation whereby the City may require on-site modifications and/or pursue enforcement actions for zoning violations.

Residential Portion of Estrella Commons

Permitted Uses: The permitted uses allowed in the portion of the property zoned MF-24 (Multi-Family Residential are the uses allowed in the MF-24 (Multifamily Residential) Zoning District as set forth in the City of Goodyear Zoning Ordinance as set forth in the Goodyear Zoning Ordinance in effect at the time of development.

Development Standards: The development standards for MF-24 (Multifamily Residential) Zoning District as set forth in the Goodyear Zoning Ordinance in effect at the time of development shall apply to the portion of the property zoned MF-24 (Multi-Family Residential), except as modified below:

Development Standard	Estrella Commons - PAD
Landscape Setback (Trash Enclosure)	The trash enclosure shall be located proximate to the northwest corner of the multifamily portion of the Property and may encroach fully into the landscape setback along the northerly boundary of the Property, adjacent to the freeway.
Wall separating multifamily development from adjacent commercial district	The multifamily development shall install a 6' wall on its parcel separating its residential use from the commercial use of the Property. There will also be a 5' sidewalk running north-south on the west (retail) side of the wall along with 5' of landscaping to provide safe and comfortable pedestrian connectivity.
East Property Line Landscape Setback	15' of landscaping will be provided at the east multifamily property line, with the same number of trees, shrubs and groundcover as would normally be provided in a 20' setback. Carport lighting adjacent to single-family residential shall be shielded away from the single-family residential use.
Accessory Building Height	22'

Additional Regulations:

1. Unless expressly modified in this document, all development within the Property shall comply with the requirements of the City of Goodyear Zoning Ordinance as set forth in the Goodyear Zoning Ordinance in effect at the time of development.

2. All uses are subject to Administrative Site Plan review.

3. Design shall be in conformance with the commercial and multifamily requirements of Chapter 3 of the City of Goodyear Design Guidelines in effect at the time of development, except as modified in these PAD Development Regulations and its exhibits, including the Design Guidelines, Landscape Guidelines and the Project Entry Feature, Street Fronting Screen Walls, Concrete Crosswalks attached hereto.

4. Signage shall be in conformance with the requirements of the City of Goodyear Zoning Ordinance in effect at the time of development and a separate Comprehensive Sign Package that will be processed for the Property.

Exhibit A
Commercial and Multi Family Design Guidelines

Retail Design:

The commercial portion of the Property will incorporate linear features in an urban contemporary design. Buildings will have EIFS as the primary finish, but can be accented with James Hardie and Nichiha panels that can be painted to complement the main building base colors, or can provide Resysta wood composite panels for visual accents. Additionally, the wainscots of the buildings can be grounded in a darker color EIFS or with brick veneers or CMU veneers for additional depth and texture. Steel awnings will accent the building designs and provide shade and shadow for interest over windows. Framed entry elements will provide a hierarchy of the design elements and provide a sense of arrival, and shall incorporate a "tower" type element similar to the image below. The commercial buildings will primarily incorporate the colors and materials provided on the following page, however, corporate accent colors and architectural features are permitted.

Multifamily Design:

The design of the multifamily buildings shall utilize similar elements, colors and materials as the commercial design.

Exhibit A – Commerical and Multi Family Design (cont)

Exhibit B – Landscape Guidelines

Estrella Parkway - The Main Entry median into the project will have Date Palms – diamond cut, matching with straight trunks with a height of 20' Trunk Feet. The theme tree at all entry drives will be Red Push Pistache Trees 36" box that will be used at the entries on both sides and aligning the drive on both sides along the full length of the drive. The theme shrubs will be Blue Bells and Compact Green Sage in groupings of 3 or more evenly spaced between the trees. The accents plants will be Yellow Hesperaloe and Muhlenbergia Grass placed in massings of 5 or more at the base of the trees. Flowering Ground Cover of Lantana and Yellow Mingnew will be massed at all entries, corners and intersections.

The Estrella Parkway Street Frontage will have Evergreen Elms and Live Oak Trees as the theme trees with the Red Push Pistache at the entries. The Evergreen Elms will be used as 60% of the required tree quantity. Yellow Bells, Blue Bells, Compact Green Sage and Valentine Bush shrubs will be used as 75% of the required shrubs.

Agave, Hesperaloe and Muhlenbergia grasses will be used as the accent plants along the street frontages and primarily at all entries and corners. Large Massings of 12 or more Bush Morning Glory, Lantana and Yellow Mingnew will be used along all sidewalks, entries, corners and between sidewalks and curbs.

Roosevelt Street - The short entry median into the project will have Date Palms – diamond cut, matching with straight trunks with a height of 20' Trunk Feet. The theme tree at all entry drives will be Red Push Pistache Trees 36" box that will be used at the entries on both sides and aligning the drive on both sides along the full length of the drive.

The theme shrubs will be Blue Bells and Compact Green Sage in groupings of 3 or more evenly spaced between the trees. The accents plants will be Yellow Hesperaloe and Muhlenbergia Grass placed in massings of 5 or more at the base of the trees. Flowering Ground Cover of Lantana and Yellow Mingnew will be massed at all entries, corners and intersections.

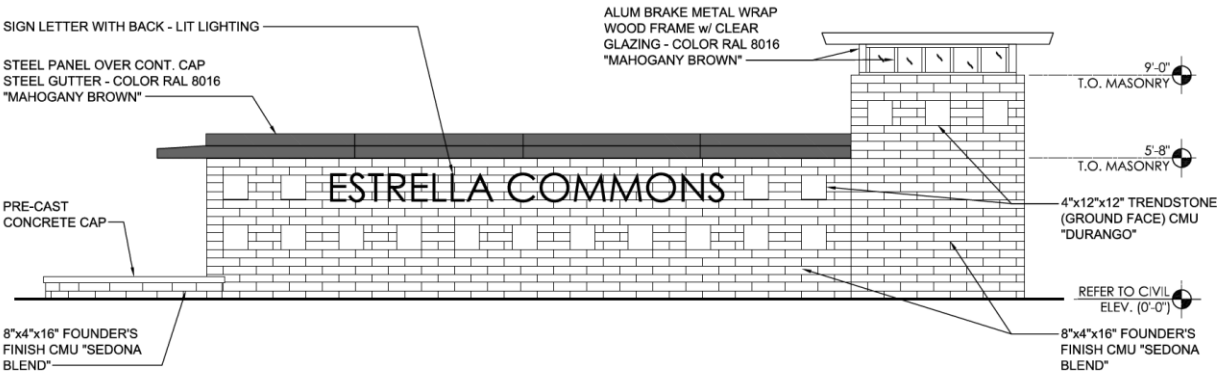
The Roosevelt Street Frontage will have Evergreen Elms and Live Oak Trees as the theme trees with the Red Push Pistache at the entries. The Evergreen Elms will be used as 60% of the required tree quantity. Yellow Bells, Blue Bells, Compact Green Sage and Valentine Bush shrubs will be used as 75% of the required shrubs.

Agave, Hesperaloe and Muhlenbergia grasses will be used as the accent plants along the street frontage and primarily at all entries and corners. Large Massings of 12 or more Bush Morning Glory, Lantana and Yellow Mingnew will be used along all sidewalks, entries, corners and between sidewalks and curbs.

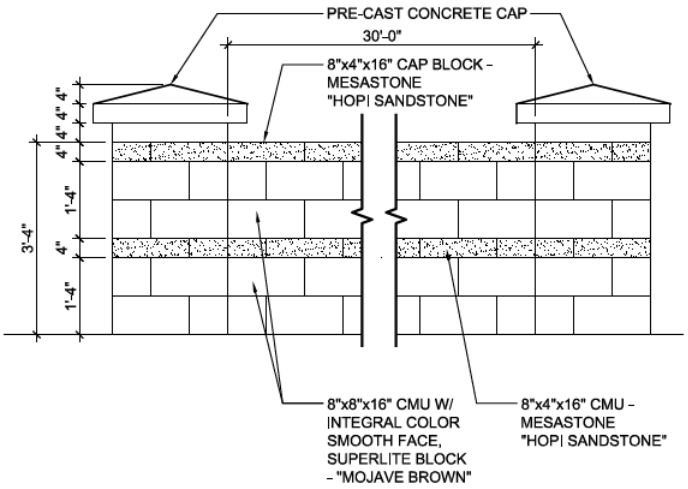
All Landscape Areas will be top dressed with a 2" Minimum Thickness of ¾" Screened Rock Pros "Mahogany".

Exhibit C – Project Entry Feature, Street Fronting Screen Walls, Concrete Crosswalks

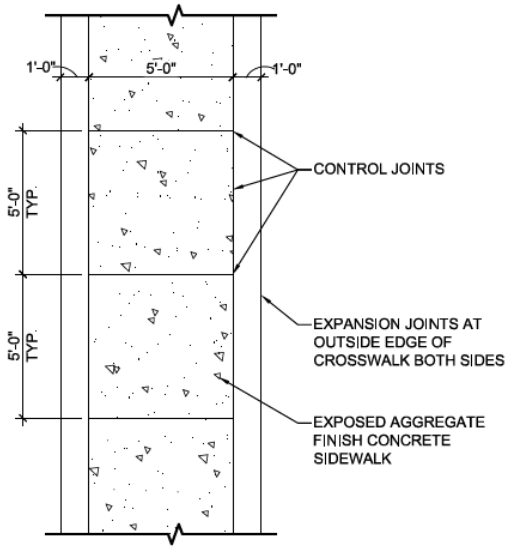
The Property will incorporate a Project Entry Feature at the corner of Estrella Parkway and Roosevelt Street that mirrors the feature at the southeast corner of the intersection and announces the entry into Estrella Commons. The screen walls along both street frontages, and the concrete crosswalks interior to the Property, will be consistent and will match the designs provided below.



4 ENTRY FEATURE WALL
SCALE: 1/4" = 1'-0"



3 3'-0" HIGH SCREEN WALL
SCALE: 1/2" = 1'-0"



2 DECORATIVE CONCRETE CROSSWALK
SCALE: 1/4" = 1'-0"

ORDINANCE NO. 2021-1509

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 27 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO MULTIFAMILY (MF-24) AND GENERAL COMMERCIAL (C-2) WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, the subject property consists of approximately 27 acres generally located at the northeast corner of Estrella Parkway and Roosevelt Street, legally described in those certain documents titled "Estrella Commons District Commercial – Legal Description" and "Estrella Commons District Multifamily – Legal Description" which documents were declared a public record by Resolution No. 2021-2170, and which are referred to and made a part hereof as if fully set forth in this Ordinance (collectively the "Property"); and

WHEREAS, the Property is designated as "Business and Commerce" on the General Plan Land Use and Transportation Plan. This land use category provides for the growth and development of shopping, office and entertainment areas along with high-density residential and public and community facilities; and

WHEREAS, the Property is zoned Preliminary Planned Area Development (PAD). The PAD is known as Estrella Commons, and was initially approved on October 23, 2006, with the adoption of Ordinance No. 2006-1033, which has been amended several times since its adoption;

WHEREAS, the Property is currently zoned as Preliminary Planned Area Development ("PAD") under the Estrella Commons PAD, as amended, and is designated as the 'District'. The 'District' land use is intended for a mix of uses, including retail commercial and high-density multi-family residential development; and

WHEREAS, the request is to rezone the approximately 27-acre Property from Preliminary PAD to approximately 17 acres as Multifamily (MF-24) and approximately 10 acres as General Commercial (C-2) with a PAD Overlay known as the Estrella Commons District PAD (the "PAD Overlay"); and

WHEREAS, the proposed rezoning will permit the development of up to 24 dwelling units per acre of multi-family housing, including apartments; and

WHEREAS, the proposed rezoning will permit the development of a commercial center that permits all uses within the C-2 (General Commercial) zoning district, but eliminates the need for Use Permits for restaurants, regardless of the percentage of floor area devoted to food preparation, that include drive-through and/or outdoor dining and eliminates the need for Use Permits for automotive service stations (gas stations) with convenience stores;

WHEREAS, in addition to the PAD Overlay modifies development standards that would otherwise apply to the MF-24 (Multi-Family) zoning district and the C-2 (General Commercial) zoning district; and

WHEREAS, in accordance with the city's Citizen Review Process, a virtual citizen review was held on June 2, 2021 via Zoom. Notice providing information on the request and virtual meeting details was mailed to surrounding property owners within 500 feet of the subject property; and

WHEREAS, a request to rezone property requires public review and approval by the Planning and Zoning Commission and the City Council through the public hearing process. The rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance; and

WHEREAS, staff has determined that the proposed rezoning request is in conformance with the General Plan and will not adversely impact the surrounding area; and

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on July 7, 2021 appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on July 7, 2021, to consider this rezoning, and the Commission voted (6-0) to recommend approval of the rezoning subject to the stipulations that have been presented; and

WHEREAS, public notice that this PAD rezoning is to be considered and reviewed at a public hearing held before the City Council on July 19, 2021, appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, based on the foregoing Recitals and the other information presented, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this ordinance to be in the best interests of the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2021-1509 applies to that parcel of land in Goodyear, Maricopa County, Arizona, generally located at the northeast corner of Estrella Parkway and Roosevelt Street, as shown on "Official Supplementary Zoning Map No. 21-02 City of Goodyear, AZ – Rezone Case," and as legally described in that certain document titled "Estrella Commons District Commercial – Legal Description" and "Estrella Commons District Multifamily – Legal Description," all documents having been declared public records by Resolution No. 2021-2170, and which documents are referred to and made a part hereof as if fully set forth in this Ordinance. (collectively the "Property").

SECTION 2. PLANNED AREA DEVELOPMENT REZONING

The portion of the Property legally described in that certain document titled "Estrella Commons District Commercial – Legal Description" which was declared public record by Resolution No. 2021-2170, and which is referred to and made a part hereof as if fully set forth in this Ordinance is conditionally rezoned to the C-2 (General Commercial) zoning district with a PAD Overly (the "Commercial Property") and the portion of the Property legally described in that certain document titled "Estrella Commons District Multifamily – Legal Description," which was declared a public record by Resolution No. 2021-2170, and which is referred to and made a part hereof as if fully set forth in this Ordinance is conditionally rezoned to MF-24 (Multi-Family Residential) zoning district with a PAD Overlay (the "Multi-Family Residential Property").

SECTION 3. STIPULATIONS

The development of the Property shall be subject to the following stipulations:

1. That certain document titled Estrella Commons District PAD Overlay, which document was declared a public record by Resolution No. 2021-2170 and which is hereby adopted, referred to, and made a part hereof as if fully set forth herein is hereby approved and adopted (hereinafter referred to as the "PAD Overlay") and the Property shall be developed in accordance with the PAD Overlay except as otherwise modified by the stipulations herein;
2. The Commercial Property shall be developed in accordance with the Permitted Uses and Development Standards applicable to the C-2 (General Commercial) zoning district set forth in the City of Goodyear Zoning Ordinance in effect at the time of development as modified by the PAD Overlay and except as otherwise modified by the stipulations herein;
3. The Multi-Family Residential Property shall be developed in accordance with the Permitted Uses and Development Standards applicable to the MF-24 (Multi-Family Residential) zoning district set forth in the City of Goodyear Zoning Ordinance in effect at the time of development as modified by the PAD Overlay except as otherwise modified by the stipulations herein;
4. The provisions of the City of Goodyear Zoning Ordinance in effect at the time of development as modified by the PAD Overlay shall apply to the development of Property except as otherwise modified by the stipulations herein;
5. The provisions of the City of Goodyear Design Standards in effect at the time of Development as modified by the PAD overlay, shall apply to the development of the Property except as otherwise modified by the stipulations herein;

6. The Property shall be developed to incorporate the entry features, screen walls, concrete crosswalks as described in Exhibit D – Project Entry Feature, Street Fronting Screen Walls, Concrete Crosswalks of the PAD Overlay;

7. No building permit shall be issued for any structure within the Property until the design of the structure has been approved by the Director of Development Services or his/her designee at his/her discretion;

8. A Comprehensive Sign Package shall be submitted for this property in compliance with the City of Goodyear Zoning Ordinance Article 7. Any requests for deviation from Article 7 will require the Comprehensive Sign Package to be approved by City Council;

9. The Owner of the MF-24 zoned portion of the Property shall acknowledge and disclose to any subsequent purchaser or tenant that the subject property is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport;

10. The Site Plan and Design Exhibits included in the Project Narrative are not adopted as part of the PAD overlay and are not approved. Site Plan Review and Design Review will be required for the development of each individual lot within the Property. All future development will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;

11. The development of the Property shall comply with the: City of Goodyear Engineering Design Standards and Policies, the City of Goodyear subdivision regulations in effect at the time the Property is developed; all applicable provisions of the Maricopa County Association of Governments standards for public works construction in effect at the time of development, and all other applicable federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property in effect at the time of development;

12. The Conceptual Phasing Plan, attached as Exhibit B to the PAD Overlay is not approved with this rezoning and must be reviewed and approved at the discretion of the City Engineer or his designee through the preliminary plat and/or site plan processes;

13. The Traffic Impact Analysis submitted with the application for rezoning is not approved. An updated Traffic Impact Analysis that complies with all of the requirements in the Engineering Design Standards and Policies Manual shall be submitted with the first preliminary plat and/or site plan submitted for the development of the Property and approved by the City Engineer or his/her designee. The Traffic Impact Analysis shall identify all infrastructure required to accommodate the additional trips generated by the development of Property as rezoned, and the location of all access points from the public

right-of-way to the Property, all of which shall comply with all applicable regulations including the requirements in the Engineering Design Standards and Policies Manual;

14. The proposed utility layout submitted with the rezoning application is not approved. The location of all utilities shall be reviewed and determined during preliminary plat and/or site plan processes;

15. Owner/Developer shall construct, at no cost to the City, the remainder of the full half-street improvements required for a Scenic Arterial as set forth in the Engineering Design Standards and Policies Manual in effect at the time of construction for the section of Estrella Parkway along the western boundary of the Property. This includes, but is not limited to pavement for a third lane of the east side of Estrella Parkway, decel lanes, bus bays, bike lanes, curb, gutter, sidewalks, street frontage landscape and landscape irrigation, (the "Estrella Parkway Improvements"). The Estrella Parkway Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property;

16. If, when a permit is sought for any work on the Property, all or part of the required Estrella Parkway Improvements have been constructed or are under construction pursuant to the City of Goodyear 21-0937 – CIP Estrella Widening – 1-10 to Roosevelt (CIP 42023) project or any other city funded project, Owner shall remit to the City of Goodyear an in-lieu payment for the costs the City of Goodyear incurred or will incur in constructing any of the Estrella Parkway Improvements and Owner/Developer shall construct all remaining required Estrella Parkway Improvements. The payment required hereunder shall be remitted prior to the issuance of any permit from construction within the Property. The remaining Estrella Parkway Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property;

17. Owner/Developer shall construct, at no cost to the City, all remaining infrastructure improvements required in the Engineering Design Standards and Policies Manual in effect at the time of construction for the section of W. Roosevelt Street along the southern boundary of the Property (the "Remaining W. Roosevelt Street Improvements"). The Remaining W. Roosevelt Street Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property;

18. Owner/Developer shall construct, at no cost to the City, all infrastructure improvements identified in all approved Traffic Impact Analysis submitted pursuant to the stipulations set forth herein. This could include, by way of example but not limitation, modifying the existing median within Estrella Parkway and constructing infrastructure improvements to either extend the existing left turn lane or to add an additional left turn lane; modifying existing

improvements to the southeast corner of Estrella Parkway and W. Roosevelt Street to accommodate changes to the turn lane and/or access easement improvements. The infrastructure improvements identified in an approved Traffic Impact Analysis shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property;

19. Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, including any additional infrastructure improvements required pursuant to an approved Traffic Impact Analysis, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. All dedications shall be made at the time of the first site plan approval for development within the Property or prior to or concurrent with recordation of a final plat subdividing all or part of the Property, whichever is earlier except that if the City intends to undertakes the construction of any of the Estrella Parkway Improvements for which Owner/Developer is responsible for constructing, Owner shall dedicate any right-of-way and/or easements within the Property needed for the completion of such improvements within thirty (30) days of a written request from the City Engineer or his designee;

20. In addition to constructing the specific infrastructure identified in the stipulations herein, Owner/Developer shall construct, at no cost to the City, all public infrastructure improvements: (i) needed for the city to provide services to the Property and (ii) required to be constructed pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies;

21. In addition to compliance with the stipulations set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the city of Goodyear subdivision regulations, the city of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and local laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property;

22. Owner/Developer shall coordinate with Roosevelt Irrigation District (RID) on the piped irrigation lateral through the Site. Roosevelt Irrigation District Approval shall be required prior to the issuance of any permit for any work within the Property;

23. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to the approval of any Site Plan, recordation of the first final plat subdividing all or part of the Property, or the issuance of any construction permits for work within the Property, whichever is earlier; and

24. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, all existing above ground utilities, except for electric lines that are 69kV or larger, located within and adjacent to the Property, including but not limited to, cable and electrical utilities, shall be placed underground at no cost to the City.

SECTION 4. AMENDMENT OF ZONING MAP

The Zoning Map of the city of Goodyear is hereby amended to reflect the rezoning of the Property provided for herein by the adoption of that certain document titled "Official Supplementary Zoning Map No. 21-02 City of Goodyear, AZ – Rezone Case," declared a public record by Resolution No. 2021-2170, three copies of which are on file with the City Clerk of the city of Goodyear, Arizona and which is referred to and made a part hereof as if fully set forth in this Ordinance and such "Official Supplementary Zoning Map No. 21-02 City of Goodyear, AZ – Rezone Case," shall be filed with the City Clerk in the same manner as the Zoning Map of the city of Goodyear.

SECTION 5. ABRIDGMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

SECTION 6. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 7. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the city of Goodyear Zoning Ordinance being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

SECTION 9. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or

2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

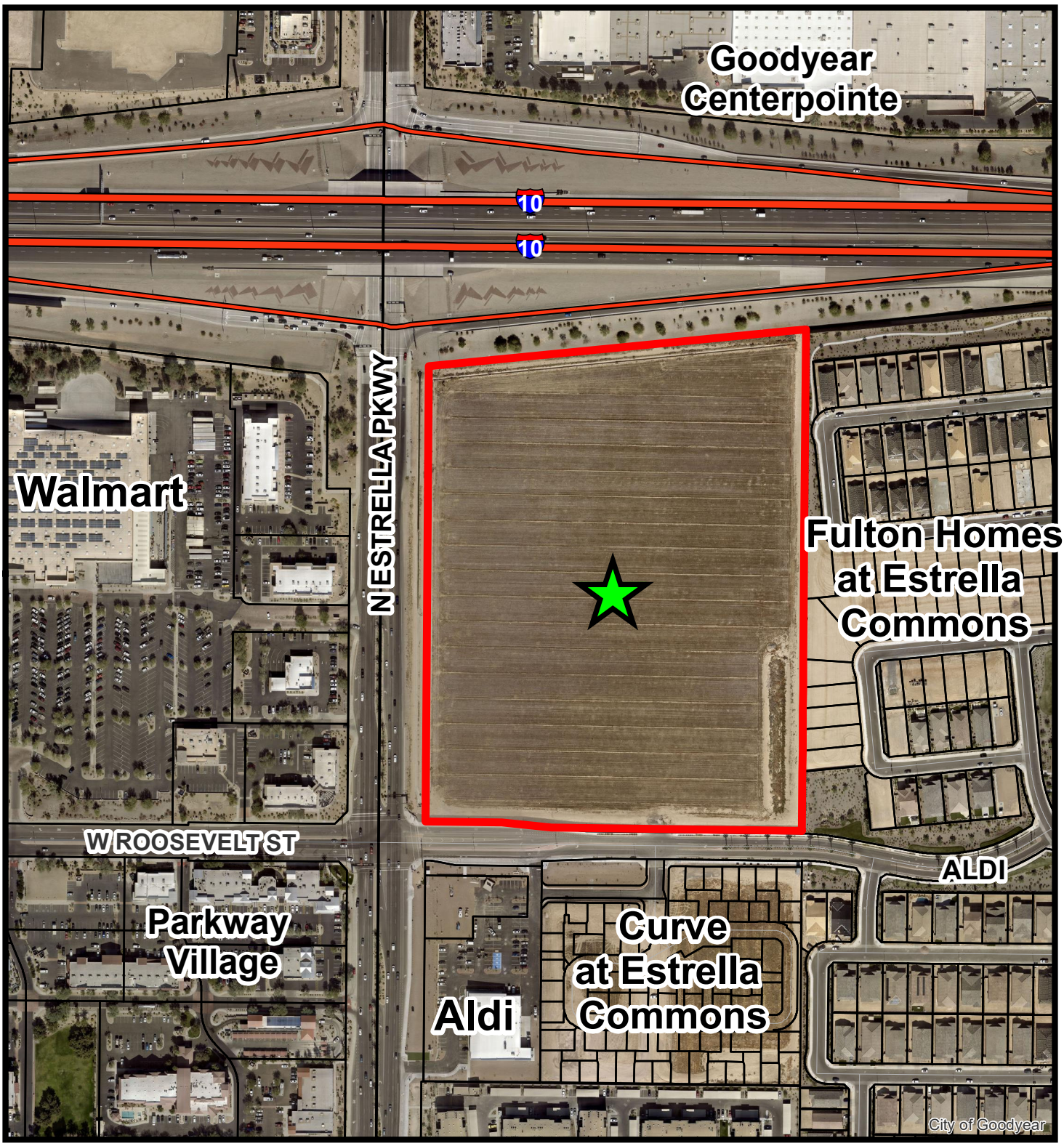
I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2021-1509 is a true, correct and accurate copy of Ordinance No. 2021-1509, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said ordinance.

Given under my hand and sealed this _____day of _____, 20____.

_____

seal City Clerk

Aerial Photo Exhibit
Rezone
Case No. 21-200-00002



Drawn By: Alex Lestinsky
City of Goodyear Development Sevices Department
Date: June 10, 2021

N

“Estrella Commons District PAD”

C-2 with Planned Area Development (PAD) Overlay

MF-24 with Planned Area Development (PAD) Overlay

Narrative & Justification Statement

Approximately 27.442 gross acres located

at the northeast corner of Estrella Parkway and Roosevelt Street

Goodyear, Arizona

Initial Submittal: June 8, 2021

Rezone Case No._____

Prepared by:
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A. Introduction

Evergreen and IDM request rezoning of approximately 27.442 acres (gross) located at the northeast corner of Estrella Parkway and Roosevelt Street in Goodyear, Arizona ("Site") from Preliminary PAD (Estrella Commons) with "District" designation to Commercial (C-2) with a Planned Area Development ("PAD") Overlay and Multifamily (MF-24) with a PAD Overlay. **See Exhibit 1 – Aerial Map**. The proposed rezoning will allow this vacant infill Site to be developed as a high-quality multifamily community with appropriate amenities for its residents and compatible commercial retail uses, including restaurants and fuel station, on the western approximately one-third (1/3) of the Site. Cardinal Capital Co. (owned by the Hughes family and currently managed by daughter of the late Coit Hughes, Dr. Barbara Kostick) has owned this site for decades and has now provided Evergreen with the ability to purchase and develop the Site if approvals can be obtained as requested in this rezoning application.

B. Current & Surrounding Zoning and General Plan Conformance

The vacant infill Site is currently zoned Preliminary PAD (Estrella Commons), which designates the Site as the "District" with uses and development standards complying with the City's Central Business Zoning District.[1] The 1-10 Freeway is directly north of the Site. The property north of the I-10 is zoned C-2 with an existing commercial development known as Goodyear Centerpointe, which was previously developed by Evergreen. The property east of the Site was a part of the Estrella Commons master plan and is zoned PAD, and includes the Fulton single-family housing development. Properties to the south of the Site, also a part of the Estrella Commons master plan, are currently zoned PAD and include multifamily and commercial developments. The property to the west of the property is zoned C-2 with an existing commercial development known as Estrella Marketplace. **See Exhibit 2 – Existing Zoning Map**.

The City of Goodyear's General Plan Land Use and Transportation Map designates the Site as Business & Commerce with a Transit Oriented Development ("TOD") Overlay. The development will complement and support existing and future retail, restaurant, entertainment, office, and service uses in the area. Further, the "Business & Commerce" land use category provides areas for the growth and development of Goodyear's economic base, including high density residential that supports the area. The TOD Overlay identifies areas within walking distance to a major existing or future transit route. Higher density and intensity uses are encouraged in the TOD Overlay. The proposed retail and multifamily development will complement and support existing and future retail, restaurant, entertainment, office, medical, and service uses in the area, while being located south of and proximate to the I-10 Freeway. **See Exhibit 3 – Land Use and Transportation Map**.

[1] Pursuant to Stipulation 4 provided in Ordinance 15-1321.

C. Site & Development Proposal in the Context of the January 25, 2021 Work Session among the Mayor, City Councilmembers, Management, Planning Staff and Economic Development Staff (the "1/25/21 Work Session")

During the 1/25/21 Work Session the City Council, Management and Staff discussed numerous topics including (but not limited to):

1. Whether (or not) to allow additional multifamily development in the City?

   A strong consensus of the City Council confirmed/reconfirmed that "yes" additional multifamily development should be allowed because the City's percentage of multifamily development is not excessive and additional multifamily development is needed to help provide housing and housing choices for Luke AFB personnel, the City's emerging/expanding work force, millennials and others. As is discussed below, this development proposal (which is a mix of commercial and multifamily uses) is compliant with the Council's consensus.

2. Whether (or not) to allow multifamily development on freeway frontage sites?

   A consensus of the City Council stated a general/first-blush preference for commercial and/or office uses when such non-residential uses are readily available/viable on a particular freeway frontage site; however, a strong consensus of the Council was quick to call for site-by-site analyses (rather than generalities) based on numerous site-specific factors such as market need/demand, site size, width and depth, history, traffic, access, owner's/developer's desire, avoiding or delaying missed opportunities, and so on. A strong consensus of the Council also stated their openness to and general support for multifamily development (but not traditional single-family detached homes) on freeway frontage sites that are not readily viable for commercial and/or office development. As is discussed below, based on 15+ years of history and other factors, the particulars of this 27+ gross acres Site have not supported and will not support large-scale commercial and/or office development on this Site. Instead, the particulars of this Site support commercial development along the Estrella Parkway frontage and multifamily development as a transition between the proposed commercial uses and the substantially under construction single-family detached homes to the east.

3. Whether (or not) to allow multifamily development on some of the vacant 27 "commercial corners" that are throughout the City?

   A strong consensus of the Council indicated "yes" within the same parameters (generally) as above #2. As is discussed below, irrespective of whether the Site

is considered a freeway frontage site or a commercial corner or both, either way, the particulars of this Site and the proposed commercial/multifamily development are compliant with the Council's consensus as was discussed during the 1/25/21 Work Session.

4. Some Council-desired multifamily design suggestions to assure diversity of housing and the "look" of multifamily housing to avoid "sameness" and "boredom". Those Council-desired suggestions included (but were not necessarily limited to) meaningful architectural articulation, multiple diverse (but compatible) color palettes within the same multifamily development, significant (and readily visible from outside of the complex) contrasting/trim colors – and an openness to bright colors and other ideas to avoid sameness and boredom and to achieve visual interest.

   As is discussed below and portrayed on numerous of the attached Exhibits, this development is being planned to be compliant with the Council's design-related desires and suggestions.

5. During the 1/25/21 Work Session Staff asked the Council to confirm (or not) whether the Council concurred with exercising "patience" with when and how to develop vacant sites. Aside from numerous questions from the Council to define/explain/clarify what Staff meant by "patience", there was a strong consensus of the Council who indicated they were not supportive of exercising "patience". Moreover, a strong consensus of the Council encouraged Staff and others to be open to development opportunities, landowners' desires, market demands, new ideas, etc., to do whatever is possible to land viable, attractive developments within Goodyear and to avoid perpetrating vacant parcels.

   This Site has been marketed for 15+ years and the well-experienced Master Developer (whose core-business is commercial development) knows it will not develop with large-scale commercial and/or office uses. Furthermore, later this year this Site is scheduled to revert from the very recent contract ability to purchase the Site from Cardinal Capital Co. (which is allowing the ability for the Site to be developed as provided in this rezoning application and which will facilitate prompt development, if this requested rezoning is approved) back to the same ground lease-only "option" that has been in place for many years and which this Site is undevelopable under. Therefore, approval of this needed and well-justified rezoning will achieve immediate development of this vacant Site in accordance with the Council's consensus to get vacant infill sites developed as soon as reasonably possible; whereas, denial of this rezoning will likely perpetrate this Site remaining vacant for well into the future.

D. Development Proposal

Evergreen's proposed horizontal mixed-use development consists of a high-quality 352-unit multifamily community designed to accommodate an active lifestyle with high-quality amenities complemented by commercial retail uses located on the western portion of the Site. **See Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan**. The proposed community includes approximately 142 1-bed Units, 198 2-bed Units, 12 3-bed Units. The varied units will provide options allowing for the needs of many types of residents from single professionals to families. The proposed residential use is consistent with the character of the surrounding area and special attention has been given to the landscaping and architectural design in order to create a high-quality attractive multifamily development.

The proposed commercial retail portion of the Site will provide additional amenities and services for the multifamily residents as well as those who live and work in the surrounding area. The proposed development incorporates several restaurants, including Chick-Fil-A, and Speedway convenience store and fueling station. The proposed retail portion of the Site will be pedestrian-friendly with thoughtful connections throughout the retail portion and to/from the multifamily community.

Evergreen, as the master developer, will construct the required offsite improvements for the Site as generally shown on **Exhibit 9 – Offsite Improvements**, along with the onsite shared driveways shown the **Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan** as "Phase A". The multifamily community will be developed by IDM, and each parcel within the commercial retail portion of the Site will be constructed by the ultimate end user after obtaining approval from the City of Goodyear through its Site Plan Review process.

The approximate 10.3 acre commercial component of this mixed use infill development fronts onto Estrella Parkway at the southeast corner of Estrella and the I-10. Access to the commercial site will be from both Estrella Parkway and Roosevelt Street. All commercial structures will be oriented to Estrella Parkway. This development will help to complete the eastern half street improvements for Estrella Parkway (curb, gutter, sidewalk and piping the Roosevelt Irrigation District ditch).

The commercial component is planned with "Convenience Uses," of which 4 pads are expected to be restaurants with drive-through lanes and 1 pad is expected to be an automotive service station (gas station) with convenience store. In lieu of multiple separate Use Permits, pursuant to Sections 4-2-2 (Convenience Uses) and 4-2-3 (Automotive Service Stations), we are incorporating the following Convenience Uses as Permitted Uses within the C-2 with PAD Overlay portion of the Site: a) restaurants (with or without drive-throughs and regardless of the percentage of floor area devoted for food preparation; restaurants may include outdoor dining), and an automotive service station (gas station) with convenience store. The below summarizes justification for such uses and describes how the evaluation criteria are met.

The location, size, area and orientation of the commercial structures, including gas pumps and canopies, are generally illustrated on the Site Plan. See **Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan**. The currently planned property lines (between the

commercial pads) and the planned curb cuts on Estrella Parkway and on Roosevelt Street are also illustrated on the Site Plan. See **Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan**.

The commercial site is located on the going-to-work side of Estrella Parkway and is in an area that is already well-serviced with larger retail stores and services such as Wal-Mart, groceries, sit down restaurants, etc. While there is no demand for large-retailers on this Site, there is confirmed (committed) demand for drive-through restaurants and a gas station. Providing additional convenience uses in this area will help to serve existing and future residents and businesses with convenient, readily accessible drive-through restaurants with outdoor dining and with convenient retail in conjunction with another fueling facility. No single family residential abuts the commercial portion of the Site.

The Site and design of the development implement Goodyear's Design Guidelines and include high-quality architectural elements, landscaping palettes, signage and colors that are compatible with and complement the surrounding area. **See Exhibit 5 – Conceptual Building Elevations and Color Palettes for Multifamily Community; See also Exhibit 6 – Estrella Parkway Entry Rendering and Conceptual Building Elevation and Color/Material Palette for Commercial Development**. Further, the multifamily development offers a variety of amenities for its residents, including a clubhouse with community room and fitness center, pool, and enhanced walkability within the residential development and to/from the commercial retail portion of the Site. Thoughtful landscaping will provide additional shade for pedestrians within the development. The multifamily development will provide and encourage outdoor living and community socialization with extensive lounge areas, shade pavilions, fire pits/fireplaces, spa, outdoor kitchens, community gardens, tot lots, and dog parks. This enhanced outdoor lifestyle will promote a sense of community among its residents.

The design elements of the multifamily community and commercial retail portion of the Site will create a cohesive and aesthetically pleasing mixed use development, while still retaining appropriate differentiations between the character of high-quality residential and commercial developments. The residential and commercial portions of the Site will include a shared and/or complementary building colors/materials and landscape palettes. The Site's landscaping will add visual interest with its variety as well as enhance the cohesive feel between the residential and commercial portions of the Site. Additionally, the proposed mixed use development will provide an appropriate and desired transition from the single-family housing development to the east to the heavily trafficked Estrella Parkway.[2] The multifamily community will offer an appropriate buffer and land use transition between the lower density housing development and commercial portion of the Site, in accordance with the General Plan and desired by the City Council.

[2] Discussed at the January 25, 2021 City Council Work Session.

E. Development Standards

The development standards for the Commercial (C-2) Zoning District shall apply to the Site's commercial uses, except as modified below:

Development Standard	C-2 Requirements	Proposed PAD
Landscape Setback between adjacent multifamily use	10'	0'
Wall separating C-2 from adjacent residential district	6' wall	No wall on the C-2 portion There shall be a 6' wall separating the residential use from the commercial use on the residential portion of the Site. There will also be a 5' sidewalk running north-south on the west (retail) side of the wall along with 5' of landscaping to provide safe and comfortable pedestrian connectivity.
Drive-Through Window locations	Shall not face onto a public street	May face onto a public street There shall be a minimum 3' masonry wall screening the drive-through lanes that front a public street, and green-screen (or other screening mechanism) to screen any drive-through window fronting a public street. Drive-through lanes shall be designed in accordance with Commercial Design Guidelines Chapter 4 part D(2)(b and c) with a minimum of 150 feet of queuing before the first stopping point (which may be aggregated in two drive aisles) and shall not queue back into any public street. If any drive-through lane

		queues back into a public street, it shall be considered a zoning violation whereby the City may elect to pursue on-site modifications and/or enforcement.

Unless expressly modified in this document, all development within the Site shall comply with the requirements of the City of Goodyear Zoning Ordinance.

Deviation Justification

- The landscape setback on the east boundary of the commercial site is appropriate for the Site because there is a landscape setback on the west boundary of the multifamily Site of approximately 16 feet. The area on the west boundary of the multifamily site adjacent to the commercial retail site will be thoughtfully landscaped to provide an aesthetically pleasing separation, and will be appropriately viewed from the residential side of the community. The 16 feet of thoughtfully designed and attractive space on the multifamily west boundary will provide an adequate buffer between the commercial and residential areas of the mixed use development.
- The wall separating the commercial uses from the multifamily development will not be completely eliminated. Instead, the wall requirement will be transferred to the multifamily site and the wall will be constructed on the multifamily site, allowing the commercial portion of the Site to be fully utilized incorporating adequate space for parking and landscaping. The purpose and intent of the C-2 wall requirement will be fulfilled while allowing the commercial retail development to utilize its area more efficiently with appropriate buffers and transitions. There will also be a 5' sidewalk running north-south on the west (retail) side of the wall along with 5' of landscaping to provide safe and comfortable pedestrian connectivity.
- The drive-through windows will face Estrella Parkway on at least one of the buildings in order to satisfy the required drive-through queuing and City parking requirements. There is, however, 110 feet of right-of-way on the east half-street of Estrella Parkway (over-sized from the typical half-street requirement), and this additional right-of-way will be landscaped, along with the 30' of onsite landscaping, to provide appropriate screening of the drive-through window side of the building. A 3' masonry wall will be constructed to further screen any drive-through queue that fronts a public street.
- The gas station and drive-through restaurants will be thoughtfully designed to comply with the City's Design Guidelines and this PAD Overlay, and each pad development will be required to obtain Site Plan Review approval the City's standard process (approval of this zoning request does not constitute approval of the specific site plans for each pad). The Design Criteria for the service station (gas station) as outlined in Section 4-2-3 B are able to be met, as shown in the Conceptual Site Plan, and will be further demonstrated during the Site Plan Review process. The Conceptual Site Plan and Master Site Plan-Phasing Plan also illustrate how each of the uses will have access to the shared onsite driveways, which will be constructed by Evergreen. There are no single-family residences in close proximity to the drive-through restaurants or gas station and the transition between the commercial

portion of the Site and the multifamily community will incorporate screening and buffering as described herein. Aside from openings for pedestrian access, the two portions of the Site will be separated by a 6' wall, sidewalk and landscaping on both sides of the wall. The structures of the drive-through restaurants, gas station and convenience store will complement the other buildings on the Site, including the multifamily buildings. The gas station canopy will incorporate the light fixtures such that no glare should be visible. No vehicle repair is proposed with the gas station use. Any outside display of sale items shall be located adjacent to the buildings. All commercial buildings will be architecturally detailed and landscaped in accordance with the rest of the Site. These proposed uses have been included in the Traffic Impact Analysis submitted with this application. See **Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan**.

The development standards for the Multifamily (MF-24) Zoning District shall apply to the Site's multifamily uses, except as modified below:

Development Standard	MF-24 Requirements	Proposed PAD
Landscape Setback (Trash Enclosure)	30'	The trash enclosure shall be located proximate to the northwest corner of the multifamily portion of the Site and may encroach fully into the landscape setback along the northerly boundary of the Site, adjacent to the freeway.
Wall separating multifamily development from adjacent commercial district	None	The multifamily development shall install a 6' wall on its parcel separating its residential use from the commercial use of the Site. There will also be a 5' sidewalk running north-south on the west (retail) side of the wall along with 5' of landscaping to provide safe and comfortable pedestrian connectivity.
East Property Line Landscape Setback	None Specified in Code	15' of landscaping will be provided at the east multifamily property line, with the same number of trees, shrubs and groundcover as would normally be provided in a 20' setback.

		Carport lighting adjacent to single-family residential shall be shielded away from the single-family residential use.
Accessory Building Height	12’	22’

Unless expressly modified in this document, all development within the Site shall comply with the requirements of the City of Goodyear Zoning Ordinance.

Deviation Justification

- The trash enclosure is located in the northwest area of the multifamily residential portion of the Site. **See Exhibit 7 – Conceptual Building Elevations for Trash Enclosure/Compactor**. This is the best location for the trash enclosure – it is far from the entrance, will not impede the flow of traffic on the Site, will not disturb the single-family residents to the east, and is located next to the freeway and the 12’ sound wall. It is not anticipated that the trash enclosure’s location within the required landscape buffer will negatively affect the residents due to its proposed location and proximity to the sound wall. **See Exhibit 4 – Conceptual Site Plans.**
- As noted above, the wall separating the commercial uses from the multifamily development will be transferred to the multifamily site and the wall will be constructed on the multifamily site. There will also be a 5’ sidewalk running north-south on the west (retail) side of the wall along with 5’ of landscaping to provide safe and comfortable pedestrian connectivity.
- IDM will construct screen walls of 6’ in height along the westerly and southerly portions of the multifamily site and a 12’ wall along the northerly portion of the multifamily site. An existing 12’ sound wall, transitioning to a 6’ wall further south, was previously constructed by Fulton Homes along the easterly portion of the multifamily site at the shared single-family and multifamily property line. These walls, along with the proposed 15’ landscape buffer will provide appropriate screening next to the adjacent uses. **See Exhibit 4 – Conceptual Site Plans.**
- The accessory building on the multifamily site is a garage/maintenance building for the multifamily community. **See Exhibit 8 – Conceptual Building Elevations for Garage/Maintenance Building**. The additional height will allow for a smaller footprint but will not negatively affect any surrounding properties. The garage/maintenance building is located on the northeast portion of the multifamily development. It is located a significant distance away from the single-family lots located east of the Site, and the area to the north of the Site is open space with the I-10 Freeway beyond. There is significant distance between the northern edge of the Site and the garage/maintenance building and the travel lanes of the I-10.

F. Design Guidelines

This development will include thoughtful architectural design with high-quality materials and visual interest through the use of varied architectural techniques. The whole Site will be thoughtfully designed in order to ensure a cohesive development that complements all uses as well

as the surrounding area. The unique but complementary design will appeal to residents and neighbors and add value and interest to the Goodyear community. A Comprehensive Sign Package, tying together the architecture of the freestanding monument signs and providing for shared monument signage, will be separately submitted to the City for this Site.

The following Design Guidelines are provided in order to ensure consistency within and between the multifamily and retail portions of the Site.

Multifamily Design Guidelines

The multifamily community will feature two and three-story structures with varying roof lines, styles, and orientations, providing spacious courtyards, landscape details, and aesthetically pleasing architectural details. The varied and interesting architectural components will deliver a unique, urban style design. Quality building materials, such as stucco siding, decorative metal railings, gates and accents, deep overhangs, and masonry are incorporated into the building elevations for greater durability and aesthetic interest. Ancillary structures, such as the clubhouse and pool-related structures, will also feature the same quality and durable materials stated above and complementary architectural techniques. The multifamily buildings will follow the design features and colors and materials provided in **Exhibit 5 – Conceptual Building Elevations and Color Palettes for Multifamily Community**.

Retail Design Guidelines

The retail portion of the Site will incorporate linear features in an urban contemporary design. Buildings will have EIFS as the primary finish, but can be accented with James Hardie and Nichiha panels that can be painted to complement the main building base colors, or can provide Resysta wood composite panels for visual accents. Additionally, the wainscots of the buildings can be grounded in a darker color EIFS or with brick veneers or CMU veneers for additional depth and texture. Steel awnings will accent the building designs and provide shade and shadow for interest over windows. Framed entry elements will provide a hierarchy of the design elements and provide a sense of arrival, and shall incorporate a "tower" type element similar to the image below. The commercial buildings will primarily incorporate the colors and materials provided in **Exhibit 6 – Estrella Parkway Entry Rendering and Conceptual Building Elevation and Color/Material Palette for Commercial Development**, however, corporate accent colors and architectural features are permitted.

Project Entry Feature and Street Fronting Screen Walls

The Site will incorporate a Project Entry Feature at the corner of Estrella Parkway and Roosevelt Street that mirrors the feature at the southeast corner of the intersection and announces the entry into Estrella Commons. The screen walls along both street frontages will be consistent and will match the design provided herein. **See Exhibit 12 – Site Details**

Landscape Guidelines

Estrella Parkway - The Main Entry median into the project will have Date Palms – diamond cut, matching with straight trunks with a height of 20' Trunk Feet. The theme tree at all entry drives will be Red Push Pistache Trees 36" box that will be used at the entries on both sides and aligning the drive on both sides along the full length of the drive. The theme shrubs will be Blue Bells and Compact Green Sage in groupings of 3 or more evenly spaced between the trees. The accents plants will be Yellow Hesperaloe and Muhlenbergia Grass placed in massings of 5 or more at the base of the trees. Flowering Ground Cover of Lantana and Yellow Mingnew will be massed at all entries, corners and intersections.

The Estrella Parkway Street Frontage will have Evergreen Elms and Live Oak Trees as the theme trees with the Red Push Pistache at the entries. The Evergreen Elms will be used as 60% of the required tree quantity. Yellow Bells, Blue Bells, Compact Green Sage and Valentine Bush shrubs will be used as 75% of the required shrubs.

Agave, Hesperaloe and Muhlenbergia grasses will be used as the accent plants along the street frontages and primarily at all entries and corners. Large Massings of 12 or more Bush Morning Glory, Lantana and Yellow Mingnew will be used along all sidewalks, entries, corners and between sidewalks and curbs.

Roosevelt Street - The short entry median into the project will have Date Palms – diamond cut, matching with straight trunks with a height of 20' Trunk Feet. The theme tree at all entry drives will be Red Push Pistache Trees 36" box that will be used at the entries on both sides and aligning the drive on both sides along the full length of the drive.

The theme shrubs will be Blue Bells and Compact Green Sage in groupings of 3 or more evenly spaced between the trees. The accents plants will be Yellow Hesperaloe and Muhlenbergia Grass placed in massings of 5 or more at the base of the trees. Flowering Ground Cover of Lantana and Yellow Mingnew will be massed at all entries, corners and intersections.

The Roosevelt Street Frontage will have Evergreen Elms and Live Oak Trees as the theme trees with the Red Push Pistache at the entries. The Evergreen Elms will be used as 60% of the required tree quantity. Yellow Bells, Blue Bells, Compact Green Sage and Valentine Bush shrubs will be used as 75% of the required shrubs.

Agave, Hesperaloe and Muhlenbergia grasses will be used as the accent plants along the street frontage and primarily at all entries and corners. Large Massings of 12 or more Bush Morning Glory, Lantana and Yellow Mingnew will be used along all sidewalks, entries, corners and between sidewalks and curbs.

All Landscape Areas will be top dressed with a 2" Minimum Thickness of ¾" Screened Rock Pros "Mahogany".

Retail Integration

In order to provide continuity within the retail portion of the Site, each pad will incorporate the designs provided for the decorative concrete crosswalk, trash enclosure, site lighting, bike racks, trash receptacles and benches. City staff may accommodate modifications to these elements as appropriate for each pad site. **See Exhibit 12 – Site Details and Exhibit 6 – Estrella Parkway Entry Rendering and Conceptual Building Elevation and Color/Material Palette for Commercial Development.**

G. Infrastructure

Off-Site Improvements

Off-Site Improvements to be completed by Evergreen will include the expansion of the existing southbound to eastbound single-left turn lane at the signalized intersection of Estrella Parkway and Roosevelt Street to dual-left turn lanes, as outlined in the Traffic Impact Study. This will require the existing median north of the intersection in Estrella to be narrowed to accommodate this second late, and associated mast arm and/or signal head modifications to accommodate the second left-turn lane. Additionally, as part of these improvements, the improvements at the immediate southeast corner of the intersection will be pulled back and a portion of Roosevelt Street, between the existing two drive entrances along the southerly portion of Roosevelt Street, will be widened to accommodate this second lane and create a right-turn only into the easterly Roosevelt Street drive entrance. These improvements were contemplated when the southeast corner of the intersection was developed by Aldi and existing agreements are in place for Evergreen to obtain the additional right-of-way required for these improvements along Roosevelt.

Deceleration lanes along Roosevelt will be provided as outlined in the Traffic Impact Study, and modifications to the existing Roosevelt improvements will be made to accommodate these improvements. The City currently has a funded Capital Improvement Project to complete the balance of the paving and striping along the Site's Estrella Parkway frontage for the 3rd northbound traffic lane from Roosevelt Street to the I-10 freeway. Evergreen will construct the deceleration lanes and the bus shelter pad at the southerly deceleration lane along Estrella, and will also pipe the existing Roosevelt Improvement District ditch and install the curb, gutter and sidewalk. **See Exhibit 9 – Offsite Improvements**.

Grading and Drainage

The Site is designed to comply with the City of Goodyear's grading and drainage design criteria and other required drainage guidelines. No adverse drainage impacts are expected to either downstream properties or drainage ways. The onsite flows will be conveyed to retention facilities on the Site via surface flow, catch basins and storm drain pipes.

Water and Sewer

The Site is within WPA-2 (Water Planning Area) of the City's Integrated Water Master Plan (IWMP) and in Pressure Zone 1. This Pressure Zone provides service to elevations of 950-1050 above mean sea level (MSL). This Site falls within those parameters. Site 21 is the source of Potable water storage which supplies both fire flow and potable water demands, and currently has a storage capacity 2MG (Million Gallons) and also accounts for 0.63 MG of fire flow which is a constant within the WPA. The storage capacity is proposed to be increased to 3MG by 2045. This Site is in substantial conformance with all parameters referenced in this master plan and no further infrastructure improvements are needed or identified in Figure 8-1 thereof, as it is existing with the exception of internal Site water loops which are required and will be modeled as a part of the Pre-Plat for the Site. Demands and fire flow requirements are included within the submitted Water Report that accompanies this submittal.

The Site's proposed Wastewater collection system is also in substantial conformance with the IWMP and in accordance with Figure 8-3 thereof. This Site is a tributary to the Bullard Wash sanitary sewer interceptor which is already constructed. This Site proposes to connect to one of the outfall lines to the southeast which ties into the Bullard Wash interceptor. Wastewater flows and capacity calculations are included within the submitted Sewer report that accompanies this submittal.

H. General Plan Conformance

Evergreen's development is supported by the City's General Plan goals, objectives, and policies as follows:

Physical Growth & Development

- Goal GD-1. A compatible mix of land uses and diverse destinations that foster a high quality of life with livable and safe neighborhoods with a strong economy that fosters a healthy and sustainable environment.
- Objective CC-5-1. Establish a land use hierarchy and community form that maintains a broad variety of land uses and responds to the community's vision and needs.
- Objective CC-5-1, Policy b. Provide for and encourage a wide variety of housing products to suit the needs of existing and future residents
- Objective CC-5-1, Policy c. Development within large master planned communities should:

    - Allow for greater flexibility since the area is being master planned,
    - Include trails, open space, and internal and external connectivity,
    - Include an integrated lifestyle
- Objective CC-5-1, Policy f. High density residential should:
    - Have access to transit services,
    - Locate near commercial uses or integrate commercial uses such as coffee shops,
    - Provide a buffer between commercial and lower density residential
    - Respect the surrounding residential development,
    - Be compatible with existing surrounding development when infill development (e.g., limit height of buildings to reflect surrounding existing residential buildings)
- Goal GD-2. Effectively managed and well-distributed growth that meets or exceeds the quality of existing development and addresses the needs of existing and future residents and businesses.
- Objective GD-2-2, Policy b. Promote development within the City's designated growth areas first, as follows:
    - Areas within targeted job centers such as the Loop 303 Corridor, Interstate 10 Corridor, Phoenix-Goodyear Airport, the MC-85 Corridor, and the Bullard Corridor.
- Objective GD-2-3, Policy b. Encourage infill development within the Transit Oriented Development Overlay to increase density within this area to support an efficient transit system
- Goal GD-7. A community that provides for the health and safety of residents and visitors and protects them from the hazards of the natural and man-made environments.
- Objective GD-7-3. Ensure the built (i.e., man-made) environment fosters safety.
- Objective GD-7-4, Policy d. A strong sense of community fosters a safe environment where residents watch out for each other. Promote this type of environment by:
    - Encourage community pride and a sense of cohesiveness
- Objective GD-8-1, Policy a. Encourage the use of vegetation that provides shade and seasonal color and requires minimal irrigation.
- Objective GD-9-1. Promote the efficient use of energy.
- Objective GD-9-3, Policy a. Reduce the number of vehicle miles traveled by:
    - Bringing quality entertainment, shopping, and dining experiences to Goodyear so residents do not have to travel as far to get to them.
    - Ensuring that bicyclists and pedestrians can safely and efficiently move throughout the community.
    - Increasing connectivity of the community.

Community & Cultural Development

- Goal CC-1. Vibrant and complete neighborhoods recognized as being people and family-friendly, each with their individual character yet connected and integrated into a cohesive Goodyear.
- Objective CC-1-3. Foster the creation and maintenance of attractive, high-quality neighborhoods.
- Objective CC-1-3, Policy a. Encourage the use of regionally appropriate, attractive, and diverse architecture and landscape treatments.

- Objective CC-1-2. Ensure neighborhoods are internally and externally connected.
- Goal CC-2. A diverse stock of high-quality housing that meets the needs of all residents.
- Objective CC-2-1. Provide diverse and quality housing products.
- Objective CC-2-1, Policy a. Encourage a mix of quality and compatible housing types consistent with market trends and demand that adequately meets the needs of current and prospective residents and workers

Economic Development

- Goal ED-1. A resilient and diversified economy.
- Objective ED-4-2. Ensure that every business and home in Goodyear is connected to advanced telecommunications.

Standards

- Standard 4. Goodyear promotes a graduated density/intensity concept. Developments with similar densities should locate near each other, gradually increasing density towards village centers, the City Center, or transit corridors and lowering density near protected uses (such as a natural feature).
- Standard 27. High Density Residential. Residential uses with densities over 12 dwelling units per acre may be considered along arterial roads, interstate corridors, transit corridors, adjacent to employment or commercial areas, adjacent to regional or community parks or open space areas, or to provide transition between residential and non-residential uses.
- Standard 30. High density residential projects are most appropriate and encouraged to locate:
    - c. Within a mixed-use development, or
    - d. Adjacent to commercial centers.
- Standard 41. High density residential development is permitted in the Business & Commerce category when located adjacent to commercial areas.
- Standard 42. Mixed use developments may be considered in the same locations where multi-family residential may be considered.
- Standard 54. Development in the TOD Overlay should be pedestrian oriented.
- Standard 56. Mixed use developments may be considered anywhere within in the TOD Overlay and are highly encouraged.
- Standard 57. Commercial uses and high density residential are allowed within the TOD Overlay.
- Standard 58. Higher density and intensity uses are encouraged in the TOD Overlay.

I. City's Guiding Considerations for Zoning Amendments

a. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted.

The City of Goodyear's General Plan Land Use and Transportation Map designates the Site as Business & Commerce with a Transit Oriented Development ("TOD") Overlay. The

Business & Commerce land use category provides areas for the growth and development of Goodyear's economic base, including community level retail and high density residential that support the area. The TOD Overlay denotes areas within walking distance to a major future or existing transit route. Higher density and intensity uses are encouraged in the TOD Overlay. Evergreen's development will complement and support existing businesses in the area and provide additional housing options for current and future residents of the City as well as provide retail amenities for those who live and work in the area or travel through the area to or along the I-10 Freeway.

Further, the proposed multifamily community meets current market demand of residents desiring to live within a short distance of a freeway and within a highly amenitized safe community in this part of the City of Goodyear. The nearby I-10 provides regional transportation routes. Estrella Parkway, a scenic arterial street, will provide adequate access and have adequate capacity to handle the additional traffic volume generated by Evergreen's development.

b. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.

The underutilized, vacant infill Site is adequately sized (27.442 +/- acres) and relatively flat, which makes it suitable for a multifamily development with cohesively designed commercial retail. The adjacent scenic arterial street (Estrella Parkway) and the I-10 Freeway are appropriate transportation corridors to serve residents, customers and guests.

c. Compatibility of all potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values.

The proposed rezoning from PAD to C-2 and MF-24 with PAD Overlays will limit the uses allowed on the Site to residential and commercial, which are compatible with and supportive of the land use patterns of adjacent properties and surrounding area. Evergreen's proposed development will not have negative environmental impacts, inappropriate traffic impacts, or other negative impacts to the surrounding area.

d. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under current zoning.

The proposed mixed-use zoning is C-2 and MF-24 with PAD Overlays, which is consistent with other land uses within the immediate area and is the best use for the Site. The proposed zoning will be compatible with the existing commercial centers to the west and north of the Site beyond the I-10 Freeway, commercial and multifamily developments to the south, and single-family development east of the Site, providing an appropriate land use pattern. The proposed rezoning and Evergreen's development are better suited for the Site than the uses allowed under the current zoning:

- Evergreen is an experienced commercial developer in the Valley having developed commercial sites in and near the Estrella Parkway Corridor for approximately 15-20 years.
- Evergreen has controlled this Site for approximately 15 years but efforts to develop it as a large commercial project have been unsuccessful because this Site is not well-suited for that use given the other commercial land in the near vicinity, being located in the "shadow" of the elevated I-10/Estrella Parkway & Pebble Creek Parkway interchange, not being on the going-home corner, traffic, site size, depth and width, etc.
- The commercial portion of the Site is located on the northeast corner of Estrella Parkway and the I-10 Freeway with access from both Estrella Parkway and Roosevelt Street. The Site is located on the going-to-work side of Estrella Parkway, therefore it is not an appropriate location for large retailers. Residents traveling to work will take the opportunity to fuel up their vehicles and purchase convenience needs for the day, such as breakfast, coffee, and snacks. The pedestrian connections between the multifamily portion of the Site will further encourage engagement and patronage from the multifamily residents. Those living on the multifamily portion of the Site will have ready access to food, basic necessities commonly available at convenience stores, and fuel throughout the day and night. There is a need for the proposed drive-through restaurants and gas station and the Site is an appropriate location for such uses.
- IDM is an experienced multifamily developer with many successful developments around the Valley, including Acero Estrella Commons I, just south of the Site.
- IDM is drawn to the project given its walkability to the proposed retail developments on the western 7 +/- acres of the Site, as well as the existing retail establishments and restaurants located along Estrella Parkway.
- The elevated I-10 Freeway reduces the Site's visibility from the travel lanes. The finished floor elevations of the buildings at the northern portion of the multifamily Site are approximately 22' to 24' lower than the grade of the nearest Freeway travel lane. Lack of visibility and resulting privacy is more desirable for residential uses, whereas traditional commercial and office uses struggle without adequate visibility. Without freeway visibility, commercial and office uses will not benefit from the Site's proximity to the I-10. **See Exhibit 10 – Distance and Grade Differences from I-10 Freeway**.
- Thoughtful design has placed the vast majority of the multifamily living structures far from the northern end of the Site, and therefore far from the travel lanes of the I-10 Freeway. Out of the 352 planned units, only 4 total units (in the northernmost 3 buildings) directly face the Freeway. Still, the endcap units of those northerly residential buildings are approximately 300 feet from the I-10 travel lanes and as noted above the site is 22' to 24' below the Freeway grades. Additionally, as outlined in the Noise Study, a 12' wall will be constructed along the northerly property line of the multifamily parcel for noise mitigation. **See Exhibit 10 – Distance and Grade Differences from I-10 Freeway**.

- Along the entirety of the shared single-family/multifamily boundary, only 6 single-family homes back up to the multifamily development, with 2 additional single-family homes having the side of their homes adjacent to the multifamily development. For the balance of the shared property line there is either a road or a retention basin to the east of the proposed apartment buildings. **See Exhibit 11 – Line of Sight Study**.

e. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

There is market demand for high-quality multifamily communities proximate to freeways and other transportation options. The Site's location proximate to the I-10 Freeway provides excellent access to/from the Site and provides easy and convenient access to other areas of Goodyear, downtown Phoenix and other areas of the Valley. Demand for multifamily community living is strong in this area of the City. Moreover, many of the existing multifamily developments are near full capacity. The City's residents and workers are in need of diverse housing options. This multifamily project will provide additional options and support Goodyear's growing work force, ensuring workers do not find living in other nearby cities more attainable or desirable.

There is market demand for the types of commercial retail uses proposed for this Site. The proximity to the I-10 Freeway provides access to/from the Site. While the surrounding area provides drive-through restaurant and gas station options, none are located as conveniently as the Site for area residents driving to work and/or living on the east side of Estrella Parkway. While there are some still undeveloped properties in the area, most appear to be in the process of development or planning phases of development. Again, the available land is not as conveniently located as the Site. Being on the northeast corner of Estrella Parkway and Roosevelt Street places the Site along the morning route for commuters traveling to the I-10 Freeway. The Site will provide easy access to services, such as fuel and dining options, which are currently limited in the area and less accessible. Area commuters will have right turn access into the Site to access the commercial uses on the Site making it accessible and safe for area residents and commuters heading to the I-10 Freeway.

f. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment.

Our Team has prepared Preliminary Water, Sewer, and Drainage Reports and a Traffic Impact Study. All are enclosed with the Rezoning Application package. All of the submitted Reports support the conclusion that there is adequate public infrastructure and facilities to serve the proposed development.

The Site is located within the Avondale Elementary School District and Agua Fria Union High School Districts. The Site is within the boundaries of Centerra Mirage (K-8) and Desert Edge High School. The 352-unit multifamily community is anticipated to generate approximately 172.48 students.

School Type	No. of Res. Units	Student Ratio	No. of Students
Avondale Elementary School District	352-units	0.30 Students/Unit	105.6
Agua Friday Union High School	352-units	0.19 Students/Unit	66.88
Total			172.48

g. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.

The Site is located near existing public services. Arterial roadway infrastructure is already in-place on Estrella Parkway. There is adequate existing water and sewer infrastructure to serve the development.

h. General public's concerns.

There are no known concerns from the general public.

i. Whether the amendment promotes orderly growth and development.

This zoning amendment request is consistent with the City's General Plan, compatible with the surrounding area, and promotes orderly growth and development of residential and commercial uses. Evergreen's development will be a positive addition to the City and the area.

j. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

Evergreen's development will have a positive impact on the general health, safety and welfare of the citizens of the City and the general public. The proposed multifamily community will deliver additional housing options, additional consumers for businesses in the area, and provide housing for residents employed in the area. The commercial retail portion of the development will provide additional amenities for area residents, guests, members of the work force, commuters to other areas of the Valley, and commercial consumers shopping or receiving services at the nearby larger commercial developments. The proposed multifamily and commercial Site implements development of underutilized vacant infill property with needed housing and commercial uses.

J. Conclusion

Evergreen's proposed development is an ideal use of this vacant infill property and is compatible with the surrounding area. The development conforms to the City's General Plan goals and policies and furthers the City's objectives for Physical Growth & Development, Community

& Cultural Development, and Economic Development. The proposed rezoning to C-2 and MF-24 with PAD Overlays will facilitate the development of an unused Site for a high-quality multifamily community and cohesive commercial retail uses that enhance the surrounding area and add to the housing diversity in this area of the City - all in accordance with the Council's discussion, consensus and general guidance during the 1/25/21 Work Session.

Exhibit 1 – Aerial Map

AERIAL MAP
SCALE: N.T.S.

N

AERIAL MAP

NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

10.05.2020
PROJECT NO.:20085

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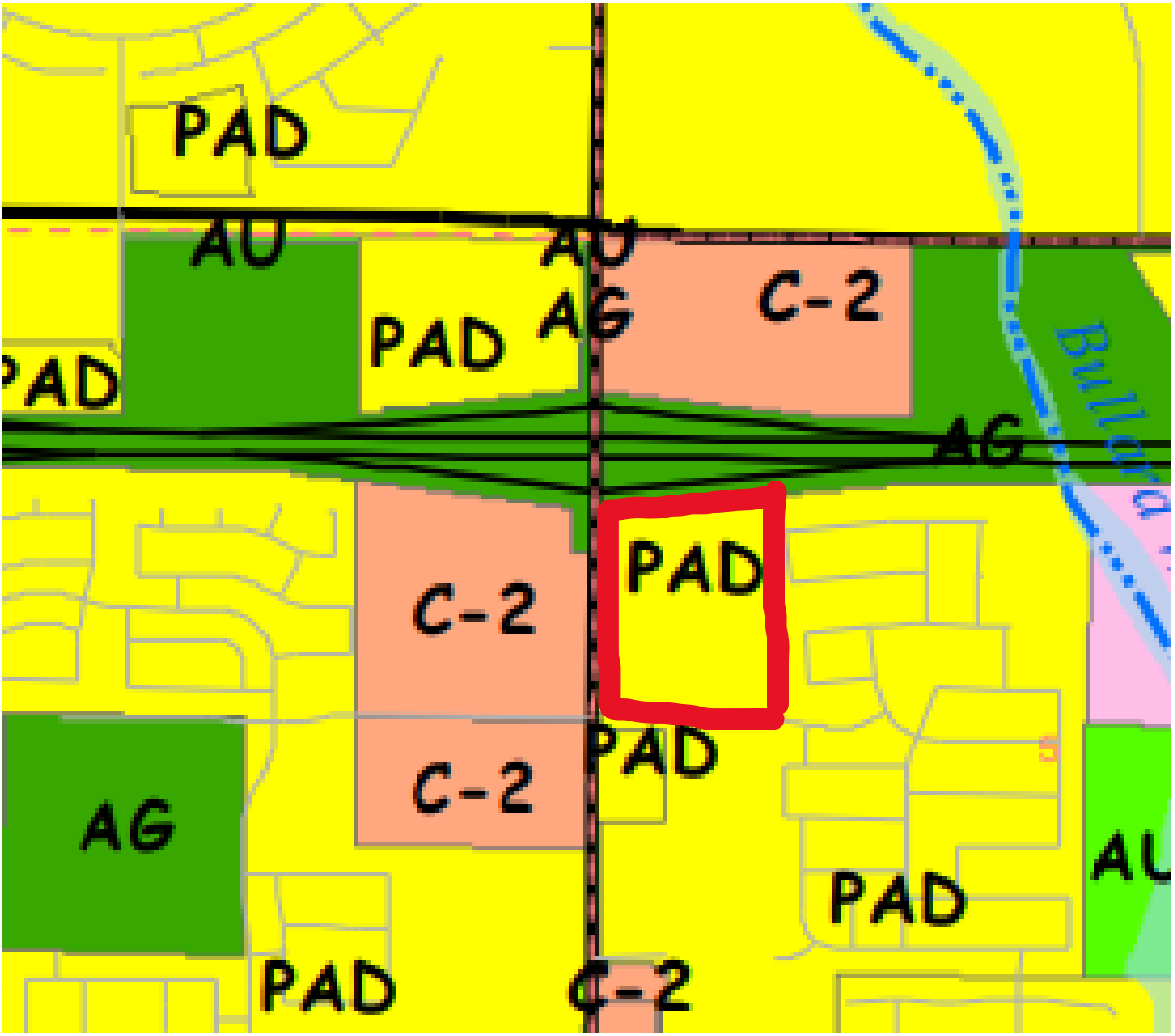
Exhibit 2 – Existing Zoning Map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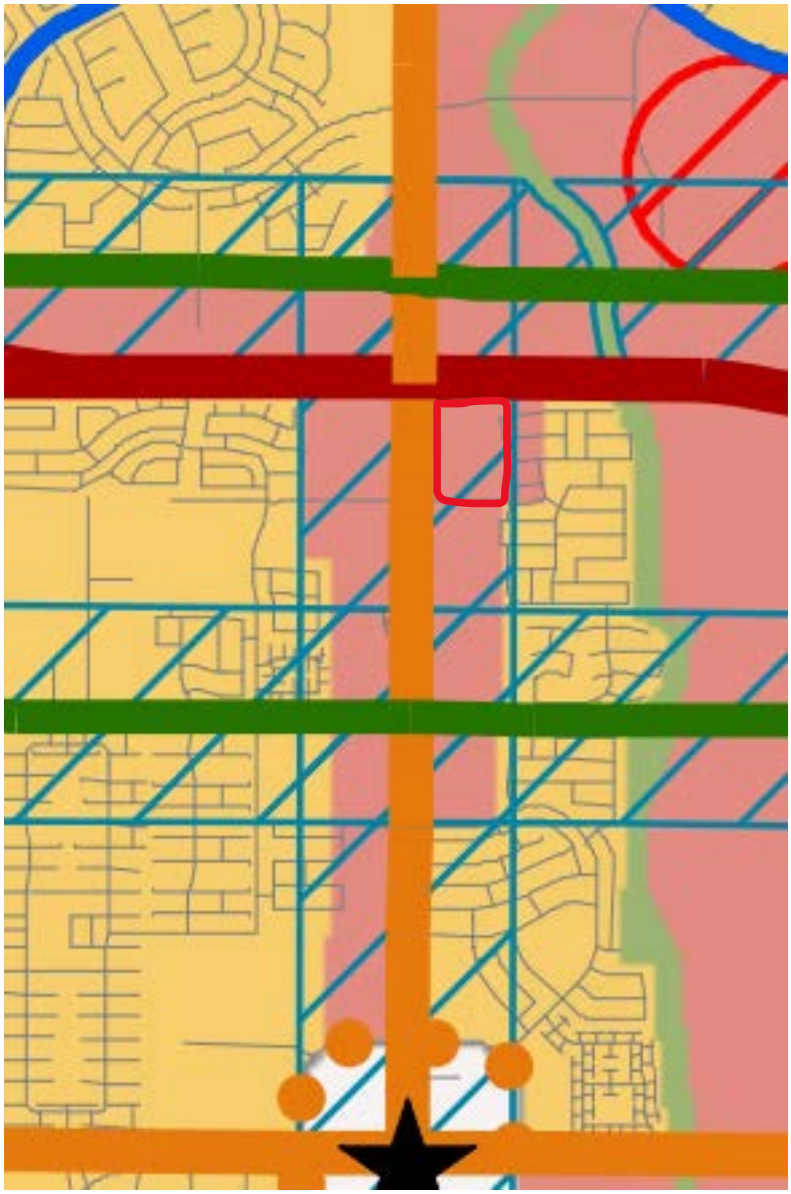
C-2

Exhibit 3 – Land Use and Transportation Map



Land Use and Transportation Map

- Maricopa/Pinal County Line
- Municipal Planning Area Boundary
- City Limits

Land Use Categories

- Open Space
- Agriculture
- Scenic Neighborhood
- Neighborhood
- Business & Commerce
- Industrial
- City Center

Land Use Overlay Districts

- Village Center Overlay
- Luke Compatible Land Use Overlay
- Transit Oriented Development Overlay
- Wildlife Linkage Overlay
- Aggregate Mining Overlay
- Phoenix/Goodyear Airport
- Airport 65 DNL (Day-night Noise Level) Line
- Luke AFB Accident Potential Zone (APZ)
- Sonoran Desert National Monument
- Wilderness Area

Roadway Classifications

- Arterial
- Scenic Arterial
- Scenic Arterial - Proposed
- City Center Arterial
- Major Arterial
- Major Arterial - Proposed
- Major Arterial - Road of Regional Significance
- Parkway
- Parkway - Proposed
- Freeway
- Freeway/Parkway - Proposed
- Other Streets
- Rail Road

Date: January 7, 2021

Exhibit 4 – Conceptual Site Plans and Master Site Plan-Phasing Plan

CONCEPTUAL SITE PLAN
SCALE: 1' = 80'-0"

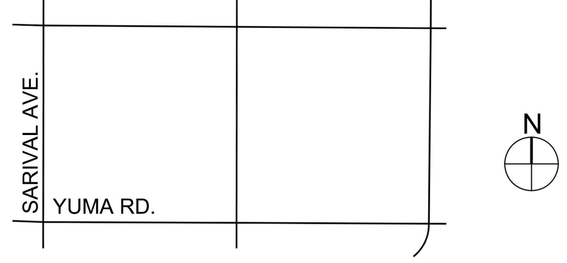
N

0' 80' 160' 240'
SCALE: 1" = 80'-0"

SITE DATA

APN:	500-10-860
ZONING (EXISTING):	PAD
USE (EXISTING):	UNDEVELOPED
USE (PROPOSED):	LIMITED SERVICE RESTAURANT W/ DRIVE-THRU
SITE AREA (NET):	
P1	82,595 SF (1.89 AC.)
P2	72,648 SF (1.66 AC.)
P3	72,305 SF (1.65 AC.)
P4	37,269 SF (0.85 AC.)
P5	36,470 SF (0.83 AC.)
MULTI-FAMILY	735,009 SF (16.87 AC)
TOTAL	1,036,296 SF (23.79 AC)
BUILDING DATA:	
P1	4,608 SF
P2	4,947 SF
P3	3,751 SF
P4	3,865 SF
P5	2,400 SF
TOTAL:	19,571 SF
BUILDING LOT COVERAGE:	6.5%
PARKING (1/300 RETAIL/C-STORE, 60% DINING-1/50, 40% KITCHEN-1/150):	
REQUIRED:	
P1	16 SPACES
P2	59 SPACES
P3	41 SPACES
P4	57 SPACES
P5	36 SPACES
TOTAL:	209 SPACES
PARKING PROVIDED:	
P1	38 SPACES
P2	61 SPACES
P3	48 SPACES
P4	42 SPACES
P5	47 SPACES
SUB-TOTAL PROVIDED:	(STANDARD) 225 SPACES
	(ACCESSIBLE) 11 SPACES
TOTAL PROVIDED:	236 SPACES
PARKING RATIO:	12.06%

VICINITY MAP:



SITE PLAN

Estrella Commons Mixed-Use Development
NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

04.29.2021
PROJECT NO.: 20085

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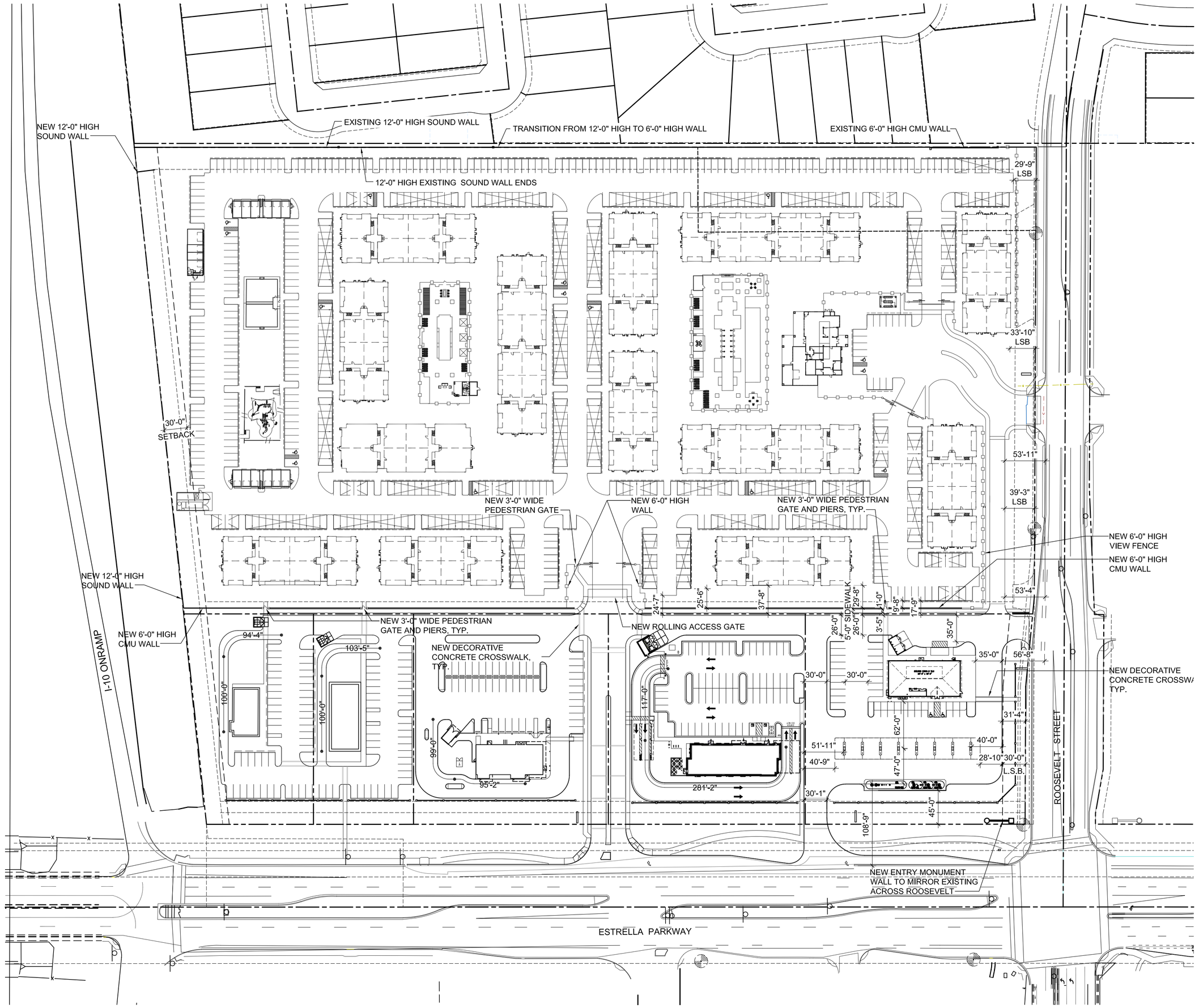

CONCEPTUAL SITE PLAN

SCALE: 1' = 80'-0"

N

0' 80' 160' 240'

SCALE: 1" = 80'-0"

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TOTAL PROVIDED:	236 SPACES
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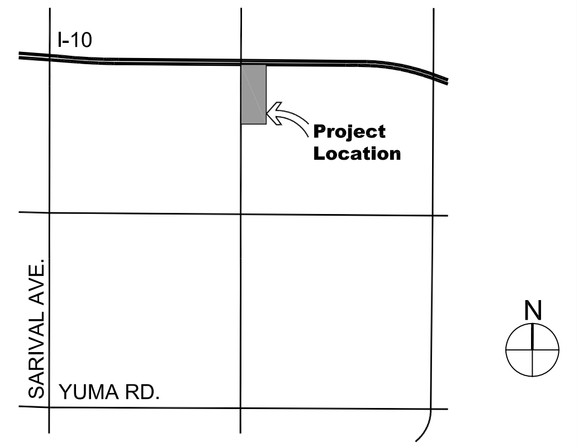

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SITE PLAN

Estrella Commons Mixed-Use Development
NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

04.29.2021

PROJECT NO.: 20085

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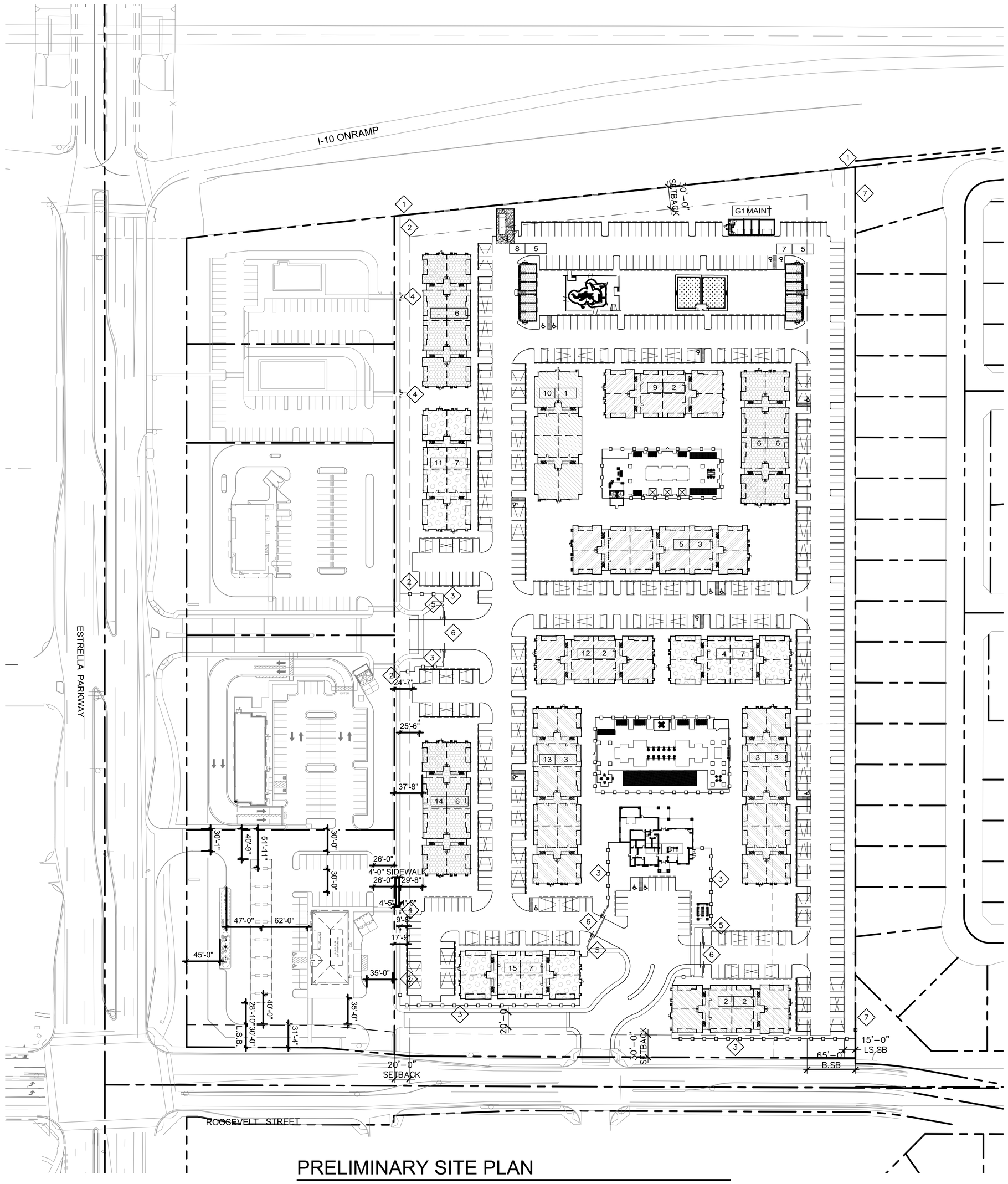

PRELIMINARY SITE PLAN

SCALE: 1" = 80'-0"

SITE KEY NOTES

1. NEW 12' SOUND WALL
2. NEW 6' MASONRY WALL
3. NEW 6' VIEW FENCE
4. NEW 3' WIDE PEDESTRIAN GATE AND PIERS
5. NEW 3' WIDE PEDESTRIAN GATE
6. VEHICULAR ROLLING GATE
7. EXISTING 6' MASONRY WALL

PROJECT DATA

OWNER: IDM APARTMENTS PHOENIX
6720 N SCOTTSDALE RD, SUITE 200
SCOTTSDALE, AZ 85253
ATTN: ANDREW BUSCHING

ARCHITECT: BMA ARCHITECTURE
2915 E BASELINE RD, SUITE 120
GILBERT, AZ 85234
ATTN: BRIAN M ANDERSEN, AIA

SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

APN NUMBER: -

SITE AREA (GROSS): 17.00 ACRES (740,520 S.F.)

CURRENT ZONING: PAD

PROPOSED ZONING: PAD (MF-24)

PROPOSED USE: MULTIFAMILY - APARTMENTS

DENSITY:
ALLOWED: 24 DU / ACRE
PROVIDED: 352 UNITS/17.00 ACRES = 20.7 D.U./ACRE

MAX BUILDING HT	MAXIMUM	PROVIDED
	40'	40'

ACCESSORY BUILDING	MAXIMUM	PROVIDED
	12'	20'

MAX BUILDING COVERAGE
MAXIMUM 50%
PROVIDED: 21.6% (159,953 SF / 740,520 SF)

PERIMETER BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT (ROOSEVELT ST)	30'	30'
STREET SIDE	30'	30'
SIDE EXCEPT FOR STREET	20'	20'
REAR	30'	30'

SETBACK FROM SINGLE FAMILY RESIDENTIAL	REQUIRED	PROVIDED
BUILDING HT 20 OR LESS	30'	30'
BUILDING HT GREATER THAN 30'	50' + 5' FOR EVERY 1' OVER 30'	65' (33' BLD HT)

PRIVATE OPEN SPACE PER UNIT
MIN REQUIRED 60 SF (MIN 6' WIDTH)
MIN PROVIDED 87 SF (MIN 6' WIDTH)

GROSS UNIT MIX

UNIT TYPE	# OF UNITS	% OF UNITS
A1 - 1 BEDROOM	48 UNITS	14 %
A2 - 1 BEDROOM	90 UNITS	26 %
L1 - 1 BEDROOM	4 UNITS	1 %
B1 - 2 BEDROOM	90 UNITS	26 %
B2 - 2 BEDROOM	108 UNITS	30 %
C1 - 3 BEDROOM	12 UNITS	3 %
TOTAL	352 UNITS	100 %

GROSS PARKING

REQUIRED:	# UNITS		SPACES REQ'D		
GUEST	352	x	1/10	=	35 P.S.
1 BEDROOM	142	x	1.5	=	213 P.S.
2 BEDROOM	198	x	2.0	=	396 P.S.
3 BEDROOM	12	x	2.0	=	24 P.S.
REQUIRED TOTAL:					668 P.S.

PROVIDED:

OPEN STALL	=	309 P.S.
CARPORT STALL	=	348 P.S.
GARAGE	=	14 P.S.
PROVIDED TOTAL:		(1.90:1) 671 P.S.

LEGEND:

BUILDING NUMBER
1 CH — BUILDING TYPE

BUILDING TYPE 1- 3 STORY (12-A1, 12-C1)
BUILDING HEIGHT = 38'-0"

BUILDING TYPE 2 - 3 STORY (6-A1, 6-A2, 6-B1, 6-B2)
BUILDING HEIGHT = 40'-0"

BUILDING TYPE 3 - 3 STORY (6-A1, 12-A2, 12-B1, 6-B2)
BUILDING HEIGHT = 38'-0"

BUILDING TYPE 5 - 2 STORY (2-L1)
BUILDING HEIGHT = 28'-0"

BUILDING TYPE 6 - 3 STORY (12-B1, 12-B2)
BUILDING HEIGHT = 38'-0"

BUILDING TYPE 7 - 3 STORY (12-A2, 12-B2)
BUILDING HEIGHT = 38'-0"

VICINITY MAP

Site Plan approval is not deemed granted by inclusion of this site plan within the zoning application.

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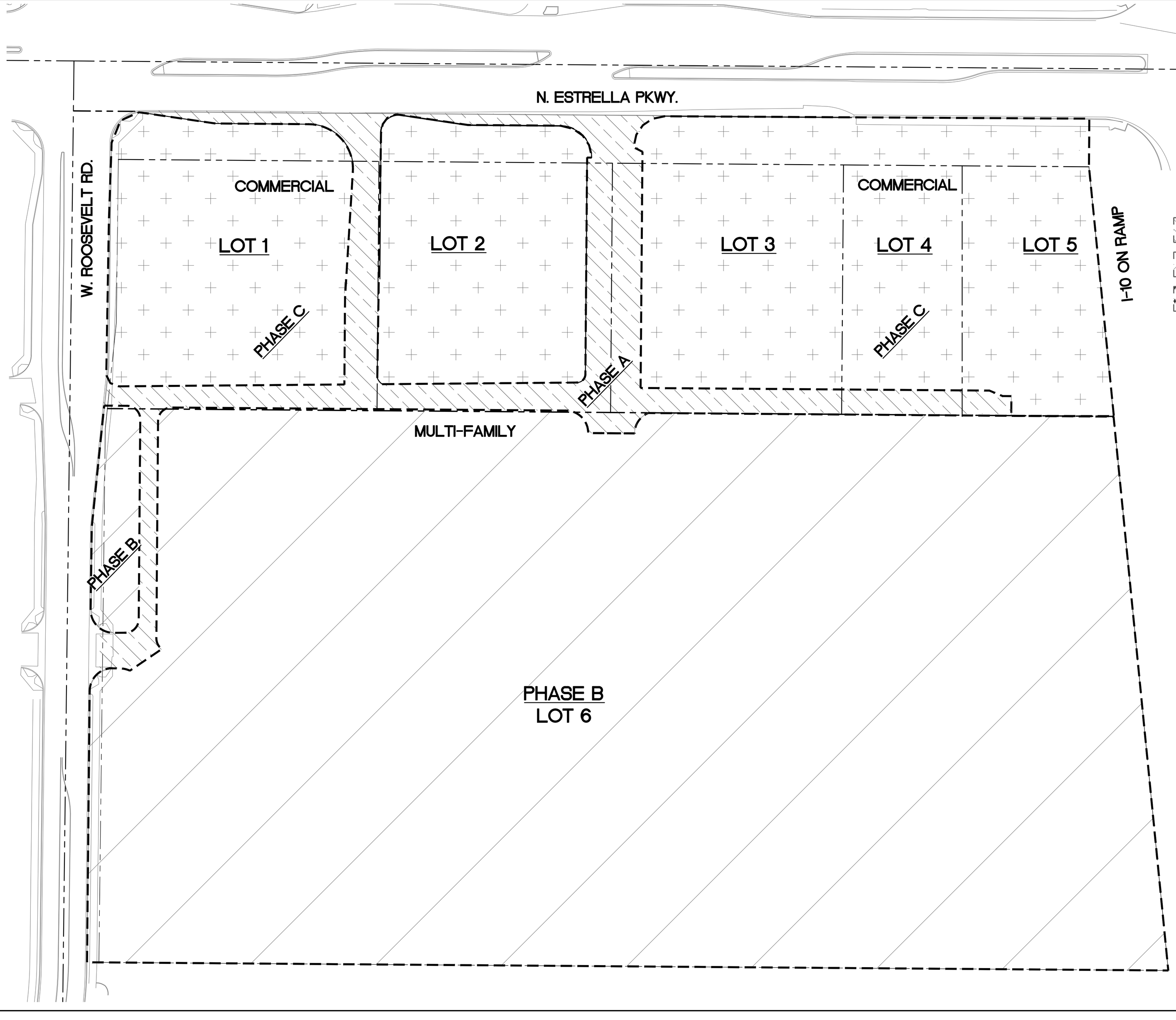
IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY SITE PLAN
dwg no: SD1.10
date: 4-26-2021
job no: 2020.08 log no:



N
50 25 0 25 50 100
SCALE IN FEET: 1"=50'

LEGEND

- PHASE A
- PHASE B MULTI-FAMILY DEVELOPMENT
- PHASE C PADS 1-5 (BY INDIVIDUAL PAD TENANTS)

NOTES

1. PHASE A IMPROVEMENTS INCLUSIVE OF PAVING, OFFSITE IMPROVEMENTS, SEWER AND WATER EXTENSIONS PLUS ROUGH GRADING OF PADS P1 THROUGH P5 TO BE PROVIDED BY RETAIL DEVELOPER. ALL MONUMENT SIGNAGE FOR THE ENTIRE PROJECT SHALL BE CONSTRUCTED UNDER THIS PLAN.
2. PHASE B – M.F. DEVELOPMENT BY OTHERS ALL INCLUSIVE.
3. PHASE C – BY EACH INDIVIDUAL PAD TENANT IN NO PARTICULAR ORDER.

PHASE A PROPOSED ROADS

NO.	REVISION	DATE

ESTRELLA COMMONS MIXED USE
PHASE A PROPOSED ROADS

4650 E. COTTON CENTER BLVD.
SUITE 200
PHOENIX, AZ 85040
PH: (602) 286-9300 FAX: (602) 286-9400

DESIGNED:	AJR or EPA
DRAWN:	JK
CHECKED:	JDB
DATE:	04/28/2021
JOB NO.:	201352

DRAWING NO
PH. A-1
1 OF 1

USE OF THE INFORMATION CONTAINED IN THIS INSTRUMENT FOR OTHER THAN THE SPECIFIC PURPOSE FOR WHICH IT WAS INTENDED AND FOR OTHER THAN THE CLIENT FOR WHOM IT WAS PREPARED IS FORBIDDEN UNLESS EXPRESSLY PERMITTED IN WRITING IN ADVANCE BY OPTIMUS CIVIL DESIGN GROUP. OPTIMUS CIVIL DESIGN GROUP SHALL HAVE NO LIABILITY TO ANY USE OF THIS INFORMATION WITHOUT THEIR WRITTEN CONSENT.

Exhibit 5 – Conceptual Building Elevations and Color Palettes for Multifamily Community

FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"

LEFT/RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-A

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

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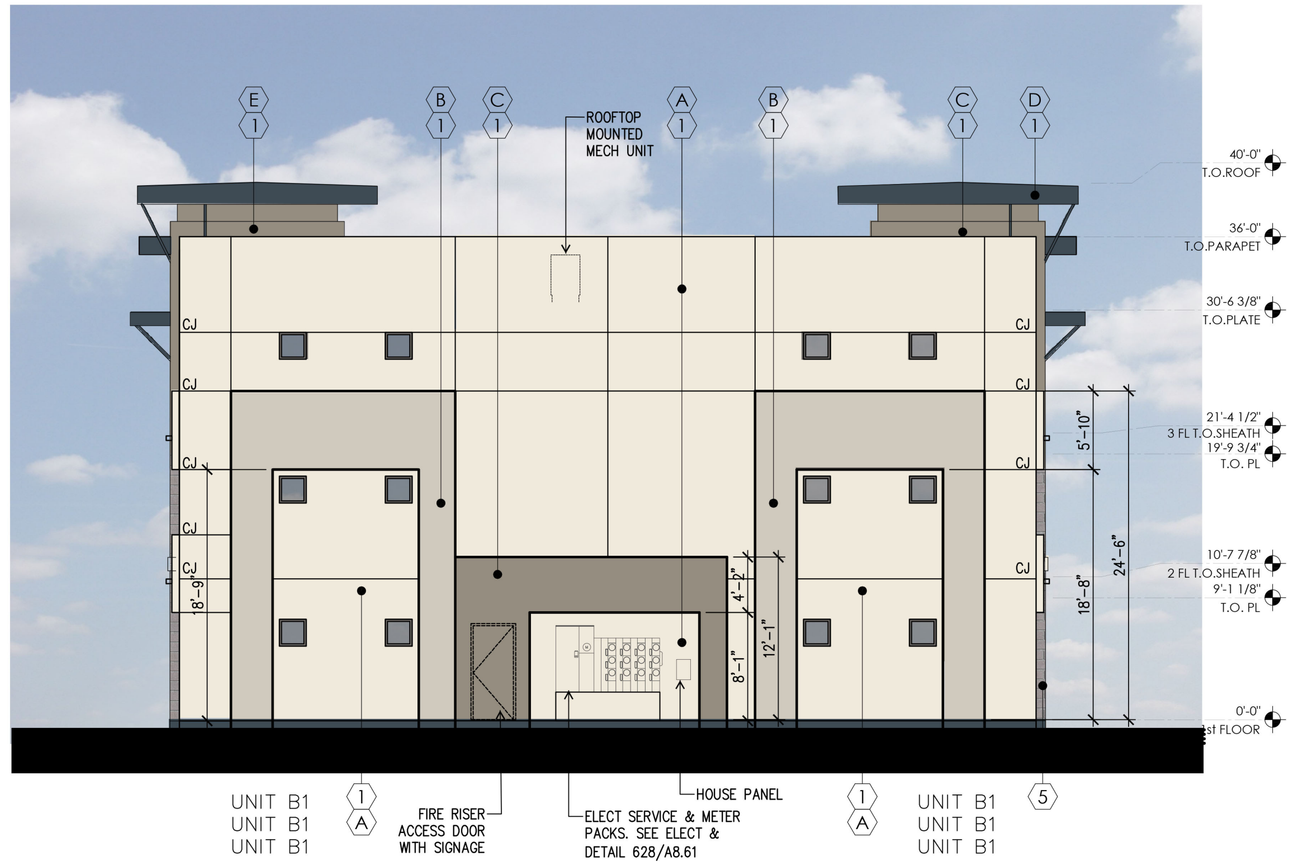
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 1
dwg no: SD2.11 - A
date: 04-27-2021
job no: 2020.08 log no:

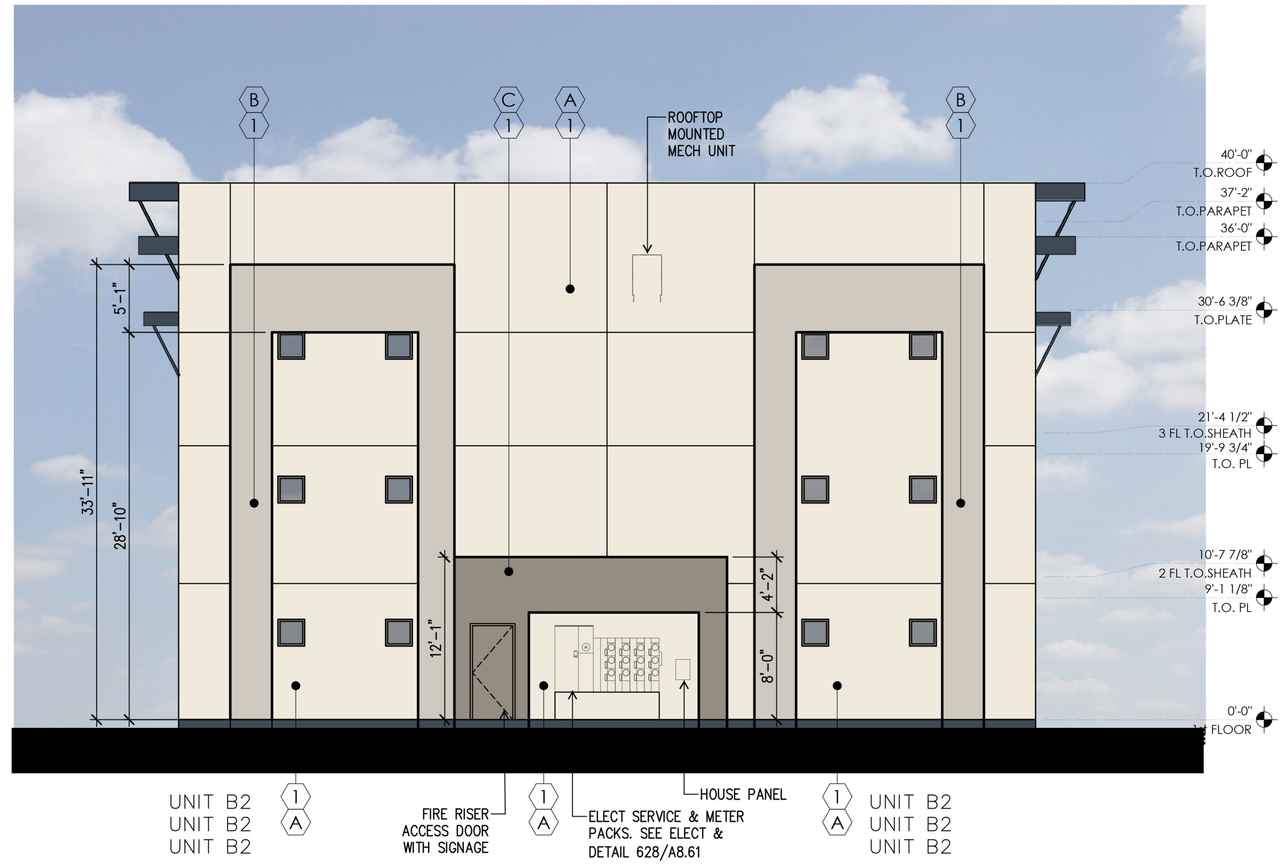
FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-B

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6385 - DOVER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7050 - USEFUL GRAY	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9172 - STUDIO CLAY	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	"V" HORIZ TOOLING
6	METAL GUARD RAILING			

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IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 2
dwg no: SD2.21 - B
date: 04-27-2021
job no: 2020.08 log no:

FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"

LEFT/RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-C

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6148 - WOOL SKEIN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-6106 - KILIM BEIGE	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9131 - CORNWALL SLATE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

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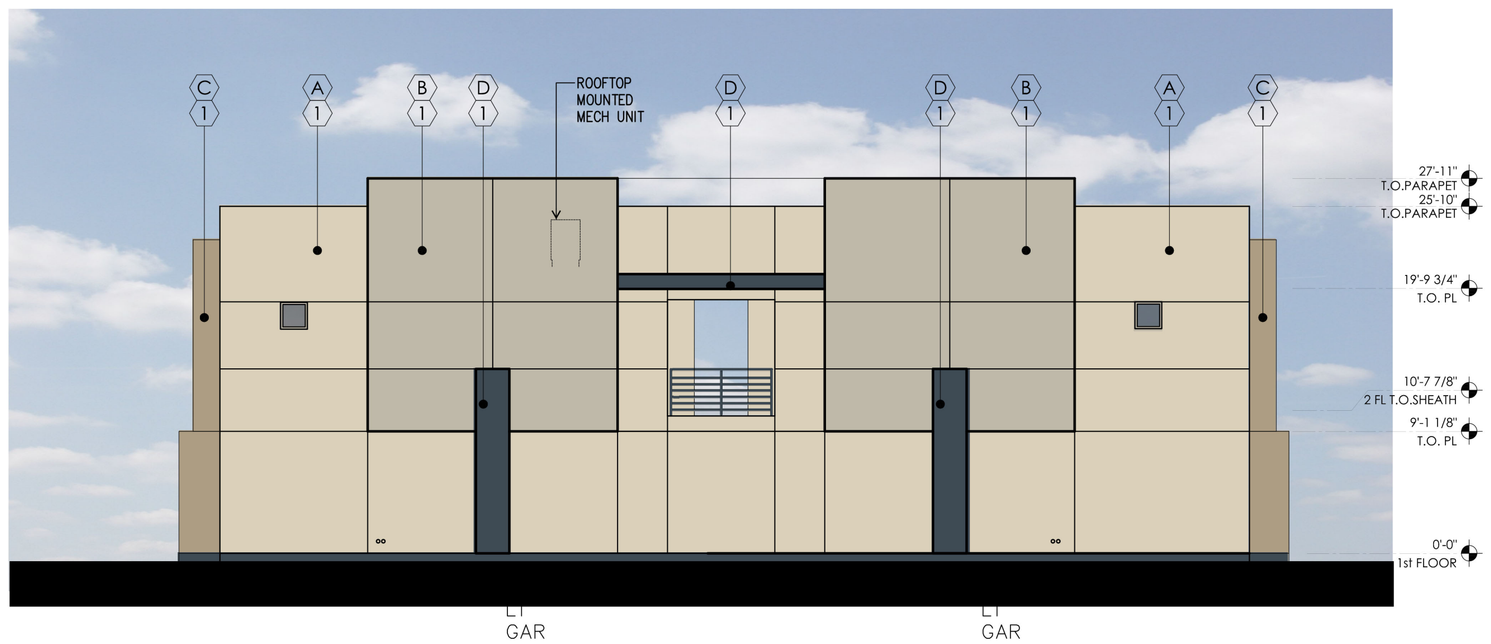
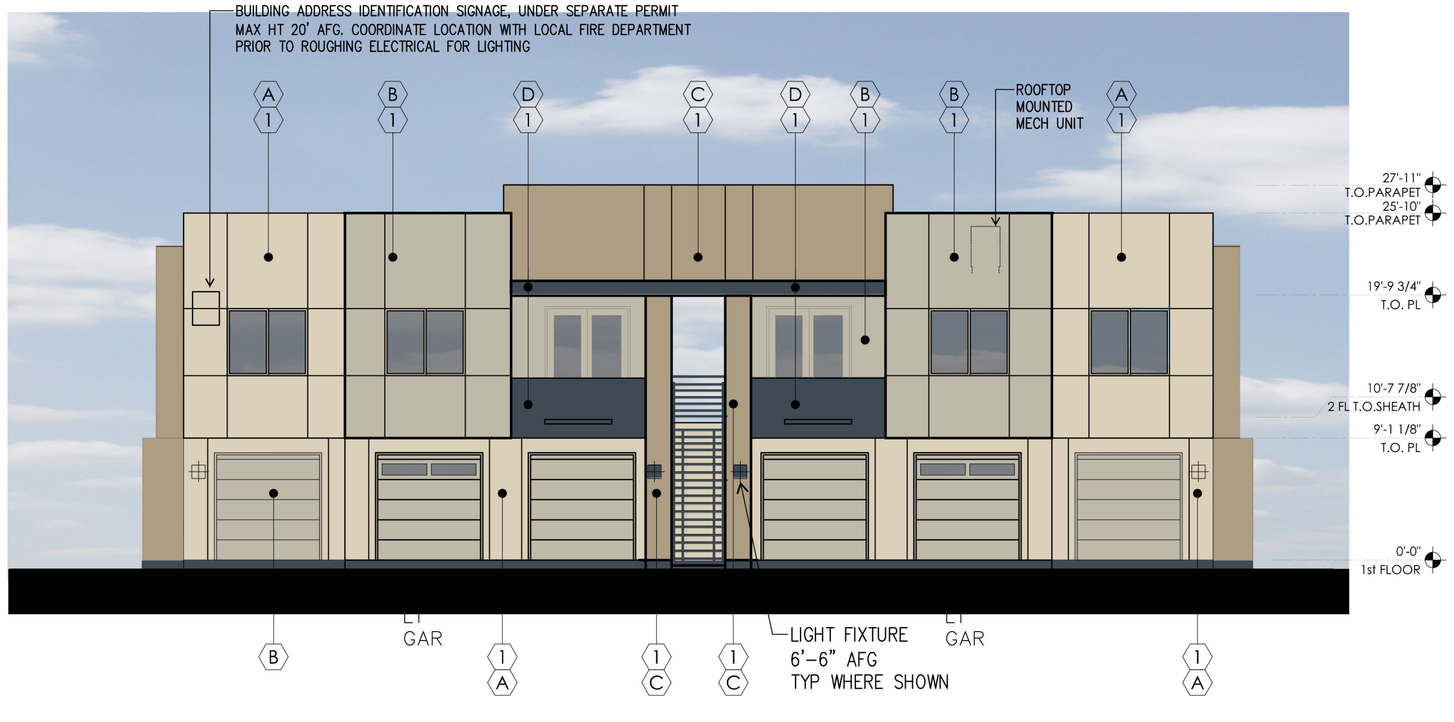
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 3
dwg no: SD2.31 - C
date: 04-27-2021
job no: 2020.08 log no:



REAR ELEVATION

SCALE: 1/8" = 1'-0"



FRONT ELEVATION

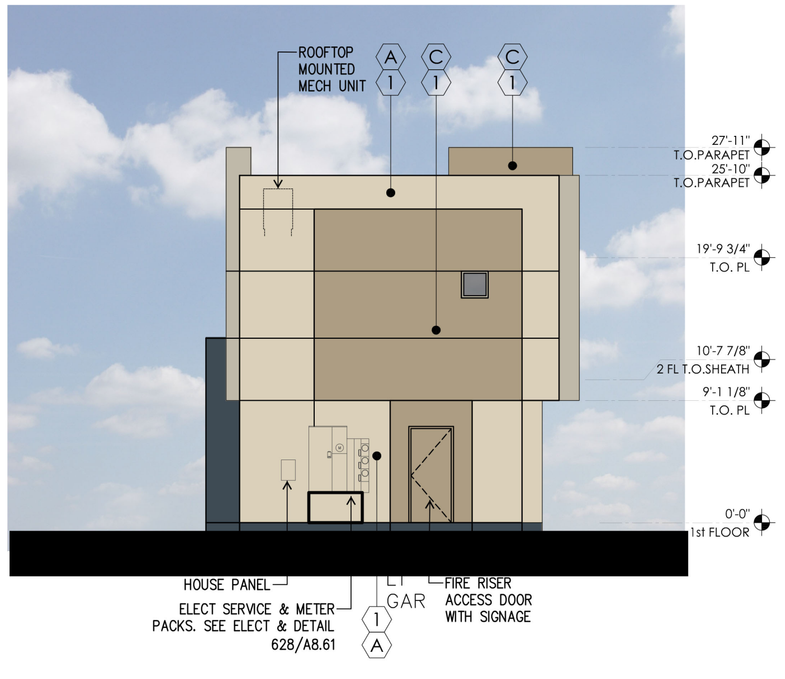
SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-D

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6155 - RICE GRAIN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-6170 - TECHNO GRAY	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7544 - FENLAND	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			



RIGHT/LEFT ELEVATION

SCALE: 1/8" = 1'-0"

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IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 5
dwg no: SD2.51 - D
date: 04-27-2021
job no: 2020.08 log no:

FRONT / REAR ELEVATION

SCALE: 1/8" = 1'-0"

LEFT/RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-E

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6141 - SOFTER TAN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-9122 - SONG THRUSH	BLDG COLOR
C	SHERWIN WILLIAMS	SW-2845 - BUNGLEHOUSE GRAY	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	"V" HORIZ TOOLING
6	METAL GUARD RAILING			

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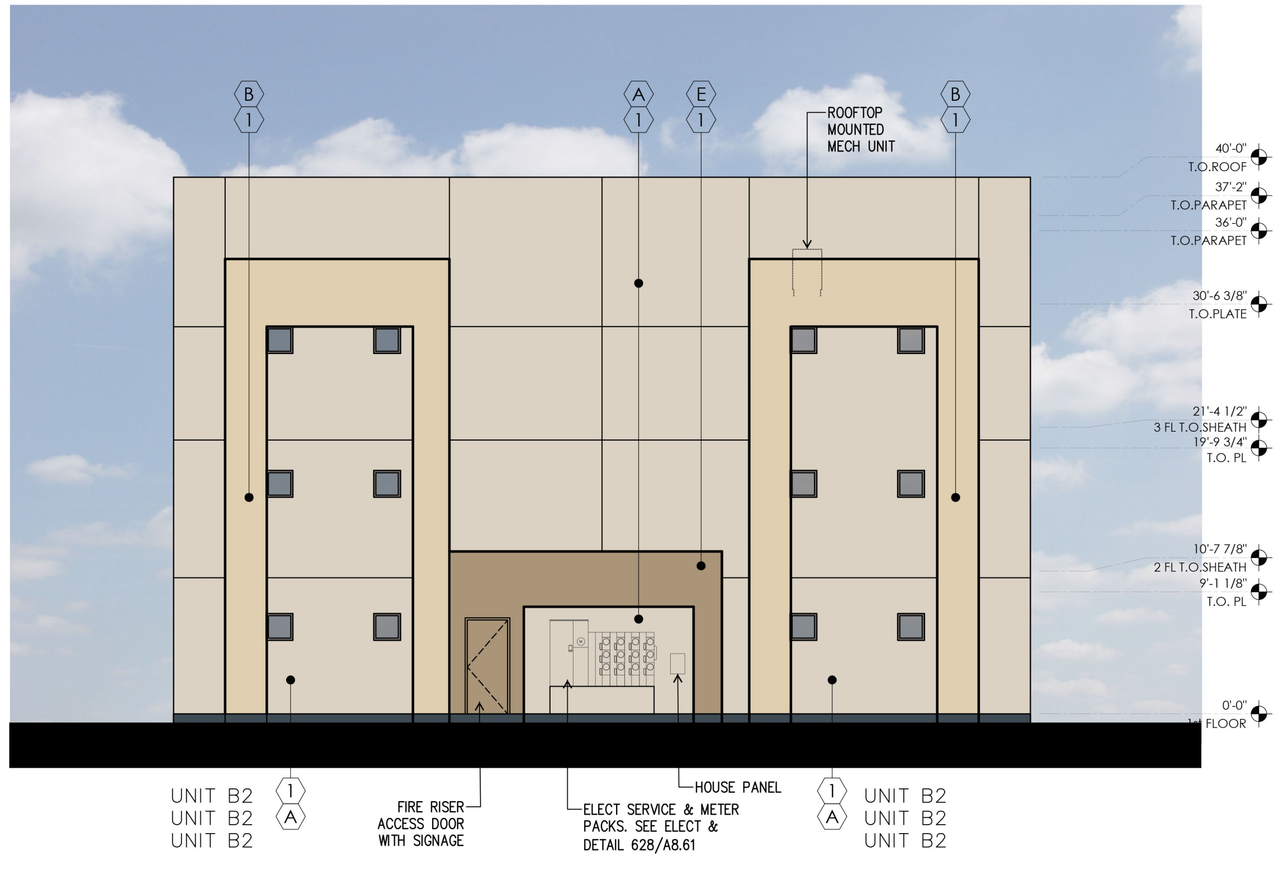
PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 6
dwg no: SD2.61 - E
date: 04-27-2021
job no: 2020.08 log no:

FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-F

TAG	MANUFACTURER	COLOR	NOTES
(A)	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
(B)	SHERWIN WILLIAMS	SW-6134 - NETSUKE	BLDG COLOR
(C)	SHERWIN WILLIAMS	SW-9116 - SERENGETI GRASS	BLDG COLOR, CEILING LID
(D)	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
(1)	1 COAT STUCCO SYSTEM		LIGHT LACE	
(2)	NOT USED		-	
(3)	FOAM BAND			FOAM POP OUT
(4)	METAL AWNING			
(5)	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
(6)	METAL GUARD RAILING			

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PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE 7
dwg no: SD2.71 - F
date: 04-27-2021
job no: 2020.08 log no:

FRONT ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"

LEFT ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"

RIGHT ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"

REAR ELEVATION - CLUBHOUSE

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-A

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

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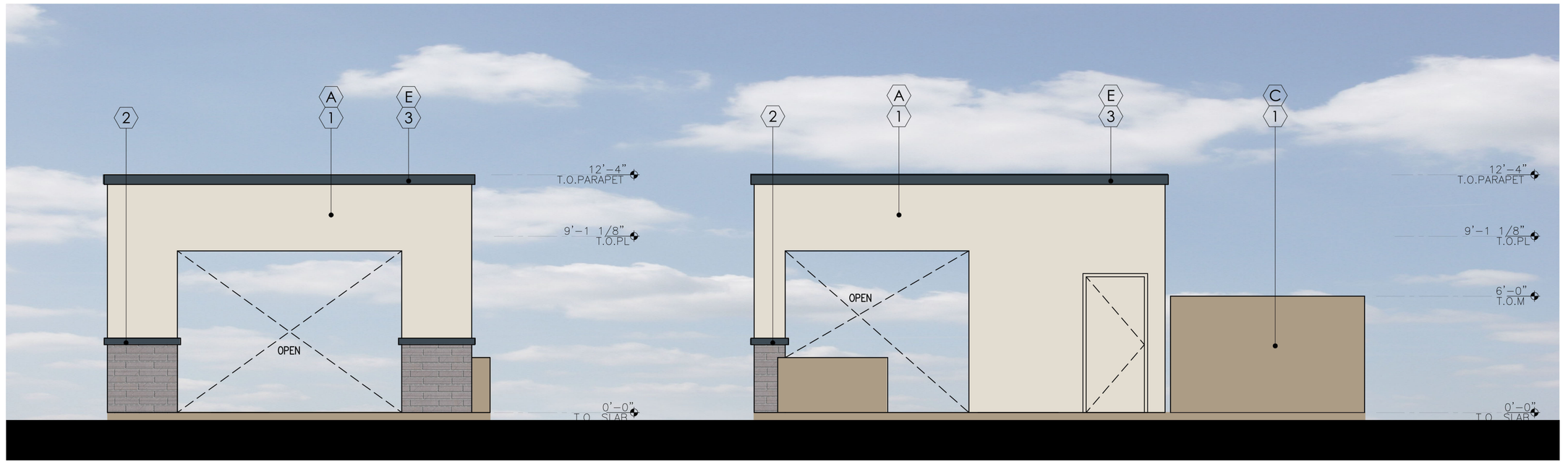
PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE CLUBHOUSE
dwg no: SD4.11 - A
date: 04-27-2021
job no: 2020.08 log no:

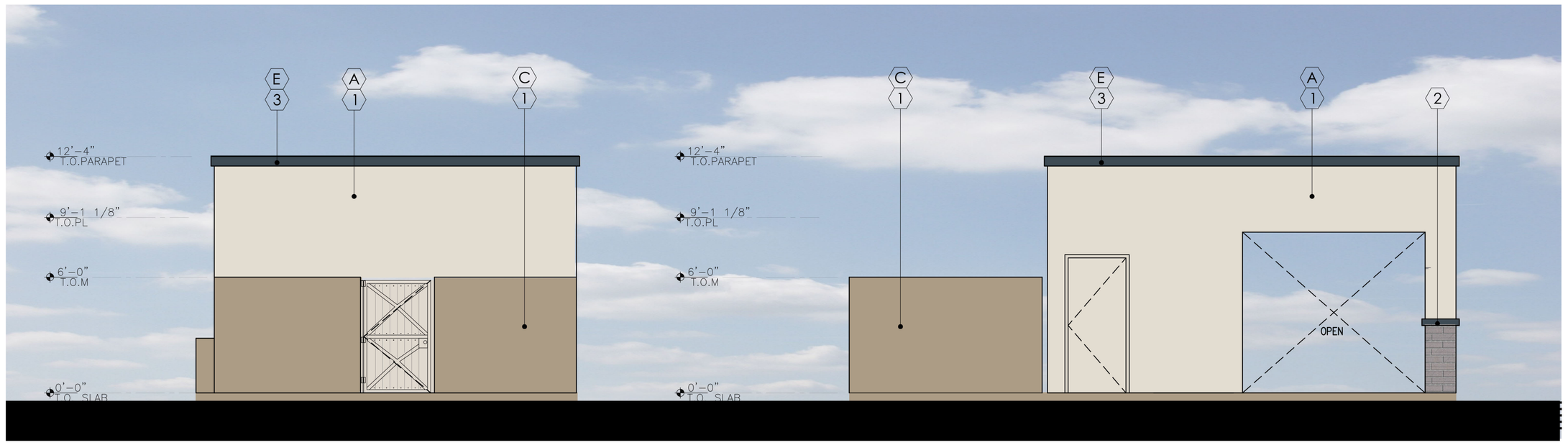


FRONT ELEVATION

SCALE: 1/4" = 1'-0"

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-A

TAG	MANUFACTURER	COLOR	NOTES
(A)	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
(B)	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
(C)	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
(D)	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
(1)	1 COAT STUCCO SYSTEM		LIGHT LACE	
(2)	NOT USED		-	
(3)	FOAM BAND			FOAM POP OUT
(4)	METAL AWNING			
(5)	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
(6)	METAL GUARD RAILING			

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PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS
BLDG TYPE POOL RESTROOM
dwg no: SD4.50
date: 04-27-2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

PALETTE-A

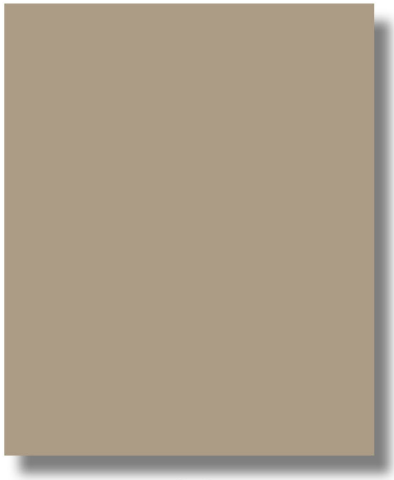
TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

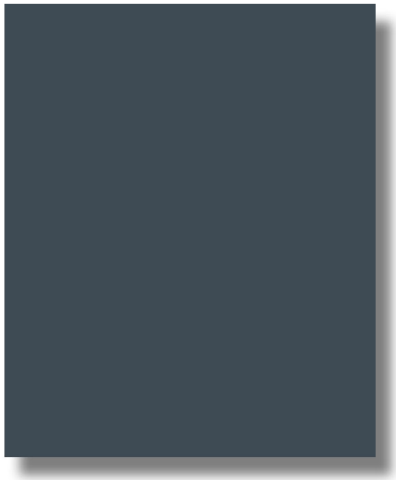
TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A

B



C



D

5

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p: 480.659.1524 | www. BMAarchitecure.com

IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-A
date: 04/27/2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

PALETTE-B

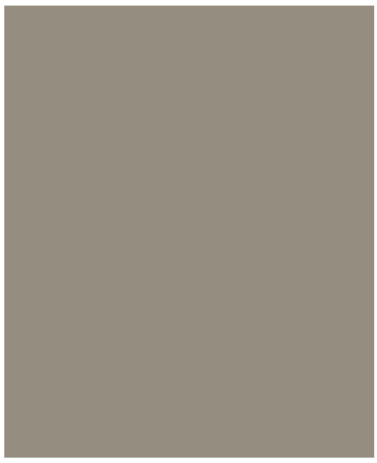
TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6385 - DOVER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7050 - USEFUL GRAY	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9172 - STUDIO CLAY	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A

B



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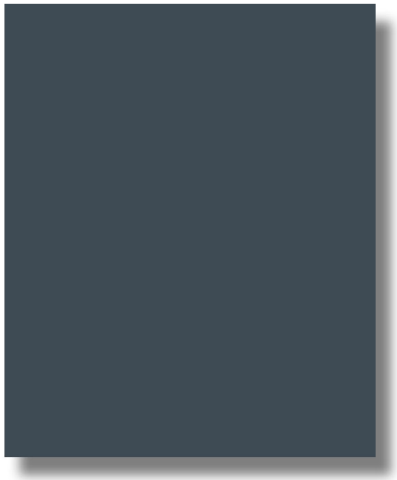

D

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p: 480.659.1524 | www. BMAarchitecure.com

IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-B
date: 04/27/2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

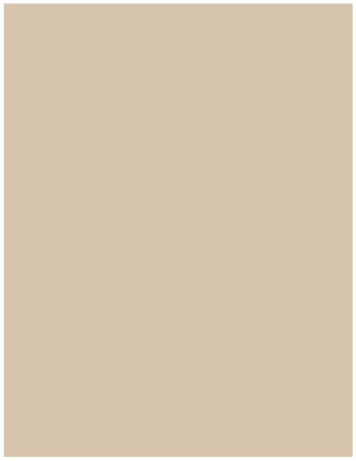
PALETTE-C

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6148 - WOOL SKEIN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-6106 - KILIM BEIGE	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9131 - CORNWALL SLATE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A



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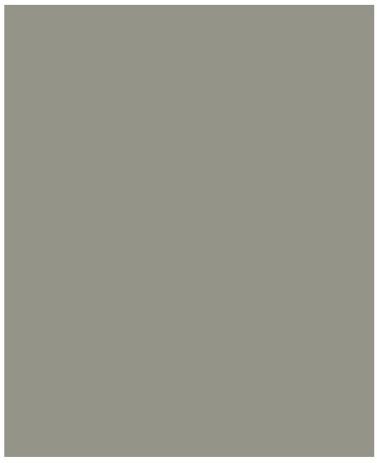

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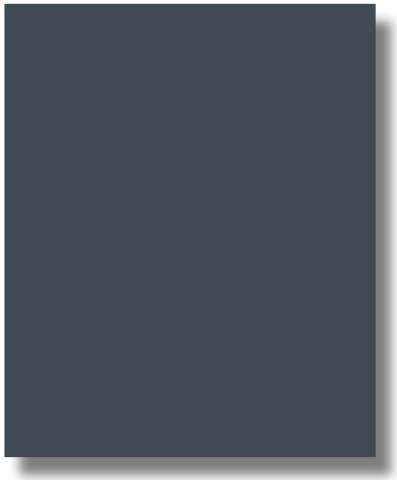


D

5

BMA ARCHITECTURE
207 n gilbert rd | suite 001 | gilbert az 85234
p: 480.659.1524 | www. BMAarchitecure.com

IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-C
date: 04/27/2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

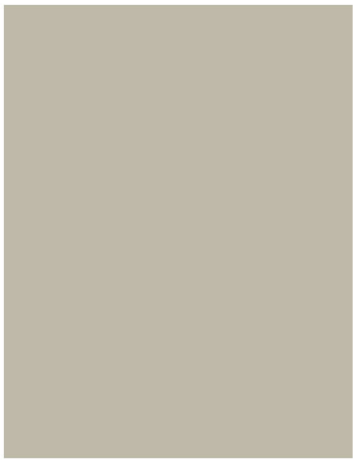
PALETTE-D

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6155 - RICE GRAIN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-6170 - TECHNO GRAY	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7544 - FENLAND	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

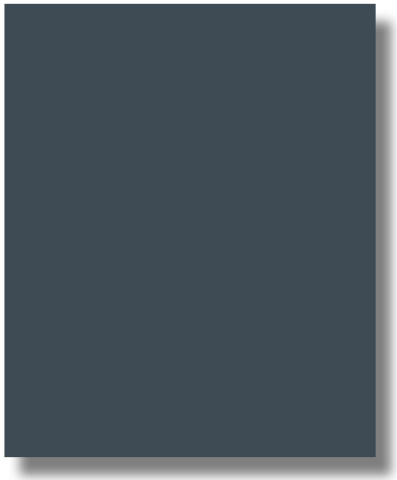
TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A



B

C



D

5

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p: 480.659.1524 | www. BMAarchitecure.com

IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-D
date: 04/27/2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

PALETTE-E

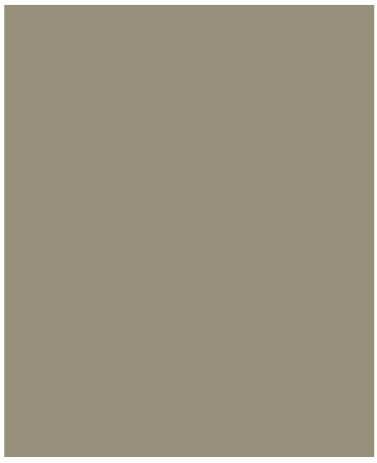
TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6141 - SOFTER TAN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-9122 - SONG THRUSH	BLDG COLOR
C	SHERWIN WILLIAMS	SW-2845 - BUNGLEHOUSE GRAY	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A

B



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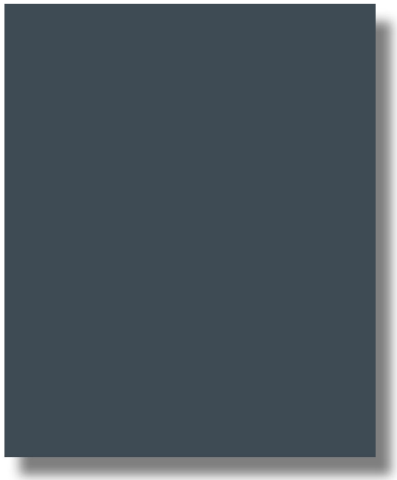

D

5

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IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-E
date: 04/27/2021
job no: 2020.08 log no:

EXTERIOR PAINT SCHEDULE

PALETTE-F

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
B	SHERWIN WILLIAMS	SW-6134 - NETSUKE	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9116 - SERENGETI GRASS	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

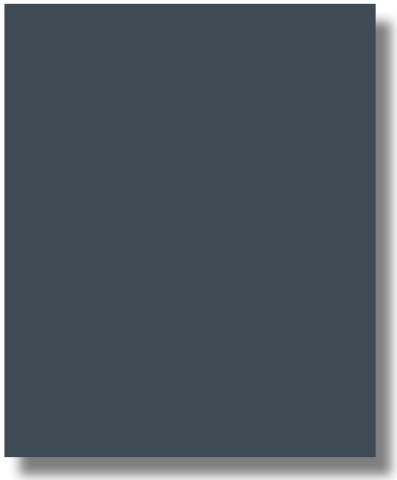
EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

A

B

C



D

5

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IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-D
date: 04/27/2021
job no: 2020.08 log no:

Exhibit 6 – Estrella Parkway Entry Rendering and Conceptual Building Elevation and Color/Material Palette for Commercial Development

Evergreen
Development | Services | Investments

NEC Roosevelt Street & Estrella Parkway

Goodyear, AZ 85338

01.29.2020

PROJECT NO.: 20085

REGISTERED ARCHITECT
50439
JUSTIN J.
GREGONIS
ARIZONA U.S.A.
EXPIRES 12/31/21

VERTICAL
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602.395.1000 www.verticaldesignstudios.com

CONCEPTUAL BUILDING ELEVATION

Evergreen
Development | Services | Investments

ESTRELLA COMMONS MIXED-USE DEVELOPMENT
NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338
04.30.2021
PROJECT NO.: 20085

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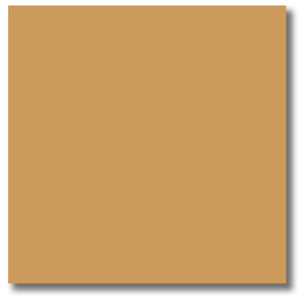
Architecture · Planning · Interior Design
4650 E. Cotton Center Boulevard Phoenix, AZ 85040
602.395.1000 www.verticaldesignstudios.com

PAINT FINISH



Sherwin Williams
SW 6389 "BUTTERNUT"

Sherwin Williams
SW 7040 "SMOKEHOUSE"

Sherwin Williams
SW 2807 "ROOKWOOD
MEDIUM BROWN"

Sherwin Williams
SW 6258 "TRICORN BLACK"

Sherwin Williams
SW 6067 "MOCHA"

Sherwin Williams
SW 7508 "SYCAMORE TAN"

Sherwin Williams
SW 7023 "REQUISITE GRAY"

Sherwin Williams
SW 7036 "ACCESSIBLE BEIGE"

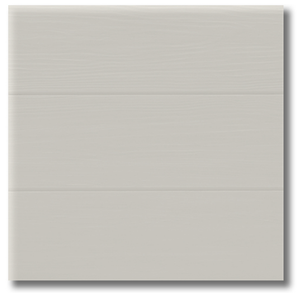
Sherwin Williams
SW 7531 "CANVAS TAN"

Sherwin Williams
SW 7636 "ORIGAMI WHITE"

Sherwin Williams
SW 7005 "PURE WHITE"

HARDIE PLANK SIDING

JAMES HARDIE - PAINTED



NICHIHA ILLUMINATION SERIES
- PAINTED

STOREFRONT

Old Castle Aluminum Storefront
"DARK BRONZE"

Old Castle Aluminum Storefront
"CLEAR ANODIZED"

BRICK VENEER

GLEN-GERY "WHITEHALL"

MERIDIAN BRICK "CITADEL"

WOOD COMPOSITE PANEL

Resysta "BURMA - C08"

STANDING SEAM METAL ROOFING

ATAS "CLASSIC BRONZE"

SITE LIGHTING

Large Viper By Beacon
"DARK BRONZE TEXTURED"

BIKE RACK

R-8224-SS by Reliance Foundry
"STAINLESS STEEL"

BENCH

Wimington Park Bench by Belson Outdoors
"ULTRA SILVER METALIC"

CONCRETE MASONRY UNITS

Precision
"HOPI SANDSTONE"

Precision
"MOJAVE BROWN -
COCOA BROWN"

Precision
"PLUM"

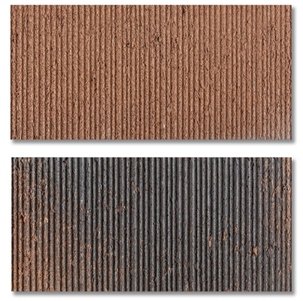
Mesastone
"MOJAVE BROWN"

Mesastone
"HOPI SANDSTONE"

Mesastone
"PLUM"

Trendstone
"DURANGO"

FEATURE WALL



Sedona Blend Founders Finish

EXPOSED AGGREGATE PAVING

TRASH RECEPTACLE

7824 Precision 40 Gallon Grand Recycle
by Commercial Zone
"STAINLESS STEEL"

Evergreen
Development | Services | Investments

ESTRELLA COMMONS MIXED - USE DEVELOPMENT

NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

05.03.2021
PROJECT NO.: 20085

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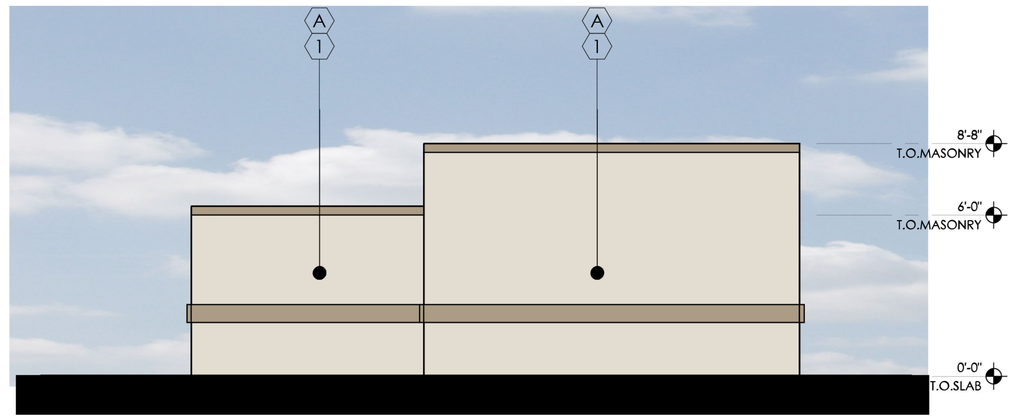
Exhibit 7 – Conceptual Building Elevations for Trash Enclosure/Compactor

FRONT ELEVATION - COMPACTOR

SCALE: 1/4" = 1'-0"

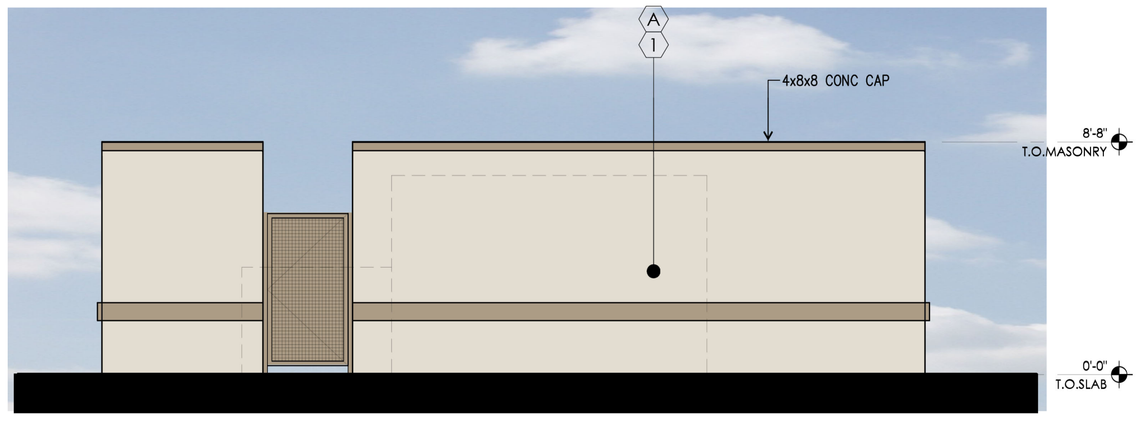


REAR ELEVATION - COMPACTOR

SCALE: 1/4" = 1'-0"

EXTERIOR PAINT SCHEDULE			PALETTE-A
TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE				
TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

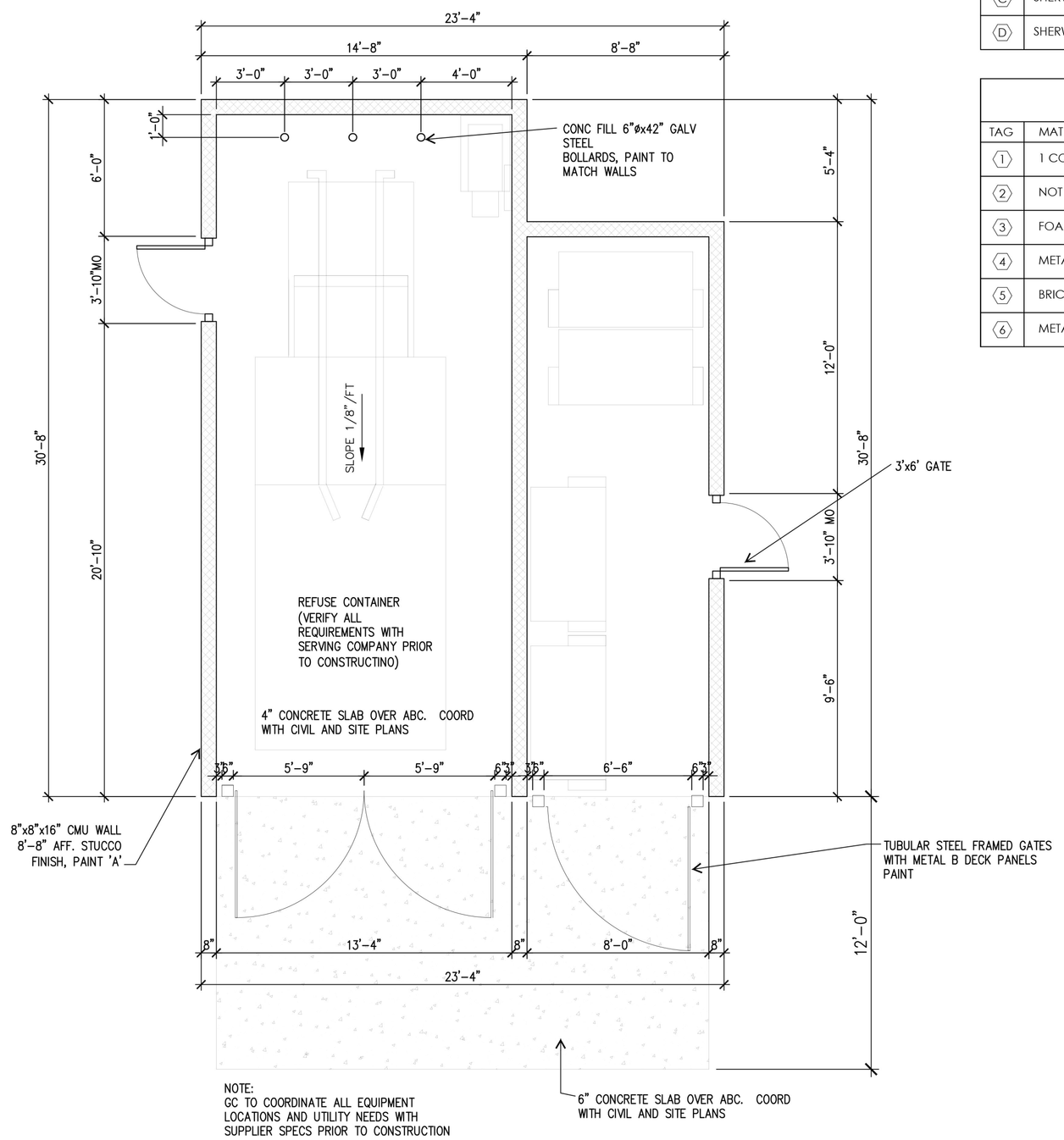


LEFT ELEVATION - COMPACTOR

SCALE: 1/4" = 1'-0"

RIGHT ELEVATION - COMPACTOR

SCALE: 1/4" = 1'-0"



FLOOR PLAN - COMPACTOR

SCALE: 1/4" = 1'-0"

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IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS TRASH COMPACTOR
dwg no: SD4.41 - A
date: 04-27-2021
job no: 2020.08 log no:

Exhibit 8 – Conceptual Building Elevations for Garage/Maintenance Building

FRONT ELEVATION - GARAGE/MAINT

SCALE: 1/8" = 1'-0"

REAR ELEVATION - GARAGE/MAINT

SCALE: 1/8" = 1'-0"

RIGHT ELEVATION - GARAGE/MAINT

SCALE: 1/8" = 1'-0"

LEFT ELEVATION - GARAGE/MAINT

SCALE: 1/8" = 1'-0"

EXTERIOR PAINT SCHEDULE — PALETTE-A

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-7637 - OYSTER WHITE	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-7567 - NATURAL TAN	BLDG COLOR
C	SHERWIN WILLIAMS	SW-7549 - STUDIO TAUPE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	'V' HORIZ TOOLING
6	METAL GUARD RAILING			

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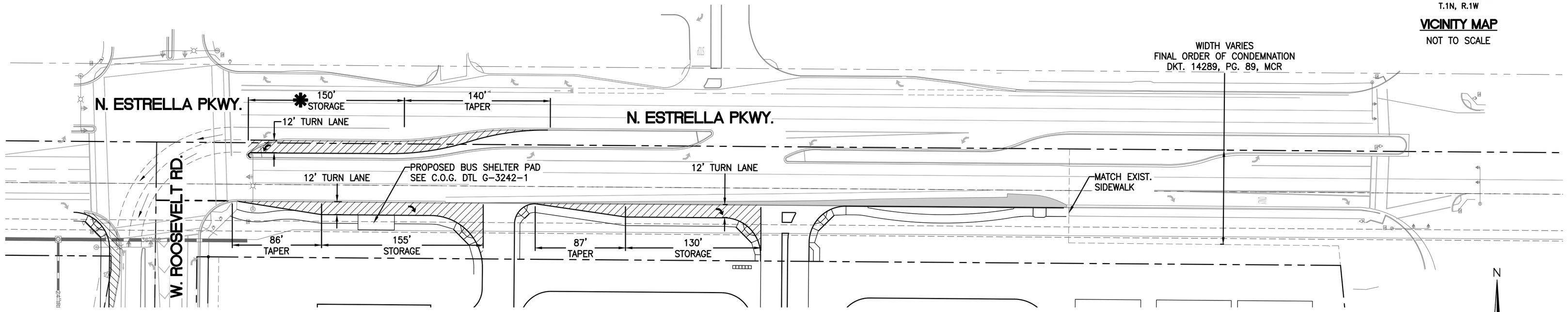
p: 480.659.1524 | www. BMAarchitecure.com

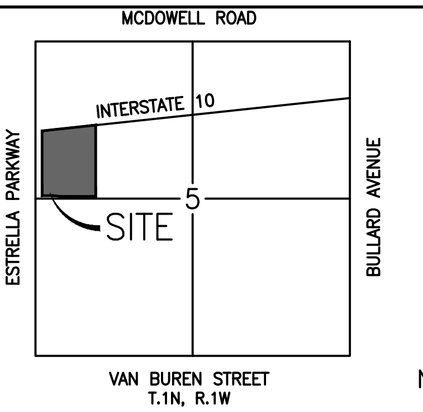
IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY ELEVATIONS BUILDING TYPE GAR/MAINT
dwg no: SD4.30
date: 04-27-2021
job no: 2020.08 log no:

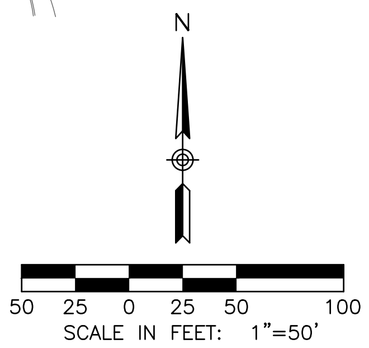
Exhibit 9 – Offsite Improvements





VICINITY MAP

NOT TO SCALE



LEGEND

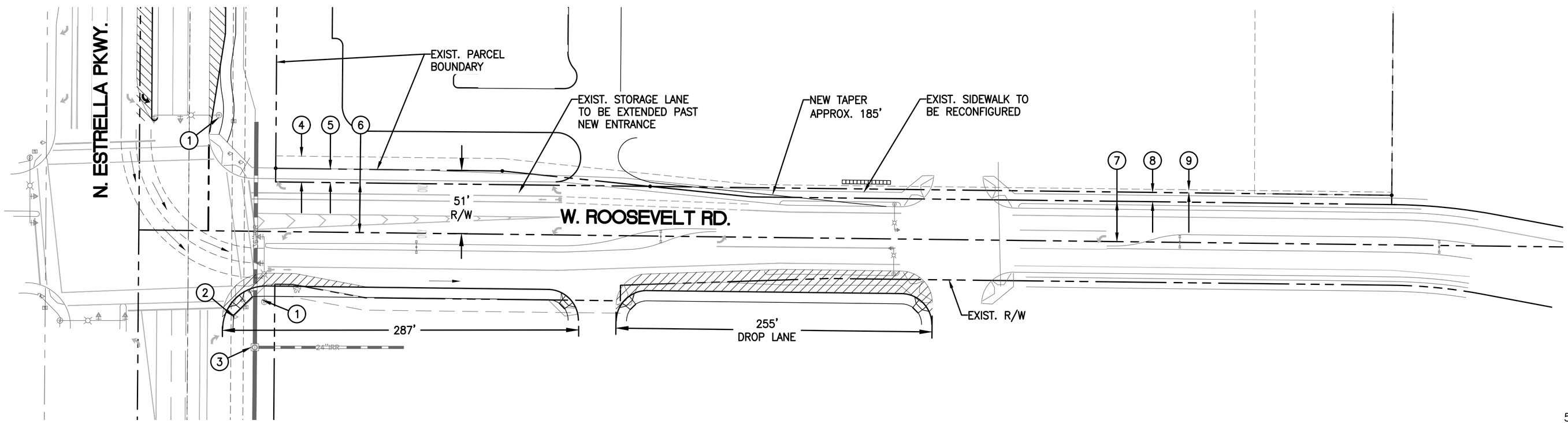
PROPOSED OFFSITE IMPROVEMENTS

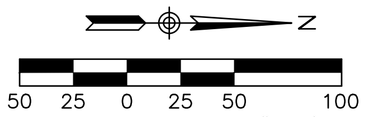
3rd LANE COMPLETION BY CITY OF GOODYEAR

✱ 150' STORAGE PROVIDED FOR EACH OF THE 2 (TWO) EASTBOUND LEFT TURN LANES, AS PER THE TIA REPORT.

KEY NOTES

1. EXIST. TRAFFIC SIGNAL POLE TO REMAIN
2. EXIST.TRAFFIC SIGNAL POLE ('A' TYPE) TO BE RELOCATED
3. EXIST. RWCD STRUCTURE TO REMAIN
4. 10' PUE BK. 1413, PG. 15, MCR
5. 11' R/W BK. 1413, PG. 15, MCR
6. 40' R/W BK. 1413, PG. 7, MCR
7. 32.5' R/W BK. 1413, PG. 7, MCR
8. 7.5' PUE BK. 1413, PG. 7, MCR
9. 2.5' PUE BK. 1413, PG. 15, MCR





NO.	REVISION	DATE

ESTRELLA COMMONS-MIXED USE
SEC I-10 & ESTRELLA COMMONS PKWY
OFFSITE IMPROVEMENTS

OPTIMUS
CIVIL DESIGN GROUP
4650 E. COTTON CENTER BLVD.
SUITE 200
PHOENIX, AZ. 85040
PH: (602) 286-9300 FAX: (602) 286-9400

DESIGNED:	JDB
DRAWN:	JK,DB
CHECKED:	JDB
DATE:	04/29/2021
JOB NO.:	201352

DRAWING NO

EX-1

1 OF 1

USE OF THE INFORMATION CONTAINED IN THIS INSTRUMENT FOR OTHER THAN THE SPECIFIC PURPOSE FOR WHICH IT WAS INTENDED AND FOR OTHER THAN THE CLIENT FOR WHOM IT WAS PREPARED IS FORBIDDEN UNLESS EXPRESSLY PERMITTED IN WRITING IN ADVANCE BY OPTIMUS CIVIL DESIGN GROUP. OPTIMUS CIVIL DESIGN GROUP SHALL HAVE NO LIABILITY TO ANY USE OF THIS INFORMATION WITHOUT THEIR WRITTEN CONSENT.

Exhibit 10 – Distance and Grade Differences from I-10 Freeway

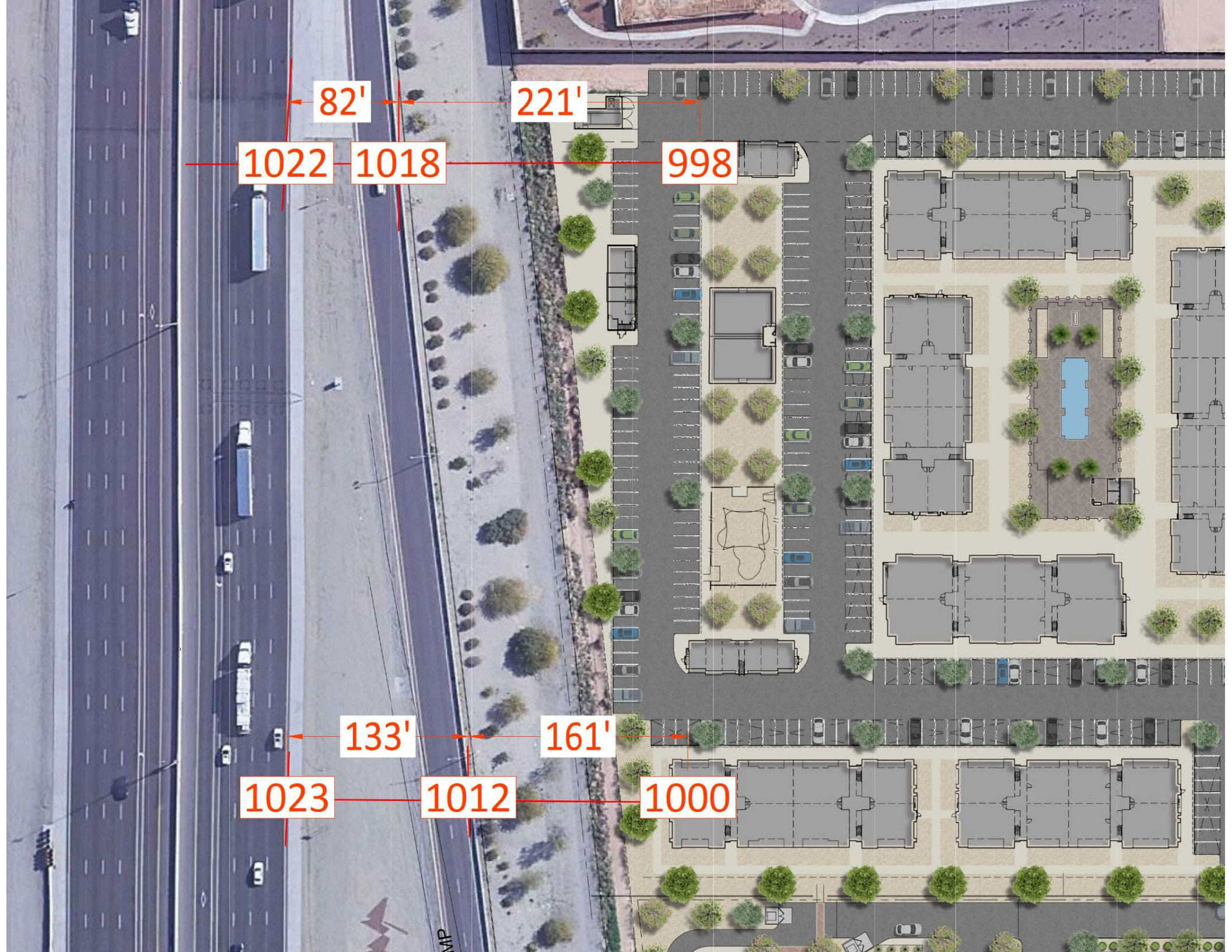
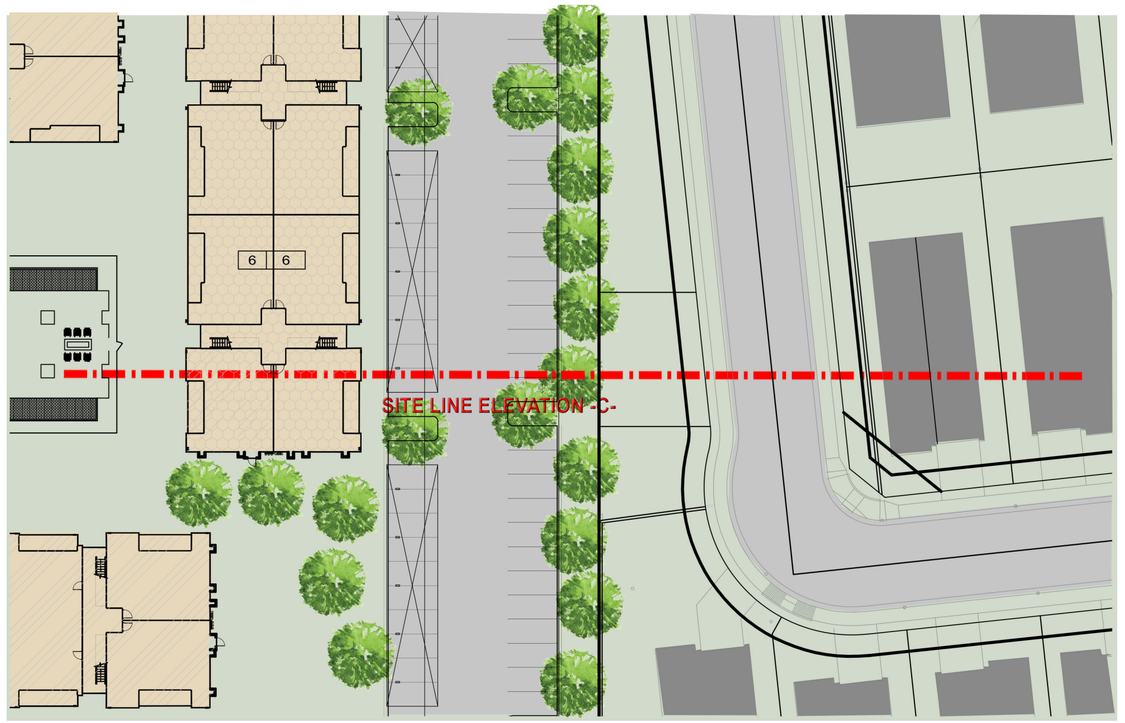
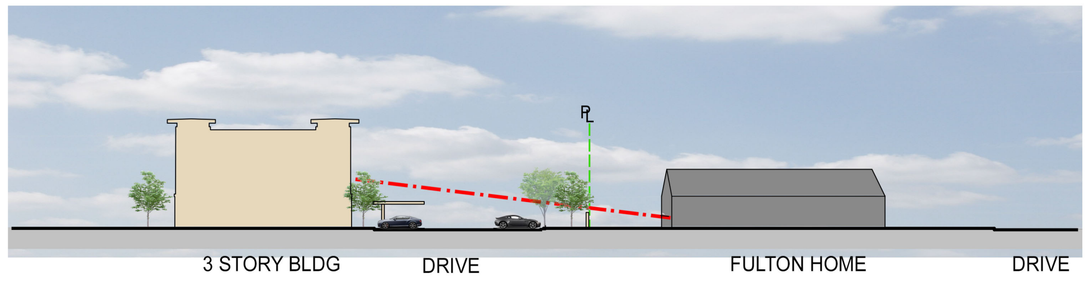

82'
221'
1022
1018
998
133'
161'
1023
1012
1000

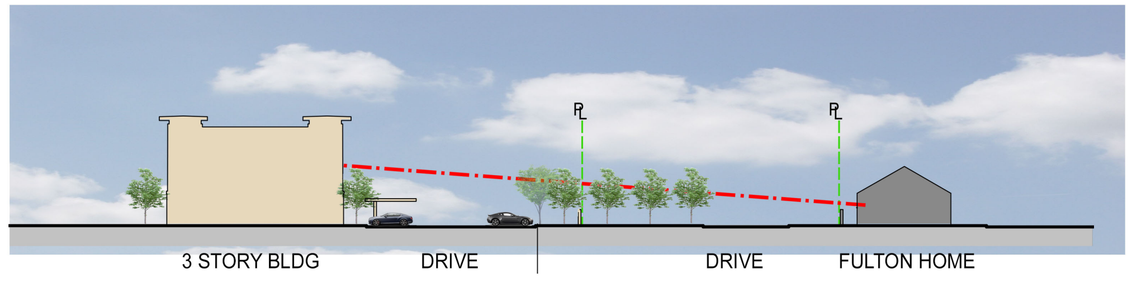
Exhibit 11 – Line of Sight Study





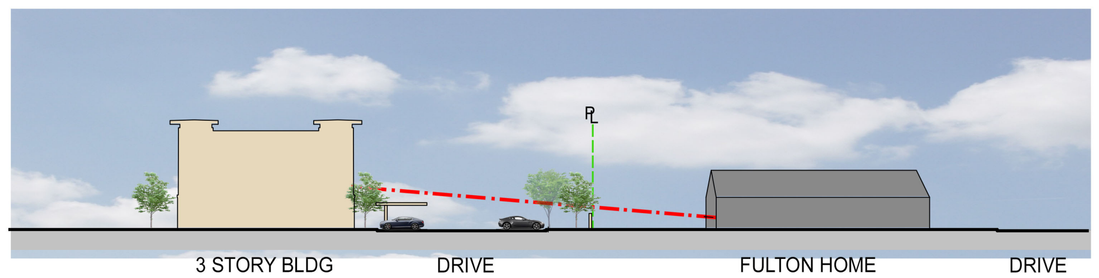
LINE OF SIGHT STUDY - SECTION B

SCALE: 1" = 40'-0"



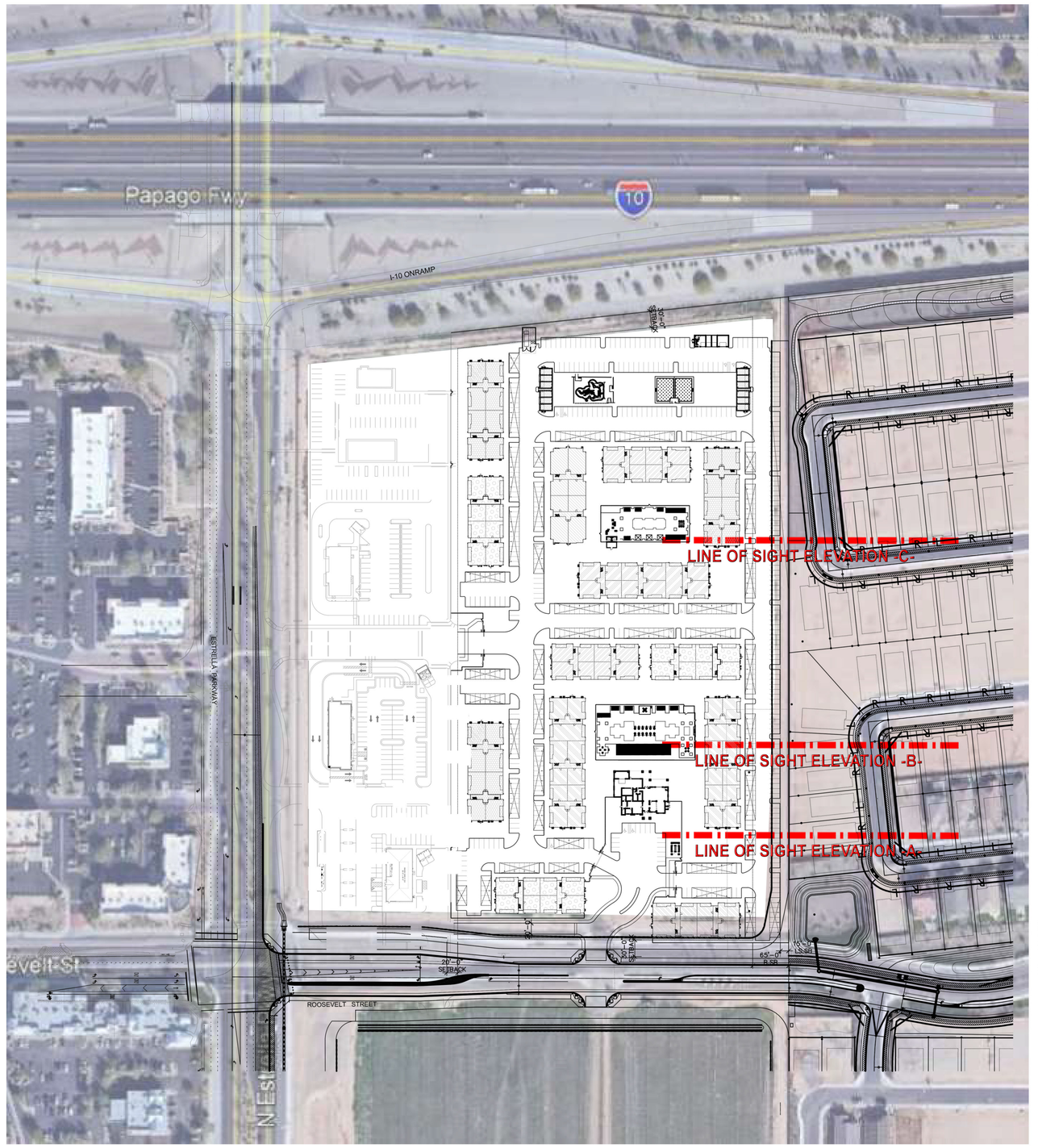
LINE OF SIGHT STUDY - SECTION C

SCALE: 1" = 40'-0"



LINE OF SIGHT STUDY - SECTION A

SCALE: 1" = 40'-0"



VICINITY MAP

BMA ARCHITECTURE
2915 East Baseline Road, Suite 120 - Gilbert, AZ 85234
p: 480.659.1524 | www. BMAarchitecure.com

IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR:

IDM

ACERO ESTRELLA II

SEC ESTRELLA PKWY & LOOP 303

GOODYEAR, AZ

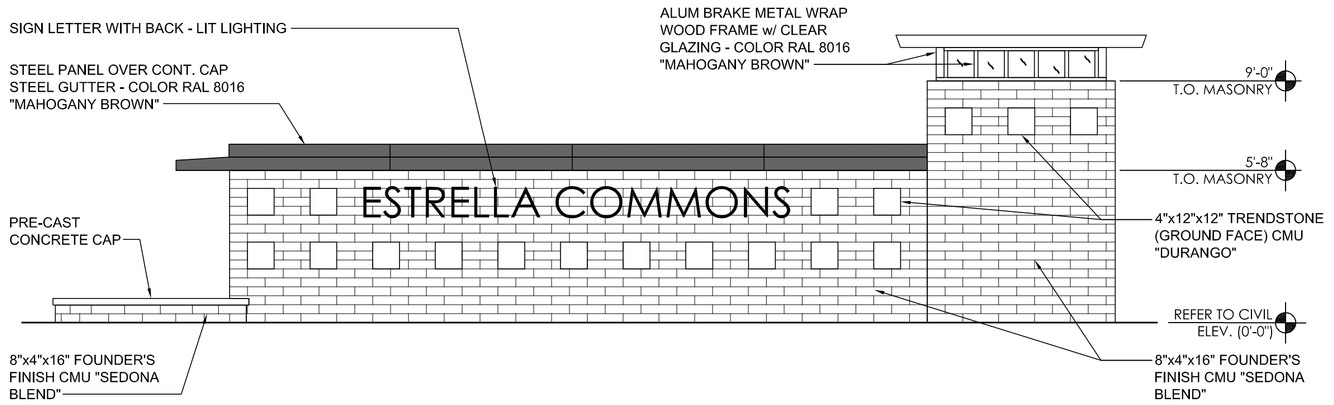
dwg name: LINE OF SIGHT STUDY

dwg no: SD1.11

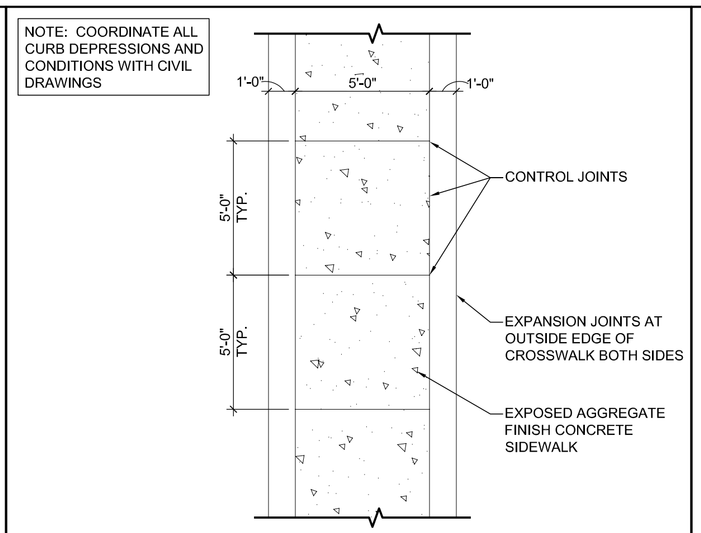
date: 4-29-2021

job no: 2020.08 log no:

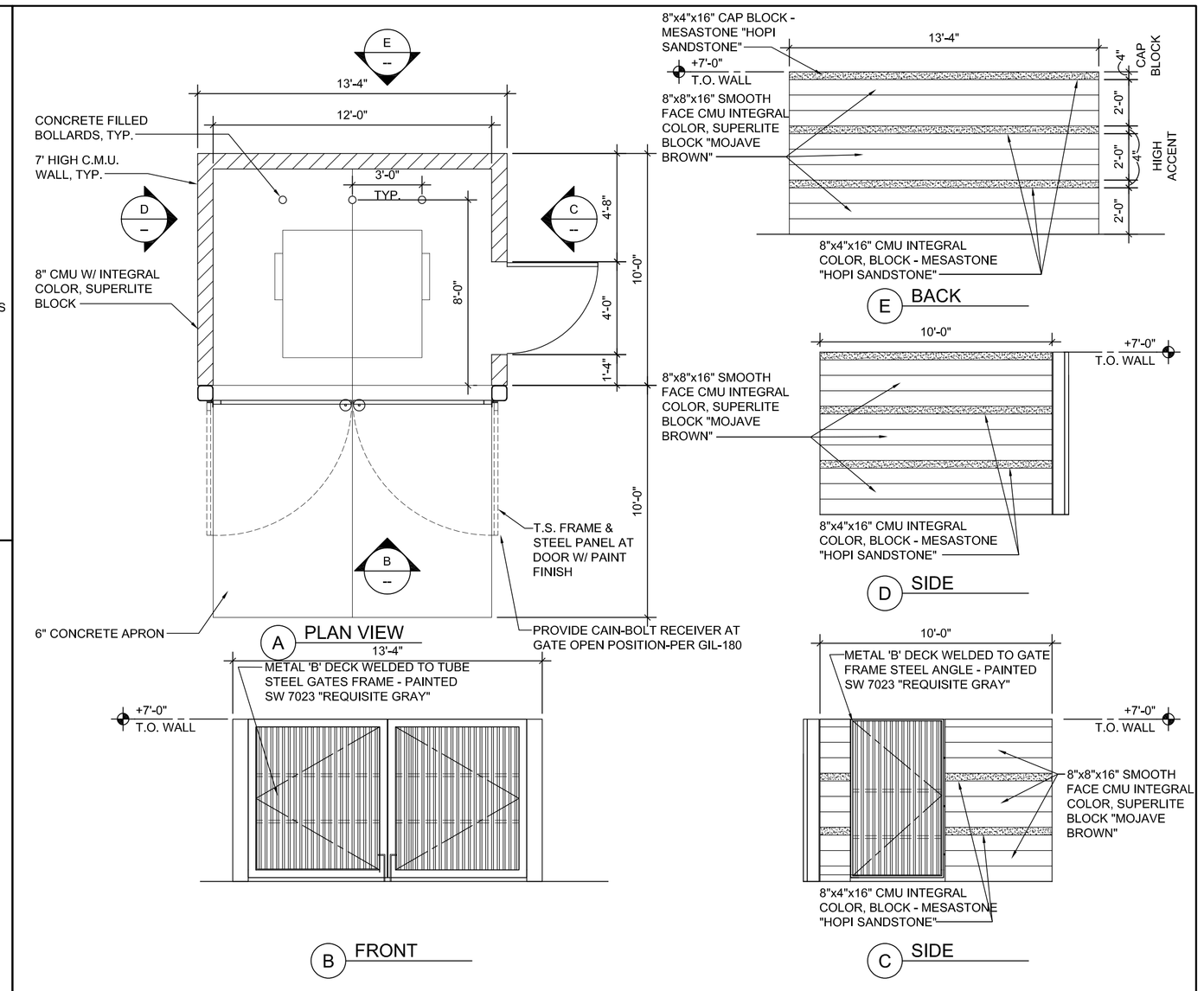
Exhibit 12 – Site Details



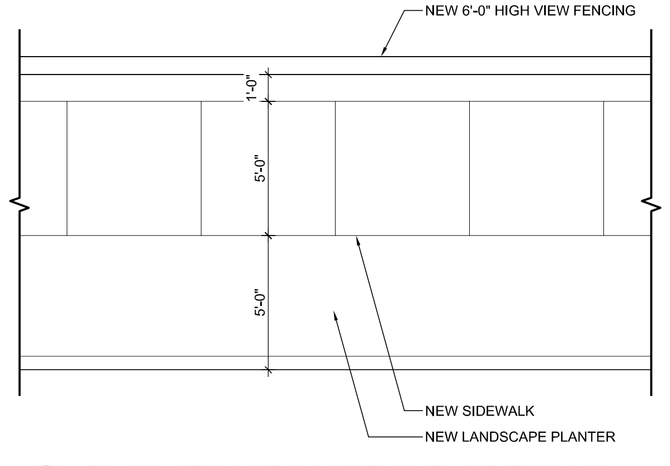
4 ENTRY FEATURE WALL
SCALE: 1/4" = 1'-0"



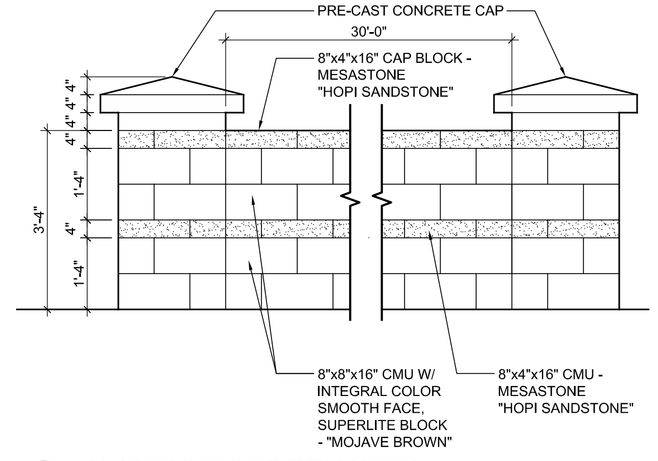
2 DECORATIVE CONCRETE CROSSWALK
SCALE: 1/4" = 1'-0"



1 ENLARGED SINGLE TRASH ENCL. PLAN
SCALE: 1/4" = 1'-0"



5 PLAN AT LANDSCAPE AND SIDEWALK
SCALE: 1/4" = 1'-0"



3 3'-0" HIGH SCREEN WALL
SCALE: 1/2" = 1'-0"

SITE DETAILS

Estrella Commons Mixed-Use Development
NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

04.26.2021
PROJECT NO.: 20085

Evergreen
Development | Services | Investments

VERTICAL
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Architecture • Planning • Interior Design
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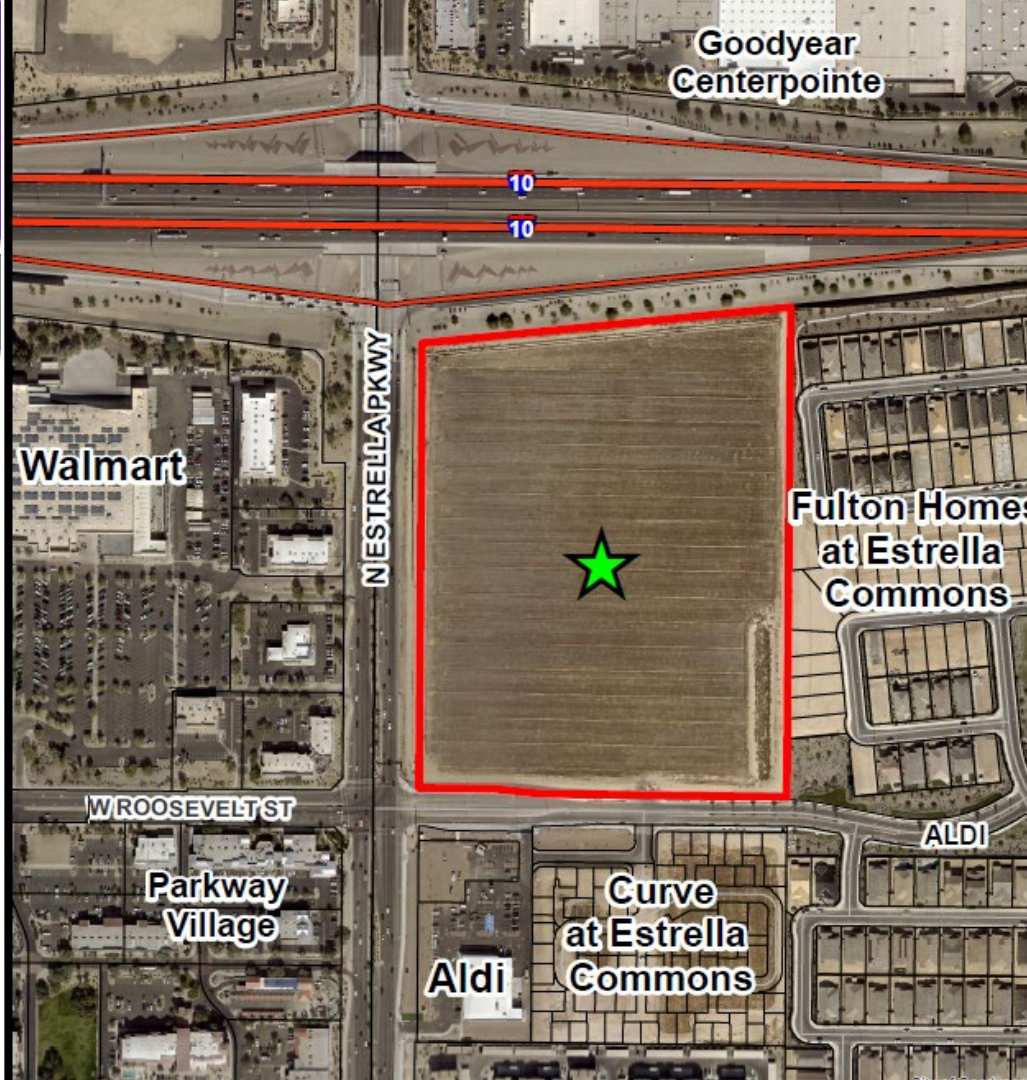
602.395.1000 www.verticaldesignstudios.com

Estrella Commons District Rezone

N EAGLE PASS DR
W MONTE VISTA RD
N PEBBLE CREEK PKWY
W ENCANTO BLVD
150TH DR
Goodyear Civic Square
W CORONADO RD
N 159TH AVE
W MCDOWELL RD
Goodyear Centerpointe
N BULLARD AVE
10
Walmart
Snyder's
W PORTLAND ST
N 157TH LN
Fulton @ Hudson Common
W ROOSEVELT ST
Parkway Village
N ESTRELLA AVE
N 158TH AVE
W FILLMORE ST
W VAN BUREN ST

Subject Property

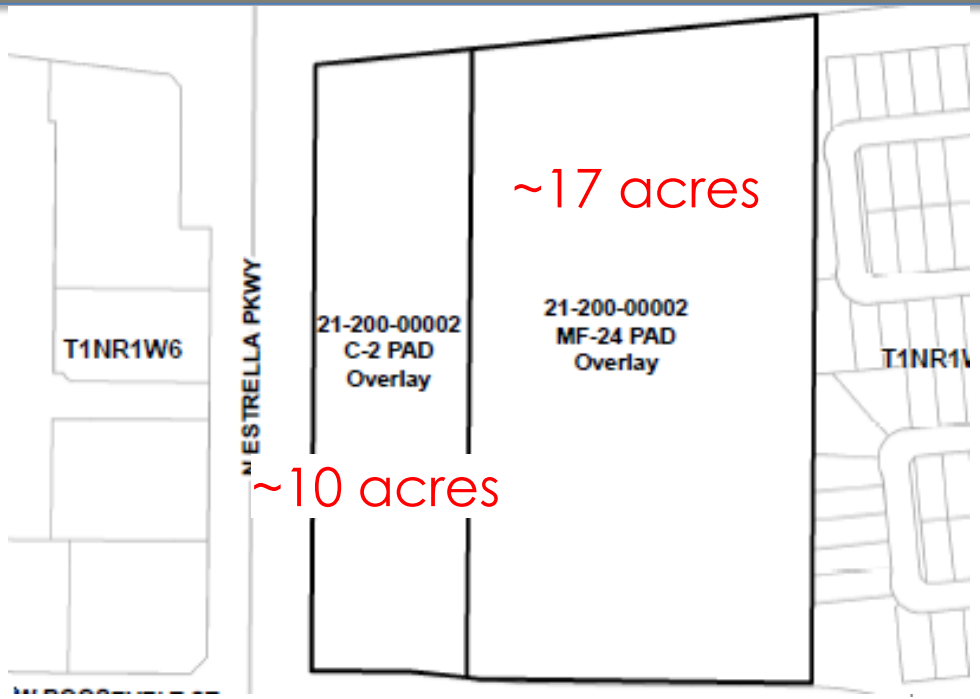
Northeast corner Estrella Parkway & Roosevelt Street



Request

ESTRELLA COMMONS DISTRICT

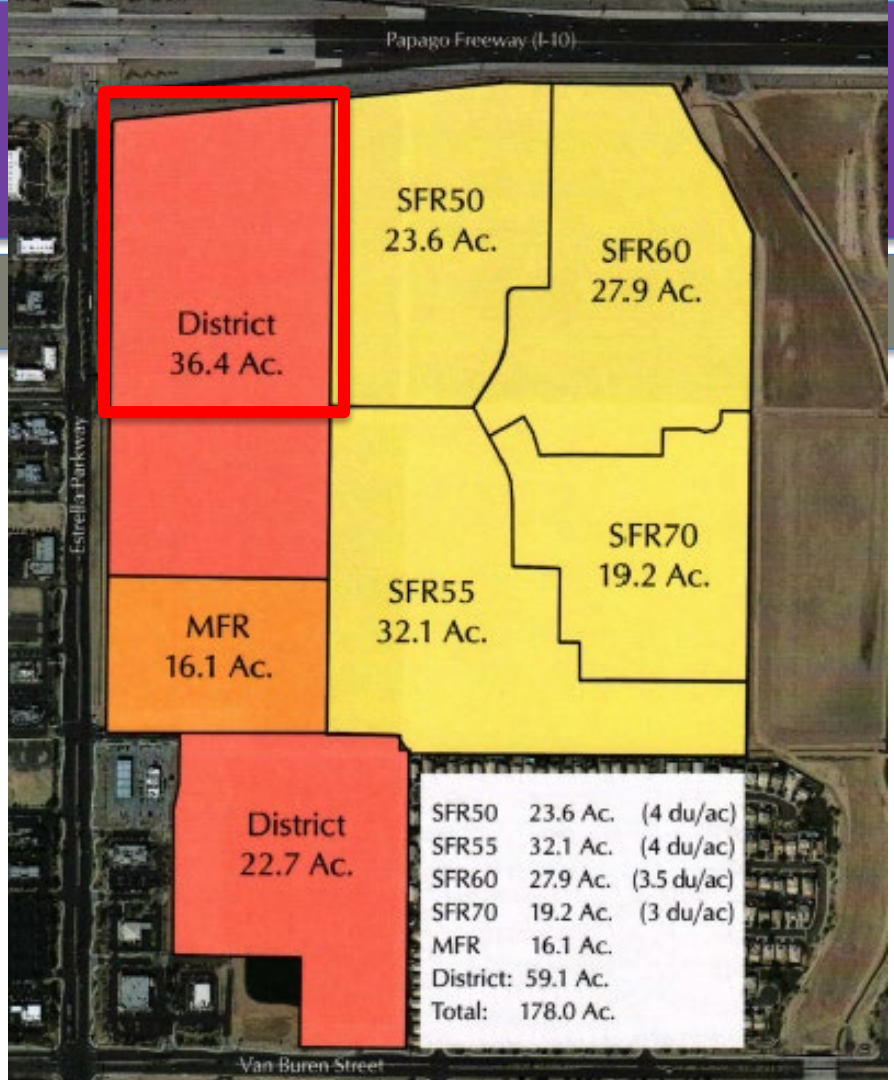
- Rezone property to C-2 and MF-24 with PAD Overlay



History

ESTRELLA COMMONS

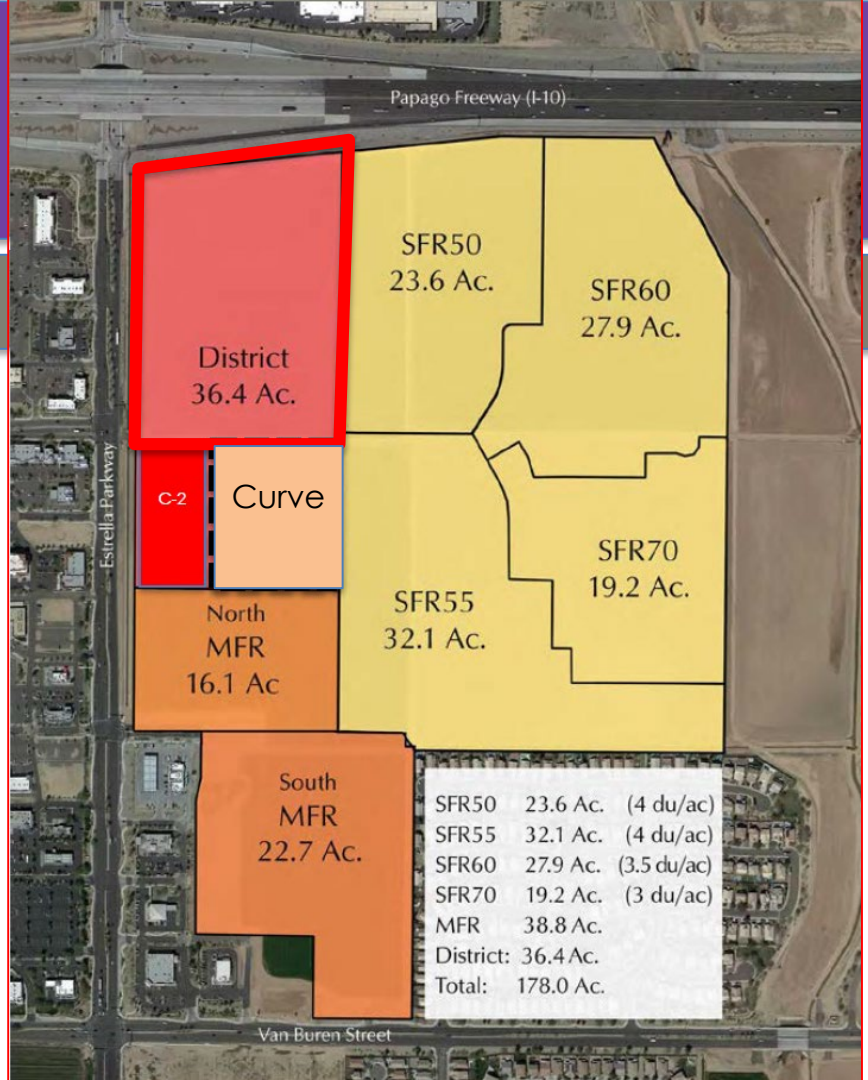
- 2015 Estrella Commons PAD (Preliminary PAD)



History

ESTRELLA COMMONS

- 2017 - Single-story rentals (~MF-12)
- 2018 - C-2 rezone for Aldi site
- 2020 - R1-C (Court Homes) for Curve



PAD Overlay

C-2 DEVELOPMENT STANDARDS

- Additional Permitted Uses – Drive through restaurants and Gas Station
- Drive-through windows – allowed to face public street with screening

PAD Overlay

C-2 DEVELOPMENT STANDARDS

- Landscape Setback between C-2 and MF-24 (setbacks added to MF side)

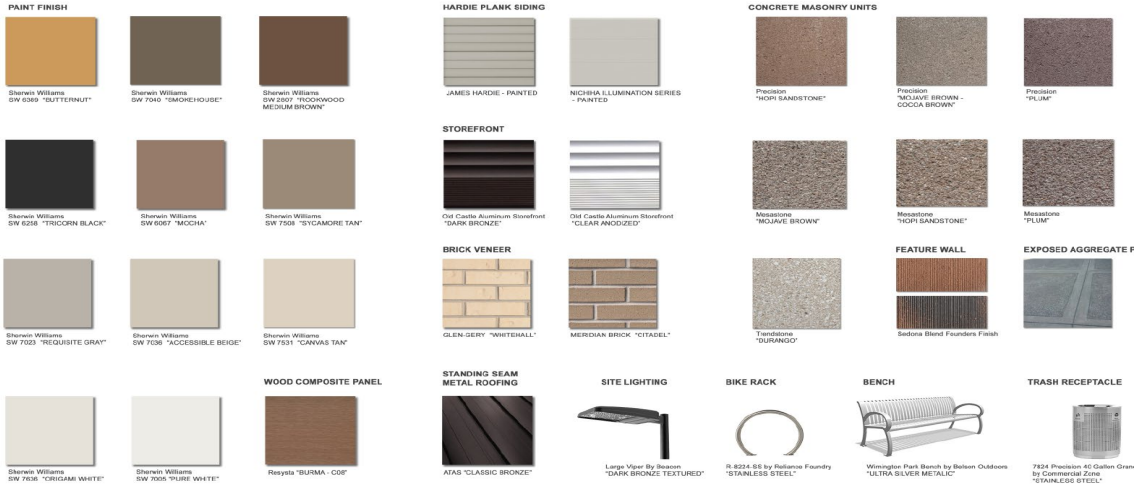
PAD Overlay

MF-24 DEVELOPMENT STANDARDS

- Landscape setback (north) – trash enclosure permitted to encroach setback
- Landscape setback (east) – Added 15’ landscape buffer
- Accessory Building Height – increased from 12’ to 22’.

Design Guidelines

ESTRELLA COMMONS DISTRICT



Conceptual Elevations

MULTIFAMILY

Conceptual
Site Plan
Not approved with
Rezone

Public Comment

ESTRELLA COMMONS DISTRICT

- Virtual Neighborhood meeting via Zoom 6/2/2021
- P&Z Commission Public Hearing 7/7/2021

Recommendation

APPROVE

- Rezone request meets General Plan, Zoning Ordinance, and Engineering Standards.
- P&Z Commission recommended approval (6-0) on 7/7/2021

Conceptual
Site Plan – (north half C-2)
Not approved with
Rezone

Conceptual
Site Plan – (south half C-2)
Not approved with
Rezone

Conceptual
Site Plan – (east half MF-24)
Not approved with Rezone

ESTRELLA COMMONS DISTRICT

Northeast corner of Estrella Parkway & Roosevelt Street

City Council Hearing

July 19, 2021

Evergreen Development requests rezoning of approx. 10 acres to General Commercial (C-2) with PAD Overlay and 17 acres to Multifamily (MF-24) with PAD Overlay

Evergreen History

2006 – Estrella Crossroads opens (NEC Estrella & Van Buren)

2008 – Goodyear Centerpointe opens (SEC Pebble Creek & McDowell)

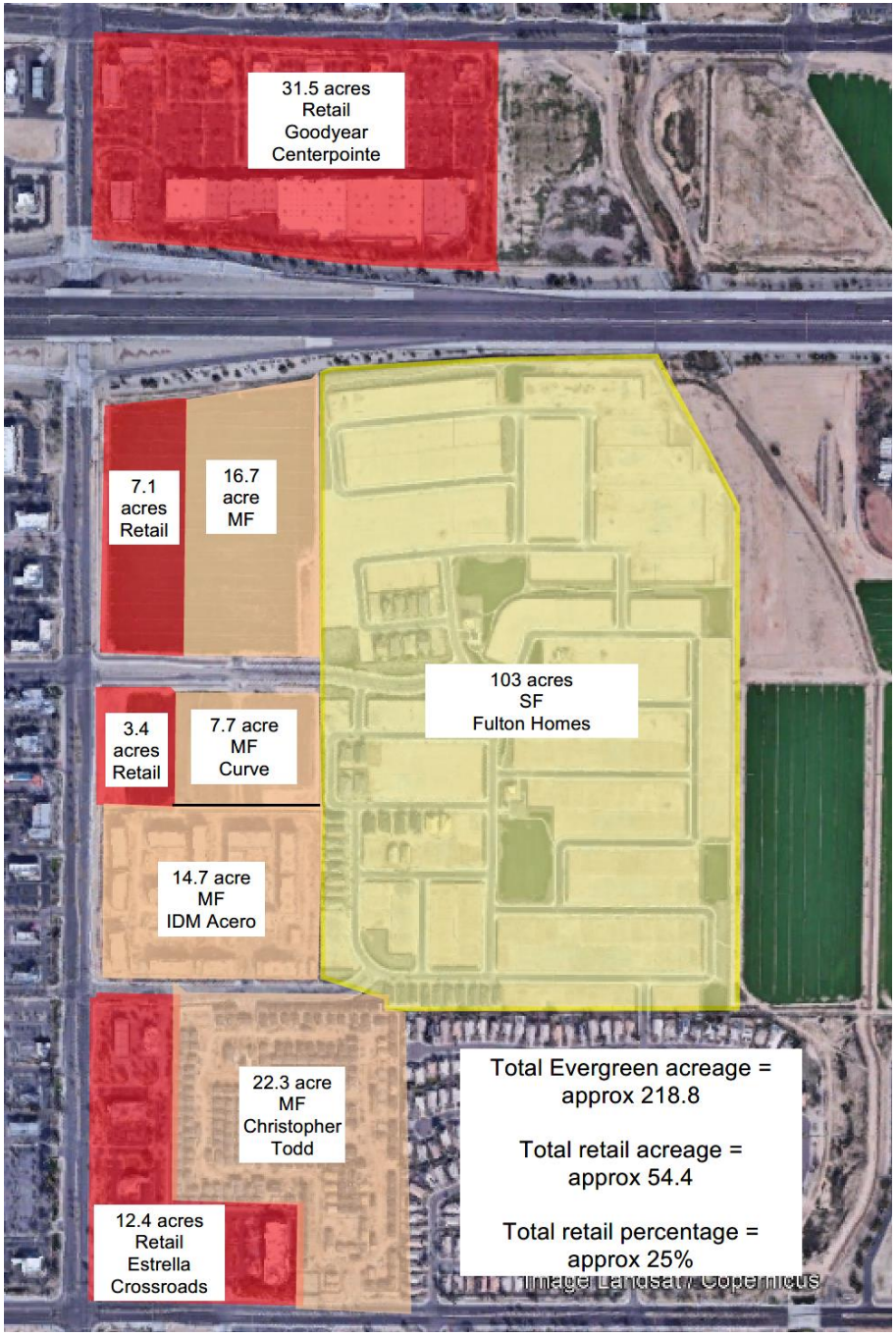
2018 – Fulton Homes North Shore at Estrella breaks ground

2018 – Christopher Todd Communities at Estrella Commons breaks ground

2019 – IDM's Acero Estrella Commons apartment community breaks ground

2020 – Aldi opens (SEC Estrella & Roosevelt)

2020 – Curve's Cyrene at Estrella breaks ground


31.5 acres
Retail
Goodyear
Centerpointe
7.1
acres
Retail
16.7
acre
MF
103 acres
SF
Fulton Homes
3.4
acres
Retail
7.7 acre
MF
Curve
14.7 acre
MF
IDM Acero
22.3 acre
MF
Christopher
Todd
12.4 acres
Retail
Estrella
Crossroads
Total Evergreen acreage =
approx 218.8
Total retail acreage =
approx 54.4
Total retail percentage =
approx 25%
Image Landsat / Copernicus

Site History

- Under Evergreen control via ground lease option since 2004
- Original Preliminary PAD approval in 2006
- Multiple, unsuccessful efforts to develop the Site over the years
  - Great Recession
  - Ground lease structure
  - Failed financing by end-users
  - Over saturation of retail
  - Shrinking retailers (size and number)
  - Backfilling empty spaces
  - Lack of office interest

EXISTING 12'-0" HIGH SOUND WALL
TRANSITION FROM 12'-0" HIGH TO 6'-0" HIGH WALL
EXISTING 6'-0" HIGH CMU WALL
12'-0" HIGH EXISTING SOUND WALL ENDS
NEW 12'-0" HIGH PERIMETER WALL
NEW 3'-0" WIDE PEDESTRIAN GATE
NEW 6'-0" HIGH WALL
NEW 3'-0" WIDE PEDESTRIAN GATE AND PIERS, TYP.
NEW 3'-0" WIDE PEDESTRIAN GATE AND PIERS, TYP.
NEW DECORATIVE CONCRETE CROSSWALK
NEW ROLLING ACCESS GATE
NEW ENTRY MONUMENT WALL TO MIRROR EXISTING ACROSS ROOSEVELT
ROOSEVELT STREET
ESTRELLA PARKWAY

Evergreen
Development | Services | Investments

NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338
PROJECT NO.: 20085

VERTICA

ESTRELLA COMMONS

PAINT FINISH

Sherwin Williams
SW 6389 "BUTTERNUT"

Sherwin Williams
SW 7040 "SMOKEHOUSE"

Sherwin Williams
SW 2807 "ROOKWOOD
MEDIUM BROWN"

Sherwin Williams
SW 6258 "TRICORN BLACK"

Sherwin Williams
SW 6067 "MOCHA"

Sherwin Williams
SW 7508 "SYCAMORE TAN"

Sherwin Williams
SW 7023 "REQUISITE GRAY"

Sherwin Williams
SW 7036 "ACCESSIBLE BEIGE"

Sherwin Williams
SW 7531 "CANVAS TAN"

Sherwin Williams
SW 7636 "ORIGAMI WHITE"

Sherwin Williams
SW 7005 "PURE WHITE"

WOOD COMPOSITE PANEL

Resysta "BURMA - C08"

HARDIE PLANK SIDING

JAMES HARDIE - PAINTED

NICHIHA ILLUMINATION SERIES
- PAINTED

STOREFRONT

Old Castle Aluminum Storefront
"DARK BRONZE"

Old Castle Aluminum Storefront
"CLEAR ANODIZED"

BRICK VENEER

GLEN-GERY "WHITEHALL"

MERIDIAN BRICK "CITADEL"

STANDING SEAM METAL ROOFING

ATAS "CLASSIC BRONZE"

SITE LIGHTING

Large Viper By Beacon
"DARK BRONZE TEXTURED"

CONCRETE MASONRY UNITS

Precision
"HOPI SANDSTONE"

Precision
"MOJAVE BROWN -
COCOA BROWN"

Precision
"PLUM"

Mesastone
"MOJAVE BROWN"

Mesastone
"HOPI SANDSTONE"

Mesastone
"PLUM"

Trendstone
"DURANGO"

FEATURE WALL

Sedona Blend Founders Finish

EXPOSED AGGREGATE PAVING

BIKE RACK

R-8224-SS by Reliance Foundry
"STAINLESS STEEL"

BENCH

Wilmington Park Bench by Belson Outdoors
"ULTRA SILVER METALIC"

TRASH RECEPTACLE

7924 Precision 40 Gallon Grand Recycle
by Commercial Zone
"STAINLESS STEEL"

Evergreen
Development | Services | Investments

ESTRELLA COMMONS MIXED - USE DEVELOPMENT

NEC Roosevelt Street & Estrella Parkway
Goodyear, AZ 85338

05.03.2021
PROJECT NO.: 20085

VERTICAL
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602.385.1000 www.verticaldesignstudios.com

EXISTING 12'-0" HIGH SOUND WALL
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EXISTING 6'-0" HIGH CMU WALL
12'-0" HIGH EXISTING SOUND WALL ENDS
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NEW ROLLING ACCESS GATE
NEW ENTRY MONUMENT WALL TO MIRROR EXISTING ACROSS ROOSEVELT
ROOSEVELT STREET
ESTRELLA PARKWAY

EXTERIOR PAINT SCHEDULE — PALETTE-C

TAG	MANUFACTURER	COLOR	NOTES
A	SHERWIN WILLIAMS	SW-6148 - WOOL SKEIN	BLDG ACCENT
B	SHERWIN WILLIAMS	SW-6106 - KILIM BEIGE	BLDG COLOR
C	SHERWIN WILLIAMS	SW-9131 - CORNWALL SLATE	BLDG COLOR, CEILING LID
D	SHERWIN WILLIAMS	SW-7615 - SEA SERPENT	ACCENT, METAL WORK

EXTERIOR MATERIAL SCHEDULE

TAG	MATERIAL	MANUFACTURER	PRODUCT NO./ COLOR/ TEXTURE	NOTES
1	1 COAT STUCCO SYSTEM		LIGHT LACE	
2	NOT USED		-	
3	FOAM BAND			FOAM POP OUT
4	METAL AWNING			
5	BRICK VENEER	PACIFIC CLAY	SAN SIMEON - COASTAL SERIES	"V" HORIZ TOOLING
6	METAL GUARD RAILING			

A

B

C

D

5

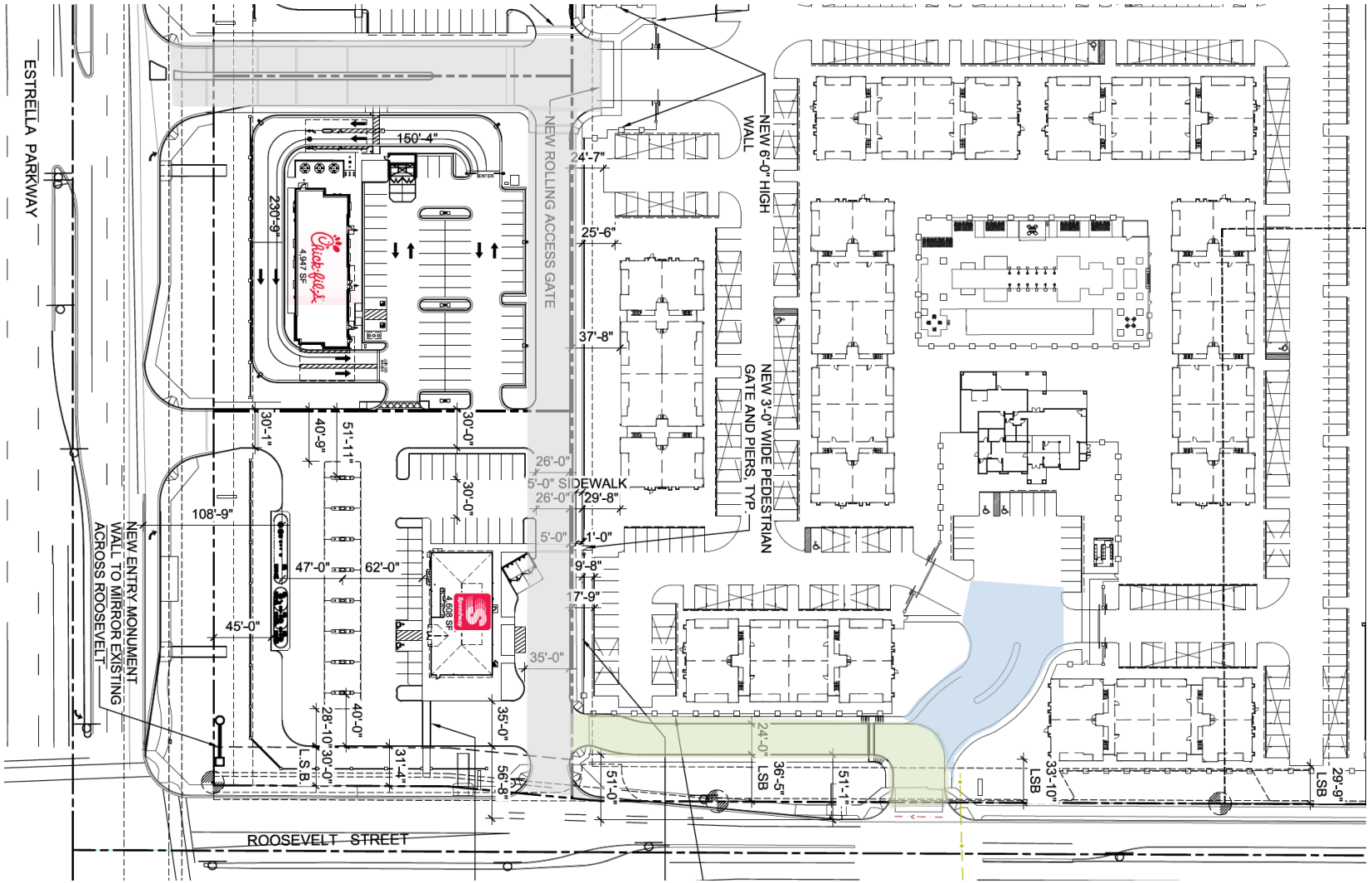
BMA ARCHITECTURE

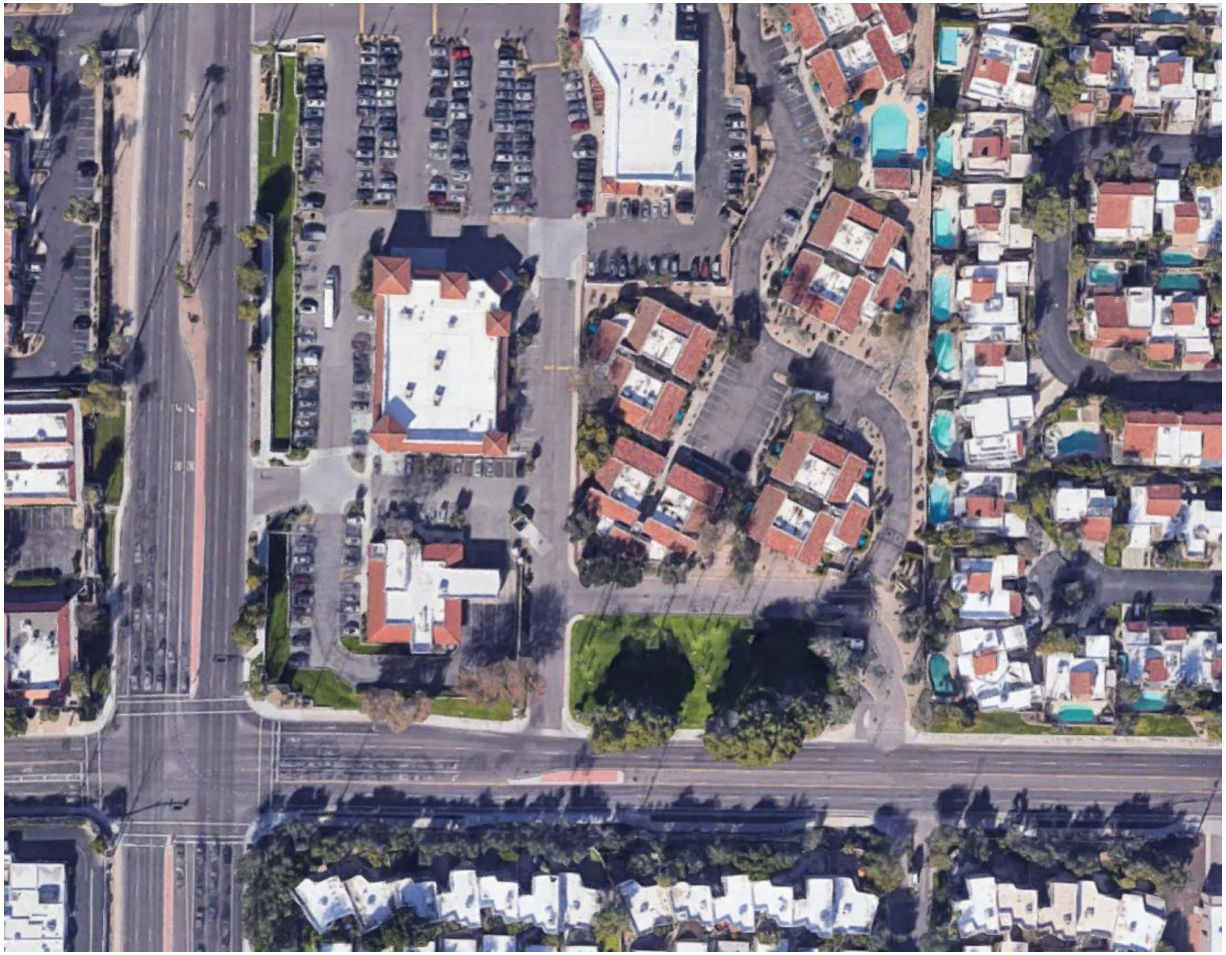
IDM INVEST DEVELOP MANAGE

PROPOSED NEW MULTI-FAMILY APARTMENT PROJECT FOR
IDM
ACERO ESTRELLA II
SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

dwg name: PRELIMINARY MATERIAL/COLOR PALLETTE
dwg no: SD0.01-C
date: 04/27/2021
job no: 2020.08
log no:

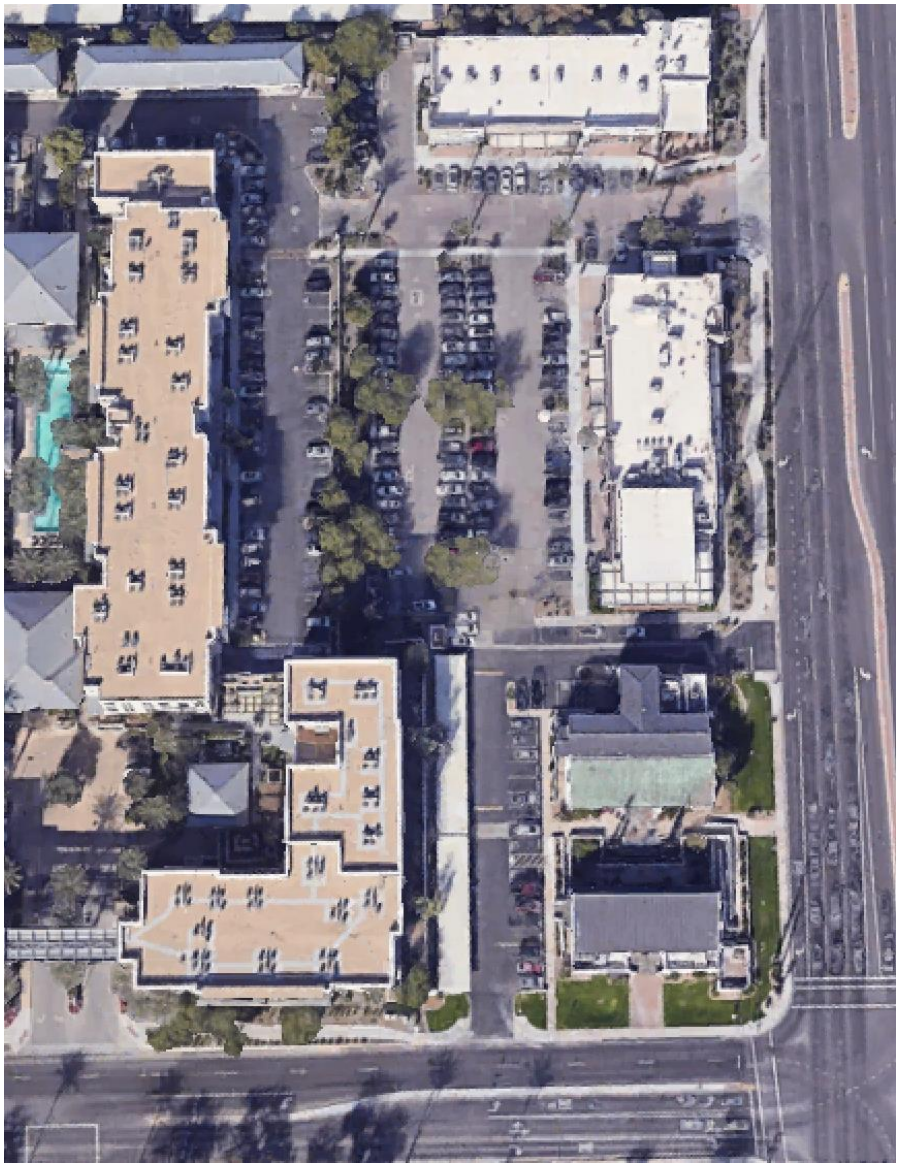
Shared Driveways

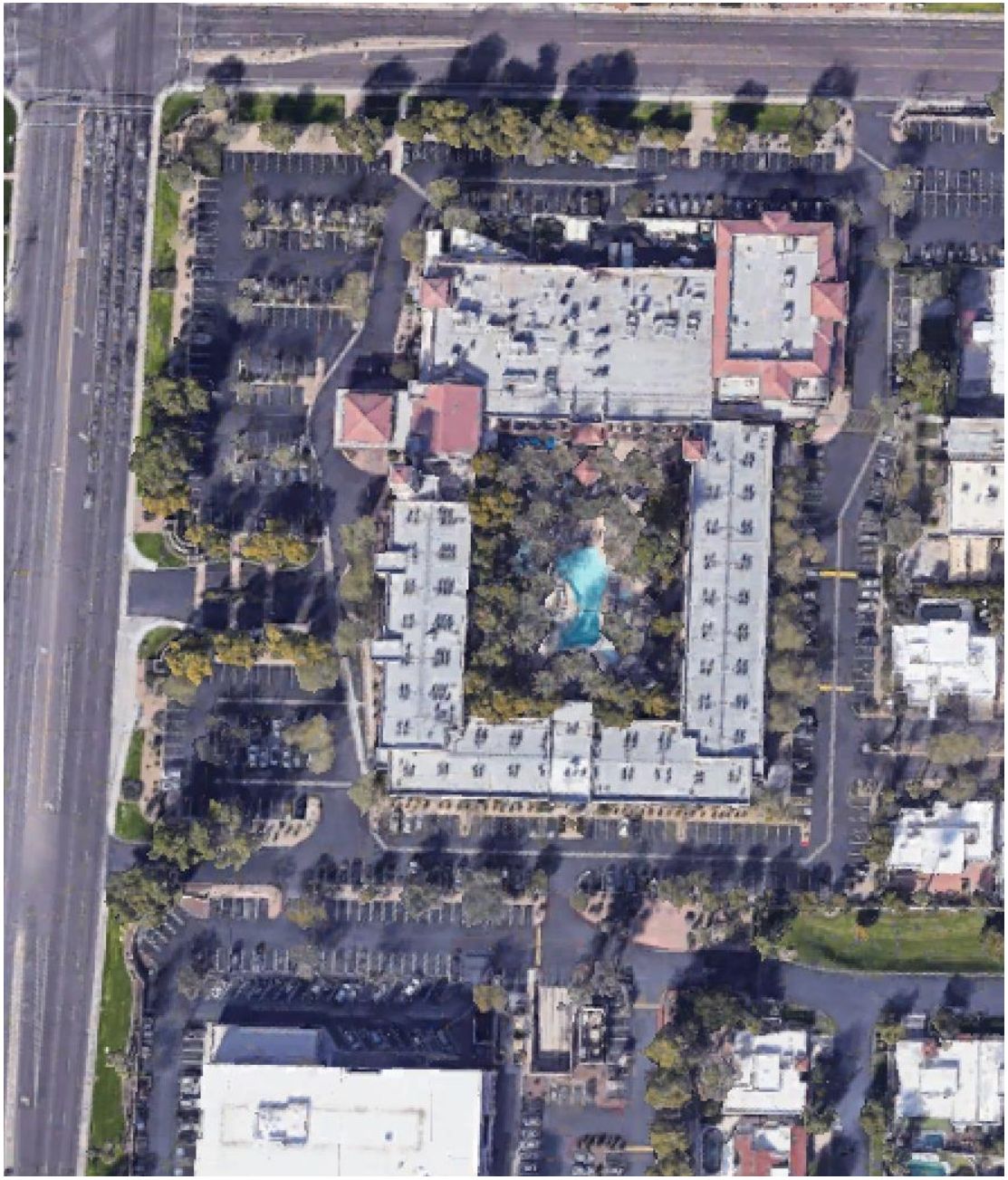




Scottsdale & McDonald (Hilton Village), Scottsdale

Scottsdale & Lincoln (NWC), Paradise Valley

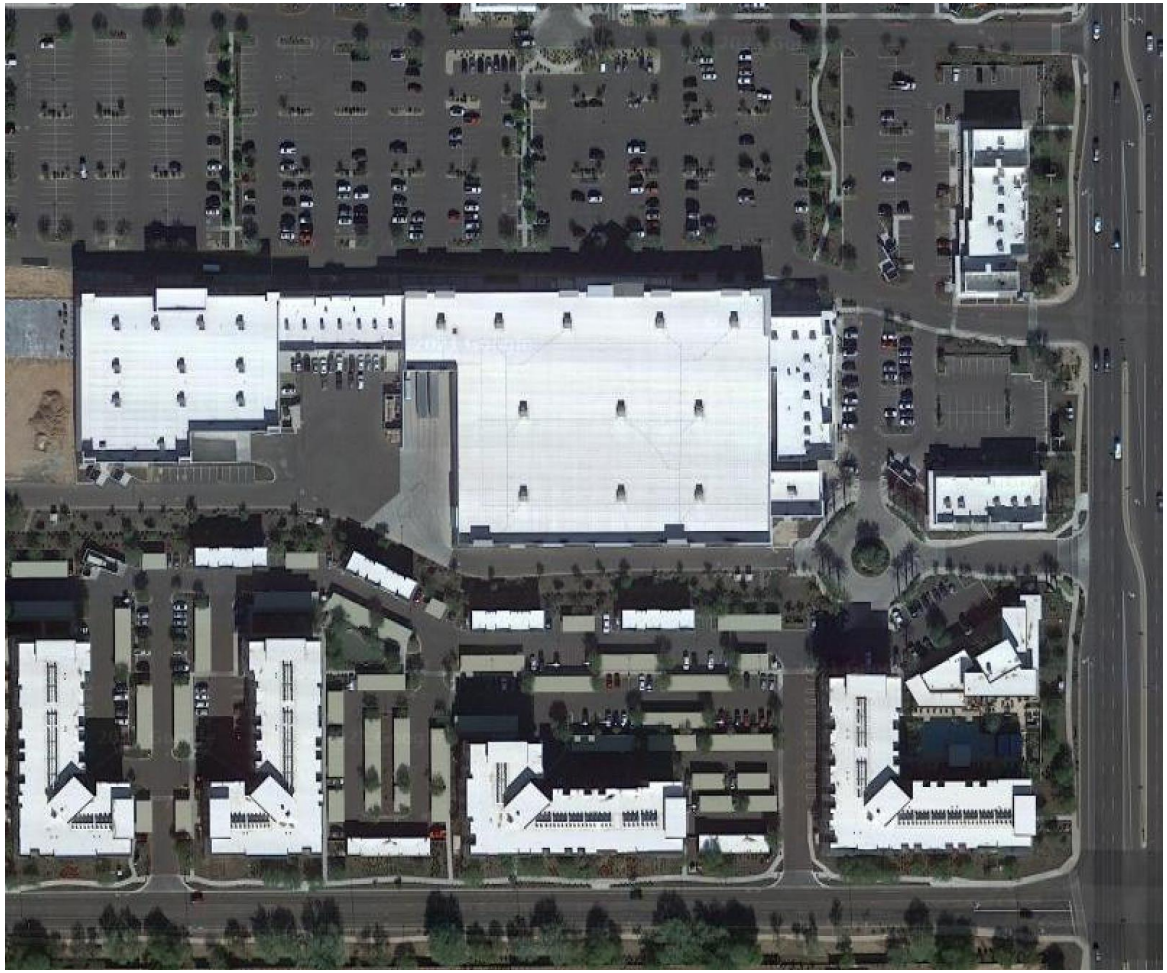




Scottsdale & Lincoln (SEC), Paradise Valley

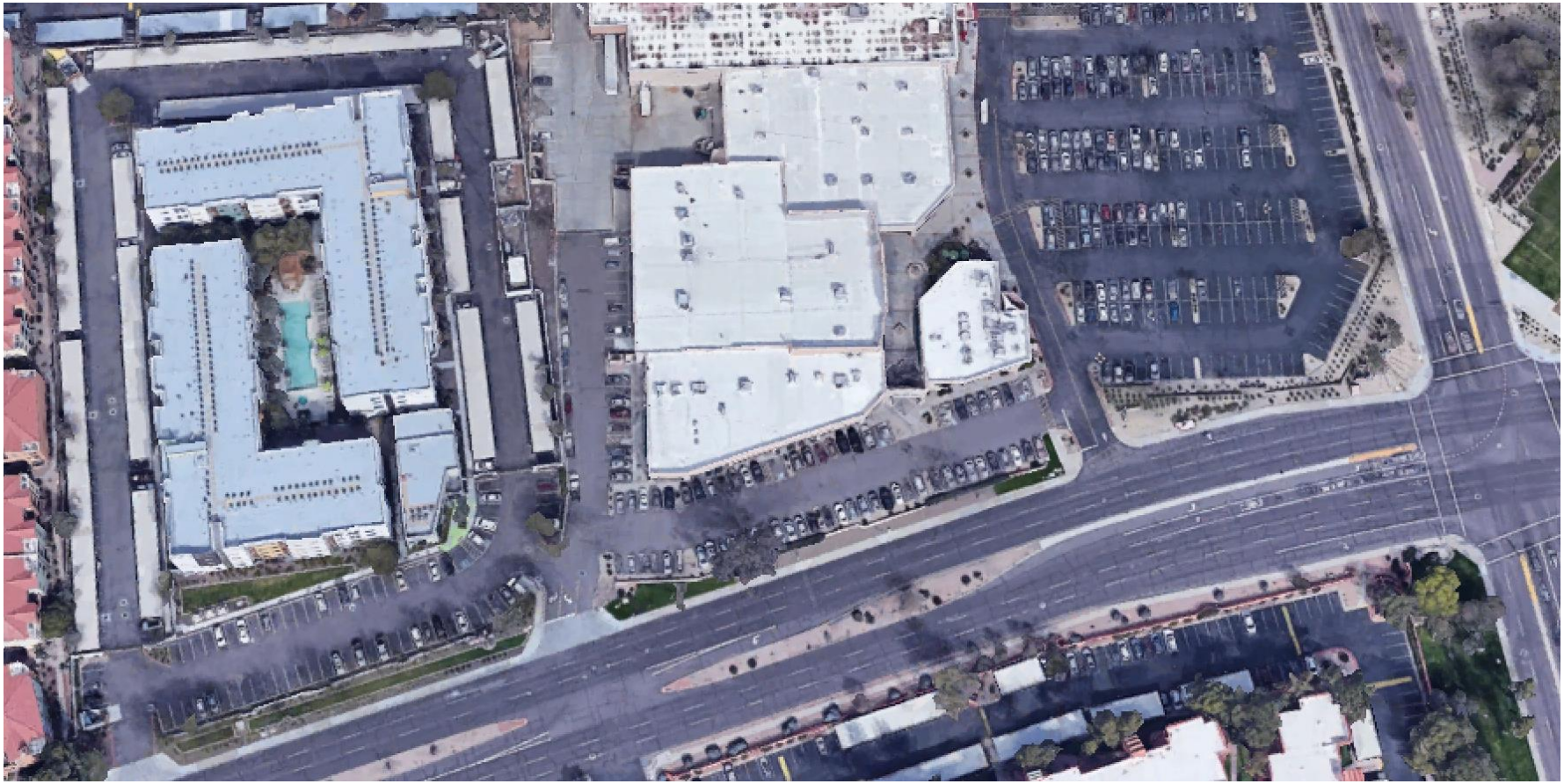
Scottsdale & Gold Dust, Scottsdale

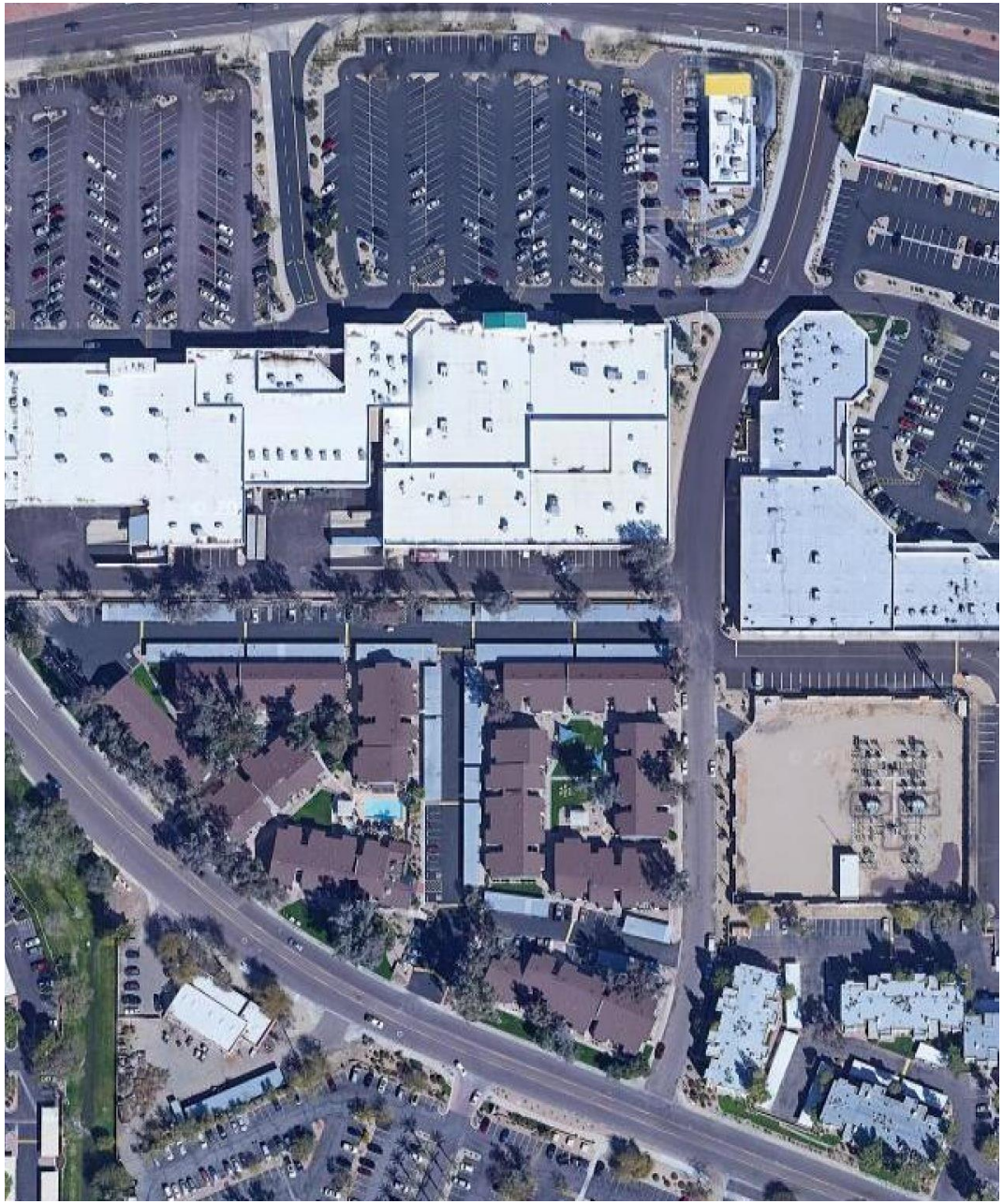
12th Street & Bell, Phoenix



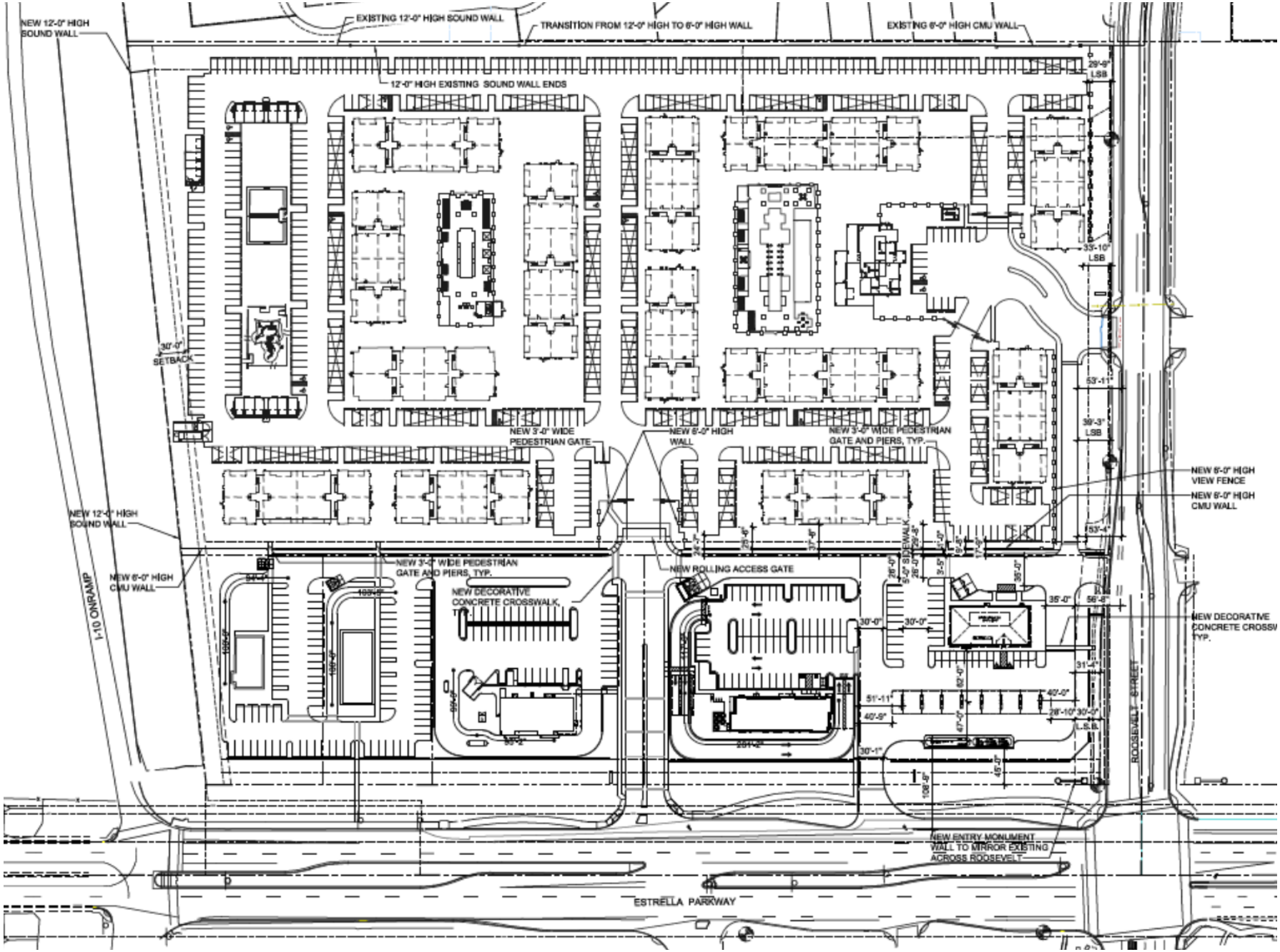
SanTan Pkwy & Boston, Gilbert

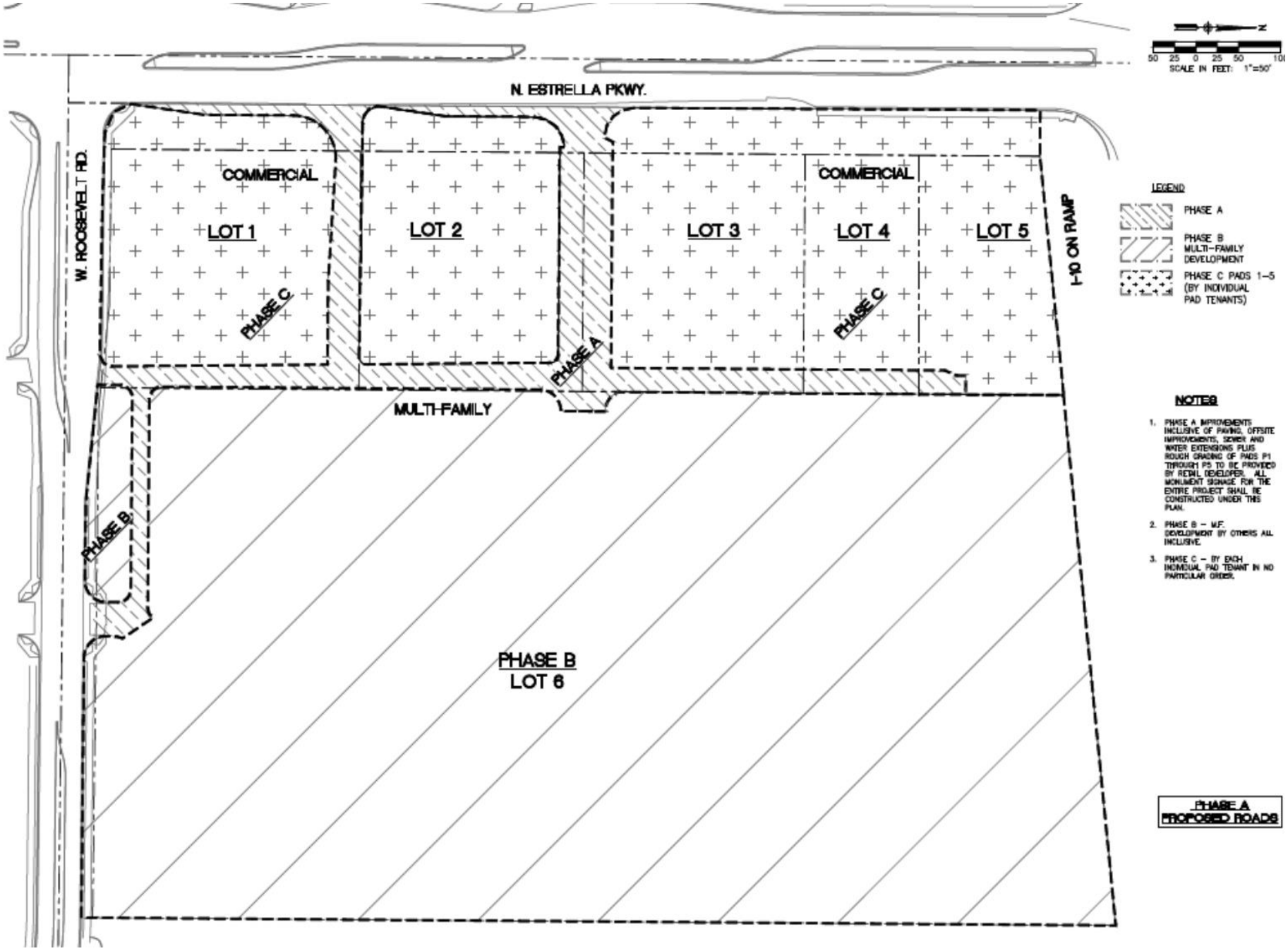
Cactus & Tatum (NWC), Phoenix

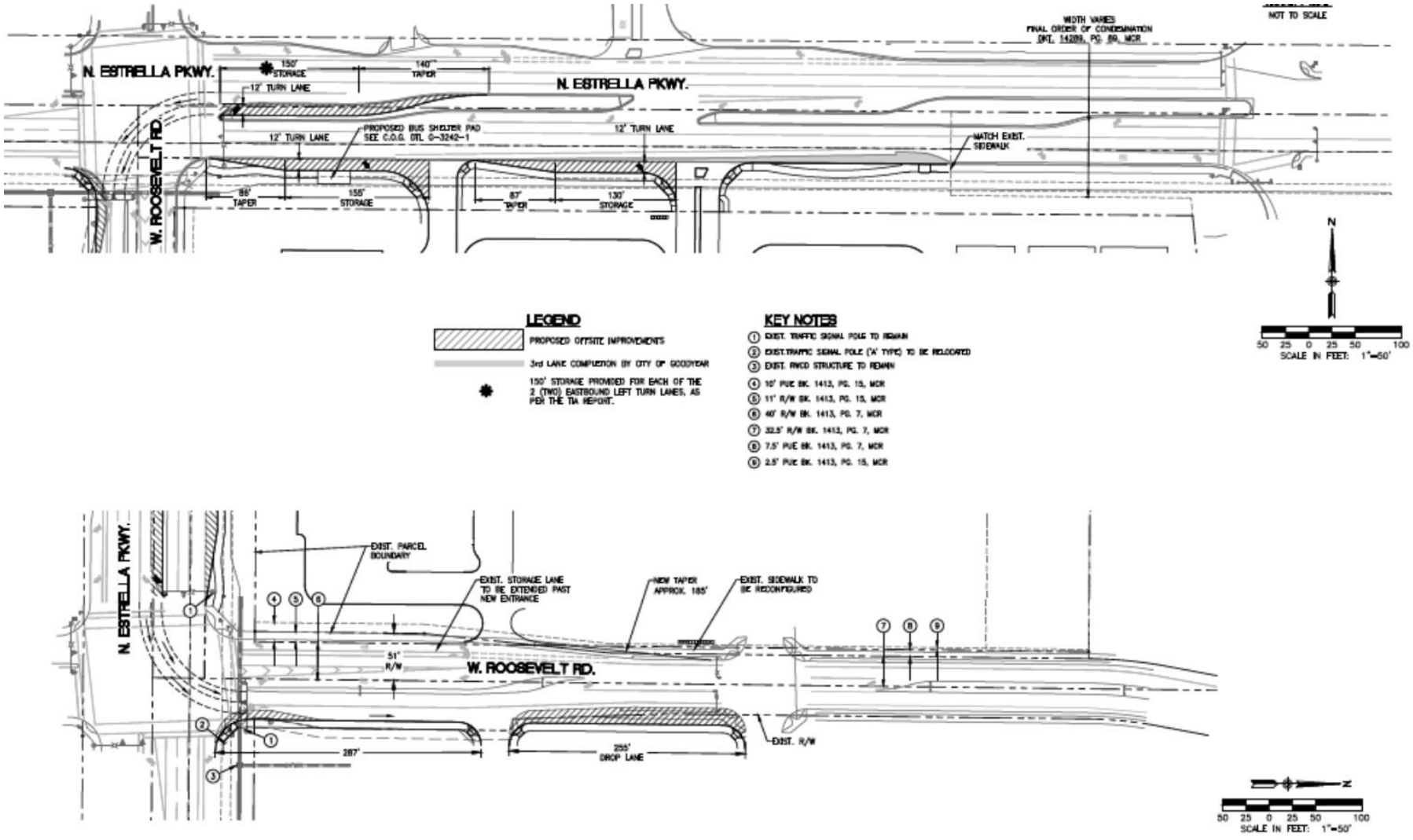


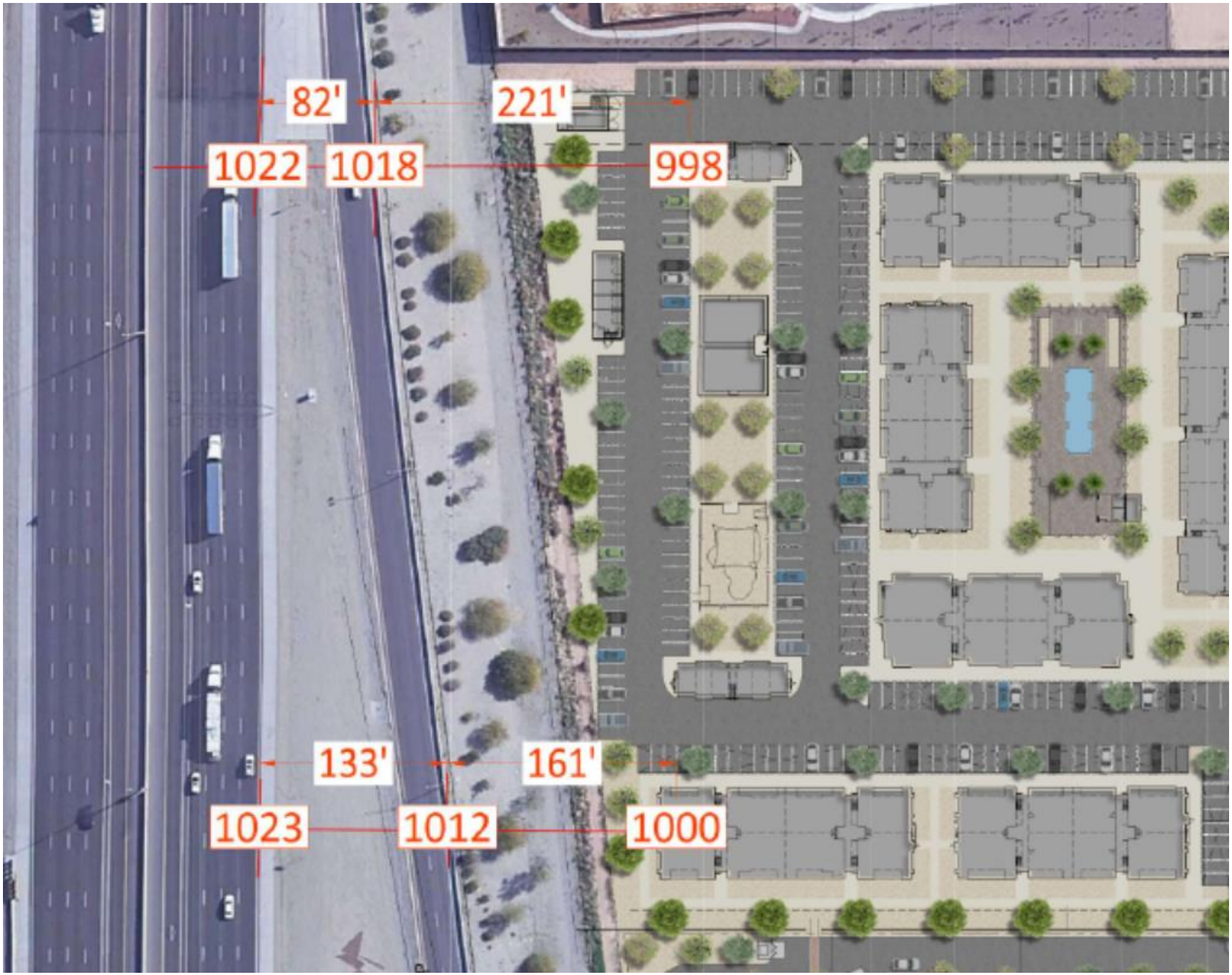


Cactus & Tatum (SEC), Phoenix


NEW 12'-0" HIGH SOUND WALL
EXISTING 12'-0" HIGH SOUND WALL
TRANSITION FROM 12'-0" HIGH TO 6'-0" HIGH WALL
EXISTING 6'-0" HIGH CMU WALL
12'-0" HIGH EXISTING SOUND WALL ENDS
29'-9" LSB
33'-10" LSB
30'-0" SETBACK
53'-1"
39'-3" LSB
NEW 3'-0" WIDE PEDESTRIAN GATE
NEW 6'-0" HIGH WALL
NEW 3'-0" WIDE PEDESTRIAN GATE AND PIERS, TYP.
NEW 6'-0" HIGH VIEW FENCE
NEW 6'-0" HIGH CMU WALL
NEW 12'-0" HIGH SOUND WALL
53'-4"
NEW 6'-0" HIGH CMU WALL
I-10 ONRAMP
NEW 3'-0" WIDE PEDESTRIAN GATE AND PIERS, TYP.
NEW DECORATIVE CONCRETE CROSSWALK, TYP.
NEW ROLLING ACCESS GATE
5'-0" SIDEWALK
35'-0"
56'-8"
NEW DECORATIVE CONCRETE CROSSW TYP.
30'-0"
30'-0"
31'-4"
51'-11"
40'-0"
40'-9"
28'-10"
30'-0"
L.S.B.
30'-1"
46'-0"
ROOSEVELT STREET
NEW ENTRY MONUMENT WALL TO MIRROR EXISTING ACROSS ROOSEVELT
ESTRELLA PARKWAY

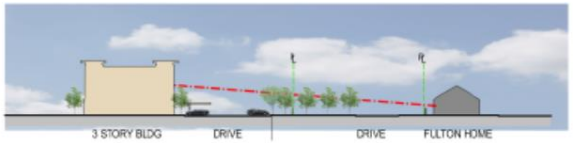

N. ESTRELLA PKWY.
W. ROOSEVELT RD.
I-10 ON RAMP
COMMERCIAL
COMMERCIAL
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
PHASE C
PHASE C
PHASE A
MULTI-FAMILY
PHASE B
PHASE B
LOT 6
LEGEND
PHASE A
PHASE B MULTI-FAMILY DEVELOPMENT
PHASE C PADS 1-5 (BY INDIVIDUAL PAD TENANTS)
SCALE IN FEET: 1"=50'
NOTES
1. PHASE A IMPROVEMENTS INCLUSIVE OF PAVING, OFFSITE IMPROVEMENTS, SEWER AND WATER EXTENSIONS PLUS ROUGH GRADING OF PADS P1 THROUGH P5 TO BE PROVIDED BY RETAIL DEVELOPER. ALL MONUMENT SIGNAGE FOR THE ENTIRE PROJECT SHALL BE CONSTRUCTED UNDER THIS PLAN.
2. PHASE B - M.F. DEVELOPMENT BY OTHERS ALL INCLUSIVE.
3. PHASE C - BY EACH INDIVIDUAL PAD TENANT IN NO PARTICULAR ORDER.
PHASE A
PROPOSED ROADS


N. ESTRELLA PKWY.
W. ROOSEVELT RD.
150' STORAGE
140' TAPER
12' TURN LANE
PROPOSED BUS SHELTER PAD SEE C.O.G. DTL. 0-3242-1
88' TAPER
155' STORAGE
87' TAPER
130' STORAGE
WIDTH VARIES FINAL ORDER OF CONDEMNATION DKT. 14209, PG. 59, MCR
MATCH EXIST. SIDEWALK
NOT TO SCALE
N
50 25 0 25 50 100
SCALE IN FEET: 1"=50'
LEGEND
PROPOSED OFFSITE IMPROVEMENTS
3rd LANE COMPLETION BY CITY OF GOODYEAR
150' STORAGE PROVIDED FOR EACH OF THE 2 (TWO) EASTBOUND LEFT TURN LANES, AS PER THE TIA REPORT.
KEY NOTES
1 EXIST. TRAFFIC SIGNAL POLE TO REMAIN
2 EXIST. TRAFFIC SIGNAL POLE ('A' TYPE) TO BE RELOCATED
3 EXIST. RWCD STRUCTURE TO REMAIN
4 10' PUE BK. 1413, PG. 15, MCR
5 11' R/W BK. 1413, PG. 15, MCR
6 40' R/W BK. 1413, PG. 7, MCR
7 32.5' R/W BK. 1413, PG. 7, MCR
8 7.5' PUE BK. 1413, PG. 7, MCR
9 2.5' PUE BK. 1413, PG. 15, MCR
N. ESTRELLA PKWY.
EXIST. PARCEL BOUNDARY
EXIST. STORAGE LANE TO BE EXTENDED PAST NEW ENTRANCE
NEW TAPER APPROX. 185'
EXIST. SIDEWALK TO BE RECONFIGURED
51' R/W
W. ROOSEVELT RD.
287'
255' DROP LANE
EXIST. R/W
N
50 25 0 25 50 100
SCALE IN FEET: 1"=50'


82'
221'
1022
1018
998
133'
161'
1023
1012
1000

LINE OF SIGHT STUDY - SECTION B

SCALE: 1" = 40'-0"

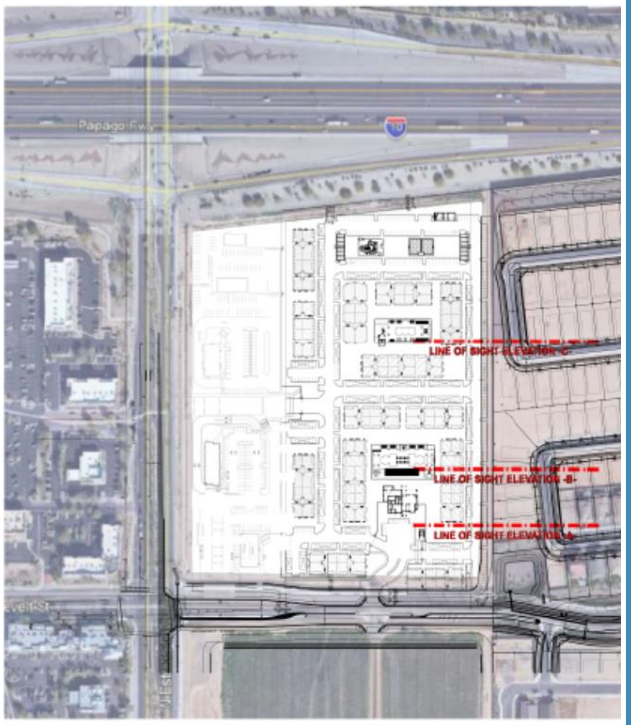


LINE OF SIGHT STUDY - SECTION C

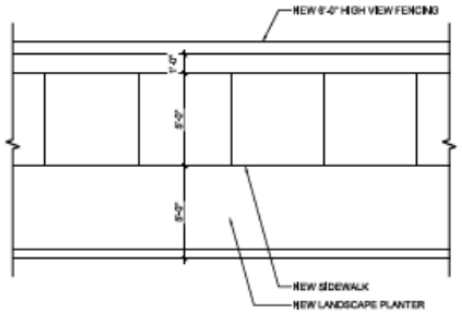
SCALE: 1" = 40'-0"

LINE OF SIGHT STUDY - SECTION A

SCALE: 1" = 40'-0"



VICINITY MAP



5 PLAN AT LANDSCAPE AND SIDEWALK
SCALE: 1/4" = 1'-0"

SEC ESTRELLA PKWY & LOOP 303
GOODYEAR, AZ

APN NUMBER:	-
SITE AREA (GROSS):	17.00 ACRES (740,520 S.F.)
CURRENT ZONING:	PAD
PROPOSED ZONING:	PAD (MF-24)
PROPOSED USE:	MULTIFAMILY - APARTMENTS

DENSITY:

ALLOWED:	24 DU / ACRE
PROVIDED:	352 UNITS/17.00 ACRES = 20.7 D.U./ACRE

MAX BUILDING HT	MAXIMUM	PROVIDED
	40'	40'

ACCESSORY BUILDING	MAXIMUM	PROVIDED
	12'	20'

MAX BUILDING COVERAGE

MAXIMUM	50%
PROVIDED:	21.6% (159,953 SF / 740,520 SF)

PERIMETER BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT (ROOSEVELT ST)	30'	30'
STREET SIDE	30'	30'
SIDE EXCEPT FOR STREET	20'	20'
REAR	30'	30'

SETBACK FROM SINGLE FAMILY RESIDENTIAL	REQUIRED	PROVIDED
BUILDING HT 20 OR LESS	30'	30'
BUILDING HT GREATER THAN 30'	50' + 5' FOR EVERY 1' OVER 30'	65' (33' BLD HT)

PRIVATE OPEN SPACE PER UNIT

MIN REQUIRED	60 SF (MIN 6' WIDTH)
MIN PROVIDED	87 SF (MIN 6' WIDTH)

GROSS UNIT MIX

UNIT TYPE	# OF UNITS	% OF UNITS
A1 - 1 BEDROOM	48 UNITS	14 %
A2 - 1 BEDROOM	90 UNITS	26 %
L1 - 1 BEDROOM	4 UNITS	1 %
B1 - 2 BEDROOM	90 UNITS	26 %
B2 - 2 BEDROOM	108 UNITS	30 %
C1 - 3 BEDROOM	12 UNITS	3 %
TOTAL	352 UNITS	100 %

GROSS PARKING

REQUIRED:	# UNITS	SPACES REQ'D		
GUEST	352	x 1/10	=	35 P.S.
1 BEDROOM	142	x 1.5	=	213 P.S.
2 BEDROOM	198	x 2.0	=	396 P.S.
3 BEDROOM	12	x 2.0	=	24 P.S.
REQUIRED TOTAL:				668 P.S.

PROVIDED:

OPEN STALL	=	309 P.S.
CARPORT STALL	=	348 P.S.
GARAGE	=	14 P.S.
PROVIDED TOTAL:		(1.90 :1) 671 P.S.

Bethany Home

1850 W Bethany Home Rd, Phoenix, AZ 85015
Cross Streets: N 19th Ave & Bethany Home Rd

Note: This store has the drive-drive thru door

405 & Avalon

20501 Avalon Blvd, Carson, CA 90746
Cross Streets: S Avalon Blvd & Carson Plaza Dr

Note: This store has a dual-lane OMD canopy, as proposed at the Estrella Commons.

AGENDA ITEM #: 10.
DATE: 07/19/2021
AI #:353

CITY COUNCIL ACTION REPORT

SUBJECT: PLANNED AREA DEVELOPMENT AMENDMENT TO AMEND THE RESTATED AND AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH

STAFF PRESENTER(S): Karen Craver, AICP, Principal Planner

SUMMARY

A Planned Area Development (PAD) Amendment to add approximately 14 acres at the southeast corner of Estrella Parkway & Lower Buckeye Parkway to the existing 254.5-acre Ballpark Village & Ballpark Village - South PAD on the east side of Estrella Parkway south of Yuma Road, and to rezone the approximately 14 acres to the existing PAD underlying RES/MXD zoning designation.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2173 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-01A”; “LEGAL DESCRIPTION”; AND RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH DATED JULY 2021”.

2. ADOPT ORDINANCE NO. 2021-1513 CONDITIONALLY REZONING APPROXIMATELY 268.5 GROSS ACRES LOCATED ON THE EAST SIDE OF ESTRELLA PARKWAY, BETWEEN BULLARD AVENUE AND JUST NORTH OF W. GOODYEAR BOULEVARD TO ADD APPROXIMATELY 14 ACRES TO THE EXISTING 254.5-ACRE RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH; TO REZONE THE APPROXIMATELY 14 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; TO CLARIFY AND CONSOLIDATE THE EXISTING PAD RESIDENTIAL PERMITTED USES TABLE; TO UPDATE THE EXISTING PAD LAND USE SUMMARY; AND TO REVISE THE EXISTING PAD BUILDING TYPES TO MORE APPROPRIATELY IDENTIFY THEM AS LAND USE TYPES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Karen Craver, Principal Planner)

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer-term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

In May of 2007, the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines was approved by the City Council, facilitating the development of the Goodyear Ballpark, the Cleveland Indians Development Complex, and the Cincinnati Reds Development Complex.

In December of 2014, Communities Southwest (CSW) purchased all non-City owned property within the PAD, and, in May of 2017, City Council rezoned the property by adopting Ordinance No. 17-1347 approving the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017 (the "2017 PAD). The 2017 PAD, among other things, changed the approved land use within Ballpark Village – South from business/office park to single and multi-family residential, and CSW then sold the Ballpark Village – South property.

In 2021, El Dorado Ballpark Village LLC, which purchased approximately 43 acres in Ballpark Village – South, processed a PAD Amendment to modify the multi-family density ranges and maximum building heights in Ballpark Village – South. The PAD Amendment was approved by the City Council on March 1, 2021, with the adoption of Ordinance No. 2021-1494.

This staff-initiated PAD Amendment has not previously been presented to the City Council.

STAFF ANALYSIS

Current Policy:

A request to amend an approved PAD must be processed as a rezoning request, which requires public review by the Planning and Zoning Commission and public review and approval by the City Council. The proposed amendment must be consistent with the General Plan and should not adversely impact the surrounding area.

Details of the Staff-initiated Amendment:

Ballpark Village and Ballpark Village – South is separated by 14 acres of undeveloped property located at the southeast corner of Estrella Parkway and Lower Buckeye Parkway. The 14 acres is currently included in the City Center Airpark Planned Area Development (PAD) approved in December 2006. Approximately 6 of the 14 acres is designated as C-2, General Commercial and approximately 8 of the 14 acres is designated as I-1, Light Industrial zoning. Given its location and because of the prior rezoning of Ballpark Village South to residential, staff believed that the 14 acres was more appropriately zoned for uses consistent with the Ballpark Village & Ballpark Village – South PAD. Staff sought and received approval from SunMP to rezone the 14 acres. After receiving SunMP's approval, staff initiated this rezoning request.

The purpose of the proposed rezoning is two-fold. The first is to include 14 acres located at the southeast corner of Estrella Parkway and Lower Buckeye Parkway into the Ballpark Village & Ballpark Village – South PAD and allow it to be developed under the existing RES/MXD land use category. The second purpose of the proposed rezoning is to clean up the PAD.

There are redundancies in the PAD which are being eliminated in the proposed Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South PAD dated July 2021 (the "July 2021 PAD"). Minor modifications to the development standards are included in the proposed July 2021 that eliminate the cap on the maximum number of residential dwelling units. The number of residential dwelling units that can be developed will be limited by applicable density ranges and applicable development standards (i.e. open space requirements, set-backs, etc.). Similarly, the proposed July 2021 PAD further clarifies that there are no maximum densities for the RES/MXD and MXD land use categories. The 14 acres to be developed at whatever density can be attained within the applicable development standards (i.e., minimum lot area, width, building setbacks, open space, maximum building height, and coverage).

Finally, the proposed July 2021 PAD eliminates inconsistencies by modifying definitions and the existing residential permitted use matrix to distinguish residential permitted land uses from building types. For instance, under the current PAD, apartments, which are probably the most common type of multi-family building type, were not permitted in certain residential zoning categories, but other building types essentially undistinguishable from apartments, flats and stacked flats were permitted and also permitted in all residential categories were "similar residential uses that meet the intent of this PAD." To clear up the inconsistences, the proposed July 2021 PAD identifies as permitted land uses more general categories of land uses such as detached & attached single family and multi-family as land use types rather than building types. Under the proposed July 2021 PAD, any building type that is consistent with the land use category can be developed. This approach is consistent with development under the City Zoning Ordinance. In addition, a definition was added for Residential Mixed-Use, which is currently a permitted land use, but had not been specifically defined.

Evaluation Criteria:
Per the city of Goodyear Zoning Ordinance, the city's review and recommendation on a zoning amendment is to be guided by the following criteria:

1. Consistency with the General Plan

The existing Business/Commerce General Plan designation with a Transit Oriented Development Overlay allows high density residential development in order to support the commercial, entertainment, and public & community facilities within the designation. This proposed PAD amendment is consistent with the designation.

2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.

This proposed PAD amendment is consistent with the current suitability of the subject property's physical and natural features for the permitted uses in the PAD.

3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.

Uses and development surrounding the subject property include:

· North – The approved undeveloped southeast quadrant of the City Center PAD
· South – The Imsamet metal recycling facility zoned I-2 General Industrial
· East – The approved undeveloped City Center Airpark PAD and the Phoenix-Goodyear Airport
· West – The Estrella Vista single family neighborhood and the approved undeveloped Avion at Ballpark Village PAD

4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under the current zoning.

This proposed PAD amendment is consistent with the current land uses within the immediate area, and this PAD amendment does not change the current permitted uses within the PAD.

5. Demand for the types of uses permitted in the proposed zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

This PAD amendment does not change the current permitted uses within the PAD.

6. Demands for public services that will be generated by the uses permitted in the proposed zoning district.

Fire Response:
The subject property will continue to be served by Fire Station No. 184/181 located at 16161 West Yuma Road, or by Fire Station No. 185 at PebbleCreek Parkway and Clubhouse Drive.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Goodyear Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	5.99	3.00	5.99	3.00	#183	6.91	3.46	6.91	3.46

Police Response:
The property is located within an existing police patrol beat and the current level of service within the beat can accommodate the development of the property as proposed. This proposed PAD amendment does not impact the ability of the department to serve the property.

Streets/Transportation:
This PAD amendment does not change the existing, approved, or planned PAD access points on Estrella Parkway, Lower Buckeye Parkway, or Wood Boulevard. The final location of all access points will be determined during plat and/or site plan review and approval.

Water/Wastewater:
With this PAD amendment the subject property will continue to be served by the city of Goodyear. All infrastructure necessary to serve the subject property will continue to be required to be installed by the property owner and/or developer.

7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.

This PAD amendment does not change the requirement that the extension of utility lines needed to serve the property will be the responsibility of the property owner and/or developer as part of the development process.

8. General public concerns.

Public Participation:
In accordance with the city's Citizen Review Process, and to accommodate State and local provisions for social distancing as a result of COVID-19, an alternative notification process was used for this PAD amendment. A formal citizen review meeting was not held, but notice providing information on the staff-initiated amendment was mailed to the owners of property within 500 feet of the subject property and other stakeholders. To date, staff received two inquires as a result of this notice; one from a nearby resident who was in support of the amendment, and the other from a property owner within Ballpark Village who did not voice an opinion.
Notice for the public hearings before the Planning and Zoning Commission and City Council on July 7, 2021 and July 19th, 2021, respectively, included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice published in the Arizona Republic Southwest Edition on June 18, 2021; and a notice of public hearings sign posted on the subject property. Information on the staff-initiated amendment and these public hearings was also posted on the city's website. To date, staff has received no additional inquiries from the notifications.

Planning and Zoning Commission:
At its meeting on July 7, 2021, following a presentation by staff, and an acknowledgement by the representative of the property owner that the owner is in support of this PAD Amendment and in agreement with the stipulations in Ordinance No. 2021-1513, the Commission voted 6 to 0 to recommend approval of this PAD Amendment. No member of the public spoke regarding the amendment.

9. Whether the amendment promotes orderly growth and development.

This PAD amendment will promote continued orderly growth and development within the PAD by allowing an increase in the residential density that will in turn serve to attract commercial and entertainment uses to the PAD.

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.

This PAD amendment will not impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.

Recommendation

Pursuant to the evaluation of this proposed PAD Amendment, staff recommends approval of the conditional rezoning of the property by amending the existing PAD (Planned Area Development) as enacted by Ordinance No. 2021-1494, in accordance with that certain document titled Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South dated July 2021, subject to the stipulations in Ordinance No. 2021-5113.

Attachments

Resolution
Exhibit A. Supplementary Zoning Map
Exhibit B. Legal Description
Exhibit C. Amended PAD
Ordinance
Aerial Photo
Staff Presentation

RESOLUTION NO. 2021-2173

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-01A"; "LEGAL DESCRIPTION"; AND RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH DATED JULY 2021".

Now, therefore, be it resolved by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 21-01A", a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Legal Description", a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South dated July 2021", a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of zoning Ordinance No. 2020-1513.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2021-2173 is a true, correct and accurate copy of Resolution No. 2021-2173, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said resolution.

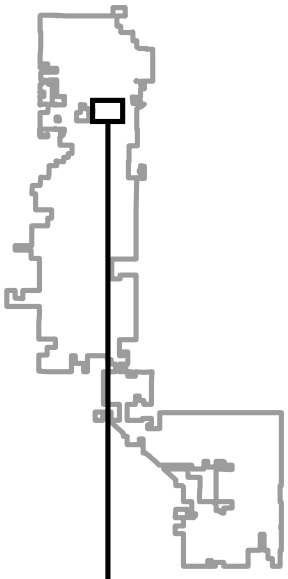
Given under my hand and sealed this _____day of _____, 20____.

seal

_____
City Clerk

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-01A

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2021.

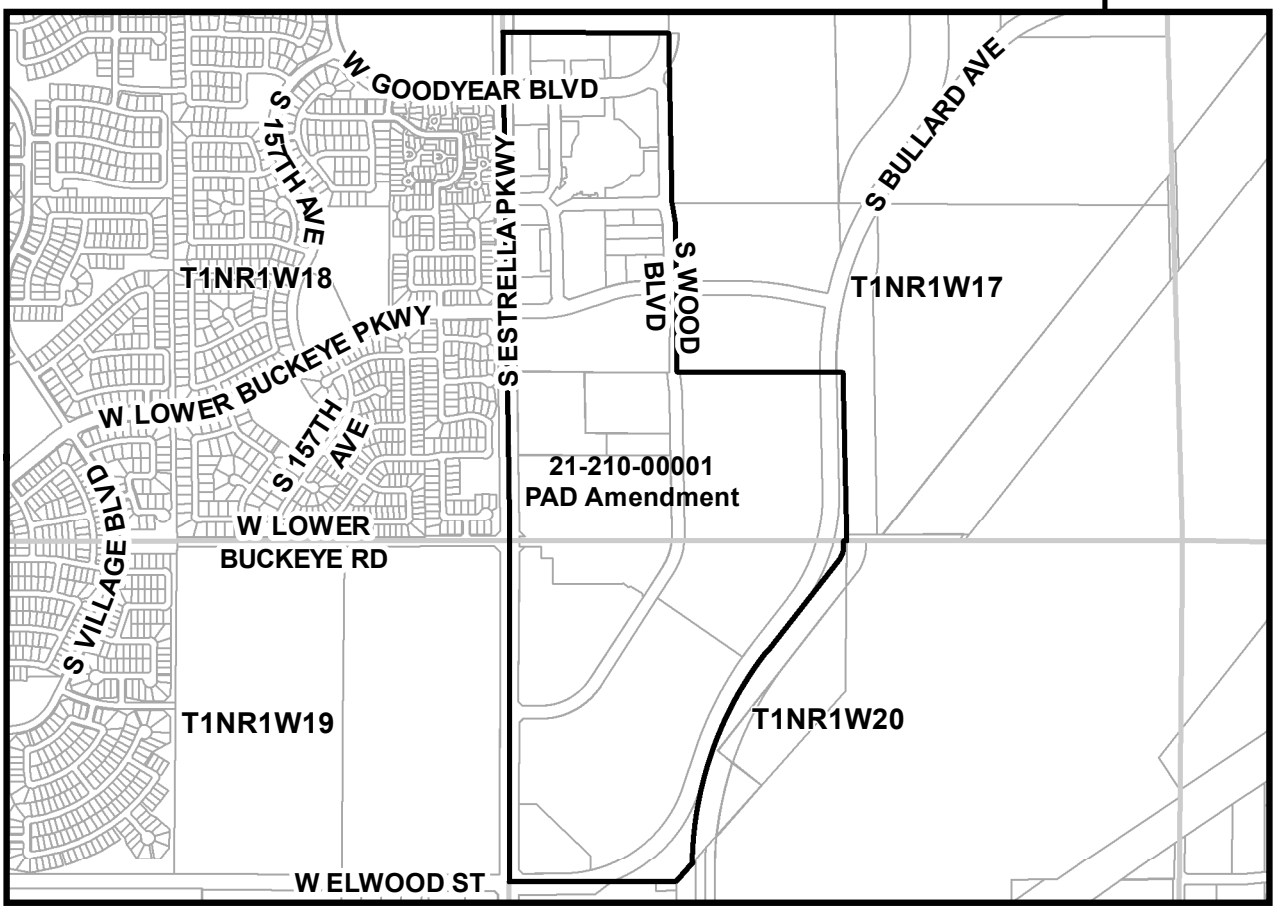


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

Portions of the west half and southwest quarter of Section 17 and a portion of the northwest quarter of Section 20, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	REZONE FROM PAD TO PAD AMENDMENT 21-210-00001	June 2021

EXHIBIT B
LEGAL DESCRIPTION

254.5-ACRE EXISTING PAD

PARCEL 1 (NORTH PARCEL)

THAT PORTION OF THE WEST HALF OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 17, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE SOUTHWEST CORNER OF SAID SECTION 17, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS SOUTH 00°49’43” EAST, A DISTANCE OF 2651.36 FEET;

THENCE NORTH 00°50’40” WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1324.87 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 89°35'29" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1298.85 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 01°04'08" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 A DISTANCE OF 1321.62 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTH 09°50'48" EAST, A DISTANCE OF 144.81 FEET;

THENCE SOUTH 01°58'08" EAST, A DISTANCE OF 518.89 FEET TO A POINT ON THE CENTERLINE OF LOWER BUCKEYE PARKWAY, AS SHOWN ON THE MAP OF DEDICATION RECORDED IN BOOK 332 OF MAPS, PAGE 4, MARICOPA COUNTY RECORDS;

THENCE ALONG SAID CENTERLINE FOR THE FOLLOWING 5 COURSES AND DISTANCES:

THENCE NORTH 89°44'22" WEST, A DISTANCE OF 219.85 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1000.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°25'13", AN ARC DISTANCE OF 321.49 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 71°50'25" WEST, A DISTANCE OF 262.45 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1000.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°19'59", AN ARC DISTANCE OF 302.52 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°10'24" WEST, A DISTANCE OF 251.57 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE NORTH 00°49'43" WEST, ALONG SAID WEST LINE, A DISTANCE OF 851.21 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,725,383 SQ.FT., OR 62.5662 ACRES, MORE OR LESS.

(CONTINUED ON NEXT PAGE)

PARCEL 2 (SOUTH PARCEL)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 17 AND THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE WEST QUARTER CORNER OF SAID SECTION 20, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS SOUTH 00°07’05” WEST, A DISTANCE OF 2661.36 FEET;

THENCE NORTH 00°49'43" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1325.68 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE SOUTH 89°53'49" EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 2618.96 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 01°18'14" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1318.72 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 20;

THENCE SOUTH 89°56'47" WEST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 24.72 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°31'31" WEST, A DISTANCE OF 59.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE WESTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 89°28’22” WEST, A RADIAL DISTANCE OF 125.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 37°35'35", AN ARC DISTANCE OF 82.02 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 38°07'13" WEST, A DISTANCE OF 915.86 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE EASTERLY AND HAVING A RADIUS OF 2750.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 37°14'44", AN ARC DISTANCE OF 1787.66 FEET TO A POINT;

THENCE SOUTH 41°39'36" WEST, A DISTANCE OF 195.41 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE SOUTH 89°43'04" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1301.90 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 20;

THENCE NORTH 00°07'05" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 2661.36 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8,358,797 SQ.FT., OR 191.8916 ACRES, MORE OR LESS.

TOTAL AREA (PARCEL 1 + PARCEL 2) = 11,084,180 SQ.FT., OR 254.4578 ACRES, MORE OR LESS.

14-ACRE ADDITION TO EXISTING PAD

The Northwest quarter of the Southwest quarter of Section 17, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona.

Except the West 75 feet; and

ALSO Except any portion lying North of the South right-of-way line of the Lower Buckeye Parkway as shown on the Lower Buckeye Parkway Map of Dedication recorded in Book 332 of Maps, Page 4, records of Maricopa County, Arizona; and

ALSO Except any portion conveyed to the City of Goodyear, Arizona in Right -Of-Way Dedication recorded in Document No. 2007-1113993, records of Maricopa County, Arizona, described as follows:

That portion of the Southwest quarter of said Section 17, described as follows:

Commencing at the Southwest corner of said Section 17, monumented by a brass cap in handhole, from which the West quarter corner of said Section 17, monumented by a brass cap in handhold, bears as a basis of bearings North 00 degrees 49 minutes 43 seconds West, a distance of 2651.36 feet;

Thence North 00 degrees 49 minutes 43 seconds West along the Westerly line of the Southwest quarter of said Section 17, a distance of 1305.10 feet;

Thence North 89 degrees 10 minutes 17 seconds East, a distance of 1265.94 feet to the TRUE POINT OF BEGINNING;

Thence North 00 degrees 06 minutes 07 seconds East, a distance of 589.90 feet;

Thence North 44 degrees 49 minutes 07 seconds West, a distance of 22.66 feet to a point lying on the Southerly right of way line of Lower Buckeye Parkway as shown on Map of Dedication recorded in Book 332 of Maps, Page 4, Maricopa County Records;

Thence South 89 degrees 44 minutes 22 seconds East along said Southerly right of way line, a distance of 92.00 feet;

Thence departing said right of way line South 45 degrees 10 minutes 53 seconds West, a distance of 22.60 feet;

Thence South 00 degrees 06 minutes 07 seconds West, a distance of 589.73 feet;

Thence North 89 degrees 53 minutes 49 seconds West, a distance of 60.00 feet to the POINT OF BEGINNING; and

ALSO Except any portion conveyed to the City of Goodyear, Arizona in Right -Of-Way Dedication recorded in Document No. 2008-278500, records of Maricopa County, Arizona, described as follows:

That portion of the North half of the Southwest quarter of said Section 17, described as follows:

Commencing at the brass cap in handhole marking the Southwest corner of said Section 17, from which the brass cap in handhold marking the West quarter corner of said Section 17 bears North 00 degrees 00 minutes 00 seconds West, a distance of 2651.18 feet;

Thence North 00 degrees 00 minutes 00 seconds West, along the West line of the Southwest quarter of Section 17, a distance of 1325.59 feet to the Southwest corner of the North half of the Southwest quarter of said Section 17;

Thence South 89 degrees 04 minutes 42 seconds East, along the South line thereof, a distance of 1326.11 feet to a point on the Easterly right-of-way line of South Wood Boulevard as recorded in Document No. 2007-1113993, Maricopa County Records;

Thence along said Easterly right-of-way line the following courses:

Thence North 00 degrees 55 minutes 18 seconds East, a distance of 320.91 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 00 degrees 55 minutes 18 seconds East, a distance of 268.83 feet;

Thence North 46 degrees 00 minutes 03 seconds East, a distance of 22.60 feet to a point on the Southerly right-of-way line of Lower Buckeye Parkway, recorded in Book 332 of Maps, Page 4, Maricopa County Records;

Thence South 88 degrees 55 minutes 11 seconds East, along said Southerly right-of-way line, a distance of 8.00 feet;

Thence South 46 degrees 00 minutes 03 seconds West departing said Southerly right-of-way line, a distance of 22.60 feet to a point on a line which is parallel with and 8.00 feet Easterly, as measured at right angle, from said Easterly right-of-way line of South Wood Boulevard;

Thence South 00 degrees 55 minutes 18 seconds West, along said parallel line, a distance of 148.81 feet;

Thence South 04 degrees 44 minutes 09 seconds West, departing said parallel line, a distance of 120.27 feet to the POINT OF BEGINNING.

Containing 13.98 acres.
Total acreage of Parcels 1, 2 and added 14 acres: 254.5 + 14 = 268.5 Acres

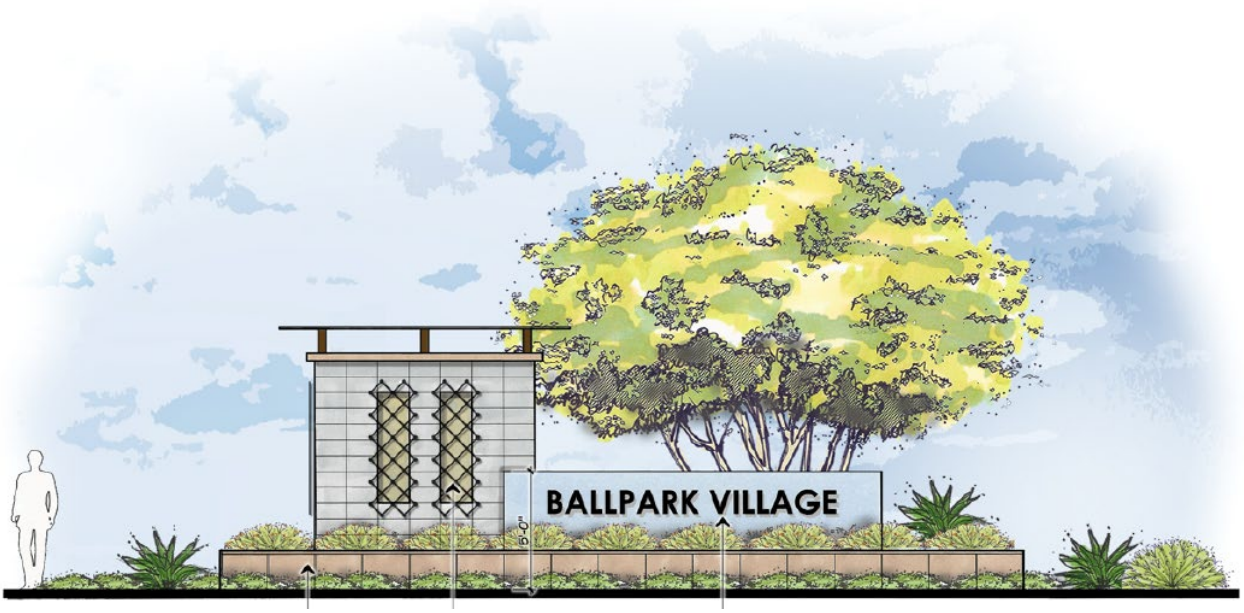
Exhibit C

Restated and Amended
Final Planned Area Development

for

Ballpark
Village & Ballpark Village-South

Generally located along the east side of Estrella Pkwy.,
between Goodyear Blvd. and Bullard Ave.



Case No: 21-210-00001

July 2021

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Exhibit No.	Description
1	Regional Aerial/Vicinity Map
2	Zoning Map (Ballpark Village & Ballpark Village-South)
3	Zoning Map (RES category)
4	Design Guidelines

RESTATED AND AMENDED FINAL PAD

I. INTRODUCTION

The Ballpark Village and Ballpark Village-South PAD zoning represents an innovative multi-use master plan that encompasses 268.5± gross acres (the "Site). "Ballpark Village" encompasses the portion of the Site located north of Lower Buckeye Parkway while "Ballpark Village-South" encompasses the portion of the Site located south of Lower Buckeye Parkway (***See Exhibit 1*, *Regional Aerial & Vicinity Map***).

PAD zoning for Ballpark Village and Ballpark Village South was first adopted when the Goodyear City Council adopted Ordinance No. 07-1037 adopting the Wood Corporate Campus and Ballpark Village Final Planned Area Development dated May 17, 2007 and the Wood Corporate Campus and Ballpark Village Design Guidelines dated May 17, 2007. Almost ten years later, the Goodyear City Council amended the PAD zoning when it adopted Ordinance No. 17-1347 adopting the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017 (the "2017 PAD"). The 2017 PAD amended the zoning to facilitate development opportunities that would support and complement the approximately 10,300 seat Goodyear Ballpark ("Ballpark") and the Cincinnati Reds and Cleveland Indians Development Complexes ("Complex") by: a) addressing significant challenges associated with certain land use designation; b) implementing updated design guidelines and development standards; and c) providing for additional residential housing opportunities at appropriate densities that will help facilitate mixed-use development around the Ballpark and Complex. The goal of the 2017 PAD was to establish a PAD that promotes the development of various forms of residential, office, retail commercial, entertainment, food and beverage, and hospitality/conference services uses around the Ballpark and Complex. The 2017 PAD was amended on March 1, 2021 when the Goodyear City Council adopted Ordinance 2021-1494 adopting the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020. That amendment made minor amendments to the residential development standards.

The purpose of the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated July 2021 is to incorporate an additional 14 acres into the Ballpark Village & Ballpark Village – South PAD and to further facilitate the development of the Site consistent with the City's desire to provide density to attract the commercial and entertainment development desired around the City of Goodyear's Spring Training Complex by: eliminating redundancies in the PAD; modifying the development standards to eliminate the cap on the maximum number of dwelling units (the maximums will now be limited by the applicable density ranges); and modifying definitions and the existing residential permitted use matrix to distinguish residential land uses from building types.

Notwithstanding any provision to the contrary within any of the prior PAD Amendments, nothing herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated as of May 16, 2011, by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M.

and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City.

II. ZONING DESIGNATIONS

A. Zoning Categories

Table A**: **Zoning Categories**,* identifies the zoning designations for each area within Ballpark Village & Ballpark Village-South. ***See also Exhibit 2, Zoning Map (Ballpark Village & Ballpark Village-South) and ***Exhibit 3, Zoning Map (RES category)***.

Table A: Zoning Categories
Mixed-Use (MXD)* • Located within Ballpark Village • Identified as MXD-1, 2, 3, 4 & 5 within the attached exhibit(s) • This is a stand alone zoning district regulated by this PAD **The combination of uses within the MXD category can be either vertical or horizontal in implementation.*
Residential Mixed-Use (RES/MXD)* • Located within Ballpark Village and Ballpark Village-South • Identified as RES/MXD-1 and RES/MXD-2 within the attached exhibit(s) • This is a stand alone zoning district regulated by this PAD **The combination of uses within the RES/MXD category can be either vertical or horizontal in implementation.*
Residential (RES)* • Located within Ballpark Village-South • Identified as RES-1, RES-2 & RES-3 within the attached exhibit(s): o RES-1: Residential. This is a stand alone zoning district regulated by this PAD. o RES-2: Residential . This is a stand alone zoning district regulated by this PAD. o RES-3: Residential . This is a stand alone zoning district regulated by this PAD. **The combined RES-1, RES-2 & RES-3 areas have four (4) flex zones that allow each RES area to "flex" 150' into the adjacent RES area. Please reference* ***Exhibit 3****, Zoning Map (RES category) for a visual representation.*
Commercial (COM) • Located within Ballpark Village-South • Identified as COM-1 within the attached exhibit(s) • Adheres to the City of Goodyear C-2 (General Commercial) Zoning District except as modified by this PAD.
Light Industrial (LI) • Located within Ballpark Village-South • Identified as LI-1 within the attached exhibit(s) • Adheres to the City of Goodyear I-1 (Light Industrial) Zoning District except as modified by this PAD.
Public Facilities District (PFD) • Located within Ballpark Village & Ballpark Village-South • Identified as PFD-1, 2 & 3 within the attached exhibit(s) • Adheres to the City of Goodyear PFD (Public Facility District) Zoning District except as modified by this PAD.
Municipal Parking Overlay • Located within Ballpark Village-South • Overlay to RES-3 • Applicable to ±22.2 acres and permits the City to provide municipal parking on property owned or leased by the City. The City presently provides municipal parking on ±7.2 acres located south of the southwest corner of Lower Buckeye Parkway and Wood Boulevard (the "City Parking Parcel"). *Nothing in this PAD shall prohibit the City from exchanging property with CSW or subsequent owners ("CSW") should it become necessary to provide municipal parking in a different configuration than presently exists on the City Parking Parcel.*

B. Permitted Uses

See ***Appendix A: Permitted Use Matrix*** for a list of permitted uses within each zoning category.

C. Land Use Summary

See ***Appendix B: Land Use Summary*** to identify the approximate gross acreage count for each land use area, allowable Floor Area Ratios (FAR), maximum build-out sizes per use, number of hotel rooms allowed, maximum dwelling unit counts, and the Ballpark's permissible seating count.

III. CONCEPTUAL PLANS

Included within the 2017 PAD were conceptual plans that were provided for illustrative purpose only and were intended only as examples/descriptions of development that could occur within the RES category in compliance with the 2017 PAD. These conceptual plans were not to be construed as to how the RES category must be designed, laid out, phased, etc. Because the majority of the property in Ballpark Village – South designated as RES has been or is in the process of being developed, the conceptual exhibits are not being included in the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated July 2021.

IV. DESIGN GUIDELINES

The *Design Guidelines* for the Site are set forth in ***Exhibit 4***. The purpose of the *Design Guidelines* is to establish the vision and create design related expectations for the future development of the Site.

V. DEVELOPMENT STANDARDS

A. RES Category

The development standards for uses within the RES category are set forth in ***Table B: RES Category Development Standards***.

[Table on the Following Page]

Table B: RES Category Development Standards (RES category within Ballpark Village-South)			
Detached & Attached Single-Family			
Development Standard	**RES-1**	**RES-2**	**RES-3**
Min. Net Lot Area - Typical (sq. ft.) *(not applicable to condominium product)*	0	0	0
Max. Net Lot Area - Typical (sq. ft.) *(not applicable to condominium product)*	5,500	5,500	4,500
Required Lot Width/Depth Ratio - Typical *(not applicable to condominium product)* ≤4,500 sq. ft. lot ≥4,501 sq. ft. lot	 Not applicable ≥50%	 Not applicable ≥50%	 Not applicable ≥50%
Min. Lot Width - Typical (ft.) *(not applicable to condominium product)*	16	16	16
Min. Lot Depth - Typical (ft.) *(not applicable to condominium product)*	20	20	20
Max. Height (ft.)	42	42	42
Density Range (min.-max.)	5-10	6-15	8-30
Max. Individual Lot or Condominium Site Coverage	100%/100%	100%/100%	100%/100%
Min. Unit/Building Separation (ft.)	0/0	0/0	0/0
Min. Private Open Space (sq. ft.) *(Includes balconies/courtyards)*	0	0	0
Min. Unit/Building Setback[1] (ft.) - Front - Side - Rear - Street side	 5/5 0/0 3/3 5/5	 5/5 0/0 3/3 5/5	 0/0 0/0 0/0 5/5
Min. Open Space Requirement (% of Net Site Area)	15% (Total requirement for all combined single-family detached and/or attached subdivisions within RES-1, RES-2 & RES-3)		
Open space shall include a large central amenity space that will encompass a minimum of 2.5 acres of total area (minimum area to include active & passive space combined), a minimum of two recreation nodes or pocket parks of smaller scale, and other amenities or features that will be determined during the preliminary plat process. Although smaller than the target of five (5) acres for a "Neighborhood Park" as outlined in the City's "Parks, Recreation, Trails and Open Space Master Plan," when combined, the open space areas will total approximately eight (8) acres and will provide amenities that meet the intent and function of the Neighborhood Park concept. The open space areas will generally be separated into smaller open spaces in order to be more accessible, compact, or intimate, consistent with the "urban-like" character envisioned for the community. The open space areas will be designed to accommodate various amenities such as: a) a multi-purpose field; b) a pool (and restroom); c) a spa; d) active sport areas including but not limited to, pickle ball and bocce ball; e) shaded seating; f) ramadas; g) walking paths and; h) a community trail system and/or exercise course.			

[Table Continued on the Following Page]

[1] Setbacks to be measured from the stem wall.

Table B Cont.: RES Category Development Standards (RES category within Ballpark Village-South)			
Multi-Family			
Development Standard	**RES-1**	**RES-2**	**RES-3**
Min. Net Site Area (sq. ft.)	0	0	0
Max. Net Site Area (sq. ft.)	Not applicable	Not applicable	Not applicable
Required Site Width/Depth Ratio	Not applicable	Not applicable	Not applicable
Min. Site Width (ft.)	0	0	0
Min. Site Depth (ft.)	0	0	0
Max. Height (ft.)	46	46	75
Density Range (min.-max.)	5-30	5-30	8-30
Max. MF or Condominium Site Coverage	100%/100%	100%/100%	100%/100%
Min. Unit/Building Separation (ft.)	0/0	0/0	0/0
Min. Private Open Space (sq. ft.) *(Includes balconies/courtyards)*	40	40	40
Min. Unit/Building Setback[1] (ft.) - Front - Side - Rear - Street side	 5/5 0/0 3/3 5/5	 5/5 0/0 3/3 5/5	 0/0 0/0 0/0 5/5
Min. On-Site Landscaping (% of Net Site Area)	15% (Per multi-family community)		
Min. Recreational O/S	Up to 5% of the Min. On-Site Landscaping Area (Per multi-family community)		
Minimum Sidewalk Width (ft.)	4	4	4

Additional Residential Development Standards applicable to the RES-1, RES-2 and RES-3 categories are as follows:

1) Multi-story homes are allowed on corner lots, on more than two (2) consecutive lots, or on lots abutting major or minor arterial and collector streets.
2) The minimum setback for homes abutting major or minor arterial and collector streets shall be five (5) feet.
3) Where a residential use (excluding multi-family housing) is immediately adjacent to a non-residential use (excluding PFD designated property), a buffer setback shall be provided between the residential buildings and the property line of the non-residential use property. The buffer setback shall be: a) a minimum of approximately fifty (50) feet where the buffer is comprised of municipal parking or a roadway or, b) a minimum of thirty (30) feet where the buffer is comprised of landscaping, which can be reduced to twenty (20) feet where a double row of trees, thirty (30) feet on center, are provided. Where multi-family housing is immediately adjacent to a non-residential use (excluding PFD designated property), a buffer setback shall be provided between the residential buildings and the property line of the non-residential use property. The buffer setback shall be: a) a minimum of approximately thirty (30) feet where the buffer is comprised of municipal parking or a roadway or, b) a minimum of twenty (20) feet where the buffer is comprised of landscaping, with such twenty (20) foot landscape buffer containing a row of 15 gallon trees (initial size) planted approximately 30' on center.

[1] Setbacks to be measured from the stem wall.

4) When a residential driveway is provided, the driveway shall not be less than twenty (20) feet in length. Eighteen (18) feet shall be permitted if such depth is supported by an independent 3rd party parking consultant's recommendation of such reduced depth), as measured from the back of sidewalk, back of curb, or alley pavement edge if no sidewalk is provided to the front face of a garage or carport in order to provide an area for parking in front of the garage, carport, or other parking space. If a driveway is not provided, off-street parking will be provided at a minimum rate of one parking stall per residential unit. Where a driveway is not provided, an apron with a minimum length of two (2) feet and a maximum length of five (5) feet must be provided. No parking shall be permitted on driveway aprons.

5) Multi-family buildings two (2) stories in height or greater shall not be placed within twenty-five (25) feet of a single-family residential area or zoning district.

6) In order to satisfy the vision for non-typical/non-traditional residential use within Ballpark Village-South, "Typical" or "traditional" lot dimensions are not permitted. Examples of "typical" or "traditional" dimensions include: 45' x 110', 50' x 110' and 50' x 115'. However, lot dimensions that are similar to 40' x 90', 45' x 95' and 50' x 100' would be acceptable due to their smaller size and increased front width to lot depth ratio. Please see ***Table B: RES Category Development Standards*** for specifics regarding lot size requirements.

7) Residential accessory buildings shall adhere to Article 8 of the City of Goodyear Zoning Ordinance.

8) Streets within Ballpark Village and Ballpark Village-South can be either public or private. Roadway right-of-way and cross sections may be reduced from City standards if agreed to by the City. Alleys and/or shared driveways may be utilized as easements, tracts or a combination of both and when used, streetlights will not be required as long as garage coach lights are utilized. All or a portion of the RES category of Ballpark Village-South may be gated, with such decision being made during the preliminary plat/site plan approval processes by CSW during the preliminary plat/site plan approval process. If the RES category area (or portion thereof) is gated, all streets within the gated community shall be private.

B. **Non-RES Category**

The development standards applicable to areas outside of the RES category are identified within ***Table C: Non-RES Category Development Standards***.

[Table Continued on the Following Page]

Table C: Non-RES Category Development Standards (Ballpark Village & Ballpark Village-South)[2]					
Development Standard	**MXD**[3]	**RES/MXD**[4]	**COM**	**LI**	**PFD**
Min. Lot Area (sq. ft.)	None	10,000	10,000	10,000	N/A
Min. Lot Width (ft.)	None	100	150	None	N/A
Max. Building Height[5] (ft.)					
- Bldgs. immediately adjacent to Estrella Pkwy. s/o Goodyear Blvd.	62	N/A	56	N/A	N/A
- Bldgs. immediately adjacent to Estrella Pkwy. n/o Goodyear Blvd.	72	N/A	N/A	N/A	N/A
- Other	105	72	56	50	N/A
Max. Building Coverage	65%	60%	50%	50%	N/A
Min. Building Setback[6] (ft.)	Building/Parking				
- Estrella Pkwy	15/30	N/A	15/30	N/A	N/A
- Bullard Avenue	N/A	N/A	30/30	30/30	30/30
- Lower Buckeye Pkwy/Goodyear Blvd.	15/15	10/10	N/A	N/A	N/A
- Front (interior street)	0/0	0/0	7.5/7.5	20	N/A
- Side	0/0	0/0	N/A	30/10	30/10
- Rear	0/0	0/0	N/A	20/10	20/10
- Street side	0/0	0/0	20	30/10	30/10
Min. Open Space[7]	10%	1.9 ac	15%	10%	N/A
Minimum Sidewalk Width (ft.) [8]	4	4	4	4	N/A

[2] ***Table C*** does not apply to the RES category within Ballpark Village-South.
[3] There is no maximum density for the MXD category
[4] There is no maximum density for the RES/MXD category
[5] Rooftop structures such as elevator and mechanical equipment and enclosures may exceed the height by ten (10) feet provided they are screened by a parapet wall or pitched roof. Roof deck pergolas and gazebos may exceed the height limit by ten (10) feet. No screen walls are required for roof deck pergolas or gazebos.
[6] First number in sequence identifies the building setback; second number in sequence identifies the parking setback.
[7] Retention areas may be utilized for open space if a minimum of 25% of the retention area is ≥1' above bottom.
[8] Maximum sidewalk width shall be ±30'.

The 2017 PAD shall allow maximum building heights to be one-hundred and five (105) feet in the MXD District subject to the following conditions:

1) That the proposal would not be detrimental to the City Center Specific Area Plan development objectives and design concepts;

2) That adequate water pressure, capacity, and fire apparatus/facilities are available to provide appropriate emergency response services to all buildings with the requested building height;

3) That the proposed increase in building height is reasonable and appropriate for the property and would not be detrimental to City development objectives for adjoining properties or the operations of the Phoenix–Goodyear Airport;

4) Appropriate FAA review (if applicable) has determined (prior to issuance of a building permit(s)) that such building(s) will not be a hazard to aviation and;

5) That the proposed building height is for a specific development use (e.g., hotel or corporate headquarters) that furthers the City's economic objectives.

VI. PARKING

A. RES or RES MXD Category

Parking within the RES or RES MXD category shall be in accordance with City parking standards. Notwithstanding the foregoing, reduced per dwelling unit parking standards shall be adopted if such reduced standards are supported by an independent 3rd party parking consultant's data based study and letter of recommendation for such lower parking/dwelling unit ratios and parking related design standards. In addition to the aforementioned items, the following parking standards shall apply to the RES and residential uses in the RES MXD category:

1) Covered parking may be located within an enclosed garage, carport, tuck under, or a combination thereof. The minimum dimension of each garaged parking space shall be 10'x20'. The minimum dimension of each non-garaged parking space shall be per the City's Engineering Design Standards.

2) Garaged parking may be configured as side-by-side or as tandem spaces.

3) On-street or off-street parking spaces for guests shall have a minimum dimension of 9'x18'6" with a 1'6" overhang.

B. MXD/RES MXD Categories

The City has indicated a willingness to enter into future shared parking use agreements with the Site's private owner, subsequent owner(s), or future developers within Ballpark Village. This would include the potential for private development to share in the use of a portion of the City constructed paved parking spaces located within Ballpark Village. This potential is subject to the preparation and completion of a public/private shared parking study that would analyze similar public/private venues and integrated mixed-use developments in the United States and determine for City consideration the amount of the City parking spaces within Ballpark Village that could be used, shared, and credited for private development within Ballpark Village. In any case, the analysis and any agreement must not negatively impact the ongoing parking needs for the Ballpark and public events. Until such time as the public/private shared parking study is completed and specific parking use agreements are approved by the City for the shared use of any City parking spaces within Ballpark Village, all private

development within Ballpark Village by the owner, any subsequent owner, or future developer shall be required to provide parking for private development in accordance with the parking requirements of the City's Zoning Ordinance. Parking throughout the MXD/RES MXD categories can be provided as surface spaces, structured spaces or shared parking spaces through an agreement with another owner, or a combination thereof.

APPENDIX A: PERMITTED USES[9]

Land Uses	MXD[10]	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
RESIDENTIAL[11]								
Ancillary uses that are customarily incidental and subordinate to one of the permitted uses (i.e., park(s), playground(s), pool(s) vending machine(s) & other recreational uses)[12]	A	A		A	A	A		
Attached Single-Family	P	P		P	P	P		
Auto-Court Homes (or similar style)				P	P	P		
Courtyard Homes (or similar style)				P	P	P		
Detached Single-Family				P	P	P		
Duplex/Triplex/Quadraplex				P	P	P		
Green Court/Alley-Load Homes (or similar style)				P	P	P		
Home business[13]	A	A		A	A	A		
Multi-family dwelling/Multiple Dwelling	P	P		P	P	P		
Residential Mixed-Use (includes Live/Work Units)	P	P						
Row Homes (or similar style)	P	P		P	P	P		
Townhomes (or similar style)	P	P		P	P	P		
Similar Residential uses that meet the intent of this PAD zoning as determined by the City's zoning administrator (for Permitted Uses)	P	P		P	P	P		

[9] All terms not defined herein shall have those meanings as defined in the City's Zoning Ordinance as revised December 18, 2013 or the then applicable and comparable definition under a subsequent City of Goodyear Zoning Ordinance ("Ordinance").
[10] Residential uses not permitted on ground floor within this category
[11] Product types defined in ***Appendix C****: Housing Definitions*
[12] Inclusive of grounds, eating and drinking establishments and service facilities accessory to residential uses; RES-1, RES-2 & RES-3 area amenities shall be located no closer than fifteen (15) feet to any adjacent residential structure.
[13] As defined and governed under the Ordinance.

PERMITTED USE MATRIX[9]									
	Land Uses								
#	**NON-RESIDENTIAL**[14]	MXD	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
1	Ancillary uses that are customarily incidental and subordinate to one of the permitted uses	A	A	A	A	A	A	A	A
2	Any use permitted under the City's C-2 zoning category (or equivalent)	NA	NA	P	NA	NA	NA	NA	NA
3	Any use permitted under the City's I-1 zoning category (or equivalent)	NA	NA	NA	NA	NA	NA	P	NA
4	Automotive – repair/service station			P				P	
5	Banking & financial institutions	P	P	P					
6	Civic/government, cultural, community and public	P	P	P					P
7	Clothing re-sale			P					
8	Convenience use (Drive-in/drive-through facilities subject to restrictions within this Appendix A – see line #12 below)	P	P	P				P	
9	Convention/meeting facilities and exhibition halls	P	P	P					
10	Daycare, pre-school, nursery school (or equivalent) (part of an office building or mixed use building)	P	P	P					
11	Daycare, pre-school, nursery school (or equivalent) (stand-alone)			P					
12	Drive-in/drive-through facilities	U		P				P	
13	Food trucks	P	P						
14	Hospitality, hotels or inns	P	P	P					
15	Kiosk businesses	P	P	P					
16	Live music & other forms of live entertainment[15]	P	U	P					
17	Manufacturing, processing, recycling, repair, maintenance or assembly							P	
18	Microbrewery or brewpub	P	P	P					
19	Nightclubs	P	U	P					

[14] Any of the below uses involving the sale of retail goods, food, beverages, or entertainment establishments may include the use of kiosks, outdoor/patio seating, dining, or gathering areas. Special event parking lot and sidewalk seating/social gathering areas encroaching on the public right-of-way shall be permitted with a special event permit if such permit is required by the City.

[15] May be permitted in locations less than the City's typical 300' minimum distance from the property line of residentially zoned or designated property, areas of music and entertainment may be permitted to exceed 5,000 sq. ft. and patron dancing may be permitted to exceed 25% of the total floor area subject to City approval/permitting requirements and private association CC&Rs. Unless associated with a special outdoor event, all noise generated by live music or entertainment activities shall be fully contained within the indoor space of the venue.

PERMITTED USE MATRIX[9]									
	Land Uses								
#	**NON-RESIDENTIAL-CONTINUED[14]**	MXD	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
20	Outdoor retail displays	P	P	P				P	P
21	Outdoor temporary events and uses	P	P	P	P	P	P	P	P
22	Parking (including lots and/or parking structures)	P	P	A	A	A	P	A	P
23	Personal services (including fitness, massage and other)	P	P	P				U	
24	Professional use	P	P	P					
25	Restaurants, taverns, lounges and bars (includes coffee shops and other forms of beverage establishments & eateries)	P	P	P					A
26	Retail	P	P	P				P	A
27	Sports, recreation, amusement & entertainment	P	P	P	A	A	A		P
28	Storage facilities (including large-scale, self/mini, RV/recreation and/or outdoor storage)							P	
29	Temporary construction offices, sheds, facilities and storage areas incidental to a construction project	A	A	A	A	A	A	A	A
30	Universities/colleges	P	U	P					
31	Wireless Communication Facility	P	P	P				P	P
32	Vocational and technical schools	U	U	P				P	
33	Warehousing							P	
34	Similar Non-Residential permitted uses that meet the intent of this PAD zoning as determined by the City's zoning administrator	P	P	P	P	P	P	P	P
35	Similar Non-Residential use permit uses that meet the intent of this PAD zoning as determined by the City's zoning administrator	U	U	U	U	U	U	U	U

APPENDIX B: LAND USE SUMMARY[16]

Land Use	Approximate Gross Acres	FAR	Office (max. sq. ft.)	Retail (max. sq. ft.)	Conference (max. sq. ft.)	Hotel Rooms (max. rooms)	Seats (max.)
MXD & RES/MXD categories of Ballpark Village							
MXD-1	11.93	1.17	607,869				
MXD-2	7.80	N/A		84,000			
MXD-3	10.83	0.6	282,930	67,000			
MXD-4	7.89	N/A		85,000			
MXD-5	9.88	N/A		60,000	70,000	400	
RES/MXD-1	4.65	N/A					
TOTALS	**52.98**		**890,799**	**296,000**	**70,000**	**400**	
RES & RES/MXD categories of Ballpark Village-South							
RES-1	18.97						
RES-2	27.39						
RES-3	22.18						
RES/MXD-2	14.0						
TOTALS	**82.54**						
COM category of Ballpark Village-South							
C-1	6.92	0.23	69,354				
TOTALS	**6.92**		**69,354**				
LI category of Ballpark Village-South							
L-1	5.22	0.48	109,046				
TOTALS	**5.22**		**109,0496**				
PFD categories within Ballpark Village & Ballpark Village-South							
PFD-1	7.42		N/A				10,300
PFD-2	54.07		N/A				
PFD-3	50.07		N/A				
TOTALS	**111.56**						**10,300**
OS-1 (Tracts A/B)	9.25						
TOTALS	**9.25**						
TOTALS	**268.46**		**1,069,199**	**296,000**	**70,000**	**400**	**10,300**

[16] Acreage counts are approximate. Final acreage counts to be determined through the platting process.

APPENDIX C: HOUSING DEFINITIONS

The following definitions describe the residential housing and ownership types currently envisioned within Ballpark Village and Ballpark Village-South:

Land Use Types

Detached Single-Family: Housing units that: a) are free-standing and do not share a common wall with another dwelling unit: b) are built within a single lot; c) can be either single or multi-story; and d) are typically occupied by one household or family. Residences that are not connected structurally but abut one another are included within this category.

Attached Single-Family: Housing units that: a) share a common structural wall with another residential unit; b) are built within a single lot; c) can be either single or multi-story; and d) are typically occupied by one household or family.

Multi-Family: Buildings or a group of attached units that contain at least three (3) residential housing units. Multi-Family units can: a) be adjacent to one another either vertically or horizontally; b) be single or multi-story; c) share common structural walls; and d) sometimes share access to main heating and cooling systems (but are not required to).

Residential Mixed-Use: The blending of for-rent or for-sale housing with other non-residential uses. The integration of uses can either be vertical or horizontal in nature. This residential product type would generally be multi-story, be considered Apartments, Live/Work Apartments, Condominiums or Live/Work Condominiums and have a Multi-Family building type.

Product Types

Apartments: For-rent housing units within a Multi-Family building type. This product type may be constructed with a significant work related component, creating a *Live/Work Apartment* product type.

Condominiums: For-sale housing that is subject to a Declaration of Horizontal Regime (condominium plat). This type of residential housing is typically associated with the Multi-Family building type, but can also be utilized in Attached Single-Family housing building types. Loft style units may be one of many forms of condominium product types utilized within Ballpark Village & Ballpark Village-South. This product type may be constructed with a significant work related component, creating a *Live/Work Condominium* product type.

Row Homes: For-rent or for-sale housing within either the Detached Single-Family or Attached Single-Family building type. Row Homes typically: a) have a uniform or nearly uniform architectural theme; b) are usually multi-story; c) are built within small lots; d) have a high lot coverage area and shallow or zero setback requirements; and e) promote a reduced amount of visual interaction with garages.

Townhomes: For-rent or for-sale housing within the Attached Single-Family building type. Townhomes: a) are typically less uniform as compared to Row Homes; b) can be either single or multi-story; c) tend to "mimic" Detached Single-Family building types; d) are typically built on small lots; e) are built on a lot with a high coverage area; and f) are built with shallow or zero setback requirements.

Flats/Stacked Flats: For-rent or for-sale housing that falls under the Attached Single-Family or Multi-Family building types. Under a for-sale use, condominium ownership is typical. Flats are single-level units that can be "stacked" on top of one another, with the owner of a non-ground level unit only traversing stairs from the parking level to the dwelling unit. Once inside the unit there are no additional stairways for the owner to be concerned with.

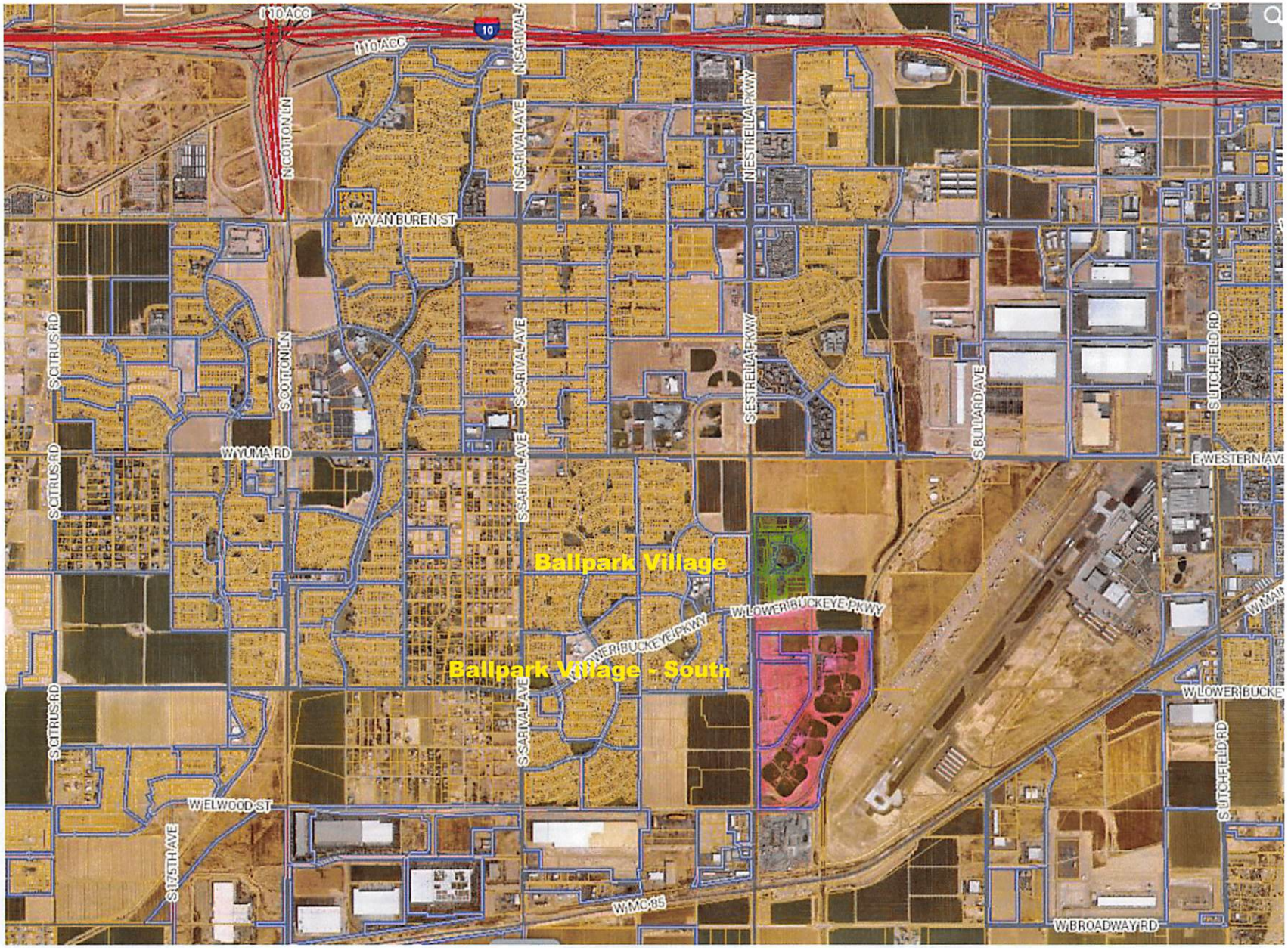
Green Court/Alley-Load Homes: For-rent or for-sale housing that falls under either the Attached Single-Family or the Detached Single-Family building types. Green Court/Alley-Load Homes typically: a) are built within small lots; b) have a high lot coverage area with shallow or no setback requirements; and c) have their primary entrances oriented towards a paseo or "green area."

Auto-Court Homes: For-rent or for-sale housing that falls under the Detached or Attached Single-Family building types. The dwelling units: a) are clustered in a manner that allows for the use of a common driveway to access garages; b) are built within small lots; and c) have a high lot coverage area with shallow or no setback requirements. Auto-Court Homes can be either single or multi-story.

Courtyard Homes: For-rent or for-sale housing that falls under the Detached or Attached Single-Family building types and: a) contain a small enclosed courtyard at the front or side of the home, or b) are clustered with the entryways of each dwelling unit oriented towards a common courtyard area. The dwelling units are typically built within small lots, have a high lot coverage area, and have shallow or no setback requirements. Courtyard Homes can be either single or multi-story.

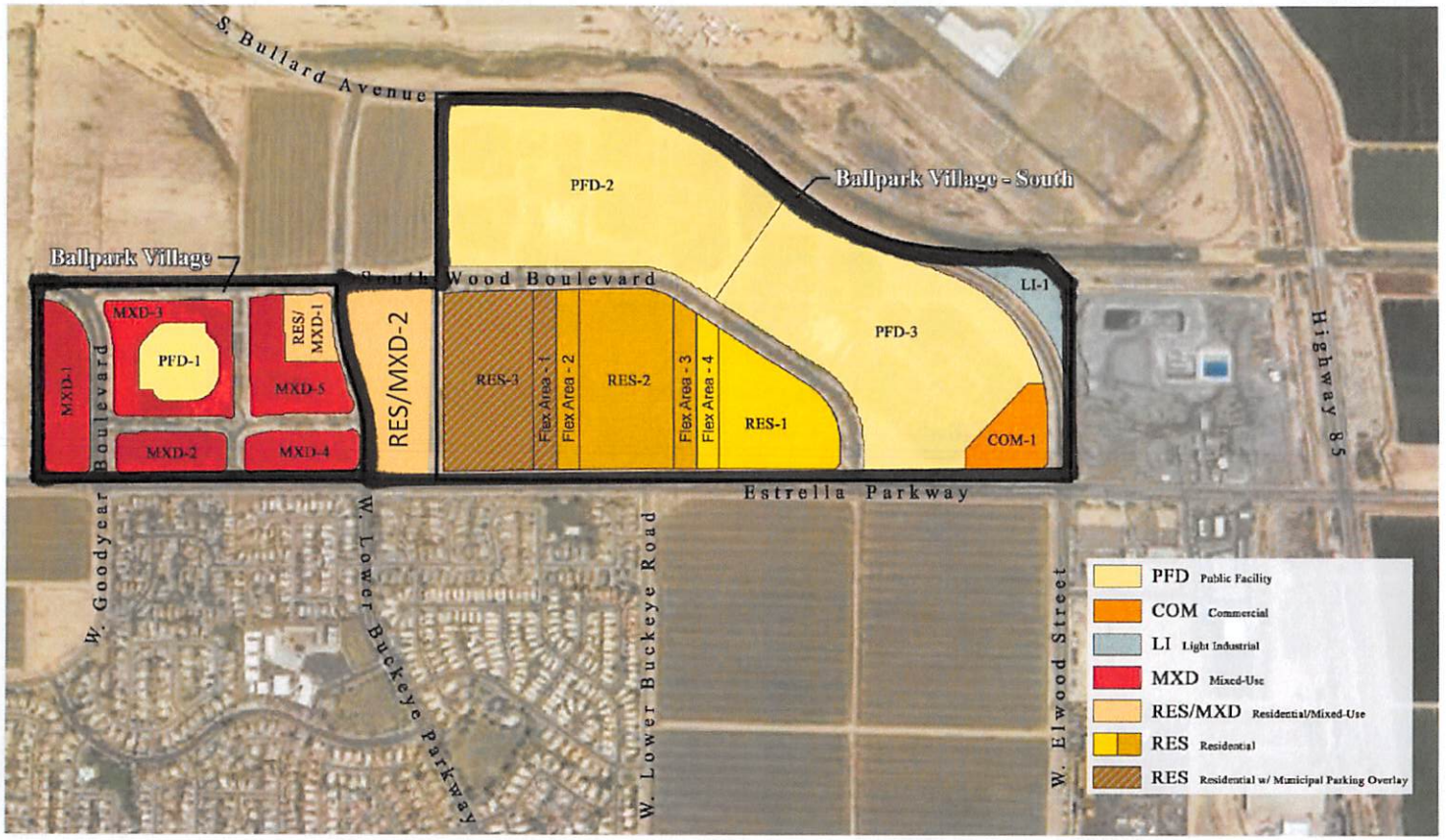
Duplex/Triplex/Quadraplex: For-rent or for-sale housing that falls under the Attached Single-Family building type. A duplex consists of two (2) units per building; a triplex, three (3) units per building; and a quadraplex, four (4) units per building. While the duplex and triplex are generally built side-by-side in a row, the units in a quadraplex are generally constructed back-to-back. Although not a requirement, these product types generally have uniform or semi-uniform architectural themes, are built within small individual lots, have shallow or no setback requirements, have a high lot coverage area, and can be either single or multi-story.

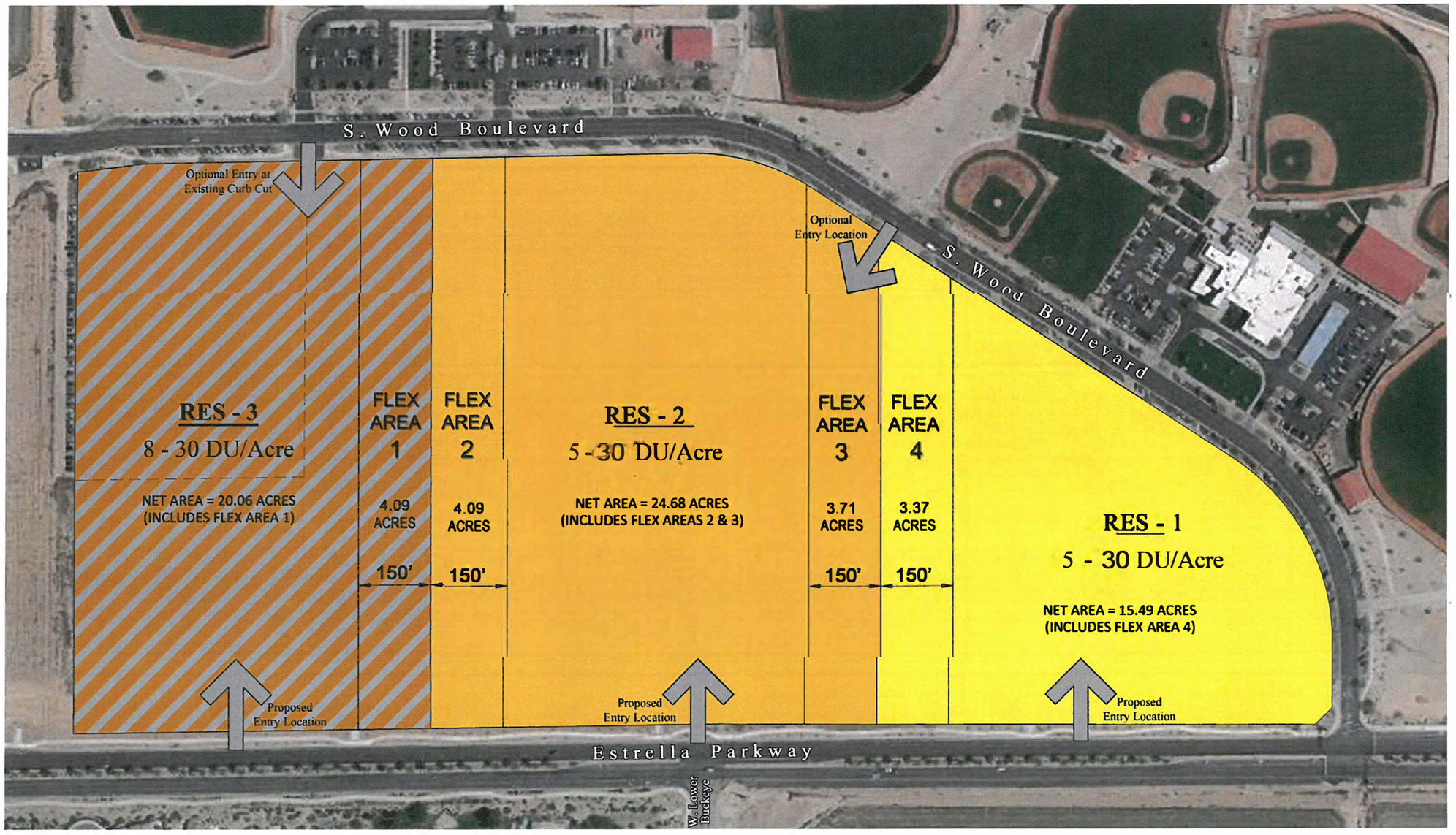
Exhibit 1
Regional Aerial/Vicinity Map



Ballpark Village & Ballpark Village – South
Restated & Amended Final Planned Area Development
July 2021

Exhibit 2
Zoning Map





0 100
50 200

N

This land use map is not intended to depict exact boundary lines for the uses described. The areas depicted for each residential area/density range is "approximate" and for illustrative purposes only.

EXHIBIT 4
BALLPARK VILLAGE &
BALLPARK VILLAGE - SOUTH DESIGN GUIDELINES

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Section A: Introduction

The purpose and intent of the Ballpark Village & Ballpark Village-South Design Guidelines ("Guidelines") is to ensure that all development within the Ballpark Village & Ballpark Village-South (together "Ballpark Village") PAD conforms to a high-quality standard of design. These guidelines provide future builders with a general set of concepts and requirements that directs all design expectations. They are intended to provide the framework for future development that carries forward the contemporary and urban-like design that supports the overall vision for Ballpark Village, creates a varied and interesting streetscape and provides Ballpark Village with a unique identity and character. The overall design theme is intended to create a strong sense of place through a thoughtful and effective blend of architecture, landscape, and community design elements that complement the existing character of the surrounding Ballpark facilities. These Guidelines shall supersede the standards contained within the City of Goodyear's Design Guidelines Manual ("City Manual"). Where discrepancies exist between the Guidelines and the City Manual, the provisions of these Guidelines shall control.

The Guidelines are organized into the following sections:

SECTION B: *Design Review & Submittal Process*
SECTION C: *Mixed-Use/Residential Mixed-Use Land Use Design Guidelines*
SECTION D: *Residential Land Use Design Guidelines*
SECTION E: *Commercial Land Use Design Guidelines*
SECTION F: *Light Industrial Land Use Design Guidelines*
SECTION G: *Landscaping Guidelines for All Land Uses*
SECTION H: *Signage & Graphics Guidelines for All Land Uses*
SECTION I: *Maintenance for All Land Uses*

Section B: Design Review & Submittal Process

In addition to the Guidelines, CSWR141 Goodyear 17, LLC & CSWR141 Goodyear 53, LLC or its assignee, or designee ("CSW") may, at its sole discretion: a) create additional design standards within or attached to future covenants, conditions and restrictions ("CC&Rs"); and b) appoint a design review committee to perform all design review and approval functions on behalf of CSW. CSW or the design review committee (whichever is applicable; the "Reviewing Party") shall review, approve or disapprove the items contained within the below DESIGN REVIEW SUBMITTAL REQUIREMENTS and/or standards that may be described within CC&Rs. Additionally, the City of Goodyear ("City") conducts its own site plan and design review process, separate from that of the Reviewing Party. In addition to any review processes the City of Goodyear (the "City") shall require, a separate submittal, review, and approval process shall be conducted by the Reviewing Party before any submittal is made to the City.

A design review submittal shall consist of the following:

- DESIGN REVIEW SUBMITTAL REQUIREMENTS
  - Conceptual site plan(s). The locations and dimensions of the following shall be included:
    - Setbacks for buildings, structures, and parking areas.
    - Buildings, structures, storage, trash enclosures, and retention areas.
    - Parking areas, parking structures, parking canopies and total number of parking spaces provided.
    - All means of ingress and egress to and from the site, including driveways and walkways.
  - Typical lot or plot plans. Please provide the following:
    - Overall lot dimensions, building setback lines with dimensions, driveway location(s), and plan/building footprint(s).
  - Floor plans. Please provide the following:
    - All building floor plans proposed, including options.
    - Overall exterior dimensions.
    - Plan number and/or name of the plan and square footage of the structure.
  - Building elevations. Please provide the following:
    - Building elevations for all four (4) sides (in color).
    - Enhanced building elevations, if applicable.
    - All finish grade to ridgeline height dimensions for all non-single-family residential elevations. Finish grade to ridgeline height dimension for single-family residential shall be front elevation only.

- Color schemes, building materials & landscaping. Please provide the following (digital copies accepted):

    - All color schemes being proposed, building materials to be used for construction and planned landscaping design and materials.
    - For single-family residential uses – color & material matrix listing scheme name/number, stucco and/or paint color, roof material, stone, etc. A list of all material manufacturers is also required.

- Proposed signage & graphics designs. Please provide the following (digital copies accepted):

    - The design of the sign or sign program that identifies: a) fabrication method; b) colors; c) graphics; d) materials; e) lighting types, orientation and placement; f) installation location; g) hierarchy of signage type; and h) number of signs (individual vs. within a program).

- Design submittal application. Please provide the following:

    - ALL INFORMATION CONTAINED HEREIN AND THE APPLICATION FEE PAYMENT.
    - THE REVIEWING PARTY MAY REQUIRE ADDITIONAL INFORMATION/PLANS DEPENDING ON THE TYPE OF DEVELOPMENT BEING PROPOSED AND MAY ALSO UPDATE THE DESIGN REVIEW SUBMITTAL REQUIREMENTS PERIODICALLY ON AN AS-NEEDED BASIS.

- One (1) digital copy of the entire application. Each document shall be saved to a CD in .PDF format, with the CD labeled in a manner that identifies each item listed below.

- Two (2) sets of plans and specifications for the proposed improvements. All drawings, design elements, and material representations must be accurate, complete, and sealed for a design submittal to be considered by the Reviewing Party.

- A nonrefundable design review application fee of $1,000.00. The Reviewing Party will not review design submittals made without the application fee.

Send the completed design review submittal to:
Communities Southwest, Inc.
Attn: Mr. Michael Markakis, Vice President
7001 N. Scottsdale Road, Suite 1015
Scottsdale, AZ 85253

Section C: Mixed-Use/Residential Mixed-Use Land Use Design Guidelines

The Mixed-Use/Residential Mixed-Use ("MXD/RES MXD") areas of Ballpark Village shall be designed in a manner that promotes an aesthetically pleasing, highly engaging and vibrant mix of uses as described within the 2017 PAD.

Architectural Style

The architectural style and use of materials can be varied but shall be compatible throughout the MXD/RES MXD areas. Buildings should emphasize human scale design features at the ground floor (sidewalk) level. The overall architectural character of the MXD/RES MXD areas should be of a varied yet compatible overall composition of buildings, streets, and public areas arranged and designed in a harmonious manner. The architecture, landscaping, signage, and lighting design character shall be compatible with the Goodyear Ballpark and create a vibrant, pedestrian-friendly multi-use village that can be enjoyed year-round in the daytime or evening hours.

Building Design

Building design should express a strong architectural theme with substantial and consistent architectural detailing, except that individual storefronts may exhibit different but compatible themes. Buildings should be designed to promote walkability and enhance pedestrian activity. Building elements such as large, blank building walls and loading areas are not permitted along areas that can be viewed by the general public. An emphasis should be placed on promoting a harmonious but unique development that possesses pedestrian-scale architecture and identifies a hierarchical scale of uses (if applicable - anchor store(s) should be emphasized as the more significant structure(s)). Pad sites or independent buildings should have their own unique identity but relate to the larger main structure(s).

To the extent it is practical: a) parking areas, pedestrian walkways, elevators, stairwells and recreation areas should be visible from as many windows and doors as possible; b) buildings should be sited so that the windows and doors of one unit are visible from another; c) all four façades of buildings should have windows; and d) energy efficiency techniques should be incorporated into the design of a building.

Any building situated at the corner of a public street shall provide a prominent corner entrance to retail shops (if applicable) or such other location deemed appropriate by the Reviewing Party.

Where long buildings are unavoidable, their linearity should be mitigated by changes in the building height, wall plane, and spatial volumes and by varied use of window areas, arcades, materials, roof elements or other architectural enhancements acceptable to the Reviewing Party.

When appropriate, tower elements or other vertical architectural features at "ends" of a shopping center may be utilized. If such features are utilized, they should generally not exceed twice the height of the building they are attached to.

LEED Certification

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Building Façades

Building façades greater than fifty feet (50') in length shall meet at least one of the following standards:

- An interruption in the façade a minimum of every fifty feet (50').
- An expression of an architectural or structural bay through a change in plane no less than twelve inches (12”) in depth (i.e., an offset, reveal, or projecting rib that includes a color, texture, or material change).
- An interruption in the verticality of solid walls with horizontal lines, such as an interim cornice, windows, openings, punch-outs, medallions, balconies, columns and/or arches.
- Other enhancements deemed acceptable by the Reviewing Party.

The above standards may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

Landscaping can be used in combination with walls to soften “blank” surfaces. Vines planted on walls are encouraged but not required.

Where appropriate and when practical, deep overhangs should be integrated to create a shadow and add depth to façades.

The main entry into a store should be emphasized at the street to announce a point of arrival in one or more of the following ways:

- Flanked columns, decorative fixtures or other details
- Recessed within a larger arched or cased decorative opening
- Covered by means of a portico (formal porch) projecting from or set into the building face
- Punctuated by means of a change in roofline, a tower, or a break in the surface of the subject wall.
- Any other architectural features deemed appropriate by the Reviewing Party.

Storefront entries should be recessed and/or sheltered by a covered arcade structure, colonnade, canopy, awning or such other architectural feature deemed acceptable by the Reviewing Party.

When needed to support the type(s) of business represented within the development, the incorporation of balconies or tower elements onto or within the building form is encouraged for both practical and aesthetic value. Balconies can be integrated to break up large wall masses, offset floor setbacks, and add human scale to buildings.

Doors should be designed and constructed to be an integral part of the architecture of the building.

All project exterior lighting, with the exception of lighting for public streets, should be consistent with the architectural style of the building(s). All styles, colors and materials of lighting fixtures should be harmonious with each other.

Articulation

All sides of a building shall be articulated. The rear and sides of a building, if not visible from public streets and deemed appropriate by the Reviewing Party, can be less articulated as long as those sides are complementary to the primary customer entrance. Blank/unarticulated building walls shall not be permitted at the primary customer entrance side of the building. Rear and sides of a building shall have the same major exterior materials as the front, along with having the same color scheme and pattern.

Architectural features such as domes, turrets, towers, cupolas, building entry volume or ornamental portions of a parapet wall are allowed. Building entries must be pedestrian in scale and not monumental.

The composition of a building greater than two (2) stories shall present a clearly recognizable base, middle, and top or a clearly defined alternative building composition. A recognizable "base" may consist of (but shall not be limited to), thicker walls, ledges or sills, integrally textured materials such as stone or other masonry, integrally colored and patterned materials such as smooth finished stone or tile, lighter or darker colored materials, mullions, panels, or planters.

Architectural elements, such as, but not necessarily limited to, overhangs, trellises, projections, awnings, insets, material, texture, color, or a combination thereof should be used to create shadow patterns that contribute to the building's character.

Building Massing

Varying building mass is required so as to distinguish various uses, landmark buildings, anchors, retail components, etc. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should be used to add human scale to buildings. When feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide a deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

The use of colonnades (or other appropriate architectural features) along street fronting façades should be considered to reduce the massing of tall buildings and add pedestrian scale and interest.

Non-entry façades that face streets or are visible from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

All buildings on the same site should demonstrate a strong spatial and functional relationship to each other. In addition, buildings should generally demonstrate a variety in size and mass. When feasible and desired, portions of primary buildings and freestanding buildings should be oriented toward the streets.

Building Walls

Expansive lengths of unarticulated building façades are generally not permitted. Blank unarticulated building walls, including end walls exposed to a public street or common area are also not permitted.

Non-Building Walls

Walls and other site elements shall be consistent with the established thematic character of the development through the use of appropriate colors, materials and architectural style.

Walls adjacent to retention areas, trails, parks or other useable open space areas should incorporate regular undulation or a variation of materials. Where appropriate, view fencing is encouraged.

Roof Planes

All roof planes must be compatible with the architecture of the development. Although there are no specific roof types that must be utilized, a roof and its material must be representative of the character of the building(s) and type of business(s) to which they serve. Although full roof treatment is encouraged, the Reviewing Party may approve a flat roof, a flat roof with parapets, or a combination thereof on a case-by-case basis.

Where practical and needed, roof overhangs can be utilized to create useable shade on sidewalk and/or seating areas.

Rooflines should be varied in height, form and materials. Parapet rooflines should be varied by stepping up and down or incorporating pitched roof elements. Rooflines should be broken at intervals no greater than fifty feet (50') long through changes in height or step-backs.

Parapet walls should be designed and constructed in a manner to appear as a solid, three-dimensional form rather than a veneer. Parapets should include one or more of the following detail treatments:

- Pre-cast elements
- Continuous banding or projecting cornices
- Dentils
- Caps
- Variety in pitch (sculpted)
- Clean edges without unfinished flashing; and/or
- Any other treatment deemed acceptable by the Reviewing Party

Color Palette & Materials

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette that includes complementary accent colors shall be developed.

Franchise/Corporate businesses should incorporate the architecture and color theme of the development to form a consistent theme throughout.

All developments should integrate multiple exterior accent materials including, but not limited to: brick, stone, and masonry in appropriate quantities within the proposed elevations. Material changes shall occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect (such as pilaster, projection or fence line). Material and colors should be used to enhance different parts of the building's facade.

If stucco is utilized, a light to smooth finish is desired and shall be blended with other finish materials, such as stone, brick, wood, and/or iron.

Earth tone colors shall generally be used. When and where appropriate, a rich, bold color palette may be employed to create a sense of variety and interest to exterior elevations. Bright primary colors will generally be limited to trim and accent feature areas.

The following is a non-exhaustive list of acceptable materials:

- Architectural metals
- Poured-in-place, tilt-up or pre-cast concrete
- Cast stone

- Integrally colored split-face CMU
- Integrally colored honed-face CMU
- "Dryvit"-type systems
- Natural stone and flat stone veneers
- Decorative steel elements
- Painted surfaces that complement the primary building material
- Backlit decorative steel
- Floating steel trellises
- Concrete siding (such as Hardi-plank) or similar
- Glass block
- Tinted storefront glass (non-reflective)
- Perforated metal panels, welded wire material, standing seam, and corrugated panels are permitted as long as the color and texture is appropriate to the setting in which they are located. Metal panels, including corrugated, are permitted when used in a harmonious and creative way. WWF or "link fencing" as a means of articulating façades, creating brise-soliel's or screening parking structures etc., are permitted when used in a harmonious and creative way.
- Other materials as deemed appropriate by the Reviewing Party on a case-by-case basis.

Windows & Glass

Clear glass and spandrel glass or glass with a colored-ceramic coating adhered to the back by a heat fusion process is permitted. Mirrored or reflective glass shall not be permitted. Storefront glass shall be clear or subtly tinted to promote window-shopping during the day and after dark.

Windows shall employ design details appropriate to the architecture. The following are examples of what can be used, but other options may also be available: a) mullions and or window grids; b) arched windows; c) shutters/faux shutters; d) window surrounds; and e) awnings and canopies to break the scale of the facade into smaller components.

Doors to retail shops should contain a high percentage of glass in order to view the retail contents. Although there is no required minimum, doors should typically provide at least fifty percent (50%) glass area. Each door shall be reviewed, approved or disapproved on a case-by-case basis.

Storefront windows should be as large as possible to maximize the visibility to the storefront displays and retail interior.

Use of clear glass (at least eighty eight (88%) light transmission) on the first floor is recommended and may be required with certain types of uses or if the aesthetics of the development benefits overall from the use of clear glass.

Attention should be paid to materials, placement, depth of recess, and ornamentation, such as window grilles. The intent is to provide a sense of scale by creating shadow lines that result from trim and detailing and by providing details that enhance visual interest.

Refuse & Loading Areas

To the extent possible, refuse enclosures and other accessory features should not create blind spots or hiding areas.

Loading areas shall be screened from public view with any of the following (or combination thereof): a) walls that complement the buildings they serve; b) trellis/green screens; c) berming; d) an appropriate level of landscaping/trees; or e) or other such treatments deemed appropriate by the Reviewing Party.

All trash enclosures should be located outside the minimum setback requirements when they are located adjacent to residential units, active open spaces, schools and any other sensitive uses.

Downspouts

For the elevation(s) considered to be the primary customer entrance(s), all downspouts shall be concealed by an architectural enclosure or behind the building's façade. No exposed downspouts shall be used. Downspouts for non-primary customer entrance elevations may be exposed depending on the amount of visibility those elevations have from public view and whether or not the appearance supports the overall design goals for Ballpark Village (to be determined on a case-by-case basis by the Reviewing Party). If exposed downspouts are permitted, they shall be painted to match the building's façade.

Building Orientation

Hot and dry climates, as experienced within the City, require architects to consider the impact of building orientation when designing site plans so that internal heat gain is minimized and outdoor shading is maximized with a goal of creating the most comfortable environment possible. Although north-south building window orientation is most desirable in the desert southwest, window exposure to the east and west may be unavoidable in many areas of the MXD/RES MXD areas of Ballpark Village. The MXD/RES MXD areas shall have no building height to street width ratio requirements, nor any multi-story building step-back requirements. In the event a development within the MXD/RES MXD areas is proposed with a building height to street width ratio or building step-back, such site plan(s) shall be reviewed on a case-by-case basis to determine whether the proposed building-height to street-width ratio or multi-story step-back is acceptable.

Curb Cuts & Driveways

All new driveway locations must be approved by the Reviewing Party and conform to the curb cut and driveway locations within the 2017 PAD and must provide acceptable ingress/egress necessary for the proposed use(s).

Entryways

The existing entries along Estrella Parkway will continue to provide prominent visibility and define the "gateways" into the Goodyear Ballpark and MXD/RES MXD areas. Corner buildings to these entryways shall feature appropriate architectural design features as determined by the Reviewing Party. South Ballpark Way shall continue to be the "ceremonial entry" to Goodyear Ballpark and the MXD/RES MXD areas.

Parking & Loading

Each use within the MXD/RES MXD areas of Ballpark Village shall provide adequate parking to either satisfy the City's Zoning Code or conform to a shared parking study as described within the 2017 PAD. Shared parking and consolidated common parking solutions are encouraged. Temporary parking and loading requirements shall also satisfy the City's Zoning Code or as otherwise identified by a shared parking study. For parcels that border Estrella Parkway north of Goodyear Boulevard South, parking shall be located in conformance with the Goodyear City Center Gateway Overlay District requirements. Parking structures, if utilized, shall be considered "buildings" within the Guidelines.

Each owner or occupant of a building ("Owner/Occupant") shall identify construction standards and stall sizes for all off-street parking in conformance with the City's Zoning Code relating to parking and loading requirements.

Canopy or shade-type structures may be installed in all off-street parking areas with the approval of the Reviewing Party. Canopy or shade-type structures must be of a material and color that complement the buildings they serve. Although there are no set design requirements for these structures, the overall design, including the roof, must also complement the building(s) they serve. Solar panels may be utilized as accessory features on parking structures and if utilized, they should be designed to accommodate the solar equipment. The solar equipment, to the extent it is practical, should be treated to be as unobtrusive as possible.

No exposed loading areas/docks shall be permitted on any side of a building that faces Estrella Parkway, Goodyear Boulevard South, Lower Buckeye Parkway, or Bullard Avenue. Loading areas must be located towards the rear or sides of all buildings. A minimum eight-foot (8') height wall must be used to screen the loading area from the street, with such wall being appropriately "softened" by the use of landscape material. The design of the wall, along with the color and materials used, must complement the buildings to which they serve.

Parking lots should generally be separated from the sides of buildings by a raised walkway or landscape strip that contains a minimum four-foot (4') width of landscaping. If trees are to be planted, a minimum fifteen-foot (15') width of landscaping area is required.

When practical, parking lots should be divided into a series of connected smaller lots (50 - 75 parking spaces each) utilizing raised landscape strips at least six feet (6') in width and raised walkways.

Interior landscape islands should be provided between parking spaces, at a rate of one (1) per every twelve (12) parking spaces, to avoid long rows of non-shaded parked cars. The planting islands shall be approximately 100 square feet (5' by 20') and be protected by a six-inch (6") high curb on all sides. Each planting island should contain two trees. In some cases, where a planting island is to be located immediately in front of a storefront, and such a tree, when mature, would block views of a wall-mounted sign, the required tree may be located in an alternative location where it will enhance an outdoor use area, such as in a plaza or courtyard.

Continuous landscape planting strips should be provided between every third (3rd) row of parking and trees should be provided within the planting strips for shade. Landscape strips should be a minimum of six feet (6') in width, not including a six-inch (6") wide curb and a twelve-inch (12") wide concrete strip on both sides (the planting strips should be wider if they contain a pedestrian pathway). Walking paths or sidewalks should generally be provided (where necessary) within landscape strips to facilitate pedestrian movement to building entrances.

Planting islands should generally be provided at the ends of parking rows. Such island should be a minimum of two hundred twenty square feet (220 sf), with a six-foot (6') wide minimum planted width. They should be planted with shade trees, low shrubs and/or groundcover. They should also be protected by a six-inch (6") high curb on all sides.

All on-street parking shall comply with the standards identified within the 2017 PAD. On-street parking spaces immediately abutting a lot within the MXD/RES MXD areas may be used to help meet the parking requirement for that same lot or block of lots.

Other than for guest parking, residential parking shall be dedicated and not available for shared use.

If parking structures are utilized, the following guidelines shall guide their design and construction:

- Structures should be designed so that the height and mass is compatible with the surrounding area
- Structures should complement the buildings they serve. All sides of a parking structure that are visible from public street(s) or common area(s) must be faced with a building material similar or complementary to the main building or and/or buildings within the area.
- Structures should use appropriate screening to screen parked vehicles (as much as practical) from active pedestrian areas.
- Pedestrian entrances to structured parking shall be easily recognizable, attractive, clean, and well drained.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Access & Circulation

Sidewalks located within street right-of-ways shall be designed to the standards identified within the 2017 PAD and have a minimum of seven feet (7') of overhang where walkways abut against a parking area.

All walkways that traverse vehicle drive aisles shall be distinguished with either stripping or hardscape materials such as specialty pavers or stamped colored concrete (whichever is deemed more appropriate by the Reviewing Party for the area in which it serves). Stripping or decorative materials should be used to clearly delineate pedestrian travel areas from drive aisles. Specialty paving material for walkways shall be developed in accordance with ADA requirements.

The use of stamped concrete, stone, brick or granite pavers, exposed aggregate, or colored concrete can be utilized (where appropriate) to serve as a traffic calming function to promote pedestrian safety and to minimize the negative impact of large expanses of black asphalt pavement on parking lots. The entry throat into the development can also be distinguished with hardscape materials such as pavers, or patterned, stamped or colored concrete.

Bollards should be considered to separate pedestrians from vehicular traffic areas and to light sidewalk surfaces. If utilized, bollard design should be coordinated with other streetscape furnishings.

Curb ramps are required at all intersections where sidewalks are required. Curb ramps shall meet the standards adopted by the City. Two curb ramps at each street corner are encouraged wherever a sidewalk is located. In-lieu of a double curb ramp per street corner, the sidewalk may slope down to meet the street with bollards installed. If this design is pursued, bollards shall follow the curb radius adjacent to the intersecting streets and shall be placed a minimum of 4 feet (4') on center.

Curb extensions can be utilized to minimize pedestrian crossing exposure by shortening the crossing distance as well as enhancing visibility. Curb extensions shall be constructed in the MXD/RES MXD areas wherever crosswalks are located, including mid-block crossings. Curb extensions shall extend no less than one foot (1') less than the width of the parking lane beyond the sidewalk.

The installation of stop lines or stop bars at crosswalk locations controlled by stop signs and traffic signals is an effective means of reducing vehicle encroachment into a crosswalk. The stop lines should be placed five feet (5') in advance of and parallel to the crosswalk.

Crosswalks should be installed only where needed and should be at least as wide as the sidewalk. Each crosswalk should be sufficiently illuminated for nighttime safety. Crosswalks should be installed at the following locations:

- All signalized intersections.
- At all intersections and mid-block crossings
- At all roundabout locations (if applicable)

- At all intersections where bus stops are proposed

Mid-block crossings are required on all streets within the MXD/RES MXD areas of Ballpark Village. Mid-block crossings should be installed at distances of approximately 400' - 450' from intersections and are encouraged to have advance warnings. All mid-block crossings shall be approved by the City of Goodyear.

A pedestrian connection or passageway from the front of a building to a rear parking area is encouraged at a ratio of at least one alley per block. Single tenant buildings longer than 300 linear feet would not be encouraged to have such a connection. A driveway with adjacent sidewalk(s) may serve as a pedestrian alley. The alley may be covered, open or partly open as in the case of an arbor or landscaped arbor.

Enhanced sidewalk paving treatments may be required in certain areas as determined by the Reviewing Party. All design treatments shall be reviewed, approved or disapproved on a case-by-case basis by the Reviewing Party and shall comply with ADA requirements.

Grading, Drainage & Berms

Improvements must include site grading and drainage solutions in accordance with: a) the City's Engineering Design Standards, and b) Ballpark Village's master drainage plan.

Storm water retention may be designed at a surface level, a below-grade level, or a combination of both. Other than the management and infiltration of storm water runoff, retention basins may provide amenities such as passive recreation opportunities and urban open space. Landscaped areas may be used for storm water retention. For the portion of Ballpark Village located south of Lower Buckeye Parkway, retention basins must be designed to hold and retain the water resulting from a 100-year, 6-hour storm event and must be designed to dissipate as outlined in the "Drainage Report for Wood Corporate Campus PH I" dated April 16, 2008 and prepared by Project Design Consultants. For the portion of the Ballpark Village north of Lower Buckeye Parkway, retention basins must be designed to hold 50% of the volume of storm water resulting from the 100-year, 6-hour storm event. The remaining storm water volume will be designed to outlet into the existing storm drain system, as outlined in the "Drainage Report for Wood Corporate Campus / Ballpark Village PH II" dated October 24, 2007 and prepared by Project Design Consultants. Retention basin design must comply with the City's Engineering Design Standards. Basins must also be designed so that no damage to landscaping and other improvements occurs as a result of the designed-for storm events. In general, retention basins should:

- Vary in size and shape if multiple basins are located close to one another.
- Be divided into multiple smaller basins if a single basin is out of character for the parcel to which it serves.
- Provide a variety of visual sequences when viewed from the basin or from outside the retention area.

Continuous straight-line berms are discouraged. It is encouraged that berms be designed as freeform, curvilinear and undulate in their height. Side slopes shall not exceed a 3:1 gradient. Use of berms to screen parking lots from the street is encouraged, but may not be required unless the Reviewing Party believes such berms are critical to promote the overall vision of Ballpark Village's design theme. When utilizing berms to screen parking lots from the street, the side facing the street shall be a gentler slope of 4:1 or greater. When walls are provided, landscape berms are encouraged to reduce their visual impact, but are not required unless the Reviewing Party deems such landscape berms are critical to promote the overall vision of Ballpark Village's design theme.

Screening

All trash from each lot is to be disposed within an approved "dumpster" that is provided by a licensed refuse collection company. Approval of the dumpster shall be made by the Reviewing Party. All refuse collection areas shall be located in a manner that produces the least amount of visual impact to the public while also allowing for adequate ingress and egress by collection vehicles. Refuse collection areas shall be screened by building walls or screen walls at a minimum of six feet (6') in height and constructed of a material that is complementary to the buildings it serves. The collection area should be accessed through an opaque metal gate, with the gate and screen walls painted to match the buildings they serve. In order to reduce the number of dumpsters and dumpster enclosures, integrated developments are encouraged to share such facilities when and where possible. All refuse enclosures must be in compliance with the City's Engineering Design Standards.

A building parapet shall screen all roof-mounted equipment and ventilators (to the extent such screening is feasible or practical). Mechanical equipment shall not exceed fifteen feet (15') in height and must be adequately screened from view by parapet walls or some other form of architectural screening. Wall-mounted equipment will not be permitted on the front or sides of any building. Ground-mounted electrical and/or mechanical equipment shall be allowed along the rear of buildings, with such equipment being allowed along the sides of buildings on a case-by-case basis via the site plan and design review process. Ground-mounted electrical and/or mechanical equipment shall not be permitted on the front of buildings. Ground-mounted equipment must be screened from view by architecturally compatible (materials and color) walls or adequate landscaping, with the height of the wall or landscaping equal to the height of the equipment. Storage tanks, satellite dishes, cooling towers, communication towers and antennas are considered mechanical equipment and are subject to these screening standards. Solar panels do not need to be screened but shall be integrated into the design of the building. For developments abutting residences, mechanical equipment shall be screened from such residences to the extent feasible or practical. All screening materials should be compatible with the colors, materials, and design of the building.

Except as may be approved by the Reviewing Party, no utility lines, wires, or other devices for the communication or transmission of electric current, power, or signals (including telephone, television, microwave, or radio signals), shall be constructed, placed, or maintained anywhere in or upon any lot other than within buildings or structures, unless the same shall be contained in conduits or cables constructed, placed, or maintained underground or concealed in or under

buildings or other structures in a manner approved by the Reviewing Party. All underground electrical facilities less than 69kV shall be underground.

Electronic surveillance equipment or alarm hardware should be of a color that is consistent or complementary with the building it serves. To the extent practical, any wiring should be concealed or shielded from public view.

When feasible or practical, backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations. If they are, or if they are within public view, they should be screened with shrubs, berming, low-screen walls, a combination thereof, or other screening method deemed acceptable to the Reviewing Party. Cages painted in earth-tone colors shall be permitted.

Lighting

Street lighting shall be provided along all streets. A lighting consultant or electrical engineer shall design street lighting and meet the illumination standards established by the City. Light poles shall be limited to a maximum of twenty-five feet (25') in height within all parking lots, with twenty feet (20') heights preferred. For buildings and the immediate area of each building, the following shall apply:

- Exterior light fixture design shall be compatible with: a) the building's design and b) the principal use of the building.
- Exterior light fixtures shall be incorporated into the building's architectural design and within the site's landscape design. As a general guideline within the MXD/RES MXD areas, there should be a greater number of pedestrian-scale lights as opposed to fewer, taller high-intensity lights. Light sources for and from parking structures (if utilized) should be screened from direct view along adjacent streets and sidewalks.
- Walkways, plazas, and courtyards that are considered interior to the site shall provide exterior lighting under a maximum height of fourteen feet (14'). The Reviewing Party may allow a height greater than fourteen feet (14') on a case-by-case basis depending on the desired use of the site and whether or not the request is consistent with the overall design theme of the MXD/RES MXD areas of Ballpark Village.
- Light fixtures shall be equipped with appropriate reflection and shielded to prevent spillover illumination to adjacent land uses and residences.
- Lighting for pedestrian walkways should be designed for point-to-point illumination, with an emphasis on clearly defining pedestrian walkways and direction of travel.
- Each site shall provide adequate lighting for all walkways coming from building entrances to their respective sidewalks.
- Each site shall provide adequate lighting for all exterior building corners, ends of buildings, and passageways between buildings.
- Recessed entryways must be illuminated.
- The types, styles and colors of lighting that will be permitted shall be evaluated and determined by the Reviewing Party on a case-by-case basis.
- All bulbs and fixtures must be non-glare.

Construction

As soon as earthwork commences, sediment control measures shall be installed in such a way so as to filter all storm water run-off from a site before it enters a public street or public drainage facility. The sediment control system must remain in place and be in good repair until construction is complete and landscaping is installed. Construction activity shall conform to all regulatory agency rules, standards, and criteria governing sediment control.

The use of temporary structures, trailers or portable buildings is permitted. Activities are limited to construction offices, security offices, storage of tools and equipment, and toilets. The Reviewing Party must approve the location, design, and general appearance of all temporary buildings.

Ballpark Village has no temporary dumpsites. All debris shall be removed from the premises during construction and completion of construction. Construction materials shall be kept out of street right-of-ways at all times. All streets are to be kept free of dirt, debris, and spilled concrete. Each builder shall be responsible for street cleaning on a regular basis as determined by the Reviewing Party. "Wash-out" areas for concrete trucks must be provided on all construction sites in locations that are approved by the Reviewing Party. All trash must be kept in enclosed containers and removed frequently so that the site is maintained in a clean and orderly manner.

The Owner/Occupant is responsible for determining the location of existing underground utilities and for the protection of such facilities during the construction process. The Owner/Occupant must consult Arizona Blue Stake, Inc. prior to any excavation.

The Owner/Occupant is responsible for controlling dust and air pollution on the construction site in accordance with the terms and conditions of the Dust Control Prevention Plan, as submitted to the Maricopa County Environmental Services Department under application for an Earthmoving Permit.

Sidewalk Cafes

Outdoor cafes make a significant contribution to the quality of public spaces and street life. The purpose of this section is to provide simple procedures and design guidelines to encourage the establishment of sidewalk cafes when and where feasible and appropriate within the MXD/RES MXD areas. The following standards shall apply:

- Must have an adjacent associated business such as a cafe, coffee shop, delicatessen, restaurant, ice cream or frozen yogurt parlor, or food court.
- Sidewalk cafe furniture shall not block access to pedestrian street crossings, disabled parking spaces, mailboxes, or public telephones (if applicable).
- Outdoor cafes shall provide for a minimum of eight feet (8') of public access across the pedestrian flow of traffic. Conflict between the sidewalk cafe and elements in the street furniture zone is not permitted.

- Outdoor furniture must be of commercial quality to withstand the wear of outdoor commercial use. Plastic tables and chairs are not permitted. Outdoor furniture should be complementary to the adjoining business design and make a positive contribution to the street environment. Only the name and/or logo of the business and/or core product service may be placed on the chairs.
- Umbrellas must be at least seven feet (7') above sidewalk level and shall not interfere with the pedestrian flow. They must be secured from wind gusts but shall not penetrate or damage the sidewalk. Only the name and/or logo of the business and/or core product service may be placed on the umbrella.
- Removable barriers are optional. These barriers may consist of, but are not necessarily limited to: planter boxes, potted plants, and bollards. The Reviewing Party on a case-by-case basis may approve other forms of removable barriers. Chains, ropes, and line markings are not permitted. Removable barriers may not encroach on the pedestrian flow space. Removable barriers will be required when alcohol service is provided.
- Non-removable barriers such as low decorative fences shall be permitted with the design being approved by the Reviewing Party.

Patio and Open Air Service - Alcohol Serving Establishments

The purpose of this section is to provide simple procedures and design guidelines for patio and open air service associated with alcohol serving establishment, when and where such service is feasible and appropriate within the MXD/RES MXD areas. The following standards shall apply:

- Must have an adjacent associated business that serves alcohol, such as a restaurant, entertainment venue, pub or other similar establishments.
- Patio furniture shall not block access to pedestrian street crossings, disabled parking spaces, mailboxes, or public telephones (if applicable).
- The patio or open air service shall provide for a minimum of eight feet (8') of public access across the pedestrian flow of traffic. Conflict between the patio or open air service and elements in the street furniture zone is not permitted.
- Outdoor furniture must be of commercial quality to withstand the wear of outdoor commercial use. Plastic tables and chairs are not permitted. Outdoor furniture should be complementary to the adjoining business design and make a positive contribution to the street environment. Only the name and/or logo of the business and/or core product service may be placed on the chairs.
- Umbrellas must be at least seven feet (7') above sidewalk level and shall not interfere with the pedestrian flow. They must be secured from wind gusts but shall not penetrate or damage the sidewalk. Only the name and/or logo of the business and/or core product service may be placed on the umbrella.
- Removable or non-removable barriers are required. These barriers may consist of, but are not necessarily limited to: planter boxes, potted plants, and bollards. The Reviewing Party on a case-by-case basis may approve other forms of removable barriers. Chains, ropes, and line markings are not permitted. Removable and non-removable barriers may not encroach on the pedestrian flow space. Non-removable barriers such as low decorative fences shall be permitted with the design being approved by the Reviewing Party.

- Other forms of open air service, including special event “beer and alcohol service gardens”, shall be permitted in accordance with all City zoning and use permit requirements.

Open Air Setbacks

Open-air setbacks or jogs in the building façade are permitted. Interior entrances to ground floor retail may be set back to allow for outdoor use such as outdoor dining, outdoor display, or entry forecourts. Elements defining the wall plane at the sidewalk line are encouraged. Open-air setback dimensions will be reviewed and either approved or disapproved by the Reviewing Party on a case-by-case basis.

Street Furniture Zone

Street furniture zones buffer pedestrians from the adjacent roadway(s) and from on-street parking. A street furniture zone is an area where elements such as street trees, signal poles, parking meters, street lights, controller boxes, hydrants, signs, benches, newspaper stands, trash containers and other street furniture can be properly located. If/where utilized, all street furniture shall be located within five feet (5') of the street curb. At the discretion of the Reviewing Party, benches may be required in certain areas, or for all areas, every two hundred fifty linear feet (250lf) or some other distance determined appropriate by the Reviewing Party along front-facing building façades/storefronts. Benches shall be compatible with the surrounding building architecture/design and also complement other street furniture in the area. One trash container shall be provided for every one hundred fifty linear feet (150 lf) of front-facing building façade/storefront or at some other distance deemed appropriate by the Reviewing Party. Trash containers must be compatible with the surrounding building architecture/design and also complement other street furniture in the area.

Awnings

Awnings, canopies, and pergolas (also known as arbors) are strongly encouraged on front-facing building façades/storefronts and may be required if determined by the Reviewing Party. Materials, colors, and forms should be complementary to and derived from the building architecture. Placement of pergolas, canopies, and awnings should be above the display windows and below the storefront cornice or sign panel and should not cover columns, pilasters, clerestory windows or architectural features. Pergolas may run the entire length of a building. Building arcades that are an integral component of the building architecture are permitted in-place of awnings, canopies, and pergolas. Guidelines for awnings are as follows:

- Only traditional sloped fabric awnings are allowed.
- Awnings must complement the architecture of the building.
- When contained within windows, awnings shall fit the frame of the window, door or storefront.
- Awnings should not obscure architectural features.
- Brightly colored plastic or vinyl awnings that are often internally lit or plastic "bubble" awnings are not permitted.

- Barrel shaped awnings should only be used to complement arched windows while rectangular awnings should be used on rectangular windows.
- All awnings and canopies must have a minimum vertical clearance of eight feet (8') above the sidewalk.
- Awnings and canopies must be attached directly to the building without requiring poles, sidewalk support, or visible guy wires from the top.
- On buildings wider than twenty-five feet (25'), awnings and canopies must be segmented to articulate each display window and provide a sense of proportion to the façade.

Site Design Criteria (Specific to the RES MXD Area Only)

Due to the contemporary and urban-like vision of Ballpark Village, there is no required minimum separation between buildings. If parking structures are utilized instead of or in conjunction with surface parking, such structures shall be located behind residential buildings. If utilized, the Reviewing Party shall approve or disapprove the amount of perimeter wall exposed to a public street on a case-by-case basis, but as a general guideline, such structures shall not have more than twenty five percent (25%) of its perimeter walls exposed to a public street. Any portion of a perimeter wall exposed to a public street shall be screened with an appropriate amount of landscaping.

If a balcony is offered for residential units, the size should be a minimum of forty square feet (40sf) each, or such other size deemed appropriate by the Reviewing Party. For the purposes of this section, a patio is considered a ground floor balcony.

Goodyear Ballpark Specific Criteria

The Ballpark shall have a clean, contemporary style appropriately detailed for its regional desert setting and shall provide a pedestrian promenade and/or walkway around the entire field.

Ballpark concessions' buildings along certain surrounding north/south and east/west roads may be 'pods' at the ground level with entry plaza openings into the ballpark concourse between them.

Section D: Residential Land Use Design Guidelines

The Residential ("RES") components of Ballpark Village shall be designed in a manner that is: a) aesthetically pleasing and complementary to the surrounding Ballpark Village development; b) has its own sense of identity; and c) as described within the 2017 PAD, has a unique residential character within a distinct setting. The following sections provide for general guidance as to how the community is to be developed, with the last section identifying certain architectural and exterior design elements that must be incorporated pursuant to a "minimum standards" point accumulation system.

Garage Design

The character of a community is predominantly defined by the street-scene experience. De-emphasizing the visual impact of garages allow the active architecture and style to permeate the street-scene and reinforce the community's identity. Architectural enhancements, such as relief given to front facing garage doors to minimize visual impact are recommended. Projections, pop-outs, cantilevers, recessed garage doors and corbels are just a few examples of design elements that can also be utilized for front facing garage doors if these items are consistent and in harmony with the overall contemporary and urban-like architectural theme of the community.

Front facing residential garages (non-alley loaded homes) should be positioned in a manner that de-emphasizes their visual impact on the street. This will allow the active, visually interesting features of the building to dominate the streetscape.

Garage doors should be compatible with the architectural style of the residence. In order to avoid the impact of garage doors, it is encouraged that they be appropriately treated with one or more of the following:

- Decorative relief cuts
- Panels
- Small decorative windows

Corner Lot Treatment

Homes and/or buildings on street corners have a high degree of visibility and impact on the community's image. Placement of homes and/or buildings on street corners shall be done sensitively, with side elevations designed to have a similar level of detail and articulation as the front elevation. Enhancements may include, but not necessarily limited to, one or more of the following:

- Wrap-around porches or courtyards
- Enhanced window treatments
- Roof plane breaks
- Accent colors, materials and detailing

- Pop-outs

Perimeter Edges & Open Space

Neighborhood identity is closely tied to the community's perceived interaction with neighboring developments, open space networks and edge conditions. Sensitive treatment of these edge conditions can define the community image and enhance the standard of living enjoyed by its residents.

"Community Perimeter Edges" are considered to be South Estrella Parkway and South Wood Boulevard. Perimeter lots are those having a side or rear elevation exposed to a Community Perimeter Edge.

When possible, the design and placement of buildings and/or homes on lots located along a public/private street and that are visible from open space and parks should be designed to avoid a monotonous edge condition. Such homes shall incorporate one or more of the following elements:

- Perimeter Open Space/Retention Tracts – Provide an open space/retention tract along South Estrella Parkway and South Wood Boulevard of a sufficient width to accommodate the permitted amount of retention in these areas. The total amount of surface type retention that can be used in a given tract(s) is sixty five percent (65%). If underground retention is used, up to eighty percent (80%) of a given tract(s) may be utilized, if designed such that the landscaping character is maintained.

- Pedestrian Connectivity – Pedestrian connectivity is an element of design is encouraged to be provided within the RES components of Ballpark Village. A highly connected neighborhood adds to the identity of a community and provides a sense of place. The pedestrian circulation system should connect neighborhoods to adjoining neighborhoods, parks, and amenity open space(s). All pedestrian circulation systems shall contain a minimum four foot (4') wide sidewalk unless adjacent to a public/private street. If adjacent to a public/private street, sidewalks shall be a minimum of five feet (5') wide. The circulation system should connect to the periphery of the RES area and allow access to South Estrella Parkway and South Wood Boulevard, providing access to the ballpark and other adjacent destinations.

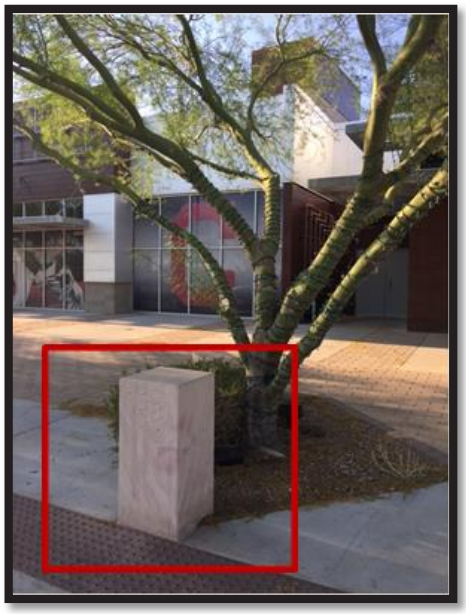
- Enhanced Primary and Secondary Entries – Primary entries from South Estrella Parkway shall be enhanced by providing at least one (1) of the following:

    - Enhanced landscaping
    - Entry monumentation
    - Street art
    - Enhanced paving
    - Water feature
    - Other design elements that complement the project

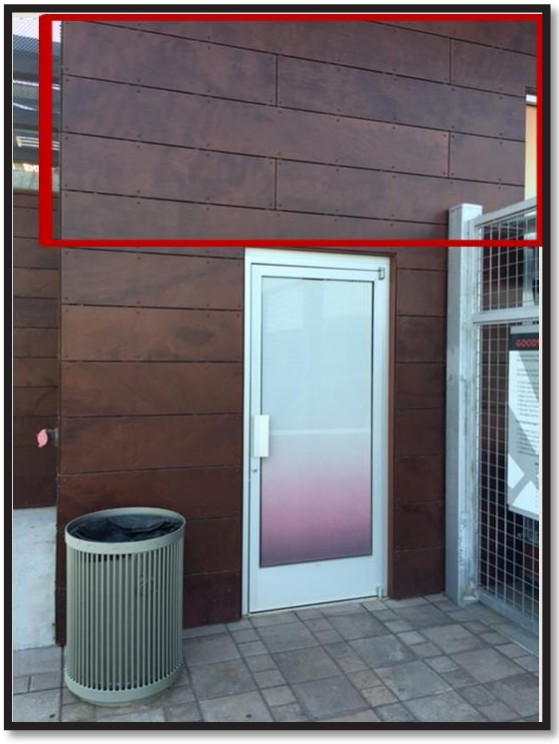
Secondary entries or access points from South Wood Boulevard and an interior loop road may have enhanced paving at the beginning of a public/private street or alley. Enhanced landscape elements may be placed at the entry driveways to establish identity to these areas.

- Required Open Space Materials – To ensure the RES area of Ballpark Village remains compatible with, and complements the Goodyear Ballpark, certain design elements from the Ballpark and its immediately adjacent areas shall be introduced into the open space, amenity feature(s) and/or entryways of the community. The following list of materials (or representative examples) shall be incorporated into the overall design of these areas (exact materials, amounts, colors, form of integration and placement of each to be determined during the site planning process):

Board-formed finished concrete – entry monumentation areas (earth tone or natural grey)



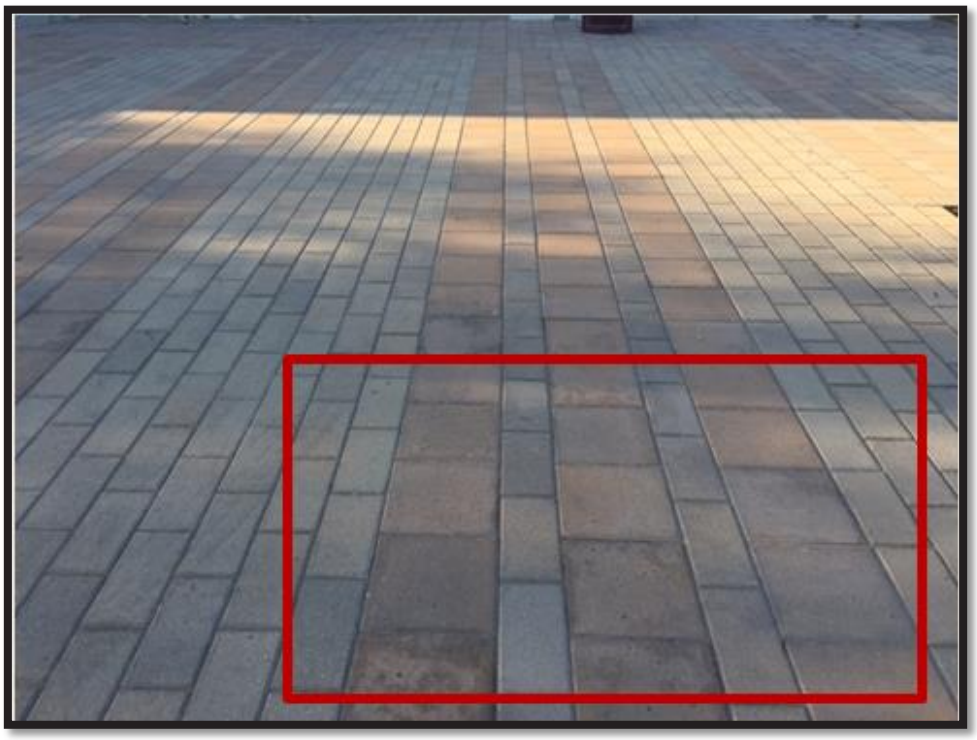
Metal/composite cladding with wood like texture

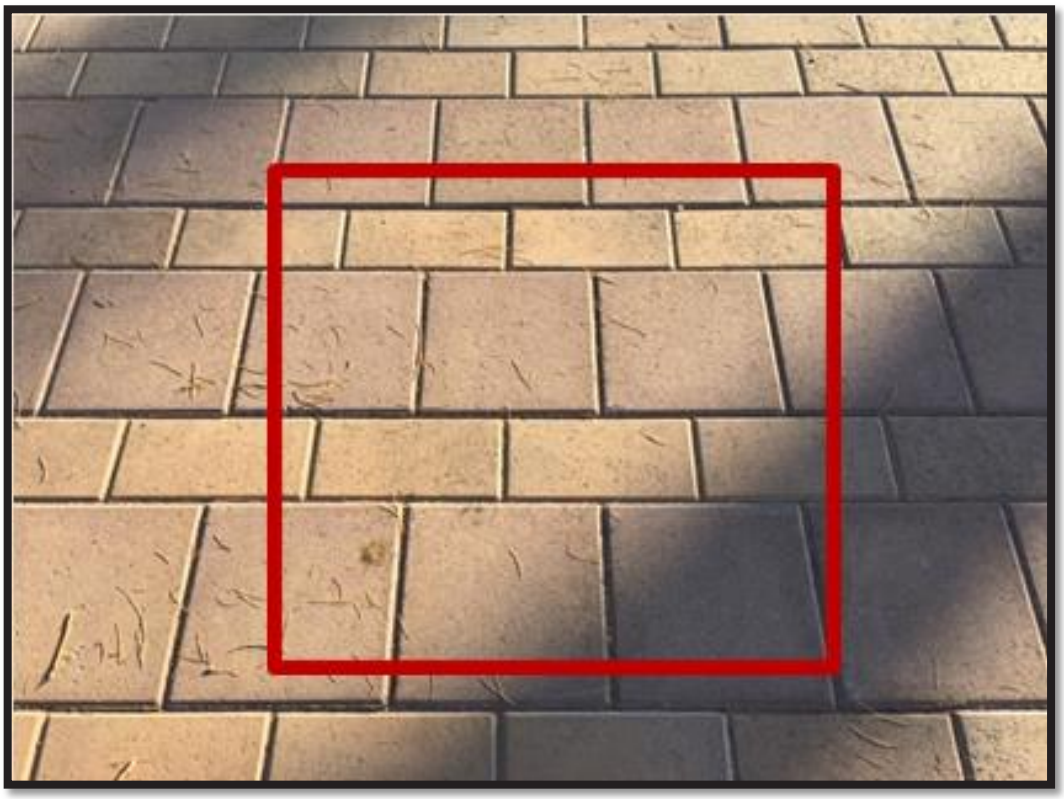


Welded wire fencing – (painted steel or galvanized)

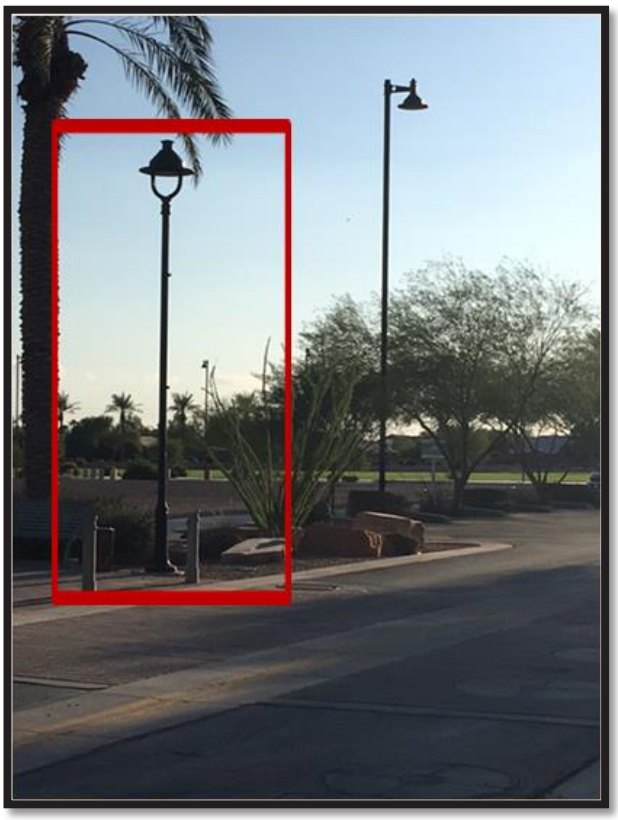
Park style pre-fab bench with horizontal flat slats

Pavers with banding in three patterns – modern accent style





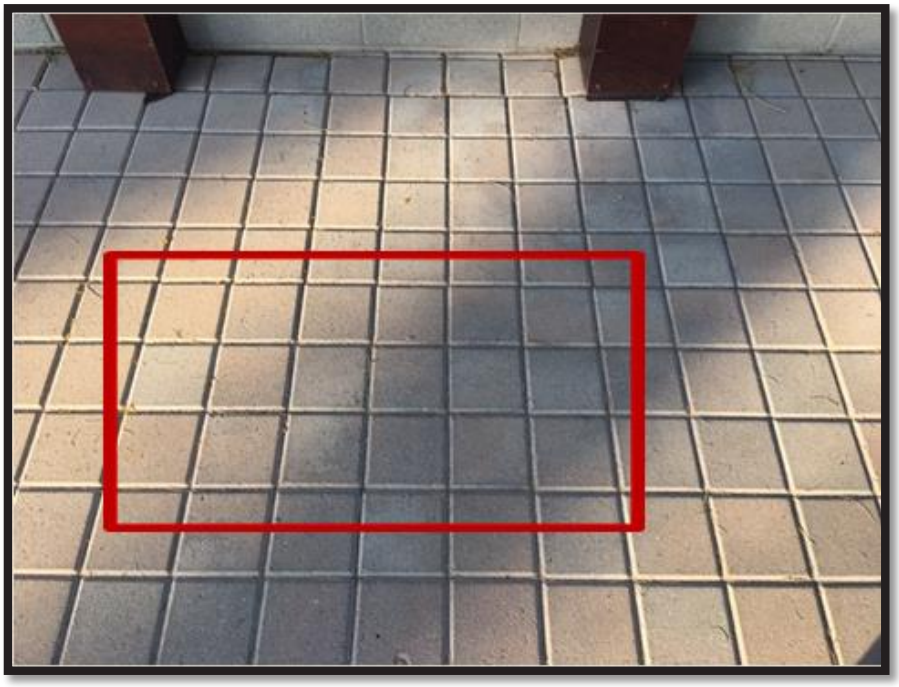
Ornamental community open space (pedestrian) lighting that is complimentary to existing Goodyear Ballpark pedestrian lights



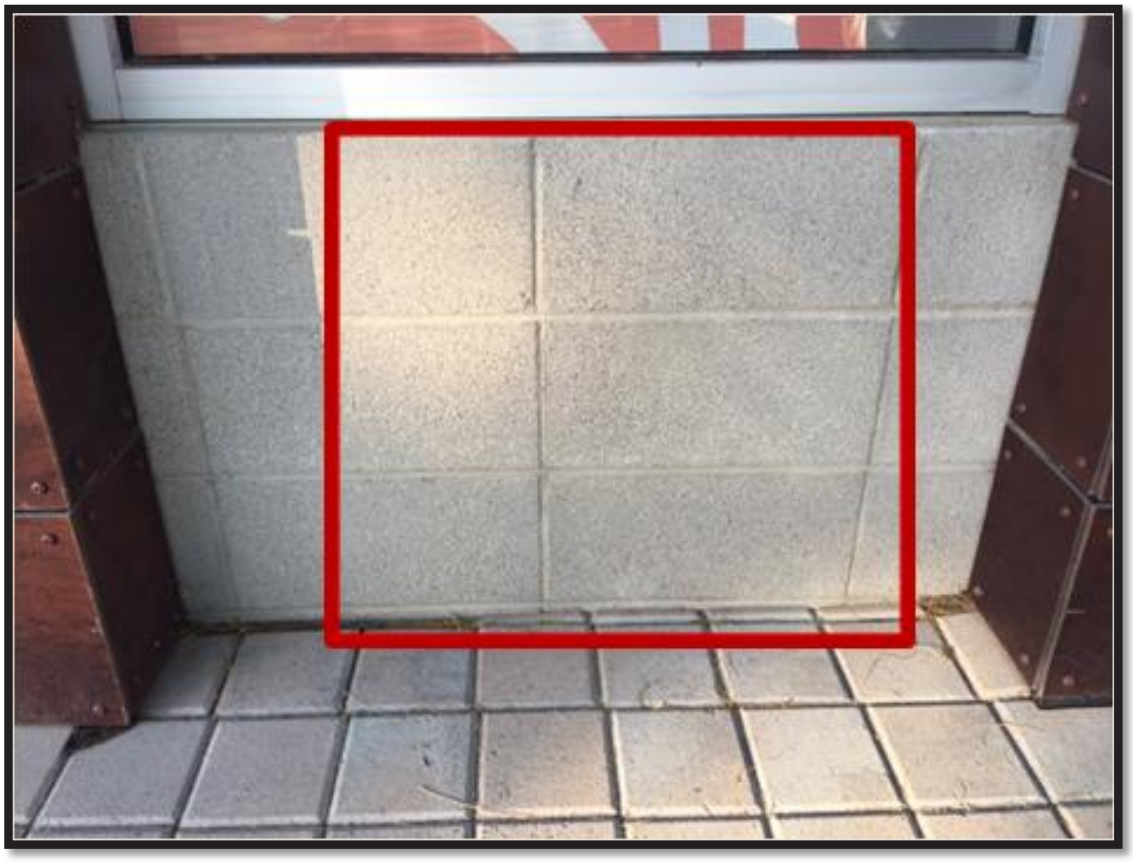
Angular boulders (color to be determined)

Metal awning and horizontal metal cladding

Square concrete pavers



Pre-cast concrete block



"Weathered" corrugated metal cladding

Metal columns/supports with symmetrical metal mesh

Stainless steel/aluminum reverse-pan channel lighting

- Walls in Public View – Subdivision perimeter walls may include columns with caps, and/or decorative stone. Incorporation of decorative wrought iron, trellises, raised planters, or other artistic features in context with the area may also be utilized. Perimeter walls shall incorporate various textures in conjunction with landscaping to provide visual interest and to soften the appearance of perimeter walls. Columns should break up perimeter walls at regular intervals. As an alternative to a perimeter wall, wrought iron fencing may be considered. This will help to provide a sense of connection with the larger neighborhood.

- Variation of Roof Planes – A variety of roof forms will not be required due to Ballpark Village's contemporary and urban-like design theme. In addition, there is no limit on the number of homes that may have similar or identical roof forms facing the Community's Perimeter Edges since the architectural theme requires a more uniform appearance.

- Articulated Building Massing – When feasible, a building's mass should be broken down into smaller elements to provide visual interest and articulation to the neighborhood street-scene.

- Architectural Enhancements – Rear and/or side elevations that abut or are immediately adjacent to a public/private street(s) shall be sufficiently articulated to provide visual interest. Examples of these enhancements shall include, but are not be limited to:

    - Enhanced window treatments (required on all units and front elevations that abut or are immediately adjacent to a public/private street(s))
    - All homes within the community should have at least two (2) of the following:

        - Offset wall planes (minimum offset of 6")
        - Roof plane breaks (not applicable on flat roofs)
        - Window awnings
        - Introduction of accent building materials and colors
        - Introduction of accent elements such as clay vents, out-lookers, and decorative grille work consistent with the front elevation's architectural style.
        - Other similar types of features that provide articulation to the visible side or rear elevation.

- Architectural Criteria – The architecture of a home or building is comprised of three (3) basic components regardless of its architectural style. These architectural components consist of building façades, roofs, and detail elements. When these components are combined and designed appropriately, a cohesive yet diverse environment will be realized; one that is consistent with the goals and objectives for Ballpark Village. The following criteria shall be required:

    - A minimum of three (3) floor plans shall be offered within each subdivision.

- Due to the unique nature of the contemporary and urban-like design: a) there shall be no requirement as to the minimum number of elevations to be offered within each subdivision; b) there shall be no restrictions on the location of plans and elevations in relation to each lot (i.e., Plan 1 Elevation A can be built next door to or across the street from Plan 1 Elevation A); and c) homes with the same plan (i.e., Plan 1 Elevation A and Plan 1 Elevation B or C) that are proposed to be built next door or across the street from one another shall be allowed to use the same roof style.

- Building Form – Although it is important to promote visual interest throughout the community, contemporary and urban-like architecture design utilizes consistent building forms while still providing a visually diverse environment. Due to the unique design theme envisioned for Ballpark Village, a variety of building forms will not be required within the RES community. The following enhancements are encouraged to supplement the contemporary and urban-like architectural theme:

  - Articulation of wall planes
  - Projections and recesses to provide shadow and depth
  - Simple bold forms
  - Although not required, frontal elevation wall planes can be staggered to create additional interest along the street-scene, while articulation and architectural details should be added when visible from public spaces.

Building Materials & Colors

The design of residences should use building materials that are consistent with the proposed architectural style. All surface treatments or materials should be designed to appear as an integrated part of the design, and not merely applied. All materials shall: a) wrap columns, porches, or balconies in their entirety; and b) change to another material at an inside corner. A material that is applied to a "wrapped architectural enhancement elevation" shall turn the outside corner of the building a minimum of two feet (2') before terminating.

A range of color tones, consistent with the proposed architectural style, should be used throughout the neighborhoods of the RES component of Ballpark Village. The extensive use of bright and vibrant colors is not permitted. Contrasting colors (either lighter or darker than the main body color of the residence) are encouraged for trim and accent elements (i.e., fascia, eaves, doors, awnings, window trim, porch railings, garage doors, etc.). Due to the unique contemporary and urban-like design of the community, no minimum number of color schemes or roof color schemes will be required for each subdivision or for each product line within the community.

The following illustrates the range of color tones and form of implementation the Reviewing Party will be looking for in all paint color approval processes. THESE ARE NOT MANDATORY COLORS, NOR COMBINATIONS OF COLORS, BUT RATHER EXAMPLES OF WHAT COULD BE DEEMED ACCEPTABLE BY THE REVIEWING PARTY.

Body of Residence/Residential Building Structure (Primary Base ≥75% of all Exterior Painted Surfaces)

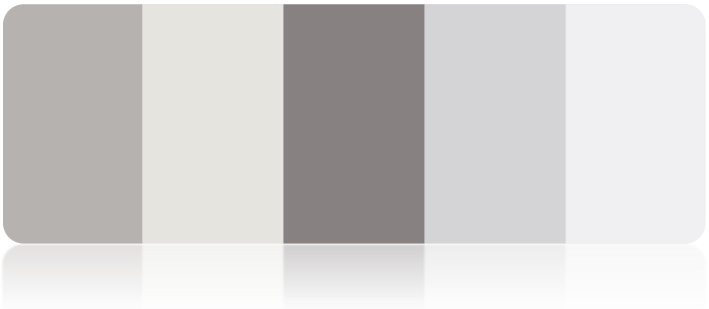
(Maximum of 2 primary base colors plus a minimum of one secondary base colors shall be utilized – all must be complimentary to each other)

Acceptable: Appropriately muted and non-vibrant variations of white tinted shades, greyish hues/shades, brownish & tan hues/shades and other earth-tone colors complimentary to the overall Ballpark Village theme.

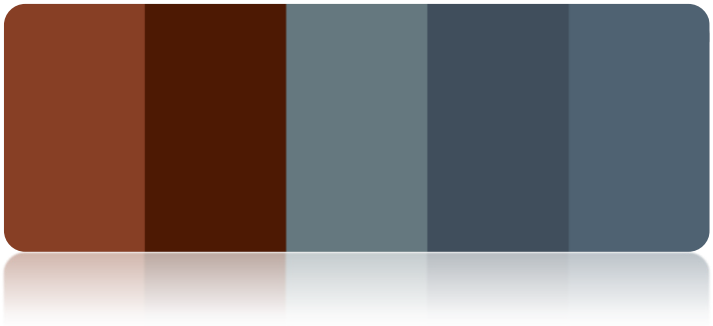
Trim/Accents & Secondary Base (as a Secondary Base ≤25% of all Exterior Painted Surfaces)

(1 color per residence or residential building – must be complimentary to body color)

Acceptable: Appropriately muted and non-vibrant variations of white tinted shades, greyish hues/shades OR reddish hues/shades, brownish & tan hues/shades and other earth-tone colors toned reds and/or blues that complement the base colors and are compatible with the overall Ballpark Village theme.



OR



Entry Doors/Garage Doors

(1 matching color set per residence – must be complimentary to body and trim/accent colors)

Acceptable: Appropriately tinted whites and greys along with correctly toned reds and/or blues and earth tones that complement all other components of the color scheme within the community and compatible with the overall Ballpark Village theme.

Exterior Hardware & Ancillary Materials

(1 theme that is complimentary to the color palate of each residence or residential building)

Acceptable: Stainless steel or brushed nickel appearance hardware and/or appropriately tinted greys, black and correctly toned reds, blues or browns. All exterior hardware & ancillary materials must complement the color schemes to which they serve and be compatible with the overall Ballpark Village theme.

Roof Form & Slope

Roof treatments throughout the community may be consistent and homogeneous in order to promote the contemporary and urban-like design theme of Ballpark Village. Minimum overhangs shall complement the architectural style and will be reviewed on a case-by-case basis during the design review process. Roof slopes shall be consistent with the architectural style of each residence. Broken roof pitches extending over porches, patios or other similar features are encouraged where appropriate and when in harmony with the architectural style. Parapet roof forms may also be utilized to complement the contemporary and urban-like design theme.

Roof Materials

The following roof materials and designs are consistent, or may be considered acceptable with supporting features (i.e., parapet wall), with the contemporary and urban-like design theme of Ballpark Village:

- Concrete barrel
- Engineered composite
- Concrete flat tiles
- Concrete shake
- Standing metal seam roof
- Metal panel slate profile
- Composite shingles
- Solar shingles
- Other appropriate and aesthetically pleasing materials utilized for flat roof construction

Composite shingles are permitted as an architectural accent element, but its use is subject to approval via the design review process. All "S" style tiles shall not be permitted. Skylights are permitted, but should be designed as an integrated part of the roof. White "bubble" skylights shall not be permitted unless completely hidden from public view. Skylight framing material should be bronze anodized or colored to match the adjacent roof. All conduit and electrical panels must be painted to match the color of the residence.

Entries

The entry of a home should be the focal point of the building's front elevation. Roof elements, columns, porticos, recesses or projections, window or other architectural features can be utilized to articulate the entryway.

Courtyards

Courtyards may be utilized as a transition from the street-side public space to the entryway of the home. Courtyard walls shall be finished to match the house and may be embellished with accents that are appropriate to the architectural style of the residence.

Porches, Patios & Balconies

Porches and patios, if or when utilized, should be designed as an integrated component of the building's architecture and have a minimum depth of four feet (4'). Porches should have railings and be fully covered in one of the following ways:

- Roof element that match the residence
- Trellis structure
- Second floor balcony or overhang

Patios, if utilized, shall not be required to be covered due to the style of housing envisioned within the RES component of Ballpark Village.

Although not required, second and third story balconies are encouraged to provide further visual interest to the street-scene while increasing the perceived front setback of the second story. If utilized, balconies shall have a minimum depth of three feet (3') and should be designed as an integrated component of the home's architecture. Columns used in conjunction with balconies should convey a sense of strength and support.

Columns & Archways

The use of columns and archways adds articulation to the character of the residence and is encouraged where appropriate. Columns and archways should be scaled appropriately to provide a sense of strength and support that is compatible with the architectural style of the home.

Trellis & Arbors

If trellis and/or arbors are utilized, they should be designed in a manner that helps maintain their appearance over time.

Window Openings

At least one principal window is required on front elevations. Principal windows are defined as one of the following:

- A prominent window recessed a minimum of two inches (2") or having a minimum two-inch (2") pop out surround.
- A bay window with a minimum two inch (2") projection and detailing appropriate to the architectural style of the residence.
- A minimum two-inch (2") deep pot-shelf with corresponding roof element and corbels.
- An overhead trellis element projecting a minimum of two inches (2").
- Decorative iron window grille that projects forward off the wall plane a minimum of two inches (2").
- A decorative window awning on at least one window.

Rear elevations that abut or are immediately adjacent to a public/private street(s) require the use of at least one principal window as defined above. Side elevations that abut or are immediately adjacent to a public/private street(s) are required to have a principal window treatment.

The style of windows shall be compatible with the architectural style of the home. Aluminum or vinyl extruded frame windows shall be appropriately colored to match or complement the body of the residence or the residence's trim colors. Window glazing may be clear or tinted. Reflective glass shall not be permitted.

Detail Elements

Detail elements such as awnings, overhangs, recessed windows and vertical/horizontal features such as architecturally compatible windows and doors and/or other features are encouraged to provide visual interest to the residential architecture.

Chimneys

Chimneys and particularly chimney caps should be simple in design so as to not distract from the buildings architectural style. The design of chimneys shall be compatible with the architecture style of the residence. The following features are appropriate:

- Tile caps, brick or tile banding
- Elaborate chimney tops/shroud shall be appropriate to the architectural style.
- Decorative metal tops/shroud shall match trim colors.

Exposed flues and extravagant metal fireplace caps are prohibited.

Driveway Criteria

Where provided, the minimum length for a driveway that is designed to accommodate parking shall be eighteen feet (18') from the opening of the garage door to the back of sidewalk. Driveway aprons shall range from a minimum of two feet (2') to a maximum of five feet (5') where parking is prohibited within such apron.

Satellite Dishes

When feasible, satellite dishes one meter (1m) in diameter or smaller shall be sited so they are not visible from public/private streets, community open space/parks, or shared pathway easements. Satellite dishes over one meter (1m) in diameter are prohibited.

Gutters & Downspouts

If utilized, exposed gutters and downspouts shall be color matched or shall complement the surface to which they are attached. Downspouts may be allowed within the interior and/or exterior of residences.

Storage Buildings

Storage buildings must have the same level of architectural detailing as the residential structure(s) it is serving. The maximum height of a storage building must be lower than the perimeter residential wall unless the Reviewing Party approves a height that exceeds the height of the perimeter residential wall.

Solar Panels

Solar panels shall be mounted directly to a roof plane and be integrated into the roof design. Roof mounted solar panel equipment shall be similar to the roof in color and appearance and have a reflectivity value of twenty percent (20%) or less. Non-camouflaged solar panel equipment shall be located behind parapet walls of equal height to the equipment. Solar panels are to be integrated into the roof design, flush with the roof slope, and the frames must be colored to complement the roof. Mill finish aluminum frames are prohibited and support solar equipment shall be enclosed and screened from view.

Mechanical Equipment

No mechanical equipment (i.e., air conditioning/heating units) shall be mounted on, or attached to, any sloped roof. Mechanical equipment, when mounted on flat roofs, must be completely screened by parapet walls that are at least as tall as the equipment. If visible from public/private streets, community open space/parks, or shared pathway easements, ground mounted mechanical equipment must be screened by walls at least six inches (6") higher than the equipment and located away from pedestrian paths and community amenities/services. Such walls shall match the appropriate architectural styles in both color and material. Mechanical devices such as exhaust fans, vents, and pipes shall be painted to match adjacent roof surfaces.

Trash Enclosures

Trash enclosures shall be constructed of concrete masonry units finished in a manner that is similar to homes or buildings they serve. All trash enclosures shall have opaque metal gates that are designed in a manner that is consistent with the overall architectural theme of the community.

Carports

Carports within a multi-family development should be designed and be of a color that complements the architecture of the buildings they serve. Flat metal roofs and metal supports shall be permitted as long as they are in harmony with the design of the community.

If desired, single-family components of Ballpark Village may integrate carports into the overall design of the community, but such carports shall also complement the design and color of the buildings they serve.

Detached Garages

If provided, detached garages shall have the same form of architectural character/treatment as the main homes or buildings they serve. Six (6) car detached garage structures are preferred as a maximum for multi-family developments. All detached garage structures shall have a minimum four-inch (4") garage door recess.

Mailboxes

Grouped or ganged mailboxes shall be located within centrally located areas throughout each component of the RES area of Ballpark Village. If a mailbox enclosure is proposed, it shall complement the architectural character of the community. Grouped or ganged mailboxes shall also meet all federal accessibility standards.

Clubhouse & Recreation Buildings

Clubhouses, recreation buildings, and other support buildings shall complement the architectural style of the community and the overall character of Ballpark Village.

Community/Entry Signage

Community/entry signage shall be tasteful, consistent and complementary to the architectural design theme of the community.

Architectural Design Features & Elements

In order to promote a contemporary and urban-like theme throughout the RES portion of Ballpark Village, the following table shall be utilized by all homebuilders, including multi-family builders, for the design review submittal process. Each submittal shall meet or exceed the accumulated minimum point requirement shown at the bottom of the table. Examples of each feature and element follow the table.

Architectural Design Features & Elements	Allocated Points	If a Feature/Element is Selected, Enter Points Here
Use of the following throughout each subdivision or multi-family site as a standard item on/for all residential units or buildings:		
Flat roof architecture	10	
Partial or complete use of standing seam metal roof	10	
Front elevation balcony (use of balconies by multi-family builder)	9	
Smooth sand finish exterior stucco	7	
Horizontal and/or vertical stucco control joints within exterior design	8	
Partial use of lap siding - complimentary to smooth sand finish stucco exterior	6	
Exterior square corner/straight edge stucco treatment	4	
Flat tile as roofing material	4	
Flush/flat or square/rectangular garage & entry door panels (must have contemporary theme)	5	
Opaque glass within garage door (top row windows only – square or rectangular design)	5	
Clear glass within garage door (top row windows only – square or rectangular design)	2	
Opaque glass within entire garage door (square or rectangular panels)	9	
Opaque glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	5	
Clear glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	3	
Stone/brick veneer or other appropriate style of paneling on front elevation	6	
Stone/brick veneer or other appropriate style paneling on front & rear elevations	8	
Parapet wall(s) at roof line (visual appearance that ≥33% of front facing roof is flat when viewed from the front of the home)	9	
Horizontal window pop-outs (non-full surround pop-outs)	3	
Metal awning over at least one (1) front elevation window	7	
Metal awning over garage	8	
Metal awning over main entry	7	
Metal railing for front elevation balcony	8	
Contemporary styled coach lights and address/unit identification placards	2	

Inclusion of welded-wire paneling into side-entry gates or other design element within front elevation	4	
Full metal side-entry gates	5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting and use of metals or concrete	9	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting - no use of metals or concrete accents	7	
Non-typical, symmetrical square/rectangular driveway patterns (includes use of stone, pavers brick or detached concrete sections)	8	
Non-typical, symmetrical square/rectangular walkway patterns (includes use of stone, pavers brick or detached concrete sections)	6	
Exposed aggregate driveway	3	
Exposed aggregate walkway	2	
For single-family attached & detached housing, if the following choices are provided to home buyers as optional elevation treatments or exterior design elements (on/for all residential units or sections of buildings & not a standard item), the following shall apply:		
Flat roof architecture	5	
Partial or complete use of standing seam metal roof	5	
Front elevation balcony	4.5	
Partial use of lap siding - complimentary to smooth sand finish stucco exterior	3	
Flat tile as roofing material	2	
Opaque glass within garage door (top row windows only – square or rectangular design)	2.5	
Clear glass within garage door (top row windows only – square or rectangular design)	1	
Opaque glass within entire garage door (square or rectangular panels)	4.5	
Opaque glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	2.5	
Clear glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	1.5	
Stone/brick veneer or other appropriate style paneling on front elevation	3	
Stone/brick veneer or other appropriate style paneling on front & rear elevations	4	
Parapet wall(s) at roof line (visual appearance that ≥33% of front facing roof is flat when viewed from the front of the home)	4.5	
Metal awning over at least one (1) front elevation window	3.5	
Metal awning over garage	4	

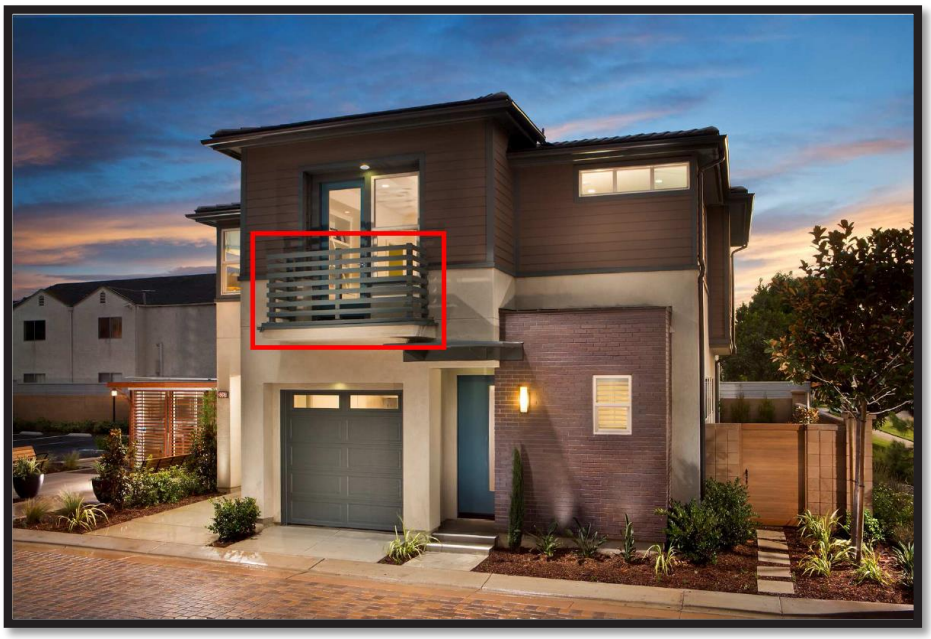
Metal awning over main entry	3.5	
Metal railing for front elevation balcony	4	
Inclusion of welded-wire paneling into side-entry gates or other design element within front elevation	2	
Full metal side-entry gates	2.5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting and use of metals or concrete	4.5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting - no use of metals or concrete accents	3.5	
Non-typical, symmetrical square/rectangular driveway patterns (includes use of stone, pavers brick or detached concrete sections)	4	
Non-typical, symmetrical square/rectangular walkway patterns (includes use of stone, pavers brick or detached concrete sections)	3	
Exposed aggregate driveway	1.5	
Exposed aggregate walkway	1	
Total Points Required	**65**	
Total Points Accumulated		

Examples of Architectural Features & Design Elements Considered Acceptable

Flat roof architecture

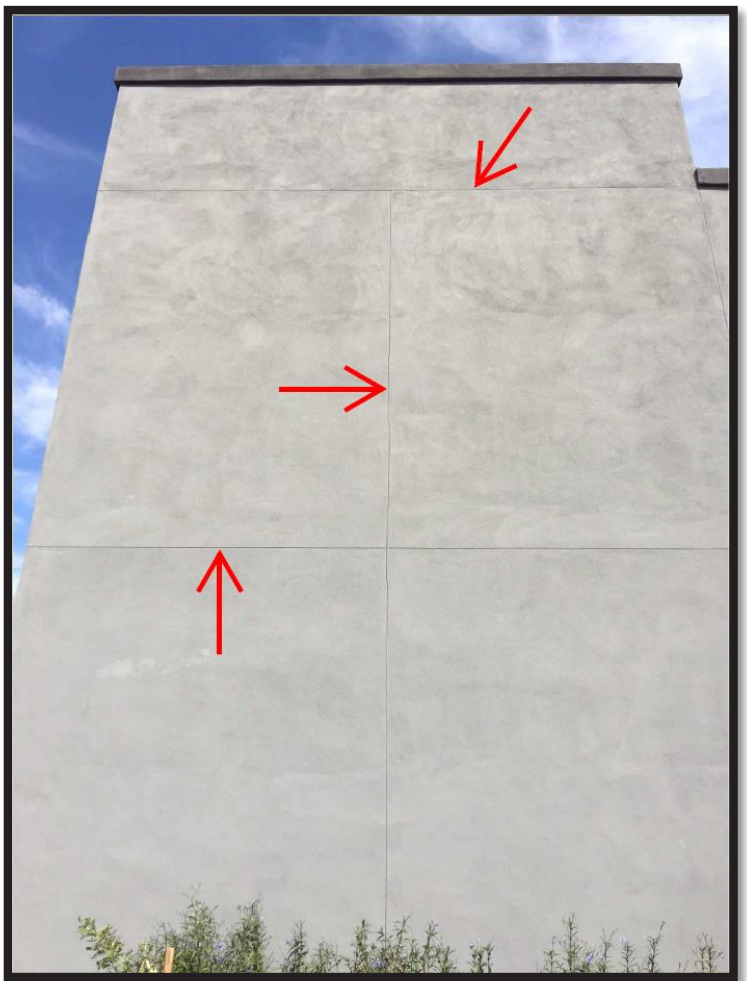
Standing seam metal roof

Front elevation balcony



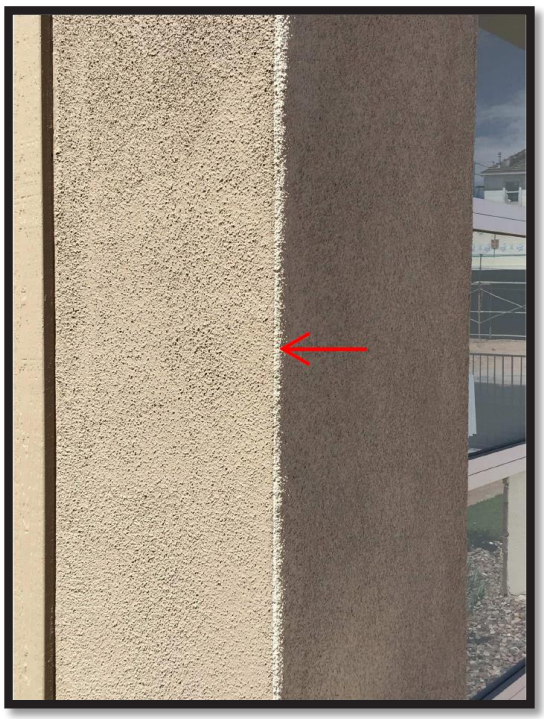
Smooth sand finished exterior stucco

Horizontal and/or vertical stucco control joints



Partial use of lap siding - complimentary to sand finish stucco exterior

Exterior square corner/straight edge stucco treatment



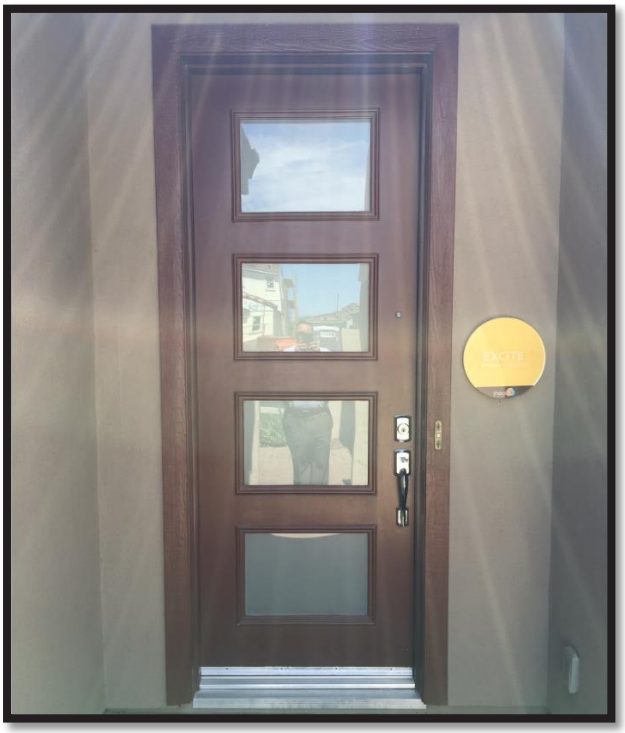
Flat tile roofing material

Flush/flat or square/rectangular garage pattern & example of clear glass along top row

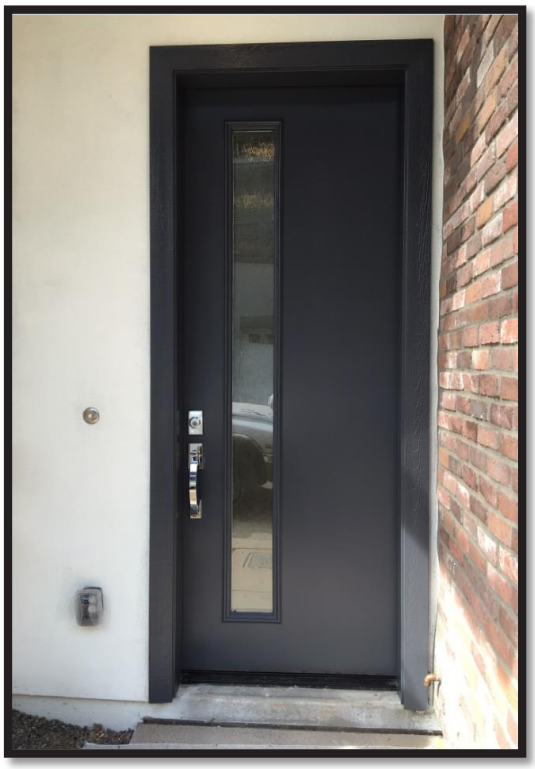
Flush/flat or square/rectangular garage pattern & example of opaque glass along top row

Full opaque glass garage door (square or rectangular design)

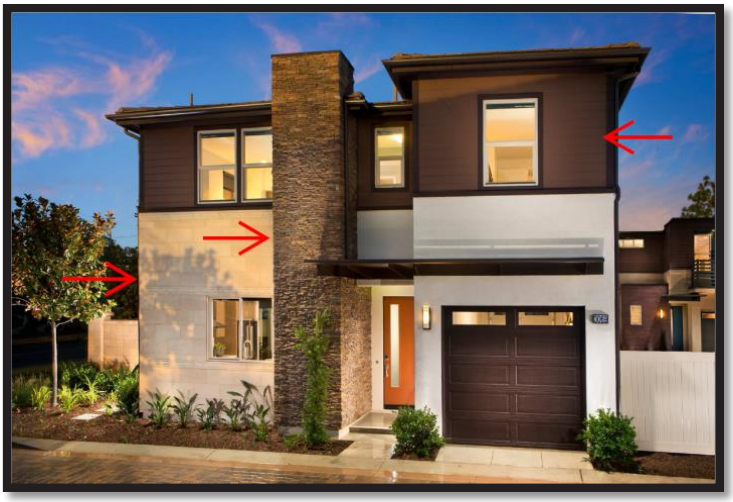
Opaque glass utilized within front entry door (square or rectangular panels)



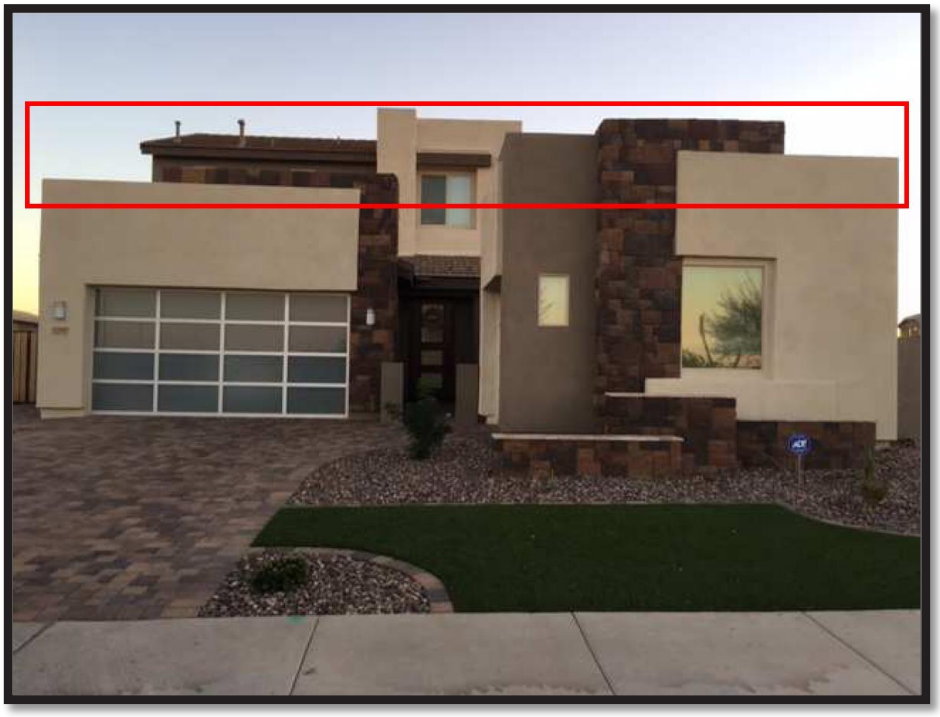
Clear glass utilized within front entry door (square or rectangular panels)



Stone/brick veneer or appropriate style paneling



Parapet wall(s) at roof line



Horizontal window pop-outs

Metal awning over front elevation window(s)

Metal awning over garage

Metal awning over main entry

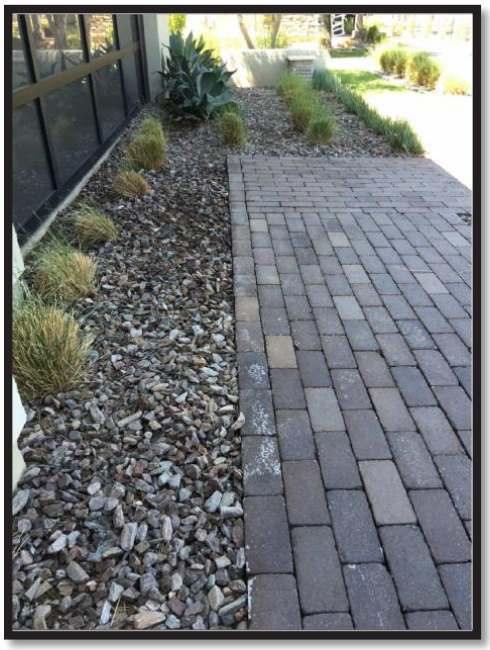
Metal railing for front elevation balcony

Contemporary style coach lights & address identification placard

Welded-wire paneling (galvanized shown/painted version acceptable)

Full metal side-entry gates

Clean, symmetrical & hard-edged landscape design



Non-typical, symmetrically patterned square/rectangular driveway & walkway designs

Exposed aggregate driveway & walkway

Section E: Commercial Land Use Design Guidelines

The Commercial Land Use ("COM") component of Ballpark Village shall be designed in a manner that produces a highly functional and engaging goods/services oriented development that is architecturally compatible with the remainder of Ballpark Village (as intended within the 2017 PAD).

General

A pedestrian connection is required along Estrella Parkway from the Public Facilities area (specifically the PFD-3 land use area) and the COM area at the Northeast corner of Estrella Parkway and Bullard Avenue.

Sidewalks between buildings and parking lots shall be a minimum of five feet (5') and a maximum of twenty feet (20').

All buildings on the same site should demonstrate a strong spatial and functional relationship to each other. In addition, buildings should generally demonstrate a variety in size and mass. When feasible and desired, portions of primary buildings and freestanding buildings should be oriented toward the streets.

Access & Circulation

All walkways that traverse vehicle drive aisles shall be distinguished with either stripping or hardscape materials such as specialty pavers or stamped colored concrete (whichever is deemed more appropriate by the Reviewing Party for the area in which it serves). Stripping or decorative materials should be used to clearly delineate pedestrian travel areas from drive aisles. Specialty paving material for walkways shall be developed in accordance with ADA requirements.

The use of stamped concrete, stone, brick or granite pavers, exposed aggregate, or colored concrete can be utilized (where appropriate) to serve as a traffic calming function to promote pedestrian safety and to minimize the negative impact of large expanses of black asphalt pavement on parking lots. The entry throat into the development can also be distinguished with hardscape materials such as pavers, or patterned, stamped or colored concrete.

Bollards should be considered to separate pedestrians from vehicular traffic areas and to light sidewalk surfaces. If utilized, bollard design should be coordinated with other streetscape furnishings.

Utilities & Mechanical Equipment

Ground mounted equipment should be screened from view by a wall that complements the building in which it serves, a landscape feature that is compatible with the architecture of the

development, placed in underground vaults, a combination thereof, or other screening method deemed acceptable to the Reviewing Party.

Electronic surveillance equipment or alarm hardware should be of a color that is consistent or complementary with the adjacent building. To the extent practical, any wiring should be concealed or shielded from public view.

When feasible or practical, backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations. If they are, or if they are within public view, they should be screened with shrubs, berming, low-screen walls, a combination thereof, or other screening method deemed acceptable to the Reviewing Party. Cages painted in earth-tone colors shall be permitted.

All roof-mounted mechanical equipment shall be screened from street-level public view (to the extent such screening is feasible or practical). For developments abutting residences, mechanical equipment shall be screened from such residences to the extent feasible or practical. All screening materials should be compatible with the colors, materials, and design of the building.

Building Design

Building design should express a single, strong architectural theme with substantial and consistent architectural detailing except that individual storefronts may exhibit different but compatible themes. Buildings should be designed to promote walkability and enhance pedestrian activity. Building elements such as large, blank building walls and loading areas, which disrupt the continuity of shops and businesses are not permitted along pedestrian corridors. An emphasis should be placed on promoting a harmonious development that possesses pedestrian-scale architecture and identifies a hierarchical scale of uses (anchor store(s) should be emphasized as the more significant structure(s)). Pad sites or independent buildings should have their own unique identity but relate to the larger main structure(s).

To the extent it is practical: a) parking areas, pedestrian walkways, elevators, stairwells and recreation areas should be visible from as many windows and doors as possible; b) buildings should be sited so that the windows and doors of one unit are visible from another; c) all four façades of buildings should have windows or simulated windows; and d) energy efficiency techniques should be incorporated into the design of a building.

If a building is situated at the corner of a public street, it should provide a prominent entrance to the retail shop(s) (either at the corner or such other location deemed appropriate by the Reviewing Party).

Where long buildings are unavoidable, their linearity should be mitigated by changes in the building height, wall plane, and spatial volumes and by varied use of window areas, arcades, materials, roof elements or other architectural enhancements acceptable to the Reviewing Party.

When appropriate, tower elements or other vertical architectural features at "ends" of a shopping center may be utilized. If such features are utilized, they should generally not exceed twice the height of the building they are attached to.

COM Specific Landscape, Open Space & Amenities

Outdoor seating with appropriate levels of shade is an important amenity that should be provided if the types of goods and services provided within the development would benefit from such an amenity.

Visual features such as fountains, interactive fountains and or pop up play fountains can be incorporated into commercial developments to attract pedestrians if such features fit within the development's theme and needs.

Public art can be considered in the design of public spaces, but is not considered a requirement.

A minimum fifteen-foot (15') landscape buffer shall be provided adjacent to any highway right-of-way. Parking lots or structures may be provided adjacent to, but not within, the landscape buffer area.

Potted plants and other ornamental landscaping should be provided to enhance courtyards, plazas, and other gathering areas if such areas are developed. Trees should drain directly into the subsoil and should be protected by grating in hardscape areas.

Water harvesting systems are encouraged, but are not mandatory.

If retaining walls are necessary in retention basins, they should be terraced and/or landscaped to reduce their visual scale. The maximum height of retaining walls in retention basins shall be four feet (4').

When and where practical, landscape areas should provide a three-tier system of groundcover, shrubs and trees. The use of landscaped berms and/or low screening walls adjacent to sidewalks is encouraged, but not necessarily required unless specifically called for by the Reviewing Party.

Building Façades

Building façades greater than fifty feet (50') in length shall meet at a minimum one of the following standards:

- The building façade shall incorporate wall plane projections or recesses. No un-interrupted length of a façade shall exceed fifty feet (50').
- An expression of an architectural or structural bay through a change in plane no less than six inches (6") in depth, such as an offset, reveal, or projecting rib that includes a color, texture, or material change.

- An interruption of the verticality of solid walls with horizontal lines such as interim cornice, windows, openings, punch-outs, medallions, balconies, columns and arches. Builders may not rely solely on storefront signage alone to interrupt façade.
- An interruption of the linearity of the building's façade with gables, tower elements, arches, and roof structures. The overall objective is to create a measured blend of scales and transitions to achieve a character that emphasizes human/pedestrian scale.
- Landscaping can be used in combination with walls to soften "blank" surfaces. Vines planted on walls are encouraged (but not required).
- Other enhancements deemed acceptable by the Reviewing Party.

The above standards may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

Street-facing sides of corner buildings shall be treated in a similar manner as the storefront façade.

All exterior surfaces visible from the public street or parking area must present an attractive appearance and must include architectural components found on the building's façade in order to visually link the building together.

Where appropriate and when practical, deep overhangs should be integrated to create shadow and add depth to façades.

The main entry into a store should be emphasized at the street to announce a point of arrival in one or more of the following ways:

- Flanked columns, decorative fixtures or other details
- Recessed within a larger arched or cased decorative opening
- Covered by means of a portico (formal porch) projecting from or set into the building face
- Punctuated by means of a change in roofline, a tower, or a break in the surface of the subject wall.
- Any other architectural features deemed appropriate by the Reviewing Party.

Commercial storefront entries should be recessed and/or sheltered by a covered arcade structure, colonnade, canopy, awning or such other architectural feature deemed acceptable by the Reviewing Party.

When needed to support the type(s) of business represented within the development, the incorporation of balconies or tower elements onto or within the building form is encouraged for both practical and aesthetic value. Balconies can be integrated to break up large wall masses, offset floor setbacks, and add human scale to buildings.

Doors should be designed and constructed to be an integrated part of the architecture of the building.

All project exterior lighting, with the exception of lighting for public streets, should be consistent with the architectural style of the building(s). All styles, colors and materials of lighting fixtures should be harmonious with each other.

Articulation

All sides of a building shall be articulated. The rear and sides of a building not facing a public street do not have to be as articulated as the front, but blank, unarticulated building walls will not be permitted. The rear and sides of a building shall have the same exterior materials as the front.

All buildings should utilize a form of articulation at the ground floor level where storefronts and/or building bays are at least twenty-five feet (25') in width.

Architectural features such as domes, turrets, towers, cupolas, building entry volume or ornamental portions of a parapet walls shall be encouraged. Building entries must be pedestrian in scale and not monumental. Commercial retail center buildings are encouraged to have a recognizable "base". The “base” may consist of, but not be limited to: thicker walls, ledges or sills, integrally textured materials such as stone or other masonry, integrally colored and patterned materials such as smooth finished stone or tile, lighter or darker colored materials, mullions, panels or planters.

Architectural elements, such as, but not necessarily limited to, overhangs, trellises, projections, awnings, insets, material, texture, color, or a combination thereof should be used to create shadow patterns that contribute to the building’s character.

Roof Planes

All roof planes must be compatible with the architecture of the development. Although there are no specific roof types that must be utilized, a roof and its material must be representative of the character of the building(s). Flat roof designs, including flat roofs with parapets, shall be permitted.

Where practical and needed, roof overhangs can be utilized to create useable shade on sidewalk and/or seating areas.

In-line commercial (“strip retail”) rooflines should be varied in height, form and materials. Parapet rooflines should be varied by stepping up and down or incorporating pitched roof elements. Rooflines should be broken at intervals no greater than fifty feet (50’) long by changes in height or step-backs. This guideline does not apply to pad retail (stand-alone buildings).

Parapet walls should be designed and constructed in a manner to appear as a solid, three-dimensional form rather than a veneer. Parapets should include one or more of the following detail treatments:

- Pre-cast elements
- Continuous banding or projecting cornices

- Dentils
- Caps
- Variety in pitch (sculpted)
- Clean edges without unfinished flashing; and/or
- Any other treatment deemed acceptable by the Reviewing Party

Windows & Glass

Clear glass is generally encouraged, but exceptions for spandrel or glass with a colored-ceramic coating adhered to the back by a heat fusion process may be permitted if deemed acceptable by the Reviewing Party. Mirrored, bronze or reflective glass shall only be permitted by specific approval of the Reviewing Party where appropriate.

Windows shall be encouraged to employ design details appropriate to the architecture. The following are examples of what may be used, but other options may also be approved by the Reviewing Party: a) mullions; b) arched windows; c) shutters/faux shutters; d) window surrounds; and d) awnings and canopies to break the scale of the facade into smaller components.

Doors to retail shops should contain a high percentage of glass in order to view the retail contents. Although there is no required minimum, doors should typically provide at least fifty percent (50%) glass area. Each door shall be reviewed, approved or disapproved on a case-by-case basis.

Storefront windows should be as large as possible to maximize the visibility to the storefront displays and retail interior.

Use of clear glass (at least eighty eight (88%) light transmission) on the first floor is recommended and may be required with certain types of uses or if the aesthetics of the development benefits overall from the use of clear glass.

Attention should be paid to materials, placement, depth of recess, and ornamentation, such as window grilles. The intent is to provide a sense of scale by creating shadow lines that result from trim and detailing and by providing details that enhance visual interest.

Downspouts

For the elevation considered to be the primary customer entrance, downspouts should generally be concealed by an architectural enclosure or behind the building's façade (the Reviewing Party may make exceptions). When exposed downspouts are to be used, they shall compliment the architecture of the building it serves and shall only be permitted upon review and approval by the Reviewing Party.

LEED Certification

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Building Massing

Non-pad constructed buildings (in-line commercial):

- Varying building mass is required so as to distinguish various uses, landmark buildings, anchors, retail components in the office core, and so on. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should be used to add human scale to buildings. When feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

- A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

- The use of colonnades (or other appropriate architectural features) along street fronting façades should be considered to reduce the massing of tall buildings and add pedestrian scale and interest.

- Non-entry façades that face roads or views from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

Pad constructed commercial (stand-alone buildings):

- Varying individual building mass is encouraged. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should

be used to add human scale to individual buildings. When and where feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

- A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

- Non-entry façades that face roads or views from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

Building Walls

- Expansive lengths of unarticulated building façades are generally not permitted. Blank unarticulated building walls, including end walls exposed to a public street or common area are also generally not permitted.

Non-Building Walls

Walls and other site elements shall be consistent with the established thematic character of the development through the use of appropriate colors, materials and architectural style.

Walls adjacent to retention areas, trails, parks or other useable open space areas should consider incorporating regular undulation or a variation of materials. Where appropriate, view fencing is encouraged.

Approved Materials

- Stucco
- Architectural metals
- Poured-in-place, tilt-up or pre-cast concrete
- Cast stone
- Integrally colored split-face CMU
- Integrally colored honed-face CMU
- "Dryvit"-type systems
- Natural stone and flat stone veneers

- Decorative steel elements
- Painted surfaces that complement the primary building material
- Backlit decorative steel
- Floating steel trellises
- Concrete siding (such as Hardi-plank) or similar
- Glass block
- Tinted storefront glass (non-reflective)
- Perforated metal panels, welded wire material, standing seam, and corrugated panels are permitted as long as the color and texture is appropriate to the setting in which they are located. Metal panels, including corrugated, are permitted when used in a harmonious and creative way. WWF or "link fencing" as a means of articulating façades, creating brise-soliel's or screening parking structures etc., are permitted when used in a harmonious and creative way.
- Other materials as deemed appropriate by the Reviewing Party on a case-by-case basis.

Color Palette & Materials

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette is to be developed with complementary accent colors.

Franchise/Corporate businesses should incorporate the architecture and color theme of the development to form a consistent theme throughout.

All developments should employ the integrative use of multiple exterior accent materials including, but not limited to: brick, stone, and masonry in appropriate quantities within the proposed elevations. Material changes shall occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect (such as pilaster, projection or fence line). Material and colors should generally be used to enhance different parts of the building's facade.

If stucco is utilized, a light to smooth finish is generally desired and shall be blended with other finish materials, such as stone, brick, wood, and/or iron.

Earth tone colors shall generally be used. When and where appropriate, a rich, bold color palette may be employed to create a sense of variety and interest to exterior elevations. Bright primary colors will generally be limited to trim and accent feature areas unless such colors are required for corporate identity and approved by the Reviewing Party.

Refuse & Loading Areas

To the extent possible, refuse enclosures and other accessory features should not create blind spots or hiding areas.

Loading areas shall be screened from public view with any or combination thereof, of the following: a) walls that complement the buildings they serve; b) trellis/green screens; c)

berming; d) an appropriate level of landscaping/trees or other such treatments deemed appropriate by the Reviewing Party.

All trash enclosures should be located outside the minimum setback requirements when they are located adjacent to residential units, active open spaces, schools and any other sensitive uses.

Parking

Each use within the COM component of Ballpark Village shall provide adequate parking to either satisfy the City's Zoning Code or conform to the 2017 PAD. Shared parking and consolidated common parking solutions are encouraged but not required. Temporary parking and loading requirements shall also satisfy the City's Zoning Code or as otherwise identified by a shared parking study.

Each owner or occupant of a building ("Owner/Occupant") shall identify construction standards and stall sizes for all parking in conformance with the City's Zoning Code relating to parking and loading requirements.

Parking lots should generally be separated from the sides of buildings by a raised walkway or landscape strip that contains a minimum four-foot (4') width of landscaping. If trees are to be planted, a minimum fifteen-foot (15') width of landscaping area will be required.

When practical, parking lots should be divided into a series of connected smaller lots (80 - 100 parking spaces each) utilizing raised landscape strips at least six feet (6') in width and raised walkways.

Interior landscape islands should be provided between parking spaces, at a rate of approximately one (1) per every twenty (20) in-line parking spaces (40 spaces total), to avoid long rows of non-shaded parked cars. The planting islands shall be approximately 160 square feet (8' by 20') and be protected by a six-inch (6") high curb on all sides. Each planting island should contain two trees. In some cases, where a planting island is to be located immediately in front of a storefront, and such a tree, when mature, would block views of a wall-mounted sign, the required tree may be located in an alternative location where it will enhance an outdoor use area, such as in a plaza or courtyard.

Continuous landscape planting strips should be provided between every forth (4th) row of parking and trees should be provided within the planting strips for shade. Landscape strips should be a minimum of six feet (6') in width, not including a six-inch (6") wide curb on both sides (the planting strips should be wider if they contain a pedestrian pathway). Walking paths or sidewalks should generally be provided (where necessary) within landscape strips to facilitate pedestrian movement to building entrances. These guidelines are intended to promote shade and pedestrian circulation and may be modified based on the configuration, size and orientation of the parcels as long as the basic goals of these guidelines are met.

Planting islands should generally be provided at the ends of parking rows. Such island should be a minimum of three hundred square feet (300sf), with an eight-foot (8') wide minimum planted

width. They should be planted with shade trees, low shrubs and/or groundcover. They should also be protected by a six-inch (6") high curb on all sides.

Canopy or shade-type structures may be installed in parking areas with the approval of the Reviewing Party. Canopy or shade-type structures must be of a material and color that the Reviewing Party believes complements the buildings they serve. Although there are no set design requirements for these structures, the overall design, including the roof, must also complement the buildings they serve. Solar panels may be utilized as accessory features on parking structures and if utilized, they should be designed to accommodate the solar equipment. The equipment, to the extent it is practical, should be treated to be as unobtrusive as possible.

Loading area/dock locations will be reviewed, approved or disapproved on a case-by-case basis, but should generally be located towards the rear or sides of all buildings. Screen wall requirements and/or dimensions shall also be reviewed, approved or disapproved on a case-by-case basis, but should generally be used to screen the loading area from public street(s) and be appropriately "softened" by the use of landscape material when appropriate. The design of the wall, along with the color and materials used, must complement the buildings to which they serve.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Outdoor Storage

Outdoor storage is prohibited except for propane storage/sales, landscape and garden supply center use or as a component of a larger retail facility. Landscape and garden sections must be enclosed and shall be of a height at least equal to that of the materials or equipment being stored; but, in no event, shall be less than eight feet (8'). The screening shall be made of masonry or concrete and shall complement the architecture of the building it serves. Landscaping should be utilized on any side that is visible to the public. A landscaped berm with masonry, concrete or stucco wall complementing the main building may be used, with the berm and wall totaling eight feet or more (8'+) when combined. Landscape and garden center sections that are a component of the main retail building are encouraged to be located within wrought iron (tubular steel) fencing with a masonry wainscot or some other material acceptable to the Reviewing Party. Horizontal propane tanks are allowed and encouraged to be fully screened to the full height of the equipment with compatible screening material.

Outdoor storage of shopping carts is permitted as long as the carts are located behind masonry walls, adequate landscaping or some other screening deemed acceptable by the Reviewing Party.

Outdoor storage is prohibited in service areas and behind buildings unless adequately screened as determined by the Reviewing Party. Cart corrals within parking areas are permitted within locations deemed appropriate by the Reviewing Party.

Gasoline Fueling Stations/Convenience Stores With Gas Pumps and Car Wash Specific Guidelines

To enhance the presence of gas and auto service stations, care must be given to exterior lighting. Overhead lighting of a station shall be controlled to avoid spillover onto adjacent uses. The lighting within the underside of a weather canopy must be recessed to avoid unnecessary glare and control spillover. A weather canopy shall be designed to be complementary to the adjacent building's architecture.

All accessory buildings, including service station canopies, storage facilities, car washes and restroom facilities shall be designed as an integrated component of the site's development and architecture. Building material colors, rooflines, general form and character should match or be compatible with primary building and/or other buildings on the site. Fabric canopies shall be allowed for car wash related areas or such other areas as the Reviewing Party deems appropriate.

In areas developed with a strong street presence, service stations and car washes shall be oriented adjacent to the sidewalk, placing any service bay door and car wash openings on the rear or side of the building out of public view of the structure.

Service and car wash bays shall not face residential properties unless an arterial road separates the residential area. Bay door and car wash openings may be oriented towards public view if the Reviewing Party approves such orientation.

The roofline and architecture of the pump canopies shall be stylistically compatible with the other buildings on the site. The length of pump canopies shall be minimized as much as possible. If the site allows, pump canopies should be broken into two separate locations (the Reviewing Party shall consider this on a case-by-case basis). This reduces the effect of pump canopies dominating other buildings on the site. Light fixtures should be recessed into the canopy and limited to no glare should be visible from the fixture.

Drive-Through Business Specific Guidelines

Drive-through aisles should provide adequate on-site queuing distance before the first stopping point (i.e., menu board, teller window, and automatic teller machine). Although the minimum on-site queuing distance should be approximately seventy-five feet (75'), the Reviewing Party shall review each site plan on a case-by-case basis and may require a distance greater than the minimum distance listed in this section. The minimum on-site queuing distance can be reduced if multiple drive lanes are utilized.

Drive-through aisles should have a minimum twenty-five foot (25') interior radius for any curve.

Section F: Light Industrial Land Use Design Guidelines

The Light Industrial Land Use ("LI") component of Ballpark Village shall be designed in a manner that produces a highly functional and productive end-use for the site, while also being complementary to surrounding land uses. Due to the location, size and configuration of the LI parcel, along with the surrounding land uses, the Reviewing Party may approve building design(s), site plan(s) and/or landscape design(s) that differ from the guidelines contained within this section (and within Sections G-I) if appropriate screening is implemented (hard and/or landscaping screening). Such allowable variances shall include, but not be limited to, building massing, building articulation, and parking guidelines.

Building Design

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Buildings within the same development should be designed to provide a clear, unified, and easily identifiable image. Methods to achieve this include (but shall not be limited to) using similar architectural styles and materials, complementary roof forms, signs, colors, and decorative pavement. Consistent architectural style should be used for a building and the site elements that relate to it (i.e., screen walls, planters, trellises, benches, bollards, garbage containers, street furniture, etc.).

Generally, long, unbroken building façades should not be used. Building façades with varied front setbacks provide visual interest from the public view. As much as practical, façades should be articulated to provide a visual effect that is consistent with the character and scale of the development and immediate area.

Under most scenarios, rear and side wall elevations should provide building offsets and architectural details similar to the front façade. All elevations generally visible from public view should reflect the overall design, colors and textures used on the front facade.

Where the building mass cannot be broken up due to unique use constraints (i.e., manufacturing, warehouse space, mini-storage, etc.) building walls should be articulated through the use of height variations, texture, color, material changes, shadow lines and other facade treatments whenever practical.

Pre-cast walls/tilt-up should typically incorporate any number, or a combination thereof, of the following:

- Reveals

- Recessed panels
- Recessed windows
- Molding
- Other architectural features to articulate the building exterior deemed acceptable to the Reviewing Party

Under most circumstances, concrete pre-cast/tilt-up buildings should be designed to have an exterior appearance of conventional built structures utilizing surface treatments such as stucco, plaster, glass, stone, brick, or decorative masonry.

Internalized roof drain elements or the application of an architectural feature where roof drains are visible from streets and public areas are typically recommended.

Enclosed service/refuse areas and covered parking should be designed to be complementary to the building's architecture to which they serve when such structures are visible to the public. The form, colors, textures and materials do not necessarily need to be identical to the building to which they serve, but they do need to be complementary.

When feasible, ladders for roof access should be mounted on the inside of the building or where they would not be visible from public view.

Doors and windows should appear substantial and should not be flush with the exterior finish (may be flush if they are out of public view and considered service or non-primary entrances). Primary entrance doors and windows visible by the public should be inset at least one inch (1") from the front face of the exterior finish.

The following measures are not requirements, but should be considered to promote environmental sensitivity and potential long-term cost savings to the Owner/Occupant:

- Orient and design new structures and additions for minimum solar gain, reflectivity and glare
- Shelter entries and windows and use architectural shading devices and landscaping to minimize cooling losses
- Use energy efficient materials in doors and windows
- Use energy efficient lighting
- Mitigate urban heat island effects with cool roofing materials, shade trees and cool paving materials
- Reference national programs for environmentally sensitive development methods such as Leadership in Energy & Environmental Design (LEED), International Energy Conservation Code (IECC) and Energy Star Labeled Buildings

Consider the integration of solar panels on roofs and parking lot shade structures

Building Massing & Building Walls

Large un-interrupted expanses of wall or unarticulated building façades should be avoided on elevations visible from the public street. Offsets, projections, overhangs, recesses, and cornice details are examples of devices that may be used to avoid large un-interrupted expanses of blank walls. As seen from the public street, no building shall be longer than two hundred linear feet (200lf) without some modulation to the building's façade. Whenever practical, substantial variations at massing breaks should include changes in height and the horizontal plane. Changes in materials, textures and the utilization of other architectural enhancements can be used at these breaks.

Whenever feasible or practical, the staggering of planes along an exterior wall elevation should be employed to create pockets of light and shadow, and to provide relief from monotonous, interrupted expanses of wall. Below are examples of techniques that can be used:

- Changes in texture, materials or color
- Revealed pilaster and other reveals
- Changes in plane, including building offsets
- Ornamental metal canopies and/or grillwork
- Recessed windows and other recesses or other glazing techniques
- Lattice, accent trees, or equivalent
- Raised landscape planters
- Recessed or projecting vertical column treatments
- Other enhancements deemed appropriate by the Reviewing Party

Façades having a recognizable "base" feature are encouraged. The base feature should be high enough to relate in proportion to the scale of the building. Examples of techniques that can be used are:

- Richly textured materials (i.e., tile or masonry treatments), panels or reveals
- Materials and colors
- Raised planters and other forms of enriched landscaping
- Other features deemed appropriate by the Reviewing Party

Building entries and office areas should typically face and be oriented toward the street, but some uses and building designs may warrant a variance from this standard. Building entries and office areas should normally incorporate window elements as a dominant feature, but the Reviewing Party may determine a specific proposed use does not warrant such a standard.

When practical, main entries should be highlighted through the massing of a building. Entries can be emphasized by providing height differences or variations in the horizontal plane between entry/office elements and the rest of the building facade. Additional highlighting of office entries can also be provided through various architectural enhancements. Architectural enhancements can include, but are not necessarily be limited to, the following:

- Recessed entries
- Windows
- Columns or colonnade
- Arcades
- Bollards and other similar accent details
- Provision of plaza, courts, fountains, seating areas or similar pedestrian oriented detail
- Landscaping design and materials
- Freestanding or attached entry structures provided they are compatible with and related to the building architecture and do not look like add-on afterthoughts
- Changes in materials and textures
- Enhanced pedestrian surfaces
- A combination of any of the above
- Any other enhancements deemed appropriate by the Reviewing Party

Roof Elements

Roofs should be consistent with the architectural theme of a building. When practical and for a particular use, rooflines should include appropriate variations to avoid long continuous planes. Most of the time, a full pitched roof over an entire industrial building is not realistic. However, where practical, feasible and appropriate to the architectural style for the building, a pitched roof element should be provided over the entry and/or office portion(s) of the structure and/or the corners of the structure.

Approved Materials

- Attractive, durable, quality materials should be used. All proposed materials will be considered by the Reviewing Party and approval of material types shall be made on a case-by-case basis.

The use of barbed wire, razor wire or similar fencing/security materials are typically not permitted, but the Reviewing Party may allow such material if deemed acceptable for the proposed use on a case-by-case basis.

Metal buildings should typically be architecturally treated on all four exterior sides of the building, but a reduction of treatments to elevations not within the public view may be permitted on a case-by-case basis. If metal buildings are utilized, they should employ a variety of building forms, colors and/or other architectural treatments to add visual interest when practical.

Color Palette

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette is to be developed with complementary accent colors.

Loading & Outdoor Storage

All storage yards shall be screened or partially screened (as determined to be appropriate by the Reviewing Party) from an adjacent public street by either:

- A landscaped berm with masonry, concrete or stucco wall that complements the architecture of the main building. The height of such design shall be a maximum of eight feet (8') from the grade of the adjacent street. As an example, a three foot (3') height berm shall have a five foot (5') height wall (*preferred method*).

  OR

- An eight foot (8') height masonry, concrete or stucco wall with landscaping on the side visible to the public. A screen wall may not be located within a setback line.

Typically and to the extent practical, loading and outdoor storage areas (other than mini-storage or recreational vehicle storage) should be located to the rear or sides of buildings and not be visible from public view. Depending on the use within the development, loading and outdoor storage areas may be permitted at the front or sides of a building on a case-by-case basis. Building mass is the preferred method for screening or partially screening loading areas and outdoor storage areas. Where building mass is not utilized, screen walls, berms, landscaping, elevation changes, other appropriate methods may be utilized, or a combination thereof, to screen or partially screen loading areas and outdoor storage areas from public view.

Unless previously approved by the Reviewing Party, any outdoor storage material height should be limited to fourteen feet (14’) in maximum height, and should be located at least twenty feet (20’) from street rights-of-way.

Sliding gates into loading areas that are visible from the street should be constructed with a durable material satisfactory to the Reviewing Party and shall match or complement adjacent walls.

Silos, tanks, and other ancillary structures that are permitted within the zoning district should complement the primary building(s) on site.

If more than two dock-high loading doors are provided, then trailer storage spaces are to be provided at the rate of one (1) space per four (4) loading doors. Trailer storage spaces shall have minimum dimensions of twelve feet (12’) by forty-five feet (45’) and should be located away from public view unless the storage of such trailers away from public view is not feasible and the Reviewing Party approves the location being proposed.

Recreational vehicle storage, along with mini-storage uses shall be permitted. If the site is used, or partially used for recreational vehicle storage, partial screening of such parking areas will be encouraged.

Access, Parking & Circulation

Pedestrian walkways shall be accessible, safe, visually attractive, and well defined by pavement (decorative or otherwise as determined by the Reviewing Party), landscaping, and low-level lighting.

If utilized, bicycle parking facilities should be dispersed throughout larger sites and located in convenient and visible areas close to primary building entrances.

Developments should be marked by entry features such as monument signs, decorative paving, special lighting, public art, enhanced landscaping and/or other features deemed acceptable by the Reviewing Party.

Depending on the site and if practical, the parking lot should not be the dominant visual element of a development as viewed from the street or other public area. If a parking area directly in front of the building is the most practical solution for a site, paved areas should be broken-up into smaller areas through the use of landscaping, paving (decorative or otherwise as determined by the Reviewing Party), pedestrian walkways, garden walls, elevation changes or design features.

As much as practical, parking adjacent to and visible from public view should be screened from view through the use of earth berms, low screen walls, changes in elevation, landscaping or combinations thereof.

Parking lots should include landscaping that accents the importance of driveways from the street, frames the major circulation aisles, and highlights pedestrian pathways.

Interior planting island fingers between parking spaces, at every twenty (20) parking spaces should typically be provided, to avoid long rows of non-shaded parked cars. The planting islands should typically be approximately one hundred (100) square feet (5' by 20') and be protected by a six inch (6") high curb on all sides.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Screening & Landscaping

Ground mounted utility cabinets shall be located where they can be screened from major streets and public areas. Cabinets and screen walls shall be compatible with the principal structure. Where visible from a major street and public view, landscaping shall be provided in front of screen walls.

Where service electrical system (SES) panels are visible from public view, panels should be recessed into the building elevations and screened with doors, landscaping, or a solid wall (with landscaping) built in a manner that is compatible with the main development and equal to or exceeding the height of the SES panels.

Perimeter walls should have a minimum five foot (5') landscaped setback as a landscape buffer. When practical and depending on the location and surrounding land uses, perimeter walls should be architecturally enhanced and use materials and colors that complement the project's architecture. Landscaping should be used in combination with all public view walls.

Depending on the site and if practical, perimeter walls should typically incorporate various textures, staggered setbacks, and variations in height in conjunction with landscaping to provide visual interest and to soften the appearance of walls. Perimeter walls should be broken up by pillars or staggered setbacks every fifty feet (50'). Perimeter wall design shall be reviewed, approved or disapproved by the Reviewing Party on a case-by-case basis.

Unless the Reviewing Party deems a greater height to be acceptable, the typical maximum height of any perimeter wall or fence in the rear and side yards should be eight feet (8') measured from the high side elevation. Specialty walls such as screen walls, sound walls and retaining walls may have a greater height depending on the adjacent land uses. Walls over six feet (6') may require additional architectural treatments if visible from public view. When additional height is needed to provide adequate screening, berms within landscaped areas may be required to provide a reduction in the perceived height of the wall from public view. A berm/landscape area in front of a screen wall should typically be landscaped with shrubs and trees that will, at maturity, exceed the height of the wall.

Where screening is needed, the following elements, or a combination thereof, may be used:

- Solid masonry walls
- Berms
- Landscaping
- Other appropriate elements deemed acceptable by the Reviewing Party

The method of screening should be architecturally compatible with the adjacent building in terms of materials, colors, shape, and proportion.

To the extent feasible or practical, service areas, loading and storage areas, and refuse enclosures should be oriented away from public street frontages or screened from public view.

Trash containers should be located within a masonry wall enclosure with gates. The enclosure materials shall be designed to complement the architectural design features of the development. The trash enclosures should also be buffered by landscaping when within public view. Trash containers are not required to be located within a walled enclosure when they are located behind screened areas and are not visible from public view.

Mechanical equipment screening should be integrated as part of a project's site and building design. Ground-mounted equipment should be screened from view of: a) streets, highways and freeways (with potential exceptions for significantly elevated roadways); b) parking lots for customers (and the general public); and c) connecting walkways. The following elements or a combination thereof can be used:

- Concrete or masonry walls
- Berming
- Landscaping
- Other elements deemed acceptable by the Reviewing Party

Cabinets and screen walls should be designed to be compatible with the principal structure and landscaping should typically be provided in front of screening walls.

Roof-mounted equipment shall be screened through the use of parapets, screen walls, mechanical room enclosures and similar features when visible from public view. When screening is required, the tops of screens should be at least as high as the equipment.

The use of picket fencing, chain link fencing with slats and metal boxes as screening materials is generally not acceptable.

To the extent it is practical, solar panels and associated equipment should be screened from public view or enhanced to complement the architecture of the structure that it is attached to.

Landscaping should be provided adjacent to the building walls facing the street or otherwise visible to public view to soften building massing. A minimum four foot (4') wide landscape planter should be provided along such building edges, except at main entries and office areas where a minimum of five feet (5') should be provided. If trees are to be planted, a minimum fifteen foot (15') width of landscaping area will be required at all areas adjacent to building walls. The use of landscape elements adjacent to walls is also encouraged in business park areas to reduce their visual impact and opportunities for graffiti.

Whenever feasible and practical, parking lots adjacent to and visible from public streets should be adequately screened from view through one or more of the following:

- Undulating earth berms (a minimum height of one foot (1'))
- Low screen walls
- Changes in grade elevation when feasible and practical
- Other appropriate screening methods deemed appropriate by the Reviewing Party

Screen walls and wing walls that are greater than eight feet (8') in height should be fronted by a landscape area at least five feet (5') in width in order to soften the mass of the wall and provide adequate space for berming.

Create large planting islands at the ends of parking rows that are approximately two hundred square feet (200sf), with a six foot (6') wide minimum planted width. They should be planted with shade trees, low shrubs and/or groundcover. They should be protected by a six inch (6") high curb on all sides.

Although not required, water features are encouraged when practical and desired for the use(s) intended.

Section G: Landscape Guidelines for All Land Uses

General

Landscape plans must: a) be prepared by a landscape architect who is registered in the State of Arizona; b) comply with these Guidelines and where not addressed herein, the City's design standards; and c) utilize plants, trees, shrubs and grasses listed within the Plant Palette.

All proposed landscaping will be reviewed by the Reviewing Party to ensure quality and consistency. Landscaping should: a) be considered an integral element when site planning; b) enhance the visual character of the component of Ballpark Village it serves; c) be used to define pedestrian circulation ; and d) include accent landscaping elements at strategic intersections and at major entryways.

Drainage basins should be treated as a landscape element and integrated into the overall site and planting design for the area it serves.

Plants installed within rights-of-way may only include plants from the Arizona Department of Water Resources "Low Water Use Drought Tolerant Plan List for the Phoenix AMA".
Backflow preventer cages painted in earth-tone colors shall be permitted.

Arterial Roadways

For landscaping in setback areas adjacent to arterial roadways, the following guidelines shall apply:

- Estrella Parkway – Comply with the guidelines as identified within the City Center Gateway Overlay District.
- Goodyear Boulevard South – Comply with the guidelines as identified in the City Center Gateway Overlay District.
- Bullard Avenue – Shall be similar to the guidelines addressed in the City Center Gateway Overlay District and compatible with the Goodyear-Phoenix Airport.
- Lower Buckeye Parkway – Install canopy trees selected from the Plant Palette spaced thirty five feet (35') to forty five feet (45') apart.

Interior Roadways

For landscaping within the rights-of-way of interior roadways, the following shall be considered:

- Ballpark Way and Festival Way (Urban Street). Install canopy trees selected from the Plant Palette a minimum of 2'-6" from edge of curb and spaced 25' to 35'. Trees shall be located within a sidewalk cutout area or tree grate within the Street Furniture Zone.
- Wood Boulevard (Minor Collector). Install canopy trees selected from the Plant Palette between sidewalk and street curb and spaced 35' to 45'.

- Wood Boulevard – North of Lower Buckeye Parkway, west side (Minor Collector). Install one canopy tree selected from the plant palette a minimum of 2'-6" from the edge of curb and spaced 25' to 45'. Trees shall be located within a sidewalk cutout area or tree grate.
- Wood Boulevard – North of Lower Buckeye Parkway, east side (Minor Collector). Install one canopy tree selected from the plant palette and spaced 35' to 45'.
- Low shrubs and ornamental grasses selected from the Plant Palette are encouraged to be planted within the interior rights-of-way.

Major Project Entries

Accent landscaping and hardscaping should be provided at strategic key intersections and at major project entries, as approved by the Reviewing Party.

Parcel Entries

Accent landscaping and hardscaping should be provided at all COM Land Use and RES Land Use parcel or subdivision entries. The MXD/RES MXD and LI Land Use areas are excluded from this section.

Interior Parking Lot Landscaping

Please refer to each land use's specific requirements. The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within those sections.

Perimeter Parking Lot Landscaping

Parking area edges adjacent to public rights-of-way, public open space, and adjacent interior parcels shall be landscaped.

Plant Palette

Botanical Name	Common Name
Trees	
Acacia salicina	Willow Acacia
Alberzzie julibrissin	Mimosa Palo Verde
Cercidium floridum	Blue Palo Verde
Cercidium 'hybrid'	Hybrid Palo Verde
Chamaerops humilis	Mediterranean Fan Palm
Chilopsis linearis	Desert Willow
Dahlbergia sissoo[1]	Sissoo Tree[1]
Eucalyptus microtheca	Flooded Box
Eucalyptus spathulata	Narrow Leaf Gimlet
Geijera parviflora	Australian Willow
Gleditsia tricanthos 'lnermis'	Honey locust
Jacaranda mimosifolia	Desert Fern
Olea sp. 'Swan Hill'	Olive
Olneya tesota	Ironwood
Parkinsonia X 'Desert Museum'	Desert Museum Palo Verde
Phoenix dactylifera	True Date Palm
Pinus brutea	Afghan Pine/Eldarica Pine
Pinus halepensis	Allepo Pine
Pistacia sp.	Pistachio
Pithecellobium sp.	Ebony
Prosopis chilensis Uuliflora)	Thornless Chilean Mesquite
Prosopis velutina	Velvet Mesquite
Quercus virginiana	Live Oak
Sophora secundiflora	Texas Mountain Laurel
Ulmus parvifolia 'sempervirens'	Evergreen Elm
Shrubs & Ornamental Grasses	
Acacia redolens 'D. carpet'	Desert Carpet Acacia
Ambrosia deltoidea	Triangleleaf Bursage
Baccharis hybrid 'Starn'	Thompson Baccharis
Bougainvillea sp.	Bougainvillea
Caesalpinia pulcherrima	Bird of Paradise
Calliandra eriophylla	Fairy Duster
Cassia phyllodinea	Silvery Cassia
Cassia oligophylla	Outback Cassia
Convolvulus cneorum	Bush Morning Glory
Cordia parviofolia	Little leaf Cordia

[1] The use of the Dahlbergia sissoo (Sissoo Tree) shall not be utilized near pavement.

Dalea capitata 'Sierra Gold'	Gold Dalea
Dalea frutescens 'Sierra Negra'	Black Dalea
Dasylirion acrotriche	Green Desert Spoon
Dasylirion longissum	Desert Spoon
Encelia farinosa	Brittle bush
Eremophila sp.	Emu bush
Hesperaloe Funifera	Giant Hesperaloe
Hesperaloe parviflora	Yucca
Lantana sp.	Lantana
Leucophyllum frutenscens 'Green Cloud'	Compact Texas Ranger
Leucophyllum candidum 'Thunder Cloud'	Thundercloud Texas Ranger
Leucophyllum laevigatum	Chihuahuan Sage
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Texas Ranger
Muhlenbergia capillaris 'Regal Mist'	Muhly Grass
Muhlenbergia rigens 'Nashville'	Deer Grass
Myrtus communis	Common or True Myrtle
Nandina Domestica ‘Gulfstream’	Gulfstream Nandina (Heavenly Bamboo)
Nerium oleander	Oleander 'petites'
Punica grenatum	Pomegranate
Rosmarinus officinalis 'hybrid'	Rosemary hybrids
Ruellia Brittoniana	Common Ruellia
Ruellia californica	California Ruellia
Ruellia peninsularis	Desert Ruellia
Russelia Equisetiformus	Coral Fountain
Salvia sp.	Sage
Simmondsia chinensis	Jojoba
Tecoma stans 'augustata'	Arizona Yellow Bells/Common Yellow Elder
Tecoma stans 'augustifolia'	Sunrise Tecoma
Tecoma stans 'Gold Star'	Gold Star Tecoma
Tecoma stans 'orange jubilee'	Orange Jubilee Tecoma
Yucca aloifolia	Spanish Bayonet
Groundcover	
Acacia redolens 'New Dwarf'	Desert Carpet
Asparagus densiflorus 'Sprengeri'	Sprenger Asparagus
Carpobrotus edulis	Ice Plant
Centaurea cineraria	Dusty Miller
Convolvulus mauritanicus	Ground Morning Glory
Dalea sp.	Dalea
Gazania sp.	Clumping Gazania
Hymenoxys acaulis 'Angelita Daisy'	Angelita Daisy
Lantana camara	Gold Lantana
Lantana montevidensis	Trailing Lantana

Malephora lutea	Ice Plant
Melampodium lecanthum	Black Foot Daisy
Myoporum parvifolium	Sandalwood
Oenothera sp.	Mexican Evening Primrose
Osteospermum fruticosum	Trailing African Daisy
Rosa banksiae	Lady Bank's Rose
Rosmarinus officinalis	Trailing Rosemary
Rosmarinus prostatus	Dwarf Rosemary
Salvia farinacea	Mealy Cup Sage
Santolina chamaecyparissus	Lavender Cotton
Santolina virens	Green Santolina
Teucrium chamaedrys 'Prostatum'	Prostate Germander
Verbena sp.	Verbena
Wedilia Trilobata	Yellow Dot
Turf	
Cynoden Dactylon	Midiron

Irrigation Standards

All lawns and landscaped areas must be irrigated by underground automatic irrigation systems of design acceptable to the City. Such systems shall have minimal or no overthrow onto paved areas and be designed and installed by licensed contractors doing business or registered in the State of Arizona. Irrigation sleeves must be provided to all parking area islands and parking area medians. Irrigation of all common area landscaping, including street rights-of-way landscaping, is to be installed by the Owner/Occupant.

All exposed mechanical equipment such as automatic controllers, back-flow preventers and vacuum breakers must be screened.

Drip irrigation is required for plants in non-turf areas. Systems must be designed for no or minimal overflow onto walkways and paved surfaces. Hydro-zoned irrigation is required using programming stations for plants with similar water requirements. Moisture sensors, rain gauges, etc. are encouraged to conserve water by not overwatering.

Quality Assurance

All plant material should: a) be sound and healthy specimens typical of their species; b) have well-formed tops and roots; c) be free from all injurious insects, insect eggs/larvae, diseases; d) be free from serious injury to bark, root and foliage; and e) be free of broken branches or any other types of disfigurement.

Plant proportions shall be those recognized as normal for a well-grown plant of that species and size as recommended by the American Standard for Nursery Stock. Installation of all plants

must conform to the standards of the American Association of Nurserymen. All plants that fail to make new growth from a dormant condition, decline or die shall be replaced. A plant is considered dead if at least 50% of the plant is dead. All replacements shall conform to the original intent of the planting design. The Reviewing Party reserves the right to require the Owner/Occupant to replace the plant materials that do not meet these requirements.

Section H: Signage & Graphics Guidelines for All Land Uses

General

A comprehensive sign program ("CSP") shall be developed to serve the identification, informational and way-finding needs for each of the land use areas. Provisions for signage shall be established in response to the defined uses within the area they will serve and will establish standards for design, fabrication, location and installation (including graphics, materials, color, lighting and construction. All tenant/user corporate sign requirements shall be integrated into the CSP and the CSP shall not prohibit a tenant/user from installing signage that is required by the corporation. The process for subsequent review and approval of tenant and user signs shall also be defined. The City's Zoning Code shall provide the basis for the definition and regulation of signs and additional provisions may be approved as part of the CSP.

Additional Control

Additional control of signs may be achieved by standards incorporated into CC&Rs. If utilized, the Reviewing Party would administer the CC&RS.

Provisions

Principles of good signage shall be observed and developed. A hierarchy of entry monuments shall be established to identify areas within Ballpark Village, while directional and informational signs should be located at gateways and decision points so as to generate the fewest number of signs possible. Sign messages shall be short and concise and the character of signs shall be appropriate to the uses to which they serve and refer to. Signs should be designed in a manner that contributes to the unique identity and sense of place that Ballpark Village is to provide. Signs may incorporate imagery, forms, lighting, materials, and colors to impart a fresh and contemporary, urban-like look that is complementary to the architecture of Ballpark Village or specific areas within Ballpark Village. Consistency among sign statements is important and shall present an image of orderliness and refinement.

Typical Sign Types & Treatments

Individual Parcel/Land Use Area Signage – Monument entry signs shall be composed of horizontal forms and may be located at corners and at entries of each component of Ballpark Village (as further defined during the design submittal review process). Signs shall be composed of permanent materials and should have front and limited internal illumination (or some other illumination approved by the Reviewing Party) and display an identity for the area it serves. Informational and directional signs should contemplate the use of plaques and vertical monuments located at gateways, on or adjacent to right-of-ways, and at individual parcel and/or major land use area entries. These signs should display directional and other information required for accessing the various uses within Ballpark Village. A street banner program may be

established to key the various land use areas or to celebrate and inform the public of events. Limited sponsor information may appear as part of an approved banner program.

MXD/RES MXD Land Use Area Specific –The following guidelines are specific to the office component within the MXD/RES MXD areas:

- Office related signage shall be composed of a family of signs with materials, colors and lighting compatible with the building architecture it serves. Monument entry signs may promote building, parcel or area branding and is permitted to display major tenant/user identification. Building top signs shall be composed of illuminated dimensional letters and figures. Building address signs shall be clearly visible on monuments and building façades.

Notices at driveway entrances shall be unified into a single sign statement. Graphic imagery and lettering shall be of high quality.

Ballpark Village and/or components of Ballpark Village identification signs shall be located at major entrances when and where appropriate. Signs may also include more urban forms such as vertical blade signs. Residential signs shall be composed of identity and directional signage to serve the sales and/or leasing process. These signs shall be located at street corners, building entrances and/or driveway entrances. A system of off-site and on-site temporary signs may be developed to serve leasing and/or sales programs. Banner programs may be displayed in parking and drive areas with prior approval from the Reviewing Party.

COM Land Use Area Specific – Identification signage shall be composed of a thematic family of signs with consistency in design, type, color, materials, and lighting. Vertical monument signs (or such other signage approved by the Reviewing Party) shall display project and tenant/user identification along Estrella Parkway and Bullard Avenue. Tenant/user wall signs shall utilize a tenant's type, color, and logo graphics. Lighting shall be consistent on project signs and varied on tenant/user wall signs. Pad tenants may utilize low horizontal monument signs in addition to wall signs. Banner programs may be displayed in parking and drive areas with prior approval from the Reviewing Party.

Temporary Signage – A unified system of temporary freestanding signs serving the marketing and sales or leasing needs may be developed for all land use areas, or certain land use areas within Ballpark Village. If a formal program is not established, temporary signs shall meet the provisions of the City's sign regulations.

Truck Route Signage – Ballpark Village shall require the installation of appropriate truck route signage where necessary to denote City's through and bypass routes.

Section I: Maintenance for All Land Uses

At a time in which CSW determines it is appropriate, a master or multiple master community associations shall be created for Ballpark Village to: a) manage all common open space facilities and streets owned by the master association(s); and b) govern the affairs of the master association(s) through a formal governance structure to be established in the association's or associations' bylaws. In addition to common tracts owned by the master association(s), they will assume the maintenance responsibility for median landscaping and landscaping within roadway easements once the association(s) is established.

ORDINANCE NO. 2021-1513

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 268.5 GROSS ACRES LOCATED ON THE EAST SIDE OF ESTRELLA PARKWAY, BETWEEN BULLARD AVENUE AND JUST NORTH OF W. GOODYEAR BOULEVARD TO ADD APPROXIMATELY 14 ACRES TO THE EXISTING 254.5-ACRE RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH; TO REZONE THE APPROXIMATELY 14 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; TO CLARIFY AND CONSOLIDATE THE EXISTING PAD RESIDENTIAL PERMITTED USES TABLE; TO UPDATE THE EXISTING PAD LAND USE SUMMARY; AND TO REVISE THE EXISTING PAD BUILDING TYPES TO MORE APPROPRIATELY IDENTIFY THEM AS LAND USE TYPES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

WHEREAS, on May 29, 2007, the City Council of the City of Goodyear adopted Ordinance No. 07-1073 conditionally rezoning approximately 242 acres of property to Final PAD by adopting the Wood Corporate Campus and Ballpark Village Final Planned Area Development dated May 17, 2007 and the Wood Corporate Campus and Ballpark Village Design Guidelines dated May 17, 2007; and

WHEREAS, on May 8, 2017, the City Council of the City of Goodyear adopted Ordinance No.17-1347 conditionally rezoning approximately 254.5 acres (gross) to amend the zoning categories, permitted uses, development standards, and design guidelines under the existing PAD zoning by adopting the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017; and

WHEREAS, on March 1, 2021, the City Council of the City of Goodyear, adopted Ordinance No. 2021-1494 conditionally rezoning approximately 254.5 acres of property to amend certain of the residential development standards under the existing PAD zoning by adopting the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020; and

WHEREAS, the purpose of this staff-initiated amendment is two-fold: (i) to rezone approximately 14 acres currently zoned Final PAD with a portion designated as C-2 (Community Commercial) and another designated as I-1 (Light Industrial) to Final PAD by amending the existing Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020 to include the approximately 14 acres and designating it as the RES/MXD zoning designation; and (ii) to amend the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020 to modify certain development standards and to modify certain definitions and existing residential permitted use matrix to distinguish product types from categories of residential uses (for instance apartments would be a type of multi-family residential use); and

WHEREAS, under the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated July 2021, the approximately 14 acres being incorporated into the Final PAD the zoning designation for the 14 acres will be the RES/MXD zoning designation, which will allow the 14 acres to be developed as the types of permitted residential uses, the types of permitted commercial uses or a combination thereof; and

WHEREAS, City staff finds that the proposed amendment will not adversely impact the surrounding area as multi-family and commercial uses are currently allowed within the existing PAD; and

WHEREAS, the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021, which was declared a public record by Resolution 2021-2173 and which is referred to and incorporated hereing by this reference, is a restatement of the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South dated November 23, 2020 adopted by Ordinance 2021-1494 as modified; and

WHEREAS, a request to rezone property requires public review by the Planning and Zoning Commission and public review and approval by the City Council; and

WHEREAS, public notice that an amendment to the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021 was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on July 7, 2021, appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on July 7, 2021, and at that meeting the Commission voted 6 to 0 to recommend approval of the proposed amendment; and

WHEREAS, public notice that an amendment to the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021 is to be considered and reviewed at a public hearing held before the City Council on July 19, 2021 appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, the Mayor and Council of the City of Goodyear find the adoption of this Ordinance to be in the best interests of the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2021-1513 applies to approximately 268.5 acres of land in Goodyear, Maricopa County, Arizona, generally located east of Estrella Parkway between Elwood/S. Bullard Avenue on the south and slightly north of W. Goodyear Blvd on the north as depicted on that certain document titled Official

Supplementary Zoning Map No. 21-01A, and as legally described in that certain document titled Exhibit B Legal Description, which documents were declared a public record by Resolution 2021-2173 and which are referred to and incorporated herein by this reference (the "Property").

SECTION 2. REZONING

The Property is conditionally rezoned to Final Planned Area Development (PAD) District (Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020) to Final Planned Area Development (PAD) District by the adoption of the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South dated July 2021, which document was declared a public record by Resolution 2021-2173 and which is referred to, adopted and made a part hereof as if fully set forth in this Ordinance.

SECTION 3. STIPULATIONS

That the rezoning provided for herein is subject to all of the following stipulations and conditions:

1. Development of the Property shall be in substantial conformance with the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021, which document was declared a public record by Resolution 2021-2173 and which is referred to and incorporated herein by this reference, including the concept plans, development standards and design guidelines contained therein except as otherwise provided by any stipulations herein; and

2. The provisions of the City of Goodyear Zoning Ordinance shall apply except as modified by Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021 and except as otherwise modified by the stipulations herein; and

3. Except for the terms in Section 5.1 of the Amended and Restated Development Agreement Ballpark Village (North Parcel) recorded in the official records of Maricopa County as instrument 2012 0724688 ("Section 5.1"), which requires the development of parking facilities for private development in accordance with the parking requirements of the Zoning Ordinance, nothing in the rezoning provided herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated July 6, 2011 and the exhibits thereto by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement

Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M. and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City or any terms of any conveyance document or agreement to which the City is a party related to parking to support the Ballpark and the Ballpark Development Complex. Section 5.1 no longer has any effect because the parking requirements for Ballpark Village have been amended by Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021; and

4. Notwithstanding anything to the contrary in the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021or the stipulations herein, City parking standards for residential development shall apply within the RES category unless the Mayor and Council of the City of Goodyear approves a zoning amendment to amend such standards pursuant to a third party parking consultant's data based study and letter of recommendation supporting lower parking/dwelling unit ratios and/or parking related design standards that has been approved by the Zoning Administrator; and

5. Notwithstanding anything to the contrary in the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated July 2021, a drive-through may be considered through a use permit subject to the following conditions:
    a. The drive-through is limited to a business that has coffee, tea, or other beverages as its primary product.
    b. The drive-through may only be considered on lots 28 – 30 north of Lower Buckeye Parkway, on the east side of Estrella Parkway.
    c. No curb cuts are allowed onto Estrella Parkway.
    d. A patio that is scaled to the size of the building must be a prominent feature toward Estrella Parkway or the Ballpark.
    e. The drive-through window and ordering menu board may not face Estrella Parkway.
    f. The drive-through drive aisle may not be located between the building and Estrella Parkway; it must be located to the rear of the building; and it must not be substantially visible from Estrella Parkway.
    g. Enhanced architectural design and landscaping must be provided on the site, as determined by the Zoning Administrator during the use permit review.
    h. Enhanced pedestrian connections shall be provided to connect the Ballpark site and nearby residential property,

as determined by the Zoning Administrator during the use permit review.

SECTION 4. AMENDMENT TO ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning set forth in Section 2 of this Ordinance by the adoption of that certain document titled Supplementary Zoning Map 21-01A, which document was declared a public record by Resolution 2021-2173 and which is referred to and incorporated herein by this reference, and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

SECTION 5. ABRIDGMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the City of Goodyear.

SECTION 6. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 7. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the City of Goodyear Zoning Ordinance being amended by this ordinance shall remain in full force and effect until the effective date of this ordinance.

SECTION 9. PENALTIES

Any person who violates and provision of this ordinance shall be subject to penalties set forth in Section 1-2-3 of the City of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, **building**, **structure,** sign, landscaped area, **parking lot** or fence, or to permit the use of any **lot** or land contrary to, or in violation of any provisions of this **Ordinance**, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land **use** that is specifically prohibited by this **Ordinance** or is unspecified and not classified by the **Zoning Administrator** is prohibited in any **district**.

B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (**Person**). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any **Person** who violates any of the provisions of this **Ordinance** and any **amendment**s there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or
2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____

Georgia Lord, Mayor

Date: _____

ATTEST: APPROVED AS TO FORM:

_____ _____

Darcie McCracken, City Clerk Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2021-1513 is a true, correct and accurate copy of Ordinance No. 2021-1513, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said ordinance.

Given under my hand and sealed this _____day of _____, 20____.

_____

seal City Clerk

Ballpark Village PAD Amendment
Southeast corner of Yuma Road
and Estrella Parkway

21-210-00001 Ballpark Village PAD Amendment

Ballpark Village & Ballpark Village - South PAD Amendment

- Currently approved Ballpark Village & Ballpark Village – South PAD is 254 acres on the east side of Estrella Parkway
- Ballpark Village: Ballpark & the area around it
- Ballpark Village – South: Development complexes & the area west of them

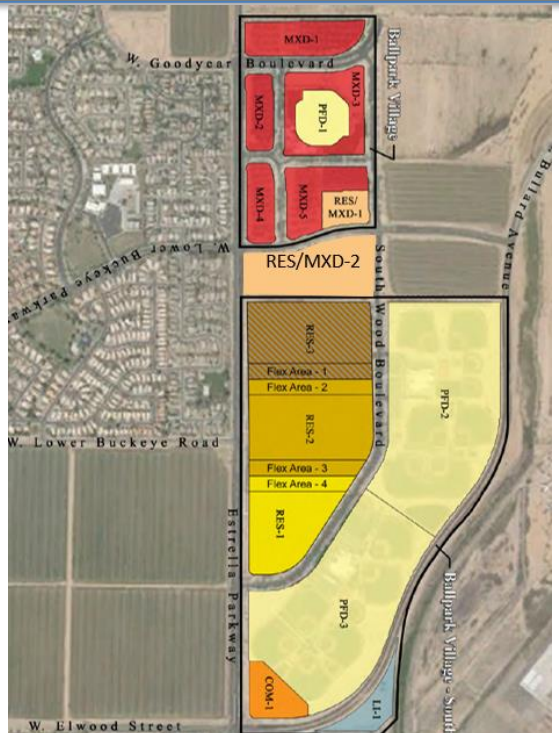
- This proposed staff-initiated PAD amendment is to add 14 acres at the SEC of Estrella Pkwy & Lower Buckeye Pkwy to the BV & BV-S PAD

- With this amendment the 14 acres will be part of Ballpark Village – South where multi-family developments have recently been approved

- Currently the 14 acres is part of the 2007 City Center Airpark PAD, and is owned by SunMP
- Underlying zoning of C-2, General Commercial & I-1, Light Industrial
- Understanding the incompatibility of I-1 & the Ballpark, SunMP authorized staff to initiate this amendment

Underlying BV & BV–S Zoning

BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH PAD AMENDMENT



- With the authorization SunMP requested zoning that would allow:
  - All commercial, all multi-family, or both
- Staff selected the existing BV & BV-S PAD RES/MXD category

RES/MXD Development Standards

BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH PAD AMENDMENT

Table C: Non-RES Category Development Standards (Ballpark Village & Ballpark Village-South)[2]

Development Standard	MXD[3]	RES/MXD[4]	COM	LI	PFD
Min. Lot Area (sq. ft.)	None	10,000	10,000	10,000	N/A
Min. Lot Width (ft.)	None	100	150	None	N/A
Max. Building Height[5] (ft.)					
- Bldgs. immediately adjacent to Estrella Pkwy. s/o Goodyear Blvd.	62	N/A	56	N/A	N/A
- Bldgs. immediately adjacent to Estrella Pkwy. n/o Goodyear Blvd.	72	N/A	N/A	N/A	N/A
- Other	105	72	56	50	N/A
Max. Building Coverage	65%	60%	50%	50%	N/A
Min. Building Setback[6] (ft.)		Building/Parking			
- Estrella Pkwy	15/30	N/A	15/30	N/A	N/A
- Bullard Avenue	N/A	N/A	30/30	30/30	30/30
- Lower Buckeye Pkwy/Goodyear Blvd.	15/15	10/10	N/A	N/A	N/A
- Front (interior street)	0/0	0/0	7.5/7.5	20	N/A
- Side	0/0	0/0	N/A	30/10	30/10
- Rear	0/0	0/0	N/A	20/10	20/10
- Street side	0/0	0/0	20	30/10	30/10
Min. Open Space[7]	10%	1.9 ac	15%	10%	N/A
Minimum Sidewalk Width (ft.)[8]	4	4	4	4	N/A

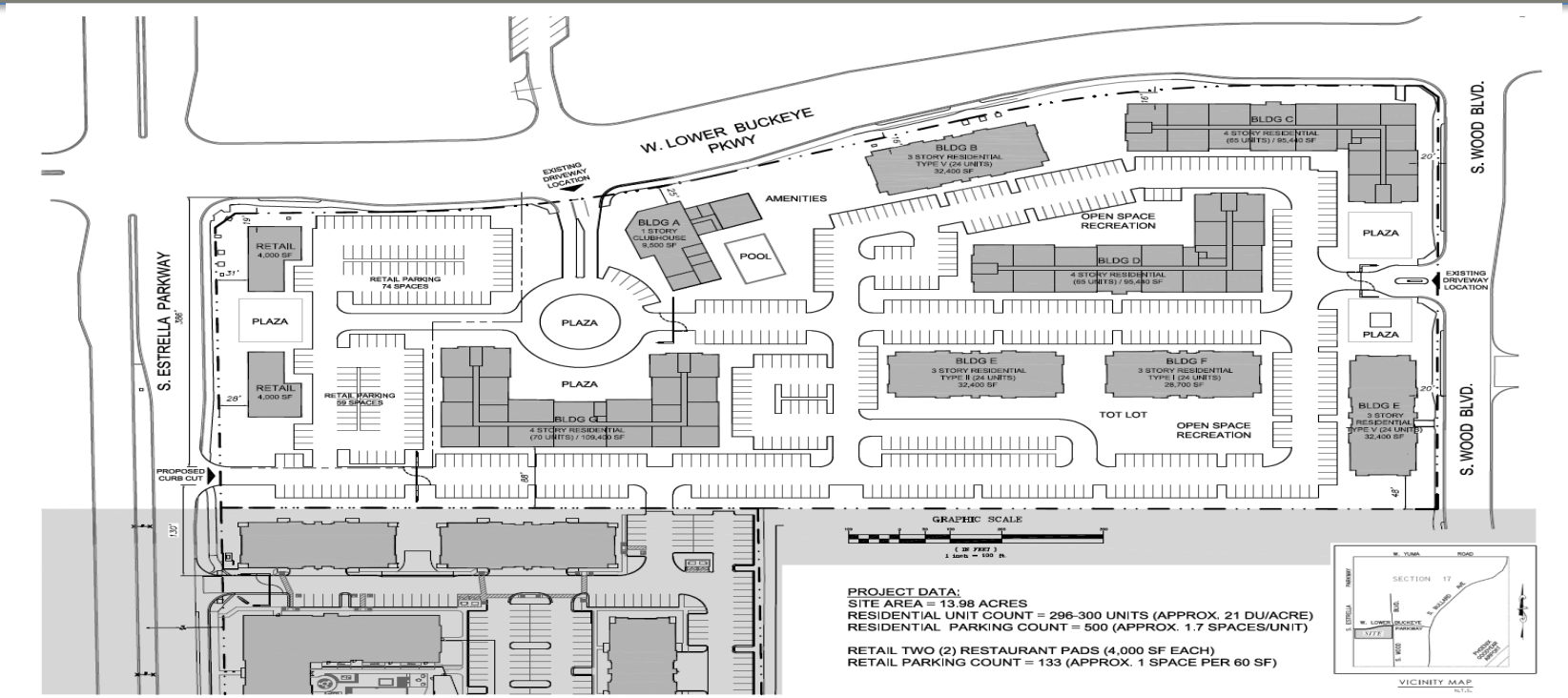
RES/MXD can allow:

- All commercial
- All multi-family
- Or both

As requested by SunMP

June Pre-app for "Solace North"

BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH PAD AMENDMENT



Public Outreach

BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH PAD AMENDMENT

- One owner in Ballpark Village inquired about the amendment – no position taken
- One resident outside of the PAD supported the amendment

Recommendation

BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH PAD AMENDMENT

- The amendment meets the Zoning Ordinance criteria for a rezone
- Staff, & the Planning Commission by a vote of 6 to 0, recommend approval of the amendment subject to the stipulations in Ordinance 2021-1513

Questions????

AGENDA ITEM #: 11.
DATE: 07/19/2021
AI #:368

CITY COUNCIL ACTION REPORT

SUBJECT: REZONE APPROXIMATELY 240.32 ACRES LOCATED AT THE NORTHWEST CORNER OF 181st AVENUE AND YUMA ROAD FROM R1-4, R1-6 AND R1-7 TO R1-4 (SINGLE-FAMILY DETACHED) ZONING DISTRICT, WITH R1-4 REDUCED DEVELOPMENT STANDARDS WITH A PAD OVERLAY.

STAFF PRESENTER(S): Christian M. Williams, Planner

SUMMARY

Request to rezone approximately 240.32 acres located at the northwest corner of 181st Avenue and Yuma Road from R1-4, R1-6 and R1-7 to R1-4 (Single-Family Detached) zoning district with R1-4 Reduced Development Standards with a PAD Overlay.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2165, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR – LA PRIVADA.

2. ADOPT ORDINANCE NO. 2021-1505, CONDITIONALLY REZONING APPROXIMATELY 240.32 ACRES GENERALLY LOCATED NORTHWEST OF 181st AVENUE AND YUMA ROAD; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Christian Williams, Planner)

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The proposed rezoning includes 240.32 acres of property generally located at the northwest corner of 181st Avenue and Yuma Road (the “Property”). The Property is located within West Goodyear and consists of two of the original West Goodyear Properties: La Privada (approximately 198 acres) and Paseo Place Parcel 1 (formerly known as Lees 40 and then as Paseo Ridge Phase 2) (approximately 43.53 acres). Paseo Place Parcel 1 was zoned Agricultural Urban (AU) in 2006 by Ordinance 2006-1015 when the property was annexed into the City. Paseo Place was subsequently rezoned to R1-6, single-family zoning district by Ordinance No. 2006-1016. La Privada was zoned Agricultural Urban (AU) in 2006 by Ordinance No. 2006-1013 when the property was annexed into the City. La Privada was subsequently rezoned to Planned Area Development with underlying lot size of R1-6 and R1-7 by Ordinance 2006-1014 and included provisions for a school site to be adjacent to another school site in Amber Meadows; together these sites would create a larger school site. In 2018, La Privada was rezoned by Ordinance No. 2018-1411, the approximately 198 acres of La Privada were rezoned from PAD to approximately 69 acres of R1-7, approximately 48 acres of R1-6 and approximately 76 acres of R1-4.

When the various properties known as the West Goodyear Properties, including the Property, were annexed into and/or sought to rezone their respective properties, the owners of the properties caused the preparation of regional water and wastewater master studies and amendments thereto to identify the regional water and wastewater lines that had to be constructed to serve the West Goodyear properties. The City adopted Resolution of Intention No. 06-1064 as amended by Resolution No 14-1621 and Resolution No. 16-1747 to allocate the costs of the regional water lines identified in the master water study as amended among the benefited properties (referred to herein as the “Cost Recovery Resolution – Water Delivery Lines”) and adopted Resolution of Intention No. 06-1065 as amended by Resolution No 14-1622 and Resolution No. 16-1748 to allocate the costs of the regional wastewater lines identified in the master wastewater study as amended among the benefited properties (referred to herein as the “Cost Recovery Resolution – Wastewater Trunk Lines”)..

The current proposed rezoning seeks to replace previous zoning cases with an R1-4 (Single-Family Detached) zoning district with R1-4 Reduces Development Standards and a PAD Overlay. The maximum number of dwelling units that will be

developed on the Property is 1,200. The change in zoning does not impact the regional water and wastewater lines that are needed to serve the Property and the Property Owner is responsible for either constructing the lines identified in the cost recovery resolutions and/or paying cost recovery payment for the costs of the lines constructed by others identified in the cost recovery resolutions as benefiting the Property.

STAFF ANALYSIS

Current Policy:
A rezoning request requires public review and vote by the Planning and Zoning Commission and the City Council. The proposed rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area. As set forth below, the proposed zoning is both consistent with the General Plan and will not adversely impact the surrounding area.

Details of the Request:
The applicant is requesting a zoning change from the currently approved Paseo Place Parcel 1 (R1-6) and La Privada R1-7, R1-6 and R1-4 to R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards with a PAD Overlay for a development to be referred to collectively as La Privada. The PAD Overlay modifies the foregoing standards as follows: all lots within the development shall be a minimum lot width of 40 feet; a minimum of 35% of lots shall be 45-feet wide and 120 feet deep; a minimum of 25% of lots shall be 50-feet wide and 120 feet deep; a minimum of 15% of lots shall be 55-feet (or wider) and 120 feet deep (or deeper).

La Privada will adhere to the R1-4 (Single Family Detached) Zoning District as modified by the R1-4 Reduced Development Standards, as modified by the PAD Overlay.

The proposed rezoning requires additional amenity elements, connectivity elements and streetscape elements be provided. The proposed zoning ordinance includes stipulations requiring these amenity elements, connectivity elements and streetscape elements be provided. They include the following:

To meet the two (2) required Amenity Elements, the development will:

- Additional Park Space - A 6.5-acre centralized park will be located at the heart of the community. It will be supported by a localized usable active open space area. The 6.5-acre centralized park shall include a “community center”. The “community center” shall consist of a covered and connected community space (this may be an outdoor community center designed to feel like a unified outdoor building) that allows for small and large group gatherings and will surround a centralized event lawn space. Clustered adjacent to the community center and centralized event lawn shall be: a shaded or trellised outdoor kitchen preparation facility (with a built-in countertop sink and a minimum of two gas barbeque grills); a splash fountain with perimeter seating; a shaded or covered permanent game tables/areas “game room” including games such as ping pong, chess/checkers tables, cornhole, bocce ball and/or the like; a gas fireplace; and a fire pit with seating. The community center shall be adjacent to sports courts such as basketball courts and pickleball courts. The Final elements of the Additional Amenities shall be refined with staff to collectively be of an equal or greater quality to those described above.
- Tot Lots and sport courts shall be located within each of the parcels identified in the Land Use Plan except for parcel 6 which will be dedicated as a school site.

In order to meet the four (4) required Connectivity Elements, the development will:

- Be Considered In-fill – Project will be considered in-fill.
- Provide Trail System Connections that include
  - A 6-foot paved pedestrian trail along the western bank of and Emergency Conveyance Channel that has to be constructed, which shall have trail markers and include fitness stations and provide a minimum of four (4) informal gathering and resting stations; and
  - An 8-foot decomposed granite bridle/equestrian trail along the eastern and northern boundaries of the Property; and
  - A private system of paved 5-foot wide off-street trails shall be provided which interconnect the development parcels and connect all the development parcels to the centralized park and pavers, colored concrete or stamped concrete within the sections of the streets within the Property where the trails cross the streets; and
  - Cause the construction of the Maricopa Trail along Yuma Road which shall include a minimum of an 8-foot concrete sidewalk with 2-feet of compacted decomposed granite on both sides of the concrete sidewalk (which are level with the concrete sidewalk) and shall be setback a minimum of 12-feet from the curb of Yuma Road; and
  - Create a raised median island within 183rd Avenue right-of-way in front of the centralized park, to provide traffic calming elements, and mid-block pedestrian refuge to the central park.
- Provide Lot Diversity - In order to ensure lot diversity within the R1-4 Reduced Zoning district, a minimum of 35% of lots shall be 45-feet wide and 120 feet deep; a minimum of 25% of lots shall be 50-feet wide and 120 feet deep; a minimum of 15% of lots shall be 55-feet (or wider) and 120 feet deep (or deeper). By way of comparison a standard R1-4 Reduced lot may be as small as 40-feet-wide by 100-feet-deep or 4,000 square feet.
- Limited Subdivision of Perimeter Wall – On the perimeter of the subdivision, perimeter walls shall only be constructed for individual lots; the rear of lots along the western side of the Emergency Conveyance Channel shall have View Walls with 4-feet block and a minimum of 2-feet of wrought iron on top and the eastern boundary along the Emergency Conveyance Channel shall remain open.

To support the R1-4 Reduced Development Standards, the development of the Property has to include a minimum of four (4) Streetscape Elements as set forth in Section 3-2-3 of the Goodyear Zoning Ordinance that create a sense of place and ensure the smaller lot developments are of high quality. The Owner has agreed to incorporate features intended to create a sense of place for the West Goodyear Properties centered around their agrarian history. These features, which are set forth below and are included in the ordinance, satisfy one of the four required Streetscape Elements.

- West Goodyear Streetscape Design –
  - A minimum of five (5) shaded agrarian or trellis style seating areas shall be provided within the development as act as a decorative focal node within the community in focal point areas and
  - Incorporate West Goodyear design elements at or near the community entrances off of Yuma Road at 183rd Avenue at Perryville Road and Harrison Street, the words “West Goodyear” will appear on a trellis, monument sign or similar agrarian element. The minimum text height of “West Goodyear” shall be 10-inches

Three (3) additional Streetscape Elements will need to be incorporated into the development of the Property, but they have yet to be finalized. These additional elements will be finalized as part of the preliminary plat review. Owner is considering the following Streetscape Elements that, if incorporated into the development, would satisfy the Streetscape requirements of section 3-2-3 of the Goodyear Zoning Ordinance:

- Sidewalk and Landscape Enhancements
  - Detached Sidewalks - 5 and a half-foot wide planter adjacent to all local roads in interior of the development with HOA maintained landscape strips except that the minor collectors within the interior of the development and along the perimeter of the Property may have 4-foot wide planters adjacent to the roadways with an 8-foot concrete sidewalk on one side of the roadway and an 8-foot wide decomposed granite trail on the other side of the roadway.
- Decorative pavers, colored concrete and/or stamped concrete, and/or other material as approved by the Zoning Administrator, Engineering and Public Works, on driveways of all lots within the Property (between the sidewalk and the house).
- Decorative pavers, colored concrete and/or stamped concrete, and/or other material as approved by the Zoning Administrator, Engineering and Public Works, at the main intersections into the development as well as along all parcel entrances along 183rd Avenue and Harrison Street.

Evaluation Criteria:
Per the city of Goodyear Zoning Ordinance, the city’s review and recommendation on a zoning amendment is to be guided by the following criteria:

1. Consistency with the General Plan.

   The proposed land plan is consistent with the current General Plan land use designation in terms of land use location and density. With the adoption of the City of Goodyear’s General Plan “Goodyear 2025” the Project Site was given a land use designation of “Neighborhood” which is defined as: “Provides areas for the growth and development of neighborhoods. Neighborhoods include a wide range of densities and housing products, public and community facilities such as schools and places of worship, and commercial uses at appropriate intensities and locations.”

   A key element in this definition is the allowance for a wide range of densities and housing products. We believe allowing flexibility in this regard enables the City to be responsive to planning needs in the City. It also allows for homebuilders to be creative in the type of communities they develop. This community will meet the City’s intent to provide a diversity of housing options by providing homes on a variety of lot sizes, within a community of enhanced design and amenities. This is a combination that many homebuyers are looking for, and we’re going to be able to provide it in an excellent location within a portion of the city that enjoys close access to employment and transportation.

   As part of the City of Goodyear’s General Plan “Goodyear 2025” Chapter 8 – Land Use and Transportation Plan, clearly defined “Development Standards” are set forth. The Develop Standards that apply to the project will be met and the plan intent is in Conformance with the City of Goodyear’s General Plan “Goodyear 2025”. Additional objectives, goals and standards can be found in the applicant’s narrative.

2. Suitability of the subject property’s physical and natural features for the uses permitted under the proposed zoning district.

   The property has no significant natural or built constraints and provides an opportunity to create an outstanding residential community. The land is generally flat, sloping from northwest to southeast and will provide storm water management through on-site retention basins and participation with regional drainage through construction of an emergency conveyance channel. The channel limits within La Privada will provide recreation amenities with an equestrian trail and adjacent pedestrian paths which are part of the overall bicycle and pedestrian circulation.

3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.

   La Privada is located in the heart of West Goodyear with adjacent properties reflecting similar zoning designations. Parcels that are within the City’s boundaries are either currently zoned or being rezoned to smaller single-family residential units. This includes Amber Meadows located north of Harrison and Paseo Place to the south as well as the communities of Pradera and Las Ventanas. Parcels along the east and northern boundary are larger lot single family residential units. The development of La Privada will provide and improve the necessary infrastructure including construction of collector and arterial roadways and extension of City of Goodyear water and sewer service to West Goodyear. The surrounding properties in general will benefit from the future high-quality residential community. Current and future uses and development of the properties surrounding the subject property include:

   North – County island, homes and vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban)) and Amber Meadows (zoned PAD);
   South – County island, largely vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban)), Las Ventanas (zoned PAD) and Paseo Place Parcel 2 (zoned R1-6);
   East – County island, homes and vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban));
   West – City of Buckeye Planning Area, Amber Meadows (zoned PAD) and County island, largely vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban));

4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under the current zoning.

La Privada is consistent and compatible with other land uses existing and entitled within the immediate area. The property is located within an area that was planned for low and medium density residential uses.

The jurisdiction along the north and east boundaries are within unincorporated Maricopa County and are zoned RU-43 with single family homes. In order to provide a sensitive transitional space between these larger lots and proposed lots, La Privada will provide an equestrian trail easement along the north and east boundary of Parcel 1. Parcels 2 and 3 are separated from the residents along 181st Avenue by approximately 90-foot buffer which includes an emergency conveyance channel, landscaping, and pedestrian trail.

The proposed community is in line with the City's General Plan principles. The City of Goodyear's 2025 General Plan Land Use Map classifies the property as "Neighborhood." The "Neighborhood" land use is intended to provide for the growth and development of residential neighborhoods providing diversity of densities and housing products up to five (5) dwelling units per acre.

Luke Air Force Base:
The property does not fall within the Luke Air Force Base Accident Potential Zone or the DNL. However, the property does fall within the Luke Air Force Base Military Vicinity boundary thus disclosure statements shall be required as a condition of approval.

Phoenix-Goodyear Airport:
The property does not fall within the Phoenix-Goodyear Airport DNL.

5. Demand for the types of uses permitted in the proposed zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

Per the General Plan this community falls within the Neighborhoods land-use. Entitlement of the subject property with PAD zoning will meet the demand for residential development.

The current Arizona housing market indicates the Phoenix Metro area needs over 500-thousand homes to meet the current demand. A growing trend has demonstrated that the request for more narrow lots is reflected not just in West Goodyear, but across the valley. This does not necessarily mean that the home sizes are decreasing but rather indicates homebuyers want less property to maintain. By adjusting to market demand, this will allow lots to sell more quickly, bringing more residents into Goodyear sooner and contribute to the City's tax base.

The city provided to the applicant the present breakdown of lot diversity in West Goodyear reflecting sizes ranging from Courtyard to SF115. Currently, more than 50% of the lot sizes are 55-feet and 60-feet wide with minimal demand for that width. The applicant compared the provided breakdown and proposed adjustments to include a range of options including 45-foot and 50-foot widths.

The proposed decrease in lot widths expands the percentage of this market segment with a more proportional distribution in West Goodyear. La Privada has been designed to be consistent with the City's goals to provide a sustainable and varied residential community that will be a cornerstone in the West Goodyear area. High quality not only speaks the physical building, but to the high quality of life that La Privada brings with it planned amenities. Recent West Goodyear development activity with Paseo Place and La Privada Parcels 3 and 7 show the interest in providing new residential units in West Goodyear.

6. Demands for public services that will be generated by the uses permitted in the proposed zoning district.

School Districts:
The subject property is located within the Liberty Elementary School District and the Buckeye Union High School District. Both school districts have been notified of the rezoning request.

Fire Response:
Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Goodyear Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
Fire Station #184	5.41	2.71	7.83	3.91	Fire Station #185	14.36	7.18	16.78	8.39

Police Response:
The proposed development is located within an existing police patrol beat and the current level of service within the beat can accommodate the development of the property.

Streets/Transportation:
The property will be accessed from Yuma Road and Perryville Road. The Engineering Department has created stipulations to address traffic issues caused by the development of this property. Those stipulations address traffic signals, roadway construction and access to needed and adjacent streets.

Water/Wastewater:
The subject property will be served by city of Goodyear water and wastewater utilities.

7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.

The property is located near existing or planned Cost Recovery Ordinance public services. We do not anticipate any potential adverse fiscal impacts resulting from development of this property.

8. General public concerns.

Public Participation, Public Comment and Planning and Zoning Commission Meeting:
An alternative citizen review process was conducted for this proposal due to the city of Goodyear Emergency Declaration in Response to Coronavirus and notice of the application was provided to property owners within 500 feet of the property at least 35 calendar days prior to public hearing to provide ample opportunity for input prior to noticing the public hearing itself. The notice was mailed on May 22, 2021. To date, no objections or inquiries were received as a result of this notification.

A public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on July 7, 2021 appeared in the Arizona Republic Southwest Valley Edition June 18, 2021; postcards were mailed to adjoining owners on June 12, 2021; and a sign was posted on the site on June 4, 2021 to advertise the July 7, 2021 Planning and Zoning Commission Meeting.

At the Planning and Zoning Commision meeting, a representative from the Liberty Elementary School District Superintendent's Office spoke in support of the school site being planned within both La Privada and the adjacent Amber Meadows, one (1) letter was read into the record from the Amber Meadows development which was opposed to statements indicating a school site would be located within Amber Meadows, and one (1) resident asked general questions for clarification.

After public discussion, the Commission voted (6-0) to recommend approval of the proposed rezoning, subject to a modification of stipulation 7 clarifying the size of the proposed La Privada school site. Modifications to this stipulation are included within Ordinance No. 2021-1505.

9. Whether the amendment promotes orderly growth and development.

This zoning amendment requires consistency with the City's General Plan, compatibility with the surrounding zoning and promotes orderly growth and development as part of the West Goodyear Area. As development continues to grow from the southeast of the project including Paseo Place, Pradera and Las Ventanas, the bringing forward of La Privada allows expansion of the City infrastructure and development sequentially to its western boundary particularly related to regional drainage, water, and wastewater expansion.

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

The proposed development on the property will have a positive impact to the general health, safety, and welfare of the citizens of the City by providing a safe and well-designed community within the heart of West Goodyear.

Attachments

Resolution
Supplementary Zoning Map
Legal Description
Land Use Plan
Conceptual Drainage Map
Conceptual Amenity Plan
Ordinance
Aerial Exhibit
Narrative
Letter Concerning School (Amber Meadows)
Presentation

RESOLUTION NO. 2021-2165

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR – LA PRIVADA.

Be it resolved by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 20-03 City of Goodyear, AZ – Rezone Case," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That a certain document titled "Legal Description – La Privada," a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That a certain document titled "Land Use Plan – La Privada," a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

That a certain document titled "La Privada Conceptual Drainage Map," a copy of which is attached hereto as Exhibit D, is hereby declared a public record.

That a certain document titled "La Privada Conceptual Amenity Plan," a copy of which is attached hereto as Exhibit E, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of rezoning Ordinance No. 2021-1505.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2021-2165 is a true, correct and accurate copy of Resolution No. 2021-2165, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said resolution.

Given under my hand and sealed this _____day of _____, 20____.

seal

_____
City Clerk

Exhibit "A"

Official Supplemental Zoning Map No 20-03

(On the following page)

Exhibit "B"

Legal Description – La Privada

(On the following pages)

Exhibit "C"

Land Use Plan – La Privada

(On the following page)

Exhibit "D"

La Privada Conceptual Drainage Map

(On the following page)

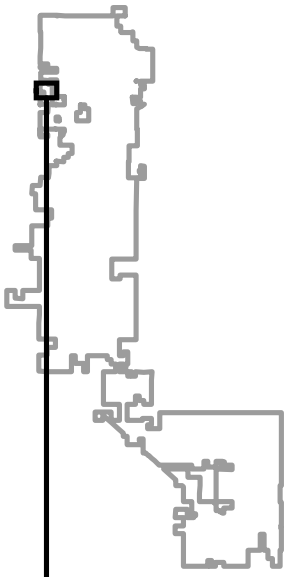
Exhibit "E"

La Privada Conceptual Amenity Plan

(On the following pages)

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 20-03

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2021.

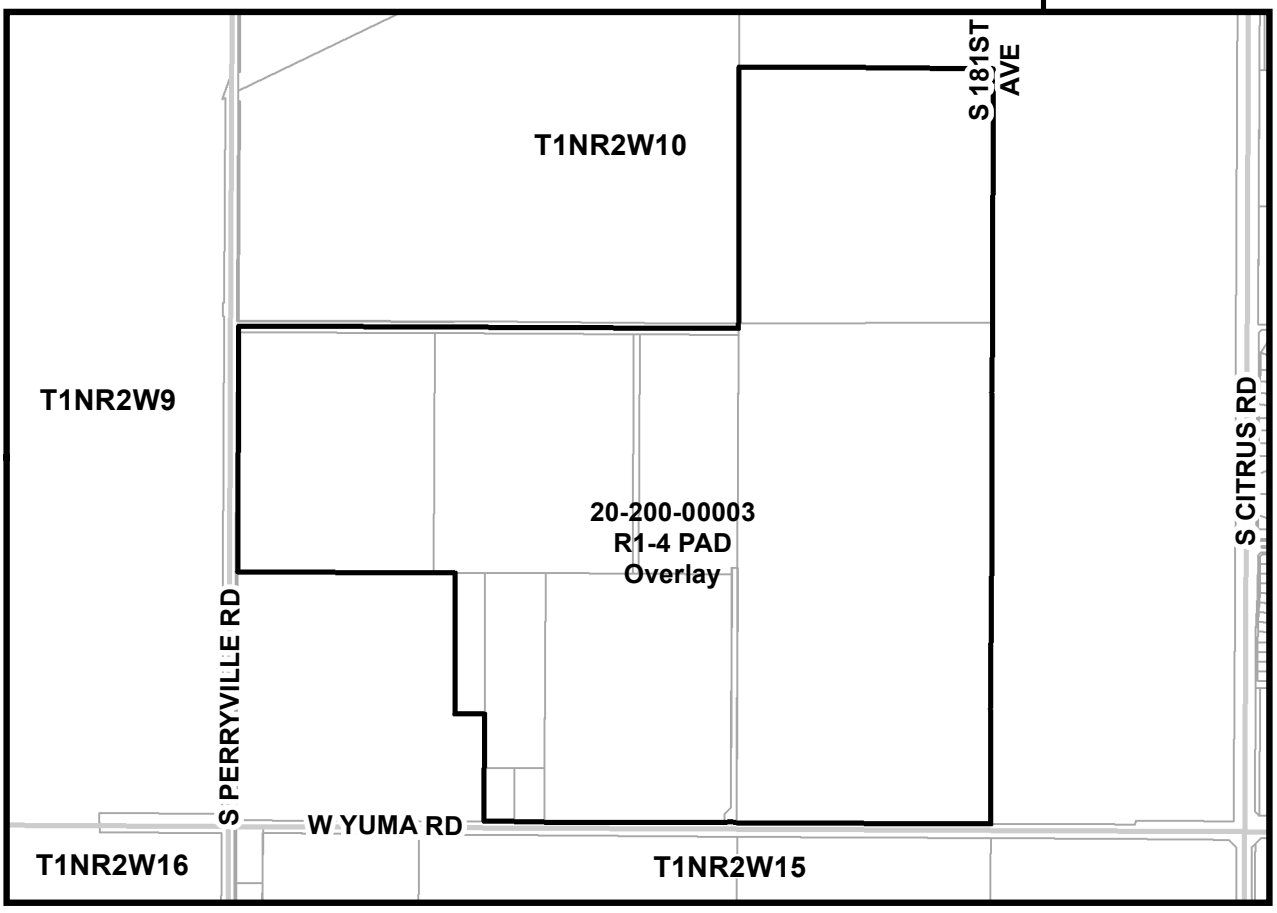


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

**Portions of Section 10, Township 1 North,
Range 2 West of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona.**



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	REZONE FROM R1-4, R1-6, AND R1-7 TO R1-4 PAD Overlay 20-200-00003	May 2021

EXHIBIT B
LEGAL DESCRIPTION-LA PRIVADA

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP FLUSH MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 10, FROM WHICH A MARICOPA COUNTY BRASS CAP IN HAND HOLE MARKING THE NORTH QUARTER CORNER OF SECTION 10, BEARS NORTH 00 DEGREES 25 MINUTES 37 SECONDS EAST, A DISTANCE OF 5287.29 FEET;
THENCE NORTH 00 DEGREES 25 MINUTES 37 SECONDS EAST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 10, A DISTANCE OF 33.00 FEET;
THENCE NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, PARALLEL WITH AND 33.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 1312.20 FEET TO A POINT THAT LIES 1332.73 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER;
THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, PARALLEL WITH AND 1332.73 FEET EAST OF SAID WEST LINE, 557.00 FEET;
THENCE NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, PARALLEL WITH AND 590.00 FEET NORTH OF SAID SOUTH LINE OF THE SOUTHWEST QUARTER, 156.50 FEET;
THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, PARALLEL WITH AND 1176.23 FEET EAST OF SAID WEST LINE OF THE SOUTHWEST QUARTER, 764.38 FEET TO THE NORTH LINE OF THE SOUTH 1354.38 FEET OF SAID SOUTHWEST QUARTER;
THENCE NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, ALONG SAID NORTH LINE, 1143.23 FEET;
THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, PARALLEL WITH AND 33.00 FEET EAST OF SAID WEST LINE OF THE SOUTHWEST QUARTER, 1257.73 FEET;
THENCE NORTH 89 DEGREES 29 MINUTES 21 SECONDS WEST, PARALLEL WITH AND 33.00 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER, 33.00 FEET TO A POINT ON SAID WEST LINE OF THE SOUTHWEST QUARTER;
THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE, 33.00 FEET TO A MARICOPA COUNTY ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 10;
THENCE SOUTH 89 DEGREES 29 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 2643.12 FEET TO THE AFOREMENTIONED NORTH-SOUTH MID-SECTION LINE OF SECTION 10;

THENCE NORTH 00 DEGREES 25 MINUTES 37 SECONDS EAST, ALONG SAID MID-SECTION LINE, 1321.66 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10;
THENCE SOUTH 89 DEGREES 29 MINUTES 17 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1323.07 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;
THENCE SOUTH 00 DEGREES 25 MINUTES 37 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1321.64 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;
THENCE SOUTH 00 DEGREES 25 MINUTES 50 SECONDS WEST, ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER, 2643.54 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER;
THENCE NORTH 89 DEGREES 30 MINUTES 34 SECONDS WEST, ALONG SAID SOUTH LINE, 1322.90 FEET TO THE POINT OF BEGINNING.
SUBJECT PARCEL COMPRISING 10,468,427 SQUARE FEET OR 240.322 ACRES, MORE OR LESS.

EXHIBIT - C

OPEN SPACE DATA

Description	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7	Total
Gross area SF	1,480,737	1,554,696	1,864,337	1,782,381	1,586,807	346,549	1,896,233	10,511,740
Gross Area Acres	33.99	35.69	42.80	40.92	36.43	8.00	43.53	241.36
Existing R/W	0	0	180,493	0	41,505	0	43,296	265,294
Net Area Acres	33.99	35.69	38.66	40.92	35.48	8.00	42.54	235.27
Open Space Required %	15%	15%	15%	15%	15%	15%	15%	
Open Space Required Acres (Ne	5.10	5.35	5.80	6.14	5.32	1.20	6.38	35.29
Open Space Provided Acres	6.38	9.65	11.82	6.14	5.96	8.00	8.71	56.66
Open Space Provided %	18.77%	27.04%	30.58%	15.01%	16.80%	100.00%	20.48%	24.08%

LEGEND

GREEN SPACE

NOTE: GREEN SPACE LOCATIONS AND CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND MAY BE MODIFIED WITH THE PRELIMINARY PLAT.

ROADWAY CONNECTIONS

NOTE: FINAL ALIGNMENT OF ROADWAY CONNECTIONS TO BE DETERMINED AT PRELIMINARY PLAT STAGE.

EMERGENCY CONVEYANCE CHANNEL

N

0 200' 400'

Bowman CONSULTING

Bowman Consulting Group, Ltd.
1295 West Washington Ste 108
Tempe, Arizona 85281

Phone: (480) 629-8830

www.bowmanconsulting.com

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LAND USE PLAN
LA PRIVADA
GOODYEAR, AZ

MARICOPA COUNTY

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION	
DF DESIGN	DF DRAWN	DF CHKD

SCALE H:
V:

JOB No. 050965-01-001

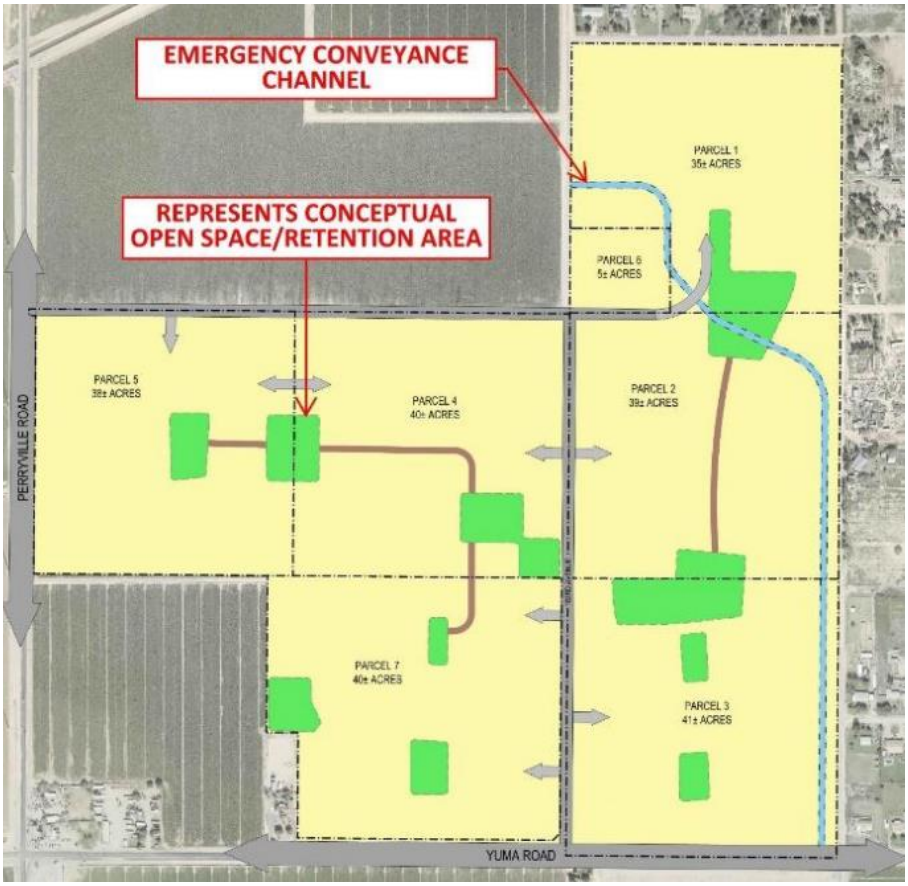
DATE : 3/22/21

SHEET 1 OF 1

Drainage:

A regional flood control system, referred to as the "emergency conveyance channel", is proposed to convey offsite stormwater runoff from north of the project site through various planned developments in West Goodyear. In the ultimate condition, when La Privada – Parcels 1-7 and other planned developments in the area (Amber Meadows to the north, Paseo Place to the south) are constructed, the emergency conveyance channel will pass through the development to the north, will be conveyed into the site on the west side of Parcel 1, will meander to the east side of the project, and flow south to the downstream limit of the La Privada – Parcels 1-7 project, will be conveyed under Yuma Road by a RCBC, and will continue through Paseo Place at the SE corner of 183rd Avenue and Yuma.

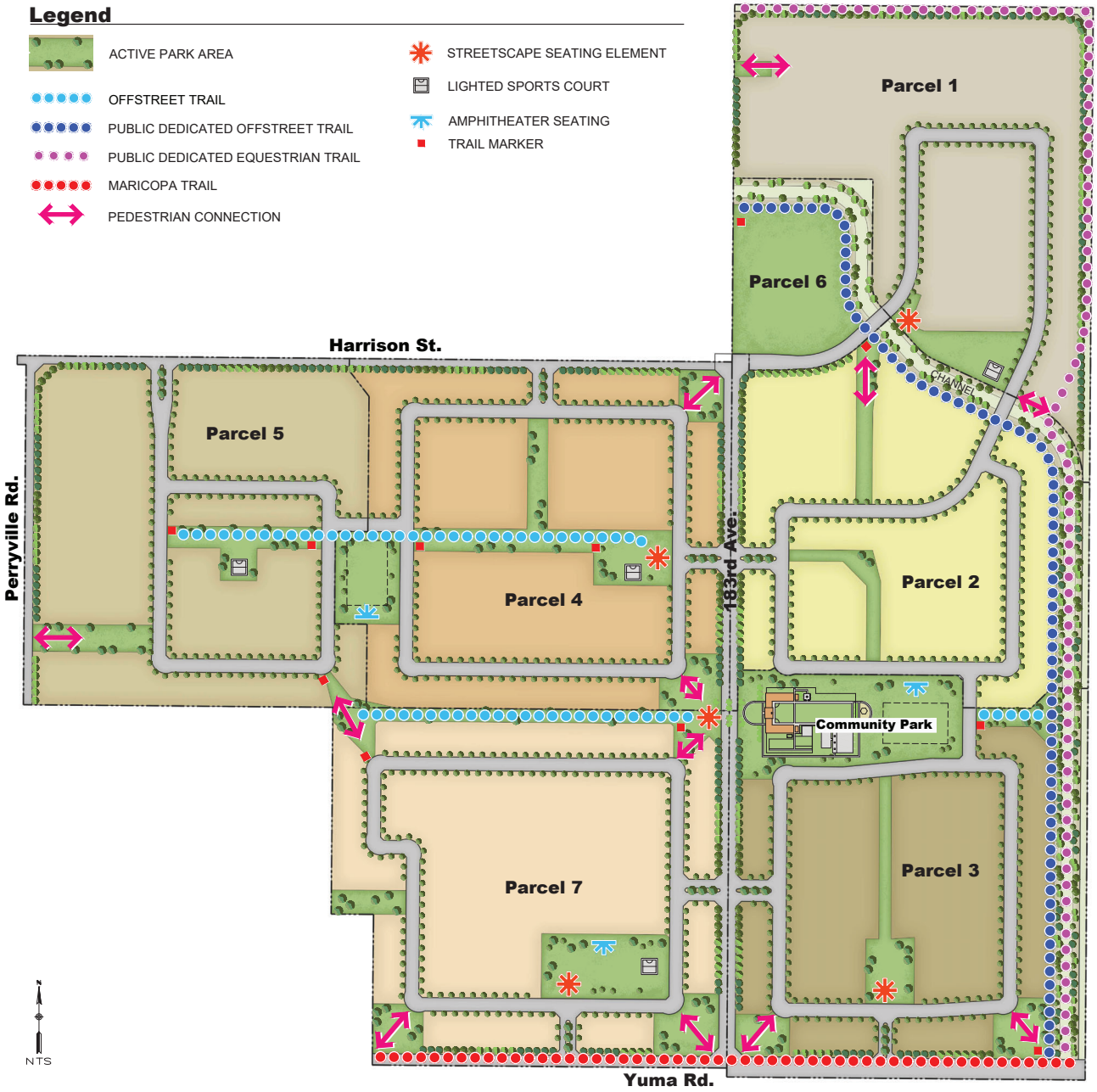
The project drainage concept proposes to convey on-site runoff through streets, storm drain, and scuppers to retention basins. In the event of a storm in excess of the design storm, the site will be designed to allow excess flows to be safely conveyed through streets and open space tracts to the downstream end of the site. The proposed project will demonstrate compliance with the Drainage Design Manual for Maricopa County, Volumes I and II (DDM) and the City of Goodyear Engineering Design Standards and Policies Manual 2017 (EDS). Pursuant to the EDS, Section 3.3.5.A.1.a, the 100-year, 6-hour design storm runoff volume and 100-year peak flow shall be retained onsite. The project proposes to retain the 100-year, 6-hour storm event within surface retention basins.



La Privada Conceptual Drainage Map

Legend

- ACTIVE PARK AREA
- OFFSTREET TRAIL
- PUBLIC DEDICATED OFFSTREET TRAIL
- PUBLIC DEDICATED EQUESTRIAN TRAIL
- MARICOPA TRAIL
- PEDESTRIAN CONNECTION
- STREETSCAPE SEATING ELEMENT
- LIGHTED SPORTS COURT
- AMPHITHEATER SEATING
- TRAIL MARKER



Community Park Amenities

COVERED MEETING SPACE	OUTDOOR KITCHEN	BOCCE COURT
COVERED SEATING/DINING AREA	RAMADA	CORNHOLE GAMES
COVERED GAME "ROOM"	SPLASH PAD	PICKLEBALL COURT
EVENT LAWN	FIREPIT	BASKETBALL COURT
FIREPLACE	SHADED SEATING	PLAY STRUCTURE
AMPHITHEATER SEATING	MULTIUSE FIELD	

Additional Open Space Amenities

LIGHTED SPORTS COURTS	RAMADAS
AMPHITHEATER SEATING AREAS	OFFSTREET TRAILS
SHADED PLAY STRUCTURES	FITNESS EQUIPMENT
DOG PARK	MULTIUSE FIELD

Open Space Calculations

DESCRIPTION	PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4	PARCEL 5	PARCEL 6	PARCEL 7	TOTAL
GROSS AREA SF	1,480,737	1,554,696	1,864,337	1,782,381	1,586,807	346,549	1,896,233	10,511,740
GROSS AREA ACRES	33.99	35.69	42.80	40.92	36.43	8.00	43.53	241.36
EXISTING R/W	0	0	180,493	0	41,505	0	43,296	265,294
NET AREA ACRES	33.99	35.69	38.66	40.92	35.48	8.00	42.54	235.27
OPEN SPACE REQUIRED %	15%	15%	15%	15%	15%	15%	15%	
OPEN SPACE REQUIRED ACRES (NET)	5.10	5.35	5.80	6.14	5.32	1.20	6.38	35.29
OPEN SPACE PROVIDED ACRES	6.38	9.65	11.82	6.14	5.96	8.00	8.71	56.66
OPEN SPACE PROVIDED %	18.77%	27.04%	30.58%	15.01%	16.80%	100.00%	20.48%	24.08%

MELCOR DEVELOPMENTS LTD.

Bowman

RICK ENGINEERING COMPANY

LA PRIVADA
CONCEPTUAL AMENITY PLAN

4-9-21

ORDINANCE NO. 2021-1505

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 240.32 ACRES GENERALLY LOCATED NORTHWEST OF 181st AVENUE AND YUMA ROAD; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

WHEREAS, this Ordinance applies to approximately 240.32 acres generally located at the northwest corner of 181st Avenue and Yuma Road and more particularly described in that certain document entitled "Legal Description – La Privada" declared a Public Record by Resolution No. 2021-2165, and which is referred to and made a part hereof as if fully set forth herein (the "Property"); and

WHEREAS, the General Plan Land Use Plan designates the Property as Neighborhoods. This land use category provides areas for the growth and development of neighborhoods that include a wide range of densities and housing products; and

WHEREAS, approximately 43.53 acres of the Property of the 240.32-acre property, which was formerly known as Paseo Ridge Phase 2 and then renamed Paseo Place Parcel 1, was initially zoned Agricultural Urban (AU) by Ordinance No. 2006-1015; and

WHEREAS, Paseo Place 1 (formerly Paseo Ridge Phase 2), was rezoned from Agricultural Urban (AU) to R1-6 by Ordinance No. 2006-1016; and

WHEREAS, approximately 198 acres of the Property known as La Privada was zoned (AU) Agricultural Urban by Ordinance No. 2006-1013; and

WHEREAS, La Privada was rezoned from (AU) Agricultural Urban to Planned Area Development (PAD) with an underlying lot size of R1-6 and R1-7 by Ordinance No. 2006-1014; and

WHEREAS, in 2018, Council adopted Ordinance No. 2018-1411, rezoning La Privada from PAD a combination of R1-7 (approximately 69 acres); R1-6 (approximately 48 acres) and R1-4 (approximately 76 acres);

WHEREAS, the Owner of La Privada has acquired Paseo Place Parcel 1 and intends to develop it as part of La Privada;

WHEREAS, the proposed rezoning will rezone La Privada and Paseo Place Parcel 1 to R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards and a PAD Overlay that will created a modified 45-feet wide by 120-foot deep lot, a 50-feet- wide by 120-foot deep lot and a 55-feet wide by 120 feet deep lot to be developed as La Privada; and

WHEREAS, the rezoning will permit the Property to be developed with residential uses and will adhere to the principal permitted uses, permitted accessory uses, use permit uses, special uses and

development regulations as established in the city of Goodyear Zoning Ordinance for the R1-4 (Single Family Detached) Zoning District; and

WHEREAS, the requirements for the R1-4 (Single Family Detached) Zoning District with Reduced R1-4 Development Standards and with a PAD Overly requires the development of the Property to incorporated additional design elements, including amenity elements, connectivity elements, and streetscape elements; and

WHEREAS, to satisfy the additional amenity elements, connectivity elements and streetscape elements required for the R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards, the Property will be developed in accordance with Planned Area Development Overlay adopted herein and with the design elements and amenities set forth in the stipulations set forth below; and

WHEREAS, the proposed zoning is in conformance with the General Plan and should not adversely impact the surrounding area; and

WHEREAS, the Property is located within West Goodyear and consists of two of the original "West Goodyear Properties;" and

WHEREAS, master water and wastewater studies and amendments and supplements thereto have been adopted that identify regional water and wastewater lines needed to serve the West Goodyear properties, including the Property; and

WHEREAS, the proposed rezoning does not impact or require any change to the West Goodyear master water or master wastewater studies; and

WHEREAS, cost recovery resolutions have been adopted and amended as needed to reflect the changes to the master water and wastewater studies to provide for reimbursements from the properties benefitted by the regional water and wastewater lines that are constructed or that would be constructed by others; and

WHEREAS, Cost Recovery Resolution of Intention No. 06-1064 as amended by Resolution No 14-1621 and Resolution No. 16-1747 (the "Cost Recovery Resolution – Water Delivery Lines") identifies regional water delivery lines that when completed will benefit the Property; and

WHEREAS Cost Recovery Resolution of Intention No. 06-1065 as amended by Resolution No. 14-1622 and Resolution No. 16-1748 (the "Cost Recovery Resolution – Wastewater Trunk Lines") identifies regional wastewater trunk lines that when completed will benefit the Property; and

WHEREAS, Owner is required to construct 100% of each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property or to make a cost recovery payment for each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property that Owner does not fully construct; and

WHEREAS, Owner is required to construct 100% of each regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property or to make a cost recovery payment for each regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property that Owner does not fully construct; and

WHEREAS, an alternative citizen review process was conducted for this proposal due to the city of Goodyear Emergency Declaration in Response to Coronavirus and notice of the application was provided to property owners within 500 feet of the property at least 35 calendar days prior to public hearing to provide ample opportunity for input prior to noticing the public hearing itself. The notice was mailed on May 22, 2021; and

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on July 7, 2021 appeared in the Arizona Republic Southwest Valley Edition June 18, 2021; postcards were mailed to adjoining owners on June 12, 2021; and a sign was posted on the site on June 4, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on July 7, 2021 to consider the rezoning of the property to the R1-4 Reduced with a Planned Area Development Overlay and stipulations and the Commission voted (6-0) to recommend approval of the proposed rezoning; and

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on July 19, 2021 appeared in the Arizona Republic Southwest Valley Edition June 18, 2021; postcards were mailed to adjoining owners on June 12, 2021; and a sign was posted on the site on June 4, 2021; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find the adoption of this Ordinance to be in the best interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY WITHIN REZONE

This Ordinance No. 2021-1505 applies to approximately 240.32 acres of land in Goodyear, Maricopa County, Arizona, generally located northwest of 181st Avenue and Yuma Road as depicted on that certain document titled "Official Supplementary Zoning Map No. 20-03 City of Goodyear, AZ – Rezone Case" and as legally described in that certain document titled "Legal Description – La Privada," both documents having been declared public records by Resolution No. 2021-2165 and which are referred to and made a part hereof as if fully set forth herein (the "Property").

SECTION 2. ADOPTION OF FINDINGS

The WHEREAS clauses set forth above are hereby adopted and incorporated herein by this reference as if fully set forth herein.

SECTION 3. REZONING

The Property is conditionally rezoned to R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards and a PAD Overlay for a development to be known as La Privada.

SECTION 4. STIPULATIONS AND PLANNED ARE DEVELOPMENT OVERLAY

The rezoning and development of the Property is subject to all of the following stipulations and conditions:

1. A PAD Overlay for the development of the Property to be known as La Privada is hereby adopted, modifying the foregoing standards applicable to R1-4 (Single Family Detached) Residential District with R1-4 Reduced Development Standards as follows:
    - The minimum width of all lots within the Property shall be 40-feet
    - At least 35% of the lots within the Property shall be at least 45-feet wide with a minimum depth of 120-feet
    - At least 25% of the lots within the Property shall be at least 50-feet wide with a minimum depth of 120-feet and
    - At least 15% of the lots within the Property shall be at least 55-feet wide with a minimum depth of 120-feet;
    and
2. The Property shall be developed in accordance with the Permitted Uses and Development Standards applicable to R1-4 (Single Family Detached) Residential District with R1-4 Reduced Development Standards as modified by the PAD Overlay adopted herein and except as otherwise modified by the stipulations herein; and
3. The number of dwelling units within the Property shall not exceed 1,200; and
4. A 6.5-acre centralized park located at the heart of the Property shall be developed. The centralized park shall provide localized usable active open space area and shall include all of the following resident and recreational amenities:
    - An outdoor community center that provides a covered and connected community space that surrounds a centralized event lawn on three sides. The outdoor community center shall not be a ramada structure, but shall be designed to feel like a unified outdoor building. The back side of the community center (i.e. the side not adjacent to the centralized event lawn) shall be

constructed to have the feel of a solid wall but does not have to be a solid wall. The outdoor community center shall be designed to provide areas that are separated from one another that allow for small and large group gatherings and/or that provide for entertainment activities such as ping pong, pool, and areas to play board games;

- Shaded or trellised areas with seating, which shall be clustered adjacent to the community center and/or centralized event lawn;
- Areas for activities such as cornhole, bocce ball and the like, which shall be located adjacent to the community center and/or centralized event lawn;
- Kitchen preparation facilities with a built-in counter top sink and a minimum of two gas barbecue grills, which can be located either within the outdoor community center or under a shaded or trellised structure;
- A splash pad fountain with shaded perimeter seating;
- An area with a fireplace and fire pits that provides for seating;
- Sports courts such as basketball courts, tennis courts, pickleball courts and the like, which shall be located adjacent to the Outdoor Community Center and/or centralized event lawn;
- A multi-use turfed field;
- Amphitheater seating;
- The resident and recreational amenities to be provided as set forth above may be modified subject to the determination of the City of Goodyear Zoning Administrator, at his sole discretion, that the alternatively proposed resident and recreational amenities shall collectively be of an equal or greater quality to those described above ; and.

5. Except as otherwise provided in a development agreement approved by the City Council, the portion of the portion of the Property where the 6.5 acre centralized park is to be located shall be included in the first recorded final plat subdividing all or part of the Property and no Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for any structure with the Property, except for model homes, until the 6.5 acre centralized park including the resident and recreational amenities set forth in Stipulation 4 above have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and
6. Owner/Developer shall construct a tot lot and sport court within the areas of each of the parcels, except parcel 6, reflected in that certain document titled Land Use Plan La Privada declared a Public Record by Resolution No. 2021-2165, and which is referred to and made a part hereof as if fully set forth herein ("Land Use Plan"); and

7. A 7.5-acre parcel adjacent to the northeast corner of the 183rd Avenue and Harrison Street alignment, which parcel shall not include any part of the Emergency Conveyance Channel or the pedestrian trail that is to be developed along the banks of the Emergency Conveyance Channel, shall be dedicated for a future school site unless the Liberty Elementary School District advises the City of Goodyear Zoning Administrator in writing that it does not intend to develop the parcel as a school site. The parcel shall be 7.5 acres unless the Liberty Elementary School District advises the City of Goodyear Zoning Administrator in writing that it requires less than 7.5 acres for the development of a school site on the parcel and identifies the size of the parcel it requires, in which case the size of the parcel shall be the size set forth in the writing from Liberty Elementary School District; and
8. Owner/Developer shall construct all drainage facilities required to convey, retain, and/or otherwise dispose of on-site storm-water run-off and storm-water run-off from adjacent streets and all drainage facilities required to convey and dispose of off-site storm water run-off from north of the Property as generally described in that certain document titled La Privada Conceptual Drainage Map declared a Public Record by Resolution No. 2021-2165, and which is referred to and made a part hereof as if fully set forth herein (the "Drainage Map"), including an Emergency Conveyance Channel" through the Property that is approximately 95-feet wide. Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the entire Emergency Conveyance Channel shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the Property. The Emergency Conveyance Channel shall be owned and maintained by the HOA that is to be formed as described in stipulation 20; and
9. Owner/Developer shall construct an 8-foot decomposed granite bridle/equestrian trail along the eastern boundary of the Property and the northern boundary of the Property as generally depicted on that certain document titled La Privada Conceptual Amenity Plan declared a declared a Public Record by Resolution No. 2021-2165, and which is referred to and made a part hereof as if fully set forth herein (the "Amenity Plan"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the bridle/equestrian trail referred to herein shall be constructed in connection with the development of the portions of the Property identified as Parcels 1, 2, and 3 in the Land Use Plan and shall be completed as follows: The section of the bridle/equestrian trail located within the area identified as Parcel 1 shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure located within the area identified as Parcel

1 in the Land Use Plan. The section of the bridle/equestrian trail located within the area identified as Parcel 2 shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure located within the area identified as Parcel 2 in the Land Use Plan. The section of the bridle/equestrian trail located within the area identified as Parcel 3 shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure located within the area identified as Parcel 3 in the Land Use Plan. The bridle/equestrian trail shall be owned and maintained by the HOA that is to be formed as described in stipulation 20 below, but shall be available for use by the general public and an easement shall be dedicated to the City of Goodyear, in a form acceptable to the City Attorney or his designee, that allows for such public use; and

10. Owner/Developer shall construct a 6-foot paved pedestrian trail/path along the western bank of the Emergency Conveyance Channel, which shall have trail markers and include fitness stations and provide a minimum of four (4) informal gathering and resting stations. The paved pedestrian trail/path along the western bank of the Emergency Conveyance Channel shall be constructed when the Emergency Conveyance Channel is constructed. The paved pedestrian trail/path along the western bank of the Emergency Conveyance Channel shall be owned and maintained by the HOA that is to be formed as described in stipulation 20 below, but shall be available for use by the general public and an easement shall be dedicated to the City of Goodyear, in a form acceptable to the City Attorney or his designee, that allows for such public use; and
11. Owner/Developer shall construct paved 5-foot wide off-street paths/trails (i.e. the trails/paths are not adjacent to public right-of-way) within the Property that interconnect the development parcels and connect all the development parcels to the 6.5-acre centralized park as well as the 6-foot paved pedestrian trail and 8-foot decomposed granite bridle/equestrian trail; where these trails cross the road, they should be marked with pavers, colored concrete or stamped concrete. The paved off-street paths/trails referred to herein shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy, or Temporary Certificate of Occupancy for any structure within a final plat where such paved off-street path/trail is located. The paved off-street paths/trails referred to herein shall be owned and maintained by the HOA and the pavers, colored concrete or stamped concrete constructed within public roadways shall be maintained by the HOA that is to be formed as described in stipulation 20 below; and
12. Owner/Developer shall construct a path/trail along Yuma Road, which shall be part of the Maricopa Trail, that consists of a minimum of an 8-foot concrete sidewalk with 2-feet of compacted decomposed granite on both sides of the concrete sidewalk (which are level with the concrete

sidewalk) and that shall be setback a minimum of 12 feet from the curb of Yuma Road following the completion of the Yuma Road Improvements described in stipulation 27 below. The path/trail referred to herein shall be constructed with the Yuma Road Improvements; and

13. A raised and landscaped median island shall be constructed within 183rd Avenue in front of the centralized park and community center, Unless an alternative amenity is provided as approved by the Zoning Administrator, to provide for traffic calming and a mid-block pedestrian refuge to the centralized park, a raised median island shall be constructed within 183rd Avenue in front of the centralized park, the design of which is subject to the approval of the City Engineer or his designee and the Director of Public Works. The HOA that is to be formed as described in stipulation 20 below, shall be responsible for maintaining the median and landscaping referred to herein pursuant to terms and conditions approved by the City Attorney or his designee; and
14. Perimeter walls around the Property shall only be constructed along the rear of the residential lots; and
15. All walls constructed along the rear of residential lots along the Emergency Conveyance Channel shall be view walls with 4-feet block and a minimum of 2-feet of wrought iron on top and the eastern boundary along the Emergency Conveyance Channel shall remain open; and
16. A minimum of five (5) shaded agrarian or trellis style seating areas shall be provided within the development that serve as decorative focal node within the community in focal point areas generally located in the areas identified as "Streetscape Seating Element" in the Amenity Plan which locations may be modified subject to the approval of the Director of Development Services or his designee; and
17. West Goodyear design elements shall be incorporated into the design of the community entrances off of Yuma Road at 183rd Avenue and Perryville Road at Harrison Street, the words "West Goodyear" will appear on a trellis, monument sign or similar agrarian element. The minimum text height of "West Goodyear" shall be 10-inches; and
18. Three (3) additional Streetscape Elements as set forth in section 3-4-3 of the Goodyear Zoning Ordinance shall be incorporated into the development of the Property. These elements shall be agreed upon prior to the approval of a preliminary plat subdividing all or part of the Property; and
19. Following the approval, installation and construction of the amenities and improvements described above there shall be no modifications to any of the Design Elements unless the Development Services Director or designee has determined that such modifications are consistent with the requirements set forth in this Ordinance or provide an equal or greater level of quality and functionality as the Design Elements being modified and the modifications have been approved by the Development Services Director or designee; and

20. Prior to the recordation of the first final plat subdividing all or part of the Property, Owner shall form a homeowners' association ("HOA") for the Property, with said HOA owning and maintaining all private open space areas; common areas, and all amenities and enhancements described above, except that the HOA shall not own, any of the enhancements or amenities located within right-of-way conveyed to the City of Goodyear in fee, but shall be responsible for maintaining such amenities and enhancements. With respect to the paths and trails the HOA is responsible for maintaining, the HOA shall ensure that they are cleared, visible, and safely accessible to all users. The HOA shall also be responsible for maintaining all landscaping within street right-of-way within or abutting the Property except for landscaping within medians located within any arterial street. A note shall be placed on each final plat indicating HOA ownership and/or maintenance responsibilities of these private tracts and public rights-of-way landscaping. Notwithstanding the foregoing, any portion of the Maricopa Trail described in stipulation 12 above located within right-of-way conveyed to the City shall be maintained by the City; and
21. Only single-story structures shall be constructed within the south - southwest corner of the Property on lots that are within 100-feet east of the western boundary of the Property and 295-feet north of the northern boundary of the Yuma Road alignment; and
22. The Public Sales Report(s) for the Property and all final plats subdividing all or part of the Property shall disclose that the Property is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses; and
23. Owner shall obtain from all initial homebuyers an executed acknowledgment that runs with the land in which the homebuyer(s) acknowledge that the lot they are purchasing is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses.; and
24. The Public Sales Report(s) for the Property and all final plats subdividing all or part of the Property shall include a statement that the Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at, or taking off from, Luke Air Force Base; and
25. Owner shall obtain an executed waiver agreement from all initial homebuyers that complies with the following. The waiver agreement shall run with the land and shall include the following waiver language: "Buyer(s) acknowledge that the lot being purchased is subject to attendant noise, vibrations, dust, and all other effects that may be caused by over flights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base, and hereby releases and discharges the City of Goodyear from any liability for any and all claims for future damages to persons or property and complaints of any

kind that may arise at any time in the future from the operation of such aircraft near and over the area"; and

26. Signage shall be posted within all subdivision sales offices identifying the location of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary. This display shall include a 24-inch x 36-inch map at the main entrance of such sales facility and shall include the approximate locations of the homes being sold clearly depicted; and
27. Except as otherwise expressly modified in the stipulations herein, Owner/Developer shall construct full half-street improvements required for a Scenic Arterial as set forth in the Engineering Design Standards and Policies in effect at the time of construction for the section of W. Yuma Road along or abutting the southern boundary of the Property, which includes but is not limited to pavement, curb and gutter, one-half median, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Yuma Road Improvements"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the Yuma Road Improvements shall be completed as follows. The Yuma Road Improvements shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the areas identified as Parcels 3 and 7 in the Land Use Plan. The Yuma Road Improvements shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the areas identified as Parcels 1, 2, 4, 5, and 6 in the Land Use Plan; and
28. Owner/Developer shall remit to the City an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of W. Yuma Road along or adjacent to the frontage of the Property. The in-lieu payment for the median and median landscaping shall be based on the actual cost of the full median and full median landscaping if completed or the estimated cost of the full median and full median landscaping as determined by the City Engineer or designee, and it shall be paid prior to the recordation of the final plat subdividing all or part of the Property that triggers Owner's obligations to construct the Yuma Road Improvements; and
29. Except as otherwise expressly modified in the stipulations herein, Owner/Developer shall construct full half-street improvements required for a Major Arterial as set forth in the Engineering Design Standards and Policies in effect at the time of construction for the section of S. Perryville Road along or abutting the western boundary of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Perryville Road Improvements"). Except as otherwise provided in

a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the Perryville Road Improvements shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the areas identified as Parcels 1, 2, 4, 5, and 6 in the Land Use Plan; and

30. Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of S. Perryville Road along or adjacent to the frontage of the Property. The in-lieu payment for the median and median landscaping shall be based on the actual cost of the full median and full median landscaping if completed or the estimated cost of the full median and full median landscaping as determined by the City Engineer or designee, and it shall be paid prior to the recordation of the final plat subdividing all or part of the Property that triggers Owner's obligations to construct the Perryville Road Improvements; and
31. Owner/Developer shall construct full half-street improvements required for a Minor Collector as set forth in the Engineering Design Standards and Policies in effect at the time of construction for the south half of the section of W. Harrison Street along or abutting the Property (i.e. between Perryville Road and 183rd Avenue), including, but not limited to, pavement, curb and gutter, landscaping, sidewalks, street frontage landscape and landscape irrigation, and street lighting, and Owner/Developer shall construct additional improvements to the north half of the section of W. Harrison Street between Perryville Road and 183rd Avenue identified in a Traffic Impact Analysis approved by the City Engineer or his design as being needed to accommodate the traffic that will be generated by the development of the Property (collectively the "Harrison Street Improvements"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, all of the Harrison Street Improvements (i.e. between Perryville Road and 183rd Avenue) shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the areas identified as Parcels 1, 2, 4, 5, and 6 in the Land Use; and
32. Owner/Developer shall construct full street improvements (i.e. improvements to the east and west sides of 183rd Avenue) required for a Minor Collector, as set forth in the Engineering Design Standards and Policies in effect at the time of construction, for the section of 183rd Avenue located within the Property (i.e. between Yuma Road and Harrison Street), including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "183rd Avenue Improvements"). Except as otherwise provided in a written development agreement approved by

Council or a written phasing plan approved by the City Engineer or his designee, the 183rd Avenue Improvements shall be completed as follows. The full street improvements to the section of 183rd Avenue adjacent to Parcels 3 and 7 in the Land Use Plan shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure located within the areas identified as Parcels 3 and 7 in the Land Use Plan. The full street improvements for the entire section of 183rd Avenue located within the Property (i.e. between Yuma Road and Harrison Street) shall be completed prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the areas identified as Parcels 1, 2, 4, 5, and 6 in the Land Use Plan; and

33. In addition to the constructing the specific infrastructure identified in the stipulations herein, Owner/Developer shall construct, at no cost to the City, all public infrastructure improvements: (i) needed for the city to provide water and wastewater services to the Property and (ii) required to be constructed pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; and
34. Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Property, including rights-of-way and/or easements needed for the construction of any regional water delivery lines identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property and/or for the construction identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property (iii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iv) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (v) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (vi) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vii) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The

rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this Ordinance, the terms of a written development agreement approved by the Council or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made at the earlier of the following: (i) prior to or concurrent with recordation of a final plat that includes the area in which the portion of the Property to be dedicated is located or (ii) prior to the issuance of any construction permit, including grading permits, for work of any public infrastructure Owner/Developer is required to construct; and

35. The Owner is responsible for a proportionate share of the costs for adjacent traffic signals and for additional adjacent traffic signals identified in an approved Traffic Impact Analysis/Study as being needed. Owner shall make an in-lieu payment for the cost of traffic signal adjacent to the Property. The in-lieu payment shall be made prior to the recordation of any final plat that triggers the requirement for the construction of the adjacent roadway. For instance, unless modified by a development agreement or a written phasing plan approved by the City Engineer or his designee, a final plat that includes any portions of Parcels 1, 2, 4, 5, and 6 in the Land Use Plan will trigger the requirement to construct both the Yuma Road Improvements and the Perryville Improvements and thus the in-lieu payments will have to be paid to the City prior to the recordation of such final plat. The in-lieu payment shall be based on the actual cost of the traffic signal if it has been constructed or if the payment is required before the signal is constructed it shall be based on the estimated cost of the traffic signal as determined by the City Engineer or designee. Owner's traffic signal obligations include, but may not be limited to:
    a. 25% of the full traffic signal (all four legs) at S. Perryville Road and W. Harrison Street;
    b. 50% of the full traffic signal (all four legs) at W. Yuma Road and S. 183rd Avenue;
    c. Any other traffic signal warranted solely on this development shall be installed, when warranted, in its entirety at the sole cost of the Owner; and
36. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall submit a cost recovery payment for the proportionate share of the cost of each regional wastewater trunk line identified in the Cost Recovery Resolution Wastewater Trunk Lines as benefitting the Property unless Owner, at Owner's sole cost, constructed 100% of such regional wastewater trunk line or Owner will be constructing 100% of such regional wastewater trunk line in connection with the development of the Property. The amount of the cost recovery payment owed for the proportionate share of each regional wastewater

trunk line identified in the Cost Recovery Resolution Wastewater Trunk Lines as benefitting the Property, shall be based on the actual cost of line if it has been 100% completed subject to the maximum amount included in the Cost Recovery Resolution Wastewater Trunk Lines and shall be based on the maximum estimated amounts for such line in the Cost Recovery Resolution Wastewater Trunk Lines if 100% of the line has not been completed; and

37. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall submit a cost recovery payment for the proportionate share of the cost of each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property unless Owner, at Owner's sole cost, constructed 100% of such regional water deliver line or Owner will be constructing 100% of such regional water delivery line in connection with the development of the Property. The amount of the cost recovery payment owed for the proportionate share of each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property, shall be based on the actual cost of line if it has been 100% completed subject to the maximum amount included in the Cost Recovery Resolution – Water Delivery Lines and shall be based on the maximum estimated amounts for such line in the Cost Recovery Resolution – Water Delivery Lines if 100% of the line has not been completed; and
38. Owner shall comply with any and all Development Agreements that apply to the development of the Property in whole or in part and shall remit all payments owed pursuant to the terms of any and all Development Agreements that apply to the development of the Property in whole or in part; and
39. In addition to compliance with the stipulations set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear subdivision regulations, the City of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property; and
40. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, all existing above ground utilities, except for electric lines that are 69kV or larger, located within and adjacent to the Property, including but not limited to, cable and electrical utilities, shall be placed underground at no cost to the City; and
41. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of

Goodyear. Said extinguishment shall occur prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permit for work within the Property, whichever is earlier.

SECTION 5. AMENDMENT TO THE ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning of the Property provided for herein by the adoption of the "Official Supplementary Zoning Map No. 20-03 City of Goodyear, AZ – Rezone Case" declared a public record by Resolution No. 2021-2165and which is referred to and made a part hereof as if fully set forth in this Ordinance. The "Official Supplementary Zoning Map No. 20-03 City of Goodyear, AZ – Rezone Case" shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

SECTION 6. ABRIDGEMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

SECTION 7. CORRECTIONS

The Zoning Administrator, the City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 8. SEVERABILITY

If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law.

SECTION 10. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or

2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

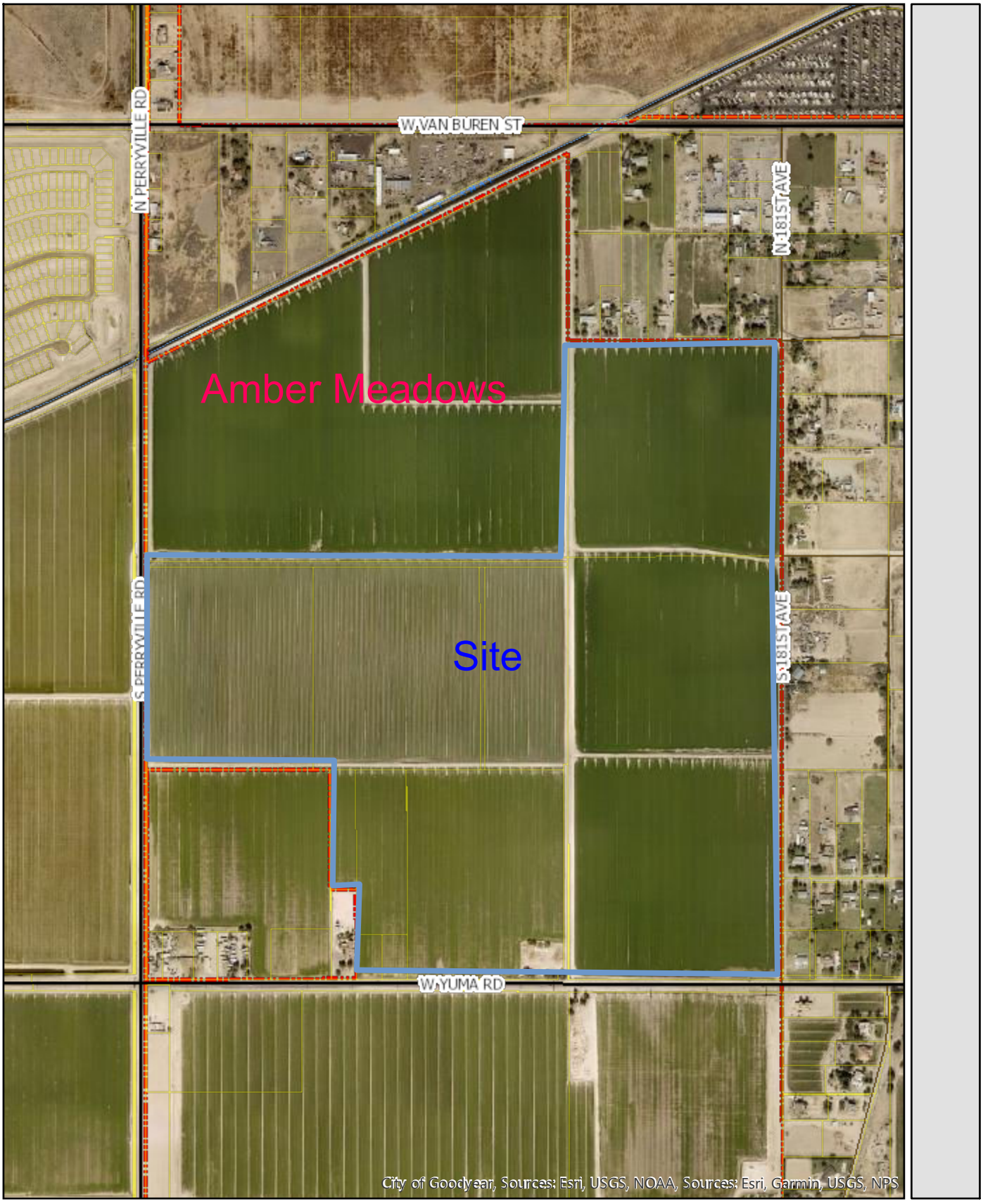
I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2021-1505 is a true, correct and accurate copy of Ordinance No. 2021-1505, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said ordinance.

Given under my hand and sealed this _____day of _____, 20____.

seal

_____
City Clerk

La Privada
Aerial Exhibit



Bowman

LA PRIVADA

Rezone Project Narrative

Melcor Development

Bowman
6751 North Sunset Blvd
Suite 325
Glendale, AZ 85305
623.299.8980 | bowmanconsulting.com

June 3, 2021

LA PRIVADA PROJECT NARRATIVE

REZONE

Project: La Privada
183rd Avenue and Yuma Road
Bowman Project No. 050965-01-001
City of Goodyear Pre-Application No. PRJ20-7165

Date: June 3, 2021

PROJECT TEAM

Developer/Owner
Melcor Developments Arizona, Inc.
6930 East Chauncey Lane
Suite 135
Phoenix AZ 85054
Contact: Graeme Melton
VP Community Development Division
t. (480)-699-4687
e. gmelton@melcor.ca

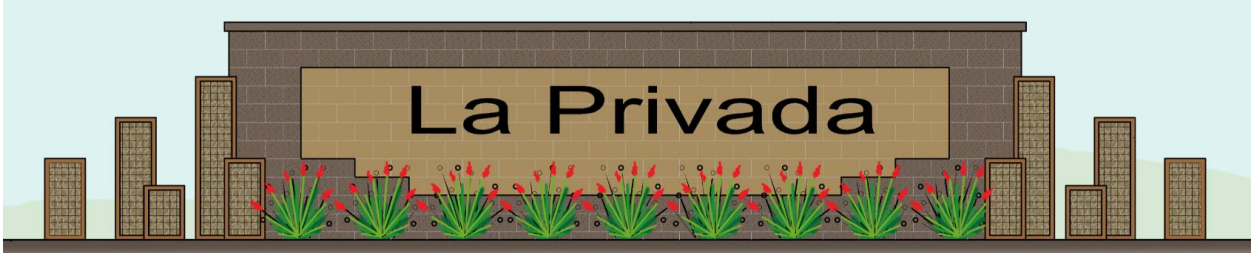
Project Planner
Bowman Consulting Group
6751 North Sunset Blvd
Suite 325
Glendale, AZ 85305
Contact: Dawn Fortuna, AICP
Principal Planner
t. (480) 772-7271
e. dfortuna@bowman.com

Engineering/Landscaping
Rick Engineering Company
22415 N. 16th Street
Phoenix, AZ 85024
Contact: Chris Patton, PE
Phoenix Office President
t. (602) 957-3350
e. cpatton@rickengineering.com

MELCOR Bowman

1. INTRODUCTION

Melcor Developments Arizona, Inc. (Melcor) is a wholly owned subsidiary of Melcor Developments Ltd., Edmonton, Alberta. Melcor has operated in the real estate and development industry in Canada since 1923. Melcor Developments Arizona Inc. has been active in the United States since the late 1970s. They have enjoyed over 90 years of longevity in the real estate industry including land development, commercial development and ownership and management of investment properties and recreational properties.



Melcor has long been committed to the West Goodyear Area including their holdings in Paseo Place and La Privada. As the residential market in Phoenix continues to strengthen and the west valley continues to expand, the need to provide housing for current and future residents also grows.

2. SITE AND SURROUNDING AREA

La Privada is a proposed residential community located on the northwest corner of Yuma Road and 181st Avenue in the City of Goodyear, Arizona. The property is vacant land and is currently being farmed. The parcel is bound by Yuma Road on the south, vacant land and Perryville Road on the west, Jefferson Street, and single-family homes on the north, and 181st Avenue and single-family homes on the east.

Melcor also is developing a single-family residential community, Paseo Place at the southeast corner of 183rd Avenue and Yuma Road. Additionally, Amber Meadows to the north and Las Ventanas to the southwest are in preliminary design phases. The vicinity map for this project is included as Figure 1-Vicinity Map.

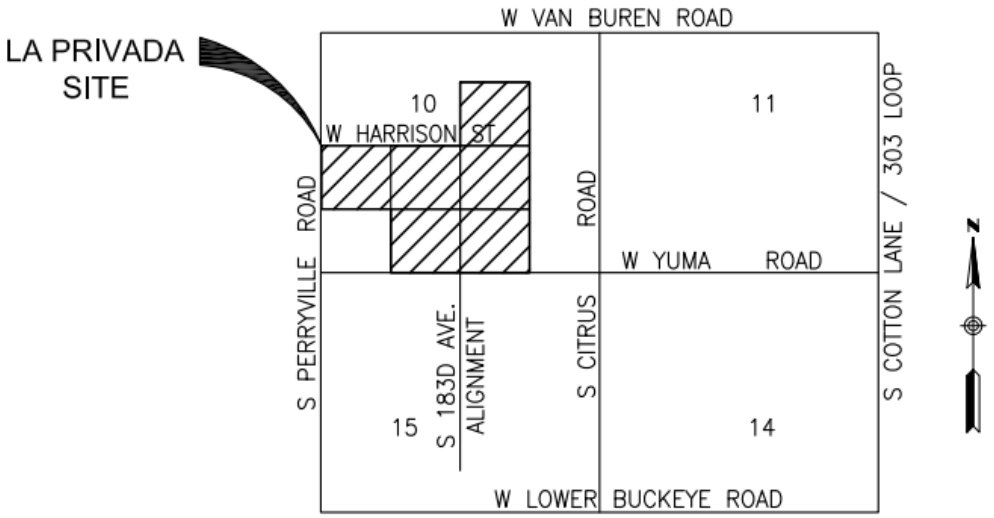


Figure 1: Vicinity Map

3. EXISTING AND PRELIMINARY PLAT HISTORY

The property was originally zoned Agricultural/Urban (AU) and was approved as the La Privada Planned Area Development (PAD) with 578 lots on 198 gross acres by Goodyear City Council on June 26, 2006, Ordinance 06-1014. The Preliminary Plat was approved in August 2013 for six separate parcels with a portion at the intersection of 183rd Avenue and Harrison Street being reserved for a future elementary school site.

As part of the 2006 Annexation Agreement (2006-0826152), the site was zoned to allow the minimum of 2.85 dwelling units per acre. Additionally, under the Second Amended and Restated Development Agreement for La Privada (2016-0423793), by participating in the West Goodyear Cost Recovery Ordinance for water and sewer, the project was further granted a 0.85 dwelling units density bonus.

In 2018, Melcor Development opted to rezone Parcel 3 and Parcel 5 from R1-6 PAD to R1-4 zoning. The City required that a Preliminary Plat for all six parcels (602 lots) be submitted for approval as part of the process. The Rezoning and Preliminary Plat were approved by City Council on November 26, 2018.

Paseo Place Parcel 1 is located on the northwest corner of 183rd Avenue and Yuma Road and was approved with R1-6 with PAD overlay zoning with 136 lots on 42.50 gross acres by the City of Goodyear. This project received approval for Final Plat by both the Planning Commission and City Council on September 24, 2018. As part of a more deliberate planning effort, Melcor has elected to transition Paseo Place 1 to La Privada Parcel 7 for a more integrated community north of Yuma Road. Below is Figure 2- Existing Zoning which provides the existing Zoning designations.

Figure 2: Existing Zoning

4. REZONING REQUEST

Lifestyles and affordability constraints have impacted homebuyer preferences in recent years. The demand for larger homes on wider lots has shifted, resulting in the homebuyer preference transitioning to similar or smaller homes on narrower lots. As homebuyers turn away from wider lots due to cost implications, builders have responded by focusing their investments into developments zoned to meet their customer's needs.

La Privada Parcels 3 and 5 are presently zoned R1-4 as reflected in Figure 3-Proposed Rezoning. To respond to changing styles, Melcor is requesting rezoning all Parcels within La Privada to bring lots forward and meet product demand now and as West Goodyear evolves over the next decade. Their intention is to rezone Parcel 1, 2, 4, 6 and 7 to R1-4 to allow flexibility and future housing product alignment.

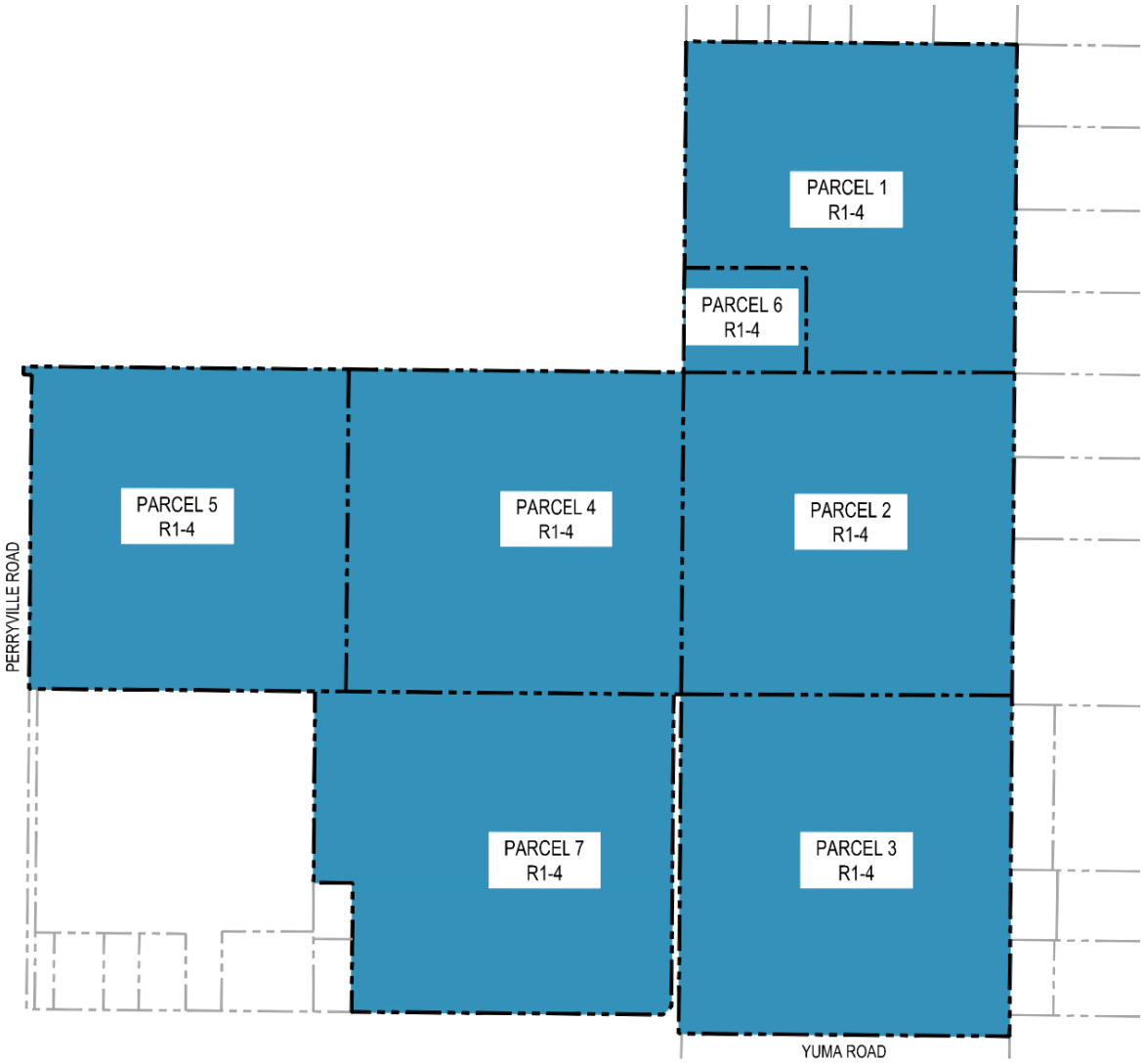


Figure 3: Proposed Zoning

5. PROPOSED DEVELOPMENT STANDARDS

The composition of this project, Appendix B: Conceptual Amenity Plan, provides Melcor's overall vision of a healthier and more connected lifestyle for La Privada residents.

Careful consideration between parcels to create a sense of place and social connections has been taken. The incorporation and enrichment of the necessary emergency channel into the overall trail system is included into our active open space acreage. R1-4 zoning requires a minimum of 15% open space for which this project will far exceed. Minimum lot sizes will be provided in accordance to Updated Article 3-1 and Article 3-2 of the City of Goodyear Zoning Ordinance dated November 8, 2017.

Melcor is committed to creating a community that embraces the design elements required in the COG Zoning Ordinance across all parcels. R1-4 single family district must include specific design elements as reflected in the table below.

Table 3-2-3-E: Lot Size and Minimum Number of Required Design Elements for Reduced Lot Width and Side Yard Setback Reduction Requests					
Zoning Designation	**Minimum Lot Width (ft)**	**Total Both Sides Setback**	**Amenity Elements**	**Connectivity Elements**	**Streetscape Elements**
R1-6	55	15	0	0	0
REDUCED R1-6	50	10	1	2	2
R1-4	45	15	1	2	3
REDUCED R1-4	40	10	2	4	4
R1-A	35	N/A	1	2	1
R1-C	40	N/A	1	2	1

The design elements La Privada offers for Reduced R1-4 are:

Amenity Elements (2 required)

1. Additional Park Space Required- A 6.5-acre centralized park is located at the heart of La Privada at the adjoined corners of Parcels 2, 3, 4 and 7. This is supported by localized useable active open space areas such as tot lots and sport courts within each parcel. In addition, Parcel 6 is designated as a future park site next to the planned elementary school within Amber Meadows. These total areas will exceed the minimum required 15% open space by providing a minimum of 56.6± acres of open space on 240.3± gross acres.

Central Park Area

2. Additional Internal Park Amenities – The ability to be more socially connected with our neighbors through both passive and active interests is the cornerstone to a society. The unified park area provides an outdoor community center which brings forward the following enhancements.

- Covered and connected community space that allow for gathering in small and large groups with centralized event lawn.

- Outdoor kitchen preparation facility
- Splash Fountain with perimeter seating

- Permanent game tables/areas including games such as ping pong, chess tables, cornhole, bocci.

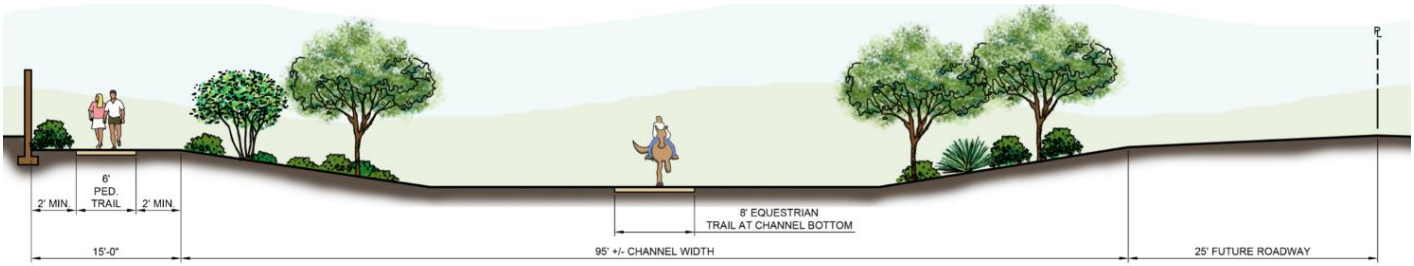
- Fireplace/Fire Pit

- Our community center is adjacent to sport courts such as basketball and pickleball courts.

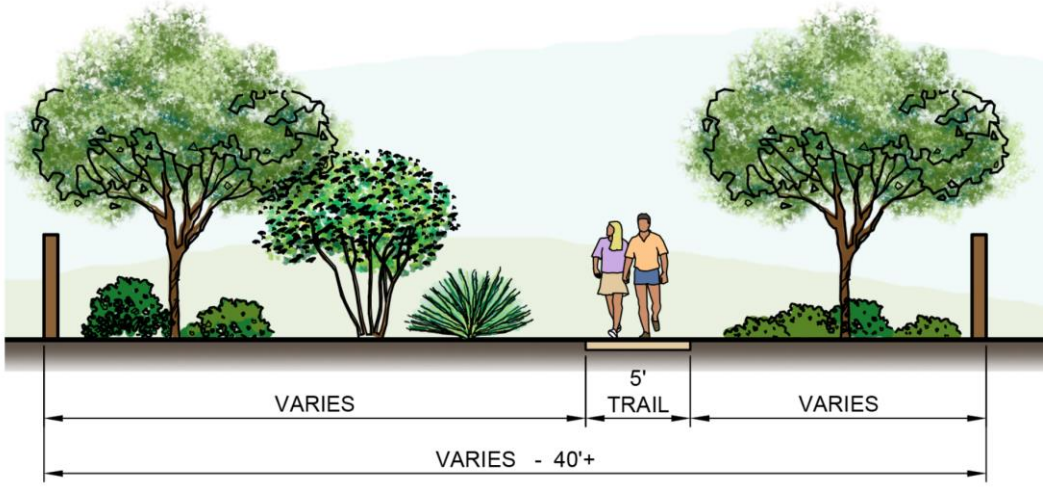
As Melcor continues to refine their community concept, they are outlining some of their potential Connectivity and Streetscape elements. These elements will be further defined with City staff input during the preliminary plat phases.

Connectivity Elements (4 required)

1. Trail System Connections - In order to create more of a sense of unification, La Privada is using internal trail system within the community which also allows for access to the Maricopa Trail along Yuma Road and the equestrian trail along 181st Avenue. It is important to look beyond the boundaries of the subdivision and connect with Goodyear at large. Melcor shall provide a public equestrian trail easement along the east and north boundaries and public pedestrian easement along the emergency conveyance channel to Amber Meadows with associated trail markers. Within La Privada the marked trail system will include fitness stations and informal gathering spots.

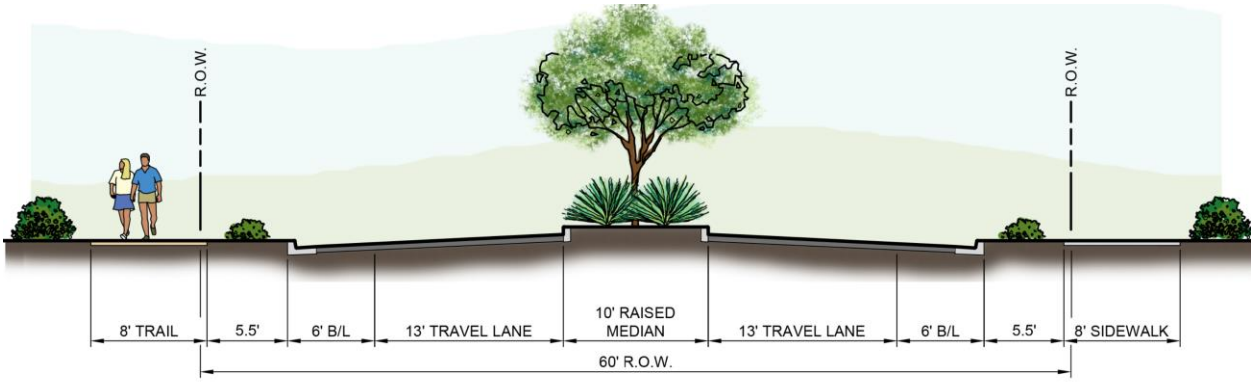


Emergency Conveyance Channel-Pedestrian and Equestrian Trails (Looking North)



Off Street Pedestrian Trail

Melcor is suggesting creating a potential traffic calming element by constructing a raised median within the 183rd Avenue right of way. This will provide a mid-block pedestrian refuge at the Central Park feature and a visual to reduce vehicle speeds.



Raised Median on 183rd Avenue (Looking North)

2. Infill Connectivity-This site is located within a growth area as defined by the General Plan and can be applied as a connectivity element.

3. No Subdivision Perimeter Wall-With Melcor's desire to be bigger part of the community, walls within the La Privada will only be constructed for individual lots. The rear lots along the west side of the emergency conveyance channel shall provide a wall with a partial view fence. This allows for resident's easy access to the internal and external trail systems.

4. Lot Diversity – The minimum lot width for R1-4 Reduced is 40-feet and the proposed mix of lots will provide that at least 30% of the lots exceed this width by 5-feet. As part of this commitment, Melcor proposes the following diversification in lot widths.

    - 45' x 120' Minimum 35%
    - 50' x 120' Minimum 25%
    - 55' x 120' (or greater) Minimum 15%

Streetscape Elements (4 required)

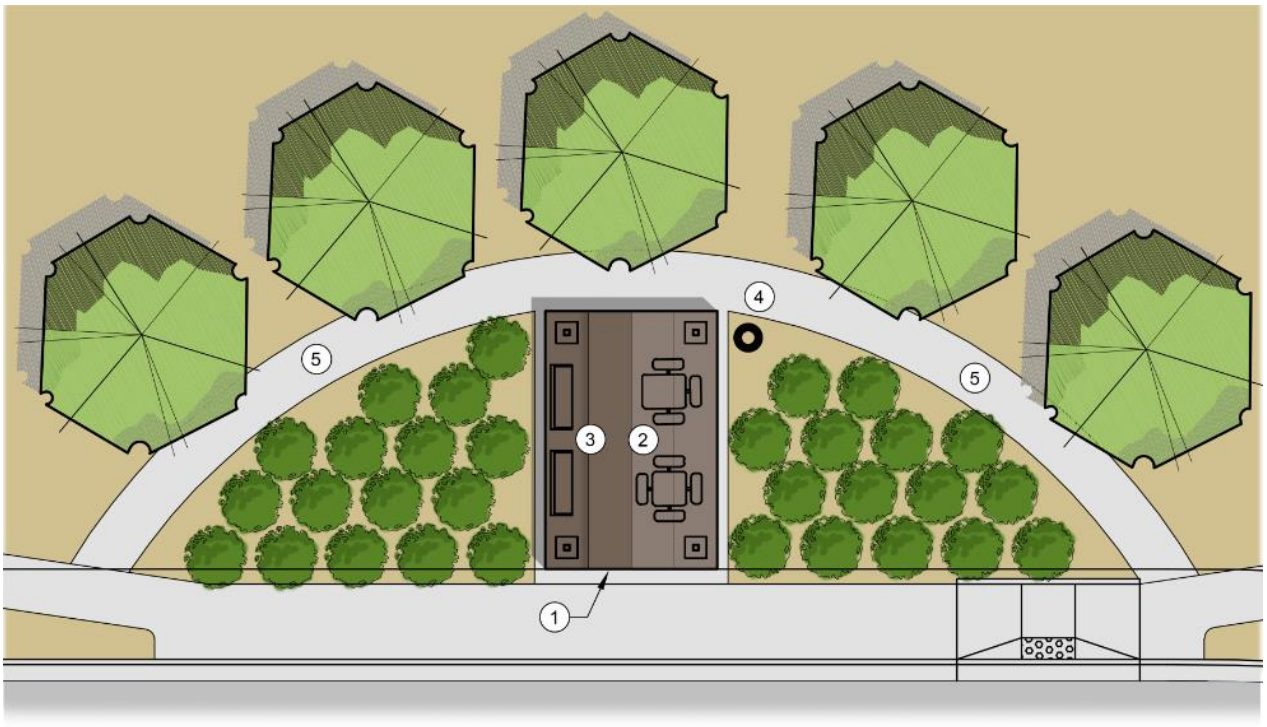
1. Detached sidewalks are provided throughout the community, which will include landscaping between the back of curb and the sidewalk as specified by the City of Goodyear Standard Roadway Cross Sections. These landscaped areas will be maintained by the HOA.

2. Additional Streetscape Elements – Project will use decorative stamped concrete or colored concrete at main entrances along 183rd Avenue and Harrison Street creating focused intersections into each parcel.

3. Additional Streetscape Seating areas at the public right of way will be provided in strategic places as reflected on the Conceptual Amenity Plan. Public seating creates a comfortable, useable, and active public

environment where people can rest, socialize, read, or people-watch. It is a simple gesture that can go far to create an important sense of place. Seating creates places where people can see and be seen.

Proposed Seating Area



KEY

1. 16 x 24 SHADE STRUCTURE.
2. PICNIC TABLES.
3. BENCHES.
4. TRASH RECEPTACLE.
5. CONCRETE WALK.

TYPICAL STREETSCAPE SEATING AREA

Typical Streetscape Seating Area

4. Additional Streetscape Elements Decorative paving such as pavers, colored concrete or stamped concrete shall be utilized for all horizontal paved surfaces between the house and the sidewalk.

   Section 3-2-3-B of the Zoning Ordinance requires that all single-family districts provide "a 5-acre neighborhood park within a ¼ mile walking distance of all dwelling units. Two parks totaling at least 5 acres may be provided in lieu of a single 5-acre park if additional amenities are provided above and beyond those listed in Section C, and the parks are connected via a system of on or off-street connections."

   The open space areas have been configured to provide park amenities with room for active recreation fields in central locations meeting the needs and intent of the zoning ordinance. These parks are in addition to the future planned park within La Privada Parcel 6. La Privada is providing enhanced active and passive amenities connected by sidewalks and off-street trails.

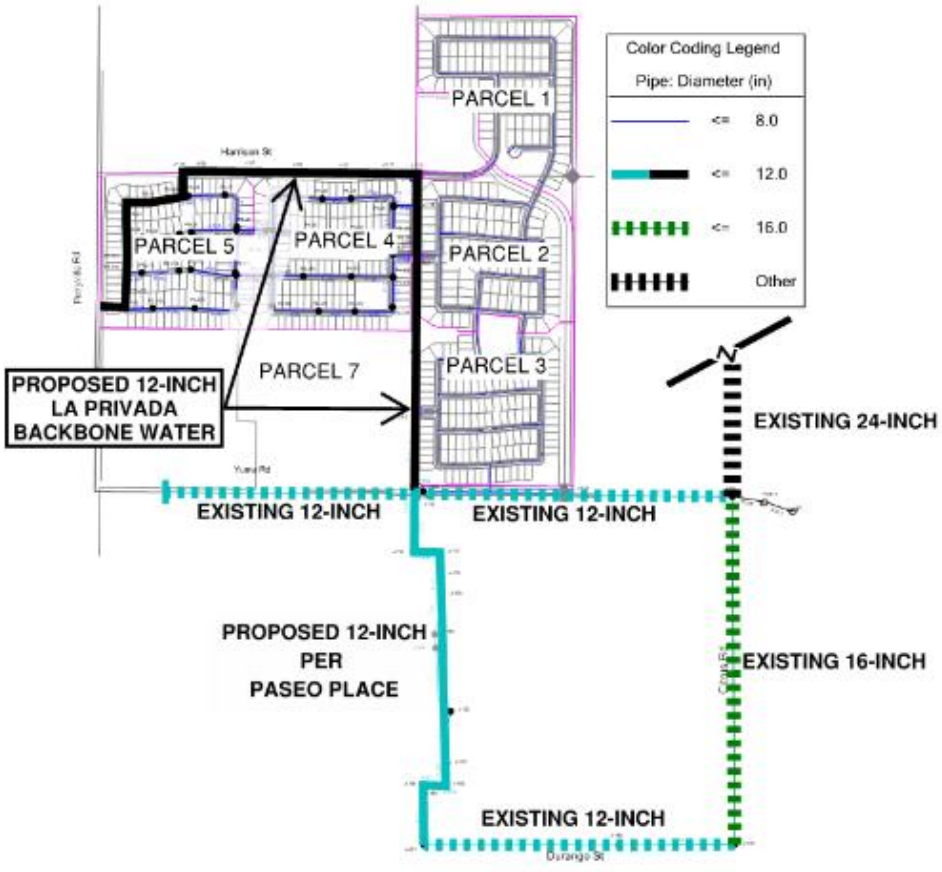
6. INFRASTRUCTURE

Water:

The City of Goodyear is the service provider and owns and operates the public water distribution system. In order to adequately serve the public welfare, it is necessary to provide two independent connection points to the subdivision. As such, the primary connection will be to an existing 12-inch line in Yuma Road with and secondary connection via 12-inch lines through Paseo Place to an existing 12-inch line in Durango Street.

This project is included in the 2013/2014 West Goodyear Central Planning Area Master Water Study Update (Master Water Study). La Privada is subject to the West Goodyear Central Planning Area (WGCPA) Cost Recovery Ordinances (CRO) for Water and Wastewater. Accordingly, and as part of Development Agreements, each of the participating CRO Members is obligated to provide reimbursement to downstream starter lines that have been constructed previously. The developer will be obligated to pay their proportional share of their remaining obligation lines prior to Final Plat recordation.

The proposed and exiting public water infrastructure delivery mains are reflected in the below map.



La Privada Source and Backbone Water

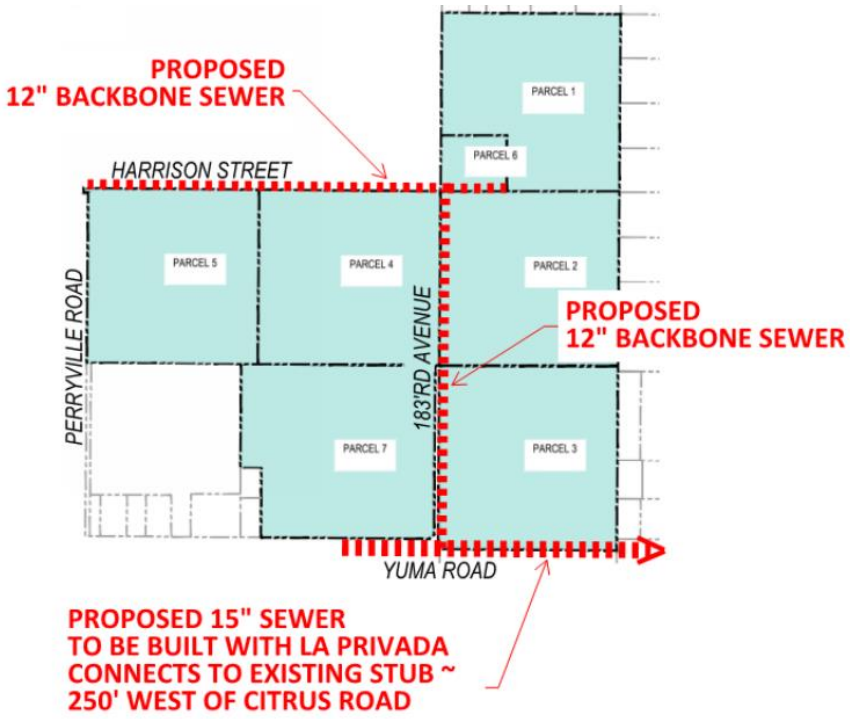
Sewer:

The City of Goodyear is the service provider and owns and operates the public wastewater collection system and a water reclamation (treatment) facility at 157th Avenue and north of the Buckeye Canal.

The wastewater collection system is within the West Goodyear Central Planning Area (WGCPA). The WGCPA Master Wastewater Study, approved in 2014 (Master Sewer Study) as well as the engineering drawings for the proposed 15" sewer main designed to collect all of the wastewater from La Privada and to be constructed with the project

As directed via email from City staff on January 28, 2020, changes or increases resulting from the La Privada rezone cannot go above the limits set by the WGCPA Master Water & Sewer Studies and is the controlling document with baseline Equivalent Dwelling Units (EDU's) and system data by which the wastewater collection system's capacity for additional units is evaluated.

The sewage collection system internal to La Privada will include 8", 10"and 12" public sewer mains that will be designed in conformance with the referenced Master Sewer Study. They will connect to the 15" main discussed above at the intersection of 183rd Avenue and W Yuma Road and at separate entrance intersections to both Parcels at W Yuma Road. The offsite sewer mains required for the overall La Privada project will need to be constructed as necessary to provide sewer service to the individual subdivisions.

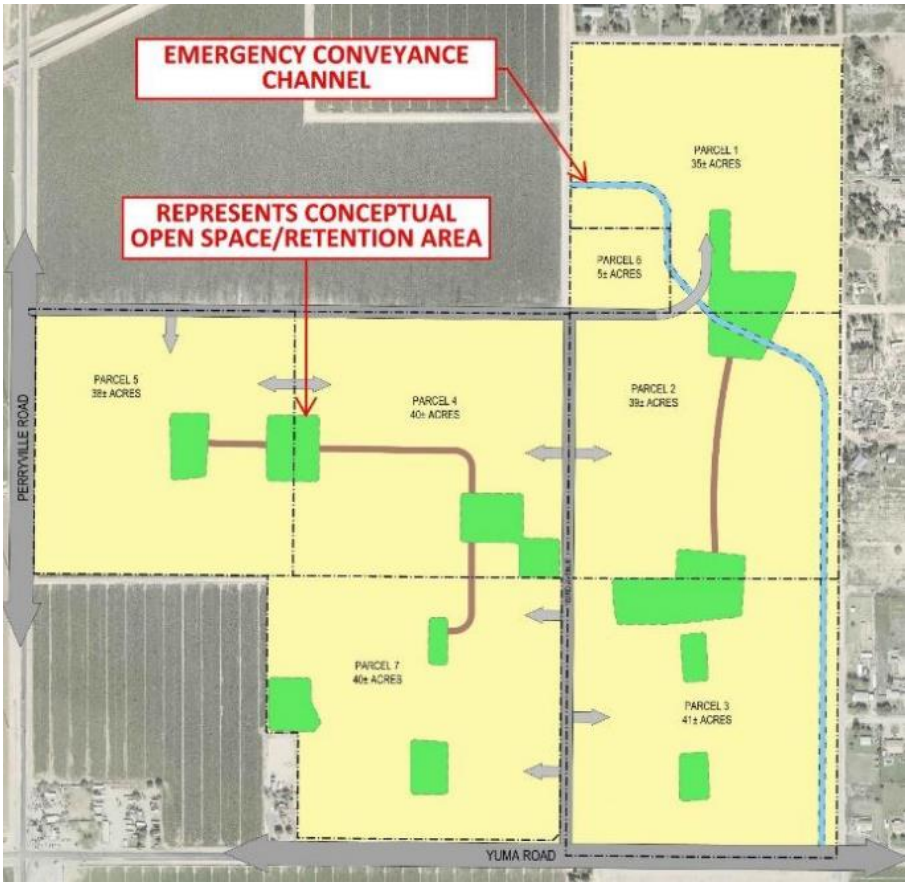


La Privada Backbone Sewer

Drainage:

A regional flood control system, referred to as the "emergency conveyance channel", is proposed to convey offsite stormwater runoff from north of the project site through various planned developments in West Goodyear. In the ultimate condition, when La Privada – Parcels 1-7 and other planned developments in the area (Amber Meadows to the north, Paseo Place to the south) are constructed, the emergency conveyance channel will pass through the development to the north, will be conveyed into the site on the west side of Parcel 1, will meander to the east side of the project, and flow south to the downstream limit of the La Privada – Parcels 1-7 project, will be conveyed under Yuma Road by a RCBC, and will continue through Paseo Place at the SE corner of 183rd Avenue and Yuma.

The project drainage concept proposes to convey on-site runoff through streets, storm drain, and scuppers to retention basins. In the event of a storm in excess of the design storm, the site will be designed to allow excess flows to be safely conveyed through streets and open space tracts to the downstream end of the site. The proposed project will demonstrate compliance with the Drainage Design Manual for Maricopa County, Volumes I and II (DDM) and the City of Goodyear Engineering Design Standards and Policies Manual 2017 (EDS). Pursuant to the EDS, Section 3.3.5.A.1.a, the 100-year, 6-hour design storm runoff volume and 100-year peak flow shall be retained onsite. The project proposes to retain the 100-year, 6-hour storm event within surface retention basins.



La Privada Conceptual Drainage Map

Roadway Sections:

Street roadway cross sections shall be determined by the Transportation Master Plan and shall conform to the EDS&PM standard street sections. Interior streets within parcels serving homes shall be local streets in accordance with COG Std. Detail G-3126. Both Harrison Street and 183rd Avenue are denoted as collector streets per COG Std. Detail G-3124-1. Yuma Road is denoted as a scenic arterial road per COG Std. Detail G-3120. Perryville Road is denoted as a Major Arterial Roadway per COG Std. Detail G-3122.

7. JUSTIFICATION FOR REQUEST

With more concentration of employment areas within the City boundaries, the ability to foster high quality, livable and safe residential neighborhoods is a necessity in the City's vision. La Privada supports these goals by providing opportunities to stimulate residents to be active and engaged outdoors. This leads for more interaction and builds comradery with each other. A strong sense of community encourages an environment where residents care and look out for each other. La Privada has been designed to be consistent with the City's goals to provide a sustainable residential community that will be a cornerstone in the West Goodyear area.

a) Consistency with the goals, objectives, policies, and future land use map of City's General Plan;

The City of Goodyear's 2025 General Plan Land Use Map classifies the property of "Neighborhood". The Neighborhood land use is intended to provide for the growth and development of residential neighborhoods providing diversity of densities and housing products with up to 5 dwelling units per acre. With more concentration of employment areas within the City boundaries, the ability to provide for this growth is necessary.

This project reflects the following conformance with the City's goals, objectives, and policies from the City's General Plan:

1) **Community Vision: Create a highly desirable and sustainable place to live.**
   a) Vision Strategy 1. Create Attractive Places and Diverse Destinations
   b) Vision Strategy 2. Develop a Physically and Socially Connected Community
   c) Vision Strategy 3. Expand the Parks, Open Space, Trails, and Recreation System.
   d) Vision Strategy 8. Provide Opportunities for Living a Healthy Lifestyle

2) **Community Goals: Physical Growth and Development**
   a) Goal GD-1. A compatible mix of land uses and diverse destinations that foster a high quality of life with livable and safe neighborhoods with a strong economy that fosters a healthy and sustainable environment.
      i) Objective CC-5-1. Establish a land use hierarchy and community form that maintains a broad variety of land uses and responds to the community's vision and needs.
         (1) Policy "b": Provide for and encourage a wide variety of housing products to suit the needs of existing and future residents.
         (2) Policy "c": Development within large master planned communities should: Include trails, open space, and internal and external connectivity.

   b) Goal GD-3. A connected community with a well-functioning roadway network of complete streets that meets the needs of its residents, workforce, and visitors. (Transportation/Circulation)
      i) Objective GD-3-1. Establish and maintain a well-functioning roadway network.
         (1) Policy "a" Implement the goals, standards, plans, and policies identified in the adopted Transportation Master Plan.
         (2) Policy "b": Utilize the adopted street cross- sections and standards as included in the Engineering Design Guidelines and Policy Manual.

   c) Goal CC-1. Vibrant and complete neighborhoods recognized as being pedestrian and family-friendly, each with their individual character yet connected and integrated into a cohesive Goodyear.
      i) Objective CC-1-1. Create and foster complete neighborhoods.
         (1) Policy "a": Promote the concept that all neighborhoods in Goodyear should be "complete neighborhoods" meaning they include: a range of housing options, the option to safely walk or bike to internal and external destinations parks and other recreational facilities, places and spaces that encourage social interaction, accessibility for people of all abilities,
         (2) Policy "c": Designate open space or parks as the focal point of the neighborhood and ensure they are available within walking distance to all residents.
      ii) Objective CC-1-2. Ensure neighborhoods are internally and externally connected.
         (1) Policy "a": Roads should be designed and built-in conformance to a "complete streets" policy meaning they are designed with all users in mind and include space for automobiles, transit, bicycles, and pedestrians to move safely and comfortably through the community.
         (2) Policy "b": Include shared-use sidewalks or trails within neighborhoods that maximize internal walkability and provide connections to trail systems, schools, shopping, existing developments, and parks.

(3) Policy “c”: Provide bike paths and bike lanes where possible to increase connectivity.
(4) Policy “d”: Promote walking and bicycling through neighborhood design (e.g., shaded sidewalks, traffic calming, safe pedestrian crossings)

d) Goal CC-2- A diverse stock of high-quality housing that meets the needs of all residents. (Housing)
   i) Objective CC-2-1. Provide diverse and quality housing products.

      (1) Policy “a”: Encourage a mix of quality and compatible housing types consistent with market trends and demand that adequately meets the needs of current and prospective residents and workers.

e) Goal CC-3 A parks, trails, open spaces, and recreation facilities system that is regionally and locally linked and accessible, that serves existing and future residents and contributes to the community’s social, economic, and environmental quality.
   i) Objective CC-3-1. Develop parks and recreation facilities in support of programs and events desired by city residents, that support economic development and that promote neighborhood identity and quality of life.
      (1) Policy “d”: In the Neighborhoods land use category, parks and open spaces primarily should: Be a focal point of the neighborhood, contribute to a sense of place, be a place where children can safely play, provide opportunities for social interaction, locate parks to integrate neighborhoods, so that residents of different neighborhoods can meet and socialize, and all residences shall be located within a ¼ mile of a public or private neighborhood park.

f) Goal CC-6 A community committed to educational excellence.
   i) Objective CC-6-1. Support K-12 learning institutions.
      (1) Ensure area school districts are involved with master planning, population forecasting, and strategic planning to ensure that information is shared, resources are used wisely, and common goals are aligned.

g) Goal CC-7 A community with access to healthy eating and active lifestyle opportunities.
   i) Objective CC-7-2. Promote a physically active community.
      (1) Policy “a”: Provide opportunities for walking and biking to destinations whenever possible.

h) Goal CC-9 An engaged and informed community.
   i) Objective CC-9-1. Facilitate an informed and active community.
      (1) Partner with neighborhood groups and H.O.A.s to strengthen lines of communication and disseminate information.
      (2) Provide and/or designate a neighborhood gathering places such as a parks, schools, or community centers.

i) Standard 25. Low Density Residential. Single family, detached and attached, residential uses with densities up to 5 dwelling units per acre are appropriate throughout the Neighborhoods category.

Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district

The property has no significant natural or built constraints and provides an opportunity to create an outstanding residential community. The land is generally flat, sloping from northwest to southeast and will provide storm water management through on-site retention basins and participation with regional drainage through construction of an emergency conveyance channel. The channel limits within La Privada will provide recreation amenities with an equestrian trail and adjacent pedestrian paths which are part of the overall bicycle and pedestrian circulation.

b) Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values;

La Privada is located in the heart of West Goodyear with adjacent properties reflecting similar zoning designations. Parcels that are within the City's boundaries are either currently zoned or being rezoned to smaller single-family residential units. This includes Amber Meadows located north of Harrison and Paseo Place to the south as well as the communities of Pradera and Las Ventanas. Parcels along the east and northern boundary are larger lot single family residential units.

The development of La Privada will provide and improve the necessary infrastructure including construction of collector and arterial roadways and extension of City of Goodyear water and sewer service to West Goodyear. The surrounding properties in general will benefit from the future high quality residential community.

c) Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning

La Privada is consistent and compatible with other land uses existing and entitled within the immediate area. The property is located within an area that was planned for low and medium density residential uses.

The jurisdiction along the north and east boundaries are within unincorporated Maricopa County and are zoned RU-43 with single family homes. In order to provide a sensitive transitional space between these larger lots and proposed lots, La Privada will provide an equestrian trail easement along the north and east boundary of Parcel 1. Parcels 2 and 3 are separated from the residents along 181st Avenue by approximately 90-foot buffer which includes an emergency conveyance channel, landscaping, and pedestrian trail.

d) Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand

The current Arizona housing market indicates the Phoenix Metro area needs over 500-thousand homes to meet the current demand. A growing trend has demonstrated that the request for more narrow lots is reflected not just in West Goodyear, but across the valley. This does not necessarily mean that the home sizes are decreasing but rather indicates homebuyers want less property to maintain. By adjusting to market demand, this will allow lots to sell more quickly, bringing more residents into Goodyear sooner and contribute to the City's tax base.

The City provided to us a present breakdown of lot diversity in West Goodyear reflecting sizes ranging from Courtyard to SF115. Currently, more than 50% of the lot sizes are 55 and 60-feet wide with minimal demand for that width. We compared the provided breakdown and proposed adjustments to include a range of options including 45 and 50-foot widths. This provided a more consistent division of choice as reflected in the graph below.

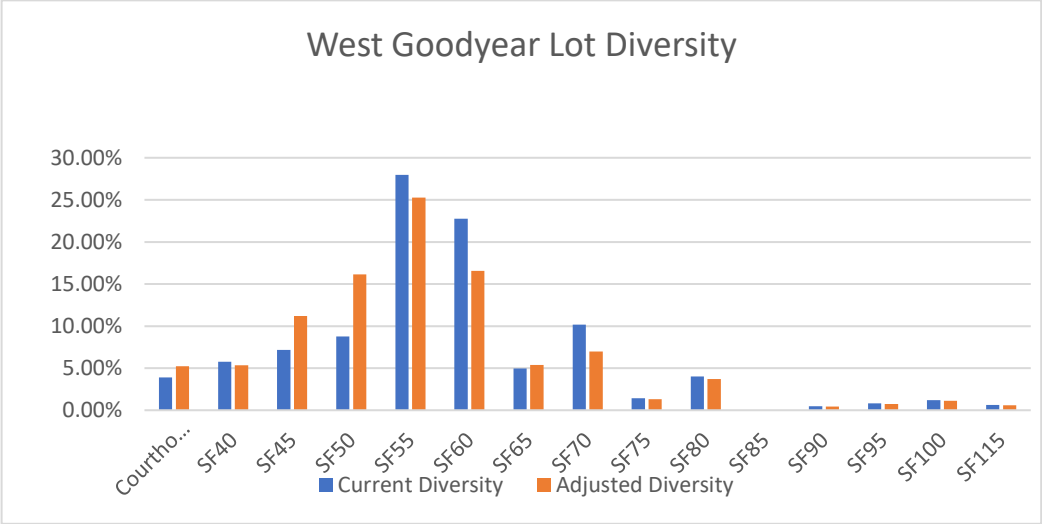


Figure 3: Current and Potential Diversity

As reflected in the above table, the proposed decrease in lot widths expands the percentage of this market segment with a more proportional distribution in West Goodyear. La Privada has been designed to be consistent with the City's goals to provide a sustainable and varied residential community that will be a cornerstone in the West Goodyear area.

High quality not only speaks the physical building, but to the high quality of life that La Privada brings with it planned amenities. Recent West Goodyear development activity with Paseo Place and La Privada Parcels 3 and 7 show the interest in providing new residential units in West Goodyear.

e) Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment

Infrastructure: There are existing public water and sewer infrastructure or planned expansion through a Cost Recovery Ordinance available to the property. The proposed roadways within La Privada will be constructed in accordance with City of Goodyear Design Standards as Public Streets with the landscaping between the back of curb and detached sidewalk to be maintained by the HOA.

Schools: La Privada is located within the Buckeye Union High School District and the Liberty Elementary School District. Melcor has met with the school districts and will pay voluntary impact fees to mitigate the community's impact to the respective district facilities. At this time, the Amber Meadows property adjacent to Parcel 6 is being reserved as a future elementary school site.

Column A	Column B	Column C	Column D
School Type	No. of Res. Units	Student Ratio	No. of Students
Elementary School (K-8) Liberty Elementary SD	1200	0.30 Students/Unit	360
High School (9-12) Buckeye Union HSD	1200	0.19 Students/Unit	228
Total	1200		588

f) Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.

The property is located near existing or planned Cost Recovery Ordinance public services. We do not anticipate any potential adverse fiscal impacts resulting from development of this property.

g) General Public Concerns

There are no known concerns from the public. Concerns (if any) raised by the public will be considered and addressed as appropriate.

h) Whether the amendment promotes orderly growth and development.

This zoning amendment requires consistency with the City's General Plan, compatibility with the surrounding zoning and promotes orderly growth and development as part of the West Goodyear Area. As development continues to grow from the southeast of the project including Paseo Place, Pradera and Las Ventanas, the bringing forward of La Privada allows expansion of the City infrastructure and development sequentially to its western boundary particularly related to regional drainage, water, and wastewater expansion.

i) Any other factors related to the impact of the amendment on the general health, safety, and welfare of the citizens of the City and the general public

The proposed development on the property will have a positive impact to the general health, safety, and welfare of the citizens of the City by providing a safe and well-designed community within the heart of West Goodyear.

8. CONCLUSION

Melcor is committed to making La Privada a different, more engaging neighborhood in Goodyear. They have carefully integrated social gathering places with both passive and active amenities to build a stronger community. We are respectfully asking for the support and approval of this rezoning request.

APPENDIX A: Conceptual Land Use Plan

OPEN SPACE DATA

Description	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7	Total
Gross area SF	1,480,737	1,554,696	1,864,337	1,782,381	1,586,807	346,549	1,896,233	10,511,740
Gross Area Acres	33.99	35.69	42.80	40.92	36.43	8.00	43.53	241.36
Existing R/W	0	0	180,493	0	41,505	0	43,296	265,294
Net Area Acres	33.99	35.69	38.66	40.92	35.48	8.00	42.54	235.27
Open Space Required %	15%	15%	15%	15%	15%	15%	15%	
Open Space Required Acres (Ne	5.10	5.35	5.80	6.14	5.32	1.20	6.38	35.29
Open Space Provided Acres	6.38	9.65	11.82	6.14	5.96	8.00	8.71	56.66
Open Space Provided %	18.77%	27.04%	30.58%	15.01%	16.80%	100.00%	20.48%	24.08%

LEGEND

GREEN SPACE

NOTE: GREEN SPACE LOCATIONS AND CONFIGURATIONS ARE CONCEPTUAL IN NATURE AND MAY BE MODIFIED WITH THE PRELIMINARY PLAT.

ROADWAY CONNECTIONS

NOTE: FINAL ALIGNMENT OF ROADWAY CONNECTIONS TO BE DETERMINED AT PRELIMINARY PLAT STAGE.

EMERGENCY CONVEYANCE CHANNEL

N

0 200' 400'

Bowman CONSULTING

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LAND USE PLAN

LA PRIVADA

GOODYEAR, AZ

MARICOPA COUNTY

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION	
DF DESIGN	DF DRAWN	DF CHKD

SCALE H:
V:

JOB No. 050965-01-001

DATE : 3/22/21

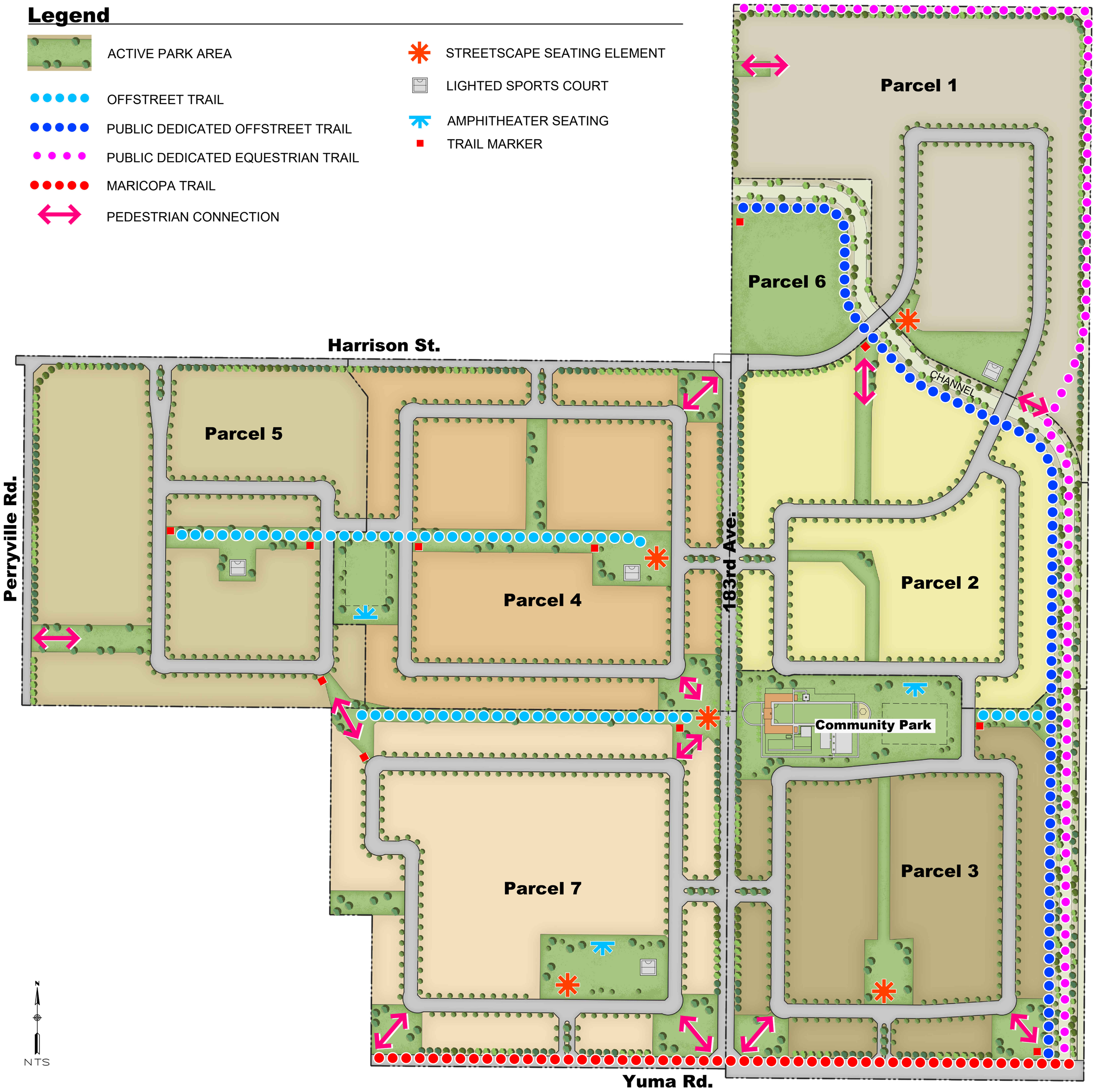
SHEET 1 OF 1

CAD FILE NAME: V:\050965 - Planning Services - Arizona\050965-01-001 (PLN)\Planning\DWGs\Land Use Plan\West Goodyear Land Use rev01.dwg 04/05/2021

APPENDIX B: Conceptual Amenity Plan

Legend

- ACTIVE PARK AREA
- OFFSTREET TRAIL
- PUBLIC DEDICATED OFFSTREET TRAIL
- PUBLIC DEDICATED EQUESTRIAN TRAIL
- MARICOPA TRAIL
- PEDESTRIAN CONNECTION
- STREETSCAPE SEATING ELEMENT
- LIGHTED SPORTS COURT
- AMPHITHEATER SEATING
- TRAIL MARKER



Community Park Amenities

- COVERED MEETING SPACE
- COVERED SEATING/DINING AREA
- COVERED GAME "ROOM"
- EVENT LAWN
- FIREPLACE
- AMPHITHEATER SEATING
- OUTDOOR KITCHEN
- RAMADA
- SPLASH PAD
- FIREPIT
- SHADED SEATING
- MULTIUSE FIELD
- BOCCE COURT
- CORNHOLE GAMES
- PICKLEBALL COURT
- BASKETBALL COURT
- PLAY STRUCTURE

Additional Open Space Amenities

- LIGHTED SPORTS COURTS
- AMPHITHEATER SEATING AREAS
- SHADED PLAY STRUCTURES
- DOG PARK
- RAMADAS
- OFFSTREET TRAILS
- FITNESS EQUIPMENT
- MULTIUSE FIELD

Open Space Calculations

DESCRIPTION	PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4	PARCEL 5	PARCEL 6	PARCEL 7	TOTAL
GROSS AREA SF	1,480,737	1,554,696	1,864,337	1,782,381	1,586,807	346,549	1,896,233	10,511,740
GROSS AREA ACRES	33.99	35.69	42.80	40.92	36.43	8.00	43.53	241.36
EXISTING R/W	0	0	180,493	0	41,505	0	43,296	265,294
NET AREA ACRES	33.99	35.69	38.66	40.92	35.48	8.00	42.54	235.27
OPEN SPACE REQUIRED %	15%	15%	15%	15%	15%	15%	15%	
OPEN SPACE REQUIRED ACRES (NET)	5.10	5.35	5.80	6.14	5.32	1.20	6.38	35.29
OPEN SPACE PROVIDED ACRES	6.38	9.65	11.82	6.14	5.96	8.00	8.71	56.66
OPEN SPACE PROVIDED %	18.77%	27.04%	30.58%	15.01%	16.80%	100.00%	20.48%	24.08%

MELCOR DEVELOPMENTS LTD.

Bowman

RICK ENGINEERING COMPANY

LA PRIVADA

CONCEPTUAL AMENITY PLAN

4-9-21

AMENITY KEY

1. COVERED MEETING SPACE
2. COVERED SEATING/DINING AREA
3. COVERED GAME "ROOM"
4. EVENT LAWN
5. FIREPLACE
6. KITCHEN PREP AREA
7. RAMADA
8. SPLASH PAD
9. FIREPIT
10. CABANAS / SEATING
11. BOCCE COURT
12. CORNHOLE GAMES
13. PICKLEBALL COURT
14. BASKETBALL COURT
15. PLAY STRUCTURE
16. MULTIUSE FIELD
17. AMPHITHEATER SEATING

MELCOR DEVELOPMENTS LTD.

RICK ENGINEERING COMPANY

LA PRIVADA

COMMUNITY PARK CONCEPTUAL PLAN

4-9-21

HINTON AMBER MEADOWS, LLP
10218 – 111 Street
Edmonton, Alberta T5K 1K9
Phone (780) 482-6451
Fax (780) 488-1310

July 6, 2021

Wynette Reed (Deputy City Manager)
Christopher Baker (Development Service Director)
144555 West Van Buren Street, Suite D101
City of Goodyear, Arizona 85338

RE: Formal Opposition Notice to the Misrepresentation of Amber Meadows within the La Privada Rezoning Ordinance Case NO: 2021-1505

Dear Ms. Reed and Mr. Baker;

We are the owners of the Amber Meadows property located at the northeast corner of Perryville Road and the Harrison Road alignment, which is directly adjacent and abutting to the La Privada property.

In late May, it came to our attention that La Privada is processing a Rezoning Case (Ordinance Case NO: 2021-1505) through the City, which is scheduled for a Planning & Zoning Commission Hearing on Thursday, July 7th. We immediately reached out to Melcor to let them know that the plan we had developed did not contain a school site and therefore their submission was misrepresenting our property. We were promised a meeting to discuss this but after receiving two emails from Melcor (see attached), they stopped corresponding with us.

As a neighboring property to La Privada, we were never given any notice nor the opportunity to attend any type of Neighborhood Meeting with the La Privada property owners regarding this Rezoning Case; nor given the chance to review the La Privada Rezoning Case File Documents before the City scheduled this case for Public Hearings. Our local zoning attorney Ed Bull was only recently able on July 2nd, to obtain from the City the La Privada Rezoning Case File Documents for our review.

While we are not opposed to La Privada rezoning this property as described in their Rezoning Case File Documents, we are adamantly opposed to the misrepresentation of Amber Meadows as is stated within those documents. This misrepresentation occurs in the La Privada Rezoning Project Narrative package, which is as follows:

- Page 6 misrepresentation of Amber Meadows states:
  "In addition, Parcel 6 is designated as a future park site next to the planned elementary school within Amber Meadows."

- Page 22 misrepresentation of Amber Meadows states:
  "At this time, the Amber Meadows property adjacent to Parcel 6 is being reserved as a future elementary school site."

Please understand that to our knowledge, **there is no elementary school site contractually reserved for Liberty School District anywhere within Section 10**. To clarify further, when Amber Meadows was originally zoned and annexed into the City in 2004, the owners of the property at that time had provisionally set aside a 7.5-acre parcel for a 50% shared school site, to be shared with the future La Privada property. However, no school agreement was ever entered into with the Liberty School District by the then-ownership group of Amber Meadows; nor was any agreement entered into between Amber Meadows and La Privada regarding a shared school site. A few years later, we purchased Amber Meadows and have owned it ever since, still with no school agreement in existence.

In conversations we have had with Liberty School District, they have determined 12 NET acres are a minimum requirement. Amber Meadows represents 31% and La Privada represents 69% of the City-annexed, residentially developable properties in Section 10 where these properties are located (this Section 10 being bordered by Yuma, Citrus, Van Buren and Perryville). If and when there is ever a School Land Donation Agreement with Liberty School District to which Amber Meadows is a party, the land area to be donated by Amber Meadows to Liberty School District will not be significantly greater than 31% (3.72 acres if school site is 12 acres) of the total area of a future school site, assuming La Privada donates 69% (8.28 acres) of the land for the same future school site. In our discussions with Liberty School District, we have offered to provide a maximum of 4 acres. Amber Meadows will not be a party to any type of School Land Donation Agreement with Liberty School District that requires in excess of 4 acres so if the City wants a viable school site, La Privada must provide the required additional lands.

In the short time we have had to review the La Privada plan, we would also be concerned that the school site shown is not NET acres but rather incorporates project drainage, therefore leaving even less land available for school development.

We also understand that La Privada has unilaterally determined that the school building will be placed on our property specifically so that they can use the open space credit for the "park" in the open space calculations for their project. In discussions we had with Liberty School District, they were unaware that the location of the school building was being set by La Privada. Reality is that the school site has not been designed and location of the building has not been determined.

Consequently, we now request the City to require La Privada to remove all misrepresentation of Amber Meadows as a participant in any type of School Land Donation Agreement with Liberty School District for a future school site, as is currently stated in La Privada's Rezoning Case File Documents. We request this correction occur before the La Privada Rezoning Ordinance Case NO: 2021-1505 goes before any type of a Public Hearing.

Additionally, if the City is in possession of any type of School Voluntary Fee Agreement, Land Donation Agreement or a Voluntary School Fee Memo of Understanding between La Privada and Liberty School District, we respectfully request a copy of that document be provide to us by the City.

Thank you in advance for helping us to clarify this misrepresentation. We look forward to a fair and equitable resolution.

Sincerely,

Brad Clough

Brad Clough

CC: Chris Williams (City of Goodyear)
Lori Shough (Liberty School District)
Ed Bull

Brad Clough

From: Geoff Bobiy <gbobiy@melcor.ca>
Sent: Thursday, June 3, 2021 3:22 PM
To: Brad Clough
Subject: RE: Amber Meadows and La Privada

Hey Brad,

Just a quick update. I'm not going to be able to line up both our consultants for a call anytime soon due to holidays. I would suggest best to have our Planner on the call (as she has a good history with the project). Based on her schedule, we're probably looking early next week.

I'll keep you informed.

Thanks.

Geoff

Geoff Bobiy
403.270.1287

MELCOR DEVELOPMENTS LTD.

From: Brad Clough [mailto:bclough@allard.ca]
Sent: June 1, 2021 2:51 PM
To: Geoff Bobiy
Subject: RE: Amber Meadows and La Privada

Thanks for update

BRAD CLOUGH P.Eng., MBA
President

ALLARD DEVELOPMENTS

10218 - 111 Street N.W.
Edmonton, AB T5K 1K9
P. 780.482.6451
F. 780.488.1310
C: 780.975.3737
E. bradclough@allarddevelopments.com
W. www.allarddevelopments.com

From: Geoff Bobiy <gbobiy@melcor.ca>
Sent: June 1, 2021 2:50 PM
To: Brad Clough <bclough@allard.ca>
Subject: Amber Meadows and La Privada

Hi Brad,

I just wanted to keep you in the loop. I'm just waiting to hear back from our engineer on availability this week for a meeting to discuss AM and LP.

I'm hoping to hear back shortly and keep you posted.

Thanks.

Regards,

Geoff

Geoff Bobiy
Development Manager

Please note: I am currently working from home. For information on all of the steps that Melcor is taking to protect our communities from COVID-19, ***click here.***

d| 403.270.1287 **e|** gbobiy@melcor.ca
a| 210, 101-6 Street SW
Calgary, AB T2P 5K7
w| Melcor.ca

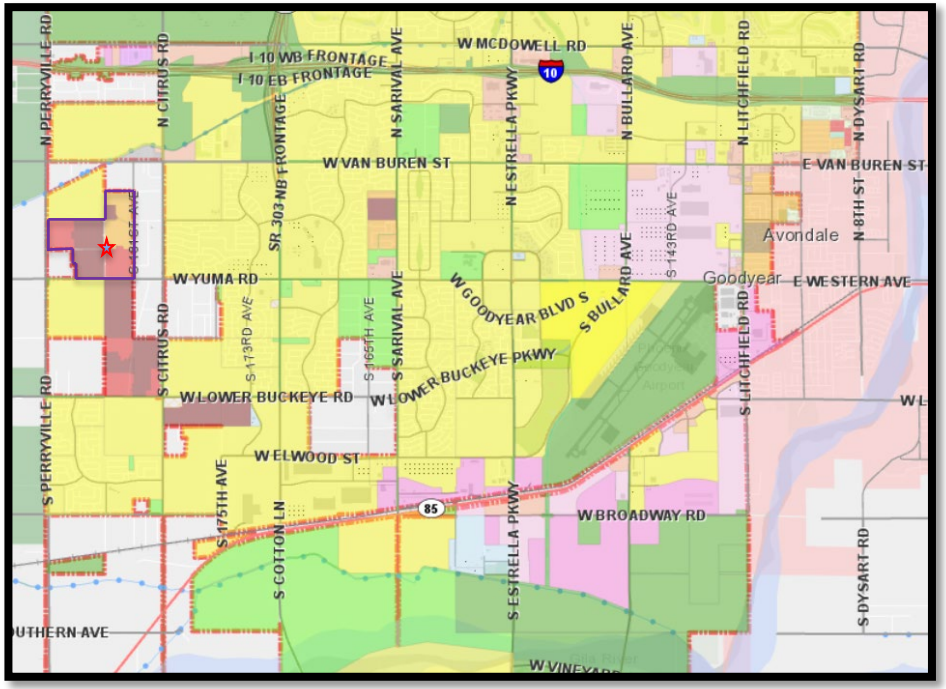
MELCOR DEVELOPMENTS LTD.

La Privada Rezone

City Council Meeting
July 19, 2021

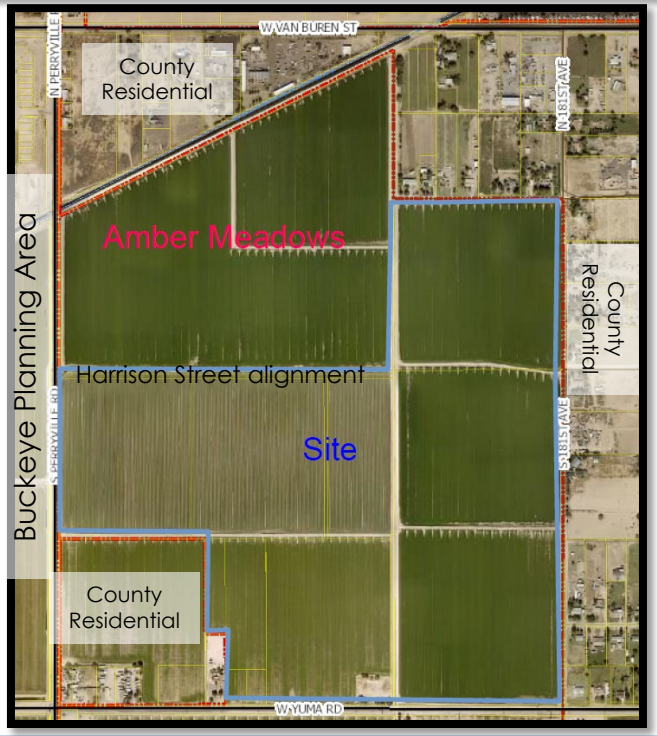
Location

- Central Goodyear (West Goodyear)
  - NWC of 181st Ave and Yuma Rd.
  - Approximately 240.32 Acres
  - Currently zoned R1-6 and PAD



Location

- La Privada
  - East
    - County Island and County Residential
  - West
    - City of Buckeye/Planning Area and Agricultural
  - North
    - County Island and County Residential
    - Amber Meadows Planned Development
  - South
    - County Island and County Residential
    - Las Ventanas Planned Development
    - Paseo Place Parcel 2 future residential



Zoning History

2006: La Privada PAD
2006: R1-6 (Paseo Place P1)

2018: R1-4, R1-6, R1-7 (La Privada)
2006: R1-6 (Paseo Place P1)

Today: La Privada

Amenities

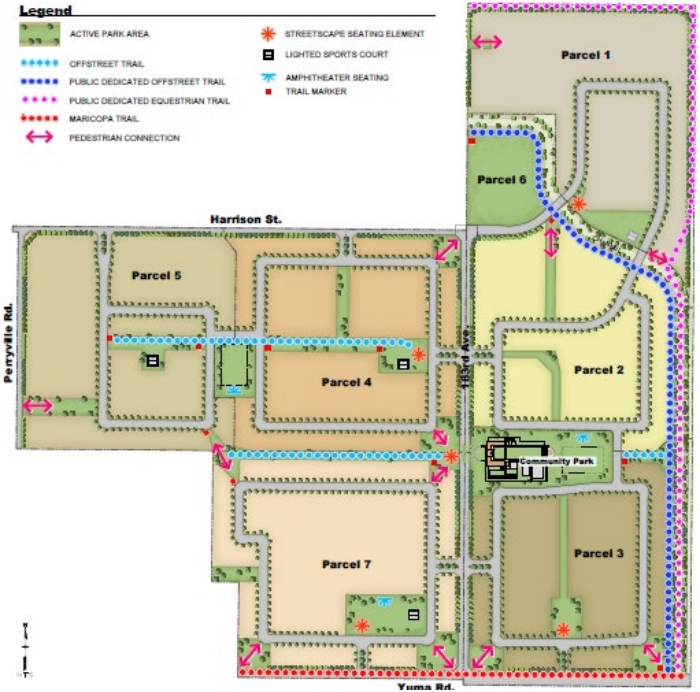
AMENITY KEY

1. COVERED MEETING SPACE
2. COVERED SEATING/DINING AREA
3. COVERED GAME "ROOM"
4. EVENT LAWN
5. FIREPLACE
6. OUTDOOR KITCHEN
7. RAMADA
8. SPLASH PAD
9. FIREPIT
10. SHADED SEATING
11. BOCCE COURTS
12. CORNHOLE GAMES
13. SAND VOLLEYBALL COURT
14. BASKETBALL COURT
15. PLAYSTRUCTURE
16. MULTIUSE FIELD
17. AMPHITHEATER SEATING

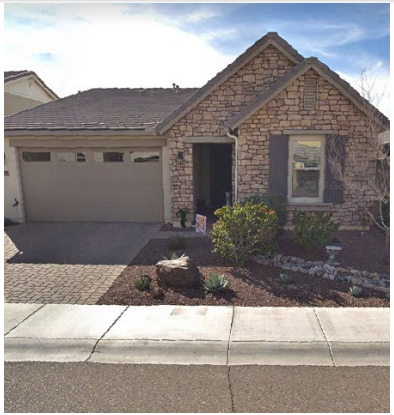
*Images for illustrative purposes only

Connectivity

- Mix of lots and diversity
  - 45-feet-wide by 120-feet-deep (Minimum of 35% of lots)
  - 50-feet-wide by 120-feet-deep (Minimum of 25% of lots)
  - 55-feet-wide by 120-feet-deep (Minimum of 15% of lots)
- Provide Trail System
  - Along Emergency Conveyance Channel
  - Equestrian Trail
  - Private System to Connect Parks
  - Maricopa Trail along Yuma Road
- Limited Subdivision Perimeter Wall



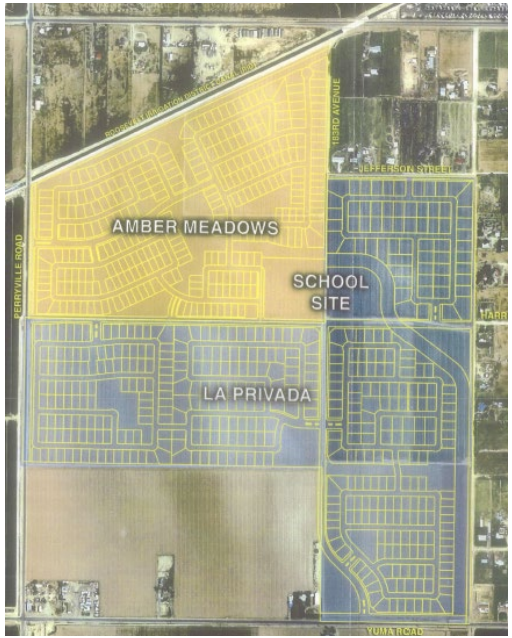
Streetscape



*Images for illustrative purposes only

La Privada and Amber Meadows

2005 (Current): Amber Meadows Zoning



Recommendation

- Approve Rezone:
  - From R1-6 (Paseo Place Parcel 1) and La Privada PAD
  - To R1-4 with La Privada PAD Overlay (stipulations)

Thank You!

AGENDA ITEM #: 12.
DATE: 07/19/2021
AI #:333

CITY COUNCIL ACTION REPORT

SUBJECT: USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)

STAFF PRESENTER(S): Steve Careccia, Principal Planner

OTHER PRESENTER(S):
Mike Hills, PHNX Design

SUMMARY

A request for use permit for a convenience use (restaurant with drive-through) within the Pebble Creek Marketplace Planned Area Development (PAD) located at the southwest corner of PebbleCreek Parkway and McDowell Road.

Recommendation

Approve a request for a use permit for a convenience use (restaurant with drive-through) on a 1.9-acre parcel within the Pebble Creek Marketplace Planned Area Development, subject to stipulations. (Steve Careccia, Principal Planner)

STIPULATIONS

1. All future development on the subject property (Property) will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;
2. The configuration and location of the proposed drive-through lane and pick-up window and resultant traffic patterns shall be developed in substantial conformance with the conceptual site plan submitted with the use permit application. Any changes to the configuration of these improvements, as shown on the conceptual site plan, that result from the approval of the site plan for the Property may require an amendment to the use permit as determined by the Development Services Director or designee; and,
3. All signage, including all preview and menu boards, proposed on the Property shall require separate review and approval of sign permits. No signage is approved as part of this use permit.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The 1.9-acre subject property is located within the Pebble Creek Marketplace PAD. This commercial PAD was approved on March 26, 2007 with the adoption of Ordinance No. 2007-1061. The PAD was subsequently amended on November 17, 2014 with the adoption of Ordinance No. 14-1314. This amendment was to facilitate the development of a WinCo Foods.

A preliminary plat encompassing the subject property was approved by the City Council on September 14, 2015. The subsequent final plat for Pebble Creek Marketplace was approved on August 20, 2018. The subject property is Lot 6 of the final plat.

STAFF ANALYSIS

Current Policy

A use permit requires review by the Planning and Zoning Commission and approval by the City Council through the public hearing process.

Details of the Request

The applicant is requesting a use permit for a convenience use (restaurant with drive-through) on a 1.9-acre parcel within the Pebble Creek Marketplace PAD. As previously noted, the Property is designated for commercial use and will be developed in accordance with the PAD's design guidelines and city's C-2 (General Commercial) zoning district. As required in the C-2 zoning district, a restaurant with a drive-through must obtain approval of a use permit prior to development.

The proposed use will consist of a restaurant with drive-through. As shown on the conceptual site plan submitted with the use permit, the restaurant will be located within a portion of a 10,914 square-foot building proposed on Lot 6. The configuration of the drive-through lane has customers entering from the west and accessing the pick-up window on the west side of the building. Customers will then exit and have the opportunity to travel back into the center or go east to the primary ingress/egress point for the center. The drive-through lane provides queuing in conformance with city standards. Parking for the proposed convenience use will be provided onsite in conformance with city standards.

The design of the building was previously approved with the adoption of the design guidelines for the Pebble Creek Marketplace. However, modifications to the building and surrounding hardscape are proposed to accommodate the new drive-through restaurant. These modifications include the construction of required drive-through screen walls, an enhanced portico over the drive-through window, and the creation of a new pedestrian plaza. The proposed modifications appear to be in conformance with both the design guidelines for the Pebble Creek Marketplace and city.

Section 1-3-2 (Use Permits) of the Zoning Ordinance requires that the Planning and Zoning Commission and City Council determine that the proposed use meets the following findings prior to granting a Use Permit:

1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare;

The proposed use is in conformance with the intent of the Pebble Creek Marketplace PAD, which intends commercial uses within the overall area also encompassing the Property. Regarding persons residing in the area, portions of the Palm Valley community are located to the northwest of the Property. However, the proposed use will be located nearly 300 feet from the nearest residence within Palm Valley, with an irrigation canal, McDowell Road and landscape tracts separating the neighborhood from the proposed convenience use. Therefore, as stipulated herein, staff finds the use permit will not have any materially detrimental effects on the surrounding area.

2. The proposed use is reasonably compatible with uses permitted in the surrounding area;

The proposed use will be located in an area intended for similar commercial uses, including those uses with drive-through facilities, as allowed with a use permit. As such, the proposed use should be compatible with the intended uses of the surrounding area in terms of hours of operation, traffic generation, and intensity (noise, light, etc.)

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.

The 1.9-acre parcel is of sufficient size and configuration to accommodate the proposed restaurant with drive-through. The proposed access and internal traffic circulation pattern have been designed to be consistent with the overall master design for the area. The drive-through lane provides stacking for at least six vehicles from the first stopping point.

2. Compatibility of the proposed hours of operation with adjacent residential areas.

The end user of the restaurant is unknown at this time. However, given the proposed use's location within a developing commercial center, and with no adjacent single family residences to be adversely affected by traffic or noise or light trespass, staff does not recommend any restrictions on hours of operation.

3. Required traffic mitigation measures, if any.

The traffic study for the site was approved by the Engineering Department. Street and access improvements have been completed for the Pebble Creek Marketplace. A full median break and traffic signal exists at the center's primary entrance with McDowell Road.

4. Other concerns, which may place the advisability of the proposed convenience use in question.

Staff found no other concerns with the development of a convenience use on the Property.

Fire Department:
Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#185	3.79	1.89	3.96	1.98	#184/181	5.71	2.86	6.42	3.21

Public Participation:
In accordance with the City's Citizen Review Ordinance, a written notice was mailed to all property owners within 500 feet of the subject parcel. To date, staff has not received any inquires as a result of this written notice.

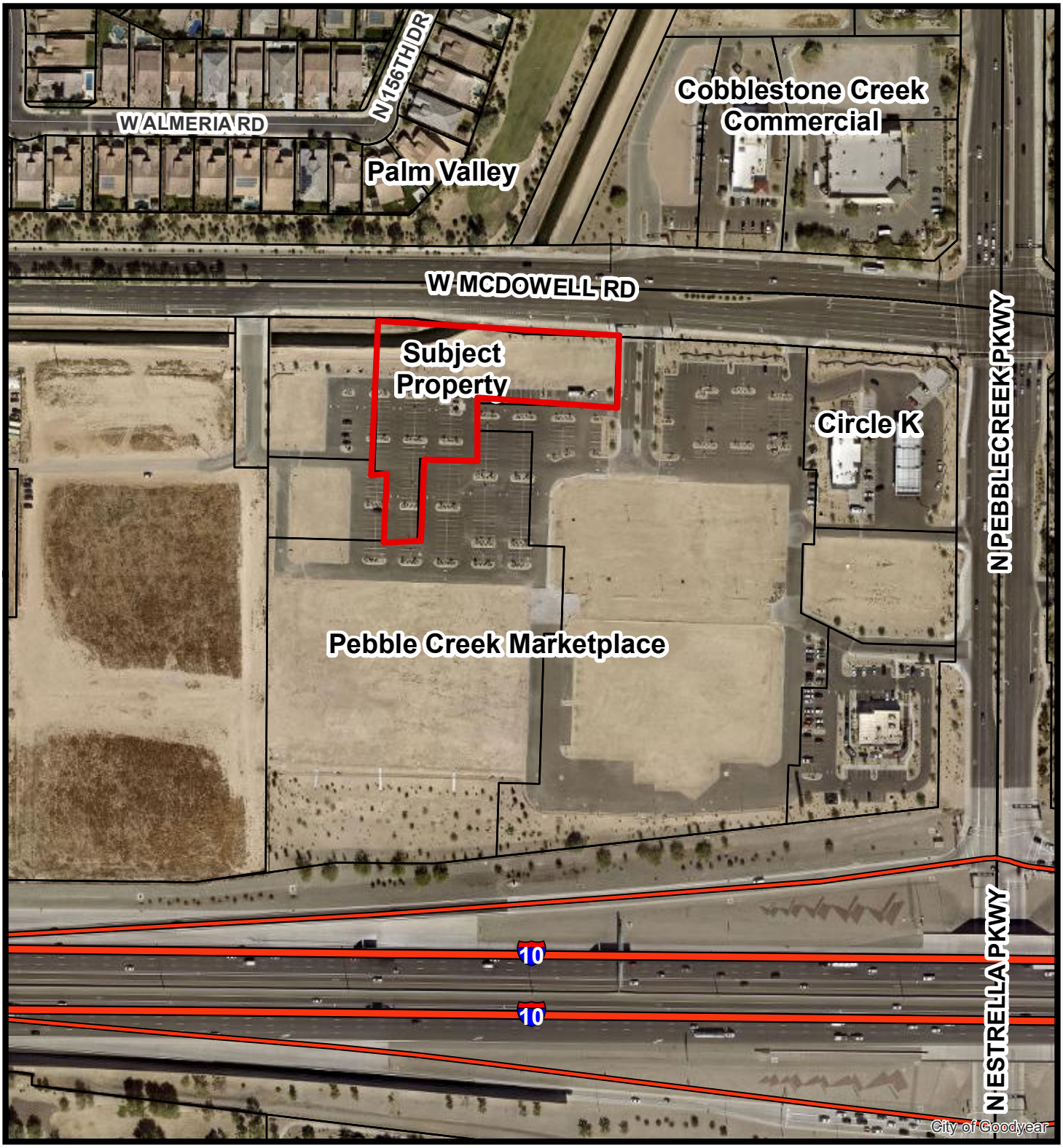
Notice for the public hearings before the Planning and Zoning Commission and City Council included a notice mailed to surrounding property owners, a sign posted on the property, and a legal notice published in the Arizona Republic, Southwest Edition, on June 18, 2021. To date, staff has not received any inquires on this request.

The Planning and Zoning Commission considered this item at a public hearing held on July 7, 2021. The Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition voiced on this item.

Attachments

Aerial Photo
Project Narrative
Conceptual Site Plan
Conceptual Building Elevations
Staff Presentation

Aerial Photo Exhibit
Use Permit
Case No. 20-300-00014



Drawn By: Steve Careccia
City of Goodyear Development Sevices Department
Date: June 9, 2021

N

April 05, 2021

PROJECT NARRATIVE

Proposed Multi Tenant Retail building
Pebble Creek Marketplace

This Site Plan Submittal is for a new ground up building located on lot 6 of the new Pebble Creek Marketplace shopping center.

The proposed building was previously approved with the overall shopping center and the design review approvals have expired. The new proposed building will be 10,914 square feet which does include a proposed drive thru lane. The site parking area is existing including the head in parking for this building.

Menu board will be planned to face internally into the site. Additionally we are planning to install a new screen wall for complete drive thru lane screening along the full length of the drive lane.

The building elevation has been revised to use the color and materials palette "B" from the shopping center design guidelines as previously approved for The Pebble Creek Marketplace.

The drive thru use will not be materially detrimental to the surrounding areas and will be compatible with the surrounding area due to it's location that is more internally located with-in the shopping center itself, fully screened by a low wall as indicated on the site plan, the menu board will be facing internally into the shopping center parking lot and the drive entry area leading to the drive thru had been widened for additional traffic.

If there are any questions, please do not hesitate to call me at 602.762.7354.

Respectfully,

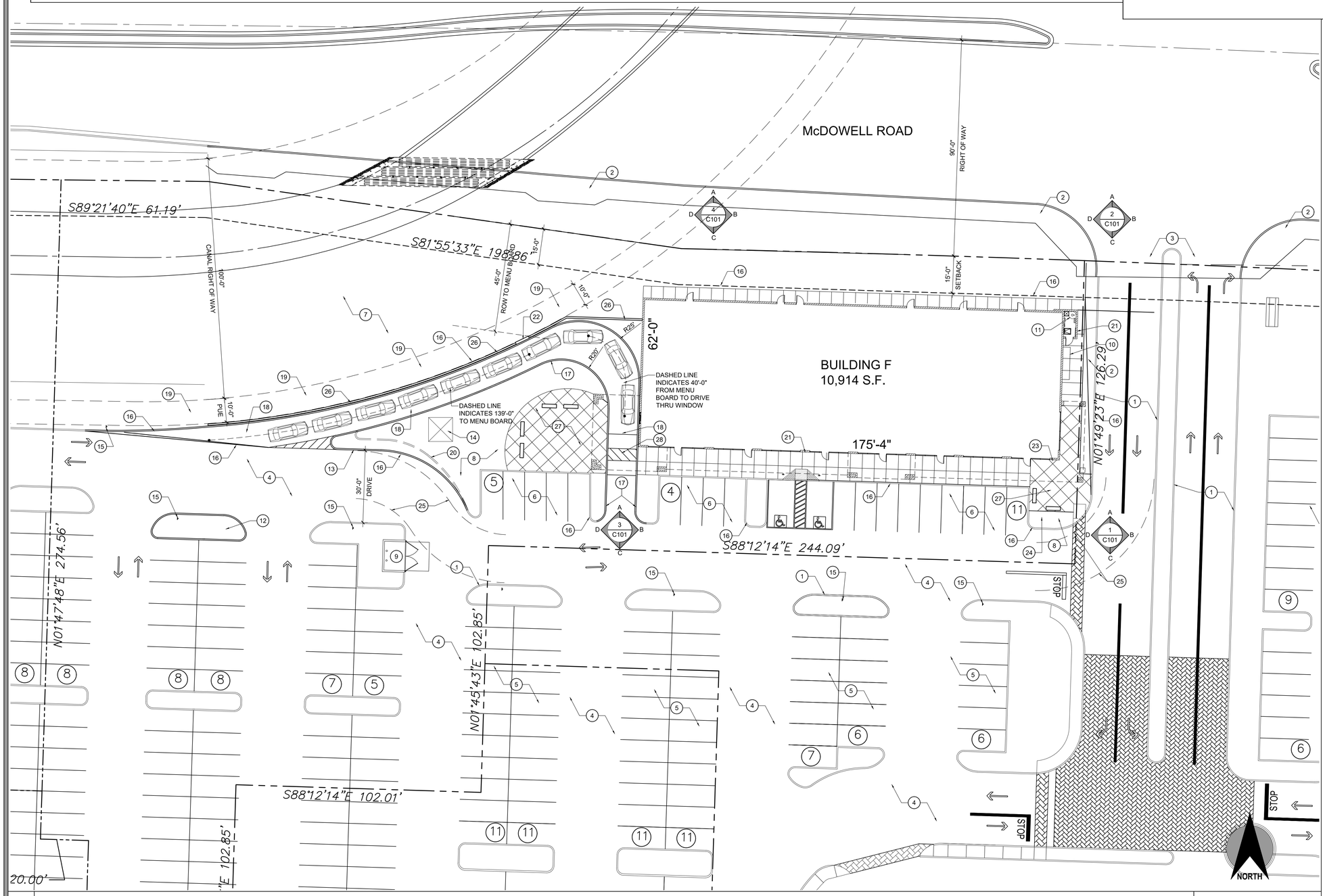
Mike Hills,
PHNX DESIGN LLC
Mesa, Arizona 85213

SITE PLAN NOTES:

1. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURB, GUTTER, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STRIPING. LANDSCAPE RESPONSIBILITIES ARE IDENTIFIED UNDER SEPARATE NOTE:
   - A. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   - B. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION OF ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENTS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   - C. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF SEALANT IN ALL PAVEMENT CRACKS AND JOINTS, AND APPLICATION OF SEALANT OVER ALL ASPHALT PAVEMENTS.
   - D. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
   - E. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
2. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING:CITY OF GOODYEAR, ARIZONA ENGINEERING DESIGN STANDARDS AND POLICIES MANUAL CHAPTER 8 – SITE DEVELOPMENT 2017 PAGE 3 OF 11.
   - A. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL LANDSCAPE IMPROVEMENTS, INCLUDING PLANTED AREAS AND IRRIGATION SYSTEMS, FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   - B. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND/OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   - C. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE NORMAL HEALTHY GROWTH.
   - D. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES. THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2-INCH HEIGHT.
   - E. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES. THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2-INCH HEIGHT.
   - F. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL TURF AREAS SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
   - G. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

SITE KEYNOTES:

1. EXISTING CURB AND GUTTER TO REMAIN.
2. EXISTING SIDEWALK TO REMAIN.
3. EXISTING ENTRY DRIVE TO REMAIN.
4. EXISTING ASPHALT DRIVE AREA.
5. EXISTING PARKING AREAS TO REMAIN.
6. EXISTING HEAD IN PARKING TO REMAIN.
7. EXISTING RAISED CANAL TO REMAIN.
8. PROPOSED LANDSCAPE AREA.
9. EXISTING REFUSE ENCLOSURE TO REMAIN.
10. SERVICE ENTRANCE SECTION (SES)
11. FIRE RISER.
12. NEW LANDSCAPE PLANTER.
13. NEW 6" CONCRETE CURB.
14. RELOCATED ELECTRICAL TRANSFORMER.
15. FIRE LANE SIGN PLACED AT EDGE OF CURB PER CITY OF GOODYEAR REQUIREMENTS.
16. DASHED LINE INDICATES LIMITS OF CONSTRUCTION.
17. PROPOSED CONCRETE TO MATCH EXISTING.
18. PROPOSED ASPHALT DRIVE TO MATCH EXISTING.
19. HEAVY LANDSCAPED AREA TO SCREEN DRIVE THRU LANE, REFER TO LANDSCAPE DRAWINGS.
20. DEMO EXISTING CONCRETE CURB FOR NEW DRIVE THRU ENTRANCE.
21. KNOX BOX LOCATION.
22. PROPOSED MENU BOARD LOCATED AT THE 5TH CAR FROM DRIVE THRU WINDOW.
23. FDC LOCATION AT FRONT OF BUILDING.
24. EXISTING FIRE HYDRANT TO REMAIN, REFER TO CIVIL DRAWINGS.
25. REQUIRED FIRE TRUCK TURNING RADIUS AT 28'-0" INSIDE AND 48'-0" OUTSIDE.
26. 3'-0" HIGH 8" SPLIT FACE MASONRY SCREEN WALL - PAINTED.
27. CONCRETE HARD SCAPE AREA WITH OUTDOOR SEATING.
28. RAISED CONCRETE PATHWAY ACROSS DRIVE THRU LANE. ASPHALT SLOPED UP AND DOWN FROM CONCRETE WALK.



1 BUILDING F SITE PLAN

SCALE: 1" = 20'-0"

PROJECT TEAM:

DEVELOPER/OWNER:
W.M.GRACE COMPANIES
2925 EAST INDIAN SCHOOL ROAD
SCOTTSDALE, AZ 85251
CONTACT: JOHN DORSETT
PH: 602.956-8254

CIVIL ENGINEER:
KEOGH ENGINEERING, INC
650 NORTH 137TH AVENUE #110
GOODYEAR, AZ 85338
CONTACT: DENNIS KEOGH
PH: 623.535.7260

ARCHITECT:
PHNX DESIGN LLC.
3707 EAST SOUTHERN AVE, SUITE 1090
MESA, AZ 85206
CONTACT: MIKE HILLS
PH: (602) 762-7354

DATE PREPARED: 04.16.2021
JOB NUMBER: 20-125
SCALE: 1" = 50'-0"

PHNX DESIGN
1855 EAST SOUTHERN AVE, SUITE 204
MESA, ARIZONA 85204
602.762.7354

REGISTERED ARCHITECT
CERTIFICATE NO.
35463
THOMAS M. De BYL
Date signed: 09-20-21
ARIZONA, U.S.A.

EXPIRES 09/30/21

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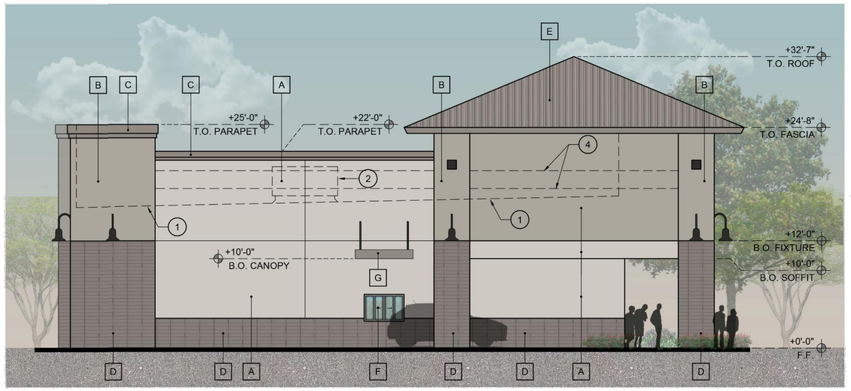
BUILDING F
PEBBLE CREEK
15611 WEST MCDOWELL ROAD
GOODYEAR, ARIZONA

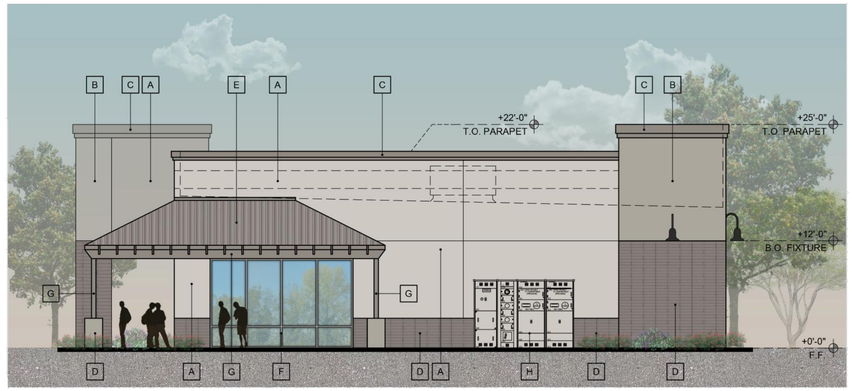
△	DATE	REVISION
1		
2		
3		

BUILDING F
SITE PLAN

A101



3 EAST EXTERIOR ELEVATION — SCALE: 1/8" = 1'-0"



4 EAST EXTERIOR ELEVATION — SCALE: 1/8" = 1'-0"

GENERAL NOTE:

1. ALL ROOF MOUNTED MECHANICAL UNITS ARE TO BE FULY SCREENED BY THE BUILDING PARAPET. VERIFY THAT THIS CONDITION WILL BE MET PRIOR TO THE START OF CONSTRUCTION.
2. SUITE NUMBERS ARE TO BE POSTED ON THE FRONT AND REAR DOORS OF EACH SUITE. THE NUMBERS ARE TO BE (4) INCHES HIGH, 5/8" INCH STROKE, AND A CONTRASTING COLOR TO THE BACKGROUND.

KEYNOTES:

1. DASHED INDICATES LINE OF ROOF BEYOND.
2. DASHED LINE INDICATES THE MECHANICAL ROOF TOP UNITS, FULLY SCREENED BY PARAPET.
3. BUILDING ADDRESS TO BE (12) INCH HIGH WITH (2) INCH STROKE, AND BE OF A CONTRASTING COLOR, AND MOUNTED HIGH ON THE BUILDING TO BE VISIBLE FROM THE STREET THAT THE IDENTIFICATION MUST BE VISIBLE FROM STREET OR DRIVE AS REQUIRED BY IFC 505 AND GFD REGULATION 12-505.1.
4. DASH LINE INDICATES FUTURE SIGNAGE UNDER SEPARATE REVIEW AND PERMIT.

X FINISH KEYNOTES:

COLOR PALLET 'B'

A. SYNTHETIC STUCCO SYSTEM WITH 100% ACRYLIC FINISH
FINISH SMOOTH SAND FINISH
PAINT COLOR: SHERWIN WILLIAMS 7017 "DORIAN GRAY"

B. SYNTHETIC STUCCO SYSTEM WITH 100% ACRYLIC FINISH
FINISH: SMOOTH SAND FINISH
PAINT COLOR: SHERWIN WILLIAMS 7015 "REPOSE GRAY"

C. SYNTHETIC STUCCO SYSTEM WITH 100% ACRYLIC FINISH
FINISH SMOOTH SAND FINISH
PAINT COLOR: SHERWIN WILLIAMS 7018 "DOVETAIL"

D. BRICK & BLOCK MASONRY VENEER
MANUFACTURER: CREATIVE MINES
SERIES: CRAFT PAINT GRADE BLOCK
COLOR: MODERN
SIZE: FLATS 3.625" H X 15.625 L

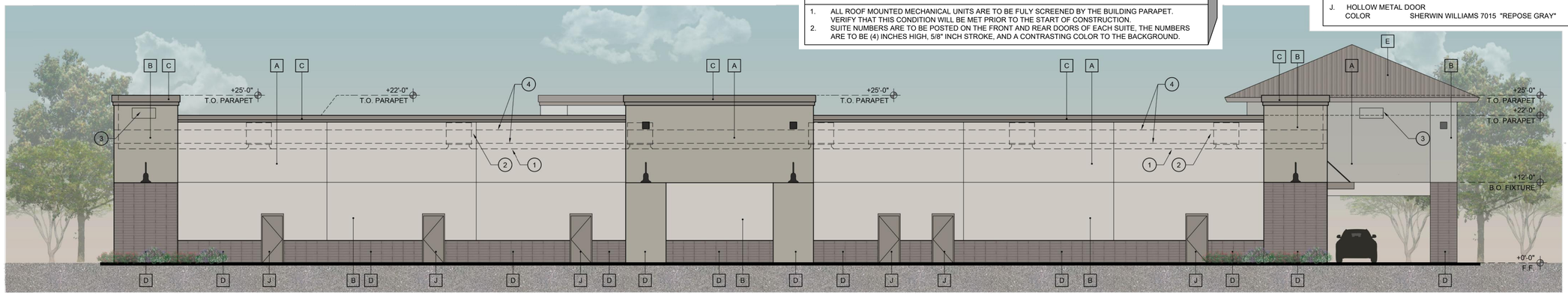
E. METAL PANEL CANOPY
MANUFACTURER: ATAS - EXTERIOR GRADE
COLOR "16 ROCKY GREY"

F. STOREFRONT
FINISH DARK BRONZE WITH CLEAR GLASS
COLOR CLEAR GLASS 0.8 PER 2006 IECC TABLE 102.1.3(3)

G. EXPOSED STEEL
COLOR SHERWIN WILLIAMS 7018 "DOVETAIL"

H. SERVICE ENTRANCE SECTION
COLOR SHERWIN WILLIAMS 7017 "DORIAN GRAY"

J. HOLLOW METAL DOOR
COLOR SHERWIN WILLIAMS 7015 "REPOSE GRAY"



2 EAST EXTERIOR ELEVATION — SCALE: 1/8" = 1'-0"

1 SOUTH EXTERIOR ELEVATION — SCALE: 1/8" = 1'-0"

PHNX DESIGN
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MESA, ARIZONA 85204
602.762.7354

REGISTERED ARCHITECT
CERTIFICATE NO.
35463
THOMAS M. De BYL
Date signed 09/30/21
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BUILDING F
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15611 WEST MCDOWELL ROAD
GOODYEAR, ARIZONA

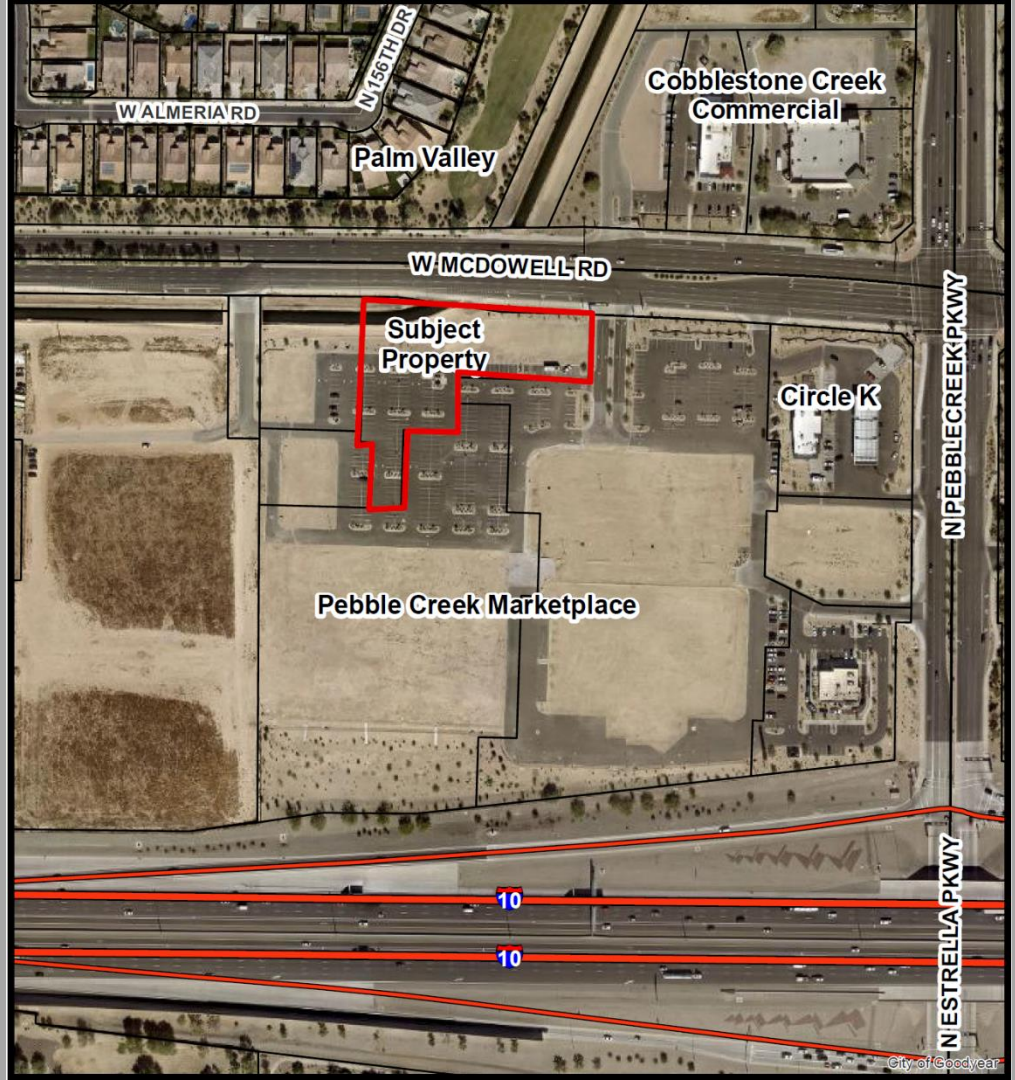
△	DATE	REVISION
1		
2		
3		

EXTERIOR ELEVATIONS

A300

Use Permit
Shops at Pebble Creek Marketplace

City Council Public Hearing
July 19, 2021


N 156TH DR
W ALMERIA RD
Palm Valley
Cobblestone Creek
Commercial
W MCDOWELL RD
Subject
Property
Circle K
N PEBBLECREEK PKWY
Pebble Creek Marketplace
10
10
N ESTRELLA PKWY
City of Goodyear

Shops at PC Use Permit

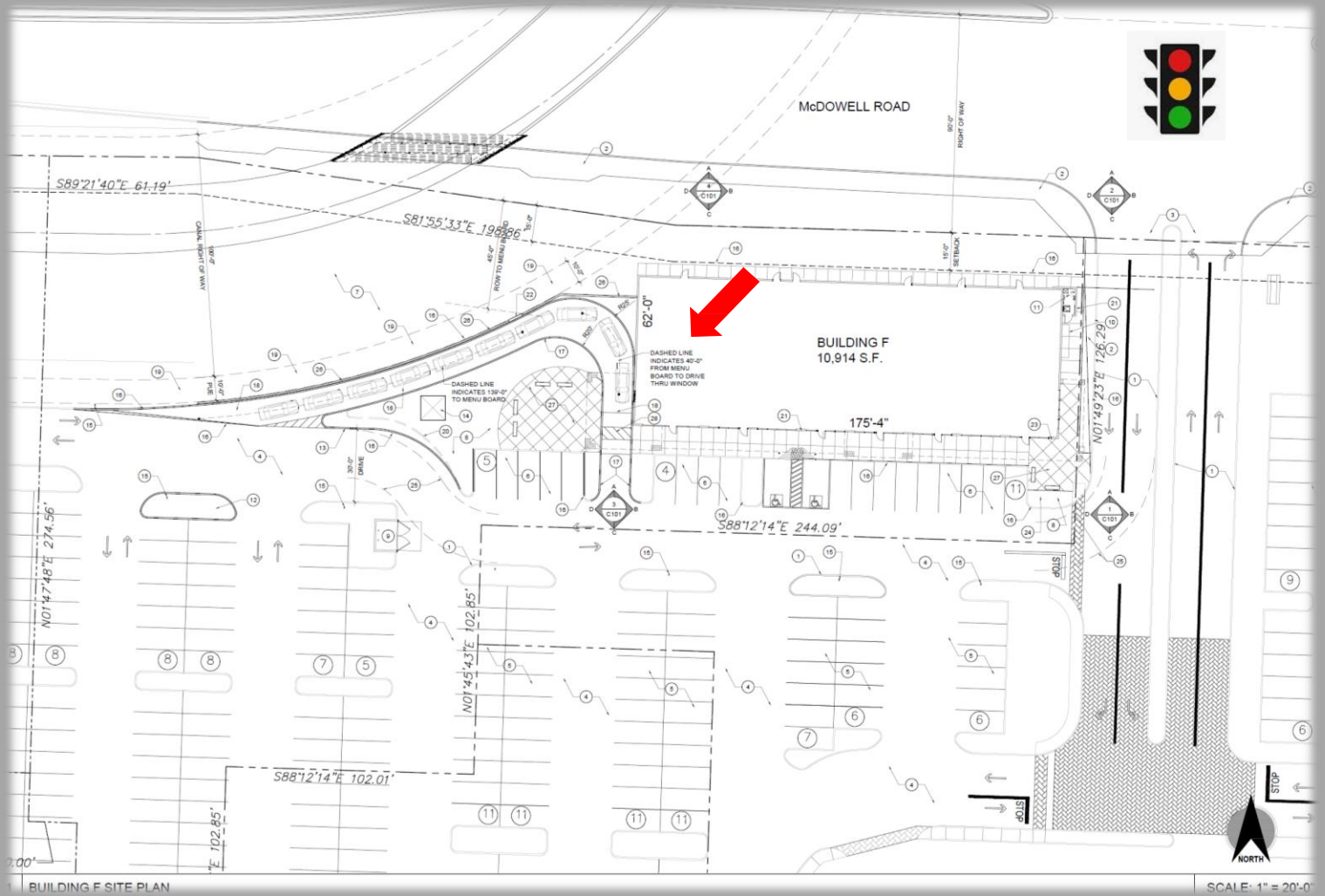
BACKGROUND

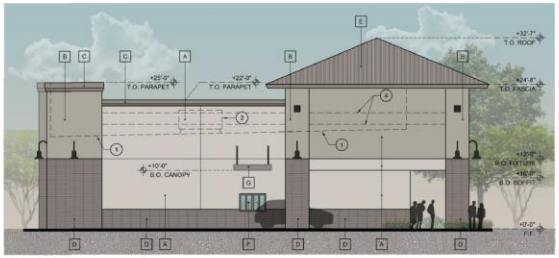
- Pebble Creek Marketplace PAD
- March 2007
- Designated for commercial use (C-2)
- Commercial Shops building
- Convenience Use (drive-through restaurant) requires Use Permit in C-2

Shops at PC Use Permit

REQUEST

- Use Permit for convenience use (drive-through restaurant)
- 1.9-acre parcel within existing commercial center
- Surrounding site improvements completed
- Restaurant a portion of 10,914 SF Shops F building (west end)
- Specific user unknown


McDOWELL ROAD
S89°21'40"E 61.19'
S81°55'33"E 196.86'
62'-0"
BUILDING F
10,914 S.F.
175'-4"
N01°49'23"E 126.29'
S88°12'14"E 244.09'
N01°47'48"E 274.56'
N01°45'43"E 102.85'
S88°12'14"E 102.01'
STOP
STOP
STOP
NORTH
BUILDING F SITE PLAN
SCALE: 1" = 20'-0"



3 EAST EXTERIOR ELEVATION SCALE: 1/8" = 1'-0"

4 EAST EXTERIOR ELEVATION SCALE: 1/8" = 1'-0"

KEYNOTES:

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4. DASH LINE INDICATES FUTURE SIGNAGE UNDER SEPARATE REVIEW AND PERMIT.

FINISH KEYNOTES:

COLOR PALLET 'B'

A. SYNTHETIC STUCCO SYSTEM WITH 100% ACRYLIC FINISH
FINISH: SMOOTH SAND FINISH
PAINT COLOR: SHERWIN WILLIAMS 7017 "DORIAN GRAY"

B. SYNTHETIC STUCCO SYSTEM WITH 100% ACRYLIC FINISH
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E. METAL PANEL CANOPY
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F. STOREFRONT
FINISH: DARK BRONZE WITH CLEAR GLASS
COLOR CLEAR GLASS 0.6 PER 2006 IECC TABLE 102.1.3(3)

G. EXPOSED STEEL
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J. HOLLOW METAL DOOR
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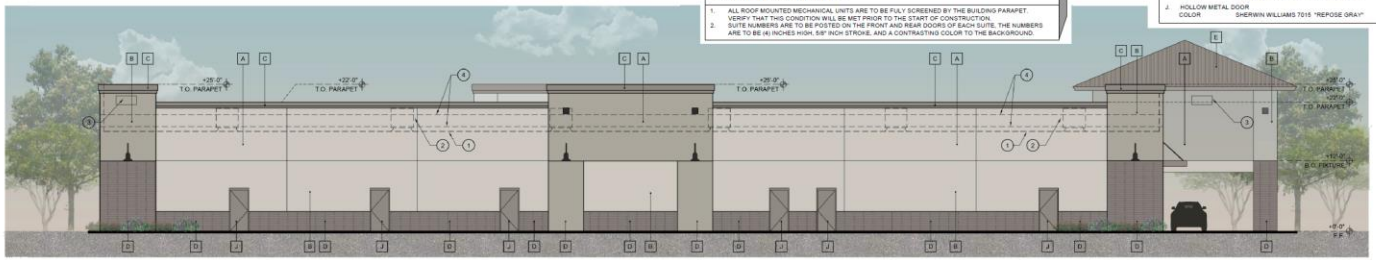

2 EAST EXTERIOR ELEVATION SCALE: 1/8" = 1'-0"

1 SOUTH EXTERIOR ELEVATION SCALE: 1/8" = 1'-0"

PHNX DESIGN
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BUILDING F
PEBBLE CREEK
15611 WEST MCDOWELL ROAD
GOODYEAR, ARIZONA

△	DATE	REVISION
1		
2		
3		

EXTERIOR ELEVATIONS

A300

Shops at PC Use Permit

USE PERMIT EVALUATION CRITERIA

1. Use will not be materially detrimental
2. Use is reasonably compatible with uses in surrounding area

- Property & surrounding center intended for commercial uses
- Proposed use will be similar to other uses permitted in commercial area
- Separation from residential almost 300’
- Intervening canal, road and landscape tracts

Shops at PC Use Permit

CONVENIENCE USE EVALUATION CRITERIA

Adequacy of parcel size

- ✓ Sufficient for proposed use
- ✓ Queuing to occur onsite

Hours of operation

- ✓ End user unknow but no recommended restrictions

Required traffic mitigation

- ✓ Off-site improvements complete

Other concerns

- ✓ Use permit only
- ✓ Site plan & design review required

Pebble Creek Use Permit

PUBLIC PARTICIPATION

- Citizen Review Notice mailed to surrounding property owners
- Use Permit requires review through public hearing process
- Recommendation from Commission & approval from Council
- Notice provided for public hearings:
  - Property posted
  - Legal advertisement
  - Mailing to surrounding property owners & stakeholders
- Website: Current Development Applications
- No public inquires on project
- No opposition to project to date

Pebble Creek Use Permit

RECOMMENDATION

- Proposal complies with all evaluation criteria
- Planning Commission recommends approval
- Three stipulations in staff report

AGENDA ITEM #: 13.
DATE: 07/19/2021
AI #:334

CITY COUNCIL ACTION REPORT

SUBJECT: USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)

STAFF PRESENTER(S): Steve Careccia, Principal Planner

OTHER PRESENTER(S):
Neil Feaser, RKAA Architects

SUMMARY

A request for use permit for a convenience use (restaurant with drive-through) within the Centerra Crossing Planned Area Development (PAD) located at the southeast corner of Estrella Parkway and Van Buren Street.

Recommendation

Approve a request for a use permit for a convenience use (restaurant with drive-through) on a 1.1-acre parcel within the Centerra Crossing Planned Area Development, subject to stipulations. (Steve Careccia, Principal Planner)

STIPULATIONS

1. All future development on the subject property (Property) will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;
2. The configuration and location of the proposed drive-through lanes and pick-up windows and resultant traffic patterns shall be developed in substantial conformance with the conceptual site plan submitted with the use permit application. Any changes to the configuration of these improvements, as shown on the conceptual site plan, that result from the approval of the site plan for the Property may require an amendment to the use permit as determined by the Development Services Director or designee; and,
3. All signage, including all preview and menu boards, proposed on the Property shall require separate review and approval of sign permits. No signage is approved as part of this use permit.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The 1.1-acre subject property is located within the Centerra Crossing PAD. This mixed-use PAD was approved on September 26, 2011 with the adoption of Ordinance No. 11-1248. Pursuant to the PAD, the property is designated for commercial use in conformance with the city's C-2 (General Commercial) zoning district.

The final plat for Centerra Crossing Phase 2 was approved and recorded in 2017. The subject property is Parcel 5 of the final plat. Said parcel is 1.14 acres.

STAFF ANALYSIS

Current Policy
A use permit requires review by the Planning and Zoning Commission and approval by the City Council through the public hearing process.

Details of the Request
The applicant is requesting a use permit for a convenience use (Salad and Go restaurant with drive-through) on a 1.1-acre parcel within the Centerra Crossing PAD. As previously noted, the Property is designated for commercial use and will be developed in accordance with the PAD's design guidelines and city's C-2 (General Commercial) zoning district. As required in the C-2 zoning district, a restaurant with a drive-through must obtain approval of a use permit prior to development.

The proposed use will consist of a Salad and Go restaurant with drive-through. As shown on the conceptual site plan submitted with the use permit, the restaurant will consist of a single story, 758 square-foot building. The configuration of the primary drive-through lanes has customers entering from the west and traveling through the site to access the drive-through window located on the north side of the building. Customers will then exit to the west, with the option to go either north or south.

The city's design guidelines require drive-through lanes to provide queuing for five cars (150 feet) measured from the first stopping point (i.e. order board). While the drive-through lanes each provide queuing for approximately five cars from the first stopping point, the lengths do not meet the 150-foot standard. But while the lengths do not conform to the design guidelines, it was considered an acceptable deviation, to provide a greater separation between the ordering/menu boards, and resultant speaker noise, and the multi-family residential development to the east.

In addition to the conventional drive-through lanes, food sales/pick-up will also occur from a pedestrian window located on the west side of the building and from a vehicular pick-up window on the south side of the building. However, this vehicular pick-up window is for

online/remote purchases only, and per the applicant, does not require any vehicle queuing since customer pick-up times are assigned at time of order.

Parking for the proposed convenience use will be provided onsite in conformance with city standards.

As shown on the conceptual building elevations submitted with the use permit, the building design will primarily utilize the materials and colors approved for Centerra Crossing. Accent colors have also been proposed for use on the building and drive-through canopies. Final building design will be approved at time of site plan review and approval.

Section 1-3-2 (Use Permits) of the Zoning Ordinance requires that the Planning and Zoning Commission and City Council determine that the proposed use meets the following findings prior to granting a Use Permit:

1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare;

The proposed use is in conformance with the intent of the Centerra Crossing PAD, which intends commercial uses within the overall area also encompassing the property. Regarding persons residing in the area, a single family rental development is located to the east. However, this single family rental community functions more like a multi-family development, rather than traditional single family neighborhood, and therefore can be considered an acceptable transition use adjacent to the proposed Use Permit.

2. The proposed use is reasonably compatible with uses permitted in the surrounding area;

The proposed use will be located within an area intended for similar commercial uses, including those uses with drive-through facilities, as allowed with a use permit, and multi-family uses. As such, the proposed use should be compatible with the intended uses of the surrounding area in terms of hours of operation, traffic generation, and intensity (noise, light, etc.)

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.

The 1.1-acre parcel is of sufficient size and configuration to accommodate the proposed restaurant with drive-through. The proposed access and internal traffic circulation pattern have been designed to be consistent with the overall master design for the area.

2. Compatibility of the proposed hours of operation with adjacent residential areas.

The intended Salad and Go restaurant is proposed to be open from 6:30 AM to 9:00 PM, seven days a week. Given the proposed use’s location within a developed commercial center,

and with transitional multi-family development to the east, staff does not recommend any restrictions on hours of operation.

3. Required traffic mitigation measures, if any.

The traffic study for the site was approved by the Engineering Department. Street and access improvements adjacent to Centerra Crossing have been completed. A full median break exists at the commercial center's primary ingress/egress point with Estrella Parkway. This ingress/egress point is unsignalized.

4. Other concerns, which may place the advisability of the proposed convenience use in question.

Staff found no other concerns with the development of a convenience use on the Property.

Fire Department:
Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	3.66	1.83	3.66	1.83	#181	3.72	1.86	3.72	1.86

Public Participation:
In accordance with the City's Citizen Review Ordinance, a written notice was mailed to all property owners within 500 feet of the subject parcel. To date, staff has not received any inquires as a result of this written notice.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a notice mailed to surrounding property owners, a sign posted on the property, and a legal notice published in the Arizona Republic, Southwest Edition, on June 18, 2021. To date, staff has not received any inquires on this request.

The Planning and Zoning Commission considered this item at a public hearing held on July 7, 2021. The Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition voiced on this item.

Attachments

Aerial Photo
Project Narrative
Conceptual Site Plan
Conceptual Building Elevations
Staff Presentation

Aerial Photo Exhibit
Use Permit
Case No. 21-300-00001

Drawn By: Steve Careccia
City of Goodyear Development Sevices Department
Date: June 9, 2021

N

USE PERMIT NARRATIVE

SALAD AND GO

SEC of N. ESTRELLA PKWY. AND W. VAN BUREN ST.

GOODYEAR, AZ 85338

Arizona Office
2233 East Thomas Road
Phoenix, AZ 85016
Office: (602) 955-3900
rkaa.com

California Office
1151 Dove Street, Suite #175
Newport Beach, CA 92660
Office: (949) 954-8785

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North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin
Wyoming

Principals:
Robert W. Kubicek, AIA
Kathleen D. Rieger, VP
Steve A. Nosal, VP
Neil A. Feaser, AIA, VP

TO	FROM
City of Goodyear Engineering & Development Services **PLANNING & ZONING** 14455 W. Van Buren St. Goodyear, AZ 85338 (623) 932 – 3004	**RKAA Architects, Inc.** Neil Feaser 2233 E Thomas Rd. Phoenix, AZ 85016 (602) 955 – 3900 nfeaser@RKAA.com
RE	
ZONING ADJUSTMENT - USE PERMIT APPLICATION – (U 300) **Pre-App #** **PRJ21-8811** APN # 500-09-421	

1. Reason(s) for the application

The proposed application includes the development of the site for a new restaurant with drive-through in the City of Goodyear, currently zoned PAD. City of Goodyear Zoning Ordinance § 3-5-2 states, “All uses permitted within the PAD District are determined by the underlying zoning district, or by an approved development plan for the site.” According the site’s land-use designation from its approved development plan, Centerra Crossings, dated September 2011, the site is intended for retail/restaurant and as approved in the development plan, the site specifically calls for a Bank with drive-through.

The development plan states in stipulation 14, of Ordinance # 11-1248, “anything to the contrary,” of the approved plan requires a Use Permit prior to Site Plan approval. We are therefore applying for a Use Permit to allow for a drive-through to be constructed on the site as a permitted accessory use to our proposed restaurant, where currently a drive-through is only approved in relation to a bank’s use.

2. Impacts on adjacent properties

Adjacent properties include completed restaurant/retail shops to the north, zoned PAD, with an overlaying fuel/C-store land use designation in the approved development plan. To the east is PAD zoning featuring residential housing, where the approved development plan called for a multi-family use. South of the proposed site remains undeveloped, however is planned as restaurant land use per the approved development plan. East of the site is N. Estrella Pkwy. and beyond that is undeveloped PAD-zoned property intended for commercial retail/restaurant uses.

The addition of our proposed restaurant with drive-through, in lieu of a Bank with drive-through, will pose no adverse impacts to adjacent properties, in comparison. The proposed restaurant with drive-through is similarly a commercial use in which a portion of the community prefers to access the business via drive-through. The existing and future adjacent commercial uses shall only benefit from the additional traffic created due to the new restaurant, and the adjacent residential properties to the east will be sufficiently buffered from the commercial uses with drive-throughs, per the already approved development plan.

3. City policies supporting the proposed application

The proposed site sits within the approved development, Centerra Crossings, which plans for the mixed-use commercial, and multi-family residential development of the sites which make up the 27-acres of land on the SEC of N. Estrella Pkwy. and W. Van Buren St. These commercial districts, according to The City of Goodyear Zoning Ordinance Article 3-3, "provide activity centers with shopping and services, employment for local residents and to strengthen the City's economic base. Their standards are intended to assure convenience, safety, positive community image, variety in retail, commerce and office development responding to the community's quality of life."

Due to the goals shared in the above-referenced ordinances coinciding with our proposed development's end results, Centerra Crossings will be enhanced and strengthened visually, economically, and healthily with the provision of this convenient, unique, and quality-of-life focused restaurant.

4. How the proposed use will not be materially detrimental to persons residing or working in the vicinity

The proposed use will not be materially detrimental to persons residing or working in the vicinity. Nearby residents and employees will likely benefit from the development, due to the increase in variety of local restaurant choices in the neighborhood.

5. **How the proposed use is reasonably compatible with uses permitted in the surrounding area**

The proposed use of the site is restaurant with drive-through. This use is compatible with future and existing surrounding uses, due to the approved Centerra Crossings guidelines which calls for commercial retail/restaurant uses along N. Estrella Pkwy.

6. **Assurance of adequate parking, ingress and egress so as to not increase traffic congestion.**

The proposed development's site is self-parked, with an overage of 2 spaces provided over the required 5 spaces per City of Goodyear. The development also features over 440' of queuing distance, intended to prevent the backing-up of drive-through traffic into drive aisles and adjacent properties.

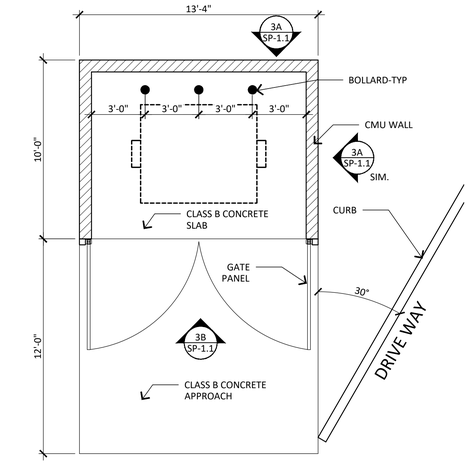
7. **Hours of operation**

6:30am – 9:00pm

8. **Maintenance of a positive appearance, with appropriate screening, landscaping, and buffering to preserve reasonable use and enjoyment of adjacent properties.**

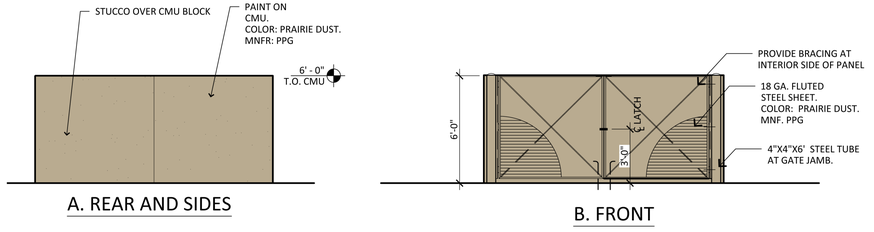
The proposed development of the site for a commercial restaurant with drive-through, plans to comply with and/or set forth all required maintenance schedules in regards to the properties landscape, hardscape, and building appearance in congruence with the Centerra Crossings development plan. Appropriate refuse screening, parking lot and drive-through screening, and landscape buffering are to be constructed as seen on the proposed site plan.

We look forward to working with the City of Goodyear on this project.



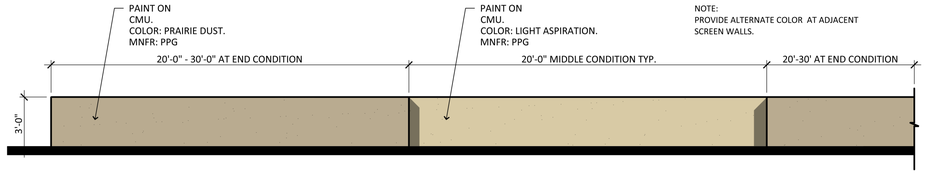
2 TRASH ENCLOSURE

SCALE: 1/4" = 1'-0"



3 TRASH ENCLOSURE ELEVATIONS

SCALE: 1/4" = 1'-0"



4 SCREEN WALL

SCALE: 1/4" = 1'-0"

SITE PLAN & 150 FEET BOUNDARY

SCALE: 1" = 30'-0"

0' 15' 30' 60'

NORTH

USE PERMIT # 21-3000001 - SALAD AND GO
SITE PLAN # 21-60000018 - SALAD AND GO

REGISTERED ARCHITECT CERTIFICATE NO. 9452 ROBERT W. KUBICEK 04-23-2021 ARIZONA, U.S.A.

EXPIRES 06/30/2021

SALAD AND GO

SEC OF ESTRELLA PKWY AND VAN BUREN ST
GOODYEAR, AZ
DATE: 04-23-2021 (PRELIMINARY)

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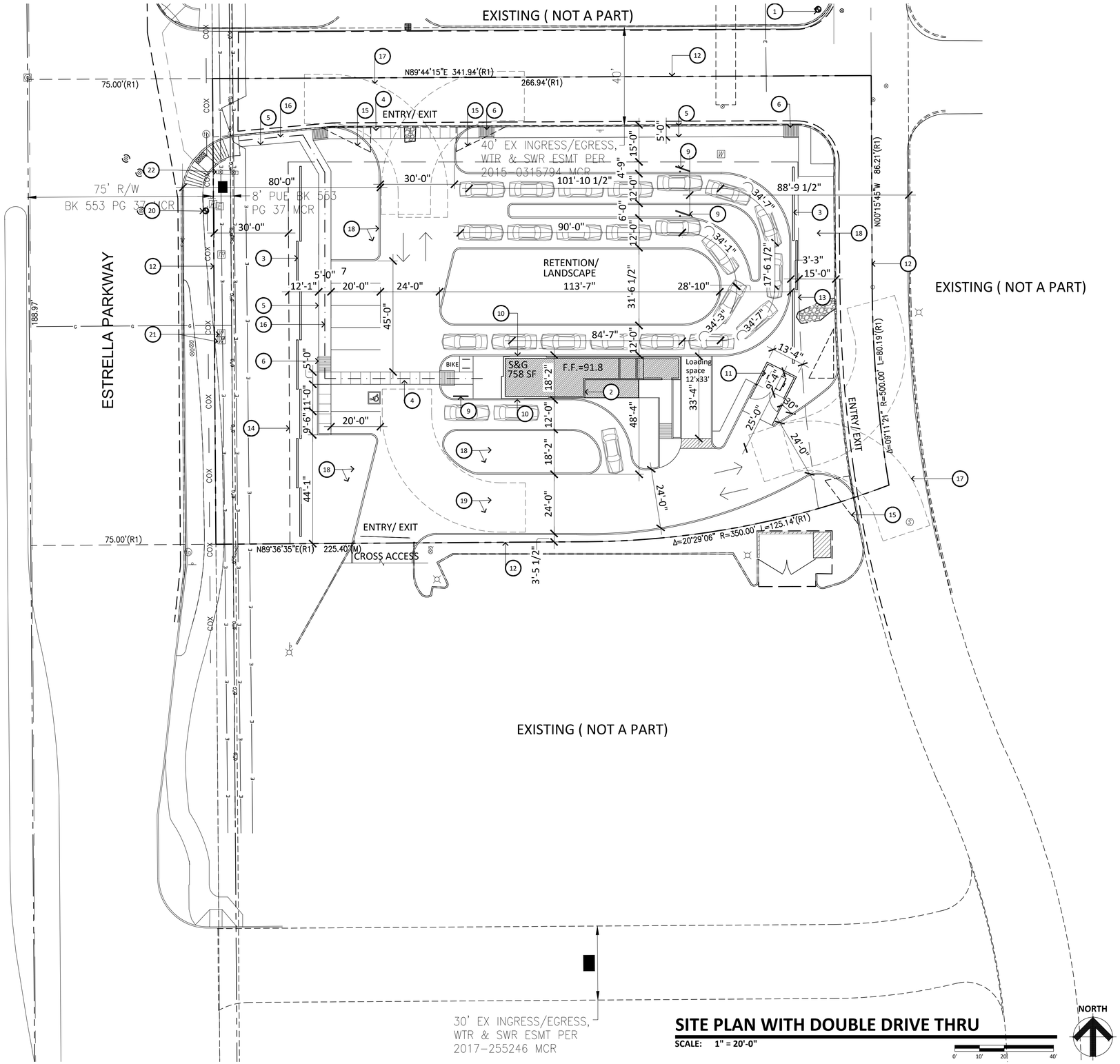
SP-1.1
MASTER SITE PLAN

RKAA#21002.00

RKAA ARCHITECTS, INC



SITE PLAN WITH DOUBLE DRIVE THRU

SCALE: 1" = 20'-0"

SALAD AND GO

SEC OF ESTRELLA PKWY AND VAN BUREN ST
GOODYEAR, AZ
DATE: 04-07-2021 (PRELIMINARY)

SITE DATA

PARCEL NUMBER:	500-09-421
EXISTING ZONING:	PAD/C-2 (COMMERCIAL)
SITE AREA GROSS:	49,701 SF
PARCEL NUMBER:	
PROPOSED USE:	RESTAURANT WITH DRIVE THROUGH
CONSTRUCTION TYPE:	VB
OCCUPANCY GROUP:	B
SPRINKLER SYSTEM:	NONE
MAIN BUILDING AREA:	
STORAGE:	146 S.F.
RESTROOM:	53 S.F.
PREP AND OTHER:	559 S.F.
BUILDING:	758 S.F.
TOTAL AREA:	
BUILDING:	758 S.F.
ENTRY CANOPY:	160 S.F.
DRIVE THRU #1:	235 S.F.
DRIVE THRU # 2:	235 S.F.
CANOPY:	57 S.F.
TOTAL BUILDING AREA:	1,445 S.F.
SITE COVERAGE:	
TOTAL PARKING REQUIRED AT 1/150 FOR FREESTANDING RESTAURANT:	05 SPACES
TOTAL PARKING PROVIDED:	07 SPACES
ACCESSIBLE SPACES REQUIRED:	01 SPACE
ACCESSIBLE SPACES PROVIDED:	01 SPACE
DRIVE THRU QUE LANE:	440 FT.

KEY NOTES

1. EXISTING PRIVATE FIRE HYDRANT.
2. NEW KNOX BOX.
3. NEW 3'-0" HIGH SCREEN WALL. SEE ELEVATION AT SHEET SP-1.1.
4. NEW CONCRETE CROSS WALK TO MATCH EXISTING CENTER.
5. NEW SIDE WALK.
6. NEW RAMP. (1:12 SLOPE MAX.)
7. NEW ACCESSIBLE PARKING SPACE AND AISLE.
8. NEW BIKE RACK. (2 SPACE).
9. NEW MENU BOARD AND SPEAKER.
10. NEW SERVICE WINDOW AT NEW BUILDING.
11. NEW TRASH ENCLOSURE. SEE SHEET SP-1.1.
12. PROPERTY LINE.
13. LANDSCAPE SETBACK.
14. BUILDING SETBACK.
15. VISIBILITY TRIANGLE.
16. ACCESSIBLE PEDESTRIAN ROUTE.
17. FIRE TRUCK TURNING RADIUS. INNER RADIUS 28'-0" AND OUTER RADIUS 48'-0".
18. LANDSCAPE AREA. SEE LANDSCAPE DRAWING.
19. ASPHALT PAVEMENT.
20. EXISTING PUBLIC FIRE HYDRANT.
21. EXISTING WATER METER BOX AND BACKFLOW DEVICE. SEE CIVIL DRAWING.
22. EXISTING FIRE LINE DOUBLE CHECK. SEE CIVIL DRAWING.

PROJECT DIRECTORY

OWNER:
AND GO CONCEPTS LLC
625 S. 27TH AVE., SUITE 140
PHOENIX, AZ 85009
CONTACT: MATTHEW COPENHAVER
PHONE: (410) 371-1563
EMAIL: mcopenhaver@saladandgo.com

ARCHITECT:
RKAA ARCHITECTS, INC
2233 EAST THOMAS ROAD
PHOENIX, AZ 85016
CONTACT: NEIL FEASER
PHONE: (602) 955-3900
EMAIL: nfeaser@rkaa.com

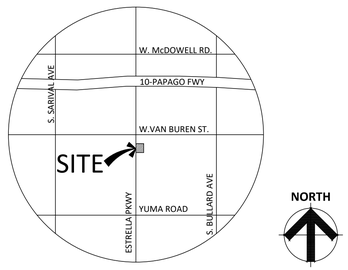
CIVIL:
HELIX ENGINEERING LLC
3240 E. UNION HILLS DRIVE, #112
PHOENIX, AZ 85050
CONTACT: STEVE BOWSER, P.E.
PHONE: (602) 788-2616
EMAIL: sb@hxeng.com

LANDSCAPE:
T.J. McQUEEN & ASSOCIATES, INC
10450 N. 74TH STREET, SUITE 120
SCOTTSDALE, AZ 85258
CONTACT: TIM McQUEEN
PHONE: (602) 265-0320
EMAIL: timmcqueen@tjmla.net

LEGAL DESCRIPTION

REFER TO ATTACHED FILE: "RECORDED PLAT 13 29 PLAT 202."
PARCEL 5 PER MCR 1329, PAGE 20

VICINITY MAP



USE PERMIT # 21-3000001 - SALAD AND GO
SITE PLAN # 21-60000018 - SALAD AND GO

REGISTERED ARCHITECT
CERTIFICATE NO.
9452
ROBERT V. KUBICEK
STATE OF ARIZONA
04-22-2021
REGISTERED ARCHITECT
EXPIRES 06/30/2021

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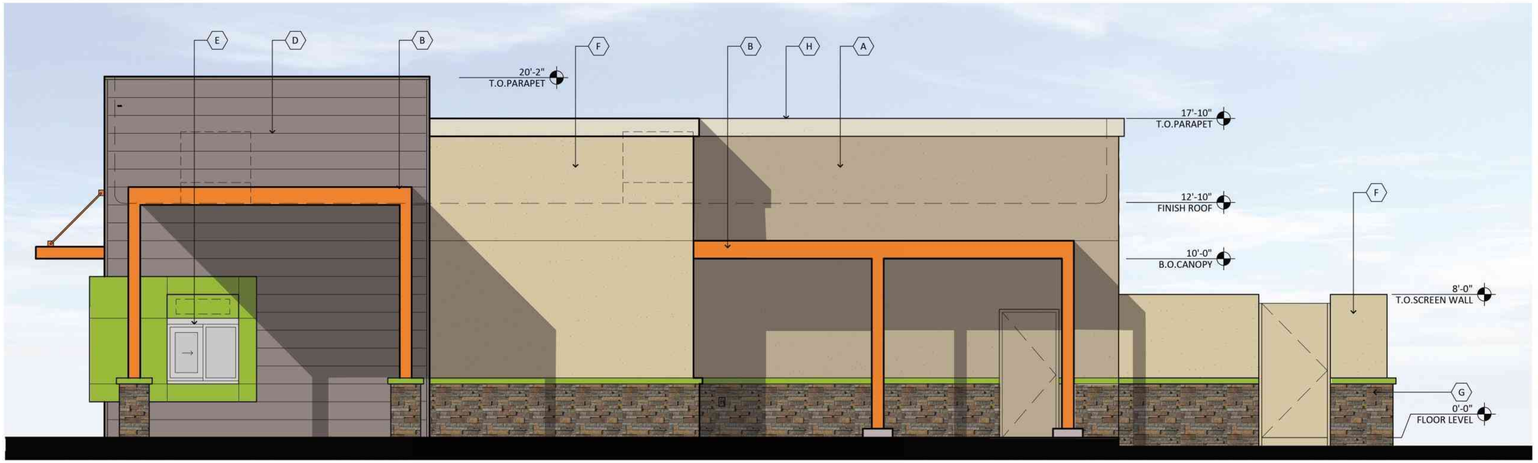
SP-1
SITE PLAN

RKAA#21002.00

RKAA ARCHITECTS, INC



SOUTH ELEVATION

SCALE: SCALE: 1/4" = 1'-0"

MATERIALS AND COLORS

A STUCCO SYSTEM:
MFG: PPG PAINT
COLOR: PRAIRIE DUST.
SPEC: 413-4
FINISH: SMOOTH

B CANOPIES & PARAPET CAP:
MFG: SHERWIN WILLIAMS
COLOR: NAVEL
SPEC: SW 6887 116-C5

C STUCCO SYSTEM:
MFG: SHERWIN WILLIAMS
COLOR: ELECTRIC LIME
SPEC: SW 6921 146-C3
FINISH: SMOOTH

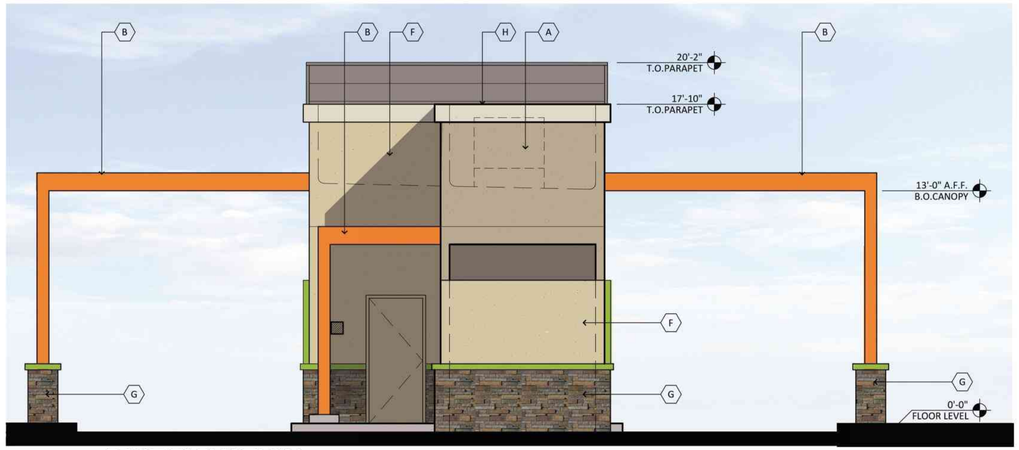
D METAL PANEL:
MFG: MBCI
COLOR: SLATE GRAY
SPEC: FW-120

E ALUMINUM STOREFRONT:
MFG: KAWNEER
FINISH: CLEAR ANODIZED.

F STUCCO SYSTEM:
MFG: DUNN EDWARDS
COLOR: LIGHT ASPIRATION
SPEC: DE 6185
FINISH: SMOOTH

G STONE VENEER:
MFG: OWENS CORNING
COLOR: CSV2010

H PARAPET CORNICE
MFG: PPG PAINT
COLOR: FOSSIL STONE 413-2

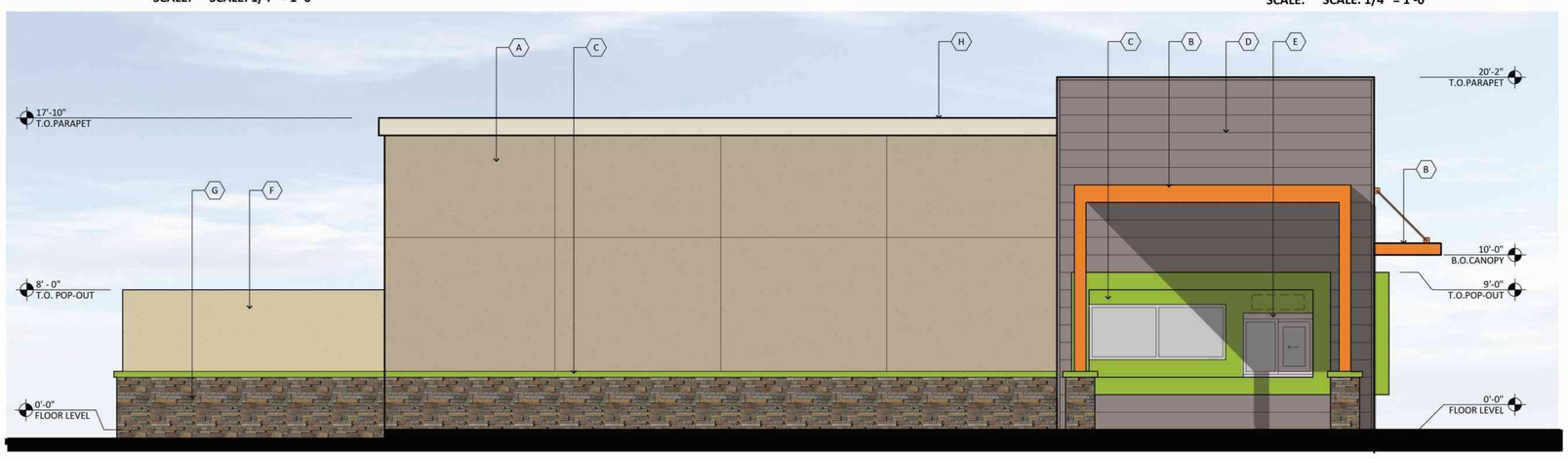


EAST ELEVATION

SCALE: SCALE: 1/4" = 1'-0"

WEST ELEVATION

SCALE: SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: SCALE: 1/4" = 1'-0"

REGISTERED ARCHITECT
CERTIFICATE NO
9452
ROBERT W.
KUBICEK
ARIZONA U.S.A.
EXPIRES 06/30/2021

SALAD AND GO

SEC OF ESTRELLA PKWY AND VAN BUREN ST.
GOODYEAR, AZ
DATE: 04-23-2021 (PRELIMINARY)

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EL-1
ELEVATION

RKAA#21002.00

RKAA ARCHITECTS, INC

Use Permit
Salad and Go

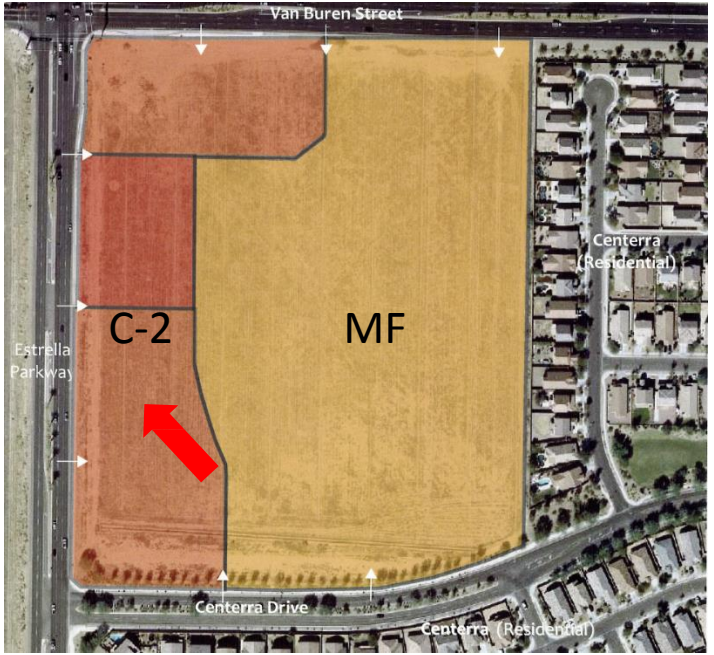
City Council Public Hearing
July 19, 2021

W VAN BUREN ST
N ESTRELLA PKWY
S ESTRELLA PKWY
N 156TH DR
W ADAMS ST
N 156TH DR
Hudson Commons
W HUDSON ST
S 156TH DR
Single Family Rentals
W MADISON ST
Subject Property
Single Family Rentals
W MONROE ST
W ADAMS ST
N 153RD AVE
W CENTERRA DR N
S 153RD DR
S 152ND LN
Centerra
EFFERSON ST
Yates
S 154TH LN
W MADISON ST
S 153RD AVE
GLORY ST
W MORNING
City of Goodyear

Salad and Go Use Permit

BACKGROUND

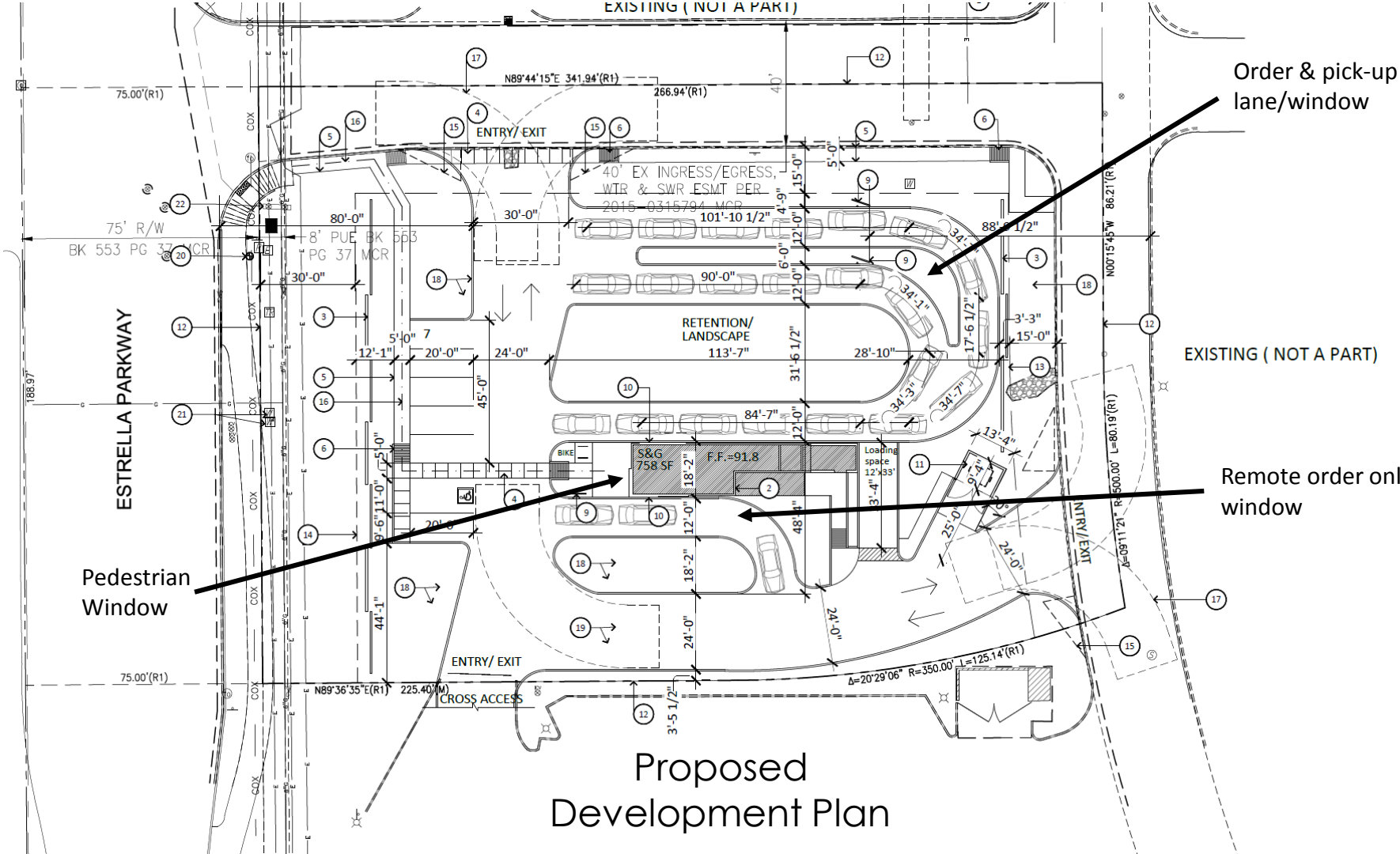
- Centerra Crossing PAD
- September 2011
- Designated for commercial use (C-2)
- Convenience Use (drive-through) requires Use Permit

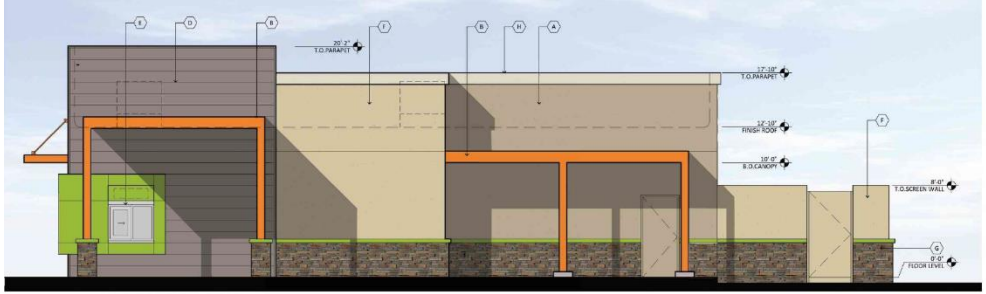


Salad and Go Use Permit

REQUEST

- Use Permit for convenience use (drive-through)
- 1.14-acre parcel within existing commercial center
- Surrounding site improvements completed
- 758 SF restaurant (no indoor dining)
  - Drive-through window (order & pick-up)
  - Vehicular pick-up window (remote order only)
  - Pedestrian window (order & pick-up)

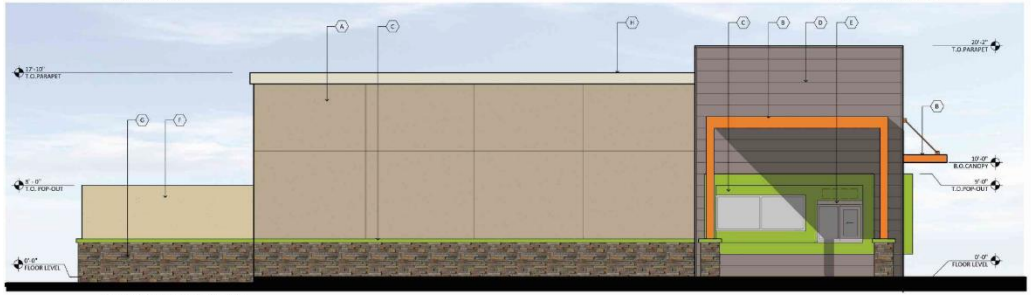

Order & pick-up lane/window
Remote order only window
Pedestrian Window
EXISTING (NOT A PART)
ESTRELLA PARKWAY
ENTRY/ EXIT
CROSS ACCESS
RETENTION/ LANDSCAPE
S&G 758 SF
F.F.=91.8
Loading space 12'x33'
BIKE
40' EX INGRESS/EGRESS, WTR & SWR ESMT PER 2015-0315794 MCR
8' PUE BK 553 PG 37 MCR
75' R/W BK 553 PG 37 MCR
N89°44'15"E 341.94'(R1)
266.94'(R1)
75.00'(R1)
N89°36'35"E(R1) 225.40'(M)
Δ=20°29'06" R=350.00' L=125.14'(R1)
Δ=09°11'21" R=500.00' L=80.19'(R1)
N00°15'45"W 86.21'(R
Proposed Development Plan



SOUTH ELEVATION
SCALE: SCALE: 1/4" = 1'-0"

EAST ELEVATION
SCALE: SCALE: 1/4" = 1'-0"

WEST ELEVATION
SCALE: SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: SCALE: 1/4" = 1'-0"

MATERIALS AND COLORS

A STUCCO SYSTEM:
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FINISH: SMOOTH

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G STONE VENEER:
MFG: OWENS CORNING
COLOR: CSV2010

H PARAPET CORNICE
MFG: PPG PAINT
COLOR: FOSSIL STONE 413-2

Proposed Elevations

SALAD AND GO
SEC OF ESTRELLA PKWY AND VAN BUREN ST.
GOODYEAR, AZ
DATE: 04-23-2021 (PRELIMINARY)

EL-1
ELEVATION

RKAA#21002.00

RKAA ARCHITECTS, INC

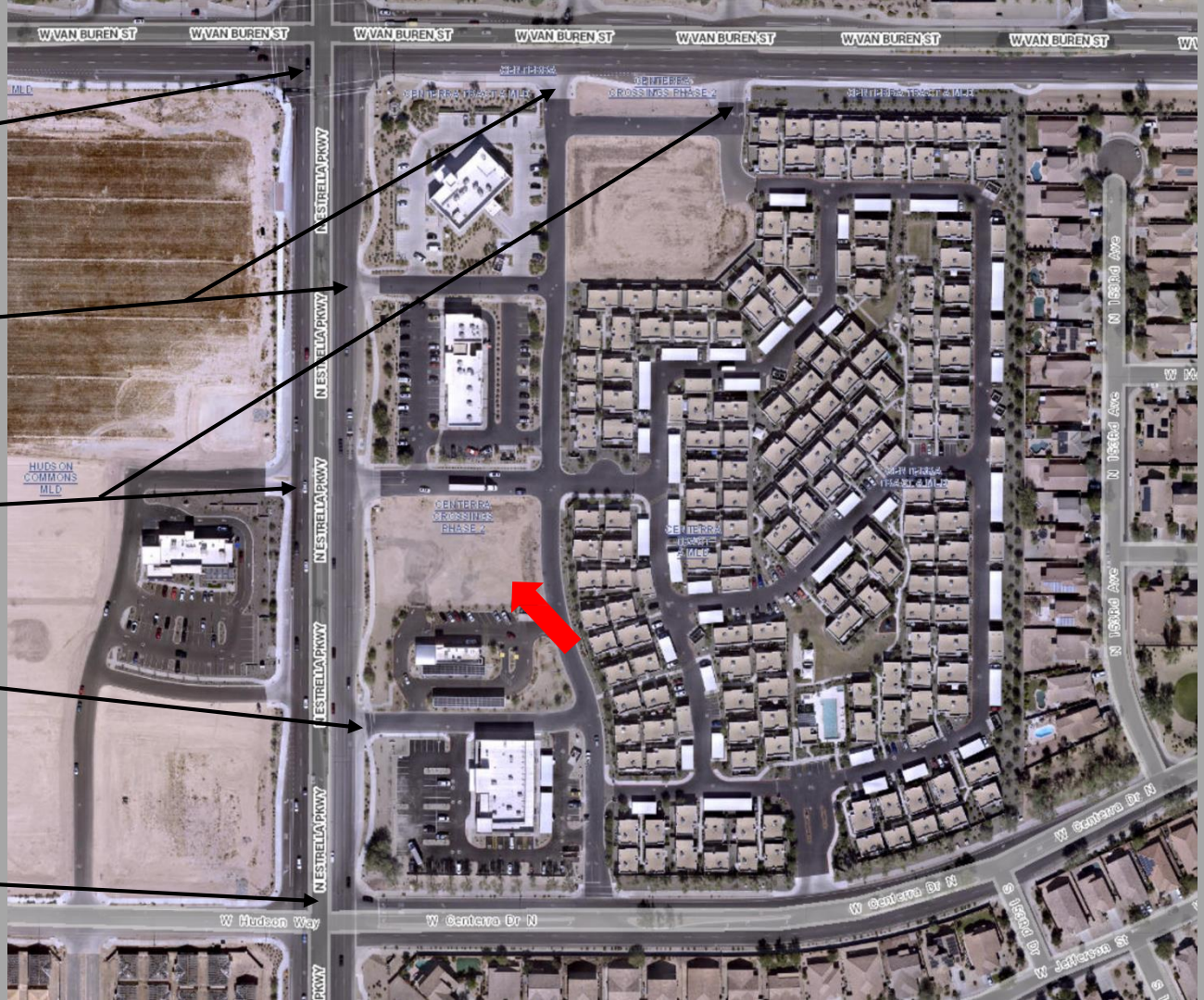
Estrella & Van Buren - signalized

Right-in/Right- out

Median Break - unsignalized

Right-in/Right- out

Estrella & Centerra - future signal



Salad and Go Use Permit

USE PERMIT EVALUATION CRITERIA

1. Use will not be materially detrimental
2. Use is reasonably compatible with uses in surrounding area

- Property & surrounding area developed with similar commercial uses
- Includes other drive-through uses (Sonic & Dunkin Donuts)
- Multi-family (SF Rental) acts as transitional buffer to single family neighborhood

Salad and Go Use Permit

CONVENIENCE USE EVALUATION CRITERIA

Adequacy of parcel size

- ✓ Sufficient for proposed use
- ✓ Queuing to occur onsite

Hours of operation

- ✓ 6:30 AM to 9 PM, 7 days a week, no recommended restrictions

Required traffic mitigation

- ✓ Off-site improvements complete

Other concerns

- ✓ Use permit only
- ✓ Site plan & design review required

Salad and Go Use Permit

PUBLIC PARTICIPATION

- Citizen Review Notice mailed to surrounding property owners
- Use Permit requires review through public hearing process
- Recommendation from Commission & approval from Council
- Notice provided for public hearings:
  - Property posted
  - Legal advertisement
  - Mailing to surrounding property owners & stakeholders
- Website: Current Development Applications
- No public inquires on project
- No opposition to project to date

Salad and Go Use Permit

RECOMMENDATION

- Proposal complies with all evaluation criteria
- Planning Commission recommends approval
- Three stipulations in staff report

AGENDA ITEM #: 14.
DATE: 07/19/2021
AI #:335

CITY COUNCIL ACTION REPORT

SUBJECT: AMENDMENT TO LOT 19 OF THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT

STAFF PRESENTER(S): Steve Careccia, Principal Planner

OTHER PRESENTER(S):
Shaine Alleman, Tiffany and Bosco PA

SUMMARY

This request is to amend the Palm Valley Crossing Planned Area Development (PAD) to allow an indoor gun range as a permitted use on Lot 19 of the PAD located at the northwest corner of Auto Drive and 137th Avenue. The amendment will only apply to Lot 19, as established within the PAD and Palm Valley Crossing final plat.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2171 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED: “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-11”.

2. ADOPT ORDINANCE NO. 2021-1510 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY AMENDING THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT DATED DECEMBER 2006 TO ALLOW AN INDOOR GUN RANGE AS A PERMITTED USE ON LOT 19; AMENDING THE ZONING MAP; AND PROVIDING FOR NON-ABRIDGEMENT, CORRECTIONS, SEVERABILITY, PENALTIES AND AN EFFECTIVE DATE. (Steve Careccia, Principal Planner)

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The subject property (Property) pursuant to this request is designated as Business & Commerce in the General Plan Land Use and Transportation Plan. This land use designation is intended for uses such as community level retail, entertainment, regional service oriented businesses, business parks, warehousing and other light industrial uses.

The Property is zoned PAD (Planned Area Development), with the PAD known as Palm Valley Crossing. The PAD is a regional commercial development generally located at the southeast corner of I-10 and Litchfield Road. Automotive, retail and service uses are permitted within the Palm Valley Crossing PAD. Pursuant to the PAD, the Property is designated with the Automotive Related Commercial and Service Commercial/Commerce (ARC/SC) land use categories.

A history of the Palm Valley Crossing PAD, as related to the subject request, is provided below:

- The zoning for the development was initially approved on March 28, 1995 with City Council adoption of Ordinance No. 95-523. At time of adoption, the PAD was known as the Palm Valley Metroplex.
- A final plat for Palm Valley Crossing (formerly known as Palm Valley Metroplex) was approved by the City Council on September 10, 1996 (MCR 96-0695705). The Property was established as Lot 19 of the final plat.
- A site plan for the Goodyear Business Center (Lot 19) was approved on November 29, 2006. Development included three buildings and associated parking, landscaping and utilities on the 4.5-acre lot.
- An amendment to the PAD (now known as Palm Valley Crossing) was approved by the City Council on February 12, 2007 with the adoption of Ordinance No. 07-1058. This amendment modified the development standards and permitted uses for a 66-acre portion of the PAD. As specifically established in the amendment, 'Guns – wholesale and retail sales' were listed as a permitted use in the Service Commercial/Commerce (SC) land use category. The Property (Lot 19) was included in this amendment and designated as Automotive and Related Commercial and Service Commercial/Commerce (ARC/SC).
- The PAD was further amended by the City Council on July 11, 2011 with the adoption of Ordinance No. 11-1244. The amendment revised the permitted uses for an approximately 55-acre portion of the PAD generally located adjacent to I-10 (Lots 1-5, 11, 15 & 16 of the final plat) but did not include the Property (Lot 19). As amended, 'Guns – wholesale, retail sales, and gun range' were established as a permitted use, among other changes. Again, it should be noted that the amendment did not include the Property. As such, while the wholesale and retail sale of guns would be permitted on the Property, a gun range would not be permitted.

STAFF ANALYSIS

Current Policy:

An amendment to a PAD requires review by the Planning and Zoning Commission and final decision by the City Council through the public hearing process. The amendment must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance.

Details of the Request:

The request is to allow an indoor gun range as a permitted use on Lot 19 of the Palm Valley Crossing PAD. Lot 19 consists of 4.54 acres. The Property is developed. Development includes three buildings and associated landscaping, parking and utilities.

Other than the amendment to allow an indoor gun range on Lot 19, no other amendments, modifications, or changes to existing permitted uses are proposed to the Palm Valley Crossing PAD. As such, given the limited scope of this request, no departmental or functional impacts are anticipated and therefore not addressed in this staff report.

Findings:
Staff finds the request to allow an indoor gun range as a permitted use on Lot 19 to be in conformance with the General Plan. As previously noted, the Property is located within an area intended for business and commerce use by the General Plan. An indoor gun range can be considered as an appropriate use in a commercial zone and complementary to sale of firearms, which is already permitted by right in the Palm Valley Crossing PAD. Allowing an indoor gun range on Lot 19 is consistent with the uses permitted on a significant portion of the PAD, including the adjoining Lot 15 to the north of the Property.

Staff further finds allowing an indoor gun range on Lot 19 as a permitted use, subject to the stipulations set forth in Ordinance 2021-1510, will not adversely impact the surrounding area as the use will occur indoors, within a fully enclosed building. Additionally, the Property is located within an area developed with existing commercial and light industrial uses, with similar characteristics related to traffic, noise and lighting, among others. And, as noted above, an indoor gun range is already a permitted use within a large segment of the PAD. Regarding nearby residential uses, there are no adjacent residential developments to be adversely affected by this commercial use, with the nearest residential development located approximately 1,300 feet to the south (multi-family) and 1,400 feet to the east (single family). Given this distance from the Property, these developments should not be adversely affected by the proposed use of the Property for an indoor gun range.

Planning and Zoning Commission:
The Planning and Zoning Commission considered this item at a public hearing held on July 7, 2021. After a presentation from staff, Commissioner Molony asked what size the building is. Staff state 36,000 square feet. Shaine Alleman, representing the applicant, stated that Shooter’s World is excited to open in Goodyear. This will be the location of their headquarters. Upon closure of the public hearing, the Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition to this item voiced at the hearing.

Attachments

Resolution
Exhibit A - Official Supplementary Zoning Map
Ordinance
Aerial Photo
Final Plat
Staff Presentation

RESOLUTION NO. 2021-2171

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED: "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-11".

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 21-11", a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned document is declared a public record in connection with the adoption of Ordinance No. 2021-1510.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this_____day of_____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2021-2171 is a true, correct and accurate copy of Resolution No. 2021-2171, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the_____day of _____ 20____, at which a quorum was present and, by a_____vote,_____voted in favor of said resolution.

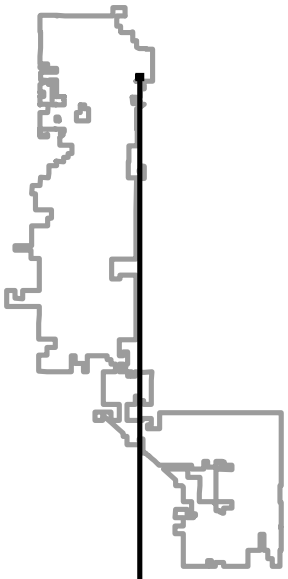
Given under my hand and sealed this_____day of_____, 20____.

_____

seal City Clerk

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-11

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2021.

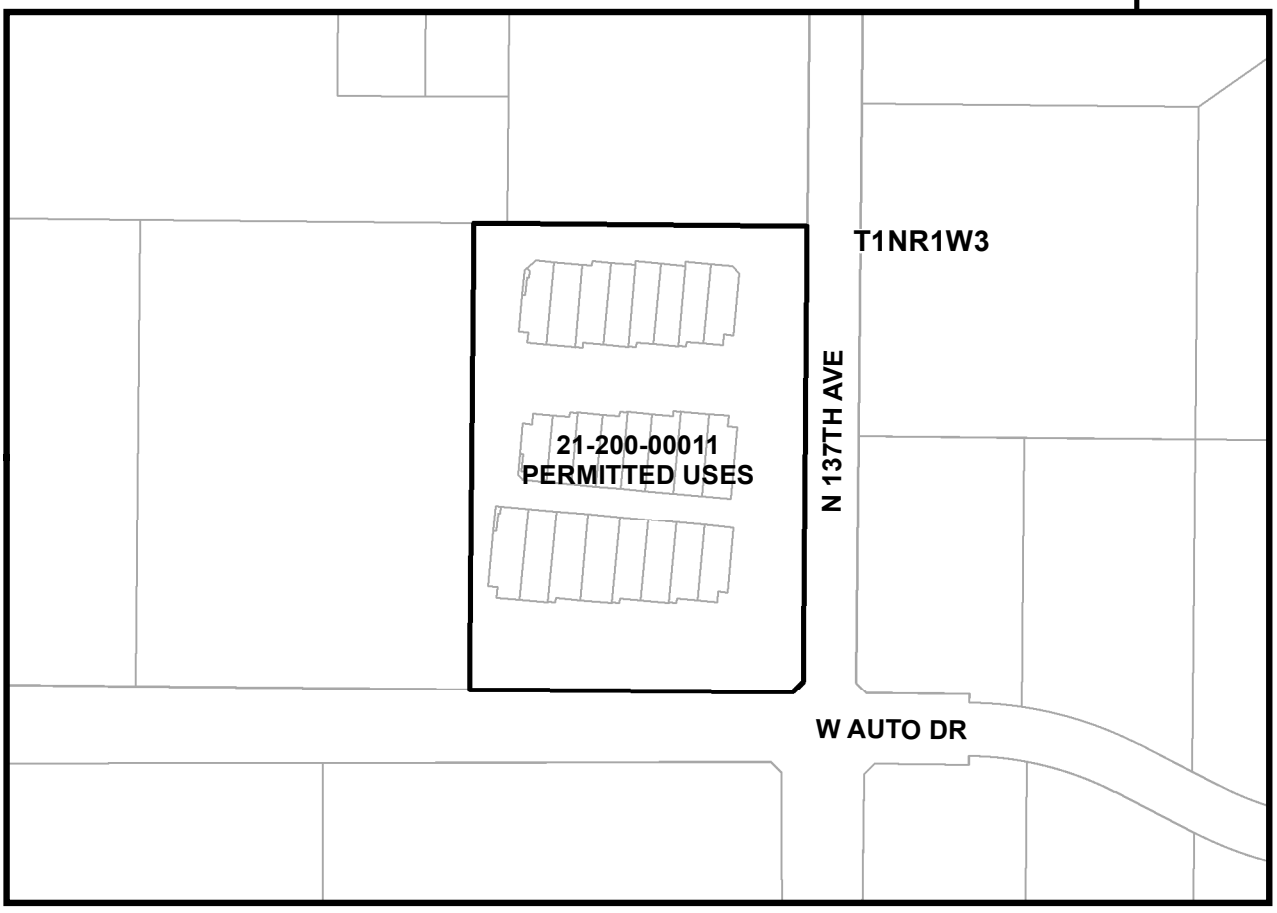


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A portion of the Southwest Quarter of Section 3, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	PAD AMENDMENT TO PERMITTED USES 21-200-00011	June 2021

ORDINANCE NO. 2021-1510

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY AMENDING THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT DATED DECEMBER 2006 TO ALLOW AN INDOOR GUN RANGE AS A PERMITTED USE ON LOT 19; AMENDING THE ZONING MAP; AND PROVIDING FOR NON-ABRIDGEMENT, CORRECTIONS, SEVERABILITY, PENALTIES AND AN EFFECTIVE DATE.

WHEREAS, the subject property consists of approximately 4.54 acres of developed land located at the northwest corner of Auto Drive and 137th Avenue, as depicted in that certain document titled "Supplementary Zoning Map No. 21-11," which document was declared a public record by Resolution No. 2021-2171, which is referred to and made a part hereof as if fully set forth herein, and more specifically described as Lot 19 of the Palm Valley Crossing Final Plat, Book 424 Page 30 Official Records of Maricopa County Recorder (MCR 96-0695705) (the "Property"); and,

WHEREAS, the Property is designated as Business & Commerce in the General Plan Land Use and Transportation Plan. This land use designation is intended for uses such as community level retail, entertainment, regional service oriented businesses, business parks, warehousing and other light industrial uses; and,

WHEREAS, the Property is zoned PAD (Planned Area Development), with the PAD known as Palm Valley Crossing. The PAD is a regional commercial development generally located at the southeast corner of I-10 and Litchfield Road. Automotive, retail and service uses are permitted within the Palm Valley Crossing PAD; and,

WHEREAS, the zoning for the overall PAD was initially approved on March 28, 1995 with City Council adoption of Ordinance No. 95-523. At time of adoption, the PAD was known as the Palm Valley Metroplex; and,

WHEREAS, a final plat for Palm Valley Crossing (formerly known as Palm Valley Metroplex) was approved by the City Council on September 10, 1996 (MCR 96-0695705). The Property was established as Lot 19 of the final plat; and,

WHEREAS, an amendment to the PAD (now known as Palm Valley Crossing) was approved by the City Council on February 12, 2007 with the adoption of Ordinance No. 07-1058. This amendment modified the development standards and permitted uses for a 66-acre portion of the PAD through the adoption of the Palm Valley Crossing Planned Area Development (PAD) Amendment dated December 2006. As specifically established in the amendment, 'Guns – wholesale and retail sales' were listed as a permitted use in the Service Commercial/Commerce (SC) land use category. The Property (Lot 19) was included in said amendment and designated as Automotive and Related Commercial and Service Commercial/Commerce (ARC/SC) in the PAD; and,

WHEREAS, the PAD zoning was further amended by the City Council on July 11, 2011 with the adoption of Ordinance No. 11-1244. The amendment, among other things, revised the

permitted uses for an approximately 55-acre portion of the PAD generally located adjacent to I-10 (Lots 1-5, 11, 15 & 16 of the final plat). As amended, 'Guns – wholesale, retail sales, and gun range' were established as a permitted use, among other changes. Said amendment did not include the Property (Lot 19); and,

WHEREAS, the request is to allow an indoor gun range as a permitted use on the Property (Lot 19) of the Palm Valley Crossing PAD; and

WHEREAS, other than the amendment to allow an indoor gun range on the Property (Lot 19), no other amendments, modifications, or changes to existing permitted uses are proposed to the Palm Valley Crossing PAD; and,

WHEREAS, a request to amend a PAD requires review by the Planning and Zoning Commission and final decision by the City Council through the public hearing process. To be approved, the PAD amendment must be found in conformance with the General Plan and to not adversely impact the surrounding area as outlined in the Zoning Ordinance; and,

WHEREAS, city staff finds the proposed PAD amendment is consistent with the Property's Business & Commerce land use category as the PAD amendment will further the development of commercial uses on the Property; and,

WHEREAS, city staff further finds the PAD amendment will not adversely impact the surrounding area as the proposed gun range use will occur indoors, within a fully enclosed building. Additionally, the Property is located within an area developed with existing commercial and light industrial uses, with similar characteristics related to traffic, noise and lighting, among others; and,

WHEREAS, in support of the above recital, an indoor gun range is already a permitted use within a portion of the Palm Valley Crossing PAD, as previously noted herein; and,

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on July 7, 2021, appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on July 7, 2021, and at that meeting the Commission voted 6-0 to recommend approval of the proposed rezoning; and

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the City Council on July 19, 2021, appeared in the Arizona Republic Southwest Valley edition on June 18, 2021; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this Ordinance to be in the best interests of the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF PROPERTY BEING REZONED

This Ordinance No. 2021-1510 applies to approximately 4.54 acres located at the northwest corner of Auto Drive and 137th Avenue, more specifically described as Lot 19 of the Palm Valley Crossing Final Plat, Book 424 Page 30 Official Records of Maricopa County Recorder (MCR 96-0695705) (the "Property");

SECTION 2. ADOPTION OF FINDINGS

The clauses set forth above are hereby adopted and incorporated herein by this reference as if fully set forth herein.

SECTION 3. PAD AMENDMENT

The Property is conditionally rezoned amending the Palm Valley Crossing Planned Area Development Dated 2006 to permit an indoor gun range as a permitted use on the Property.

SECTION 4. STIPULATIONS

The rezoning of the Property is subject to the following stipulations and conditions:

1. Development of the Property shall be in conformance with the Palm Valley Crossing PAD Amendment dated December 2006 and conditions of approval set forth in Ordinance No. 07-1058, except as modified by these stipulations;

2. An indoor gun range shall be a permitted use on the Property;

3. Prior to approval of any tenant improvement for an indoor gun range on the Property, the developer and/or property owner shall demonstrate that adequate parking spaces exist to serve said use, as determined by the Development Services Director or designee. As established in Article 6 of the city of Goodyear Zoning Ordinance, off-site parking spaces may be counted towards meeting onsite parking requirements with the provision of a cross access/shared parking agreement; and,

4. Other than the inclusion of an indoor gun range as a permitted use on the Property, no other changes or modifications to the Palm Valley Crossing PAD Amendment dated December 2006 have been considered or approved.

SECTION 5. NON-ABRIDGEMENT

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the City of Goodyear.

SECTION 6. AMENDMENT TO ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning of the Property provided for herein by the adoption of that certain document titled, "Supplementary Zoning Map No. 21-11," declared a public record by Resolution 2021-2171 and which is referred to and made a part hereof as if fully set forth in this Ordinance, and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

SECTION 7. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 8. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the ordinances being amended by this ordinance shall remain in full force and effect until the effective date of this ordinance.

SECTION 10. PENALTIES

Any person who violates and provision of this ordinance shall be subject to penalties set forth in Section 1-2-3 of the City of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, **building**, **structure,** sign, landscaped area, **parking lot** or fence, or to permit the use of any **lot** or land contrary to, or in violation of any provisions of this **Ordinance**, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land **use** that is specifically prohibited by this

Ordinance or is unspecified and not classified by the **Zoning Administrator** is prohibited in any **district**.

B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (**Person**). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any **Person** who violates any of the provisions of this **Ordinance** and any **amendment**s there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or

2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST: APPROVED AS TO FORM:

_____ _____

Darcie McCracken, City Clerk Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2021-1510 is a true, correct and accurate copy of Ordinance No. 2021-1510, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said ordinance.

Given under my hand and sealed this _____day of _____, 20____.

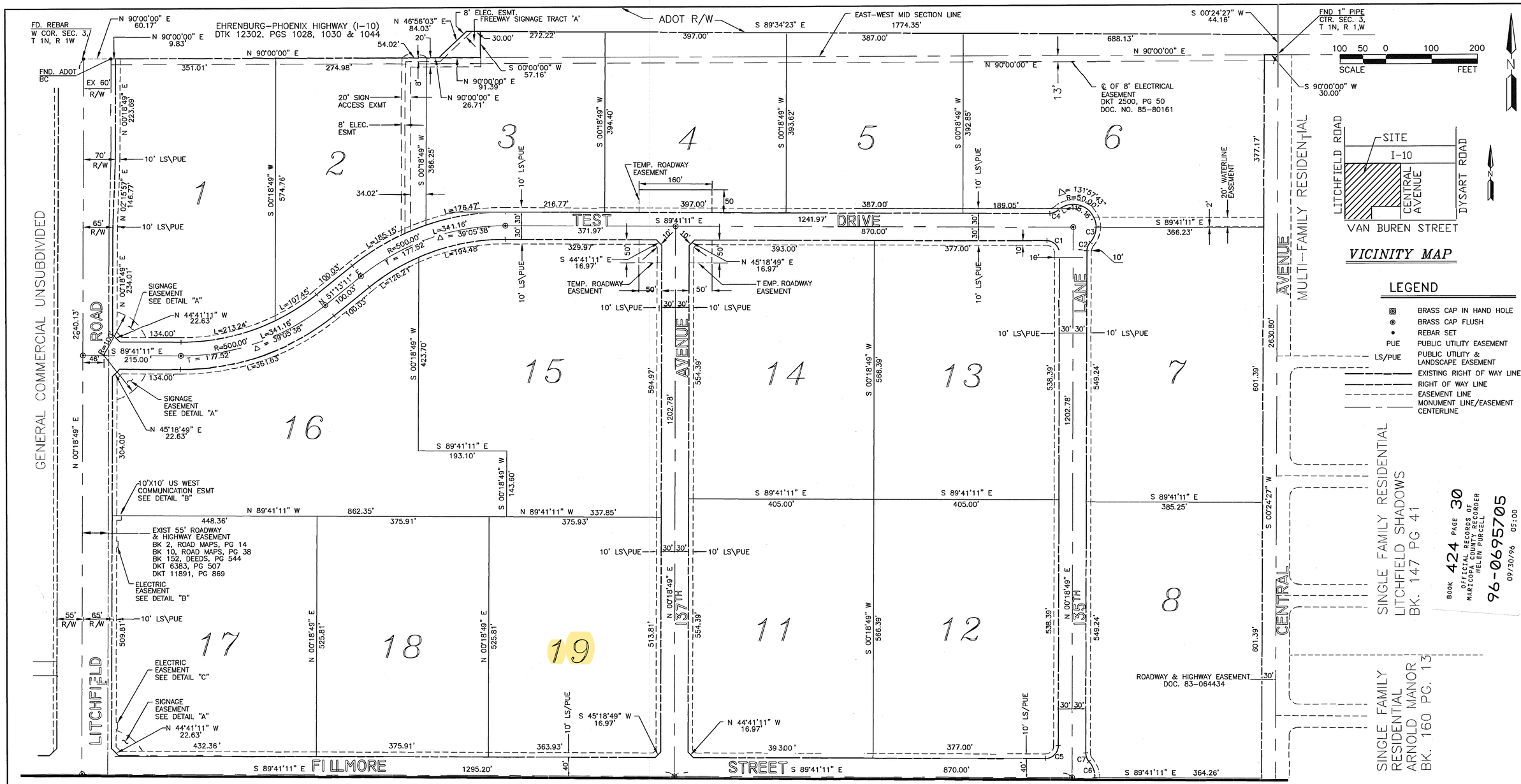
_____

seal City Clerk

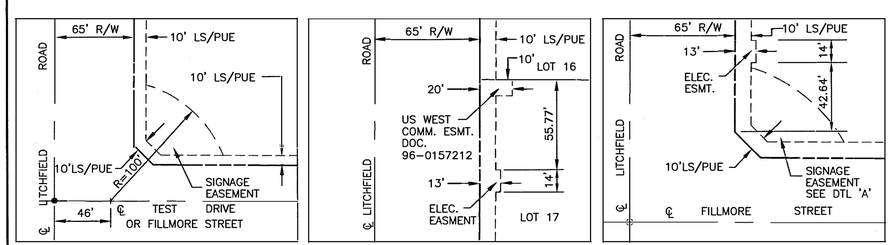
AERIAL PHOTO

PALM VALLEY CROSSING PAD AMENDMENT

June 10, 2021



MATCH SHEET 2



DETAIL "A"
SIGNAGE EASEMENT (TYP)
NTS

DETAIL "B"
EASEMENTS
NTS

DETAIL "C"
EASEMENTS
NTS

DEDICATIONS

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

THAT THE OWNERS, AS IDENTIFIED ON A SEPARATE RATIFICATION DOCUMENT, DO HEREBY PUBLISH THIS FINAL PLAT OF A PORTION OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ("PALM VALLEY CROSSING") AS SHOWN AND DESCRIBED HEREON, AND HEREBY DECLARE THAT SAID FINAL PLAT SETS FORTH THE LOCATIONS AND GIVES THE DIMENSIONS OF THE RIGHTS–OF–WAY, TRACTS AND EASEMENTS, SAID OWNERS HEREBY DEDICATE TO THE PUBLIC FOR USE AS SUCH THE STREETS, PUBLIC UTILITY EASEMENTS, ROADWAY AND DRAINAGE EASEMENTS, SEWER EASEMENTS, SIGNAGE EASEMENTS AND LANDSCAPE EASEMENTS, AS SHOWN ON SAID FINAL PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES AND DECLARES THAT EACH STREET AND LOT SHALL BE KNOWN BY THE NAME OR NUMBER GIVEN ON SAID PLAT SUBJECT TO NO UNAUTHORIZED INTERRUPTION IN THE USE OF THE STREETS FOR ROADWAY AND TRAVEL PURPOSES, AN EASEMENT TO THE CITY OF GOODYEAR OR THEIR ASSIGNEES FOR WATER, SEWER, AND EFFLUENT IS HEREBY GRANTED OVER SAID RIGHTS–OF–WAY. PUBLIC UTILITY EASEMENTS ARE NONEXCLUSIVE AND ARE DEDICATED FOR THE INSTALLATION OF UNDERGROUND UTILITY LINES AND APPURTENANT FACILITIES ONLY AND ARE GRANTED TO PROVIDERS OF ELECTRIC POWER SERVICE, CABLE SERVICE, SECURITY SERVICE, GAS SERVICE AND TELEPHONE SERVICE FOR PROVISION OF SUCH SPECIFIED SERVICES ONLY AND ANY PERSON OR ENTITY USING A PUBLIC UTILITY EASEMENT SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE TO PAVING, LANDSCAPING OR UTILITIES OF OTHERS CAUSED BY SUCH USE.

A PUBLIC UTILITY EASEMENT AND PEDESTRIAN ACCESS EASEMENT ARE DEDICATED TO THE PUBLIC OVER LANDSCAPE EASEMENTS AS SHOWN HEREON.

APPROVALS

APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA THIS 10TH DAY OF SEPTEMBER, 1996.

BY: William A. Cesar ATTEST: Dee Cochran
MAYOR CITY CLERK

APPROVED BY: Charles R. Stevens DATE: 9/19/96
CITY ENGINEER

CERTIFICATION

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THAT MONUMENTS AND PROPERTY CORNERS WILL BE SET. MONUMENTS DESCRIBED HEREIN AS EXISTING HAVE BEEN FOUND AND OTHER MONUMENTS AND PROPERTY CORNERS WILL BE SET. LOT CORNERS WILL BE SET WITH 1/2" REBAR UNLESS OTHERWISE NOTED.

BY: _____
REGISTERED LAND SURVEYOR

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
MICHAEL M. LLOYD
Date Signed 9/5/96
ARIZONA U.S.A.

LOT AREA SUMMARY

LOT NO.	AREA (ACRES)	LOT NO.	AREA (ACRES)
1	4.97	12	5.26
2	3.50	13	5.26
3	3.40	14	5.26
4	3.59	15	6.64
5	3.49	16	6.70
6	6.18	17	5.41
7	5.31	18	4.54
8	5.30	19	4.54
11	5.26		

CURVE DATA

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C.1	28.00'	43.98'	28.00'	90°00'00"
C2	28.00'	20.51'	10.74'	41°57'43"
C3	50.00'	36.62'	19.17'	41°57'43"
C4	28.00'	20.51'	10.74'	41°57'43"
C5	28.00'	43.98'	28.00'	90°00'00"
C6	50.00'	36.62'	19.17'	41°57'43"
C7	28.00'	20.51'	10.74'	41°57'43"

PALM VALLEY CROSSING – FINAL PLAT

A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 1 WEST. MARICOPA COUNTY, ARIZONA.

SUNCOR DEVELOPMENT COMPANY
3838 NORTH CENTRAL AVENUE, SUITE 1500
PHOENIX, ARIZONA 85012

CMX GROUP INC.
ENGINEERING
PROJECT ADMINISTRATION
CONSTRUCTION ANALYSIS
1515 E. MISSOURI
PHOENIX, AZ 85014
PH (602)279–8436
FAX (602)265–1191

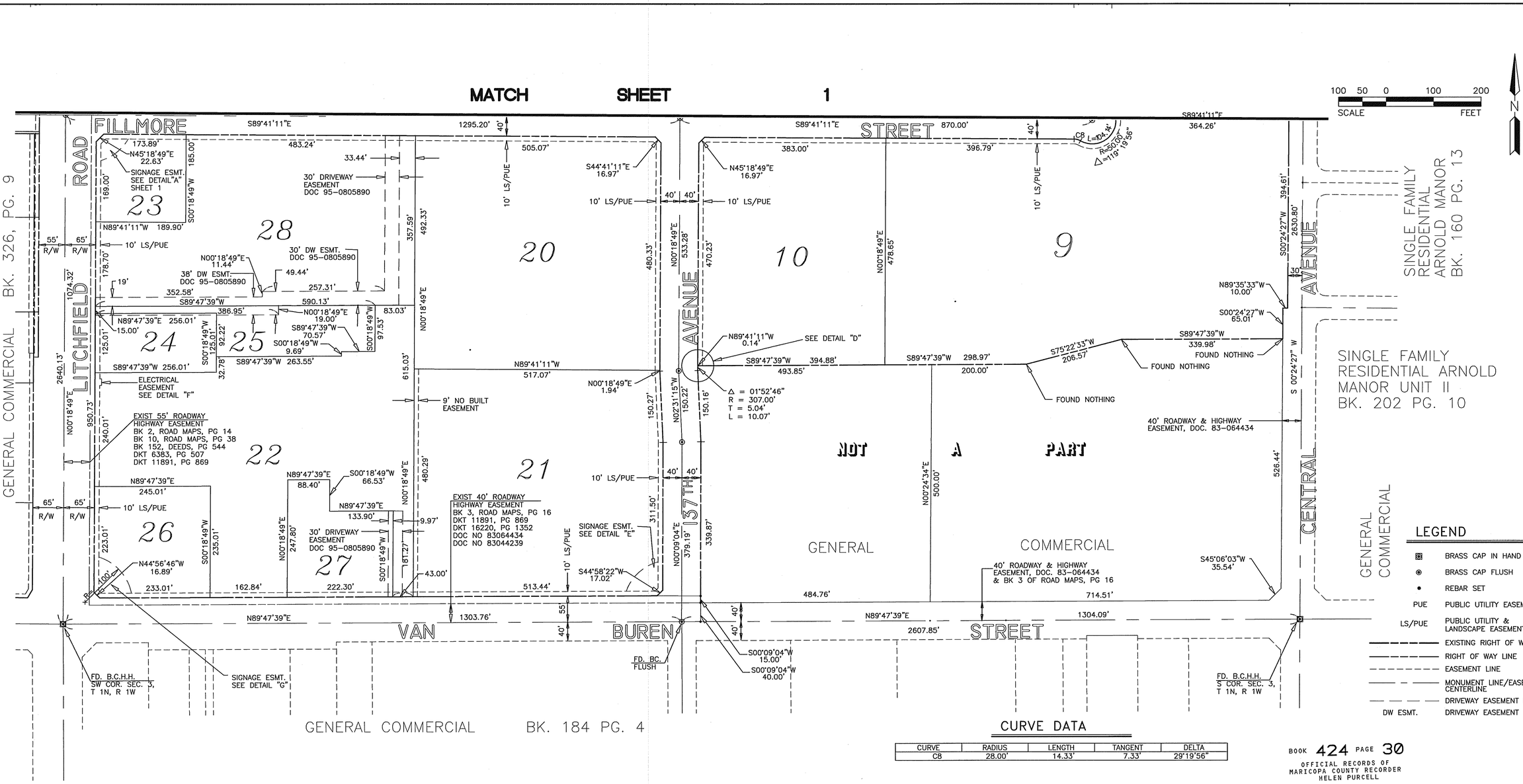
CMX JOB NO. 5249.03	DATE: 09/05/96	SCALE:	1" = 100'
DESIGNED: SKK	DRAWN:	APPROVED: MML	
REV.		DWG. NO.	1 OF 2

BOOK 424 PAGE 30
OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER
HELEN PURCELL
96-0695705
09/30/96 05:00
04537104

1996-050-FP-1

RR

X:\5200\5249\5249PT3A. Fri Sep 13 12:27:09 1996

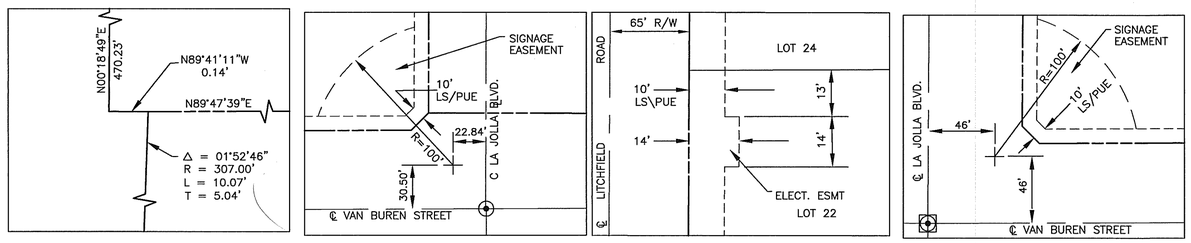


LEGEND

- BRASS CAP IN HAND HOLE
- BRASS CAP FLUSH
- REBAR SET
- PUE — PUBLIC UTILITY EASEMENT
- LS/PUE — PUBLIC UTILITY & LANDSCAPE EASEMENT
- EXISTING RIGHT OF WAY LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- MONUMENT LINE/EASEMENT CENTERLINE
- DRIVEWAY EASEMENT LINE
- DW ESMT. — DRIVEWAY EASEMENT

CURVE DATA

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C8	28.00'	14.33'	7.33'	29°19'56"



DETAIL "D" NTS

DETAIL "E" SIGNAGE EASEMENT NTS

DETAIL "F" ELECTRICAL EASEMENT NTS

DETAIL "G" SIGNAGE EASEMENT NTS

NOTES

1. NO SIGNIFICANT OFFSITE DRAINAGE IMPACTS THE SITE. THE ONLY OFFSITE STORMWATER DRAINING ONTO THE SITE IS THAT FROM A PORTION OF THE ADOT RIGHT OF WAY NORTH OF THE SITE.
2. PALM VALLEY CROSSING IS WITHIN AN OVERFLIGHT AREA, AND THEREFORE, IS SUBJECT TO POTENTIAL NOISE INTRUSION CREATED BY AIRCRAFT.
3. WATER AND SEWER WILL BE PROVIDED BY THE CITY OF GOODYEAR.
4. ALL UTILITIES WITHIN OR ABUTTING THE SUBDIVISION SHALL BE UNDERGROUNDED, EXCEPT FOR THE EXISTING 69 KV. LINES ON THE NORTH SIDE OF VAN BUREN STREET.
5. TEMPORARY BERMS AND/OR RETENTION BASINS MAY BE CONSTRUCTED ON UNDEVELOPED PROPERTY OWNED BY SUNCOR DEVELOPMENT COMPANY TO RESTRICT OFFSITE STORMWATER FROM FLOWING ONTO A DEVELOPED LOT. EACH DEVELOPED LOT SHALL PROVIDE ONSITE RETENTION IN ACCORDANCE WITH THE CITY OF GOODYEAR DESIGN GUIDELINES.
6. THIS SUBDIVISION IS SUBJECT TO THE PALM VALLEY CROSSING DEVELOPMENT DESIGN GUIDELINES.
7. EMERGENCY OVERFLOWS FROM THE RETENTION BASIN ON LOT NO. 16 SHALL BE PERMITTED TO PASS THROUGH LOT NO. 18.
8. RATIFICATIONS TO THIS PLAT ARE ON A SEPARATE DOCUMENT.

LOT AREA SUMMARY

LOT NO.	AREA (ACRES)
9	9.04
10	4.35
20	5.84
21	5.74
22	5.49
23	0.80
24	.073
25	0.89
26	1.32
27	1.06
28	4.77

REGISTERED LAND SURVEYOR CERTIFICATE 13182 MICHAEL M. LLOYD Date Signed 9/5/96 ARIZONA U.S.A.

BOOK 424 PAGE 30
OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL
96-0695705
09/30/96 05:00
CHRISTINA

PALM VALLEY CROSSING – FINAL PLAT

A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 1 WEST. MARICOPA COUNTY, ARIZONA.

SUNCOR DEVELOPMENT COMPANY
3838 NORTH CENTRAL AVENUE, SUITE 1500
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CMX GROUP INC.
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FAX (602)265-1191

CMX JOB NO. 5249.03	DATE: 09/05/96	SCALE: 1" = 100'
DESIGNED: SKK	DRAWN:	APPROVED: MML
REV.		DWG. NO. 2 OF 2

1996-050-FP-2

X:\5200\5249\5249PT3B Fri Sep 13 12:28:37 1996

Palm Valley Crossing PAD Amendment

City Council
July 19, 2021

Trek

Yates
Buick GMC

Amazon

Palm Valley
Church

Commercial
Center

Rodeo Ford

Ride Now

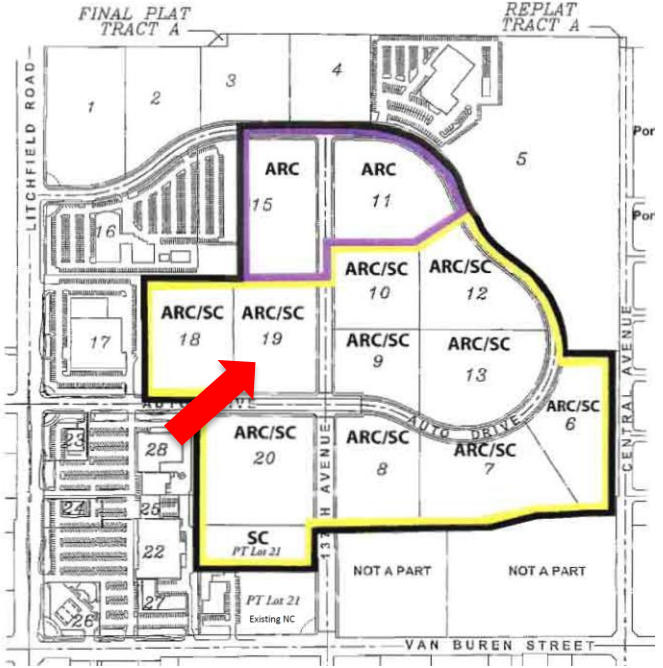
Elevate

Flex buildings

BACKGROUND

PALM VALLEY CROSSING PAD AMENDMENT

- General Plan: Business & Commerce
- Palm Valley Crossing PAD
- March 1995
- Amended February 2007
- Established as Lot 19
- Designated Automotive Related Commercial and Service Commercial/Commerce (ARC/SC)
- Property developed as three building condo



REQUEST

PALM VALLEY CROSSING PAD AMENDMENT

- Per PAD, wholesale and retail sale of guns permitted on Lot 19
- Gun range is not permitted
- Gun range (indoor) only permitted on certain lots north of Lot 19
- Property owner requests to allow gun range use on Lot 19 like those lots so designated in Palm Valley Crossing
- Intended user is Shooter's World
- Facility to offer retail sales, office, & indoor gun range

EVALUATION CRITERIA

PALM VALLEY CROSSING PAD AMENDMENT

Applicable to all zoning actions:

1. Consistency with the General Plan
2. Suitability of property's physical and natural features
3. Compatibility with surrounding uses
4. Proposed zoning's consistency with other land uses
5. Demand for uses permitted by rezoning
6. Demands for public services
7. Potential adverse fiscal impacts
8. General public concerns
9. Whether amendment promotes orderly growth and development
10. Other factors impacting the general health, safety and welfare of public

Evaluated by staff during review of PAD amendment

STAFF ANALYSIS

PALM VALLEY CROSSING PAD AMENDMENT

Complies with Evaluation Criteria:

- Amendment to add new use consistent with Business & Commerce General Plan land use
- New use (indoor gun range) permitted on other lots within the PAD
- New use will be indoors, within fully enclosed building
- Property's existing features suitable for proposed development
- Use is compatible with surrounding area
- No nearby single family residential
- To date, no public opposition to project
- No identified adverse fiscal impacts

PUBLIC PARTICIPATION

PALM VALLEY CROSSING PAD AMENDMENT

- Citizen Review Notice mailed to surrounding property owners
- Amendment requires review through public hearing process
- Recommendation from Commission & approval from Council
- Notice provided for public hearings:
  - Property posted
  - Legal advertisement
  - Mailing to surrounding property owners & stakeholders
- Website: Current Development Applications
- No public inquires on project
- No opposition to project to date
- One property owner not signatory to application

RECOMMENDATION

PALM VALLEY CROSSING PAD AMENDMENT

- Findings
  - Consistent with PAD
  - Compatible with surrounding area

- Planning Commission recommends approval
- Four stipulations in draft Ordinance No. 2021-1510

AGENDA ITEM #: 15.
DATE: 07/19/2021
AI #:336

CITY COUNCIL ACTION REPORT

SUBJECT: COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR CIVIC SQUARE

STAFF PRESENTER(S): Steve Careccia, Principal Planner

OTHER PRESENTER(S):
Rich Montague, Ryan Companies

SUMMARY

Request for approval of a comprehensive sign package (CSP) for the Goodyear Civic Square.

Recommendation

Approve the comprehensive sign package for the Goodyear Civic Square, subject to stipulations. (Steve Careccia, Principal Planner)

STIPULATIONS

1. All signs shall be in conformance with the GSQ Comprehensive Sign Plan dated June 16, 2021;
2. Where permitted within this Comprehensive Sign Package, a monument, directional or directory sign utilizing an electronic message display shall only have one display per side;
3. Off-site signage shall be prohibited; and,
4. Other than governmental signage or signage required to be installed by a governmental agency, no signage shall be placed on public property or within city rights-of-way.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer-term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased Property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

The property subject to this CSP is a part of the Goodyear Civic Square Planned Area Development (PAD). The PAD was approved on July 8, 2019, with City Council adoption of Ordinance No. 2019-1440.

The intent of the Goodyear Civic Square PAD is to create an urban, pedestrian-oriented development that will be a center for civic administration, services and events. The area is also intended for the development of higher intensity office and commercial development. Another key component of the PAD is the allowance of higher density residential development, which will support the commercial development anticipated in the area and help activate the civic spaces.

The PAD is divided into three separate development parcels – A, B and C. An overview of each parcel is provided below:

1. Parcel A is approximately 48 acres. This parcel is bounded by McDowell Road, 150th Drive, Monte Vista Drive and the Bullard Wash. Parcel A will contain the core area intended for City Hall and the approximate two-acre Civic Park. Uses permitted within the core area are intended to support a more pedestrian-oriented, urban environment, with such uses including government and professional offices, services and retail, and entertainment, among other uses. Outside the core area, uses may include educational uses, multi-family residential, hospitals, trade schools, office, general commercial and retail uses. Parcel A is the area subject to this CSP.
2. Parcel B is approximately 42 acres. This parcel is bounded by Monte Vista Drive, 150th Drive, Virginia Avenue and the Bullard Wash. Uses permitted within this parcel include single family and multi-family residential. Properties and/or units may be offered for sale or rent. Maximum residential densities are not established. Instead, development standards, such as maximum height and setbacks, will control and guide development. The property is currently under development.
3. Parcel C is approximately 17 acres. This parcel is bounded by the Estrella Falls Regional Center to the south and east, 150th Drive and Encanto Boulevard. Uses permitted within Parcel C include a mix of commercial, service and residential type uses. Portions of the property are currently under development.

A final plat for Goodyear Civic Square Parcel A at Estrella Falls was approved by the City Council at their regular meeting of February 8, 2021. The final plat subdivided the property into eight lots.

STAFF ANALYSIS

Current Policy:

The purpose of a CSP is to provide a comprehensive and coordinated approach to the design of signage that exhibits superior quality and effective messaging. In recognition of the benefits of cohesive and comprehensive sign design, modifications to the signage requirements as established in the city of Goodyear Zoning Ordinance may be appropriate within a CSP.

A CSP in compliance with the requirements provided in Article 7, Sign Regulations, of the Zoning Ordinance may be approved by the Zoning Administrator after review and approval by the Development Review Committee. A CSP that proposes modifications to the requirements provided in Article 7 shall be reviewed by the Planning and Zoning Commission and approved by the City Council. The subject request is the latter of the two CSP types described above, and therefore requires Commission and Council review and approval.

Details of the Request:
The request is for the approval of a CSP for Parcel A, which is to be developed as the Goodyear Civic Square. As the development will contain a diverse and unique mix of civic and private uses, including office, commercial retail and services, and high density residential, the CSP includes many different types and styles of signage. A cohesive materials and color palette with a complementary design theme is intended to provide for a unified campus setting. A brief description of the proposed signage, including any deviations from the city's sign regulations, is provided below:

1. Awning Signs: Signage permitted on an awning face. Consistent with city's sign regulations. However, the CSP will further limit awning signs to a maximum of 10% of the overall wall sign allowance for a use.

2. Canopy Signs: Signage permitted on an attached or detached canopy. The CSP requests canopy signs have a maximum area of 25% of the wall signage allowance versus the required six square feet, two canopy signs per street frontage versus the required one, and that the canopy signs may extend above the canopy for City Hall and the library.

3. Directional Signs: Promote wayfinding for vehicular traffic and pedestrians. Will identify places of interest or buildings, and not individual businesses. Proposed at driveway entrances, internal vehicular and pedestrian intersections and focal points. Modifications will be required as the requested quantities, heights and copy areas exceed the city standard of one sign per driveway, a maximum of three feet for height and six square feet of copy area, respectively.

Some specific directional signs include:

a. Vehicular Directionals (Sign Types B-1, -2)
B-1 is six feet, six inches in height with 20 square feet of copy. B-2 is four feet, four inches in height with 12 square feet of copy.

b. Pedestrian Directionals (Sign Types B-3, -4)
Height is approximately 10 feet. Maximum of five panels, with each panel a maximum of three square feet.

c. Custom Plaque Street Signs (D-4)
Street names proposed in plaques placed in sidewalk. Size will be 2.5 square feet. This is a new sign type.

4. Directory Signs: Promote pedestrian wayfinding. Modifications will be required as the Site Directory is proposed to be digital and the requested height and copy area for the Office Building Directory Signs exceed the city standard of six feet and 18 square feet, respectively.

a. Site Directory (Sign Types B-5)
Digital display proposed in key pedestrian areas. Height is approximately six feet.

b. Office Building Directory (Sign Types B-6, -7)
Proposed in streets and parking areas around the office building and key pedestrian areas. Height is 10 feet for the vehicular directories and approximately six and half feet for the pedestrian directories.

5. Electronic Message Displays: The CSP proposes to allow electronic message displays on a certain number of directional, directory or monument signs (max 25% of signs per lot). The display would be permitted to occupy half the allowed sign copy area, not to exceed 24 square feet. A modification will be required as city standards do not permit an electronic display on directional or directory signs. Otherwise, all other city standards regarding use and operation will be followed.

6. Drive-Through Restaurant: Drive-through facilities are permitted via use permit within Parcel A (outside core area only). No changes to city sign standards.

7. Monument Signs: These signs will be the primary and secondary multi-tenant monuments for the Goodyear Civic Square. Modifications will be required as the quantity, height, and copy area exceed city sign standards of one per driveway, 12 feet and 48 square feet, respectively. Two monument signs are proposed at each driveway while a minimum separation of 100 feet, versus the required 150 feet, is proposed for signs on the same side of the street.

Some specific monument signs include:

a. Primary Identity / Tenant Monument (A-3)
The proposed height is 18 feet. Two signs will each be located at the entries to the Goodyear Civic Square from McDowell Road, 150th Drive and Monte Vista Road.

b. Secondary Identity / Tenant Monument (A-4)
The proposed height is 12 feet. Signs will be located on internal streets.

c. Goodyear Identification Letters (A-1)
This is the main identification sign for the Civic Park. The sign will be located at the primary entrance into the Goodyear Civic Square.

d. GSQ Identification Letters (A-2)
Signs are intended to provide general identification/branding for the Goodyear Civic Square. Multiple signs are proposed at primary street intersections.

8. Projecting Signs: No changes to city sign standards.

9. Shingle Signs: No changes to city sign standards.

10. Street Light Pole Banners: Light poles on private property may utilize banners not to exceed eight square feet. This is a new sign type. Public light poles, within city rights-of-way, may only be utilized by the city and are not addressed within this CSP.

11. Wall Signs: For commercial, retail and mixed-uses, the CSP proposes 1.5 square feet of copy area per linear foot of building frontage versus the required maximum of one square-foot of copy area per linear foot; the ability to place wall signs on the first, second and third floors of a multi-story building versus the requirement that wall signs be placed only on the first and top floor of a multi-story building; and, if an office building tenant occupies more than 50,000 square feet, the tenant's allowable sign copy allocation can be doubled. For residential uses, the CSP proposes to allow wall signs on street frontages and at drive entrances not to exceed 50 square feet. This would be a new sign type.

Some specific wall signs include:

a. Primary Goodyear Building Identity (Ac-4x)

Main building sign for City Hall.

b. Primary Building Identity (Ac-5x)
Canopy signage for City Hall and the library.

c. Secondary Building Identity (Ac-6x, -7x)
Secondary identification for City Hall and the library.

d. Building Addressing (Ac-8xa)

e. Office Building Information (Ao-7x)

f. Office Building Tenant Identification (Ao-11x)

g. Parking Garage Identity (Ag-4x) & Clearance (Ag-11x)

12. Window Signs: The CSP proposes permanent window sign allowances of 50% of the total window area versus the required 25%. However, per the CSP, sign copy is limited to building name, address or an artistic message.

13. Temporary Directional (Cx-1): Promote notice and wayfinding for events. Height is six feet and four feet. This is a new sign type.

14. Regulatory Signs (D-2): Typical regulatory signage but proposed with custom supports. Support design is new.

15. Custom Upright Street Signs (D-3): Custom street signs and supports. This is a new sign type.

16. Dedication Plaque, Time Capsule & Artist Plaque (E-1, -2 & -3): Identification purposes. These are new sign types.

In addition to the above, the following modifications to the city's overall sign standards are proposed:

a. A sign setback of one-foot from property line versus the required five feet.

b. The placement of signs within a municipal utility easement, public utility easement or sidewalk easement, as long as there is no interference with utilities. However, no sign may be placed in a visibility easement or zone.

c. The use of three feet of additional sign height on freestanding signs for architectural embellishments versus the required maximum allowance of two feet.

d. The measurement of sign height from the adjacent grade, within 10 feet of the sign, versus the requirement to measure sign height from the top of curb or crown of an adjacent roadway, when within 30 feet of right-of-way.

Evaluation Criteria:
Article 7-10, Special Sign Areas, of the Zoning Ordinance establishes the criteria for the evaluation of a CSP. The criteria and accompanying staff analysis (italics) are provided below:

- Size and Height: The comprehensive sign package shall demonstrate that all proposed

signage is no larger than necessary for sufficient visibility and legibility. Factors to be considered in determining allowed size and height may include, but are not limited to, topography, traffic volumes, traffic speeds, visibility ranges, copy size and impact on adjacent property.

The application indicates the size of the proposed signs is a result of the intended design of the Goodyear Civic Square. As intended, this design will include buildings close to the street, a focus on pedestrians and a diverse mix of land uses, all within the close proximity of an urban campus setting. As such, the application indicates the proposed signage needs to be sized to provide flexibility and effective messaging for the businesses, tenants, visitors and residents within the campus. The application also indicates signage is sized based on location. Along the perimeter, where traffic speeds are higher, the signs are larger. But when located more internal to the development, signage is smaller given the lower traffic speeds and focus on pedestrians. Given the intended urban character and design of the Goodyear Civic Square, which will be unique and unlike any other development within the city, staff finds the proposed sizes, heights and configuration of the intended signage are appropriate and supportable.

- Location and Orientation: Signs should be located and oriented to allow sufficient visibility and legibility for pedestrian and vehicle traffic. Factors that may be considered in reviewing the appropriateness of the sign location and orientation may include, but are not limited to, location relative to the surrounding streets and land uses, traffic volumes and access points, visibility angles and topographic features.

  The application indicates that signage is located to be visible to passing motorists and pedestrians so as to foster efficient wayfinding and movement through the urban campus. Further, with buildings intended to be close to the street and property lines, signage will also need to be located so as to not obstruct visibility. The sign setbacks, separations and locations proposed in the CSP are intended to provide for maximum visibility while also promoting pedestrian and vehicular safety. Therefore, staff finds the proposed modifications are appropriate and supportable.

- Design, Colors and Materials: Signs proposed under the comprehensive sign package shall be harmonious with and enhance the architecture and theme of the specific development in which the signs are located. Compatibility with the specific development shall include the use of complementary colors, materials and architectural style.

  The application indicates the intended design, colors and materials of the proposed signage have been designed to enhance the architectural themes of the campus buildings, such as City Hall, the library and Globe office buildings. The selected colors are intended to be classical contemporary while also bright and vibrant. For all prominent signs, the application indicates letters will be raised to provide depth and character. Staff finds the proposed CSP will promote signage within the campus that complementary but also unique, and therefore the intended design elements are considered appropriate and supportable.

- Surrounding Land Uses: Signs shall not adversely impact adjacent land uses, especially adjacent residential land uses. The comprehensive sign package shall demonstrate the measures that will be taken to ensure the proposed signage will not adversely impact adjacent land uses in terms of lighting, size, location and orientation.

  The Goodyear Civic Square is located in a mixed-use area that includes commercial,

entertainment, recreational and residential development of varying densities. The proposed signage within the CSP will not adversely impact these surrounding uses given their size, location and orientation should match the intensity of these surrounding developments and their associated signage. Residential development located within Parcel A of the Goodyear Civic Square will be developed at higher densities, and therefore should be compatible with the noise, lights and intensity of an urban campus. As such, staff finds the intended signage will not adversely affect any adjacent land uses and is therefore appropriate and supportable.

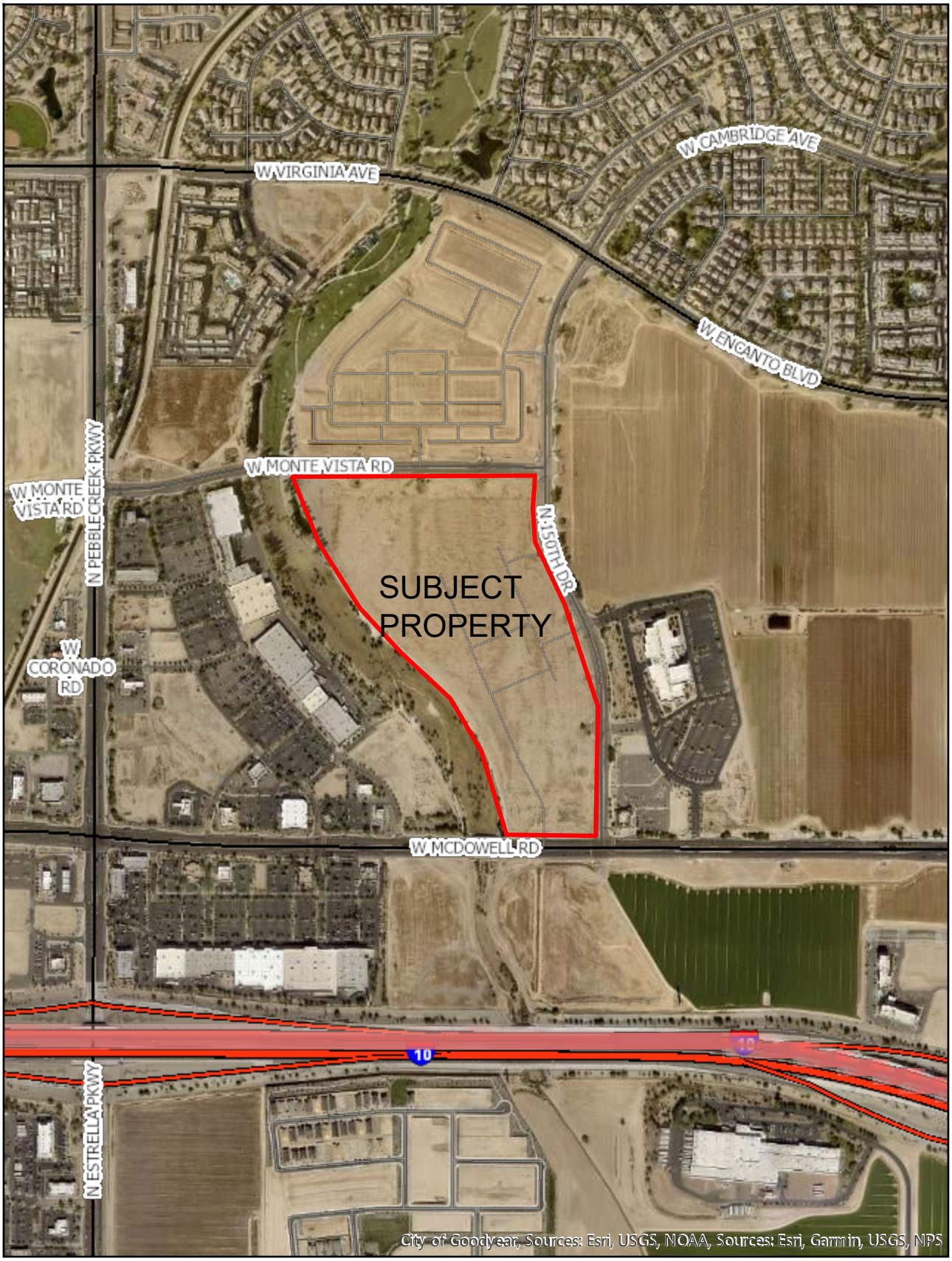
Planning and Zoning Commission:
The Planning and Zoning Commission considered this item at their regular meeting of July 7, 2021. The Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition to this item voiced at the meeting.

Staff Findings:
The request meets the evaluation criteria for a CSP as set forth in Article 7, Sign Regulations, of the Zoning Ordinance.

Attachments

Aerial Photo
Comprehensive Sign Package
Staff Presentation

AERIAL PHOTO



Name of Map:Goodyear Civic Square CSP

GSQ

GSQ COMPREHENSIVE SIGN PLAN

PRE-APPLICATION
Project Number | PRJ21-10477
Meeting Date | April 1ST 2021

CASE NUMBER | 21-630-00002

SUBMITTAL DATE
JUNE 16TH 2021

A PARTNERSHIP:

CITY OF Goodyear

GLOBE CORPORATION

PREPARED BY:

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VISUAL COMMUNICATIONS INC.
Saint Paul, Minnesota
612-840-5867 | www.visualcomm.com

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GENERAL INFORMATION	**SECTION 005**
Signage Themes and Palettes	005.0.1
Logo Graphics Palette	005.0.2
SIGNAGE ELEMENTS	**SECTIONS 005.1 thru 005.5**
Identity Signs	005.1.1 thru 005.1.12
Wayfnding Signs	005.2.1 thru 005.2.4
Temporary | Portable Signs	005.3.1
Regulatory Signs	005.3.1 thru 005.3.5
Dedicatory Signs	005.4.1thru 005.4.3
Future Signs (Narrative)	005.5.1 thru 005.5.7
SIGNAGE LOCATION PLANS	**SECTION 005.6**
Site Details | Vicinity Map	005.6.1.1
Overall Location Plan	005.6.1.2
Identity Location Plan	005.6.2
Wayfinding Location Plan	005.6.3
Dedicatory Location Plan	005.6.4

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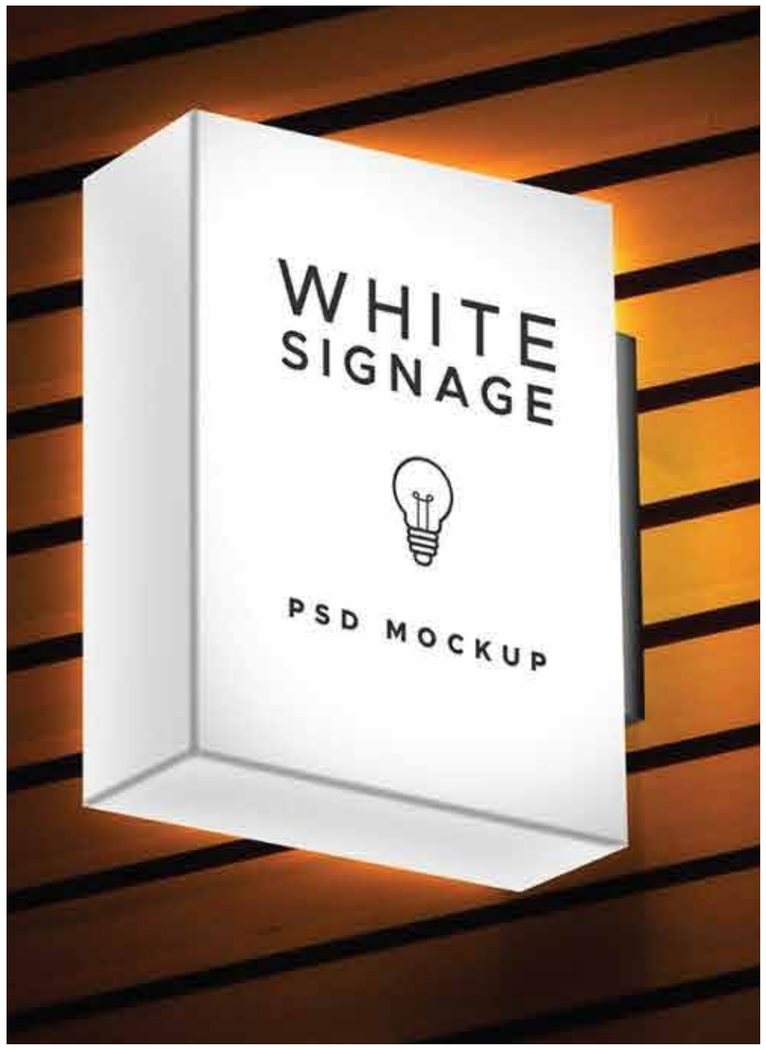
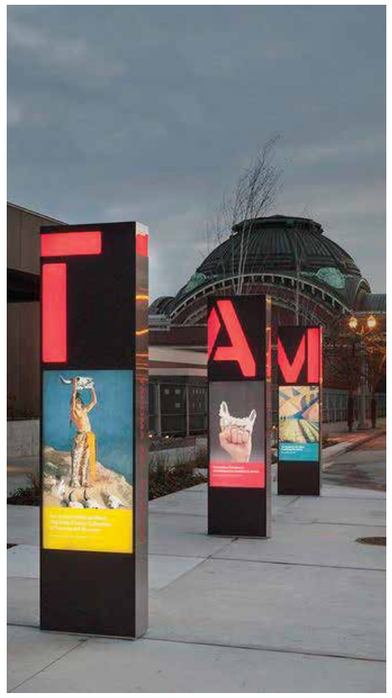
clean contemporary CLASSIC





CLEAN LINES.

COMTEMPORARY APPROACH.

CLASSIC DESIGN.

SIGNAGE PALETTES

COLOR PALETTE

METAL PALETTE

ACRYLIC PALETTE

SIGNAGE FONTS

PRIMARY FONT PALETTE

CENTURY GOTHIC
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

CENTURY GOTHIC BOLD
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

ACHITECTURAL FONT

ARIAL BOLD
ABCDEFGHIJKLMNOPQRSTUVWXYZ

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LOGO GRAPHICS PALETTE

PROJECT LOGO

FONT PALETTE

MARKETING | SOCIAL MEDIA FONTS

MINISTRY

ABCDEFGHIJKLMNOPQRSTUVWXYZ

abcdefghijklmnopqrstuvwxyz

0123456789

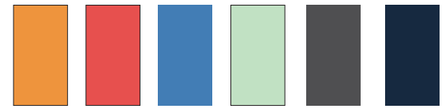
GRAVESEND

ABCDEFGHIJKLMNOPQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

0123456789

COLOR PALETTE



OFFICE BUILDING B LOGO

FONT PALETTE

MARKETING | SOCIAL MEDIA FONTS

MINISTRY

ABCDEFGHIJKLMNOPQRSTUVWXYZ

abcdefghijklmnopqrstuvwxyz

0123456789

GRAVESEND

ABCDEFGHIJKLMNOPQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

0123456789

COLOR PALETTE

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SIGNAGE ELEMENTS		SECTIONS 005.1 thru 005.4
Identity Signs	A Signs	005.1.1 thru 005.1.12
Wayfnding Signs	B Signs	005.2.1 thru 005.2.4
Temporary | Portable Signs	C Signs	005.3.1
Regulatory Signs	D Signs	005.3.1 thru 005.3.5
Dedicatory Signs	E Signs	005.4.1 thru 005.4.2

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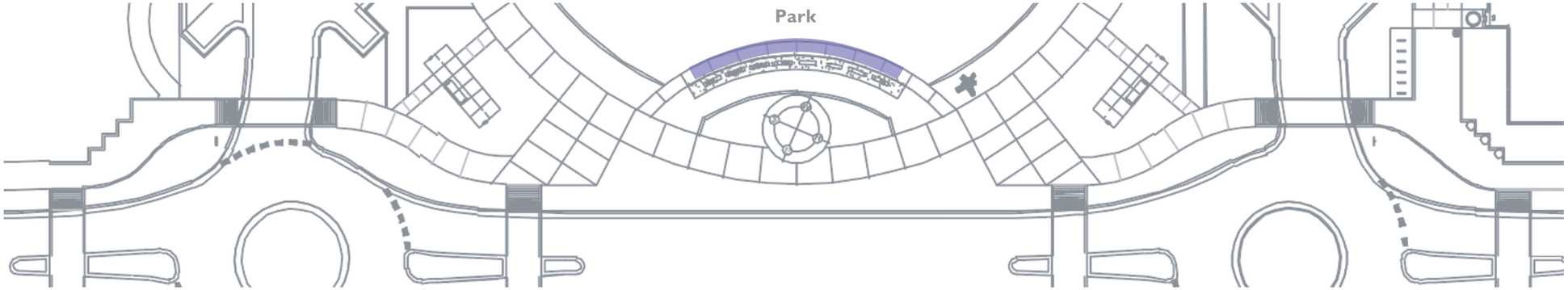
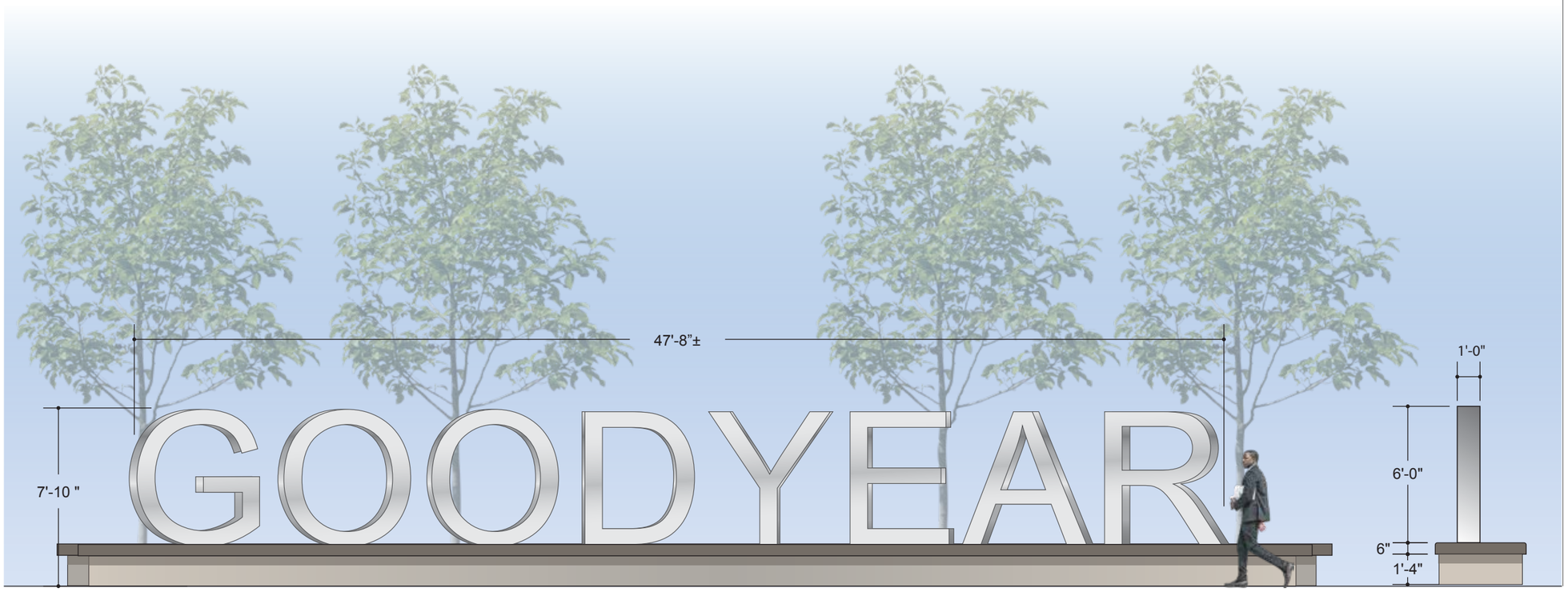
SIGN TYPE: **A-1**

GOODYEAR IDENTIFICATION LETTERS



A-1: GOODYEAR IDENTFICATION LETTERS - PROPOSED LOCATION

Scale: Not to Scale



A-1: GOODYEAR IDENTFICATION LETTERS

Scale: 3/16"=1'-0"

SIDE/SECTION VIEW

SIGN TYPE: **A-1**

GOODYEAR IDENTIFICATION LETTERS

LOCATION: 150TH AVE TERMINUS

FONT: ARIAL

MATERIALS

Large metal identification letters baseline mounted to radiused masonry wall as required

CONSTRUCTION

Refer to Butler Design Group architectural drawings and specifications for masonry base and integrated illumination source details

ILLUMINATION

Illumination source to be integrated into masonry base and provide an up-light wash effect onto letter faces

NOTES

Material and finish to be derived from final architectural palette

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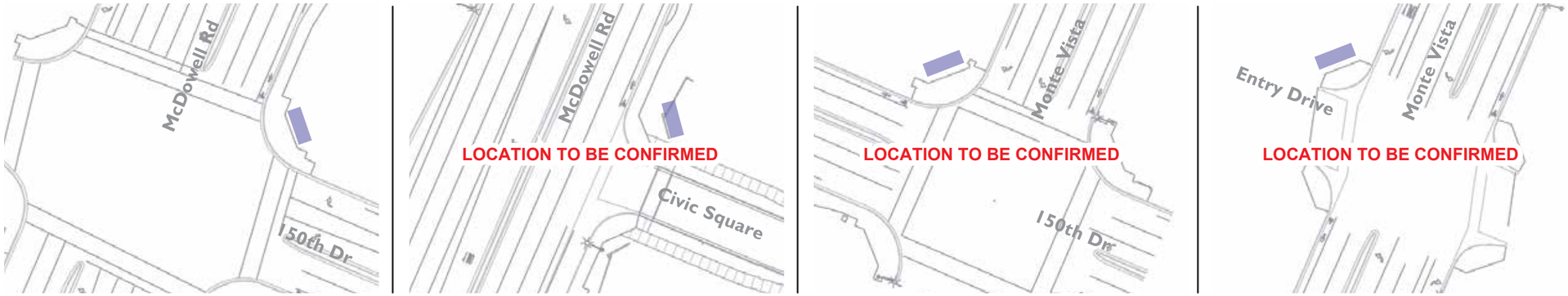
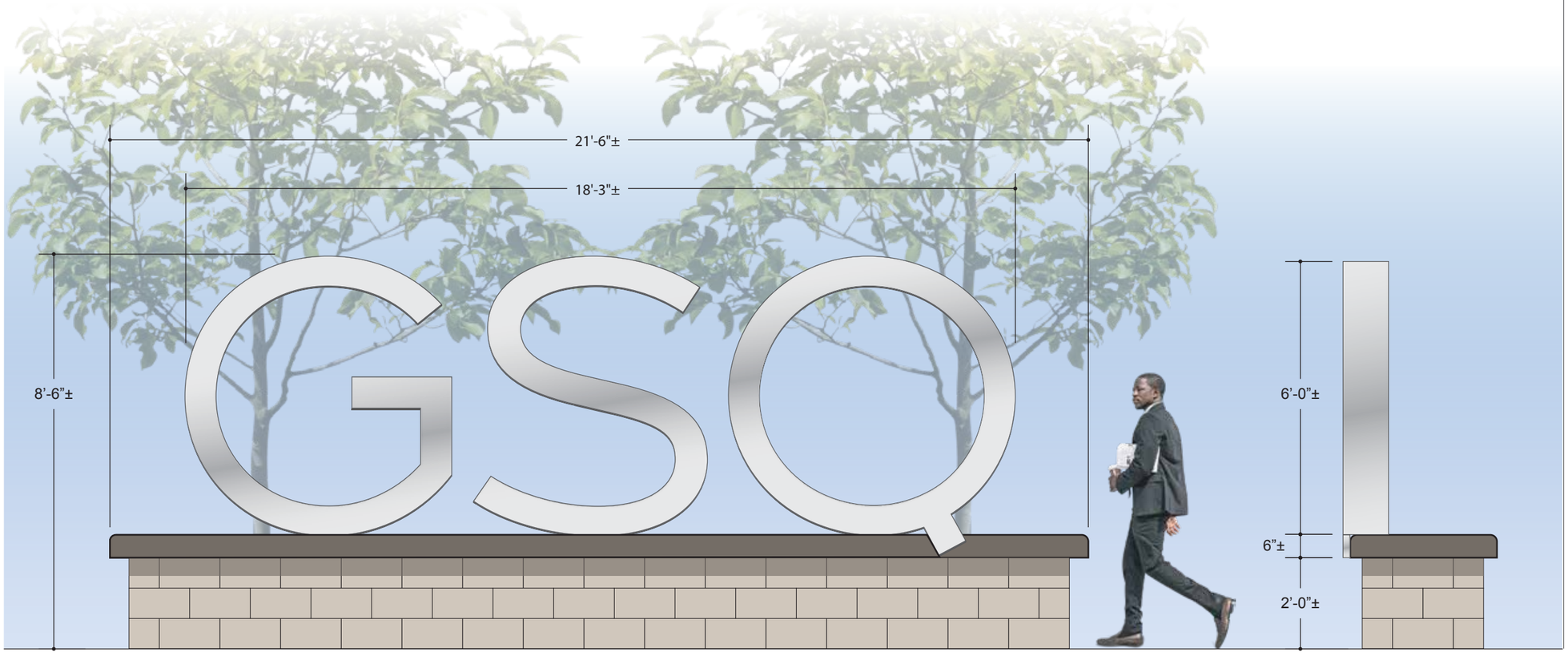


A-2: GSQ IDENTFICATION LETTERS - PROPOSED LOCATIONS
Scale: Not to Scale



A-2: GSQ IDENTFICATION LETTERS
Scale: 3/6"=1'-0"

SIDE/SECTION VIEW

SIGN TYPE: **A-2**
GSQ IDENTIFICATION LETTERS
LOCATION: 150TH AVE & MCDOWELL RD; 150TH AVE & MONTE VISTA; MAIN DRIVES INTO PROJECT FROM MCDOWELL RD

MATERIALS
Large metal identification logo baseline mounted to masonry wall as required

Material and finish to match large GOODYEAR letters (Sign Type A-1)

CONSTRUCTION
Refer to Butler Design Group architectural drawings and specifications for masonry base

ILLUMINATION
In-ground illumination source to wash both letters and base/wall with light at night

NOTES
All sign elements to be located out of any site visibility triangle

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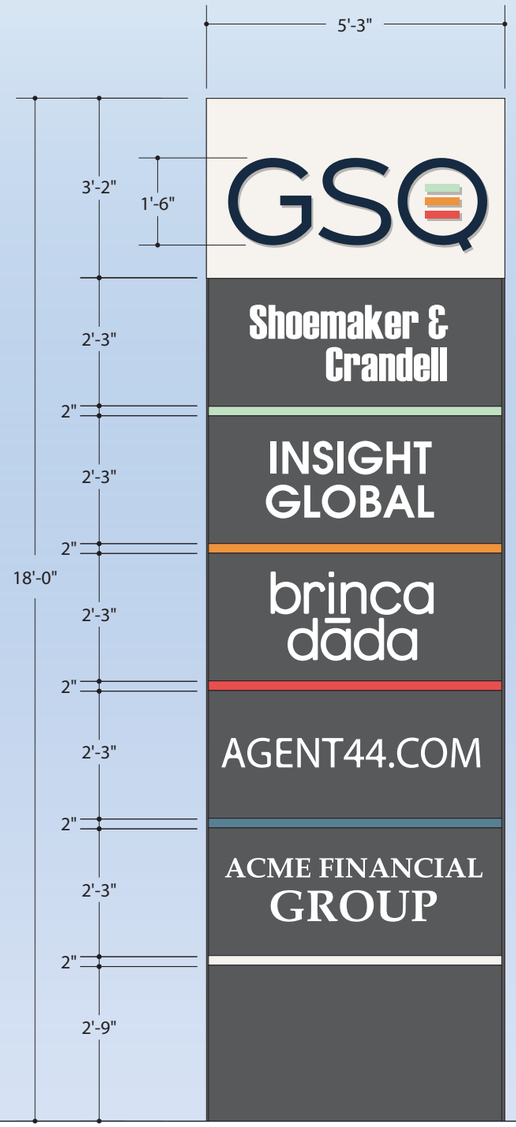
LIGHT BOX EXAMPLE - NIGHT VIEW



A-3: PRIMARY IDENTITY | TENANT MONUMENT
Scale: 3/6”=1’-0”

SIDE/SECTION VIEW

SIGN TYPE: **A-3**
PRIMARY IDENTITY | TENANT MONUMENT
LOCATION: AT MAIN DRIVE ENTRIES OFF PERIMETER ROADWAYS

MATERIALS
Paint prefinished metal constructed monument sign with up to five (5) tenant panels - painted project black

CONSTRUCTION
Seamless light box identification cabinet at top with 1 inch deep flat cut-out (FCO) metal/plex identification flush mounted to face - colors to match project standard color palette

Routed paint prefinished metal tenant panels with 1/2 inch push-thru white plex logo/copy - design/layout per tenants brand/corporate standards

2 inch tall push-thru translucent plex reveals (push-thru flush to face) - colors to match project standard color palette

Sign footing as required through engineering

ILLUMINATION
Internally illuminated (LED)

NOTES
All sign elements to be located out of any site visibility triangle

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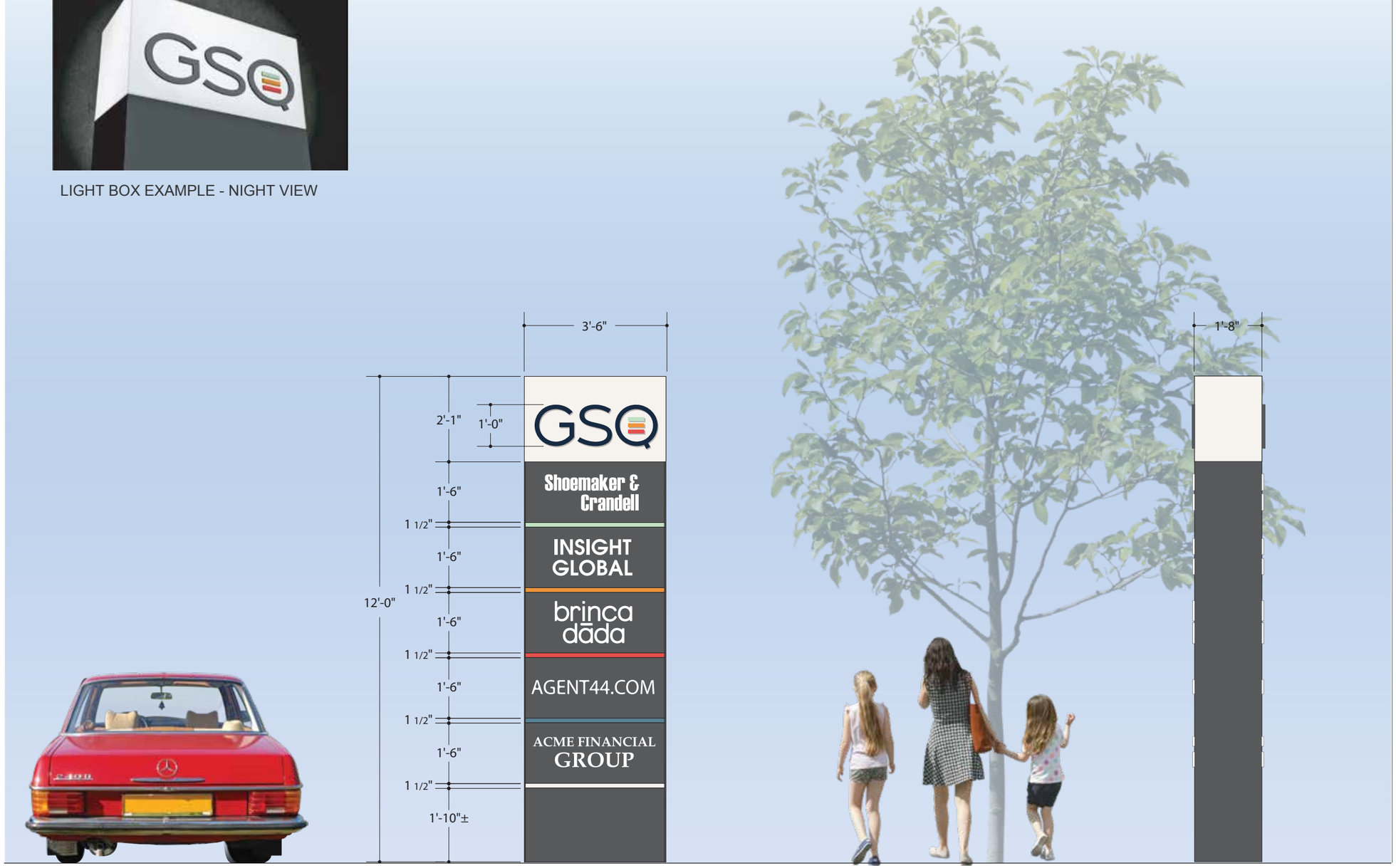
LIGHT BOX EXAMPLE - NIGHT VIEW



A-4: SECONDARY IDENTITY | TENANT MONUMENT
Scale: 3/6”=1’-0”

SIDE/SECTION VIEW

SIGN TYPE: **A-4**
SECONDARY IDENTITY | TENANT MONUMENT
LOCATION: AT MAIN DRIVE ENTRIES INTERNAL TO PROJECT SITE

MATERIALS
Paint prefinished metal constructed monument sign with up to five (5) tenant panels - painted project black

CONSTRUCTION
Seamless light box identification cabinet at top with 1 inch deep flat cut-out (FCO) metal/plex identification flush mounted to face - colors to match project standard color palette

Routed paint prefinished metal tenant panels with 1/2 inch push-thru white plex logo/copy - design/layout per tenants brand/corporate standards

1 1/2 inch tall push-thru translucent plex reveals (push-thru flush to face) - colors to match project standard color palette

Sign footing as required through engineering

ILLUMINATION
Internally illuminated (LED)

NOTES
All sign elements to be located out of any site visibility triangle

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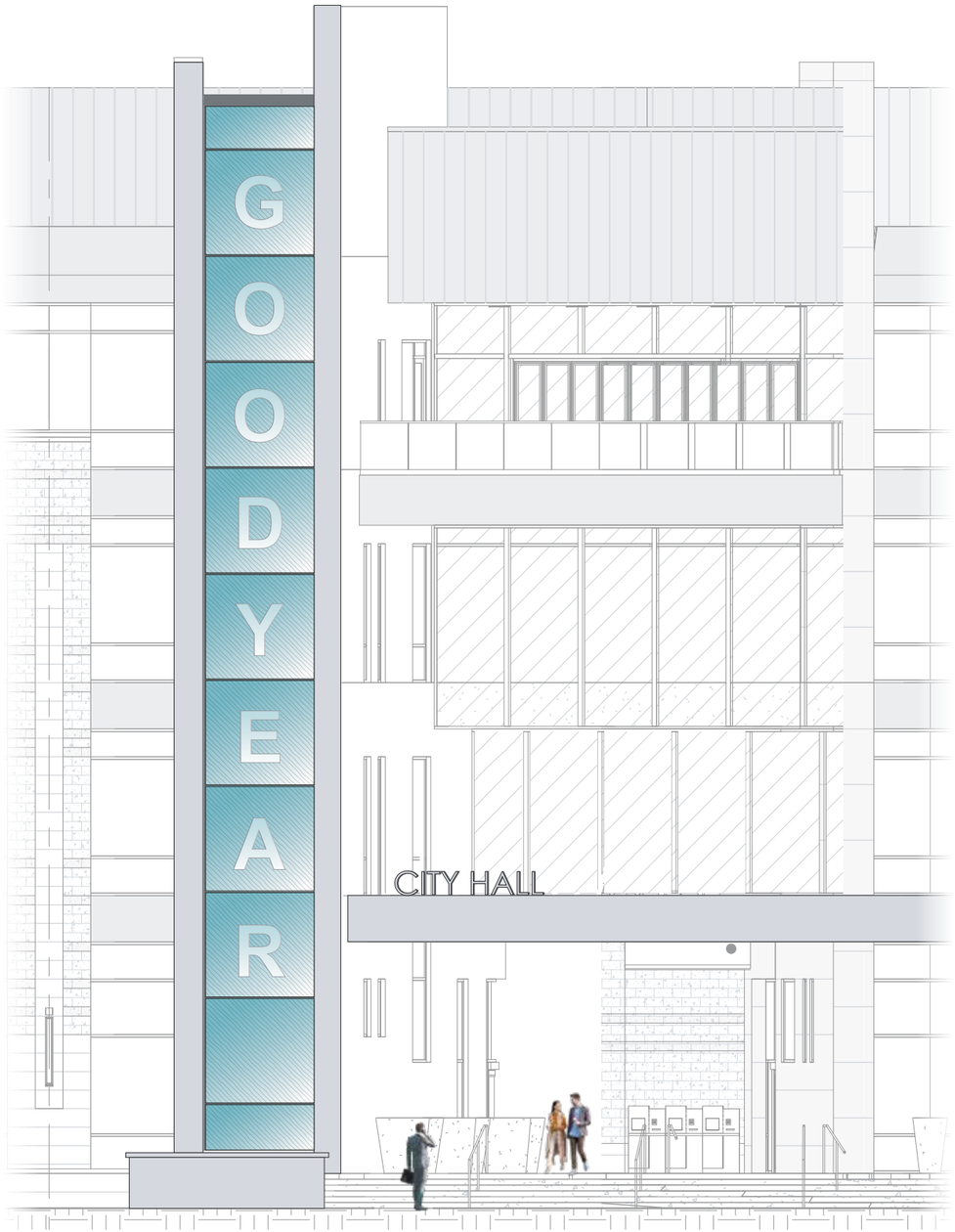
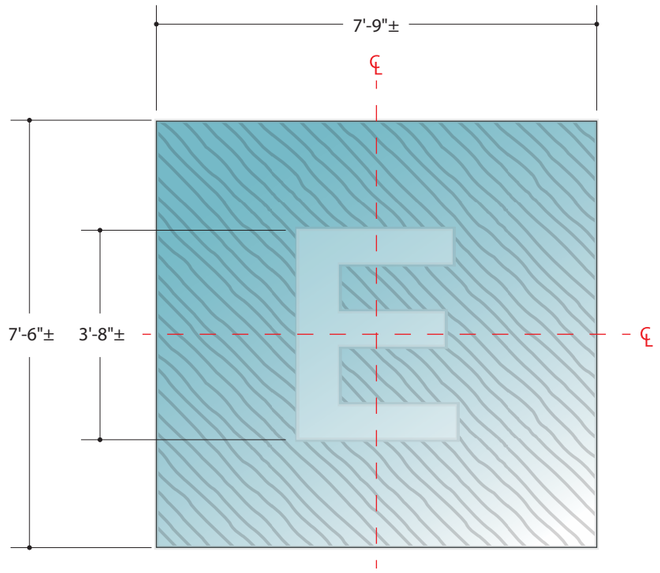
SIGN TYPE: **Ac-4x**

GOODYEAR GLASS “SCRABBLE LETTERS”



Ac-4x: PRIMARY GOODYEAR BUILDING IDENTITY “SCRABBLE LETTERS”

Scale: 3/32”=1’-0”



Ac-4x: GENERAL DIMENSIONS

Scale: 3/8”=1’-0”

SIGN TYPE: **Ac-4x (BY OTHERS)**

PRIMARY GOODYEAR BUILDING IDENTITY
“SCRABBLE LETTERS”
FONT: ARIAL BOLD

MATERIALS

Back-lit architectural glass panels to be fritted, with letter areas to be smooth to provide subtle contrast - letters to be centered both horizontally and vertically

CONSTRUCTION

Refer to Butler Design Group architectural drawings and specifications for all details

ILLUMINATION

Back-lit behind panels (LED)

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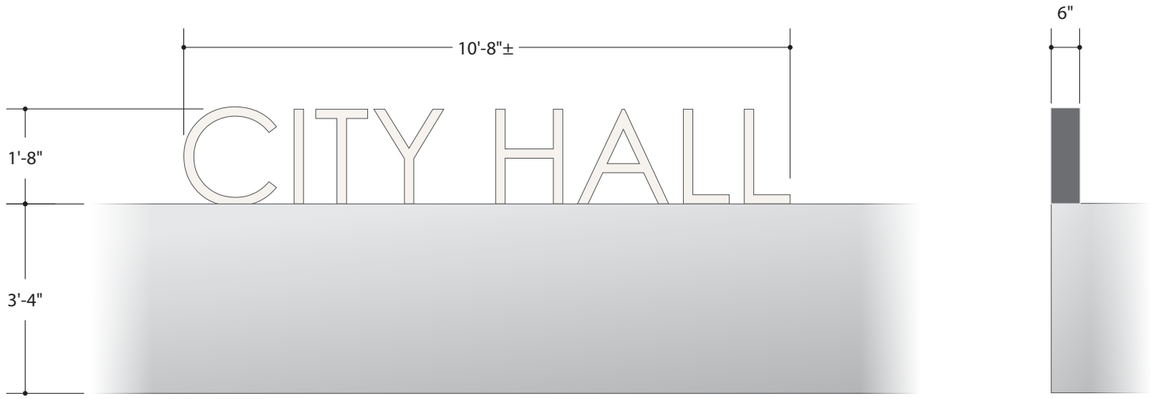
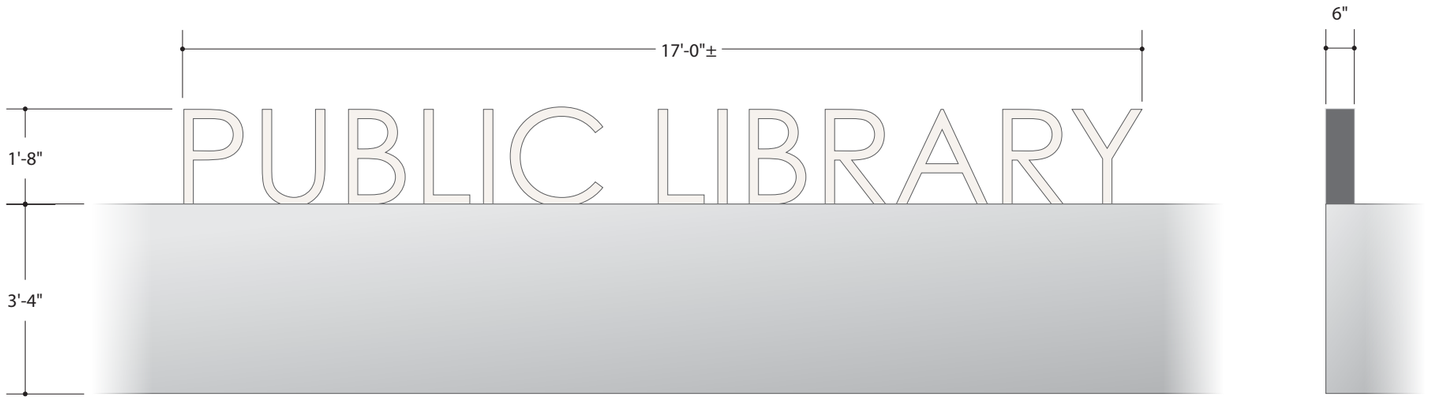


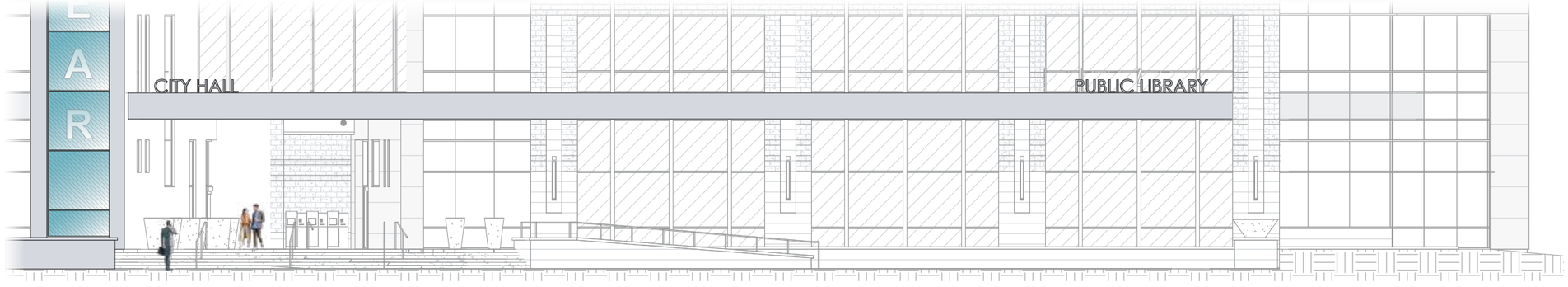
Ac-5x.1: CITY HALL CANOPY LETTERS
Scale: 3/8”=1’-0”

SIDE VIEW



Ac-5x.2: PUBLIC LIBRARY CANOPY LETTERS
Scale: 3/8”=1’-0”

SIDE VIEW



Ac-5x.1 & Ac-5x.2: PRIMARY BUILDING IDENTITY
Scale: 1/16”=1’-0”

SIGN TYPE: **Ac-5x**
PRIMARY BUILDING IDENTITY
CANOPY MOUNTED LETTERS
FONT: CENTURY GOTHIC

MATERIALS
6 inch deep dimensional metal letters, face to match light natural finish from project color palette; letter returns to be painted dark grey

CONSTRUCTION
Letters baseline mounted to front edge of radiused canopy that connects City Hall and Public Library building(s)

Refer to Butler Design Group architectural drawings and specifications for canopy details

ILLUMINATION
Signs to be indirectly illuminated

NOTES
Final locations to be determined after canopy review/verification in the field

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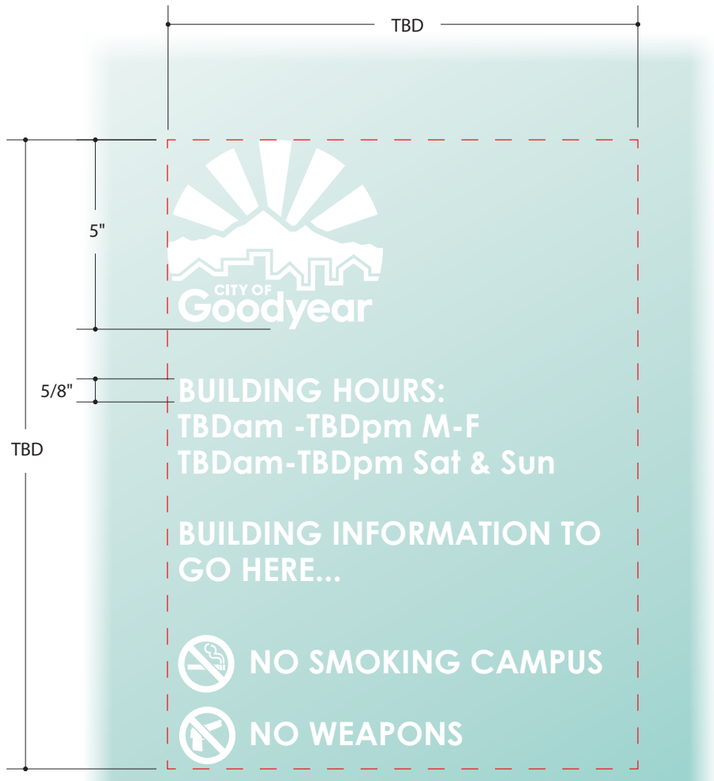
Ac-6x.1: CITY HALL IDENTITY
Scale: 1 1/2”=1’-0”

SIDE VIEW

Ac-6x.2: PUBLIC LIBRARY IDENTITY
Scale: 1 1/2”=1’-0”

SIDE VIEW

Ac-6x & Ac-7x : SECONDARY BUILDING IDENTITY & BUILDING INFORMATION
Scale: 1/2”=1’-0”



Ac-7x: BUILDING INFORMATION
Scale: 3”=1’-0”

SIGN TYPE: **Ac-6x**
SECONDARY BUILDING IDENTITY
GLASS/WALL MOUNTED LETTERS
FONT: CENTURY GOTHIC

MATERIALS
3 1/2 inch tall, 1/2 inch deep flat cut-out (FCO) letters applied to glass at right side of entry via adhesive as required

Letter face to match light natural finish from project color palette; letter returns and backs to be dark grey

CONSTRUCTION
Baseline of copy to be mounted 6 feet above ground surface, and 4 inches from left window edge/mullion

ILLUMINATION
Sign is non-illuminated or indirectly illuminated

NOTES
Elevation shown is typical, and may need to be adjusted (stacked) depending on specific location

SIGN TYPE: **Ac-7x**
CITY HALL & PUBLIC LIBRARY
BUILDING INFORMATION
FONT: CENTURY GOTHIC

MATERIALS
City of Goodyear logo, symbols, and information copy to be white or frosted vinyl applied first surface to glass at right side of enty

Information copy to have a cap height of 5/8 inch

Top of logo to be 5 feet above ground surface, and 4 inches from left window edge/mullion

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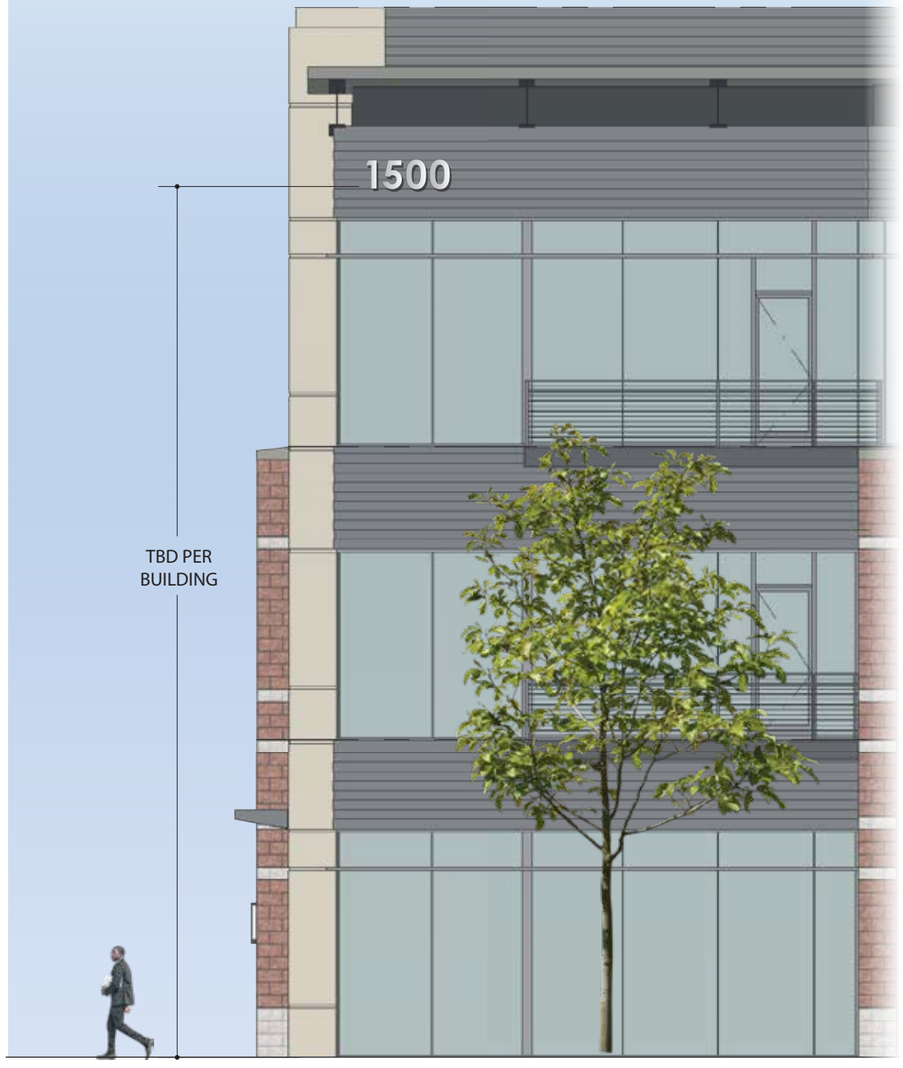

Ac-8xa & Ac-7x : SECONDARY BUILDING IDENTITY & BUILDING INFORMATION
Scale: 1/8”=1’-0”

Ac-8xa & Ao-8xa: BUILDING ADDRESSING
Scale: 1”=1’-0”

SIGN TYPE: **Ac-8xa**
BUILDING ADDRESSING
CITY HALL | PUBLIC LIBRARY

SIGN TYPE: **Ao-8xa**
BUILDING ADDRESSING
OFFICE
FONT: CENTURY GOTHIC BOLD

MATERIALS
18 inch tall, 3 inch deep dimensional metal numerals - color to contrast with background on which it is placed (to be pulled from building specific architectural palette)

CONSTRUCTION
Numerals attached to wall surface as required

Locations to be on the upper portion of buildings, free of opbstruction, to allow optimal visibility for first responders

ILLUMINATION
Signs to either be non-illuminted or halo illuminated

NOTES
Elevation shown is typical - final locations to be approved on a building by building basis

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BUILDING INFORMATION | BUILDING ADDRESSING (AT DOOR)

Ac-8x/Ao-8x: BUILDING ADDRESSING (AT DOOR)
Scale: 1 1/2”=1’-0”

SIDE VIEW

Ao-7x & Ac-8x/Ao-8x: OFFICE BUILDING INFORMATION & BUILDING ADDRESSING
Scale: 1/2”=1’-0”

Ao-7x: OFFICE BUILDING INFORMATION
Scale: 3”=1’-0”

SIGN TYPE: **Ao-7x**
OFFICE BUILDING INFORMATION
FONT: CENTURY GOTHIC

MATERIALS
Symbols and information copy to be white or frosted vinyl applied first surface to glass at right side of enty

Information copy to have a cap height of 5/8 inch

Top of copy to be 5 feet above ground surface, and 4 inches from left window edge/mullion

NOTES
Elevation shown is typical and may change per any specific entry location

SIGN TYPE: **Ac-8x & Ao-8x**
BUILDING ADDRESSING (AT DOOR)
FONT: CENTURY GOTHIC

MATERIALS
6 inch tall, 1/2 inch deep flat cut-out (FCO) letters - to match light natural finish from project color palette; letter returns and backs to be dark grey

All signs to be centered vertically and horizontally in the designated space above doorway

CONSTRUCTION
Letters applied to glass above entry via adhesive as required

ILLUMINATION
Sign is non-illuminated or indirectly illuminated

NOTES
Elevation shown is typical and may change per any specific entry location

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SIGN TYPE: **Ao-11X**

OFFICE BUILDING TENANT IDENTIFICATION

HALO ILLUMINATION

Ao-11x & Ao-11x.2 : OFFICE BUILDING TENANT IDENTIFICATION
SINGLE LINE | LOGO
Scale: 1/8”=1’-0”

Ao-11x & Ao-11x.2 : OFFICE BUILDING TENANT IDENTIFICATION
DOUBLE LINE OR LOGO
Scale: 1/8”=1’-0”

Ao-11x.1: TENANT IDENTIFICATION - UPPER LEVEL
Scale: 1”=1’-0”

Ao-11x.2: TENANT IDENTIFICATION - FIRST LEVEL
Scale: 1”=1’-0”

SIGN TYPE: **Ao-11x**
OFFICE BUILDING TENANT IDENTIFICATION
FONT: PER TENANT STANDARDS

MATERIALS
Reverse pan-channel silver metal letter construction with 3 inch returns

Sign face and return color to contrast with background on which it is placed - colors to be pulled from building specific architectural palette

CONSTRUCTION
Letters | Logo to be pin mounted 1 1/2 inch off of wall surface to provide for halo illumination (via LED)

Upper level signage (Ao-11x.1) to be a 12 inch maximum cap height;
First level signage (Ao-11x.2) to be a 10 inch maximum cap height

ILLUMINATION
Halo illumination (LED)

NOTES
Elevation shown is typical - final locations to be approved on a building by building basis

All signs to be centered vertically and horizontally in the designated architectural space provided.

12” Letter or Logo ideal visible distance:
120 feet; maximum visible distance: 500 feet

10” Letter ior Logo deal visible distance:
100 feet; maximum visible distance: 450 feet

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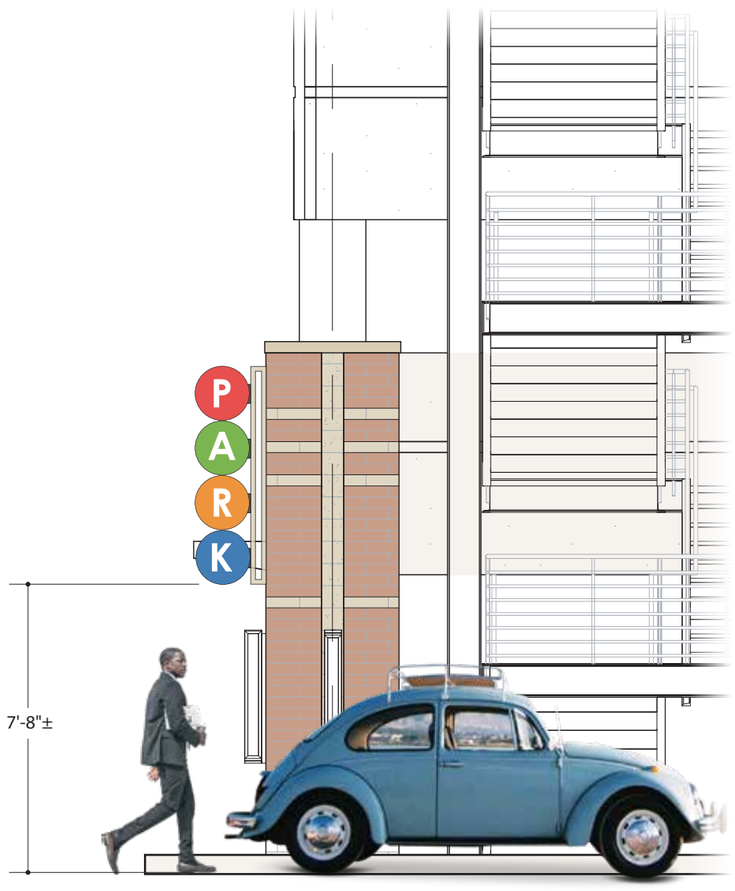
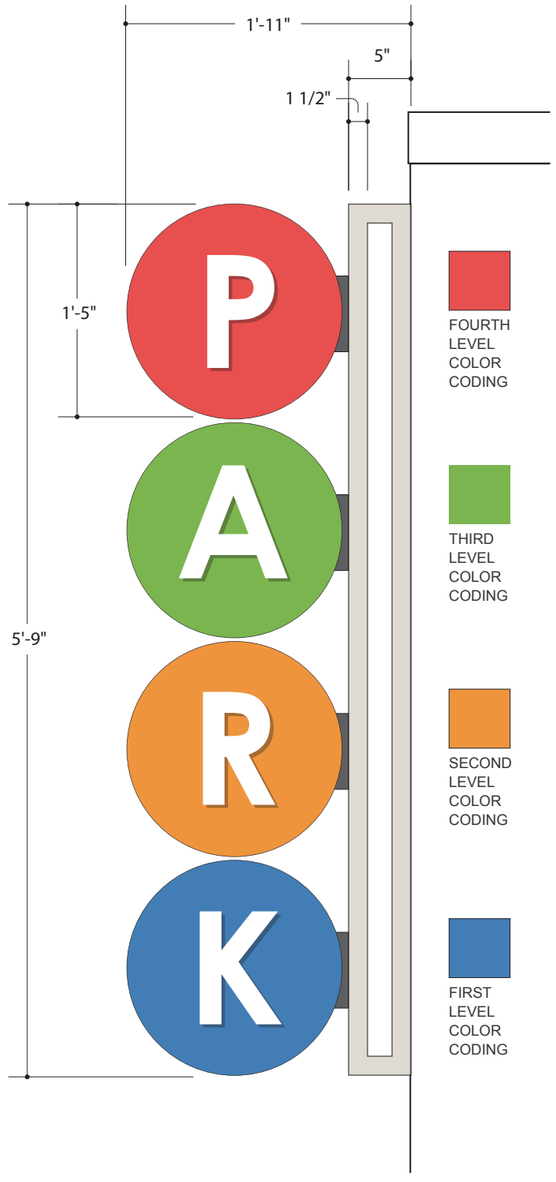
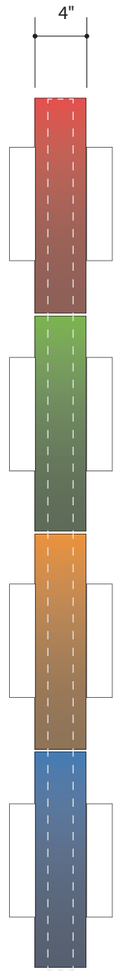


Ag-4x: PARKING GARAGE IDENTITY
Scale: 1/4”=1’-0”



Ag-4x: PARKING GARAGE IDENTITY
Scale: 1”=1’-0”



SIDE VIEW

SIGN TYPE: **Ag-4x**
PARKING GARAGE IDENTITY
FONT: CENTURY GOTHIC BOLD

MATERIALS
4 inch deep internally illuminated light box cylinders with 2” deep FCO white plex (or pan channel) letters attached to face as required

CONSTRUCTION
Paint prefinished metal tube support structure anchored to masonry column as required, avoiding all light structures - color to match light/neutral masonry block for consistency

Plex cylinders attached to metal support structure as required

ILLUMINATION
Internal illumnation (LED)

NOTES
Elevation shown is typical - final locations to be approved based on individual garage entry

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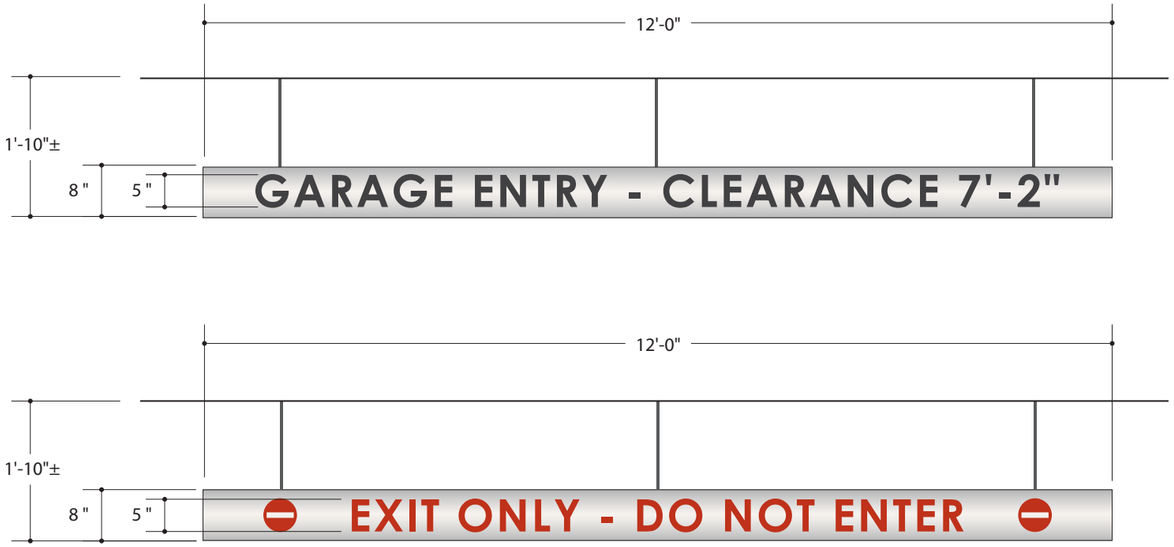
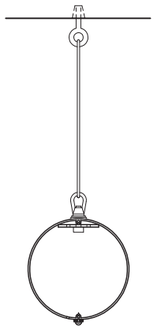
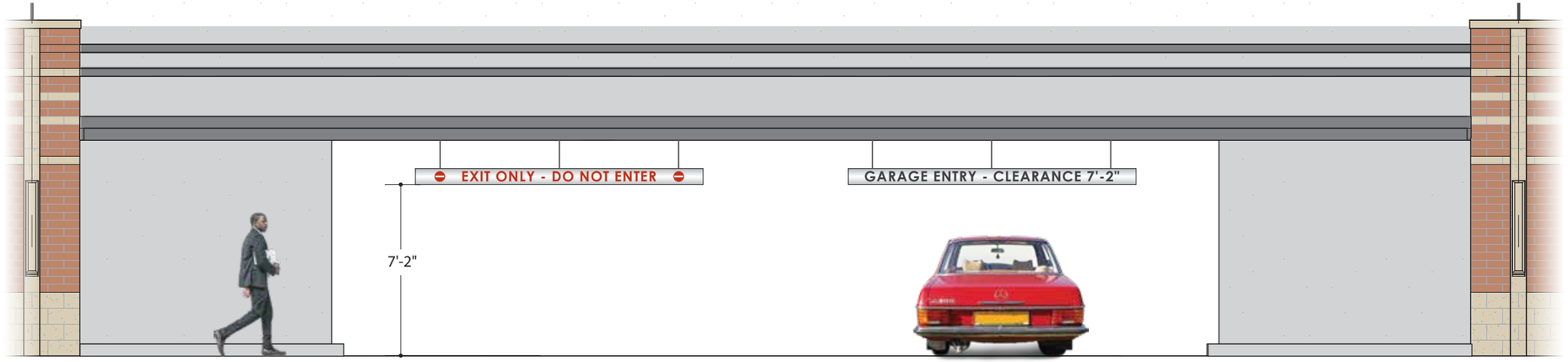
SIGN TYPE: **Ag-11x**
PARKING GARAGE CLEARANCE



Ag-11x: PARKING GARAGE CLEARANCE
Scale: 1/2”=1’-0”



SIDE VIEW



Ag-11x: PARKING GARAGE CLEARANCE
Scale: 3/16”=1’-0”

SIGN TYPE: **Ag-11x**
PARKING GARAGE CLEARANCE
FONT: CENTURY GOTHIC BOLD

MATERIALS | CONSTRUCTION
8 inch by 12 foot long extruded prefinished metal tube with weep holes and 1/8" metal end cap (each end)

Stainless steel cable supports as required

Scotchlite reflective vinyl letters and symbols over metal tube

ILLUMINATION
Signs are non-illuminated

NOTES
Elevation shown is typical - final locations to be approved based on individual garage entry/exit

Attachment locations to be determined via final garage plan review and field verification

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SIGNAGE ELEMENTS

WAYFINDING B Signs

SECTION 005.2

005.2.1 thru 005.2.4

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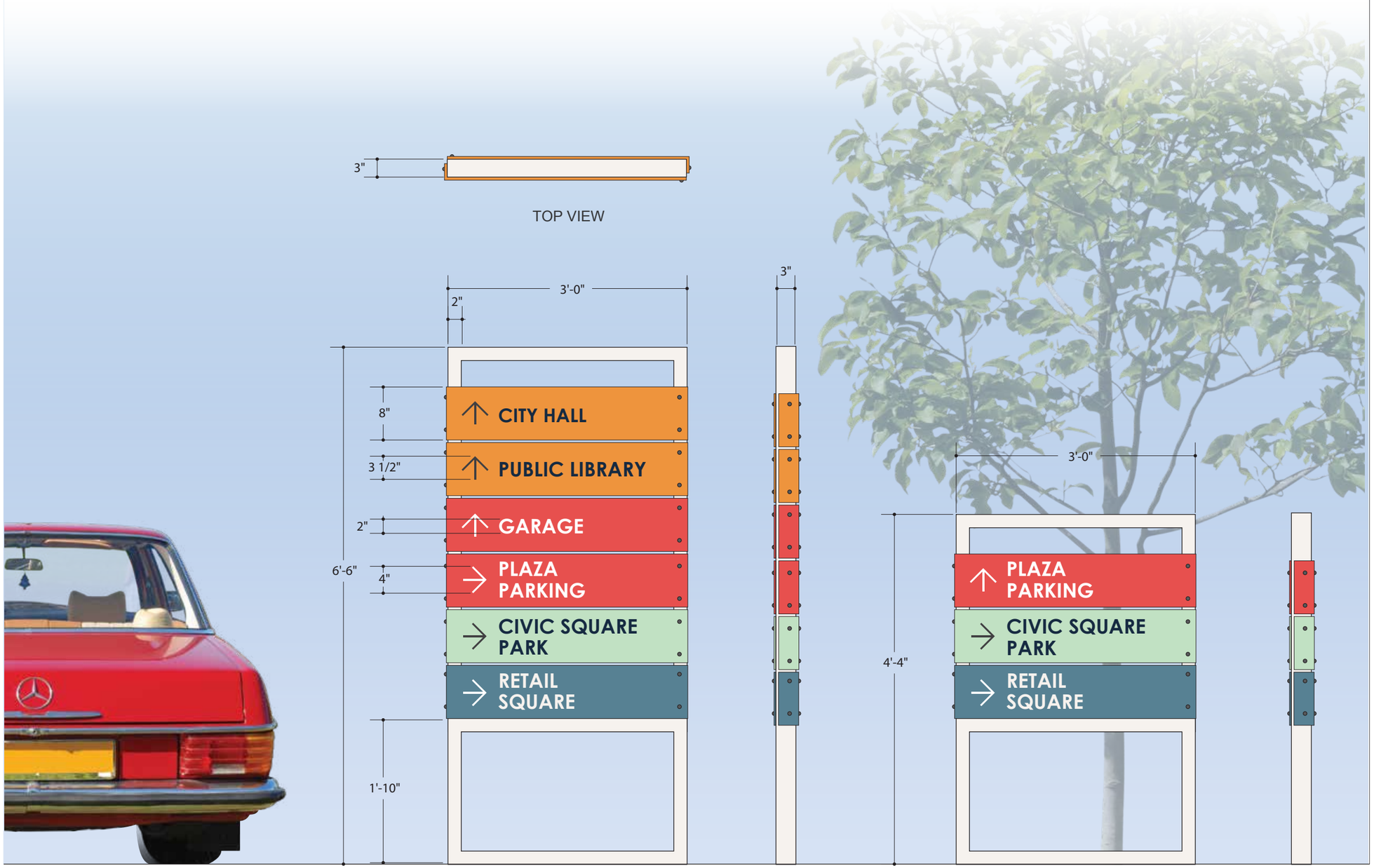

B-1: PRIMARY VEHICULAR DIRECTIONAL
Scale: 3/4”=1’-0”

B-2: SECONDARY VEHICULAR DIRECTIONAL
Scale: 3/4”=1’-0”

SIGN TYPE: **B-1 & B-2**
VEHICULAR DIRECTIONALS
LOCATION: VEHICULAR DECISION POINTS
FONT: CENTURY GOTHIC BOLD

MATERIALS
Paint prefinished metal sign structure - finish to match light natural finish from project color palette

CONSTRUCTION
Breakformed metal panels color coded for various destinations - colors used to be from project color standards - color designation for areas TBD

Panels to break around structure on left side and acnhor to edge - right side to anchor through panel face - sign to be single or double sided

Copy and arrows to be applied vinyl that contrasts with background color (use of reflective vinyl TBD)

Elevations shown are typical - final messaging dependent on detemined destination nomenclature (copy height and layout may change based on messaging)

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Signs are non-illuminated

NOTES
Two (2) size options are available based on messaging needs

If determined that any sign is located in an area with inadequate ambient or indirect illumination at night, all signs shall utilize reflective vinyl to display information (method TBD)

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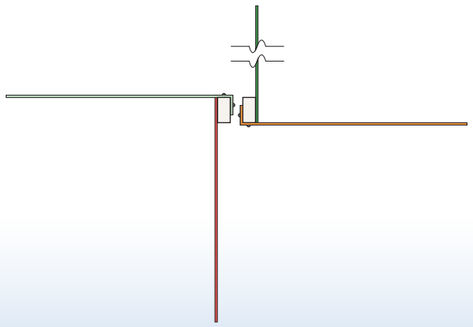
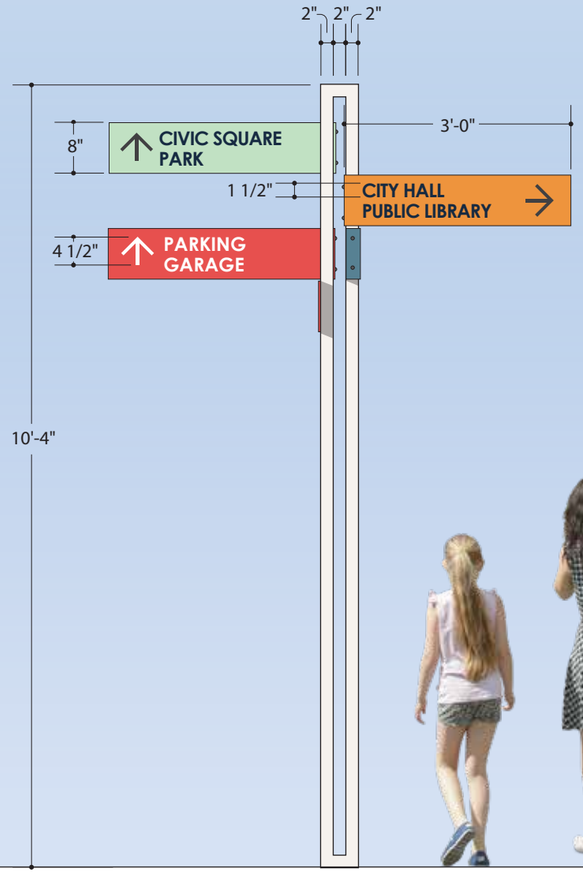


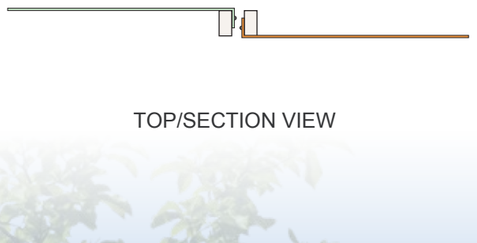
TOP/SECTION VIEW



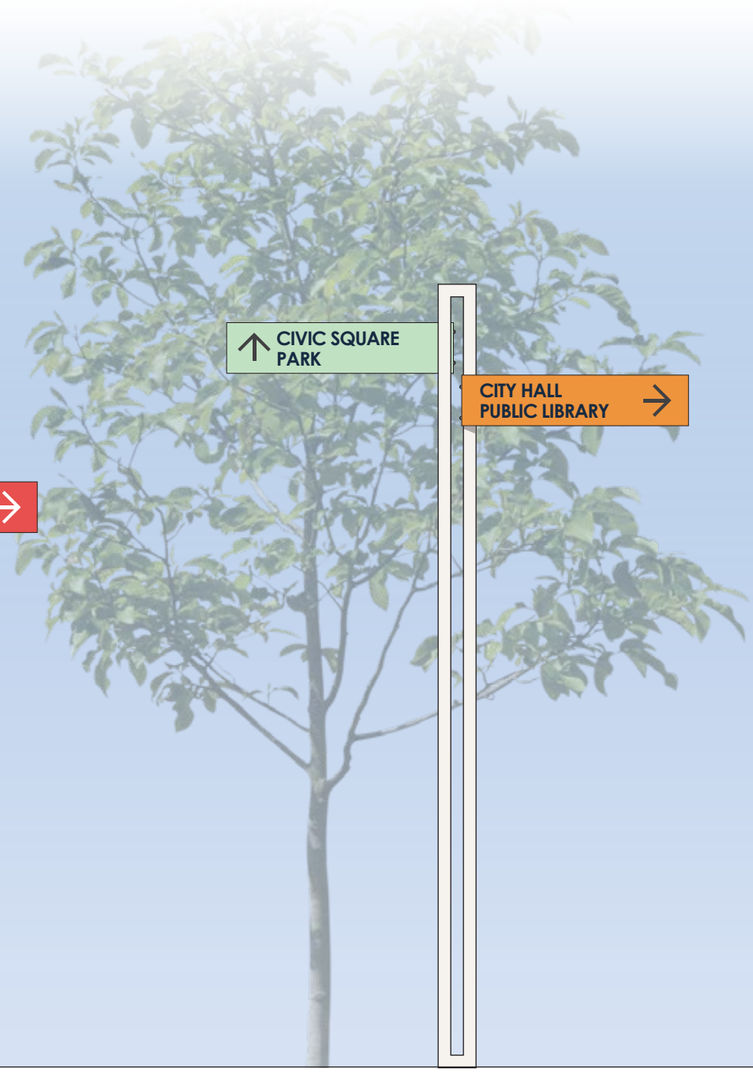
B-3: PRIMARY PEDESTRIAN DIRECTIONAL

Scale: 1/2”=1’-0”

SIDE VIEW



TOP/SECTION VIEW



B-4: SECONDARY PEDESTRIAN DIRECTIONAL

Scale: 1/2”=1’-0”

SIGN TYPE: **B-3 & B-4**
PEDESTRIAN DIRECTIONALS
LOCATION: PEDESTRIAN DECISION POINTS
FONT: CENTURY GOTHIC BOLD

MATERIALS
Custom paint prefinished metal sign structure - finish to match light natural finish from project color palette

CONSTRUCTION
Breakformed metal panels color coded for various destinations - colors used to be from project color standards - color designation for areas TBD

Panels to wrap/break on left side and achor into the sign post structure - panel messaging to be single or double sided

Copy and arrows to be applied vinyl that contrasts with background color

Elevations shown are typical - final messaging dependent on detemined destination nomenclature (copy height and layout may change based on messaging)

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Signs are non-illuminated

NOTES
Two (2) options are available based on messaging needs

If determined that any sign is located in an area with inadequate ambient or indirect illumination at night, all signs shall utilize reflective vinyl to display information (method TBD)

City of Goodyear to provide locations for park area only

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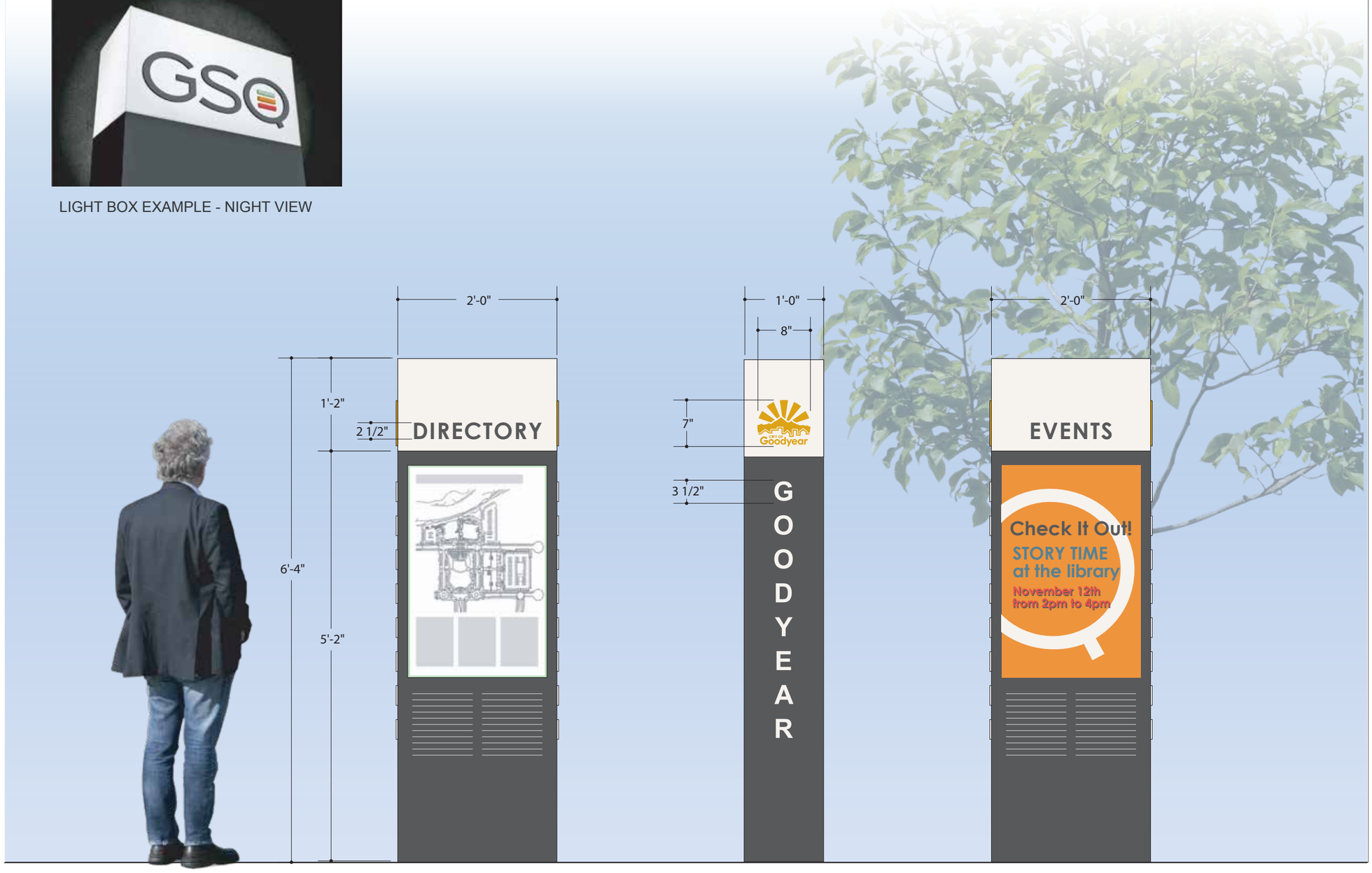
LIGHT BOX EXAMPLE - NIGHT VIEW



B-5: SITE DIRECTORY
Scale: 3/4"=1'-0"

FRONT VIEW | SIDE VIEW (BOTH) | REAR VIEW

SIGN TYPE: **B-5**
SITE DIRECTORY
LOCATION: KEY PEDESTRIAN AREAS

MATERIALS
Paint prefinished metal constructed monument sign with up to five (5) tenant panels - painted project black

CONSTRUCTION
Seamless light box identification cabinet at top with 1/2 inch deep flat cut-out (FCO) metal/plex identification, and City of Goodyear logo, flush mounted to face - font is Century Gothic Bold

Routed paint prefinished metal side panels with 1/4 inch push-thru white plex GOODYEAR copy - font is Arial Bold

Directory to be a digital display - style, function, and size to be determined upon unit selection (display type and manufacturer to be selected by City of Goodyear and/or client)

Back of sign, currently noted as EVENTS to either be digital display or standard hinge cabinet to allow for event postings (TBD)

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Internally illuminated (LED)

NOTES
Sign structure to have sufficient ventilation to house digital display(s) - per selected display manufacturer specifications

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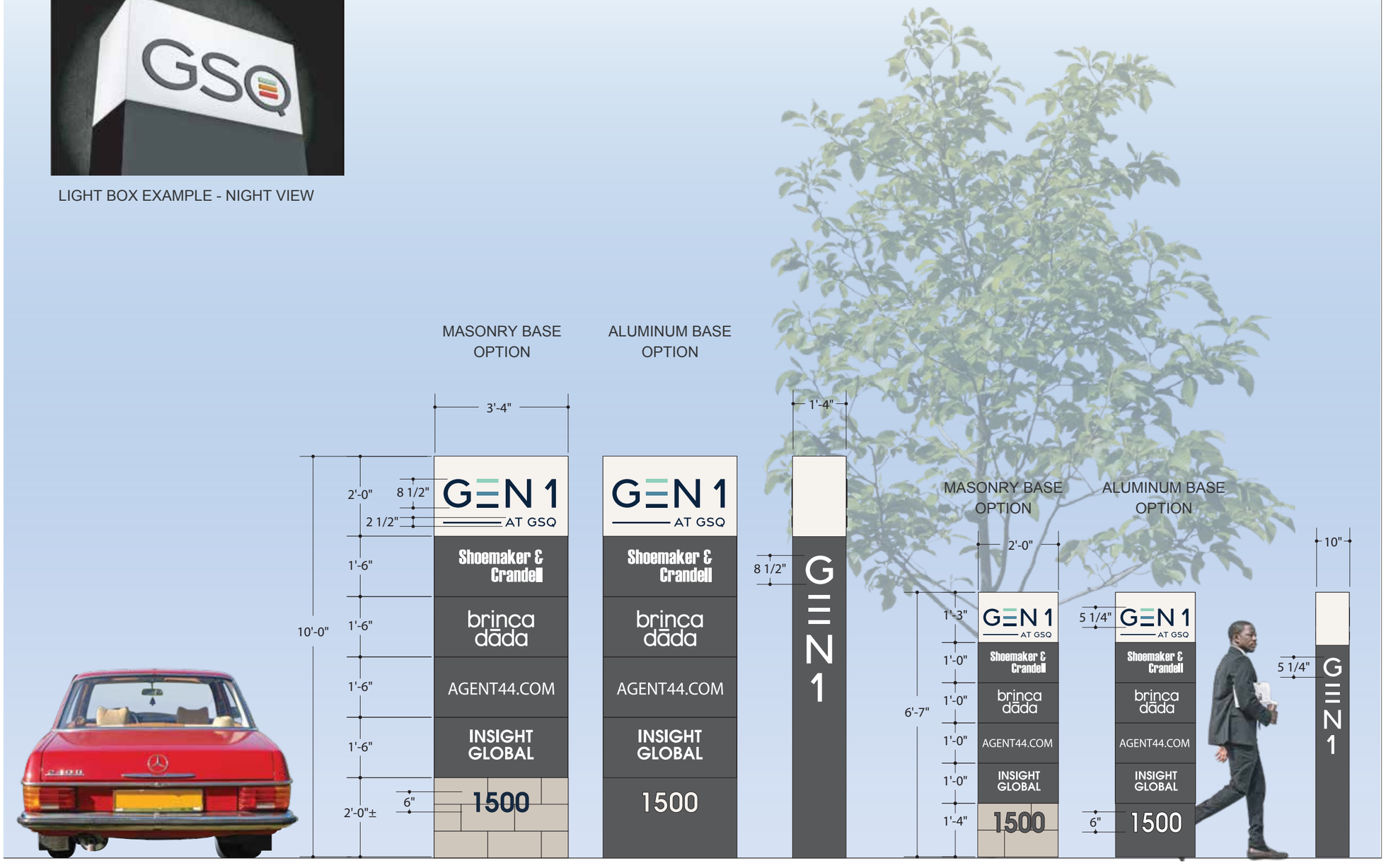
LIGHT BOX EXAMPLE - NIGHT VIEW



Bo-6: PRIMARY OFFICE DIRECTORY
Scale: 3/8”=1’-0”

SIDE VIEW (BOTH)

Bo-7: SECONDARY OFFICE DIRECTORY
Scale: 3/8”=1’-0”

SIDE VIEW

SIGN TYPE: **Bo-6 & Bo-7**
OFFICE BUILDING DIRECTORY
LOCATION: OFFICE DRIVES & PARKING AREAS INTERIOR OF PROJECT

MATERIALS
Paint prefinished metal constructed monument sign with up to four (4) tenant panels - painted project black

CONSTRUCTION
Seamless light box identification cabinet at top with 1/4 inch deep flat cut-out (FCO) metal/plex identification flush mounted to face - colors to match GEN1 project standard color palette

Routed paint prefinished metal tenant panels with 1/4 inch push-thru white plex logo/copy - design/layout per tenants brand/corporate standards

Routed aluminum side panels with 1/4 inch push-thru white plex GEN1 identification vertically oriented

Sign footing as required through engineering

ILLUMINATION
Internally illuminated (LED)

NOTES
Two (2) base options available - one to match architectural materials; one to be aluminum to match sign structure

All sign elements to be located out of any site visibility triangle

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SIGNAGE ELEMENTS

TEMPORARY | PORTABLE	C Signs
INFORMATIONAL & REGULATORY	D Signs

SECTION 005.3

005.3.1

005.3.1 thru 005.3.5

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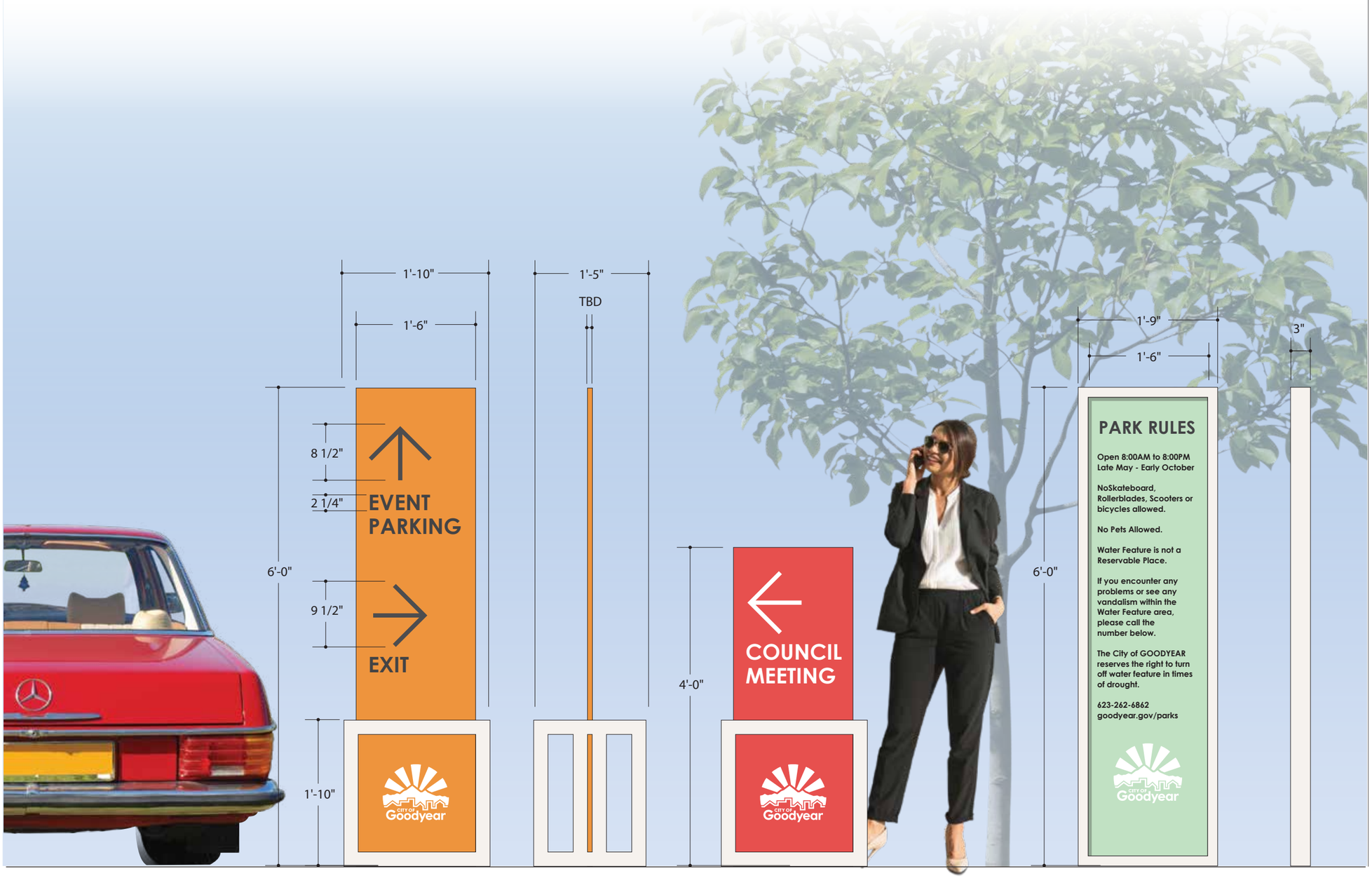

Cx-1: TEMPORARY DIRECTIONAL | FREESTANDING SIGN
Scale: 3/4"=1'-0"

SIDE VIEW

SINGLE DIRECTION

D-1: PARK RULES
Scale: 3/4"=1'-0"

SIDE VIEW

SIGN TYPE: **Cx-1**
TEMPORARY DIRECTIONAL |
FREESTANDING SIGN
LOCATION: AS NEEDED
FONT: CENTURY GOTHIC BOLD

MATERIALS | CONSTRUCTION
Custom 2 inch tube paint prefinished metal base structure - finish to match light natural finish from project color palette

Directional or specialized panels to be inserted into metal base (panel material TBD) with applied vinyl or digitally printed information

City of Goodyear logo applied to bottom of panel and is to appear centered in base structure opening - logo to be white reflecive vinyl

ILLUMINATION
Signs are non-illuminated

NOTES
Two (2) size options are available based on double or single messaging messaging needs - custom panels may be created for specific events

SIGN TYPE: **D-1**
PARK RULES
LOCATION: AT PARK ENTRIES
FONT: CENTURY GOTHIC BOLD

MATERIALS | CONSTRUCTION
Custom 1 1/2 inch tube aluminum sign structure - finish to match architectural palette and/or other project signage - information panel to be inset into structure

Current copy is a placeholder - final copy size and layout to be finalized when content is provided

ILLUMINATION
Sign is non-illuminated

CONSTRUCTION

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D-2: REGULATORY SIGNS
Scale: 3/4”=1’-0”

SIDE VIEW

REGULATORY EXAMPLES - FINAL MESSAGING AND SPECFICATIONS PROVIDED BY CITY OF GOODYEAR

SIGN TYPE: **D-2**
REGULATORY SIGNS
LOCATION: AS NEEDED (BY OTHERS)

MATERIALS | CONSTRUCTION
Custom paint prefinished metal sign structure - finish to match light natural finish from project color palette

Panels applied to custom structure as required

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Signs are non-illuminated

NOTES
Panels shown are for display purposed only - final messaging and specifications to be provided by the City of Goodyear

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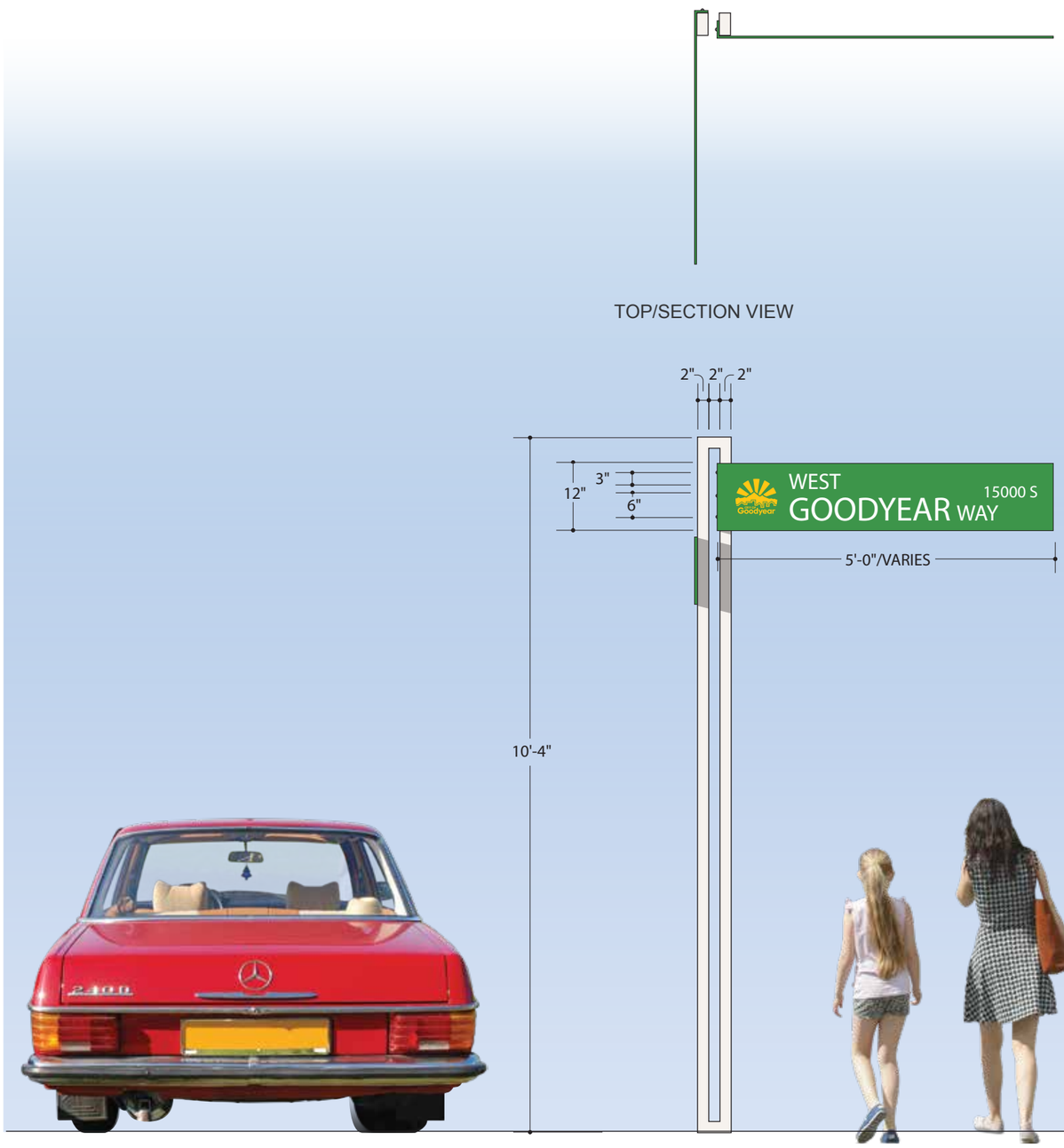

D-1: STREET SIGNS
Scale: 1/2”=1’-0”

SIDE VIEW

SIGN TYPE: **D-3**
CUSTOM UPRIGHT STREET SIGNS
LOCATION: PROJECT INTERSECTIONS

MATERIALS | CONSTRUCTION
Custom paint prefinished metal sign structure - finish to match light natural finish from project color palette

Logo = 6 1/2”
FONT: CLEARVIEW
West =2 3/4” ± CAP Height
Street Name= 4 1/4” ± CAP Height
WAY= 2”± CAP Height

Panels to wrap/break on left side and achor into the sign post structure - panel messaging to be double sided

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Signs are non-illuminated
NOTES
Panels shown are for display purposed only - final messaging, color, and layout specifications to be provided by the City of Goodyear

If determined that any sign is located in an area with inadequate ambient or indirect illumination at night, all signs shall utilize reflective vinyl to display information (method TBD)

Final locations to be determined by the City of Goodyear

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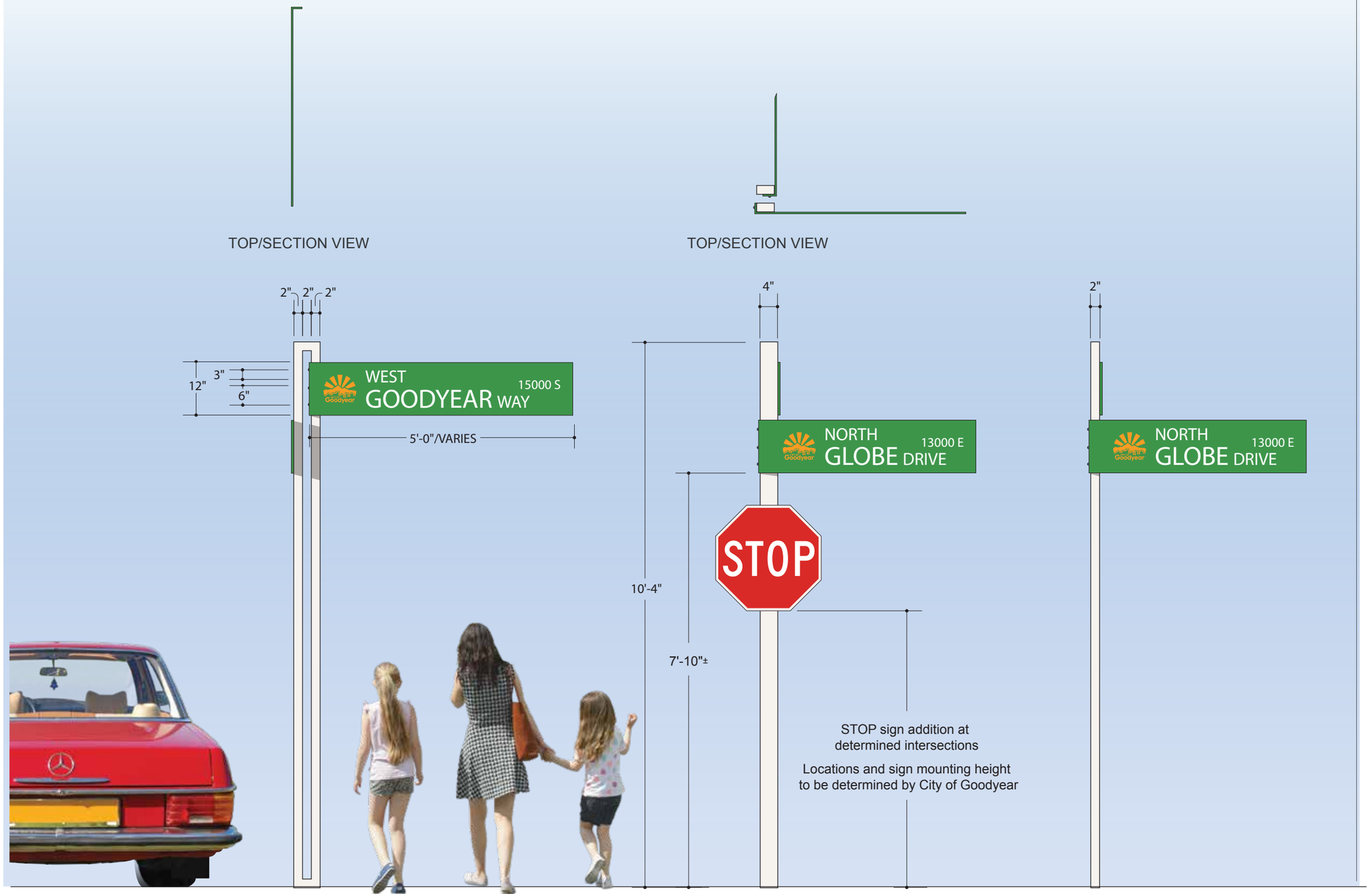

D-3a: STREET SIGNS
Scale: 1/2"=1'-0"

SIDE VIEW

2" POST OPTION FOR SECONDARY
SIGN LOCATIONS

SIGN TYPE: **D-3a**
CUSTOM UPRIGHT STREET SIGN AND
REGULATORY SIGN COMBINATION
LOCATION: PROJECT INTERSECTIONS

MATERIALS | CONSTRUCTION
Custom paint prefinished metal sign structure - finish to match light natural finish from project color palette

Logo = 6 1/2"
FONT: CLEARVIEW
West =2 3/4" ± CAP Height
Street Name= 4 1/4" ± CAP Height
WAY= 2"± CAP Height

Panels to wrap/break on left side and achor into the sign post structure - panel messaging to be double sided

Sign footings/anchoring as required by specific location and hardscape conditions

ILLUMINATION
Signs are non-illuminated

NOTES
Panels shown are for display purposed only - final messaging, color, and layout specifications to be provided by the City of Goodyear

If determined that any sign is located in an area with inadequate ambient or indirect illumination at night, all signs shall utilize reflective vinyl to display information (method TBD)

Final locations to be determined by the City of Goodyear

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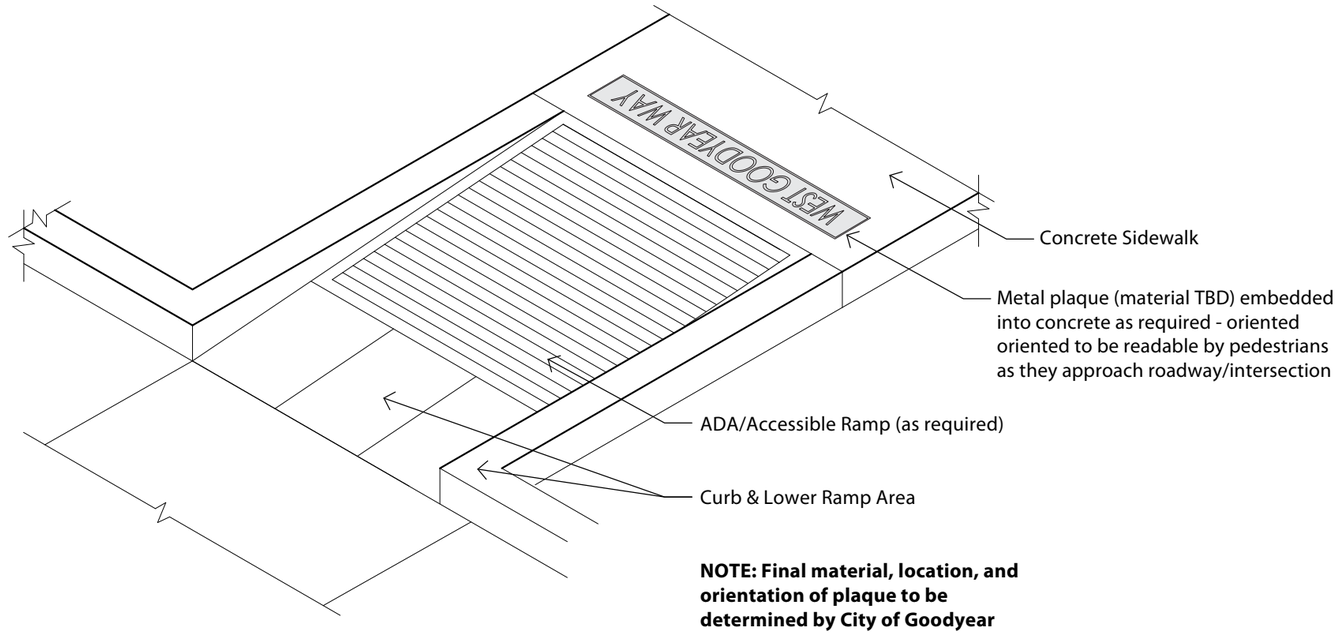
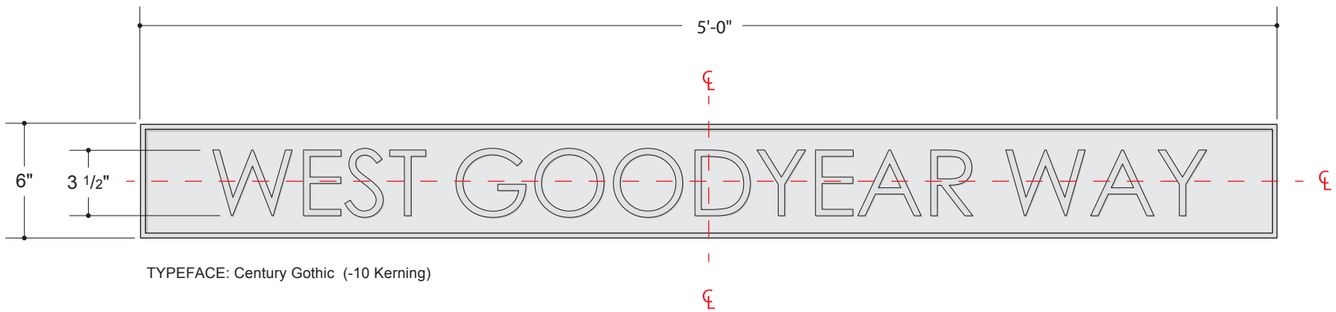


NOTE: Final material, location, and orientation of plaque to be determined by City of Goodyear

D-4: CUSTOM PLAQUE STREET SIGNS
Scale: Not to Scale



TYPEFACE: Century Gothic (-10 Kerning)

D-4: CUSTOM PLAQUE STREET SIGNS
Scale: 1/2"=1'-0"

SIGN TYPE: **D-4**
CUSTOM PLAQUE STREET SIGNS
LOCATION: PROJECT INTERSECTIONS

MATERIALS | CONSTRUCTION
Custom metal etched plaque, embedded into concrete sidewalks as required - material to either be white metal or bronze - to be determined by City of Goodyear

Sign implant/embedding as required by specific location and hardscape conditions - refer to Architectural Drawing Details AD02

ILLUMINATION
Signs are non-illuminated

NOTES
Panels shown are for display purposed only - street name orientation TBD

Fabricator/Contractor to test longest Street name to assure 3 1/2" cap height fits within the 5'-0" plaque length

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SIGNAGE ELEMENTS

DEDICATORY SIGNS E-2 Sign

SECTION 005.4

005.4.1 thru 005.4.3

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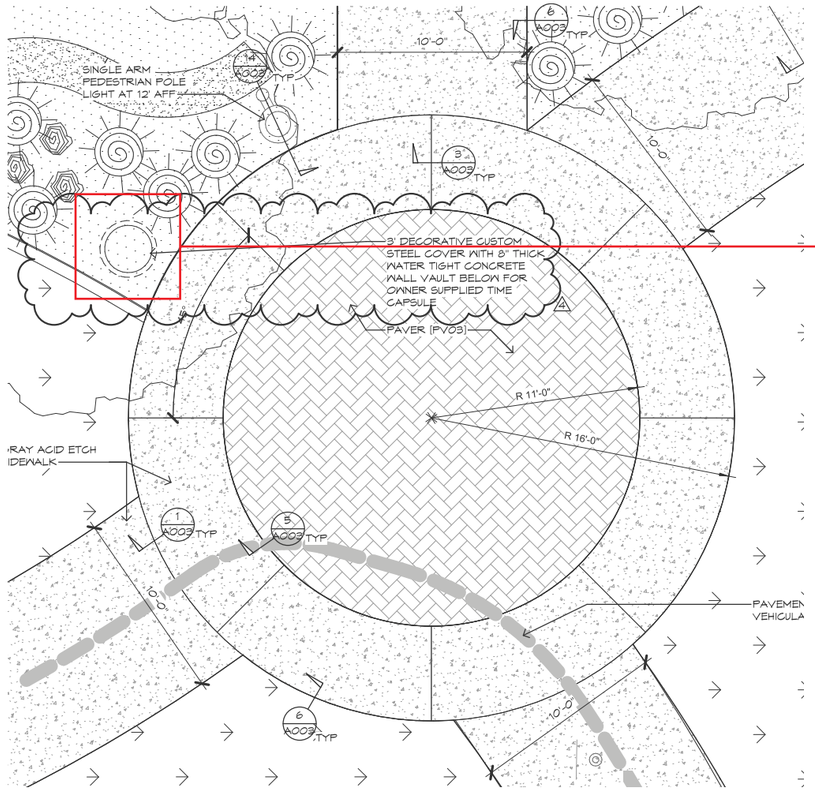

E-2: TIME CAPSULE - PROPOSED LOCATION
Scale: 1/8”=1’-0”

E-2: TIME CAPSULE -
Scale: 1”=1’-0”

SIGN TYPE: **E-2**
TIME CAPSULE

MATERIALS
White Metal Plaque

CONSTRUCTION
Manhole cover etched and paint filled logo and content to be located in park.
Attachment method tbd.

ILLUMINATION
No Illumination, relaying on ambient ligting in area

NOTES
Orientation in hardscape to be verified in the field prior to installation

Final Artwork provided by designer.

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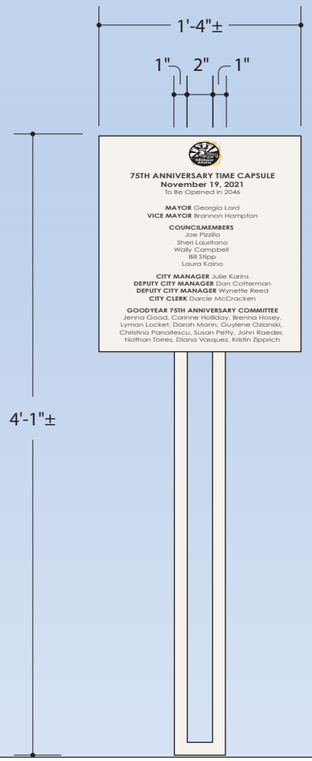
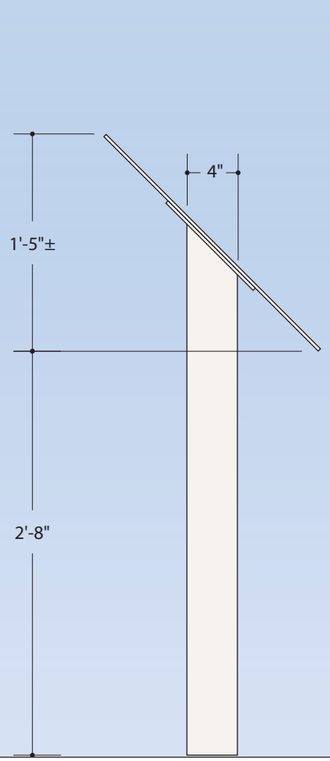
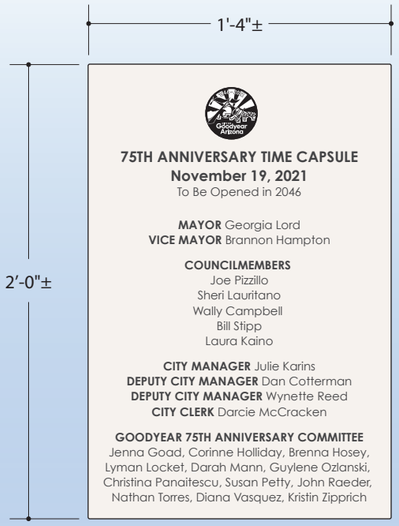




E-2a: TIME CAPSULE STATEMENT (LOCATED IN PARK) SIDE VIEW
Scale: 1”=1’-0”



E-2a: PANEL DIMENSION
Scale: 1 1/2”=1’-0”

SIGN TYPE: **E-2a**
TIME CAPSULE STATEMENT

MATERIALS
Painte Metal Plaque silkscreened content affixed to GSQ custom upright

CONSTRUCTION
Metal Plaque mechanically affixed to structure with blind attachments

ILLUMINATION
No Illumination, relaying on ambient ligting in area

NOTES
Artwork to be provided by designer.

Panel orientation to be determined upon site walk through.

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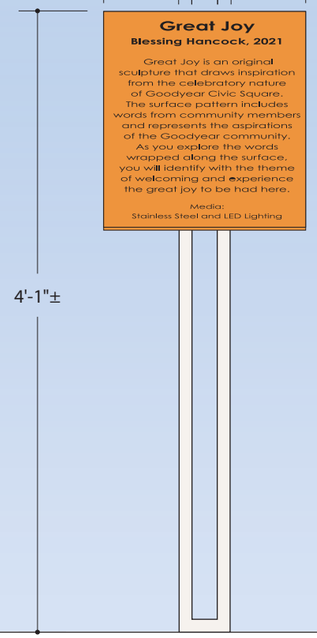
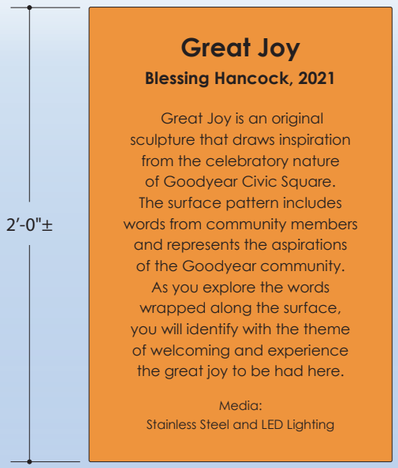
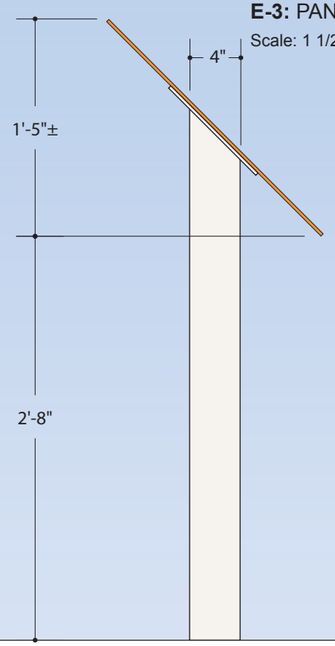


E2: Artist Statement (Located in Park)
Scale=3/8”=1’-0”





E-3: PANEL DIMENSION
Scale: 1 1/2”=1’-0”

E3: Artist Statement
MATERIALS
Painte Metal Plaque silkscreened content affixed to GSQ custom uprigh
t
CONSTRUCTION
Metal Plaque mechanically affixed to structure with blind attachments

ILLUMINATION
No Illumination, relaying on ambient ligting in area.

NOTES
Design and Content to be finakized by City and Designer.

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FUTURE SIGN ELEMENTS: NARRATIVE

Narrative

SECTION 005.5

005.5.1 thru 005.5.7

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GSQ Comprehensive Sign Plan Text
6-14-2021

A. COMMERCIAL, RETAIL and MIXED USE Uses within GSQ Development. For all signs with Commercial or Retail use and Mixed Use within GSQ:

1. Awning Signs

i. A maximum of twenty five (25%) percent of the front face area of the awning shall be used for signage. However, no Awning sign shall exceed an area of ten percent (10%) of the total wall signage square footage allocation.

2. Canopy Signs

i. A business utilizing an attached or detached canopy (i.e. office buildings or free standing retail buildings) may use a portion of its wall sign allocation for a sign on the canopy. However, no canopy sign shall exceed an area of twenty-five percent (25%) of the total wall signage square footage allocation.
ii. Two (2) canopy signs may be permitted per street frontage. Said signs may not extend more than four (4) feet above the canopy and design of sign must not conflict with architectural character of building
iii. Signs may not be placed on Parking Canopies.

3. Directional Signs – Vehicle Directional, Pedestrian Directional and Pedestrian Pole Directional signs

i. Vehicle Directional Signs and Pedestrian Directional Signs are permitted as follows: Signs shall be permitted at each driveway onto a public street, at each major internal Public or Private street intersections and additional locations as identified within the CSP. The table below identifies maximum allowed number of Vehicle Directional Signs and Pedestrian Directional Signs within 20 feet of ROW :

Table 1: Directional Sign

Lot	# of Vehicle Directional Signs	Max Sign Copy Square Footage and Max Sign Height per sign	# of Pedestrian Directional Signage	Max Sign Copy Square Footage
Lot 1	2 Vehicle Direction signs	20 sf – 6’6” height	2 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 2	6 Vehicle Direction signs	20 sf – 6’6” height	4 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 3	2 Vehicle Direction signs	20 sf – 6’6” height	2 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 4	4 Vehicle Direction signs	20 sf – 6’6” height	4 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 5	2 Vehicle Direction signs	20 sf – 6’6” height	2 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 6	4 Vehicle Direction signs	20 sf – 6’6” height	2 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 7	2 Vehicle Direction signs	20 sf – 6’6” height	2 Pedestrian Directional Signs	12 SF – 4’4” height
Lot 8	6 Vehicle Direction signs	20 sf – 6’6” height	4 Pedestrian Directional Signs	12 SF – 4’4” height

ii. If Lot is subdivided, one additional Directional sign of each sign type is permitted for each new Lot created.
iii. The maximum sign copy area shall be as identified in table above.
iv. The maximum height shall be as identified in Table 1 above. Architectural embellishments may increase the height of the sign an additional two (2) feet.
v. Directional signs internal to a lot shall only be included at major pedestrian or vehicle internal intersection points and not included in the counts identified in Table 1 above. Directional Signs internal to a lot shall not exceed 4’4” in height and exceed 12 sf of sign copy and not be visible from Public Streets. Max number of internal Direction signs shall not to exceed one (1) per building elevation.
vi. Directional Signs may be placed within one foot (1’) of ROW or back of curb for Private streets.
vii. Directional signs shall not be located within the sight visibility triangle of any driveway.
viii. Directional signs shall not impede the visibility any governmental regulatory traffic sign as determined by the City of Goodyear.
ix. Pedestrian Pole Directional signs (Type B3) shall not exceed 10’ 4” in height, their shall be no more than five (5) panels on each pole. Max Sign copy of each panel shall not exceed 3 sf. Sign copy shall only indicate a building names or address, points of interest, no business names may be included on copy of sign panels. Height of individual sign panels may not exceed 8” in height. All sign panels shall be color coded correlating to types of use per Comprehensive Sign Graphic exhibits. Pedestrian Pole Directional signs are allowed at all major sidewalk intersections, but are not required.
(1) Pedestrian Pole Directional signs may be placed in ROW with permission of City of Goodyear.
x. No Directional sign shall identify an individual business name, only places of interest, building names and or address.
xi. Directional signs may be placed in the MUE, SWE or PUE as long as they do not interfere with existing utilities and site visibility triangles. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.
xii. Sidewalk plaques are required at all Public Road sidewalk intersections. Plaques are not to exceed 2.5 sf and shall only include Public Street names in text of plaque. Plaque shall be flush with surface of pavement.
xiii. Direction signs may be raised letter signs and or vinyl / paint application on solid material. Signs may be internally illuminated, if internally illuminated must be raised letters if sign if located within 20’ of ROW or Private street and visible from the street, unless approved by Declarant and City of Goodyear zoning administrator.

4. Directory Signs (Type B5, B6 and B7)

i. Sign Copy shall not exceed an area of 40 square feet per sign face or height of ten (10) feet. Architectural embellishments may increase the height of the sign an additional two (2) feet.
ii. Directory Signs within twenty feet (20’) of ROW: one (1) sign for buildings less than 50,000 gross square footage and two (2) signs shall be permitted for buildings in excess of 50,000 gross square feet. See **Table 2** on the following page for maximum number of Directory Signs, if Lot contains more than one building.
iii. Directory signs only to be located on internal Public or Private streets within Civic Square. No Directory signs allowed along W. McDowell Road, 150th Drive or W. Monte Vistage. Directory signs shall be a minimum of 25’ from Directional Signs and Monument Signs.
iv. Directory signs may be placed in the MUE, SWE or PUE as long as they do not interfere with existing utilities and site visibility triangles. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.
v. Directory Signs may be placed within 1’ of ROW or back of curb for Private streets.
vi. **Table 2** on the following page represents maximum number of Directory Signs allowed per Lot.
vii. If Lot is subdivided one additional Directory sign is permitted for each new Lot created.

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Table 2: Directional Sign Table within 20' of ROW

Lot	# of Directory Sign	Max Sign Copy Square Footage and Max Sign Height per sign
Lot 1	2 Directory Signs	40 sf – 10' height
Lot 2	6 Directory Signs	40 sf – 10' height
Lot 3	3 Directory Signs	40 sf – 10' height
Lot 4	4 Directory Signs	40 sf – 10' height
Lot 5	3 Directory Signs	40 sf – 10' height
Lot 6	3 Directory Signs	40 sf – 10' height
Lot 7	3 Directory Signs	40 sf – 10' height
Lot 8	6 Directory Signs	40 sf – 10' height

5. Drive-Through Restaurant Menu Boards.

i. A drive-through restaurant may have two (2) menu boards per drive-through lane. However, only one of the two signs may contain speaker equipment.
ii. A menu board shall have a maximum height of eight feet and maximum copy area of 25 square feet. Menu board signs may be freestanding or wall – mounted.
iii. A menu board shall be located at least 15 feet from any public right-of-way
iv. The front of the menu board(s) shall not be visible from a public street. Speakers shall be directed away from residential property lines.
v. Freestanding menu boards shall have a monument base with a width at least 50% the width of the sign, be of material consistent with the architecture of the building facade and have a landscape area at the base of the sign(s) equal to at least two square feet for each square foot of sign area.

6.Electronic Message Display or Reader Panel Sign within Directional, Directory or Monument signs

i. Electronic Message Display or Reader Panel.
(1) A directional sign, directory sign or monument sign, may use up to one-half (1/2) of the allowed sign copy area for an electronic message display or reader panel . However, the electronic message display shall not exceed 24 square feet.
(a) Only twenty five percent (25%) of the allowable sign types within a lot may utilize electronic message display or reader panels unless approved by Zoning Administrator.
(2) The electronic message display shall have static displays. The display of video, animation, or special effects, such as traveling, scrolling, fading, dissolving, and bursting, shall be prohibited. No sound may be emitted by the display.
(3) Static displays shall not be changed more than once every eight (8) seconds. Change of display shall occur through an immediate transition.
(4) The electronic message display shall include a sensor or other device that automatically reduces the brightness of the display during low-light conditions. Display brightness shall not exceed three hundred (300) nits from dusk till dawn.
(5) The electronic message display shall be shut off between 10:00 P.M. and sunrise when such display is located within one hundred fifty (150) feet of a single-family residential zoning district.

(6) Should the electronic message display malfunction, the display shall be shut off until such time that repairs have been completed to restore the electronic messaging system.
(7) The use of the electronic message display for off-site advertising is prohibited.

7. Monument Signs

i. Allowable number of Monument signs based on **Table 3** below:

Table 3: Monument Sign table

Lot	# of Monument Signs allowed along N. 150th Drive, W. McDowell Road and W. Monte Vista Rd (Sign Type A3)	Max Sign Copy Square Footage and Max Sign Height (Type B1)	# of Monument Signs allowed on internal public and private streets (Sign Type A4)	Max Sign Copy Square Footage and Max Sign Heightand Max Sign Height per sign (Type B2)
Lot 1	1 Monument sign	100 sf – 18 ft	3 Monument sign	48 sf – 12ft
Lot 2	8 Monument signs	100 sf – 18 ft	5 Monument signs	48 sf – 12ft
Lot 3			1 Monument sign	48 sf – 12ft
Lot 4	1 Monument sign	100 sf – 18 ft	1 Monument sign	48 sf – 12ft
Lot 5	2 Monument signs	100 sf – 18 ft		
Lot 6			1 Monument sign	48 sf – 12ft
Lot 7			1 Monument sign	48 sf – 12ft
Lot 8	7 Monument signs	100 sf – 18 ft	5 Monument signs	48 sf – 12ft

ii. If Lot is subdivided one additional Monument sign is permitted for each new Lot created.
iii. If Table 3 allocates more than one (1) monument sign per Lot, Lot must have more than one (1) building permitted prior to additional monuments signs being installed after installation of first monument sign.
iv. Declarant is allowed to install four (4) monument signs along N. 150th Drive, W. McDowell Road and W. Monte Vista Road (known as perimeter streets) from the Table 3 above prior to development and or construction of lots parallel to these streets. Declarant has sole approval rights of sign copy installed on Monuments signs. Sign copy only for onsite business, no off-site advertising permitted.
v. Land Owners may only install sign copy of businesses or tenants located within their lot, except as described under section A.7.iv.
vi. The minimum distance between monument signs on the same street side shall be 100 feet except at driveway entrances (External or Internal Streets) which allow two (2) monument signs
vii. The maximum height shall be eighteen (18) feet for Type A3 and twelve (12) feet for Type A4 and the maximum sign copy area shall be shall not exceed square footage identified on Table 3 above. Monument sign size shall not exceed 150% of the max sign copy area. Architectural embellishments may increase the height of the sign an additional three (3) feet. Site walls and or screen wall integrated into Monument sign are not included in maximum monument sign square footage.
viii. Monument signs may be placed in the MUE, SWE or PUE as long as they do not interfere with existing utilities and site visibility triangles. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.

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ix. Signs may be placed within 1' of ROW or back of curb if Private Street.
x. Monument signs shall not be located within the sight visibility triangle of any driveway nor in any other location that restricts or blocks visibility of vehicles traveling within the development.
xi. Monument signs must be 25 feet from Directional or Directory signs.
xii. The base of the monument sign shall have an aggregate width at least 50% the width of the sign.
xiii. Installation, repair or replacement of Individual sign panels within Monument sign are not required to be permitted by the City of Goodyear, but must meet requirements of CSP and City of Goodyear Zoning ordinance. All sign panels must be approved by Declarant prior to installation or replacement.
xiv. Street address numerals shall be provided on all monument signs located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign. Numerals sha ll be sized in accordance with the International Fire Code, as amended.

8. Lot 4 – Civic Park

i. Lot 4 is permitted to install "Goodyear" monument letters. Max sign copy area: 350 sf. Sign maybe internally or externally lit. Maximum height of Civic Park monument letters 10' measured from the adjacent grade
ii. Civic Park Rules or other Governmental Signs shall be consistent in design with Directional signs. Signs may utilize flat plats with vinyl lettering. Park Rules or other Governmental signs located within Lot 4 are not included within sign copy square footages identified in Table 1, 2 or 3.
iii. Temporary signs for special events are allowed and do not require permits. Signs may be erected two (2) days prior to event and must be removed within two (2) days after completion of special event. Special events are determine by the City of Goodyear.

9. Projecting Signs

i. One projecting sign may be permitted per ground floor business or tenant. A business may use a portion of its allocation of wall signage for a projecting sign. However, no projecting sign shall exceed an area of 15 square feet. Signs may be attached to building attached canopies or face of building
ii. A projecting sign shall have an eight-foot minimum clearance between the bottom of the sign and the sidewalk, If projecting sign encroaches into a PUE or other utility easement sign, bottom of sign must be minimum of 14' above grade.

10. Shingle Signs

i. One shingle sign may be permitted per ground floor business. A shingle sign shall have a maximum area of three square feet. Signs may be attached to building attached canopies.
ii. Shingle signs shall have an eight-foot minimum clearance between the bottom of the sign and the sidewalk. If a Shingle sign encroaches into a PUE or other utility easement sign, bottom of sign must be minimum of 14' above grade.

11. Wall Signs

i. One or more wall signs shall be permitted on the exterior walls of the space occupied by the business in accordance with the following guidelines:
(1) Maximum Wall Sign Copy area calculation for Occupied Buildings:
(a) Building elevations parallel to Public or Private Street is allocated a maximum of one and one half (1.5) square foot of sign area for each linear foot of frontage or 35 square feet, whichever is greater. Internal circulation drives of a Lot are not considered streets for purpose of calculation.
(b) All other elevations is allocated a maximum of one-half square foot of sign area for each linear foot of respective building facade.
(i) If a building only has one street frontage, all other building elevations are allocated a maximum of one-half square foot of sign area for each linear foot of building facade.
(ii) For portions of buildings without frontage, one-half square foot of sign area of each linear foot of building facade.

(c) For single tenant Office Building occupants greater than 50,000 sf, sign square footage may be increased 200 % with approval of Declarant and Zoning Administrator. Signage may be installed at or above the roof line on Parapet walls or Mechanical Screen walls.
ii. Wall signs may include multiple lines of text, symbols and logos as long as the sign complies with the Wall sign copy square footage.
iii. Wall-mounted cabinet panel signs are prohibited. All signs must be raised letter signs and internally illuminated. Raceways are permitted, but must be integrated with the architectural design of the building façade and sign. Flush mounted cabinets utilized to mount Raised Letter signs are permitted for standalone Retail Building Use only, but must be integrated with the architectural design of the building façade and sign and approved by Declarant.
iv. For multi-story buildings, wall signs may only be placed between the window header of 1st floor (or 12' above grade if window header does not exist) and below window sill of 3rd floor (or 32' above grade if window sill does not exist) and or above the top floor window mullion header, including Parapet wall or Mechanical screen. Alternate sign locations may be approved, but must be approved by City of Goodyear Zoning Administrator and Declarant.

12. Center ID Sign (Type A-2)

i. Declarant permitted to install four (4) freestanding Center ID Signs (at NW corner of site at intersection of 150th Drive and W. McDowell Road, SW corner of site at intersection of 150th Drive and W. Monte Vista Rd. W. McDowell Road entrance and future W. Monte Vista Rd entrance)
(1) Center ID Signs sign copy shall not exceed 150 sf, the maximum height of sign copy areas is ten (10) feet. Sign may be internally or externally illuminated. The sign shall be designed to complement the streetscape and landscaping and have a base with a width at least 50% the width of the sign.
(2) No business or tenant sign copy is permitted at Center ID sign locations

13. Window Signs.

i. Permanent Window Signs shall not exceed 50% of the total area of the window through which such signs are located. Permanent Window signs shall be integrated into the architectural design of the building façade. Signs must utilize materials and colors consistent with the building in which the signs are displayed. Sign Copy is limited to building names, address numbers, artistic messages. Sign copy including tenant names or advertising is not permitted.
ii. Temporary Window Signs shall not exceed 25% of total area of the window through which such signs are located. Temporary window signs are only allowed to be installed for a duration of 30 days and must be removed. Temporary signs can only be installed twice a year. Signs must utilize materials and colors consistent with the building in which the signs are displayed.
iii. Temporary Window Signs shall only be displayed in first floor windows.
iv. Permanent window signs may be illuminated but may not be animated or utilize an electronic message display.

B. RESIDENTIAL Use within Civic Square:

For all signs with Residential Uses the following shall apply. Residence Uses (includes apartments, condominiums, townhouses, similar such uses).

1. Directional Signs: Vehicle Directional, Pedestrian Directional and Pedestrian Pole Directional signs (Sign Type B-1, B-2, B-3, B-4)
i. Vehicle Directional signs shall be permitted at each driveway onto a public street, at each major internal Public or Private street intersections and additional signs at street frontage as identified in Table 1.
ii. Pedestrian Directional signs shall only be placed a midpoint between drive entrances if sign is within 20' of ROW.
iii. The maximum sign copy area shall be as identified in **Table 1** above.
iv. The maximum height shall be as identified in **Table 1** above. Architectural embellishments may increase the height of the sign an additional two (2) feet.

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v. Directional signs internal to a lot shall only be included at major pedestrian or vehicle internal intersection points and not included in the counts identified in **Table 1** above. Directional Signs internal to a lot shall not exceed 4'4" in height and exceed 12 sf of sign copy and not be visible from Public Streets. Max number of internal Direction signs shall not to exceed one (1) per building elevation.
vi. Directional Signs may be placed within 1' of ROW or back of curb for Private streets.
vii. Directional signs shall not be located within the sight visibility triangle of any driveway.
viii. Directional signs shall not impede the visibility any governmental regulatory traffic sign as determined by the City of Goodyear.
ix. Pedestrian Pole Directional signs shall not exceed 10' 4" in height, their shall be no more than five (5) panels on each. Max Sign copy of each panel shall not exceed 2 sf. Sign copy shall only indicate a buildings, point of interest, no business names may be included on copy of sign panels. Height of individual sign panels may not exceed 8" in height. All sign panels shall be color coded correlating to types of use per Comprehensive Sign Graphic exhibits. Pedestrian Pole Directional signs are allowed at all major sidewalk intersections, but are not required.
x. No Directional sign shall identify an individual business, only places of interest, building names and address.
xi. Directional signs may be placed in the MUE, SWE or PUE as long as they do not interfere with existing utilities and site visibility triangles. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.
xii. Sidewalk plaques are required at all Public Road sidewalk intersections. Plaques are not to exceed 2.5 sf and shall only include Public Street names in text of plaque. Plaque shall be flush with surface of pavement. See Comprehensive sign graphics for additional requirements.
xiii. Directional signs may be raised letter signs and or vinyl / paint application on solid material. Signs may be internally illuminated, if internally illuminated must be raised letter construction if sign is within 20' of ROW and visible from the ROW.
xiv. Directional signs may be mounted on building façade, but height of sign not to exceed 20'.

2. Directory Signs (Type B5, B6 and B7)

i. One Directory sign is permitted at each Driveway entrance onto the Lot from a Public or Private street. An addition Directory sign is permitted within 20' of ROW if the frontage exceed 200 ft. The maximum sign copy area is 40 square feet and the maximum height is ten (10) feet within 20' of ROW. Architectural embellishments may increase the height of the sign an additional two (2) feet.
   (1) Directory signs within 20' of the ROW and visible from the ROW shall be Raised letter signs. Signs may be internally illuminated.
   (2) Fire Department required maps may be flat letter or printed signs and do not counted against sign copy maximum square footage.
ii. Internal to the Development and not visible from the ROW, one free-standing directory sign shall be permitted for each multi-tenant residential building onsite with a maximum sign copy area of 18 sf per sign face. Directory internal to the development may be flat vinyl apply signs or box channel signs. Signs may be internally illuminated.
iii. Signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.
iv. The maximum number of Directory signs shall not exceed **Table 2** for signs within 20' of ROW or Private street per Lot.

3. Monument Signs

i. One monument sign for each driveway onto a public street and at each public street intersection, but no more than identified within **Table 3**.
ii. The maximum sign copy area and height are per **Table 3**.
   (1) Type A4 monument sign allowed per **Table 3**. Type A3 may be requested by Lot owner if mixed use residential project or can justified need for increase signage with approval of Declarant and Zoning Administrator.
   (2) Architectural embellishments may increase the height of the sign an additional two (2) feet.
iii. If **Table 3** allocates more than one (1) monument sign per Lot, Lot must have more than one (1) building permitted prior to additional monuments signs being installed after installation of first monument sign.
iv. The minimum distance between monument signs on the same street side shall be 100 feet except at driveway entrances (External or Internal Streets) which allow two (2) monument signs
v. Monument signs may be placed in the MUE, SWE or PUE as long as they do not interfere with existing utilities and site visibility triangles. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.
vi. Signs may be placed within 1' of ROW or back of curb if Private Street.
vii. Monument signs shall not be located within the sight visibility triangle of any driveway nor in any other location that restricts or blocks visibility of vehicles traveling within the development.
viii. Monument signs must be 25 feet from Directional or Directory signs.
ix. The base of any monument sign shall have a width at least 50% the width of the sign.
x. Street address numerals shall be provided on any monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign. Numerals shall be sized in accordance with the International Fire Code, as amended.
xi. The maximum number of Monument signs shall not exceed Table 3 for Monument signs within 20' of ROW or Private street per Lot.

4. Sales Office

i. Up to eight flags may be placed at the sales office.
ii. Flags shall have a maximum area of 12 square feet and a maximum height of 25 feet.
iii. Flags shall be removed no later than one year of the issuance of the first Certificate of Occupancy for the development.

5. Wall Sign

i. Residential Developments may have one wall sign per Public or Private street frontage and one additional freestanding wall sign at each drive entrance from a Public or Private street. Each Wall sign copy area shall not exceed 50 sf.
   (1) For multi-story buildings, building mounted wall signs may be installed on the bottom and top floors. Alternate sign locations may be approved, but must be approved by City of Goodyear Zoning Administrator and Declarant. (example vertical stack letters in lieu of horizontal letters)
   (2) All Wall signs must be individual raised letters, internally illuminated, unless approved by Declarant.
   (3) Directional signs mounted on façade of building do not count against wall sign square footage. Cabinet sign construction is not allowed.
   (4) Wall signs may include multiple lines of text, symbols and logos as long as the sign complies with the Wall sign copy square footage.

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6. Residential Center ID Sign within Master Development

i. Residential communities within Master Development may have one (1) Residential Center ID signs, sign copy shall not exceed 125 square feet, the maximum height of sign copy areas is ten (10) feet. Sign may be internally or externally illuminated. The sign shall be designed to complement the streetscape and landscaping and have a base with a width at least 50% the width of the sign. The sign is encouraged to include the name of the development for efficient wayfinding
ii. All Wall signs must be individual raised letters, unless approved by Declarant. The sign copy may only indicate the name of the development.

7. Model Units

i. Up to four flags per model unit may be placed at any one Lot, but the total number shall not exceed eight.
ii. Flags shall have a maximum area of 12 square feet and may not be maintained higher than 25 feet above the adjoining ground.
iii. Flags shall be removed when 95% of the lots in the units are leased and/or the on-site sales office closes, whichever occurs first.

C. Traffic Regulatory Signs within ROW

1. City of Goodyear regulatory traffic sign posts
i. In lieu of sign post identified in City of Goodyear standard details G-3209-3 an alternate posts may be utilized as identified within CSP. All other requirements identified within standard detail G-3209-3 shall remain.
(1) Alternate sign post may be used for ADA parking signs.
ii. In lieu of Street Name sign shown in City of Goodyear standard detail G-3209-1, alternate Street Name sign may be utilized. All other requirements identified within standard detail G-3209-1 shall remain.

D. Temporary Signs.

1. Construction Project Sign
i. During the construction phase, each Lot may have three (3) sign with a maximum area of 96 square feet and a maximum height shall of 12 feet.
ii. The sign shall not be located within 100 feet of any property line of an existing residence.
iii. Such sign shall not be illuminated.
iv. The sign must be removed when 95% of the units are lease and/or the on-site sales or leasing office closes, or project certificate of occupancy, whichever occurs first.
v. Signs shall be replaced if faded or damaged within 45 days of notice from City of Goodyear or Declarant.

2. CONSTRUCTION FENCE FABRIC PROJECT SIGNS

i. During construction phase of project, each Lot may erection fabric project signs. Verbiage print on fabric panels to only include project specific information and no offsite marketing information.
ii. Sign Copy square footage: one and one half (1.5) square foot of sign copy area for each linear foot of Public or Private street frontage or 100 square feet, whichever is greater.
iii. Temporary fabric fence panels that do not include signage copy do not count against sign copy square footage such as building renderings, life style images or maps.
iv. Construction Fabric Project signs that are torn or faded shall be replaced within 45 days of notice by City of Goodyear or Declarant.
v. Construction Fabric Project signs shall be removed prior to Certificate of Occupancy.
vi. Signs shall not be located in ROW, but may be located in MUE, SWE or PUE with written approval of Master Developer. No signs shall be located in site visibility triangle or impede visibility of traffic or existing permanent signage.
vii. Construction Fence Fabric Project Signs do not require City of Goodyear Sign permit, but if found in violation of Comprehensive Sign Plan or City of Goodyear Zoning ordinance sign shall be removed within five (5) days' notice.
(1) Fence Sign may not be installed until project receives City of Goodyear Site Plan approval. If construction does not proceed within six (6) months of installation sign shall be removed.

3. All other Temporary sign shall comply with City of Goodyear Sign Zoning Ordinance.

4. No temporary sign may be attached to light poles.

E. Street Light Pole Banner signs

1. Street Light Pole Banner signs are permitted within GSQ development.
2. Signs must be approved by Declarant and City of Goodyear.
3. Sign Copy area shall not exceed eight (8) square feet.
4. Sign must utilize existing Light Pole Banner backets.
5. Only City of Goodyear shall have rights to utilize Street Light Pole Banner signs at Street Light poles located within MUE.
6. Land Owner or Tenant may request use of Street Light Pole Banners within MUE, but must receive written permission from both Declarant and City of Goodyear. At any time Declarant or City of Goodyear may require banner removed for use by others. Banner to be removed within five (5) days of written notice.
7. Signs / Banner may be constructed of tear resistant fabric or solid plate material.

F. Portable signs

1. Portable signs as permitted per City of Goodyear Sign Zoning Ordinance. Signs shall be subject to renewal of an annual permit issued by the City of Goodyear.
2. Portable signs may not be placed in MUE, SWE and PUE without permission of Declarant. Signs shall not be located within sidewalks.
3. All portable signs must receive approval of Declarant. Sign Copy may only be specific to the building or tenant within the Lot it is located. No portable signs may be placed outside of Lot owner's land or tenant leased space.

G. Flags

1. All State and United State of America Flags must be illuminated at night or removed at dusk.
2. See addition section of Comprehensive Sign Plan and City of Goodyear Sign Zoning Ordinance for flag requirements.

H. Sale or Lease signs

1. Sale or Lease signs as permitted per City of Goodyear Sign Zoning Ordinance.
2. All Sale or Lease signs must be approved by Declarant and City of Goodyear prior to installation.

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I. Sign Placement

1. If specific free standing sign location it not identified above, the sign shall be placed no closer than three (3)' for right of way or back of curb if Private street. Signs may be placed within MUE, SWE and PUE, but in no way may conflict with site visibility triangle (as defined by the City of Goodyear current Engineering Design Standards) and obstruction of Governmental regulated signed.
   i. Signs in these locations shall be designed in such a manner so that underground utilities may be modified, installed or repaired.
   ii. If sign is determined to be a hazard to vehicular or pedestrian traffic as determined by City of Goodyear City Engineer or Declarant, the sign shall be removed and relocated at tenant or land owners expense.
2. All signs shall not impede visibility of governmental regulated signage such as regulatory traffic signs. Location and distance from governmental regulated signs shall be determine by City of Goodyear.
3. No tree on Public or Private street frontage may be removed for placement of sign unless approved by Zoning Administrator.
4. No sign shall be placed within seven (7) of a fire hydrant or within a Liberty Utility easement (unless written permission is received from Liberty Utilities and Declarant.)
5. Parking Garages are treated the same as any building within a Lot in regards to allowance signage. No private advertising is permit on Parking Garage signs.
6. If no specific sign separation distance is specifically identified within this document. Individual free standing sign types shall be separated an appropriate distance as not to create a negative effect to the site architecture of the campus. Final location of signs shall be approved by Declarant and Zoning Administrator. All signs location shall be shown on a dimensions, scaled site plan.

J. Sign Height

1. Height of a freestanding sign shall be measured as the vertical distance from the top of the highest element of the sign structure to the adjacent grade. The adjacent grade is surface grade of the sidewalk or hardscape materials adjacent to sign within 10' of sign.
2. A maximum of three (3) feet of additional height may be added to all freestanding signs to provide for the provisions of architectural embellishment if not specifically identified within the CSP.
3. The height of a Wall sign shall be measured as the vertical distance from the base of the wall on which the sign is located to the top of the sign structure or 1st floor - finish floor elevation (typically 0'0" elevation on building plans.)

K. Sign Area

1. The sign area is per the City of Goodyear Sign Zoning ordinance .
2. For clarification purposes:
   i. A monument sign (Type A4) is considered a two face sign with a sign copy area of ## sf. The monument sign may have sign copy or text on both faces of the sign, but the maximum sign copy square footage is calculated based on the surface area of one face of the sign not both. This applies to all free standing sign types.

L. Sign Construction

1. All signs shall comply with additional requirements identified within Comprehensive Sign Graphics package. This document and Comprehensive Sign Graphics package may be updated from time to time. If sign is replaced it shall comply with most current version of Comprehensive Sign Package. Contact Declarant for current copy of Comprehensive Sign Package.
2. All signs must be raised letter construction unless specifically stated within the Comprehensive Sign Plan and approved by Declarant.

3. All Directory and Directional signage within 20' of ROW or Private street shall comply additional requirements identified in Comprehensive Sign Graphics package. All fonts shall be the consistent with font indicated in Comprehensive Sign Graphic package.
4. Monument Signs shall be consistent with Comprehensive Sign Graphics but font may be project and or Lot specific.
5. GSQ logo / name must be integrated into design of any Directory sign or Monument sign if sign is located within 20' of ROW or Private Street.
   i. Exception: Any sign located within the City of Goodyear ROW or City of Goodyear property does not need to comply with section L.5.

M. Administration

1. All signs must be reviewed and approved by Declarant prior to submittal to City of Goodyear for approval. Land Owner or Tenant will include Declarants approval letter with permit application to city. Declarant approval does not necessarily indicate city approval of signage permit submittal.
2. Declarant Signage Review: Building Owner and or tenant shall submit three (3) colored sign packages and one pdf electronic copy for review by Declarant:
   i. Submittal must include the following:
      (1) Name of Applicant and contact information of applicant and sign company fabricating and installing the sign.
      (2) Detailed scaled shop drawings of signs proposed, clearly describing the sign materials, fabrication methods and colors. All documents to be in color. All colors must match actual colors of material installation at time of installation.
      (3) Scaled and dimensioned site plan showing exact location of sign and surrounding buildings, landscape, hardscape and utilities. If mounting signs on building, include sign on actual elevation of building. Generic building elevations are not acceptable.
      (4) Include itemized table of proposed signs, showing number of signs by type, square footage of each sign type, sign copy square footage of each sign type and how it complies with GSQ Comprehensive Sign plan.
      (5) Copy of City of Goodyear Sign Permit application and Submittal checklist. Contact City of Goodyear for Sign Permit checklist.
   ii. Declarant may request physical color samples and materials of sign types proposing to install prior to approval.
   iii. Building Owner and or Tenant shall not submit Signage plans to City of Goodyear until Declarant issues approval letter.
   iv. Declarant has 30 days to review and approve Signage plans. If Declarant does not respond within 30 days, contact Declarant. Signage Package is not deemed approved if Declarant does not respond.
   v. Building Owner shall reimburse Declarant for review of Signage package. Contact Declarant for cost of Sign package review. Declarant may contract out Signage package review.
   vi. Declarant Review of Signage does not indicate or imply approval of signage by City of Goodyear. City of Goodyear is a separate review process.

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3. Signs shall be replaced or repaired if sign is disrepair, faded or damaged within 45 days of written notice from City of Goodyear or Declarant. If Sign or signs are not repaired within 45 days Declarant, at Land Owner or Tenants expense, Declarant may remove and or repair sign and charge Land Owner or Tenant 150 % of cost to remove or repair sign including any costs to repair building façade, landscape, hardscape adjacent to sign. Land Owner or Tenant may request a 30 day extension if they can provide evidence to Declarant new sign is being fabricated or sign is being repair.
   i. Internally illuminated signs or electronic display panels that are malfunctioning or only partially illuminated shall be turned off until repairs are complete.
   ii. If modification or sign replacement results in visible surface imperfections, such as faded paint, cracks, holes, etc. tenant or land owner shall repair building façade to like new conditions.
4. Signage design significantly deviating from CSP may be required to be reviewed by City of Goodyear planning commission and City Council at the determination of the Zoning Administrator.
5. Definition of Comprehensive Sign Plan:
   i. Definition of Sign Types are per City of Goodyear Sign Zoning Ordinance.
   ii. MUE: Municipal Utility Easement
   iii. SWE: Sidewalk Easement
   iv. PUE: Public Utility Easement
   v. No signs may be placed in private easement unless permission is granted from both the grantee and grantor unless specifically described in the Comprehensive Sign Plan.
   vi. Public Streets: Dedicated public passageway which affords the principal means of access to abutting property.
   vii. Private Streets Dedicated private passageway which affords the principal means of access to abutting property
   viii. Frontage: All property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of a street (if street is dead end, then all property abutting one side between an intersecting street and the street's termination), including property fronting on a cul-de-sac.

N. Prohibited Sign Types

1. All sign types prohibited within Article 7 – 11 of the City of Goodyear sign code.
2. Any sign not specifically listed as being permitted by this Ordinance and GSQ Comprehensive Sign plan is prohibited, including, but not limited to, the following:
   i. Any sign bearing content or conveying a message that is not protected by the First Amendment to the United States Constitution or any corollary provisions in the Arizona Constitution.
   ii. Billboard (outdoorboards).
   iii. Signs attached to any utility pole or structure, street light, traffic signal, tree, fence, fire hydrant, bridge, park bench or other location on City-owned property, rights-of-way or other public property.
   iv. Signs affixed to any vehicle, except as provided in Article 7-9 (Temporary Signs).
   v. Off-site signs.
   vi. 6. Electronic message displays, reader panel signs, and signs that are animated or audible, rotate or have intermittent or flashing illumination or emit audible sound or visible matter except as otherwise allowed in this Article and GSQ Comprehensive sign plan.
   vii. Banners, flying banners, pennants, wind-driven spinners, streamers, balloons, flags, search lights, strobe lights, holographic projections, laser light displays, beacons, and inflatable signs, except as otherwise provided in Article 7-9 (Temporary Signs).
   viii. Roof signs.
   ix. Signs displayed in a manner or location that prevent free ingress and egress from a door, window or other exit.
   x. Portable signs and/or temporary signs except as otherwise provided in Article 7-9 (Temporary Signs).
   xi. Signs displayed in a location prohibited by this Ordinance.
   xii. Directional signs, except as otherwise provided for in this Article and GSQ Comprehensive Sign plan.
   xiii. Pole signs over six feet in height except as approved within GSQ Comprehensive Sign plan
   xiv. Nonconforming signs other than legal nonconforming signs.

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SIGNAGE LOCATION PLANS

Site Details | Vicinity Map		005.6.1.1
Overall Location Plans	All Signs	005.6.1.2
Identity Location Plans	A Signs	005.6.2
Wayfinding Location Plans	B Signs	005.6.3
Dedicatory Location Plans	E Signs	005.6.4

SECTION 005.6

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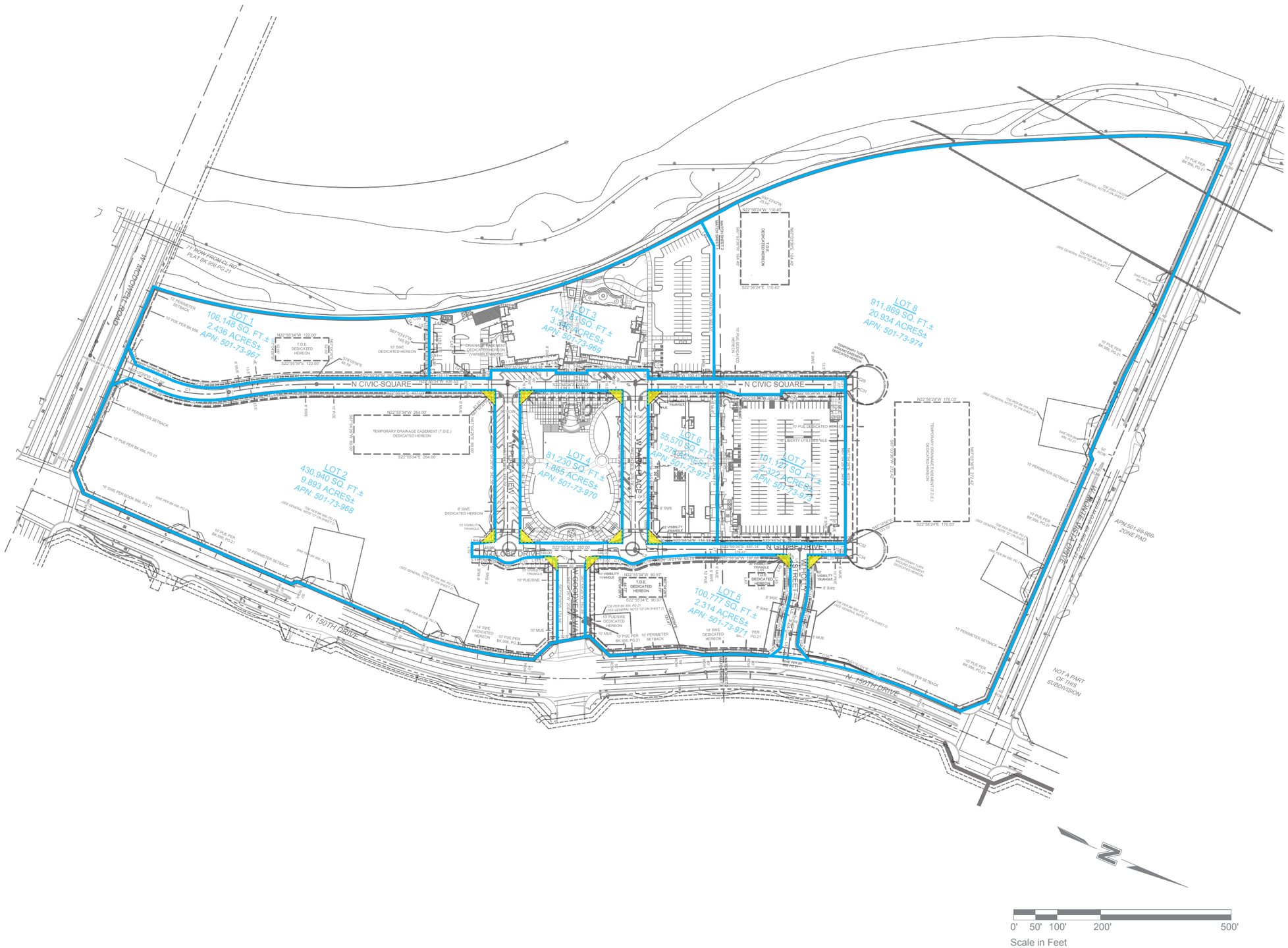
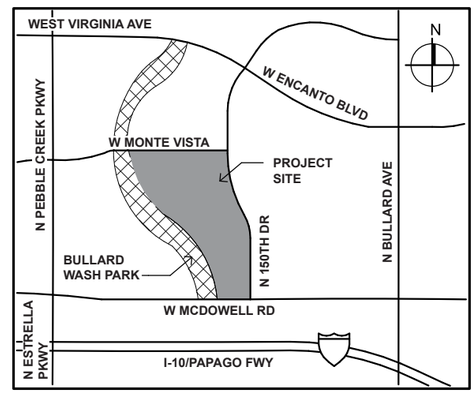


LOT AREAS

LOT NO.	SQ. FT. (NET±)	ACRES (NET±)
1	106,148	2.436
2	430,940	9.893
3	145,781	3.346
4	81,230	1.865
5	100,777	2.314
6	55,570	1.276
7	101,127	2.322
8	911,869	20.934
ROW	146,534	3.364
TOTAL	2,079,976	47.750

VICINITY MAP



33' Site Visibility Triangles

Dedicated Lots/Parcels

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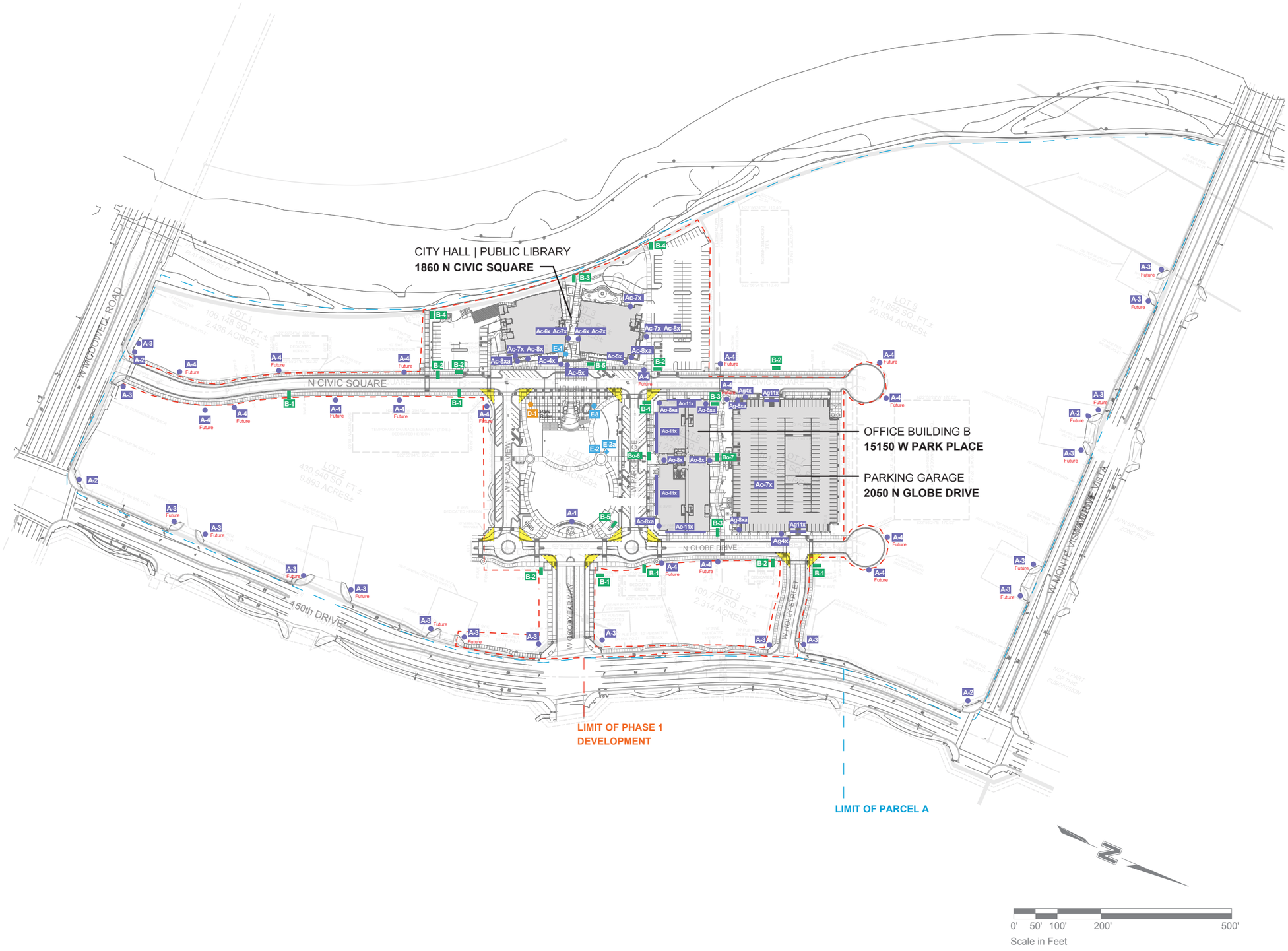
OVERALL SIGN LOCATION PLAN



CSP SIGNAGE HIERARCHY

A SITE IDENTITY

FREESTANDING SIGNS

- **A-1** GOODYEAR Letters
- **A-2** Project Identity @ corner of 150th & McDowell (Monument)
- **A-3** Primary Project Identity | Tenant Freestanding
- **A-4** Secondary Project Identity | Tenant Freestanding Current & Future

CITY HALL | LIBRARY

- **Ac-4x** GOODYEAR “SCRABBLE” Building Identity
- **Ac-5x** Primary Building Identity (City Hall & Public Library)
- **Ac-6x** Secondary Building Identity (at door)
- **Ac-7x** Building Information (City Hall & Public Library)
- **Ac-8x** Building Address (at door)
- **Ac-8xa** Building Address (building/fire safety)

OFFICE BUILDING

- **Ao-7x** Building Information (Office etc)
- **Ao-8x** Building Address (at door)
- **Ao-8xa** Building Address (building/fire safety)
- **Ao-11x** Tenant Identity (building mounted)

PARKING GARAGE

- **Ag-4x** Parking Garage Identity
- **Ag-8xa** Building Numbers (fire safety)
- **Ag-11x** Entry/Exit (with headache bar)

B WAYFINDING

- **B-1** Primary Vehicular Directional
- **B-2** Secondary Vehicular Directional
- **B-3** Primary Pedestrian Directional
- **B-4** Secondary Pedestrian Directional
- **B-5** Primary Directory | Kiosk (Map, Marketing, Events)
- **Bo-6** Primary Tenant Directory Freestanding
- **Bo-7** Secondary Tenant Directory Freestanding

C INFORMATIONAL (not shown on plan)

- **Cx-1** Temporary/Portable Freestanding Sign

D REGULATORY

- **D-1** Park Rules
- **D-2** Custom Upright Structure (not shown on plan) (Stop Sign, Accessible Parking...etc.)
- **D-3, D-3a** Custom Upright Structure (Street SIgn)
- **D-4** Embedded Street Identification (Street SIgn)

E DEDICATORY | EGD

- **E-1** Dedication Plaque
- **E-2, E-2a** Time Capsule / 75th Anniversary
- **E-3** Public Art Plaque

33' Site Visibility Triangles

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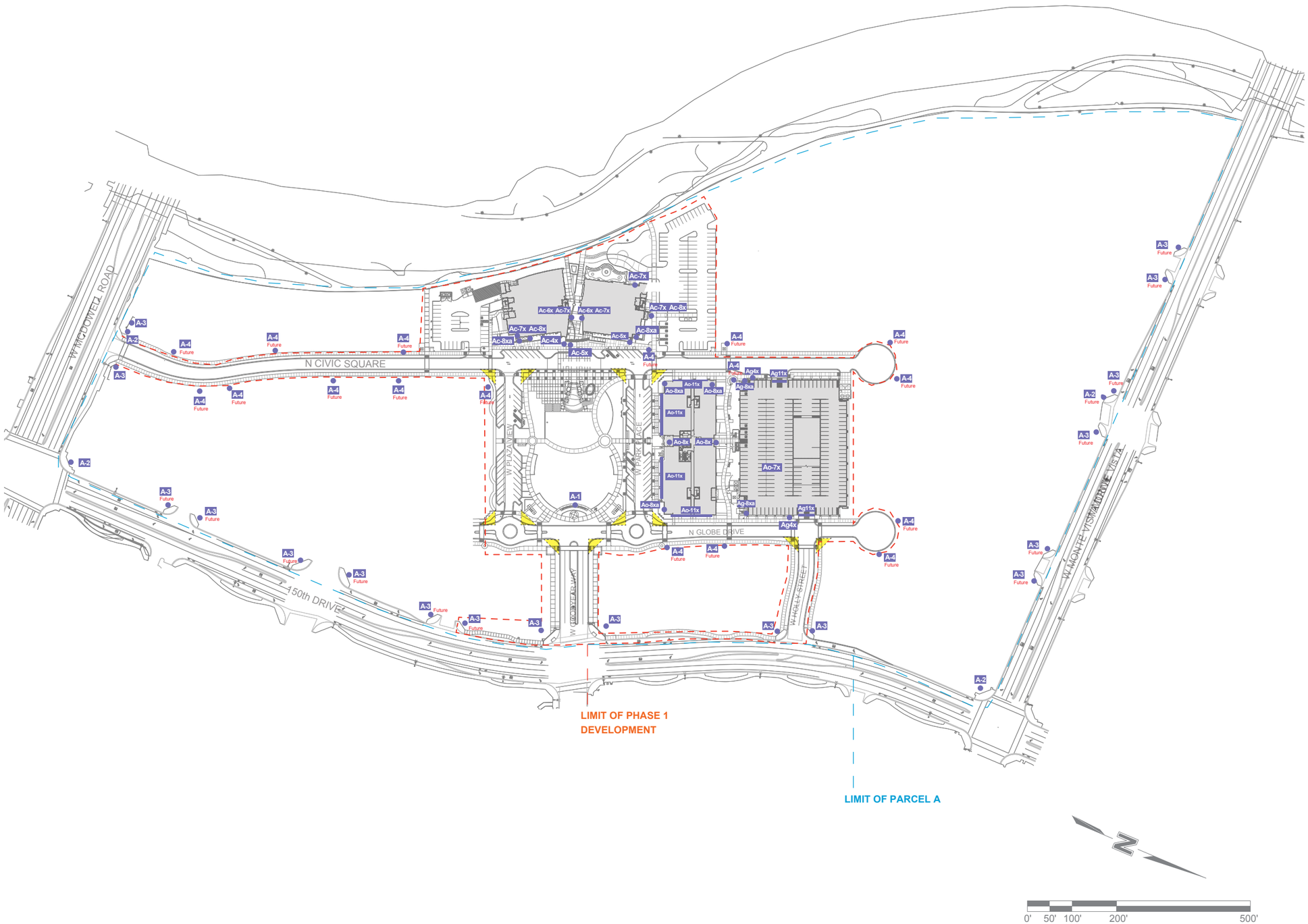
IDENTITY LOCATION PLAN
A SIGNS



CSP SIGNAGE HIERARCHY

A SITE IDENTITY

FREESTANDING SIGNS

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A-3	Primary Project Identity | Tenant Freestanding
A-4	Secondary Project Identity | Tenant Freestanding Current & Future

CITY HALL | LIBRARY

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Ac-6x	Secondary Building Identity (at door)
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Ac-8x	Building Address (at door)
Ac-8xa	Building Address (building/fire safety)

OFFICE BUILDING

Ao-7x	Building Information (Office etc)
Ao-8x	Building Address (at door)
Ao-8xa	Building Address (building/fire safety)
Ao-11x	Tenant Identity (building mounted)

PARKING GARAGE

Ag-4x	Parking Garage Identity
Ag-8xa	Building Numbers (fire safety)
Ag-11x	Entry/Exit (with headache bar)

B WAYFINDING

B-1	Primary Vehicular Directional
B-2	Secondary Vehicular Directional
B-3	Primary Pedestrian Directional
B-4	Secondary Pedestrian Directional
B-5	Primary Directory | Kiosk (Map, Marketing, Events)
Bo-6	Primary Tenant Directory Freestanding
Bo-7	Secondary Tenant Directory Freestanding

C INFORMATIONAL (not shown on plan)

Cx-1	Temporary/Portable Freestanding Sign

D REGULATORY

D-1	Park Rules
D-2	Custom Upright Structure (not shown on plan) (Stop Sign, Accessible Parking...etc.)
D-3, D-3a	Custom Upright Structure (Street SIgn)
D-4	Embedded Street Identification (Street SIgn)

E DEDICATORY | EGD

E-1	Dedication Plaque
E-2, E-2a	Time Capsule / 75th Anniversary
E-3	Public Art Plaque

33' Site Visibility Triangles

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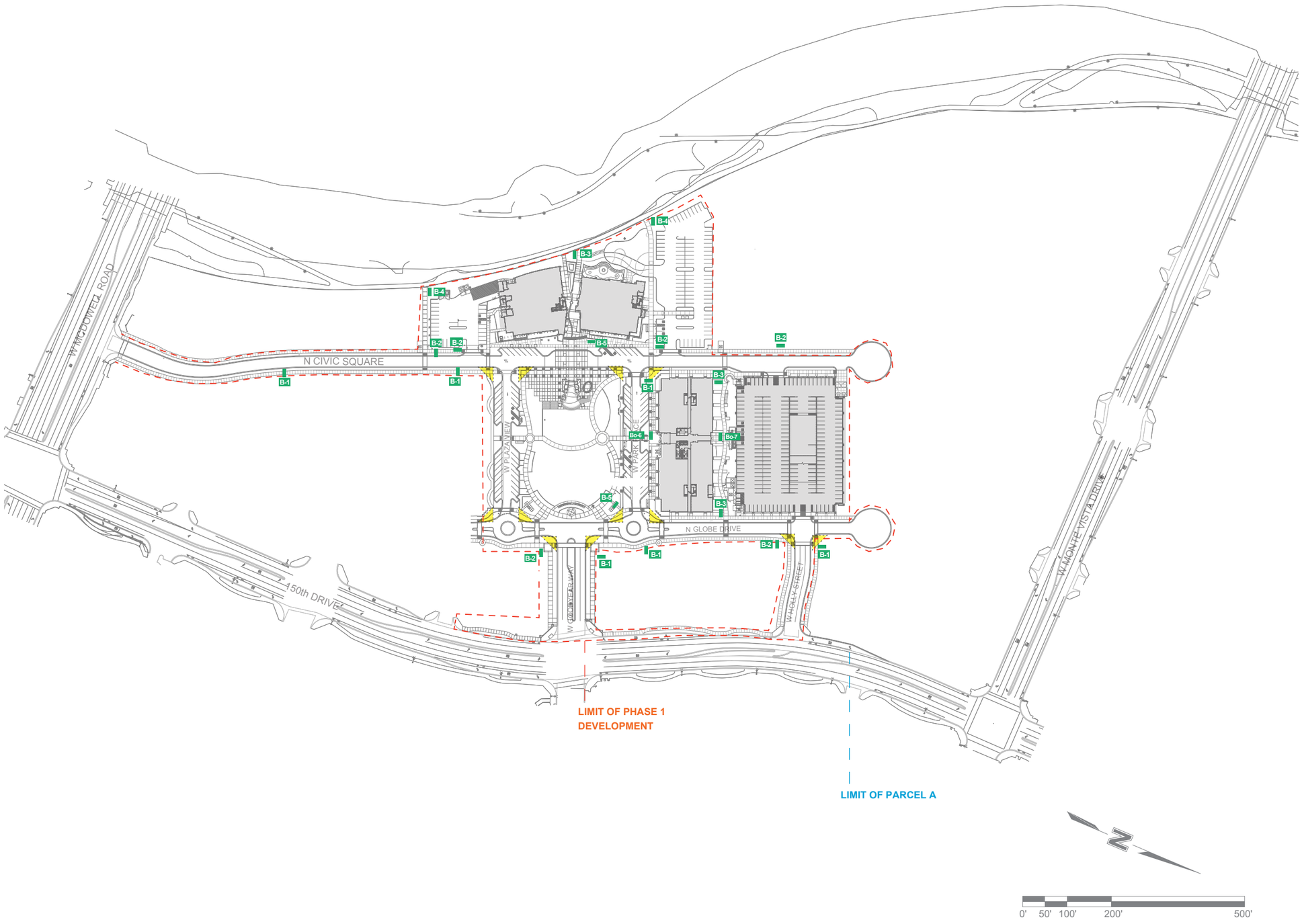
WAYFINDING LOCATION PLAN
B SIGNS



CSP SIGNAGE HIERARCHY

A SITE IDENTITY

FREESTANDING SIGNS

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A-2	Project Identity @ corner of 150th & McDowell (Monument)
A-3	Primary Project Identity | Tenant Freestanding
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CITY HALL | LIBRARY

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Ag-4x	Parking Garage Identity
Ag-8xa	Building Numbers (fire safety)
Ag-11x	Entry/Exit (with headache bar)

B WAYFINDING

B-1	Primary Vehicular Directional
B-2	Secondary Vehicular Directional
B-3	Primary Pedestrian Directional
B-4	Secondary Pedestrian Directional
B-5	Primary Directory | Kiosk (Map, Marketing, Events)
Bo-6	Primary Tenant Directory Freestanding
Bo-7	Secondary Tenant Directory Freestanding

C INFORMATIONAL (not shown on plan)

Cx-1	Temporary/Portable Freestanding Sign

D REGULATORY

D-1	Park Rules
D-2	Custom Upright Structure (not shown on plan) (Stop Sign, Accessible Parking...etc.)
D-3, D-3a	Custom Upright Structure (Street SIgn)
D-4	Embedded Street Identification (Street SIgn)

E DEDICATORY | EGD

E-1	Dedication Plaque
E-2, E-2a	Time Capsule / 75th Anniversary
E-3	Public Art Plaque

33' Site Visibility Triangles

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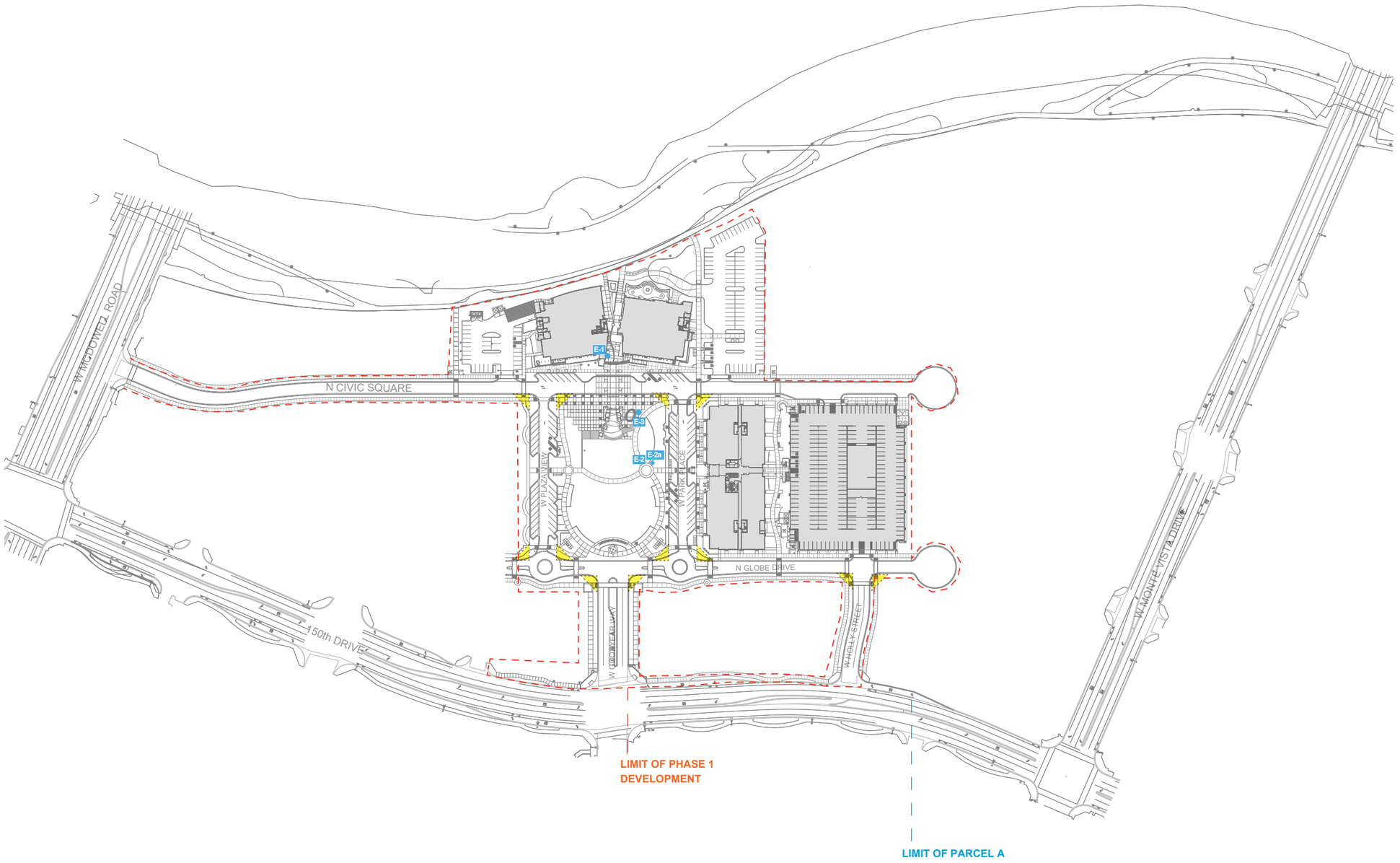
DEDICATORY LOCATION PLAN
E SIGNS



CSP SIGNAGE HIERARCHY

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- **A-4** Secondary Project Identity | Tenant Freestanding Current & Future

CITY HALL | LIBRARY

- **Ac-4x** GOODYEAR "SCRABBLE" Building Identity
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OFFICE BUILDING

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PARKING GARAGE

- **Ag-4x** Parking Garage Identity
- **Ag-8xa** Building Numbers (fire safety)
- **Ag-11x** Entry/Exit (with headache bar)

B WAYFINDING

- **B-1** Primary Vehicular Directional
- **B-2** Secondary Vehicular Directional
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C INFORMATIONAL (not shown on plan)

- **Cx-1** Temporary/Portable Freestanding Sign

D REGULATORY

- **D-1** Park Rules
- **D-2** Custom Upright Structure (not shown on plan) (Stop Sign, Accessible Parking...etc.)
- **D-3, D-3a** Custom Upright Structure (Street SIgn)
- **D-4** Embedded Street Identification (Street SIgn)

E DEDICATORY | EGD

- **E-1** Dedication Plaque
- **E-2, E-2a** Time Capsule / 75th Anniversary
- **E-3** Public Art Plaque

33' Site Visibility Triangles

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THE END

GSQ COMPREHENSIVE SIGN PLAN

PRE-APPLICATION
Project Number | PRJ21-10477
Meeting Date | April 1ST 2021

CASE NUMBER | 21-630-00002

SUBMITTAL DATE
JUNE 16TH 2021

A PARTNERSHIP:

CITY OF Goodyear

GLOBE CORPORATION

PREPARED BY:

THINKING CAPS DESIGN
1425 North First Street, Suite 101
Phoenix, Arizona 85004
602.495.1260 | www.thinkingcaps.net

VISUAL COMMUNICATIONS INC.
Saint Paul, Minnesota
612-840-5867 | www.visualcomm.com

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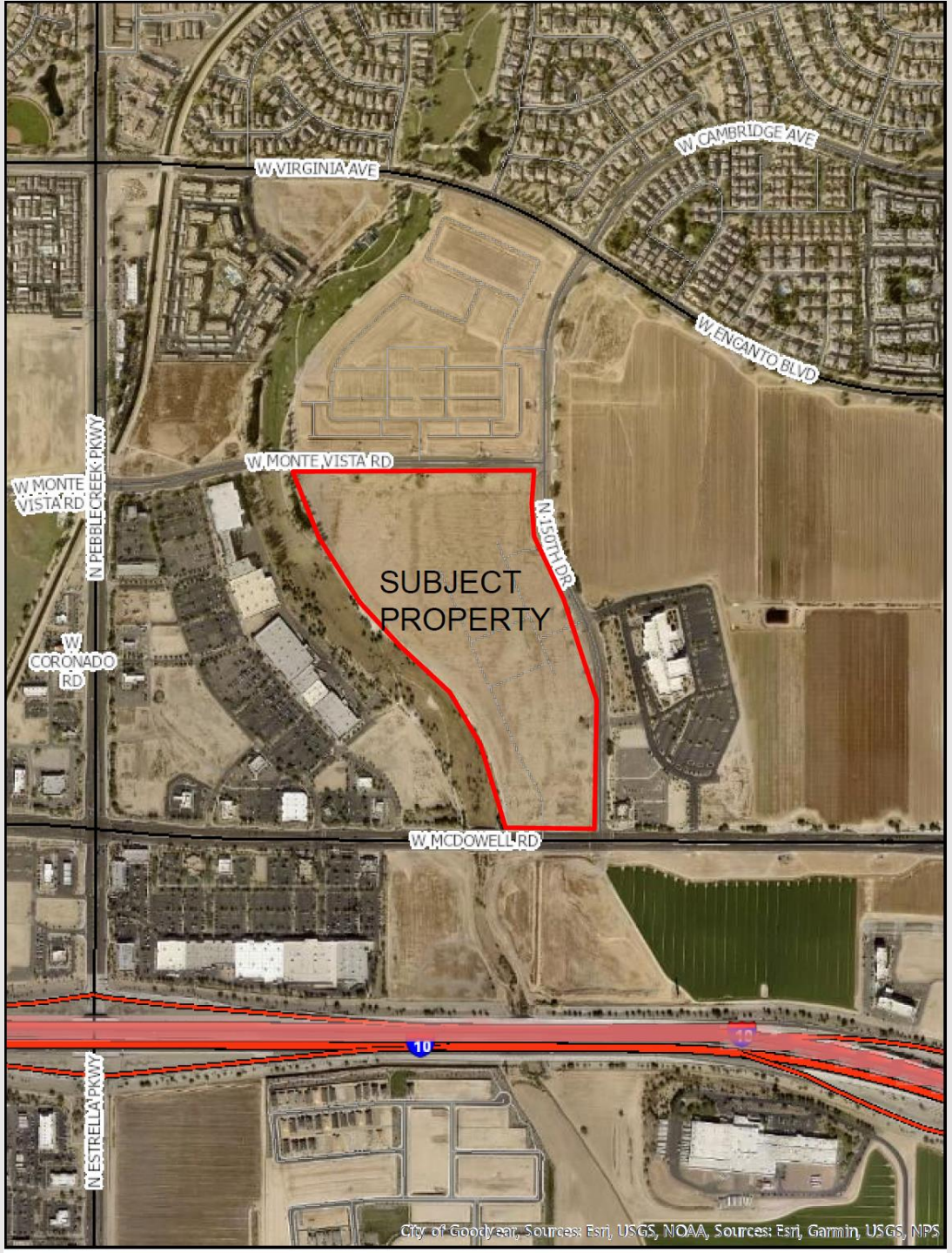
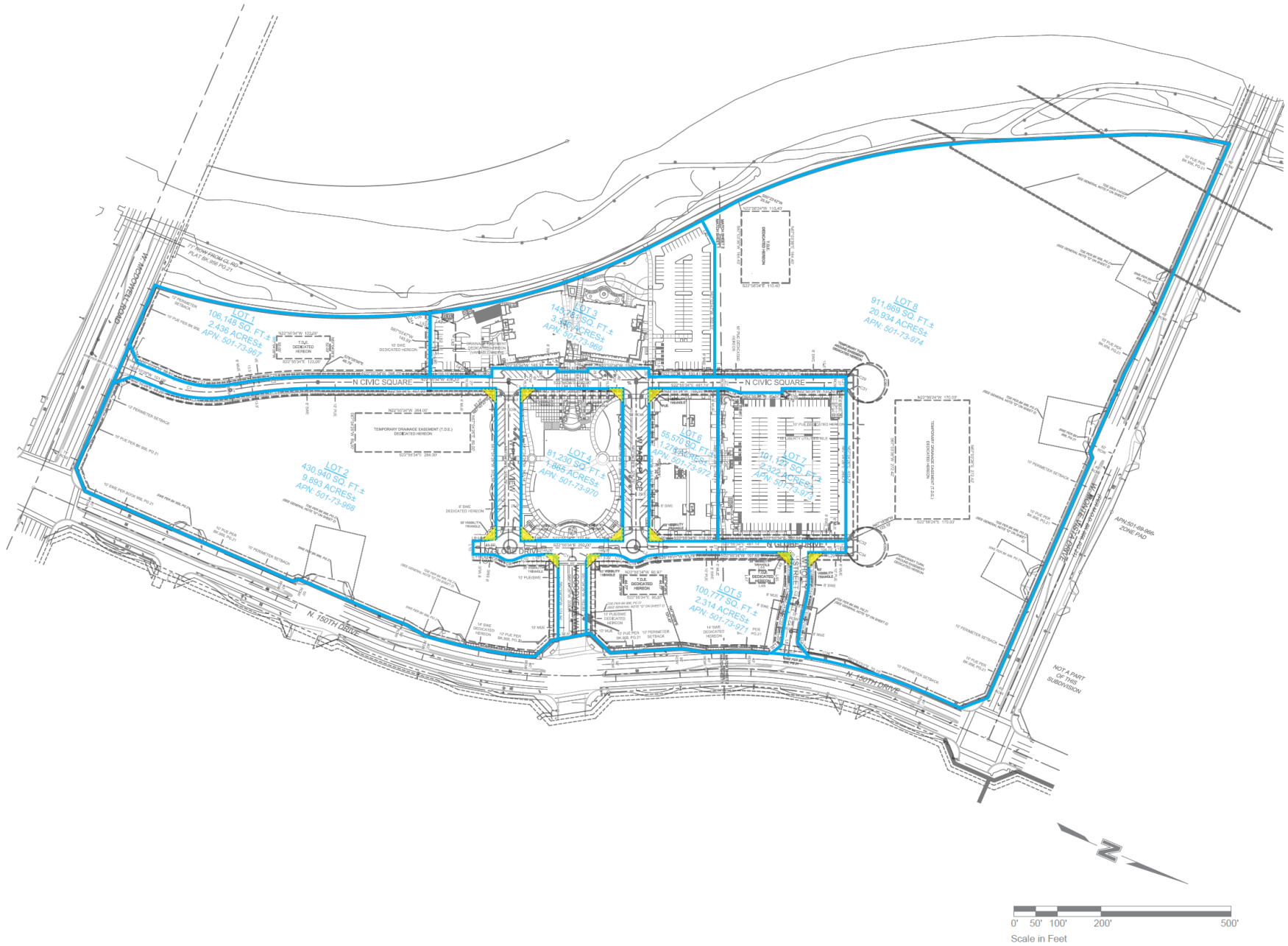
Goodyear Civic Square Comprehensive Sign Package
Planning & Zoning Commission
July 7, 2021


W VIRGINIA AVE
W CAMBRIDGE AVE
W ENCANTO BLVD
W MONTE VISTA RD
N PEBBLE CREEK PKWY
N 150TH DR
SUBJECT PROPERTY
W CORONADO RD
W MCDOWELL RD
10
N ESTRELLA PKWY
City of Goodyear, Sources: Esri, USGS, NOAA, Sources: Esri, Garmin, USGS, NPS

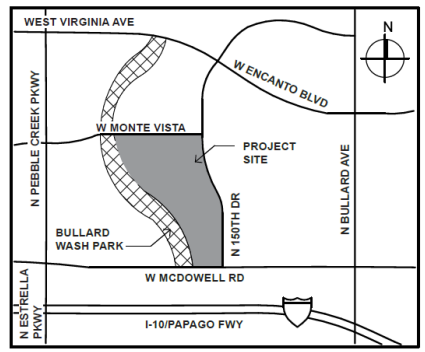
SITE DETAILS | VICINITY MAP



LOT AREAS

LOT NO.	SQ. FT. (NET±)	ACRES (NET±)
1	106,148	2.436
2	430,940	9.893
3	145,781	3.346
4	81,230	1.865
5	100,777	2.314
6	55,570	1.276
7	101,127	2.322
8	911,869	20.934
ROW	146,534	3.364
TOTAL	2,079,976	47.750

VICINITY MAP



33' Site Visibility Triangles

Dedicated Lots/Parcels

COPYRIGHT 2021

GOODYEAR CIVIC SQUARE CSP

BACKGROUND

- Goodyear Civic Square PAD
- July 2019
- Parcel A – 48 acres
- Mix of uses – civic, office, commercial & high density residential
- Proposed urban campus – unique to Goodyear

GOODYEAR CIVIC SQUARE CSP

CURRENT POLICY

- CSP – comprehensive and coordinated signage with enhanced design
- Modifications may be requested (i.e. larger signs, additional signs)
- CSP requires PZC review and CC approval

GOODYEAR CIVIC SQUARE CSP

REQUEST

- CSP includes full range of signage for urban campus
- Modifications to city sign code requested
- Larger signs, greater quantities & new sign types

DESIGN THEME

PROJECT LOGO

GSQ

FONT PALETTE

MARKETING | SOCIAL MEDIA FONTS

MINISTRY
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

GRAVESEND
ABCDEFGHIJKLMNOPQRSTUVWXYZ
ABCDEFGHIJKLMNOPQRSTUVWXYZ
0123456789

COLOR PALETTE

OFFICE BUILDING B LOGO

GEN 1
AT GSQ

FONT PALETTE

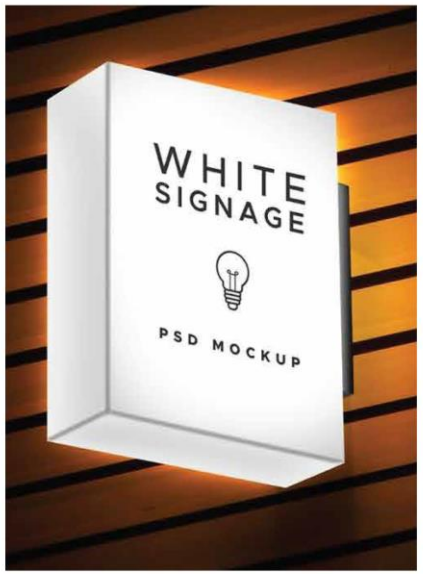
MARKETING | SOCIAL MEDIA FONTS

MINISTRY
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

GRAVESEND
ABCDEFGHIJKLMNOPQRSTUVWXYZ
ABCDEFGHIJKLMNOPQRSTUVWXYZ
0123456789

COLOR PALETTE

clean
contemporary
CLASSIC



CLEAN LINES.
COMTEMPORARY APPROACH.
CLASSIC DESIGN.

SIGNAGE PALETTES

COLOR PALETTE

METAL PALETTE

ACRYLIC PALETTE

SIGNAGE FONTS

PRIMARY FONT PALETTE

CENTURY GOTHIC
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

CENTURY GOTHIC BOLD
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
0123456789

ACHITECTURAL FONT

ARIAL BOLD
ABCDEFGHIJKLMNOPQRSTUVWXYZ

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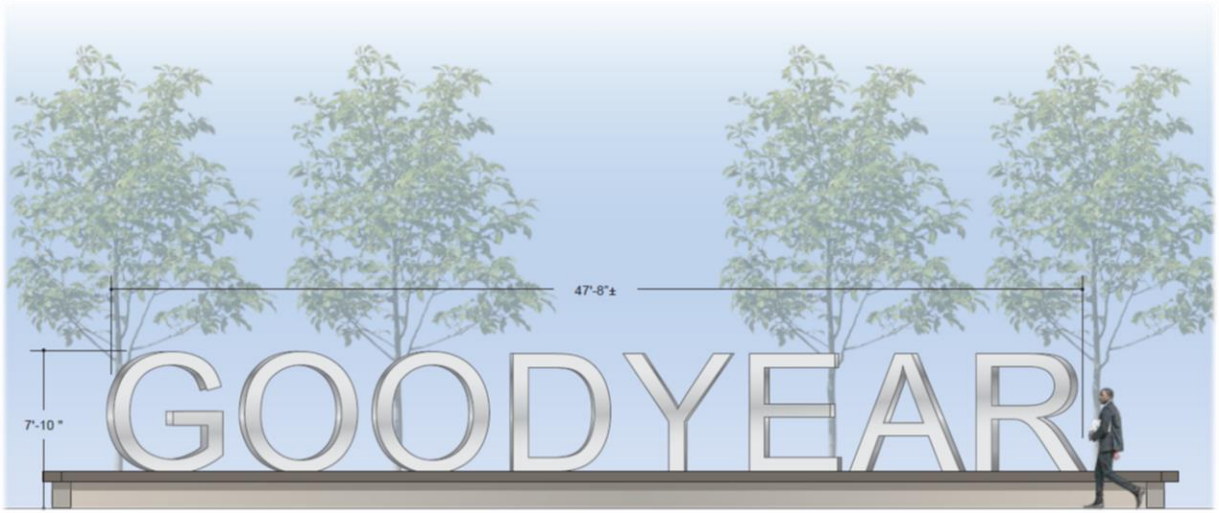
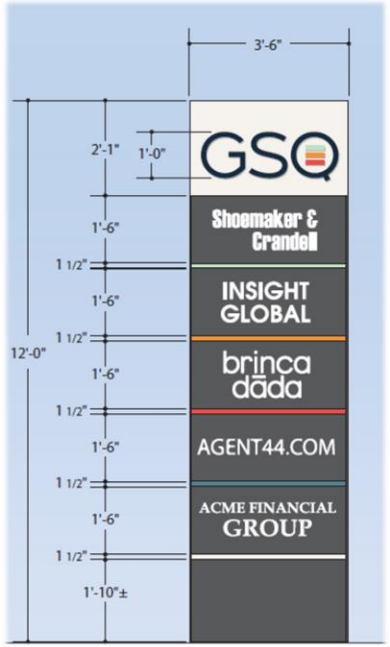
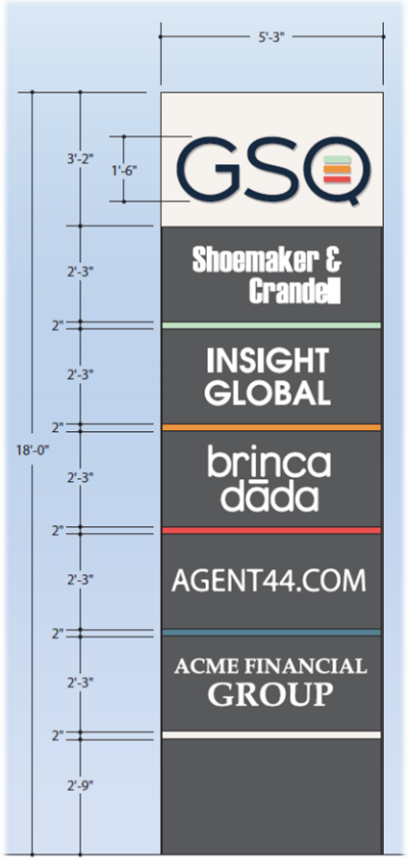
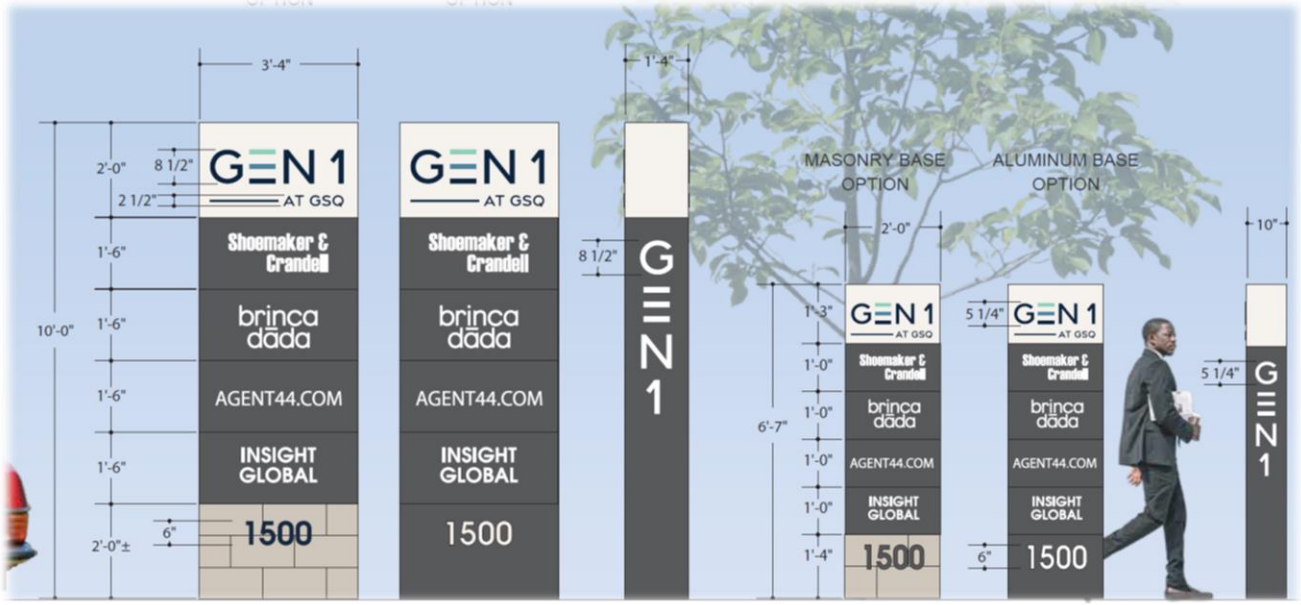


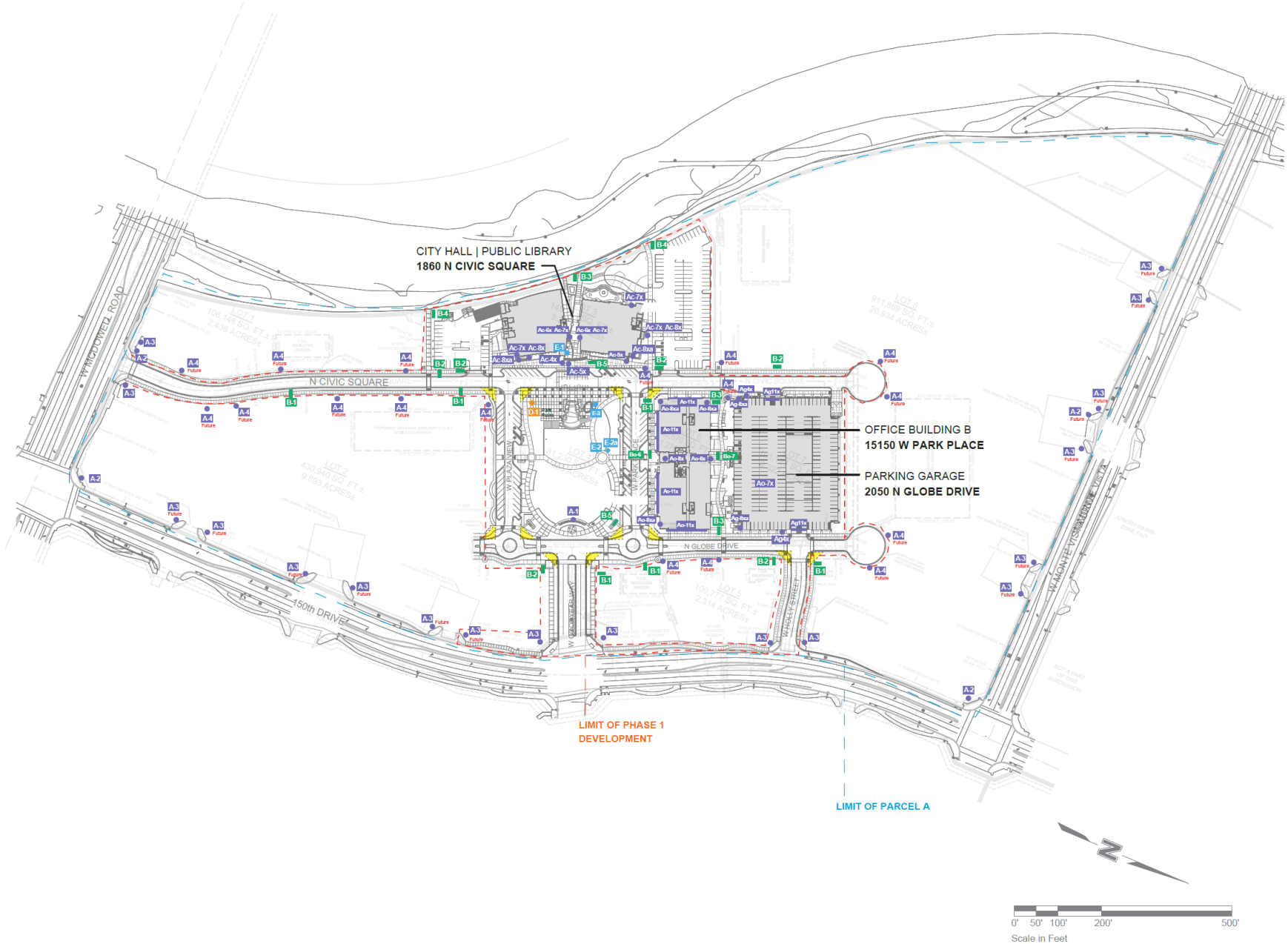
MONUMENT GROUND SIGNS







OVERALL SIGN LOCATION PLAN



CSP SIGNAGE HIERARCHY

A SITE IDENTITY

FREESTANDING SIGNS

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33' Site Visibility Triangles

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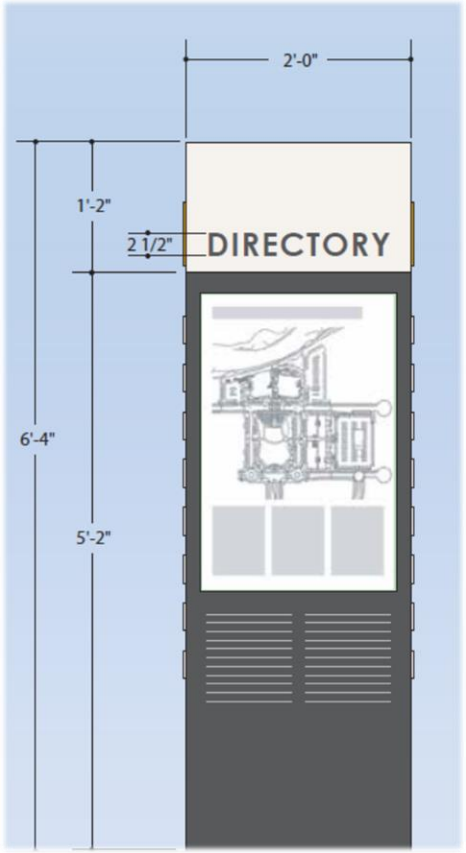
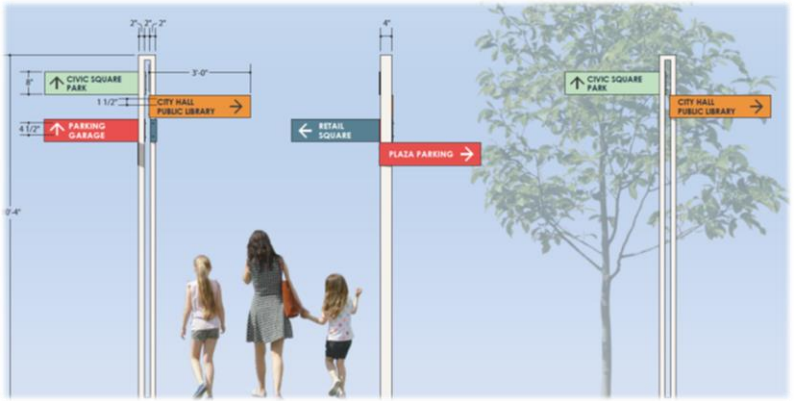
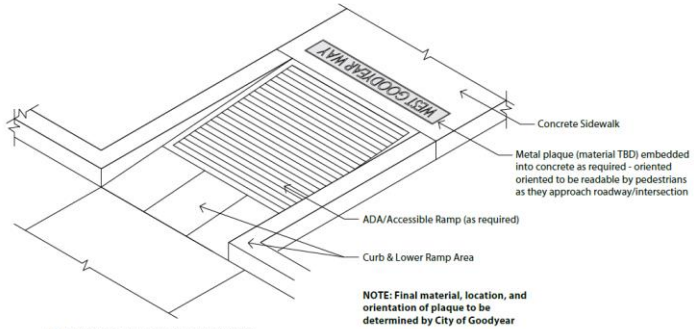
DIRECTIONAL & TEMPORARY

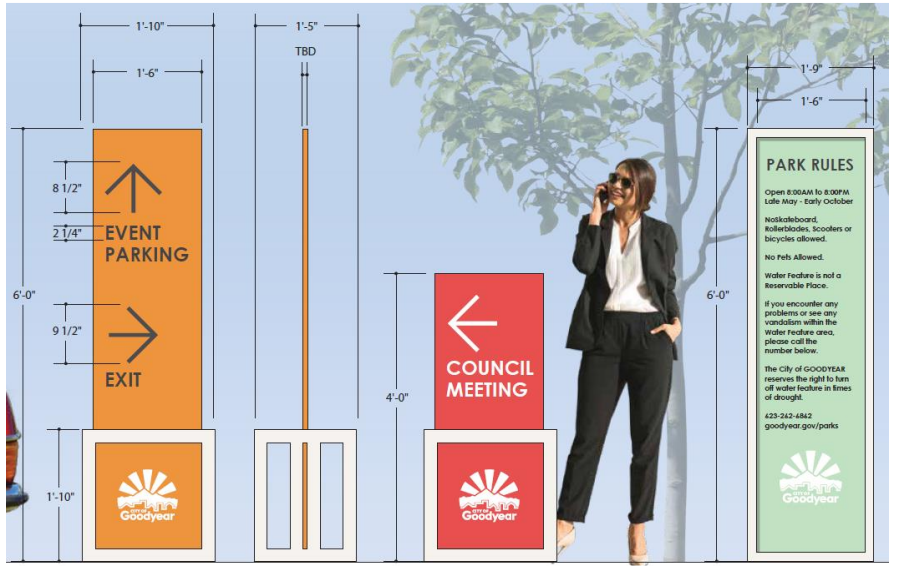


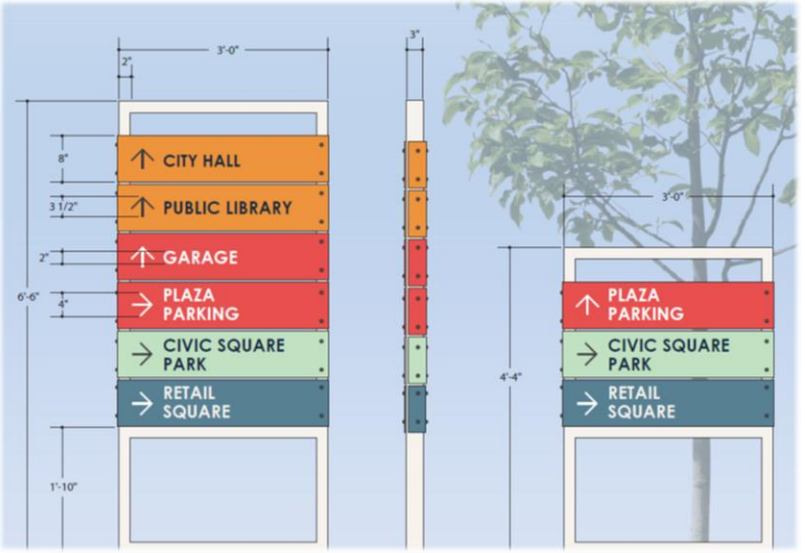


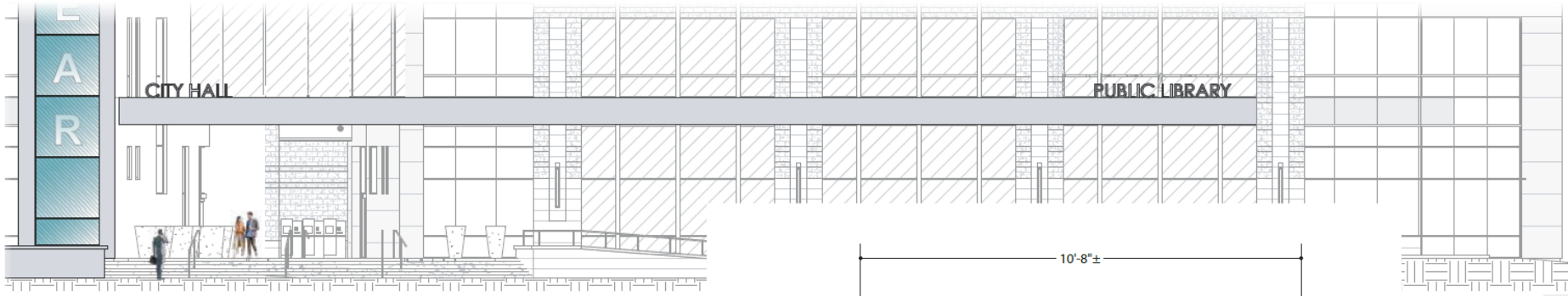


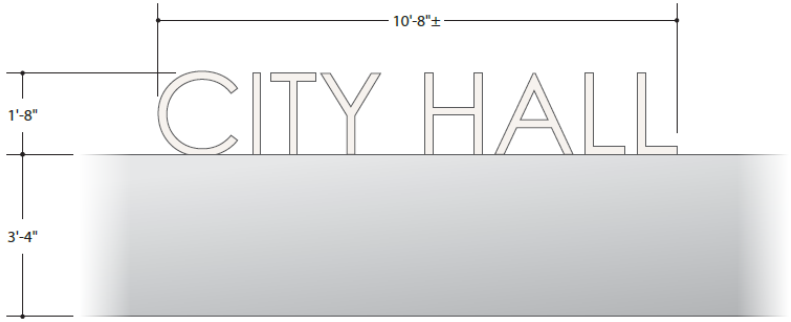
D-4: CUSTOM PLAQUE STREET SIGNS

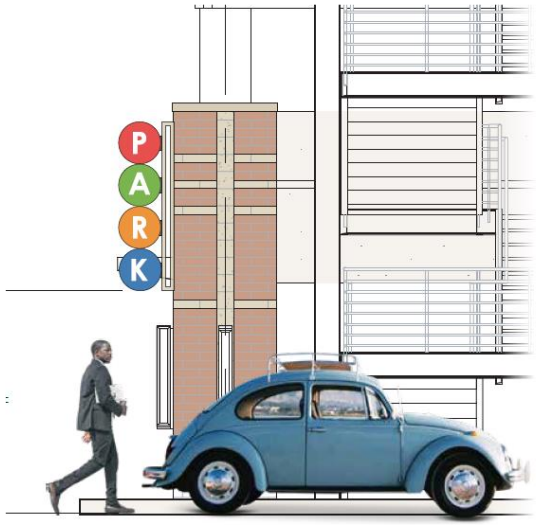
Scale: Not to Scale



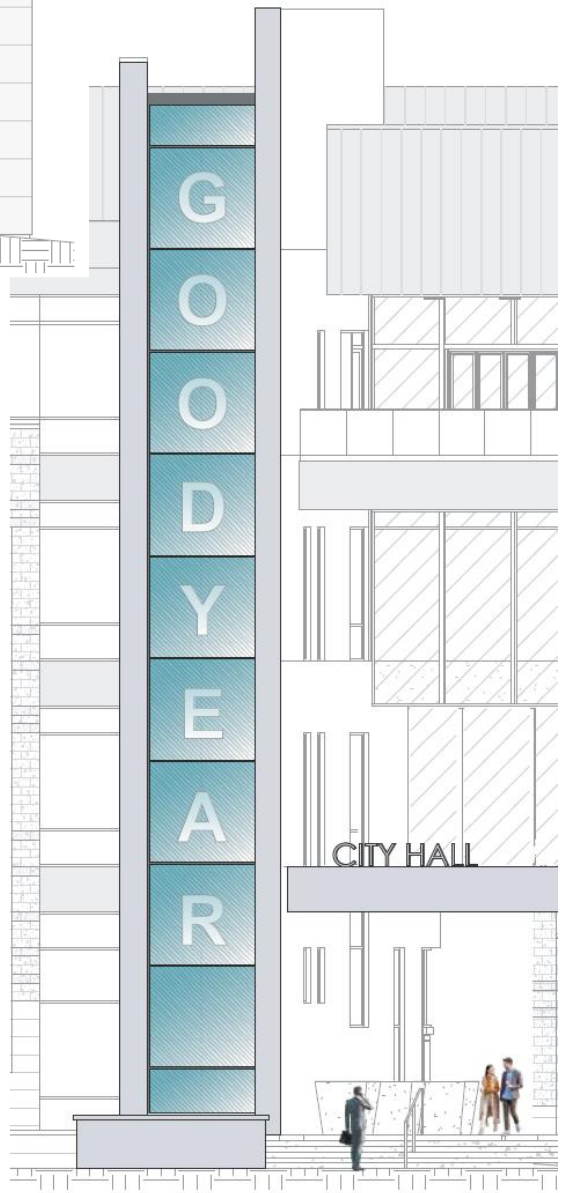








BUILDING WALL SIGNS



GOODYEAR CIVIC SQUARE CSP

REQUESTED MODIFICATIONS

1. Building canopy signs – increased copy area and modified location
2. Directional signs – increased quantity, height and copy area
3. Directory signs – increase height and copy area
4. Electronic message displays - allow on directional and directory signs
5. Monument signs – increased quantity, height and copy area
6. Light pole banners (private property) – new sign type
7. Wall signs – increased copy area, modified location and new residential wall sign
8. Window signs – increased copy area
9. Temporary direction signs – new sign type
10. New custom regulatory/street sign design
11. Dedication, time capsule and artist plaques
12. Sign setback – one foot
13. Placement of signs in certain easements
14. Measure sign height from adjacent grade

GOODYEAR CIVIC SQUARE CSP

EVALUATION CRITERIA

- Do size & location offer sufficient visibility & legibility?
- Harmonious & enhanced design?
- Compatible with adjacent land uses?

  - Planned urban campus unique to Goodyear
  - Buildings close to street
  - Mix of uses (civic, recreation, professional office, retail, high density residential)
  - Vehicular and pedestrian wayfinding
  - Cohesive design will complement campus design theme
  - Surrounding area will be higher intensity/density development

GOODYEAR CIVIC SQUARE CSP

FINDINGS & RECOMMENDATION

- Request meets evaluation criteria
- While significant, modifications are appropriate & acceptable
- Goodyear Civic Square – unique & urban
- Recommend approval with four stipulations

AGENDA ITEM #: 16.
DATE: 07/19/2021
AI #:359

CITY COUNCIL ACTION REPORT

SUBJECT: **SCOPE AND FEE PROPOSAL FOR WEST GOODYEAR FIRE AND POLICE SUBSTATION**

STAFF PRESENTER(S): Tim Wayne, Deputy Fire Chief; David Farrow, Deputy Chief of Police; Mario Saldamando, Project Management Coordinator

---

OTHER PRESENTER(S):

Jason Santor, Director of PreConstruction, CORE Construction

SUMMARY

The action before the Council is to approve the expenditure of funds for the planning and design of a fire station and police substation, located on the north-east corner of Citrus Road and Harrison Street.

Recommendation

Approve the expenditure of up to $1,480,000 for Project #30007 Fire Station 188, including planning for a future police substation serving West Goodyear, and authorize a necessary budget transfer. (Tim Wayne, Deputy Fire Chief; David Farrow, Deputy Chief of Police; Mario Saldamando, Project Management Coordinator)

FISCAL IMPACT

Project #30007 FS188 is included in the FY2022 Budget with a total project budget of $13,557,000. Of this amount $1,080,000 is for design and $100,000 for public art. With the additional work associated with the potential inclusion of a police substation a budget transfer of $300,000 is necessary to fund the initial planning and design including design development and construction documents. All funding related to the police substation will be from Police Development Impact Fees.

Cost Proposal:
Fire - $1,040,964.61
Police - $262,577
Owner Allowance – $176,458.39

Total Expenditure Authorization $1,480,000

BACKGROUND AND PREVIOUS ACTIONS

The city's new fire stations are the result of an assessment of community needs through the Operational Research Health (ORH) station study, identification of optimum station locations by staff with council guidance, budget approval by council, and collaboration with stakeholders to develop the most effective fire stations for the money.

In June 2021, staff selected the design-build team of CORE Construction and Perlman Architects of Arizona for the design and construction of Fire Station 188. CORE & Perlman have combined experience on more than 224 public safety projects, with a history of 25 projects together. CORE was the general contractor of record for Goodyear Fire Stations 181 and 186 in Estrella.

Council approved the expenditure of fire apparatus for Fire Station 188 as part of the FY21 annual budget and is currently being built.

STAFF ANALYSIS

The planned location for Fire Station 188 is within a section of an existing city-owned 8.62-acre parcel in West Goodyear. The parcel is located on the north-east corner of Citrus Road and Harrison Street. The approximate area needed for the fire station is 2.5 acres.

Fire Station 188 is based on a prototype design used to construct Fire Station 181 and Fire Station 186. The station design was developed through a participatory process involving fire department command staff, sworn personnel, subject matter experts from essential city departments, and the city's contracted design and construction team. The station is designed with the intent to provide a safe environment for our firefighters from which to operate, and as economical as possible. The design phase of the project will be completed in early 2022 followed by the construction phase.

While planning for Fire Station 188, staff discussed the option of expanding the project scope to address future Police facility needs. West Goodyear is rapidly growing and the Police Department will be seeking a third substation on the west side within the next 3-5 years. Adding programming and design of the police substation to Fire Station 188 results in the greatest opportunity to define the substation building design with the least impact on cost. As such, staff recommends expanding the scope of the fire station build to include planning and design of a future police substation.

Construction of the fire station is planned to occur in 2022 thru mid-2023, which concludes seven months later than originally anticipated. This delay is due to the addition of the police substation design and the desire to make improvements to the prototype fire station design. The timeline and funding to construct the police substation will be resolved during the annual budget process.

This scope and fee proposal will help determine all costs for design, construction, and related offsite improvements. Staff will work with the design team on a Guaranteed Maximum Price (GMP) contract and will return to the Council following the design process. The GMP will address the timely delivery of long-lead items as well as secure optimal pricing on materials subject to construction pricing volatility.

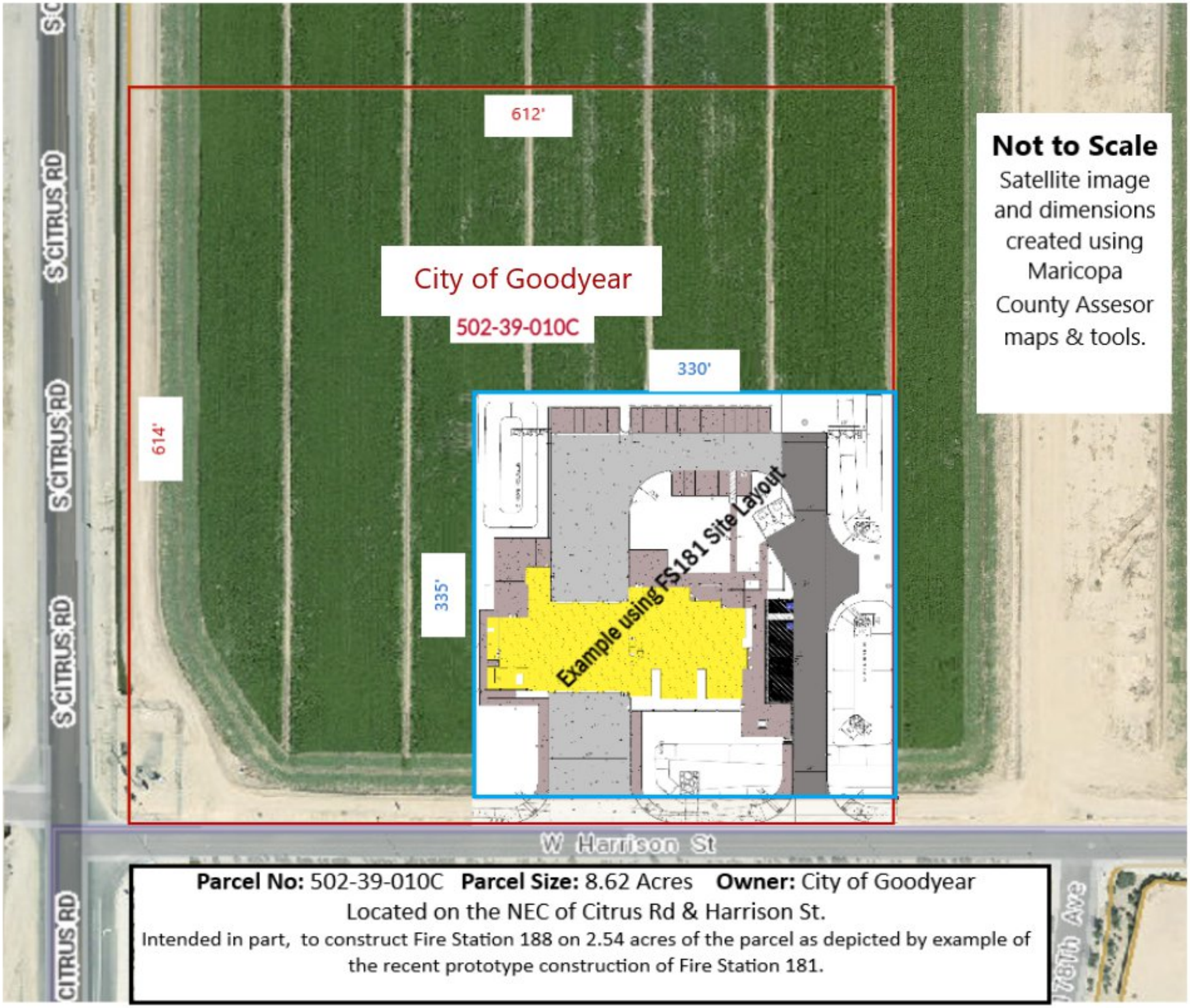
Construction for Fire Station 188 is scheduled to begin fall of 2022 and is expected to take approximately 9-10 months to complete, allowing for a grand opening mid-2023. Staff will provide regular updates throughout this process.

Attachments

Exhibit 1: Future Site of Fire Station 188

drawn by: Diana Williamson 01/13/2021

FUTURE SITE of FIRE STATION 188



Not to Scale
Satellite image and dimensions created using Maricopa County Assesor maps & tools.

Parcel No: 502-39-010C **Parcel Size:** 8.62 Acres **Owner:** City of Goodyear
Located on the NEC of Citrus Rd & Harrison St.
Intended in part, to construct Fire Station 188 on 2.54 acres of the parcel as depicted by example of the recent prototype construction of Fire Station 181.

AGENDA ITEM #: 17.
DATE: 07/19/2021
AI #:394

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF NEW TEN-YEAR LEASE TO FRANKLIN PIERCE UNIVERSITY AND TERMINATION OF THE EXISTING LEASE

STAFF PRESENTER(S): Linda Beals, Real Estate Coordinator

OTHER PRESENTER(S):
Darah Mann, Economic Development Project Manager

SUMMARY
Approval of a new Ten-year lease to Franklin Pierce University of approximately 18,208 square feet within Building A of the Goodyear Municipal Complex located at 14555 W. Van Buren Street, Goodyear, Arizona and creation of a CIP project to perform agreed upon tenant improvements.

Recommendation
ADOPT RESOLUTION NO. 2021-2174 AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A TEN-YEAR LEASE AGREEMENT AND ASSOCIATED DOCUMENTS FOR THE LEASE OF A PORTION OF BUILDING A OF THE GOODYEAR MUNICIPAL COMPLEX TO FRANKLIN PIERCE UNIVERSITY; AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL TERMINATION OF THE EXISTING LEASE AGREEMENT; AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE REQUIRED BUDGET TRANSFERS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Linda Beals, Real Estate Coordinator)

FISCAL IMPACT
Per the terms of the lease, Franklin Pierce University will be paying monthly rental payments based upon an initial annual rent of $14.00 per square foot per year, plus the amortized Tenant Improvements, Operating Expense Fee and taxes. This rental rate will escalate annually at the rate of $1.00 per square foot. The rental rate is consistent with the local market rentals for similar properties. A new CIP project will be created to construct tenant improvements which will not exceed $400,000. The $400,000 maximum tenant improvement allowance will be amortized and paid back to the City as part of the monthly rental payments. The lease has an early termination clause which allows Franklin Pierce University to terminate the lease after the 5 th lease year, if they pay the un-amortized portion of the Tenant Improvements. However, if Franklin Pierce remains in the City of Goodyear the City has agreed to the following: (a) If Franklin Pierce terminates their lease after the 5 th year and they

lease another property within the City of Goodyear, the City has agreed to forgive 50% of the remaining cost of the tenant improvements, (b) If Franklin Pierce University terminates the lease after the 5 th year of the lease and elects to rent another City/Landlord owned property, the City/Landlord will forgive 50% of the remaining tenant improvements and roll the other remaining 50% into the new lease. Tenant Improvements will be funded from available General Fund beginning balance and all rent payments will be general fund revenue.

BACKGROUND AND PREVIOUS ACTIONS

On May 14, 2007, Council authorized the City to enter into a Letter of Intent with Franklin Pierce University (FPU) for 20 acres of the Goodyear 100-Acre Park (former City Center Site). Due to the downturn in our economy, this did not come to fruition. FPU entered into a lease with a private firm in 2009; this allowed them to hold classes for the fall semester of 2009 through 2012.

On July 24, 2012, the City entered into a sub-lease with FPU for GMC Building C through December 2012. The sublease for building C was a temporary space for FPU to hold fall classes in the GMC Complex beginning on August 27, 2012. The City also entered into a 10-year sub-lease with FPU for GMC Building A beginning in January 2013. Tenant improvements were completed on 14,741 SF of Building A, utilizing funds from a Bond Sale approved by Council on August 27, 2012.

In February 2017, FPU approached the City to begin discussions to expand into additional space located in Building A. FPU intended to expand their Doctor of Physical Therapy (DPT) program and was considering offering additional medical education program(s) here which would require additional square footage to accommodate students and faculty classrooms, labs, and offices. Goodyear staff has coordinated numerous site visits with FPU representatives, to tour the additional space available in GMC Building A and FPU has considered various layout options. In the midst of planning the tenant improvements for the expansion, FPU experienced significant leadership changes, including the Provost, Dean, and Goodyear's campus program director. FPU's program expansion plans, including a prior CIP Project, were delayed as it was necessary for FPU to fill these positions and get the new team up-to-speed before expansion plans could resume.

FPU's new leadership team is committed to expanding into additional space in GMC Building A, and have completed the steps necessary to grow their DPT program to 126 students. In the fall of 2020, FPU confirmed plans to bring a Physician Assistant Studies (PA) program to Goodyear with the hiring of a Program Director/Associate Professor to begin the accreditation approval process. Future plans (Phase II) will include adding a nursing program as well, for a total of 250 students in all programs.

To accommodate the expanded DPT and PA programs, FPU plans to expand into 3,467 SF of GMC Building A, as Phase I of their GMC location expansion. They are also considering a future Phase II expansion which may increase their square footage by approximately 2,788 SF (gray-shell space adjacent to Phase I space).

STAFF ANALYSIS

Higher Education has been identified as a leading industry sector for high-potential growth in Goodyear. The completion of this project will be a first step in directly and indirectly addressing many of the Economic Development strategic goals, including fostering the development of key industry anchor institutions within Goodyear, ensuring a vibrant and prepared workforce, and creating high paying jobs, which have a multiplier effect on the economy.

City staff has worked with FPU to develop a market rate lease that will meet their needs for the upcoming increase in educational programs for the next several years.

Attachments

Resolution
Lease with Exhibits A-E

RESOLUTION NO. 2021-2174

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A TEN-YEAR LEASE AGREEMENT AND ASSOCIATED DOCUMENTS FOR THE LEASE OF A PORTION OF BUILDING A OF THE GOODYEAR MUNICIPAL COMPLEX TO FRANKLIN PIERCE UNIVERSITY; AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL TERMINATION OF THE EXISTING LEASE AGREEMENT; AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE REQUIRED BUDGET TRANSFERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City owns the Goodyear Municipal Complex located at 14455 W. Van Buren Street, Goodyear Arizona. This facility currently houses the City's Fire Administration, Police Administration, Parks Administration, the City Library, Economic Development, Community Development Department, Engineering Department, City Court, City Prosecutor's Office and Franklin Pierce University; and

WHEREAS, in 2012 Franklin Pierce University identified Building A, of the Goodyear Municipal Complex, as their selected site for the expansion of their programs in Goodyear and the City and Franklin Pierce University entered into a 10-year sublease of approximately 14,741 square feet within Building A; and

WHEREAS, Franklin Pierce University has continuously leased the Building A location since 2012 and their existing lease is set to expire in December 2021, subject to two five-year extensions; and

WHEREAS, Franklin Pierce University has requested a new 10-year lease incorporating an additional area of approximately 3,467 square feet into the leased area for a total of approximately 18,208 square feet and a mutual termination of their existing lease; and

WHEREAS, the City and Franklin Pierce University have negotiated a new 10-year lease, with a market rental rate, which includes a tenant improvement allowance (amortized in the lease) not to exceed $400,000, which is required to construct the tenant improvements within the expansion area and the existing lease space, along with other terms and conditions consistent with typical leasing practices and local market conditions; and

WHEREAS, the new lease provides the ability for Franklin Pierce University to terminate the lease after the end of the sixtieth (60th) month of the term of lease, subject to the prepayment of the unamortized tenant improvements with the follow exceptions:

(a). If Franklin Pierce University elects to the Early Termination defined in the lease and they enter into a new lease of a property within the City of Goodyear, for a period of not less than ten (10) years, the City of Goodyear (as "Landlord") agrees to forgive fifty percent (50%) of the cost of the unamortized costs for Tenant Improvements; or

(b). If Franklin Pierce and Landlord enter into a new lease of a property owned by Landlord for a period of not less than ten (10) years, Landlord, agrees to roll fifty percent (50%) of the unamortized costs for Tenant Improvements into the new lease and agrees to forgive fifty percent (50%) of the cost of the unamortized costs for Tenant Improvements; and

WHEREAS, in order for the City to construct the required improvements it is necessary to create new CIP project accounts and to complete a budget transfer in the amount of $400,000 from the general fund to the CIP project accounts; and

WHEREAS, the transactions being proposed to enter into a new lease with Franklin Pierce University for undergraduate and graduate education use is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a ten-year lease agreement and associated documents, attached hereto as Exhibit A, for the lease of a portion of Building A of the Goodyear Municipal Complex to Franklin Pierce University.

SECTION 2. The City Attorney is hereby authorized to make non-substantive changes to the lease agreement.

SECTION 3. The City Manager is hereby authorized to approve the necessary budget transfers in the total amount of $400,000.00 to the appropriate CIP accounts.

SECTION 4. The City Manager is hereby authorized to execute a mutual termination of the existing lease with Franklin Pierce University, upon the Scheduled Term Commencement Date of the new ten-year lease.

SECTION 5. The Effective date of this Resolution shall be the approval date of this Resolution by the City Council.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST: APPROVED AS TO FORM:

_____ _____

Darcie McCracken, City Clerk Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2021-2174 is a true, correct and accurate copy of Resolution No. 2021-2174, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____vote, _____voted in favor of said resolution.

Given under my hand and sealed this _____day of _____, 20____.

_____

seal City Clerk

EXHIBIT "A"

LEASE AGREEMENT
MULTI-TENANT

LEASE AGREEMENT
MULTI-TENANT

Dated: _____

ARTICLE I. - TERMS DEFINED

Each reference in this sublease to any of the following terms shall mean:

1.	**Landlord:**	CITY OF GOODYEAR, ARIZONA, an Arizona municipal corporation
2.	**Landlord's Address:**	190 N. Litchfield Road, Goodyear, Arizona 85338
3.	**Tenant:**	FRANKLIN PIERCE UNIVERSITY, a New Hampshire non-profit corporation
4.	**Tenant's Address:**	40 University Drive, Rindge NH 03461
5.	**Project:**	Buildings and Common Areas at GOODYEAR MUNCIPAL COMPLEX (previously known as the Venida Business Park), a multi-use business park/municipal complex consisting of approximately 12.03 acres and located just east of the intersection of Van Buren Street and 145th Avenue on the south side of Van Buren "Project". Any pad or other portion of the Project hereafter sold or purchased by Landlord shall at Landlord's option be added or excluded from the Project
6.	**Premises:**	**Building A-Existing Area:** Suites 102 and 104 within Building A, located at 14455 W. Van Buren, Goodyear, Arizona 85338, consisting of approximately 14,741 square feet, as depicted on Exhibit A. Said real property, including the land and all improvements thereon, is hereinafter, called the "Building A-Existing Area". **Building A-Expansion Area:** Suite 106 within Building A, located at 14455 W. Van Buren, Goodyear, Arizona 85338, consisting of approximately 3,467 square feet, as depicted on Exhibit A. Said real property, including the land and all improvements thereon, is hereinafter, called the "Building A- Expansion Area". Building A-Existing Area and Building A-Expansion Area (collectively "Premises").
7.	**Building**	Building A of the Project as depicted on Exhibit A.

8.	**Term:**	120 Months (10 Years)
9.	**Scheduled Term Commencement Date:**	November 1, 2021
10.	**Scheduled Term Expiration Date:**	October 31, 2031
11.	**Monthly Rent:**	$35,292.47 monthly for 11/1/2021 – 10/31/2022 $26,809.81 monthly for 11/1/2022 – 10/31/2023 $28,327.14 monthly for 11/1/2023 – 10/31/2024 $29,844.47 monthly for 11/1/2024 – 10/31/2025 $31,361.81 monthly for 11/1/2025 – 10/31/2026 $32,879.14 monthly for 11/1/2026 – 10/31/2027 $34,396.47 monthly for 11/1/2027 – 10/31/2028 $35,913.81 monthly for 11/1/2028 – 10/31/2029 $37,431.14 monthly for 11/1/2029 – 10/31/2030 $38,948.47 monthly for 11/1/2030 – 10/31/2031 Plus transaction privilege tax
12.	**Security Deposit:**	NONE
13.	**Permitted Uses:**	Undergraduate and graduate education classrooms and offices and an ancillary break room with small kitchen appliances, and for no other purpose without Landlord's prior written consent, which may be granted or withheld in Landlord's sole consent.
14.	**Operating Fee –** (Tenant's Share of Operating Expenses, including Real Estate Taxes for Tax Exempt Entity)**:**	$2,807.07 monthly for 11/1/2021 – 10/31/2022 $2,877.24 monthly for 11/1/2022 – 10/31/2023 $2,949.17 monthly for 11/1/2023 – 10/31/2024 $3,022.90 monthly for 11/1/2024 – 10/31/2025 $3,098.48 monthly for 11/1/2025 – 10/31/2026 $3,175.94 monthly for 11/1/2026 – 10/31/2027 $3,255.34 monthly for 11/1/2027 – 10/31/2028 $3,336.72 monthly for 11/1/2028 – 10/31/2029 $3,420.14 monthly for 11/1/2029 – 10/31/2030 $3,505.64 monthly for 11/1/2030 – 10/31/2031 Plus transaction privilege tax.
15.	**Tenant's Share of Real Estate Taxes** (Non-Tax Exempt Entity)	The percentage of the square footage of the ground floor area of the Premises to the square footage of the total gross leasable floor area of buildings existing on the Project (whether or not leased) from time to time. Real estate taxes shall exclude the square footage of any floor area comprising a separate tax parcel and for which the tenant of such area pays all of the real property taxes. Tenant's Share of Real Estate Taxes is 20.05% percent.

16.	**Common Areas:**	Shall have the meaning ascribed in Article 7. Maintenance.
17.	**Operating Expenses and Real Estate Taxes:**	Shall have the meaning ascribed in Article 8. Operating Expenses.

ARTICLE 2. - PREMISES

Subject to all the terms and conditions of this Lease, Landlord hereby leases the Premises to Tenant.

ARTICLE 32. - TERM

This Lease shall commence on the Scheduled Term Commencement Date and shall continue for the Term, unless sooner terminated as herein provided. Landlord agrees to use due diligence to have the Building A-Expansion Area ready for occupancy on or before the Scheduled Term Commencement Date. If the Building A-Expansion Area is ready for occupancy prior to the Scheduled Term Commencement Date and Tenant takes possession of the Building A-Expansion Area prior to the Scheduled Term Commencement Date, the Term shall commence on the date Tenant takes possession. If Tenant occupies the Building A-Expansion Area prior to the Scheduled Term Commencement Date, such occupancy shall not advance the Scheduled Term Expiration Date. Landlord shall have no liability for, and Tenant shall make no claim against Landlord with respect to, the failure of the Building A to be ready and available for occupancy by Tenant by the Scheduled Term Commencement Date. In the event the Building A-Expansion Area is not ready and available for occupancy by Tenant within ninety (90) days after the Scheduled Term Commencement Date because the work required by this Lease to be performed by Landlord prior to Tenant's occupancy of the Building A-Expansion Area has not been substantially completed, or for any other reason, Tenant's sole remedy shall be to terminate this Lease by written notice to Landlord no later than ten (10) days after the end of such 90-day period, provided, however, that Tenant shall not have such right to terminate this Lease if (i) Tenant is responsible for the delay in delivery of the Building A-Expansion Area or (ii) if there is a Force Majeure Event. The ninety (90) day period described above shall be extended by the number of days during which the delay in making the Building A-Expansion Area ready and available for occupancy by Tenant results from any of the Force Majeure Events (which include inclement weather, governmental regulation, acts or decisions of governments not in the control of Landlord, scarcity of materials, labor difficulties, casualty, acts of God or other cause beyond Landlord's reasonable control). In any event, if the Building A-Expansion Area is not ready and available for occupancy by Tenant by the date which is one hundred eighty (180) days after the Scheduled Term Commencement Date, regardless of cause, this Lease shall automatically terminate and be of no further force or effect. Tenant's sole remedy for Landlord's failure or inability to make the Building A-Expansion Area ready and available for occupancy by Tenant shall be termination as provided in this Section, and Tenant shall have no other claims against Landlord in respect thereof, except that, in the event of such termination, Landlord shall return to Tenant any rent or security deposit previously paid by Tenant to Landlord under this Lease. Landlord and Tenant will promptly execute a written acknowledgement of the commencement date if other than the Scheduled Term Commencement Date and the Term of this Lease shall be considered adjusted accordingly.

ARTICLE 4. - RENT

Tenant shall pay Monthly Rent for each full calendar month of the Term and a pro rata fraction of Monthly Rent for any partial calendar month at the beginning or end of the Term, payments to be made in advance on the first day of each calendar month during the Term, without any deduction or offset whatsoever, at such place as may be designated from time to time by Landlord. Tenant further agrees to pay to Landlord with

Monthly Rent any excise, sales or privilege tax imposed or levied by any government or governmental agency upon Landlord on account of this Lease, the rental paid hereunder, or any other payments made by Tenant hereunder.

If Tenant fails to pay Monthly Rent when due or fails to pay when due any other amounts of any kind payable by Tenant under this Lease, such unpaid amount shall bear interest from the date due to the date of payment at the rate of fifteen percent (15%) per annum. In addition to such interest, if Tenant shall fail to pay Monthly Rent by the fifth (5th) day of the month in which such installment is due, a late charge equal to the greater of One Hundred Fifty Dollars ($150) or ten percent (10%) of amount in default which sum shall be assessed against Tenant, and deducted first from any Monthly Rent subsequently paid, to reimburse Landlord for additional costs and expenses incurred in processing such late payment. The foregoing interest and late charge provisions contained herein are in addition to and not in lieu of Landlord's other rights and remedies hereunder.

ARTICLE 5. - USE OF PREMISES

Tenant shall use the Premises for the Permitted Uses and for no other purpose. Tenant shall not commit, or suffer to be committed, any nuisance or other act or thing against public policy, or which may disturb the quiet enjoyment of tenants or occupiers of adjacent space. Tenant agrees not to deface or damage the Premises in any manner or overload the floors of the Premises. Tenant agrees not to use or permit the use of the Premises or any part thereof for any purpose prohibited by law, and Tenant agrees, at its sole expense, to comply with and conform to all of the requirements of all governmental authorities having jurisdiction thereof, present or future, relating in any way to the condition, use and occupancy of the Premises throughout the Term of this Lease, including without limitation governmental requirements pertaining to the accessibility of the Premises to persons with disabilities. Tenant, upon demand of Landlord agrees to discontinue and thereafter refrain from making any unlawful use(s) of the Premises. Tenant's failure to operate the Premises in a lawful manner, if grounds for intervention by a governmental authority, shall constitute grounds for Landlord's termination of Tenant's right to occupy the Premises; and in the event such unlawful operation by Tenant additional results (at Landlord's election) in Landlord's termination of this Lease, Tenant shall indemnify and hold harmless Landlord for all brokerage commissions and all tenant improvement costs expended by Landlord in securing this Lease. Tenant also agrees to comply with and conform to all covenants, conditions and restrictions imposed upon the Premises, including without limitation, the Declaration of Reciprocal Easements and Restrictive Covenants for Venida Business Park dated April 7, 2007 as recorded in Maricopa County, Arizona as **Instrument No. 2007-0665889** and as amended by a 2007 Amendment to Declaration of Reciprocal Easements and Restrictive Covenants for Venida Business Park dated September 24, 2007 as recorded in Maricopa County, Arizona as **Instrument No. 2007-1109732** (collectively, the "Declarations"), including the Rules and Regulations attached hereto as Exhibit B Tenant shall not suffer or permit any acts of omission or commission to be done on or about the Premises that will increase the existing rate of fire insurance. Tenant, at its sole expense, shall comply with any and all requirements of any insurance organization or company necessary for the maintenance of reasonable fire and public liability insurance covering the Premises.

Tenant shall be responsible for all costs incurred in complying with any order, ruling or other requirement of any court of governmental body having jurisdiction over the Premises requiring Landlord to comply with any laws which relate to Hazardous Material created, handled, placed, stored, used, transported or disposed of by Tenant, including, without limitation, the cost of any required or necessary repair, cleanup or detoxification and the preparation of any closure or other required plans, and Tenant shall diligently pursue to completion all such work required in connection with the same, excluding however any such costs relating to Hazardous Material on the Premises established to have been caused directly by use of the site by Landlord or any previous tenant.

Tenant shall and hereby does indemnify, defend and hold Landlord its joint venturers and their directors, elected officials, officers, employees and agents harmless from and against any and all claims, judgments, damages, penalties, fines, costs, liabilities or losses (including without limitation, sums paid in settlement of claims, attorneys' fees, consultant fees and expert fees) and all foreseeable and unforeseeable consequential damages, whether known or unknown, which might directly or indirectly or in whole or in part be caused by, arise out of or be related to (a) Hazardous Material which was created, handled, placed, stored, used, transported or disposed of by Tenant or (b) Hazardous Material with respect to which any court, governmental body or agency having jurisdiction over the Premises holds Tenant responsible or otherwise requires Tenant to undertake any repair, cleanup, detoxification or other remedial action, excluding however Hazardous Material on the Premises established to have been caused directly by use of the site by Landlord or any previous tenant. As used herein, the term "Hazardous Material" means petroleum products, asbestos, and any other hazardous or toxic substance, material or waste, human and animal tissue and cells, that are now or become regulated by any local government's authority, the State of Arizona or the United States government prior to or during the term of this Lease, whether originating from the Premises or migrating, flowing, percolating, diffusing or in any way moving onto or under the Premises.

ARTICLE 6. - IMPROVEMENT AND ALTERATIONS

The obligations of Landlord to install or construct tenant improvements to prepare the Building A-Expansion Area for occupancy are set forth in detail on Exhibit C, hereinafter referred to as "Tenant Improvements". Landlord shall expend budgeted funds, not to exceed $400,000.00 and do all acts required of them in Exhibit C and shall have the work performed promptly and diligently in a workmanlike manner. Should the Tenant Improvements cost less than or the cost exceed the budgeted funds described herein the difference shall be adjusted/paid as provided for in Exhibit C.

Tenant shall not, without the prior written consent of Landlord, which may be withheld in Landlord's sole discretion, make or allow to be made any structural alterations or improvements (together, "alterations") to the Premises, nor shall Tenant alter or remove any of Landlord's fixtures or equipment which may be installed on the Premises or the Common Areas. Any alterations made and trade fixtures will become part of the Premises and be the property of Landlord, unless Landlord requires Tenant to remove such alterations, upon expiration or earlier termination of the Lease. Tenant at Landlord's request shall at Tenant's sole expense remove at the conclusion of the Lease all cabling, wiring and associated apparati from the premises and surrounding areas installed by or at request of Tenant, whether for telephone, radio, television, data transmission or for any other reason.

Tenant currently has an existing business identification sign on the Premises in accordance with plans previously approved by Landlord. Tenant is required to keep the existing business identification sign for the term of this Lease. Tenant shall maintain this existing business identification sign in good repair and condition. Tenant shall replace said business identification sign if its condition is no longer consistent with the general condition of other business identification signs located within the Project. However, Tenant shall not replace the existing business sign or change the sign without the express prior written consent of Landlord, which shall not be unreasonably withheld.

Tenant may not erect or place on or about the Premises and visible from outside the Premises any additional signs or other materials advertising Tenant's business without the express prior written consent of Landlord, which consent Landlord may withhold in Landlord's sole discretion. All approved signs must comply with applicable statues, ordinances and the like and all existing or subsequently imposed rules and regulations and covenants, conditions and restrictions affecting the Property. Tenant, upon request of Landlord, shall immediately remove (and repair any damage caused by removal of the signs in a manner satisfactory to Landlord) at Tenant's sole expense any sign, advertisement, notice or other display which Tenant has placed or permitted to

be placed on any part of the inside or outside of the Premises (a) if, in the opinion of Landlord, it is objectionable, offensive or not in good taste (and if Tenant shall fail so to do, Landlord may enter the Premises and remove the same at the expense of Tenant) and (b) at the end of the Term hereof.

Tenant shall keep the Premises free and clear of all liens of mechanics, materialmen or professional consultants, and all liens of a similar character, including judgment liens, arising out of or in any way connected with Tenant's use of the Premises and the permitted alteration thereof. Notice is hereby given that Tenant, in making any improvements or alterations to the Premises or doing any other acts in connection with Tenant's use and occupancy of the Premises, does not act as Landlord's agent or in any other representative capacity for Landlord, and neither Landlord nor the Premises shall be liable for any labor, services or materials furnished or to be furnished to Tenant, or to anyone holding the Premises or any part thereof through or under Tenant, and no mechanics', materialmens' or professional consultants' liens for any such labor or materials shall attach to or affect the interest of Landlord in and to the Premises. In the event any such lien or encumbrance is filed against the Project, Premises, Building or Common Area as a result of Tenant's acts or omissions, Tenant shall, within ten (10) days after written notice thereof from Landlord, at Tenant's sole expense, obtain a surety bond and other items as may be required by Arizona Revised Statutes § 33-1004, or any other then applicable statute, to discharge the Premises from such lien or encumbrance. Without in any manner limiting Landlord's other rights and remedies hereunder, Landlord and Tenant hereby expressly agree that Landlord may specifically enforce Tenant's obligation to obtain any such bond or obtain such bond and invoice Tenant for Landlord's cost of doing same.

ARTICLE 7. - MAINTENANCE

Landlord shall keep and maintain in good order, condition and repair the structural elements of the Building and all parts of the Common Areas; provided, however, the cost of any maintenance or repairs necessitated by the negligence of Tenant, its agents, employees or invitees and performed by Landlord shall be reimbursed directly to Landlord by Tenant promptly upon demand. Common Areas shall mean all areas, space, equipment and special services provided by Landlord for the common or joint use and benefit of the tenants, their employees, including by way of illustration but not limitation, retaining walls, fences, landscaped areas, parks, curbs, sidewalks, private roads, hallways, patios, service quarters, parking areas, all common areas as designated in any CC&R's recorded with respect to the Project.

Landlord, at its sole expense, shall make all necessary repairs to the footings, foundations, structural steel columns and girders forming a part of the Building upon receipt of written notice of the need for such repair, and shall replace the roof of the Building as necessary. Except as set forth in the preceding sentence, all other Landlord repairs, maintenance and replacements shall be part of Operating Expenses. Tenant shall notify Landlord promptly from time to time of such roof repairs as are needed to make the roof water-tight.

Landlord shall not have any responsibility whatsoever to maintain or repair the Premises, or any part thereof, except as set forth in this Article and Tenant expressly waives the benefits of any statute now or hereafter in effect which might otherwise afford Tenant the right to make repairs at Landlord's expense or to terminate this Lease under A.R.S. § 33-343.

Tenant at its expense shall be responsible for the following services, maintenance and repairs, to of and within the Premises, without limitation:

- Business Identification Signs (city pre-approval required for sign placement)
- Access Control, and Security Systems
- Locks and keys

- Evacuation and Emergency Response systems and programs
- Typical Office services such as: custodial, interior pest control, plant watering, spill or odor cleanup or removal, recycling and waste removal,
- Medical waste collection and removal
- Furniture assembly, placements, adjustments, relocations, repairs, etc.
- Flooring: Carpet and tile replacement, repairs and updates
- Minor tenant improvements such as moving electrical outlets, pony walls etc.
- Small and Large Appliances installation, maintenance and repairs (refrigerators, icemakers, drinking water treatment systems, food prep equipment, stoves, dishwashers etc.
- Installation/modification/relocation of ancillary items such as shelving, whiteboards, pictures, etc.
- Replacement or upgrades of plumbing fixtures such as toilets, sinks, facets, etc.
- Installation, inspections, maintenance and repair of appliances, specialty systems and equipment (e.g. copiers, dishwashers, badging or security machines, reverse osmosis, specialty test equipment, fume hoods
- Cosmetic/Aesthetics/decorations/window coverings etc., such as: interior door and wall Paint, repair/Replacement of Window Coverings, hanging of decorations, etc.
- Special Events Services
- Plug in or battery operated specialty equipment, devices, computers, monitors, speakers, projectors, scanners, etc.
- Repair of damage by others under the control of tenant to city facilities building systems and fixtures (e.g. holes in doors or drywall, etc.)

Landlord reserves and shall at all times have the right to re-enter the Premises upon 24 hours prior notice to Tenant (except in an emergency) to perform Landlord's express obligations to maintain, repair and replace the structural components of the Building without abatement of Monthly Rent or other charges hereunder. Landlord may for the purposes of such work erect, use and maintain scaffolding, pipes, conduits and other necessary structures in and through the Premises where reasonably required by the character of the work to be performed, provided that entrance to the Premises shall not be blocked. Tenant waives any claim for damages for any injury or inconvenience to or interference with Tenant's business, any loss of occupancy or quiet enjoyment of the Premises and any other loss occasioned by any such maintenance, repair or replacement work. Landlord shall not be in default hereunder or be liable for any damages directly or indirectly resulting from, nor shall the Monthly Rent or other charges hereunder be abated by reason of, interruption of use of any equipment caused by a failure of or reduction in utilities and services, irrespective of the cause thereof. Tenant agrees it shall be solely responsible to pay all connection fees, charges, taxes, assessments and related costs for separately metered or direct charge utilities and services. Tenant additionally agrees that Tenant will not install or operate in the Premises any heavy duty electrical equipment or machinery without first obtaining prior written consent of Landlord. Landlord shall not be liable for its failure to maintain comfortable atmospheric conditions in all or any portion of the Premises due to heat generated by any equipment, machinery or additional lighting installed by Tenant (with or without Landlord's consent) that exceeds design capabilities for the Building housing the Premises. If Tenant desires additional cooling to offset excessive heat generated by such equipment or machinery, Tenant shall pay for auxiliary cooling equipment and its operating costs, including without limitation electricity, gas, oil and water, or for excess electrical consumption by the existing cooling system, as appropriate.

Attached hereto as Exhibit "D" is the Landlord's Facility Management Service Level Overview Informational Guide "Informational Guide". The intent of the Information Guide is provide the following:

- Highlight types of facilities services included in this Lease
- Clarify responsibilities for landlord and tenant
- Minimize operational downtime when possible

- Ensure Project assets are adequately maintained and perform effectively and efficiently throughout their service life
- Clarify communications of service needs and follow up

This Informational Guide is subject to amendment at the sole discretion of the Landlord and is not intended to amend or supersede of terms of this Lease. In the event of a conflict between the terms of this Lease and the information provided in the Informational Guide the terms of this Lease shall prevail.

ARTICLE 8. - OPERATING EXPENSES

For each calendar year or portion thereof within the term, Tenant shall pay to Landlord, as additional rental hereunder a flat rate fee in-lieu of Landlord providing an annual reconciliation of the actual Operating Expenses for the Project each year an "Operating Fee", together with transaction privilege tax thereon. The "Operating Expenses" captured within the "Operating Fee" includes all of Landlord's costs of operating, managing, maintaining, repairing and replacing the Project and the improvements thereon, including without limitation the Common Areas, which costs shall include but not be limited to: (i) maintenance and repair of the buildings and other improvements on the Project, (ii) maintenance and repair of the Common Areas, including sweeping, refuse removal (EXCEPT TENANT WILL REMAIN SOLELY RESPONSIBLE FOR THE PROPER DISPOSAL OF ANY BIOLOGICAL AND ASSOCIATED LABORATORY WASTE), paving, repairing, resealing, and restriping the parking lot; (iii) utilities not separately metered or otherwise directly charged to tenants of the Project; however, Landlord reserves the right to install separate meters for any utility serving the Premises for which separate meters are not presently installed and Tenant shall pay the cost of such meter installation for the Premises if, in Landlord's sole opinion, Tenant is using more than its proportionate share of such utility, (iv) insurance as may from time to time be maintained by Landlord with respect to the Project; (v) service contract for changing the air filters of the air conditioning and heating equipment (excluding evaporative coolers) on a periodic basis, (vi) reserves set aside for maintenance and repair of Buildings and Common Areas, (vii) the cost of any capital expenditure viii) any other services to be provided by Landlord that are stated elsewhere in this Lease to be a Common Area Operating Expense, (ix) real property taxes, and all costs, expenses and fees paid or incurred by Landlord in connection with contesting real property taxes, along with transaction privilege taxes or other taxes relating to the Project or the rents; (x) all costs incurred in installing, upgrading, operating, maintaining, and repairing the any and all communications infrastructure located within the Premises or the Building including, without limitation, points of entry, centralized distribution systems, wires, cables, conduits, antennas, and related items, and (xi) a management fee (which may be payable to Landlord). Tenant shall pay the monthly Operating Fee, in addition to and contemporaneously with each monthly installment of Monthly Rent. The monthly Operating Fee payments made by Tenant may be commingled with Landlord's general funds.

Landlord is currently exempt from the payment of most real estate taxes. Should the tax laws change to require the payment real estate taxes by the Landlord, or the Landlord elect to transfer the Property/Premises to another entity, which is not exempt from real estate taxes, the monthly Operating Fee payments shall be adjusted to include $1/12^{th}$ of the Tenant's Share of Real Estate Taxes for a non-exempt entity. The Tenant's Share of Real Estate Taxes for a non-exempt entity shall be calculated and the monthly Operating Fee adjusted on an annual basis on the anniversary of the Scheduled Term Commencement Date.

ARTICLE 9. - PROPERTY INSURANCE

Landlord will maintain in force and effect throughout the Term a policy or policies of fire and extended coverage and all other perils of the Special Form insuring the improvements owned by Landlord on the Project against damage from fire, vandalism, malicious mischief and other risks normally covered by such policy, or such

broader or additional coverage as Landlord or Landlord's Lender may, in its sole discretion, require or consider appropriate and may include a rental loss endorsement to cover Landlord's loss of rental from the Project. Tenant shall have no interest in or to any of the insurance policy or policies procured by Landlord or the proceeds thereof. The premiums for the fire and extended coverage insurance and any other reasonable insurance maintained by Landlord relating to the Project shall be included as part of the Operating Expenses. Landlord may, at its option, self-insure for the coverage required herein.

Tenant shall be solely responsible for insuring its trade fixtures, goods, wares, merchandise and other personal property on the Premises. Tenant hereby agrees that Landlord shall not be liable for damage or injury to Tenant's business or any loss of income therefrom or for damage or injury to the trade fixtures, goods, wares, merchandise or other property of Tenant in or about the Premises regardless of whether such damage or injury is caused by or results from fire, electricity, gas, water or rain, wind, sun or from the breakage, leakage, obstruction or other defects of pipes, sprinklers, wires, appliances, plumbing, air conditioning or lighting fixtures, or from any other cause, whether the damage or injury results from conditions arising upon the Premises or from other sources or places, and regardless of whether the cause of such damage or injury or the means of repairing the same is inaccessible to Tenant.

ARTICLE 10. - LIABILITY INSURANCE

Tenant shall obtain with a company licensed to do business in the State of Arizona acceptable to Landlord and keep in force during the Term hereof public liability and property damage insurance insuring Landlord, Tenant and any mortgagee or trust deed beneficiary holding a lien against the Premises against any liability arising out of the ownership, use or occupancy of the Premises in a combined single limit of not less than $2,000,000. Tenant will furnish Landlord prior to commencement of the Term with a certificate evidencing the fact that such insurance has been obtained and is in full force and effect, that Landlord, and any such mortgagee or beneficiary is an additional insured thereunder, and that such insurance cannot be canceled, subject to reduction or other modification without at least twenty (20) days prior notice to Landlord.

ARTICLE 11. - INDEMNIFICATION

Tenant shall (and hereby does) indemnify and hold harmless Landlord and Landlord's partners, officers, elected officials, directors, agents and employees from and against any and all liability, loss, cost or expense which may arise from a third party claim respecting an incident which occurred within the Premises and which resulted in personal injury or property damage unless resulting from the grossly negligent acts or omissions of Landlord or of any of Landlord's partners, officers, directors, agents or employees. Landlord shall (and hereby does) indemnify and hold harmless Tenant and Tenant's partners, officers, directors, agents and employees from and against any and all liability, loss, cost or expense arising from a third party claim respecting an incident which occurred within the Common Areas and which resulted in personal injury or property damage unless resulting from the negligent acts or omissions of Tenant or of any of Tenant's partners, officers, directors, agents or employees. The indemnification obligations of each party under this Article shall be limited to a maximum liability of $5,000,000 each. In case any action or proceeding is brought against Landlord or any of Landlord's partners, officers, elected officials, directors, agents or employees and such claim is a claim from which Tenant is obligated to indemnify Landlord pursuant to this Article, upon notice from Landlord, Tenant shall resist and defend such action or proceeding (by counsel reasonably satisfactory to Landlord). The obligation of Tenant under this Article shall survive termination of this Lease. In case any action or proceeding is brought against Tenant or any of Tenant's partners, officers, directors, agents or employees and such claim is a claim from which Landlord is obligated to indemnify Tenant pursuant to this Article, upon notice from Tenant Landlord shall resist and defend such action or proceeding (by counsel reasonably satisfactory to Tenant). The obligation of Landlord under this Article shall survive termination of this Lease.

ARTICLE 12. - CONDEMNATION AND CASUALTY

In the event of a total taking of the Premises by exercise of the right of condemnation or eminent domain, or conveyance in lieu thereof, this Lease shall terminate as of the date possession of the Premises is taken by the condemning authority. Landlord shall be entitled to any and all awards and payments on account of any such taking, and Tenant hereby assigns to Landlord all right, title and interest it may have in any such award or payment; provided, however, Tenant shall be entitled to any portion of the award made for the taking of Tenant's trade fixtures and shall have the right to seek recovery of its reasonable out-of-pocket expenses of relocation.

In the event of a partial taking or a partial or total destruction of the Premises during the Term from any cause whatsoever, Landlord forthwith shall commence and diligently proceed to restore the same, unless Landlord shall elect to terminate this Lease as hereinafter set forth; provided, however, resulting awards, payment or insurance proceeds, if any, less any costs or expenses incurred in collecting or recovering the same, shall be first made available to Landlord by Landlord's lender for such restoration upon such condition or conditions as Landlord's lender may impose. Total or partial destruction shall in no way annul or void this Lease, except that Tenant shall be entitled to a proportionate reduction of the Monthly Rent while such repairs are being made, such proportionate reduction to be based upon the extent to which the making of repairs interferes with the business carried on by Tenant within the Premises. Tenant hereby waives all rights under any law in existence during the Term authorizing the termination of the Lease upon complete or partial destruction of the Premises. If the damage or destruction occurs during the last two (2) years of the Term or during any extended term, or if Landlord's insurer or lender does not make such insurance proceeds available to Landlord within a reasonable time after a total destruction event, Landlord may elect to terminate this Lease by giving notice to Tenant within ninety (90) days after the occurrence of such destruction.

ARTICLE 13. - ACCEPTANCE AND SURRENDER OF PREMISES

By entry hereunder, Tenant accepts the Premises "as is," free from defects and in good, clean and sanitary order, condition and repair. On the last day of the Term, Tenant will surrender the Premises to Landlord in a state of good repair and in clean and sanitary condition, excepting only reasonable, ordinary wear and tear, and, if so requested by Landlord, shall remove all trade fixtures and cabling installed on the Premises by Tenant; provided, however, that Tenant shall fully repair damage of any kind or character occasioned by the removal of any such trade fixtures and cabling.

ARTICLE 14. - ENTRY BY LANDLORD

Landlord and its representatives shall have the right to enter the Premises at all reasonable times (upon at least 24 hours prior notice to Tenant whenever possible) except in the event of an emergency to inspect the same, and to post such reasonable notices thereat as Landlord may desire to protect its rights, and during the ninety (90) days prior to the expiration of this Lease, to exhibit the Premises to prospective tenants and to place upon the doors or in the windows of the Premises any usual and ordinary "for rent" or "for lease" signs. Landlord will use reasonable efforts to minimize disruption to Tenant's business operations.

ARTICLE 15. - TRANSFER OF LANDLORD'S INTEREST

Landlord hereby reserves the right to sell, assign or transfer the Premises and this Lease, and in such event, this Lease shall remain in full force and effect and Tenant shall remain obligated to continue performance of all the terms, covenants and conditions on its part to be performed hereunder.

Upon any such sale, assignment or transfer, other than merely as security, Tenant agrees thereafter to look solely to the assignee or transferee with respect to all matters in connection with this Lease and Landlord shall be released from any further obligations hereunder. If any security deposit has been made by Tenant, Landlord may transfer such security deposit to such assignee or transferee and thereupon Landlord shall be discharged from any further liability in reference thereto.

ARTICLE 16. - ASSIGNMENT AND SUBLETTING

Tenant shall not assign Tenant's rights or delegate Tenant's duties under this Lease, nor sublet all or any portion of the Premises, nor encumber or hypothecate the Premises, nor permit the use of all or any part of the Premises by persons other than Tenant, its employees and agents including by operation of law (alternatively, a "Transfer"), without the prior written consent of Landlord, and any such Transfer without such consent shall be void. No Transfer shall be made except for the entire Premises.

In the event that the Tenant completes a Transfer of the Premises, upon determining a Transfer has occurred Landlord shall provide written notice to Tenant of the default. Landlord shall have the right to terminate this Lease by giving Tenant not less than thirty (30) days' notice. If Landlord exercises its right to terminate this Lease, Tenant agrees that Landlord shall have access to all or a portion of the Premises thirty (30) days prior to the effective termination date for remodeling or redecorating purposes. In the event Landlord does not exercise its right to terminate this Lease, and Landlord has granted its written consent, Tenant may transfer all, but not a portion of, the Premises.

(a) If the Tenant desires at any time to Transfer the Premises Tenant shall submit to Landlord at least sixty (60) days before the proposed effective date of the Transfer ("Proposed Effective Date"), in writing:

(i) A request for permission to Transfer, setting forth the Proposed Effective Date, which shall be no less than sixty (60) days after the sending of that notice;

(ii) The name of the proposed subtenant or assignee or other transferee;

(iii) The nature of the business to be conducted in the Premises after the Transfer;

(iv) The terms and provisions of the proposed Transfer;

(v) A copy of all proposed documentation pertaining to the Transfer;

(vi) Current financial statements (audited, if available) of Tenant and the proposed transferee; and

(vii) Such additional information that Landlord may reasonably request to make a reasoned judgment.

(b) Without in any way limiting Landlord's right to refuse to consent for any other reason or reasons, Landlord shall be deemed to have reasonably withheld its consent to any Transfer if, in Landlord's reasonable opinion:

(i) The proposed use of the Premises by the transferee is not compatible with the operation of the Project or the desired tenant mix of the Project,

would entail any but cosmetic improvements to the Premises, or would require increased services from Landlord;

(ii) The financial net worth of a proposed transferee does not meet the credit standards applied by Landlord for other tenants under leases with comparable terms or the character or business of the proposed transferee is inconsistent with the quality of other Project tenancies;

(iii) The proposed Transfer would cause a violation of another lease for space in the Project or would give an occupant of the Project a right to cancel its lease or abate (or reduce) its rent;

(iv) The proposed transferee's use of the Premises would involve the introduction of Hazardous Material to the Premises;

(v) The proposed transferee is a current tenant of the Project or an entity with whom Landlord is negotiating to lease space in the Project; or

vi) The Tenant is in default under any of the terms of this Lease as of the date Tenant notifies Landlord of the proposed Transfer or as of the Proposed Effective Date of the Transfer, or would be in default but for the pendency of a grace or cure period.

Any subletting or assignment consented to by Landlord shall be evidenced in writing in a form acceptable to Landlord. Consent by Landlord to any assignment or subletting by Tenant shall not operate as a waiver of the necessity for obtaining Landlord's consent in writing to any subsequent assignment or subletting; nor shall the collection or acceptance of rent from any such assignee, subtenant or occupant constitute a waiver or release of Tenant of any covenant or obligation contained in this Lease.

In the event that Tenant defaults under this Lease in the payment of rent or additional rent, Tenant hereby assigns to Landlord the rent due from any subtenant of Tenant and hereby authorizes each such subtenant to pay said rent directly to Landlord.

Any rent accruing to Tenant as the result of a sublease which is in excess of the pro rata share of rent then being paid by Tenant for the portion of the Premises being sublet, shall be paid by Tenant to Landlord monthly as additional rent. In the event of any subletting of the Premises or assignment of this Lease by Tenant, with or without Landlord's consent, Tenant shall remain liable to Landlord for payment of the rent stipulated herein and all other covenants and conditions contained herein.

Despite the requirements and provisions of this Article, Tenant may assign this Lease or sublet the premises, with notice to Landlord but without the necessity of Landlord's consent and without creating any election in Landlord pursuant to this Article, to any educational corporation which controls, is controlled by, or is under common control with Tenant, to any educational corporation resulting from the merger or consolidation with Tenant, or to any person or entity which acquires all the assets of Tenant as a going concern of the Permitted Use being conducted on the Premises.

ARTICLE 17. - DEFAULT

If Tenant shall fail to pay any part of the Monthly Rent or Operating Fee herein provided, or any other sum required by this Lease to be paid by Tenant at the times or in the manner provided and such failure shall

continue for five (5) days after due, or if default shall be made in any of the other covenants or conditions on Tenant's part agreed to be performed, and such failure shall continue for thirty (30) days after written notice thereof from Landlord to Tenant, or if Tenant vacates or abandons the Premises, or if any proceedings under the Bankruptcy Act or any amendment thereto be commenced by Tenant, or if any such proceedings are commenced against Tenant and are not dismissed within ninety (90) days after commencement, or if Tenant is adjudged insolvent or makes an assignment for the benefit of its creditors, or if a writ of attachment or execution is levied on Tenant's leasehold estate hereby created and not released or satisfied within ten (10) days thereafter, or if a receiver is appointed in any proceeding or action to which Tenant is a party with authority to take possession or control of the Premises or the business conducted thereon by Tenant and such receiver is not discharged with a period of fifteen (15) days after appointment, then Landlord, in addition to any other rights or remedies it may have whether under this Lease or at law or in equity at any time thereafter may either:

(a) Terminate Tenant's right to possession of the Premises by any lawful means, in which case this Lease and the term hereof shall terminate and Tenant shall immediately surrender possession of the Premises to Landlord. In such event, Landlord shall be entitled to recover from Tenant (i) the worth at the time of the award of the unpaid rent which had been earned at the time of termination; (ii) the worth at the time of award of the amount by which the unpaid rent which would have been earned after termination until the time of award exceeds the amount of such rental loss that the Tenant proves could have been reasonably avoided; (iii) the worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss that the Tenant proves could be reasonably avoided; and (iv) any other amount necessary to compensate Landlord for all the detriment proximately caused by the Tenant's failure to perform its obligations under this Lease or which in the ordinary course of things would be likely to result therefrom, including but not limited to the cost of recovering possession of the Premises, expenses of reletting (including without limitation brokerage fees and commissions and rent concessions), including necessary renovation and alteration of the Premises, reasonable attorneys' fees, and that portion of the leasing commission previously paid by Landlord applicable to the unexpired term of this Lease. The worth at the time of award of the amount referred to in provision (iii) of the prior sentence shall be computed by discounting such amount at the discount rate of the Federal Reserve Bank of San Francisco at the time of award plus one percent. Efforts by Landlord to mitigate damages caused by Tenant's default or breach of this Lease shall not waive Landlord's right to recover damages under this Paragraph. If termination of this Lease is obtained through the provisional remedy of unlawful detainer, Landlord shall have the right to recover in such proceeding the unpaid rent and damages as are recoverable therein, or Landlord may reserve therein the right to recover all or any part thereof in a separate suit for such rent and/or damages. If a notice and grace period is required hereunder and was not previously given, a notice to pay rent or quit, or to perform or quit, as the case may be, given to Tenant under any statute authorizing the forfeiture of leases for unlawful detainer shall also constitute the applicable notice for grace period purposes required.

(b) Continue the Lease and Tenant's right to possession in effect after Tenant's breach and recover the Monthly Rent, Operating Fee and other charges as they become due. Acts of maintenance or preservation, efforts to relet the Premises, or the appointment of a receiver to protect Landlord's interest under the Lease shall not constitute a termination of Tenant's right to possession.

(c) Pursue any other remedy now or hereafter available to Landlord under the laws or judicial decisions of the State of Arizona.

If this Lease is assigned by Tenant pursuant to the provisions of the Revised Bankruptcy Act, 11 U.S.C. Section 101, et seq., all consideration paid or payable in connection with such assignment shall be Landlord's exclusive property and paid or delivered to Landlord, and shall not constitute the property of Tenant or Tenant's estate in bankruptcy; and Landlord may proceed in federal bankruptcy court with an action to recover said sums.

Any person or entity to which this Lease is assigned pursuant to the Revised Bankruptcy Act shall be deemed without further action or consent of the parties to have assumed all of Tenant's obligations under this Lease arising from and after the effective date of the assignment, including without limitation the obligation to conduct only the Permitted Uses at the Premises.

The expiration or termination of this Lease and/or the termination of Tenant's right to possession shall not relieve Tenant from liability under any indemnity provisions of this Lease as to matters occurring or accruing during the term hereof or by reason of Tenant's occupancy of the Premises. No act by Landlord shall be construed as an election on its part to terminate this Lease unless a written notice of such intention is given to Tenant.

In addition to the foregoing remedies, Landlord shall have the right but not the obligation to remedy any default of Tenant, including without limitation, Tenant's failure to perform its Premises maintenance and repair obligations under Article 7, and Landlord's costs and expenses incurred in remedying any such default shall be payable by Tenant upon demand, together with interest on such costs and expenses at the rate of eighteen percent (18%) per annum from the date incurred until repaid.

Any agreement for free or abated rent or other charges, or for the giving or paying by Landlord to or for Tenant of any cash or other bonus inducement or consideration for Tenant's entering into this Lease, all of which concessions are hereinafter referred to as "Inducement Provisions", shall be deemed conditioned upon Tenant's full and faithful performance of all of the terms, covenants and conditions of this Lease. Upon default under this Lease by Tenant, any such Inducement Provision shall automatically be deemed deleted from this Lease and of no further force or effect; and any rent, other charge, bonus, inducement or consideration theretofore abated, given or paid by Landlord under such an Inducement Provision shall be immediately due and payable by Tenant to Landlord without notice or demand. Notwithstanding any subsequent cure of said default which initiated the operation of this Article, the cure shall not be deemed a waiver by Landlord of the provisions of this Article unless specifically so stated in writing by Landlord at the time of such acceptance.

All remedies herein conferred upon Landlord shall be cumulative and not exclusive of any other remedy conferred herein or at law or in equity. If Tenant is in default, Landlord may prevent removal of property from the Premises by any lawful means it deems necessary to protect its interests therein.

ARTICLE 18. – ATTORNEYS' FEES

If any action shall be brought to recover Monthly Rent, Operating Fees, or any other sum payable under this Lease, or for or on account of any breach of or to enforce or interpret any of the terms, covenants or conditions of this Lease, or for the recovery of possession of the Premises, the prevailing party shall be entitled to recover from the other party a reasonable attorneys' fee, the amount of which shall be fixed by the court and shall be made a part of any judgment rendered.

ARTICLE 19. - HOLDING OVER

If Tenant remains in possession of all or any part of the Premises after the expiration of the Term, except with the express written consent of Landlord, Tenant shall be considered to be occupying the Premises without claim of right and Tenant shall pay Landlord, and Landlord shall be entitled to recover from Tenant (a) all damages and costs arising out of loss of rental and any liability of third parties resulting from delay by Tenant in surrendering the Premises, plus (b) a charge for each day of occupancy equal to triple the rents payable (on a daily basis) by Tenant during the last month of the Term. In no event shall such holding over without Landlord's written consent constitute a renewal or extension of the Term on any basis.

ARTICLE 20. - SUBORDINATION

Landlord expressly reserves the right at any time to place liens and encumbrances on and against the Premises superior or inferior in lien and effect to this Lease and the estate created hereby. This Lease, at the option of Landlord, shall be subject, subordinate and inferior to the lien and estate of any liens and encumbrances, and all renewals, extensions or replacements thereof now or hereafter imposed by Landlord upon the Premises. Tenant agrees to execute, acknowledge and deliver upon demand such further instrument or instruments subordinating this Lease to any such liens or encumbrances as shall be desired by Landlord, and if Tenant does not so execute, acknowledge and deliver same within ten (10) days of receipt of written request by Landlord, Tenant hereby irrevocably appoints Landlord its attorney in fact to execute and deliver any such instrument or instruments for or in the name of Tenant. Tenant also agrees from time to time, within ten (10) days of receipt of written request by Landlord, to execute, acknowledge and deliver to Landlord a statement in writing certifying (a) that this Lease is unmodified and in full force and effect, or if there have been any modifications, that the Lease is in full force and effect as modified and stating the modifications, (b) that Tenant has no defenses, offsets or counterclaims against its obligations to pay Monthly Rent and other monies hereunder and to perform its other covenants under this Lease, or if there are any defenses, offsets, counterclaims or defaults, setting forth the same in reasonable detail, (c) the dates to which the Monthly Rent has been paid and the amount of any Prepaid Rent and Security Deposit, and (d) any other matters reasonably requested for Tenant's certification with respect to this Lease. If Tenant fails timely (as aforesaid) to deliver the estoppel Landlord may execute and deliver such estoppel for and on behalf of Tenant and for this purpose Tenant hereby appoints Landlord its attorney in fact. Any such statement delivered pursuant to this Article may be relied upon by any prospective purchaser, mortgagee or trust deed beneficiary of the Premises or any prospective assignee of any mortgage or encumbrance upon the Premises. In the event any proceedings are brought for the foreclosure of, or in the event of exercise of the power of sale under, any mortgage or deed of trust made by Landlord, its successors or assigns encumbering the Premises, Tenant shall attorn to the purchaser upon such foreclosure or sale and recognize such purchaser as the lessor under this Lease.

ARTICLE 21. - NOTICES

All notices or demands required to be given, made or sent hereunder shall be in writing and deemed to have been given when hand delivered or on the third (3rd) day after deposited in the United States mail, certified return receipt requested, postage prepaid and addressed to Landlord's Address or Tenant's Address, as the case may be. The address to which any notice or demand shall be given to either party may be changed by written notice given by such party to the other as above provided.

ARTICLE 22. - SECURITY DEPOSIT

`Any security deposit made by Tenant shall be held by Landlord, not as trustee but as part of Landlord's general funds, to secure performance by Tenant of all of the terms, covenants and conditions of this Lease to be kept and performed by Tenant. Landlord may from time to time use all or any portion of said deposit to cure Tenant's defaults hereunder, and in such event, upon demand form Landlord, Tenant promptly shall deposit with Landlord such additional sums as are necessary to restore the security deposit to its original amount. The security deposit, or any remaining portion thereof, shall be returned to Tenant, without interest, upon the termination of this Lease, provided Tenant has complied with all of the terms, covenants and conditions hereof.

ARTICLE 23. – WAIVER AND COMPLIANCE WITH U.S.A. PATRIOT ACT

Waiver. No covenant, term or condition or the breach thereof shall be deemed waived, except by written consent of the party against whom the waiver is claimed, and any waiver or breach of any covenant, term or condition shall not be deemed to be a waiver of any preceding or succeeding breach of the same or any covenant, term or condition. Acceptance by Landlord of any performance by Tenant after the same shall have become due shall not constitute a waiver by Landlord of the breach of any covenant, term or condition unless otherwise expressly agreed to by Landlord in writing.

Compliance With U.S.A. Patriot Act and Related Laws. Tenant represents and warrants that (a) Tenant and each person or entity owning an interest in Tenant is (i) not currently identified on the Specially Designated Nationals and Blocked Persons List maintained by the Office of Foreign Assets Control, Department of the Treasury ("OFAC") and/or on any other similar list maintained by OFAC pursuant to any authorizing statute, executive order or regulation (collectively, the "List"), and (ii) not a person or entity with whom a citizen of the United States is prohibited to engage in transactions by any trade embargo, economic sanction, or other prohibition of United States law, regulation, or Executive Order of the President of the United States, (b) none of the funds or other assets of Tenant constitute property of, or are beneficially owned, directly or indirectly, by any Embargoed Person (as hereinafter defined), (c) no Embargoed Person has any interest of any nature whatsoever in Tenant (whether directly or indirectly), (d) none of the funds of Tenant have been derived from any unlawful activity with the result that the investment in Tenant is prohibited by law or that the Lease is in violation of law, and (e) Tenant has implemented procedures, and will consistently apply those procedures, to ensure the foregoing representations and warranties remain true and correct at all times. The term "Embargoed Person" means any person, entity or government subject to trade restrictions under U.S. law, including but not limited to, the International Emergency Economic Powers Act, 50 U.S.C. Section 1701 et seq., The Trading with the Enemy Act, 50 U.S.C. App. 1 et seq., and any Executive Orders or regulations promulgated thereunder with the result that the investment in Tenant is prohibited by law or Tenant is in violation of law. Tenant covenants and agrees (a) to comply with all requirements of law relating to money laundering, anti-terrorism, trade embargos and economic sanctions, now or hereafter in effect, (b) to immediately notify Landlord in writing if any of the representations, warranties or covenants set forth in this paragraph or the preceding paragraph are no longer true or have been breached or if Tenant has a reasonable basis to believe that they may no longer be true or have been breached, (c) not to use funds from any "Prohibited Person" (as such term is defined in the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism) to make any payment due to Landlord under the Lease and (d) at the request of Landlord, to provide such information as may be requested by Landlord to determine Tenant's compliance with the terms hereof. Tenant hereby acknowledges and agrees that Tenant's inclusion on the List at any time during the Term shall be a material default of the Lease. Notwithstanding anything herein to the contrary, Tenant shall not permit the Premises or any portion thereof to be used or occupied by any person or entity on the List or by any Embargoed Person (on a permanent, temporary or transient basis), and any such use or occupancy of the Premises by any such person or entity shall be a material default of the Lease.

ARTICLE 24. - CONSTRUCTION OF LEASE

This Lease, upon execution and delivery, shall be construed as a whole according to its fair meaning and not strictly for or against either Landlord or Tenant. Article headings are inserted for convenience only and are not to be construed as a part of this Lease or defining, limiting or amplifying the provisions hereof. Time is of the essence of this Lease and of every term, covenant and condition hereof. The neuter gender used herein includes the masculine and feminine. In the event there is more than one Tenant, the obligations to be performed shall be joint and several. In the event any term, covenant or condition herein contained is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such term, covenant or condition shall in no way affect any other term, covenant or condition herein contained. Tenant shall not cause this Lease or any short

form or notice thereof to be recorded without the prior written consent of Landlord. The submission of this document for review by Tenant or its agents shall not constitute an offer to Lease the Premises and this document shall not bind Landlord until it is duly and appropriately executed and delivered by Landlord.

ARTICLE 25. - SUCCESSORS AND ASSIGNS

Subject to the provisions hereof, all of the terms, covenants and conditions of this Lease shall be binding upon and inure to the benefit of and shall apply to the respective heirs, executors, administrators, successors, assigns and legal representatives of Landlord and Tenant.

ARTICLE 26. - REASONABLE CONSENT; FORCE MAJEURE

Except as otherwise expressly set forth to the contrary in any provision of this Lease, Landlord agrees not to unreasonably withhold its approval of or consent to any act of Tenant where such approval or consent is required. "Force Majeure," as used herein, shall mean: an incident produced by physical cause which is irresistible; or a fact or accident which prudent humans cannot reasonably foresee and prevent, and strikes, riots, acts of God, shortages and/or unavailability of labor or materials, war, governmental laws, regulations, or restrictions, terrorism, bioterrorism, or any other cause of any kind whatsoever that is beyond the reasonable control of Landlord.

ARTICLE 27. - GOVERNING LAW; VENUE

This Lease shall be governed by and construed in accordance with the laws of the State of Arizona, and venue for the determination of any dispute arising hereunder shall be appropriate only in Maricopa County, Arizona.

ARTICLE 28. - ENTIRE AGREEMENT

This Lease along with any exhibits hereto constitutes the entire agreement between Landlord and Tenant relative to the Premises, and this Lease and its exhibits and attachments may be altered, amended or revoked only by an instrument in writing signed by both Landlord and Tenant. Landlord and Tenant agree hereby that any prior or contemporaneous representations or agreements made by and between themselves or their agents and representatives relative to the leasing of the Premises and not expressly set forth herein are revoked by this Lease.

ARTICLE 29. – MODIFIED NET LEASE

This Lease is entered into by Landlord for the express purpose of providing Landlord with Monthly Rent, along with the Operating Fee, free and clear of all Tenant incurred taxes, liens or impositions of any kind. In addition to Monthly Rent, Operating Fee and all other sums reserved hereunder to be paid by Tenant, Tenant agrees to pay any other charges, costs and expenses which arise during the Term in connection with Tenant's occupancy and use thereof, including without limitation, all charges and deposits payable in connection with separately-metered utilities and services.

ARTICLE 30. – GPLET

Landlord (City of Goodyear) is exempt from most types real estate taxes (we still pay special district taxes). However, Tenants of the Landlord may be subject to the Alternate Government Property Lease Excise Tax (GPLET). Tenant shall be responsible for the reporting and payment of this alternate tax.

ARTICLE 31. – COMMISSIONS

Each party represents and warrants that it has not entered into any contracts with any brokers or finders, or obligated itself to pay any real estate commissions or finders' fees on account of the execution of this Lease or the transaction contemplated hereby. Based on such representations and warranties, each party hereby agrees to indemnify, defend and hold the other party harmless from and against all claims, damages, expenses, liabilities, liens or judgments (including costs, expenses and attorneys' fees in defending the same) which arise on account of any claim made against the indemnifying party that real estate commissions or finders' fees are payable and have not been discharged in their entirety.

ARTICLE 32. - LIMITATION OF LIABILITY

Notwithstanding anything to the contrary contained in this Lease, Tenant agrees and understands that Tenant shall look solely to the estate and property of Landlord in the Premises including, but not limited to, all rents, profits and proceeds therefrom, for the enforcement of a judgment (or other judicial decree) requiring the payment of money by Landlord to Tenant by reason of default, breach or event of default of Landlord in performance of its obligations under this Lease, it being intended that there will be absolutely no personal liability on the part of Landlord or of any other assets of Landlord or its investors or of Landlord's partners and further that the liability of Landlord to Tenant for any default by Landlord under the terms of this Lease shall be limited to Tenant's actual direct, but not consequential, damages therefor. None of the foregoing shall be subject to levy, execution, attachment or any other legal process for the enforcement or satisfaction of the remedies pursued by Tenant in the event of such default, breach, or event of default, as this Tenant exculpation of liability of Landlord is to be absolute and without any exception whatsoever. Notwithstanding anything to the contrary contained in this Lease, in the event Landlord sells, assigns, transfers, or conveys its interest in the Premises, Landlord shall have no liability for any acts of omissions that occur after the date of said sale assignment, transfer, or conveyance.

ARTICLE 33. - HAZARDOUS MATERIALS

(a) Definition. As used in this Lease, the term "Hazardous Material" means any flammable items, explosives, radioactive materials, hazardous or toxic substances, material or waste or related materials, any dangerous or poisonous substances, chemicals, drugs or materials, and including any substances defined as or included in the definition of "hazardous substances", "hazardous wastes", "infectious wastes", "hazardous materials", "toxic substances", "dangerous substances", "poisonous substances" or "controlled substances" now or subsequently regulated, controlled or prohibited under any federal, state or local laws, statutes, ordinances, orders or regulations (collectively "Hazardous Materials Laws") including, without limitation, oil, petroleum-based products, paints, poisons, harmful drugs, solvents, lead, cyanide, DDT, printing inks, acids, pesticides, ammonia compounds and other chemical products, asbestos, PCBs and similar compounds, human and animal tissue or cells, and including any different products and materials which are subsequently found to have adverse effects on the environment or the health and safety of persons.

(b) General Prohibition. Tenant shall not cause or permit any Hazardous Material to be generated, produced, brought upon, used, stored, treated, discharged, released, spilled or disposed of on, in, under or about the Project by Tenant, its affiliates, agents, employees, contractors, sublessees, assignees or invitees, except only for such Hazardous Material as is necessary to and commonly used in Tenant's business and the industry with which Tenant's business is associated, as Tenant is licensed and legally authorized to handle and as is permitted under and subject to the terms and conditions of this Lease including without limitation the permitted use of the leased premises set forth in this Lease. Any Hazardous Material necessary to Tenant's business as permitted by and subject to the permitted use set forth above in this Lease shall in each and every instance be utilized, handled, transported, stored, used, held and disposed of in a safe, harmless, nontoxic and proper manner and in a manner

which complies with all Hazardous Materials Laws whether now or hereafter existing. Tenant shall and does hereby indemnify, defend and hold Landlord harmless from and against any and all actions (including, without limitation, remedial or enforcement actions of any kind, administrative or judicial proceedings, and orders or judgments arising out of or resulting therefrom), costs, claims, damages (including, without limitation, punitive damages), expenses (including without limitation, attorneys', consultants' and experts' fees, court costs and amounts paid in settlement of any claims or actions), fines, forfeitures or other civil, administrative or criminal penalties, injunctive or other relief (whether or not based upon personal injury, property damage, or contamination of, or adverse effects upon, the environment, water tables or natural resources), liabilities or losses arising from a breach of any of the provisions, terms or agreements of this Article by Tenant, its affiliates, agents, employees, contractors, sublessees, assignees or invitees.

(c) Notice. In the event that Hazardous Materials are discovered upon, in, or under the Property, and any governmental agency or entity having jurisdiction over the Project requires the removal or disposal of such Hazardous Materials, or any remediation of any discharge of or contamination by any Hazardous Materials, Tenant shall be solely responsible for removing those Hazardous Materials or remediating any unlawful discharge or contamination of or from any Hazardous Materials arising out of or related to the use or occupancy of the leased premises or Project by Tenant or its affiliates, agents, employees, contractors, sublessees, assignees or invitees. Notwithstanding the foregoing, Tenant shall not take any remedial action in or about the leased premises or the Project without first notifying Landlord of Tenant's intention to do so and affording Landlord the opportunity to protect Landlord's interest with respect thereto. Tenant immediately shall notify Landlord in writing of: (i) any spill, release, discharge, disposal or contamination of or by any Hazardous Material in, on or under the leased premises, the Project or any portion thereof; (ii) any enforcement, cleanup, removal or other governmental or regulatory action instituted, contemplated, or threatened (if Tenant has notice thereof) pursuant to any Hazardous Materials Laws; (iii) any claim made or threatened by any person against Tenant, the leased premises, or the Project relating to damage, contribution, cost recovery, compensation, loss or injury resulting from or claimed to result from any Hazardous Materials; and (iv) any reports made to any governmental agency or entity arising out of or in connection with any Hazardous Materials in, on, under or about or removed from the leased premises or the Project, including any complaints, notices, warnings, reports or asserted violations in connection therewith. Tenant also shall supply to Landlord as promptly as possible, and in any event within five (5) business days after Tenant first receives or sends the same, copies of all claims, reports, complaints, notices, warnings or asserted violations relating in any way to the leased premises, the Project or Tenant's use or occupancy thereof.

(d) Inspection and Compliance. Without limiting the foregoing indemnity, Tenant shall be responsible to pay for, or reimburse Landlord for, the cost of any investigations, studies, cleanup or corrective action initiated or undertaken on account of any action or inaction of Tenant in violation of any Hazardous Materials Laws at or affecting the leased premises and/or Project. Further, Landlord reserves the right to enter into and upon the leased premises from time to time with or without notice for purposes of inspecting, reviewing, analyzing or checking the leased premises and in the event that Landlord shall determine the same to be necessary or desirable, Landlord may from time to time commission and cause to be made or conducted at Tenant's expense such studies, reports, tests, samples, inspections, monitorings, remediations, removals and/or disposals of or relating to Hazardous Materials or actual, threatened or potential contamination by or from Hazardous Materials as Landlord shall deem reasonably necessary.

(e) Representation and Warranty. Tenant hereby represents and warrants to Landlord that (i) neither Tenant nor any of its legal predecessors or affiliates has been required by any prior landlord, lender, or governmental or quasi-governmental entity at any time to take remedial action in connection with the contamination of a property with Hazardous Materials, which contamination was permitted or caused by Tenant or such predecessor or resulted from Tenant's or such predecessor's action or use of the property in question; and (ii) Tenant is not currently subject to any enforcement order issued by any governmental or quasi-governmental

entity in connection with the contamination with, or use, storage, handling, treatment, generation, release, or disposal of Hazardous Materials (including, without limitation, any order related to the failure to make a required reporting to any governmental or quasi-governmental entity.) If Landlord determines that Tenant's representations and warranties contained in this Article were not true as of the date of this Lease, then Landlord shall have the right to terminate this Lease in Landlord's sole and absolute discretion.

(f) Disclosure. As a material inducement to Landlord to allow Tenant to use Hazardous Materials in connection with its use of the Premises, Tenant agrees to deliver to Landlord at least thirty (30) days prior to the Scheduled Term Commencement Date a list identifying each type of Hazardous Materials to be brought upon, kept, used, stored, handled, treated, generated, released, or disposed of on or from the Premises, and setting forth any and all governmental or quasi-governmental approvals and/or permits required in connection with the presence, use, storage, handling, treatment, generation, release, or disposal of such Hazardous Materials on or from the Premises.

(g) Survival. The respective rights and obligations of Landlord and Tenant under this Article shall survive the expiration or earlier termination of this Lease.

ARTICLE 34. - GUARANTY

The payment and performance of Tenant's obligations under this Lease is guaranteed by _____NOT APPLICABLE_____ by execution of a guaranty in the form attached hereto. Any married person executing the guaranty must either: (a) obtain the signature of his or her spouse thereon; or (b) provide a copy of a written instrument in which the spouse disclaims any ownership of the guarantor's assets, including without limitation with respect to the Tenant's leasehold rights hereunder and in the entity that is Tenant; or (c) proves to the reasonable satisfaction of Landlord by documentary evidence that the signing guarantor is not domiciled in a state subscribing to community property laws. This Lease shall not be valid unless and until one of these foregoing guaranty requirements is satisfied.

ARTICLE 35. - LANDLORD'S TITLE AND AUTHORITY; NON-DISTURBANCE AND QUIET ENJOYMENT

Landlord covenants, represents and warrants that it has good title in fee simple to the Projects and that it has full right and authority to enter into and perform Landlord's obligations under the lease without the consent or approval of any other entity or person. Landlord covenants and agrees that Tenant, upon paying the rent and performing all the other obligations on Tenant's part to be performed hereunder, may peaceably and quietly have, hold and enjoy the Premises for the term hereof without disturbance or hindrance from the Landlord or any person claiming by, through or under Landlord, subject to the provisions of this lease.

ARTICLE 36.- EVENT OF BANKRUPTCY OF TENANT

(a) Upon occurrence of an Event of Bankruptcy, Landlord shall have the right to terminate this Lease by giving written notice to Tenant; provided, however, that this Article shall have no effect while a case in which Tenant is the subject debtor under the Bankruptcy Code is pending, unless Tenant or its Trustee is unable to comply with the provisions below. At all other times this Lease shall automatically cease and terminate, and Tenant shall be immediately obligated to quit the Premises upon the giving of notice pursuant to this Section. Any other notice to quit, or notice of Landlord's intention to re-enter is hereby expressly waived. If Landlord elects to terminate this Lease, everything contained in this Lease on the part of Landlord to be done and performed shall cease without prejudice, subject, however, to the rights of Landlord to recover from Tenant all rent and any other sums accrued up to the time of termination or recovery of possession by Landlord, whichever is later, and any other monetary damages or loss of reserved rent sustained by Landlord. Upon termination of this

Lease pursuant to this Article, Landlord may proceed to recover possession under and by virtue of the provisions of the laws of any applicable jurisdiction, or by such other proceedings, including re-entry and possession, as may be applicable.

(b) In the event Tenant becomes the subject debtor in a case pending under the Bankruptcy Code, Landlord's right to terminate this Lease pursuant to this Article shall be subject to the rights of the Trustee in Bankruptcy to assume or assign this Lease. The Trustee shall not have the right to assume or assign this Lease unless the Trustee (x) promptly cures all defaults under this Lease, (y) promptly compensates Landlord for monetary damages incurred as a result of such default, and (z) provides adequate assurance of future performance on the part of Tenant as debtor in possession or on the part of the assignee Tenant.

Landlord and Tenant hereby agree that adequate assurance of future performance, as used in this section (b), shall mean that all of the following minimum criteria must be met: (i) Tenant's gross receipts in the ordinary course of business during the thirty (30) day period immediately preceding the initiation of the case under the Bankruptcy Code must be at least two times greater than the next payment of Monthly Rent due under this Lease; (ii) both the average and median of Tenant's gross receipts in the ordinary course of business during the six-month period immediately preceding the initiation of the case under the Bankruptcy Code must be at least two times greater than the next payment of Monthly Rent due under this Lease; (iii) Tenant must pay its estimated pro rata share of the cost of all services provided by Landlord (whether directly or through agents or contractors and whether or not previously included as part of the Monthly Rent) in advance of the performance or provision of such services; (iv) the Trustee must agree that Tenant's business shall be conducted in a first class manner, and that no liquidating sales, auctions, or other non-first class business operations shall be conducted on the Premises; (v) the Trustee must agree that the use of the Premises as stated in this Lease will remain unchanged and that only the Permitted Uses shall be permitted; and (vi) the Trustee must agree that the assumption or assignment of this Lease will not violate or affect the rights of other tenants at the Property. In the event Tenant is unable to (a) cure its defaults, (b) reimburse the Landlord for its monetary damages, (c) pay the rent due under this Lease, and all other payments required of Tenant under this Lease on time (or within five (5) days, or (d) meet the criteria and obligations imposed by this section (b), Tenant agrees in advance that it has not met its burden to provide adequate assurance of future performance, and this Lease may be terminated by Landlord in accordance with this Section.

ACTICLE 37. - EARLY TERMINATION

Tenant is granted the right to terminate this Lease after the end of the sixtieth (60th) month of the Term "Early Termination", provided the Tenant gives Landlord no less than six (6) months prior written notice of its intention to terminate the Lease; and such notice is accompanied by a cashier's or certified funds check in the full amount of the unamortized costs for the Tenant Improvements, except as provided for in the following paragraphs:

(a). If Tenant elects to the Early Termination defined above and Tenant enters into a new lease of a property within the City of Goodyear, for a period of not less than ten (10) years, Landlord agrees to forgive fifty percent (50%) of the cost of the unamortized costs for Tenant Improvements and a cashier's or certificated check for the remaining fifty percent (50%) of the cost of the unamortized costs for Tenant Improvements provided to the Landlord along with the written notice of Early Termination. Should Tenant elect to terminate or default on the new lease the full amount of the remaining unamortized costs for Tenant Improvements shall be due and payable to Landlord; or

(b). If Tenant and Landlord enter into a new lease of a property owned by Landlord for a period of not less than ten (10) years, Landlord, agrees to roll fifty percent (50%) of the unamortized costs for Tenant Improvements into the new lease and agrees to forgive fifty percent (50%) of the cost of the unamortized costs

for Tenant Improvements. Should Tenant elect to terminate or default on the new lease the full amount of the remaining unamortized costs for Tenant Improvements, including the forgiven amount shall be due and payable.

ARTICLE 38. - PARKING ALLOCATION

The parking allocation for the Tenant is a total of 75 parking spaces. These spaces are currently allocated as per Exhibit "E" attached hereto and by reference made a part hereof. This parking may be revised, from time to time, at Landlord's sole discretion.

ARTICLE 39. - A.R.S. § 38-511

This Lease and all amendments are subject to cancellation pursuant to A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement by duly authorized persons the day and year first above written.

LANDLORD:
CITY OF GOODYEAR, ARIZONA., an Arizona municipal corporation

By _____

Its _____

TENANT:
FRANKLIN PIERCE UNIVERSITY
A New Hampshire non-profit corporation

By Sandra Quaye

Sandra Quaye CFO
Print name and title

STATE OF NH)
) ss.
County of Cheshire)

The foregoing Lease Agreement was acknowledged before me for the purposes therein contained this 2 day of July, 2021, by Sandra Quaye, the CFO of FPU, for the purposes therein contained.

Susan Ericson-West
Notary Public

My Commission Expires:

SUSAN ERICSON-WEST, Notary Public
My Commission Expires June 2, 2026

_____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing Lease Agreement was acknowledged before me for the purposes therein contained this _____ day of _____, 20__, by _____, as _____ of the CITY OF GOODYEAR, an Arizona municipal corporation.

_____
Notary Public

My Commission Expires:

_____

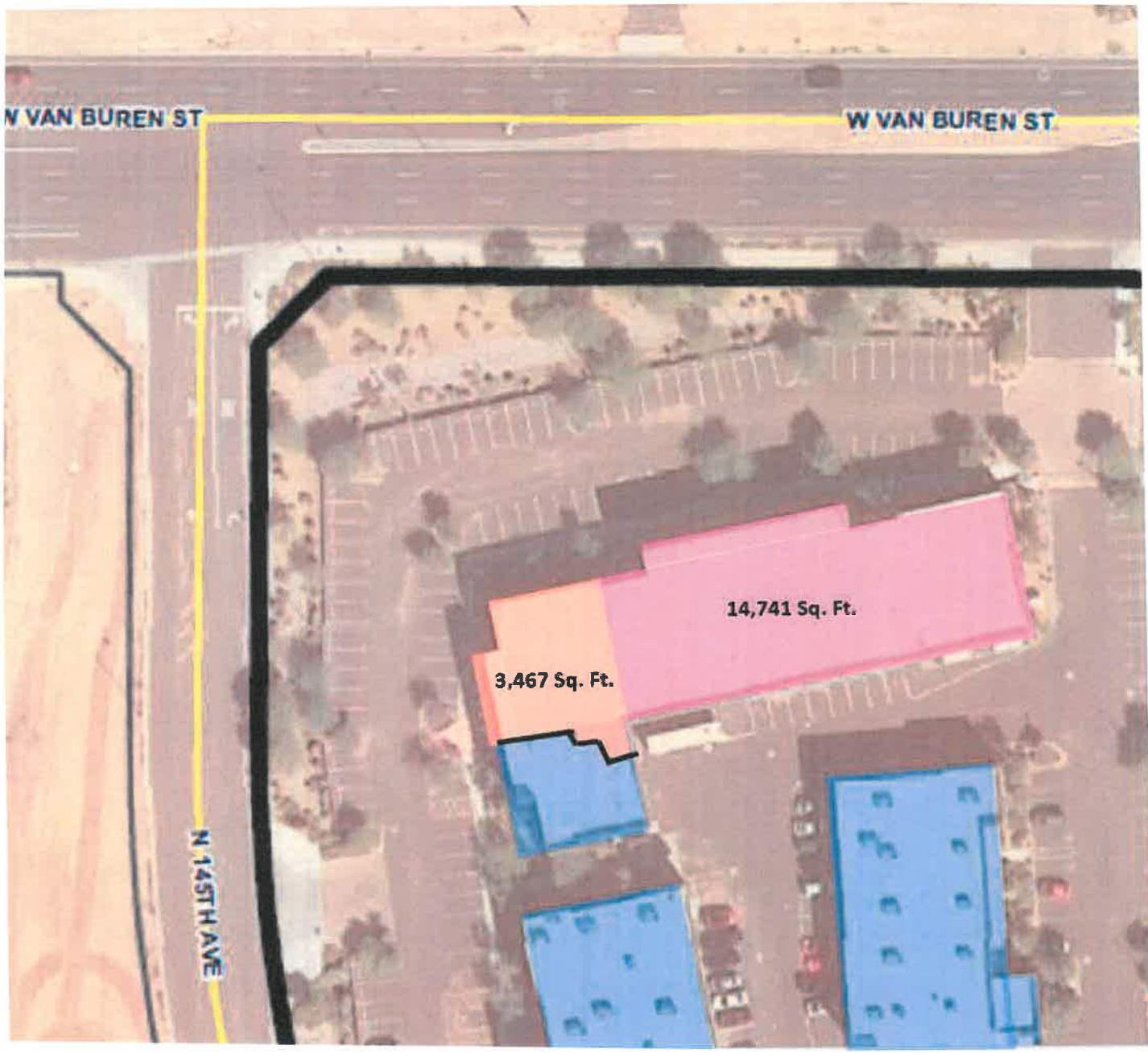


EXHIBIT "A"

Upon full execution of the Lease, Engineering and Architectural Drawings will be prepared and this exhibit shall be replaced with the updated exhibit.

LEGEND

FPU Building A – Existing Area

FPU Building A – Expansion Area

City Leased & Occupied

EXHIBIT "B"

RULES AND REGULATIONS

1. Tenant shall not conduct any activity upon the Premises that will create excessive traffic or noise anywhere in the Project.

2. Canvassing, soliciting and peddling in the Project are prohibited, and Tenant shall cooperate to prevent such activities.

3. Tenant shall not bring or keep within the Building any animal, bicycle, motorcycle, or other type of vehicle except as required by law.

4. All office equipment and any other device of any electrical or mechanical nature shall be placed by Tenant in the Premises in settings approved by Landlord so as to absorb or prevent any vibration, noise, or annoyance. Tenant shall not construct, maintain, use or operate within the Premises or elsewhere in the Building or outside of the Building any equipment or machinery which produces music, sound or noise, which is audible beyond the Premises. Tenant shall not cause improper noises, vibrations or odors within the Building.

5. Tenant shall not deposit any trash, refuse, cigarettes, or other substances of any kind within or out of the Building, except in the refuse containers provided therefor. No material shall be placed in the trash boxes or receptacles if such material is of such nature that it may not be disposed of in the ordinary and customary manner of removing and disposing of office building trash and garbage without being in violation of any law or ordinance governing such disposal. Tenant shall be charged the cost of removal for any items left by Tenant that cannot be so removed. All garbage and refuse disposal shall be made only through entryways and elevators provided for such purposes and at such times as Landlord shall designate. Tenant shall not introduce into the Project any substance which might add an undue burden to the cleaning or maintenance of the Project. Tenant shall exercise its best efforts to keep the sidewalks, entrances, passages, courts, lobby areas, garages or parking areas, elevators, escalators, stairways, vestibules, public corridors and halls in and about the Building (hereinafter "Common Areas") clean and free from rubbish. No Tenant shall cause any unnecessary labor by reason of such tenant's carelessness or indifference in the preservation of good order and cleanliness. Landlord shall not be responsible to any tenant for any loss of property on the Property, however occurring, or for any damage done to the effects of any tenant by the cleaning service or any other employee or any other person.

6. Tenant shall use the Common Areas only as a means of ingress and egress, and Tenant shall permit no loitering by any persons upon Common Areas or elsewhere within the Project. The Common Areas and roof of the Building are not for the use of the general public, and Landlord shall in all cases retain the right to control or prevent access thereto by all persons whose presence, in the judgment of Landlord, shall be prejudicial to the safety, character, reputation or interests of the Building and its tenants. Tenant shall not enter or install equipment in the mechanical rooms, air conditioning rooms, electrical closets, janitorial closets, or similar areas or go upon the roof of the Building without the prior written consent of Landlord. No Tenant shall install any radio or television antenna, loudspeaker, or other device on the roof or exterior walls of the Building.

7. Without limitation upon any of the provisions of the Lease, Tenant shall not mark, paint, drill into, cut, string wires within, or in any way deface any part of the Buildings, without the prior written consent of Landlord, and as Landlord may direct. Upon removal of any wall decorations or installations or floor coverings by Tenant, any damage to the walls or floors shall be repaired by Tenant at Tenant's sole cost and expense. Tenant shall not lay linoleum or similar floor coverings so that the same shall come into direct contact, with the floor of the Premises and, if linoleum or other similar floor covering is to be used, an interlining of

builder's deadening felt shall be first affixed to the floor, by a paste or other materials soluble in water. The use of cement or other similar adhesive material is expressly prohibited. Floor distribution boxes for electric and telephone wires must remain accessible at all times.

8. Tenant shall not install or permit the installation of any awnings, shades, mylar films or sunfilters on windows. Tenant shall cooperate with Landlord in obtaining maximum effectiveness of the cooling system of the Building by closing drapes and other window coverings when the sun's rays fall upon windows of the Premises. Tenant shall not obstruct, alter or in any way impair the efficient operation of Landlord's heating, ventilating, air conditioning, electrical, fire, safety or lighting systems, nor shall Tenant tamper with or change the setting of any thermostat or temperature control valves in the Building.

9. Tenant shall not use the washrooms, restrooms and plumbing fixtures of the Building, and appurtenances thereto, for any other purpose than the purpose for which they were constructed, and Tenant shall not deposit any sweepings, rubbish, rags or other improper substances therein. Tenant shall not waste water by interfering or tampering with the faucets or otherwise. If Tenant or Tenant's servants, employees, agents, contractors, jobbers, licensees, invitees, guests or visitors cause any damage to such washrooms, restrooms, plumbing fixtures or appurtenances, such damage shall be repaired at Tenant's expense, and Landlord shall not be responsible therefor.

10. Subject to applicable fire or other safety regulations, all doors opening onto Common Areas and all doors upon the perimeter of the Premises shall be kept closed and, during non-business hours, locked, except when in use for ingress or egress. If Tenant uses the Premises after regular business hours or on non-business days, Tenant shall lock any entrance doors to the Building or to the Premises used by Tenant immediately after using such doors. Tenant shall cooperate with energy conservation by limiting use of lights to areas occupied during non-business hours.

11. All keys to the exterior doors of the Premises shall be obtained by Tenant from Landlord, and Tenant shall pay to Landlord a reasonable deposit determined by Landlord from time to time for such keys. Tenant shall not make duplicate copies of such keys. Tenant shall, upon the termination of its tenancy, provide Landlord with the combinations to all combination locks on safes, safe cabinets and vaults and deliver to Landlord all keys to the Building, the Premises and all interior doors, cabinets, and other key-controlled mechanisms therein, whether or not such keys were furnished to Tenant by Landlord. In the event of the loss of any key furnished to Tenant by Landlord, Tenant shall pay to Landlord the cost of replacing the same or of changing the lock or locks opened by such lost key if Landlord shall deem it necessary to make such a change. The word "key" as used herein shall refer to keys, keycards, and all such means of obtaining access through restricted access systems.

12. Telecommunications Issues: So long as the broadband service provider under contract with Landlord to provide service to the Building provides Tenant's desired broadband service(s) at a competitive price, Tenant agrees to use that "Building vendor" for its services. In the event Tenant's requirements do not permit Tenant to use the services of the Building vendor, Tenant's broadband vendor must have its proposed installation locations approved by Landlord in each instance. It shall be reasonable for Landlord to deny any such installations if the locations of hardware threaten the structural integrity of the roof, or if the proposed installations interfere with existing service to the Building, or if the proposed installations are visible above the parapet wall of the Building from the street, or if the proposed installations in any manner violate the zoning or the restrictive covenants applicable to the Building or Project.

(a) If Tenant desires to install a satellite dish or any other equipment related to fixed wireless, local telephony, broadband infrastructure and similarly-purposed communications services (collectively, the "apparati") on the roof of the Building, the following additional requirements shall be observed:

(b) The apparati and all cabling, wiring, risers and similarly-purposed installations appurtenant to the apparati, whether located on the roof or elsewhere in the Building (collectively, the "Wiring") shall in all respects concerning dimensions and aesthetics (including screening) comply with the City of Goodyear Zoning Ordinance and the Declaration of CC&R's applicable to the Project.

(c) Tenant shall have access to the Building roof only through the licensed and bonded contractor(s) it hires to install the apparati and Wiring. Such contractor shall coordinate all installation with the Building manager.

(d) The location of the apparati and Wiring shall be approved in advance by Landlord. The location of the apparati on the Building roof is subject to change in the sole discretion of Landlord; provided, however, any relocation of the apparati at Landlord's request shall not adversely affect the transmission and reception of communications signals for Tenant's purposes. Landlord shall pay the cost of any re-location of the apparati (and for any extension or replacement of Wiring needed) that Landlord requires after initial placement on the roof, and Landlord shall pay for any damage done to the roof, the Building or the apparati caused by such Landlord-required re-location. In all events, the apparati and Wiring used by Tenant will not be interfered with by Landlord during business hours on business days.

(e) Tenant shall be responsible for all damage to the roof or Building caused by the installation or removal by Tenant of the apparati and Wiring, subject only to the terms of subparagraph (c) above pertaining to re-location obligations.

(f) On or before thirty (30) days prior to the scheduled expiration of this Lease, or within ten (10) days after any other termination of this lease, Landlord may elect ("Election Right") by written notice to Tenant to:

(i) Retain any or all Wiring;

(ii) Remove any or all such Wiring and, to the extent affected only by such removal, restore the Premises and risers to their condition existing prior to the installation of the Wiring ("Wire Restoration Work"), and Landlord shall perform such Wire Restoration Work at Tenant's sole cost and expense within fifteen (15) business days of the Termination Date; or

(iii) Require Tenant to perform the Wire Restoration Work at Tenant's sole cost and expense, within fifteen (15) business days of the Termination Date, as same may be extended or truncated.

(g) The provisions of this paragraph shall survive the expiration or sooner termination of the Lease.

(h) In the event Landlord timely elects to retain the Wiring (pursuant to subparagraph (e)(i) hereof), Tenant covenants that:

(i) Tenant shall be the sole owner of such Wiring, that Tenant shall have the right to surrender such Wiring, and that such Wiring shall be free of all liens and encumbrances; and

(ii) Tenant shall not thereafter take any action which adversely affects the Wiring.

(i) Notwithstanding anything to the contrary in Article 4, Landlord may retain Tenant's Security Deposit after expiration or sooner termination of the Lease until the earliest of the following:

(i) Landlord elects to retain the Wiring pursuant to subparagraph (e)(i), if applicable;

(ii) Landlord elects to perform the Wire Restoration Work pursuant to subparagraph (e)(ii), the Wire Restoration Work is complete, and Tenant has fully reimbursed Landlord for all costs related thereto; or

(iii) Landlord elects to require the Tenant to perform the Wire Restoration Work pursuant to subparagraph (e)(iii), the Wire Restoration Work is complete, and Tenant has paid for all costs related thereto.

(iv) In the event Tenant fails or refuses to pay all costs of the Wire Restoration Work within ten (10) days of Tenant's receipt of Landlord's notice (accompanied by Landlord's contractor's invoices) requesting Tenant's reimbursement for or direct payment of such costs, Landlord may apply all or any portion of Tenant's Security Deposit toward the payment of such unpaid costs relative to the Wire Restoration Work. The application of such Security Deposit by Landlord pursuant to this paragraph does not constitute a limitation on or waiver of Landlord's right to seek further remedies under law or equity if the Security Deposit is insufficient to pay the Landlord in full for the Wire Restoration Work. Notwithstanding anything to the contrary herein, any portion of Tenant's Security Deposit not applied pursuant to this paragraph on or before one month after the Termination Date shall be immediately paid by Landlord to Tenant.

13. For purposes hereof, the terms "Landlord," "Tenant," "Building(s)", "Project", and "Premises" are defined as those terms are defined in the Lease to which these Rules and Regulations are attached. The term "Building" shall include the Premises, and any obligations of Tenant hereunder with regard to the Building shall apply with equal force to the Premises and to other parts of the Building.

14. Tenant shall adhere to and obey all parking control measures as may be placed into effect by Landlord through the use of signs, identifying decals or other instructions.

15. Smoking and vaping are prohibited within 20 feet of facility and it is tenant's responsibility for compliance with city ordinances.

16. Tenant shall not conduct any auction or permit any fire or bankruptcy sale to be held on the Premises.

17. Landlord reserves the right, at any time, to rescind any one or more of these Rules and Regulations, or to make such other and further reasonable rules and regulations as in Landlord's judgment may from time to time be necessary for the safety, care and cleanliness of the Premises or the Property and for the preservation of order therein.

18. These Rules and Regulations are in addition to, and shall not be construed to in any way modify or amend, in whole or in part, the agreements, covenants, conditions and provisions of any lease of Premises in the Project.

EXHIBIT C

TENANT IMPROVEMENTS

Landlord shall provide a Tenant Improvement Allowance in an amount of $400,000.00, which is based upon the most recent estimates obtained for the agreed upon Tenant Improvements to the Premises and includes approximately $100,000.00 in additional contingency over and above the most recent estimates ("Tenant Improvement Allowance").

Upon the completion of the Tenant Improvements, should the cost of the Tenant Improvements as described herein and further delineated on Exhibit C-1 be determined to be less than the Tenant Improvement Allowance, Landlord shall reduce the Monthly Rent consistent with the final cost of the Tenant Improvements and the Lease shall be amended accordingly to include an updated Monthly Rent chart.

Landlord shall not be responsible for any costs in excess of the Tenant Improvement Allowance. "Tenant Improvements" shall include the cost of all architectural and engineering fees, permits, construction costs (including contract) and other expenses related to the completion of the improvements which have been approved in writing in advance by Landlord and Tenant. Landlord will not charge a construction oversight or management fee on the Tenant Improvements. Landlord will move expeditiously to complete the Tenant Improvements.

Tenant hereby agrees to pay to Landlord within ten (10) days of receipt of an invoice an amount to all sums expended and/or incurred for Tenant Improvements over the Tenant Improvement Allowance of $400,000.00. PROVIDED, HOWEVER THAT SUCH SUMS IN EXCESS OF THE TENANT IMPROVEMENT ALLOWANCE WERE APPROVED IN ADVANCE BY TENANT.

The Tenant Improvements shall be deemed complete when Landlord's architect issues a written certificate to Landlord and Tenant certifying that the Tenant Improvements have been completed or receipt of a final Certificate of Occupancy from the City of Goodyear, whichever is sooner (excluding "punchlist" items).

Landlord agrees to use only new, first-class materials in the tenant improvements. All Tenant Improvements shall be done in a good and workmanlike manner. Landlord shall procure for the benefit of the Property and the Tenant where reasonably possible all contractors' warranties against defects in workmanship and materials on all work performed and equipment installed in the Premises as part of the Tenant Improvements.

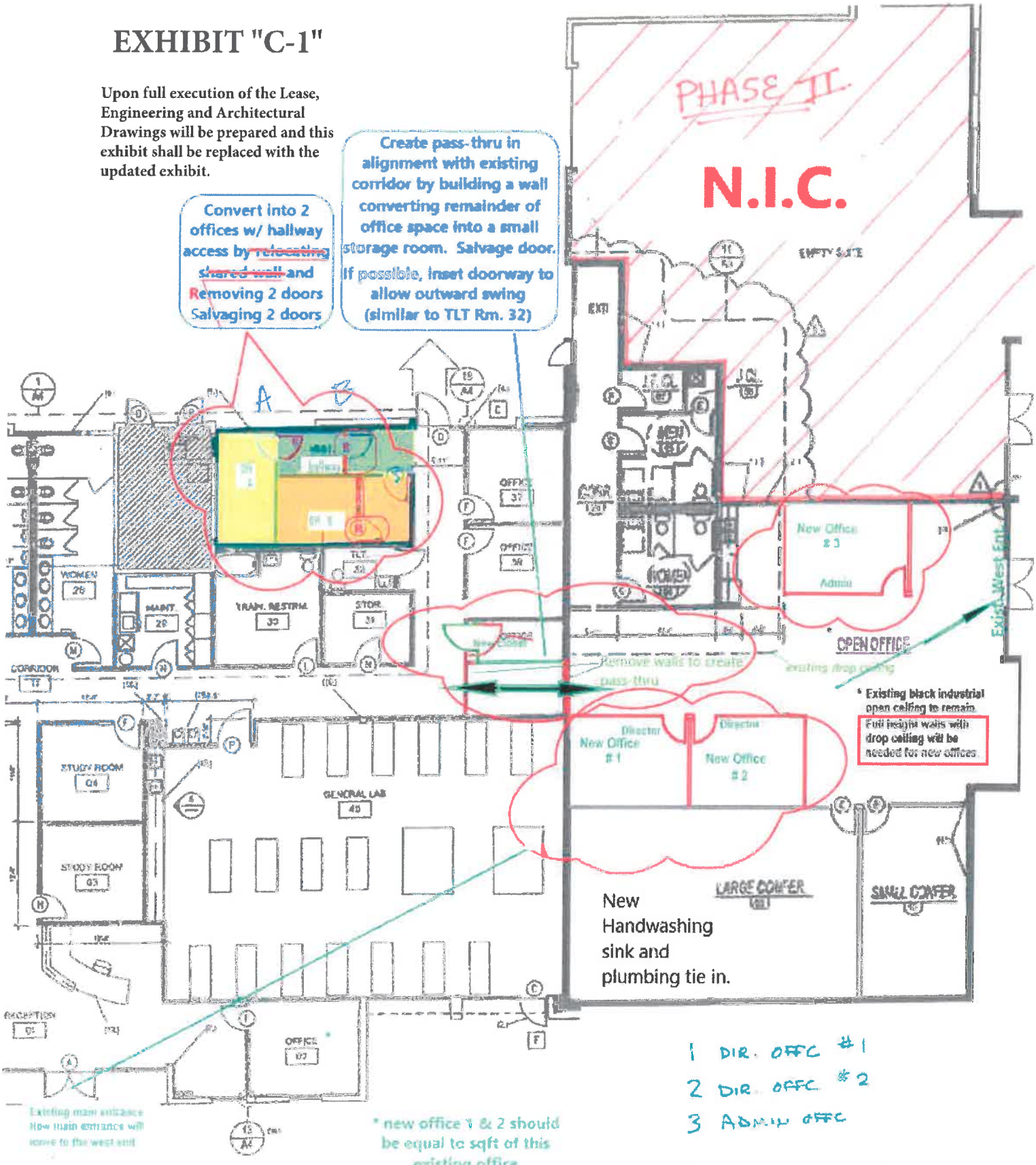
Tenant can use the existing conduit to the building electrical room. Tenant shall be responsible for contacting its telecommunications provider to have service brought to the building housing the Premises.

Landlord Initials _____

Tenant Initials

EXHIBIT "C-1"

Upon full execution of the Lease, Engineering and Architectural Drawings will be prepared and this exhibit shall be replaced with the updated exhibit.



1 DIR. OFFC #1
2 DIR. OFFC #2
3 ADMIN OFFC

A) RECONFIGURE
B) EXISTING LOCKER ROOM AREA TO 2 STAFF OFFICES

EXHIBIT "D"

Facilities Management
Service Level Overview

Informational Guide

Franklin Pierce University

May 28, 2021

INTRODUCTION

Purpose

The purpose of this Service Level Overview is to highlight services provided by City of Goodyear Facilities Management (COGFM) as well as the responsibilities of Franklin Pierce University (tenant). In general, the COGFM's scope of services is limited to protection and management of major city assets and the tenant is responsible for oversite and management of tenant operational needs.

This document is intended as a quick reference document and does not replace or amend any lease terms. In the event of a conflict between the terms of the lease and the information provided in this Service Level Overview the terms of the lease shall prevail.

Overview Objectives

- Highlight types of facilities services included in the city's lease
- Clarify responsibilities for city and tenant
- Minimize operational downtime when possible
- Ensure property and building assets are adequately maintained and perform effectively and efficiently throughout their service life
- Clarify communications of service needs and follow up

City Facility Services Points/Methods of Contact

a. **Facility Liaisons** – Tenant shall designate a Facilities Liaison(s) authorized to input and access Lucity work orders (the city's work management system), The liaison is to be the primary contact with COGFM for work requests and is to be familiar with this overview and associated roles.
b. **Lucity Work Orders** – the standard method of registering non-urgent requests for the variety of services. The status of the work order request is available on the City Portal.
c. **Emergency and After Hour requests** (such as major water leaks, power outage, etc.) - Contact the PWAC at 623-932-3010, option #3 for assistance.
d. **Public Works Administration Center (PWAC)** - is COGFM's central communication hub for general information and administrative inquiries. The trained staff are ready to offer a client-focused response or direction to appropriate staff to address facilities management issues.

- **The PWAC operates during normal business hours from 7:00am to 4:00pm, Monday through Friday. When needed, a work order will be assigned for tracking and follow up purposes for those matters that cannot be addressed immediately. Contact the PWAC at 623-932-3010, option #3.**

Service Standards and Response Time Definitions

All service requests will typically be assigned a priority rating, which is determined by COGFM staff based on the information received from the requestor and knowledge of the other work at hand. Work may be performed by city staff or approved contractor.

As indicated in the following table work priorities are categorized from Emergency to Regular and allocated a response and completion time. Though a reasonable effort will be made to achieve these targets, delays can occur at times.

Rating	Est. Initial Response	Est. Completion Target	Definition of Work Request
Emergency	ASAP/1 hour	24 hours	Immediate unforeseen risk to personal safety or security; business continuity; major asset integrity environment
High	4 hours	48 hours	Immediate risk to operations; prevention of critical asset failure
Medium	8 hours	7 days	Potential risk to non-urgent work and staff activities;
Low	48 hours	28 days	No discernible impact to daily work activities within specified timeframe
Regular	14 days	As agreed with client	Work subject to planning requirements and/or a programmed start date. Usually of a larger scale than routine maintenance

Note: Times expressed in calendar days.

Response is defined as the passage of time from the point at which the task was accepted by COGFM to the point at which the first "quality" attempt is made at stabilizing or resolving the issue.

Completion is defined as the measurement of time from the acceptance of the task to the time at which the task is completed or has reached the point of practical completion (or stabilization) and is fit to be used for the intended purpose.

Emergency & High tasks are defined as tasks classified as "Emergency or High" shall be considered completed within this designation when the status of the task can be considered to be safe or fit for use in its intended purpose. Once situation is stabilized the request will be reallocated (e.g. to med, low, etc.)

Other categories of tasks are expected to be completed within the designated completion time in accordance with Table above. At times unexpected delays may occur, but COGFM will work to minimize such occurrences.

Tenant is responsible for:

Reporting all building/maintenance issues through the work request process (see Points/Methods of Contact noted above) in a timely and accurate manner

COMPLEX COMMON AREAS - MAINTENANCE, REPAIRS AND SERVICES

Grounds and Landscape

COGFM maintains the infrastructure and aesthetics of the facilities grounds based on city standards to include items such as:

- Turf, xeriscape, shrub and Tree Care
- Irrigation and lighting systems
- Litter/Trash Control

Parking Lots and Hardscape

COGFM is responsible for the maintenance, repair and aesthetics of exterior hardscape for city sites.

Examples include items such as:

- Driveways;
- Parking lots;
- Paved areas around facility;
- Footpaths around parking lot;
- Flagpoles and chains;
- Marking of pedestrian crossing and road lines; and
- Bollards.
- Parking lot lighting (where applicable)
- City signage

Parking Control & Traffic Management

COGFM provides assistance for parking management at City facilities including:

- Facilitating and coordinating of facility parking in accordance with City assigned parking programs.
- When needed, coordinating parking bumper marking or other measures (e.g. hang tags).
- Tenant is responsible for managing assigned parking programs (if any)

Parking is limited to designated parking locations only. Unauthorized parking in unmarked areas or marked locations for other users (e.g., city employees or city vehicles, Permit Holders, Disabled Parking areas etc. may be subject to fines and or towed at owners expense?

If for any reason there is an official requirement for a motor vehicle to stand on or travel across a landscaped area for a legitimate activity, then prior written

authorization is to be obtained from the Facilities Superintendent (or designee).

Tenant is to notify the Facility Superintendent (or designee) of any planned events that may lead to temporary parking congestion in order to coordinate traffic flow impact with other tenants.

Site Utilities

COGFM provides core services for systems such as:

- City high and low voltage electrical infrastructure
- City freshwater infrastructure
- The demarcation connection point to the system main

COMPLEX BUILDING MAINTENANCE, REPAIRS AND SERVICES

Building Exteriors

COGFM maintains building roofs, exterior painting, city signage and lighting systems

Plumbing, Drainage and Gas Fitting

Plumbing services are provided to ensure the City infrastructure is properly installed and maintained to current code.

COGFM plumbing services include repairs and maintenance of items such as:

- In-ground water mains and reticulating systems through the buildings including sanitary fixtures
- Plumbing components such as water heaters, heat exchangers and boilers, chilled water units, tanks, valves, traps, thermostatic mixing valves, RPZ devices
- Hard plumbed fixtures
- Fire service reticulation and fire-fighting fixtures
- Plugged drains and toilets

Electrical and HVAC Services

Electrical services are provided to ensure City infrastructure is properly installed and maintained to current code. Electrical infrastructure includes High Voltage; Low Voltage; and those electrical components considered to be part of the buildings basic electrical wiring.

COGFM electrical and HVAC services include maintenance and repairs of items such as:

- In ground and above ground distribution networks owned by the City
- Electrical components such as hard wired light fixtures, electrical outlets, air conditioning and heating
- Fire detection systems

Preventative Maintenance

COGFM inspects, cleans, lubricates and prepares building equipment for seasonal use. Planned maintenance activities are typically completed at times when it has minimal impact on our tenant's use of the facilities. Preventative maintenance is scheduled based upon recommended manufacturers details, best practice and available funding.

Most preventative maintenance is scheduled and can include services such as:

- Changing air filters
- Replacement of belts
- Lubrication of motors
- Cleaning of coils
- Replacement of bearings
- Maintenance and repair of air filtration systems
- Maintenance and repair of exhaust fans

Statutory and Other Services

Statutory compliance services are a requirement of law and are provided to ensure the City infrastructure and equipment is properly maintained to current code for the welfare and safety of residents, staff and visitors. Statutory compliance services are managed by COGFM and are generally contracted to specialist service agents. Records are maintained in accordance with the requirements of the State, ADOSH and City. Examples include:

- Inspection and testing of high voltage electrical distribution networks owned by the City including: thermal imaging, electrical pole and conductor inspections, transformer oil tests.
- Inspection and testing of low voltage electrical components such as Residual Current Devices.
- Inspection and testing of fire systems including; fire panels and detection systems; interconnections between fire panels and HVAC systems; emergency exit and lighting systems; fire compartmentalization components and systems
- Inspection and testing external security lighting to roads, parking lots and pedestrian corridors.
- Inspection and testing of fresh air filters to air handling units.

Tenant responsibilities

Tenant is responsible for, including but not limited to, various types of tenant operational items and improvements at their sole expense. Examples include:

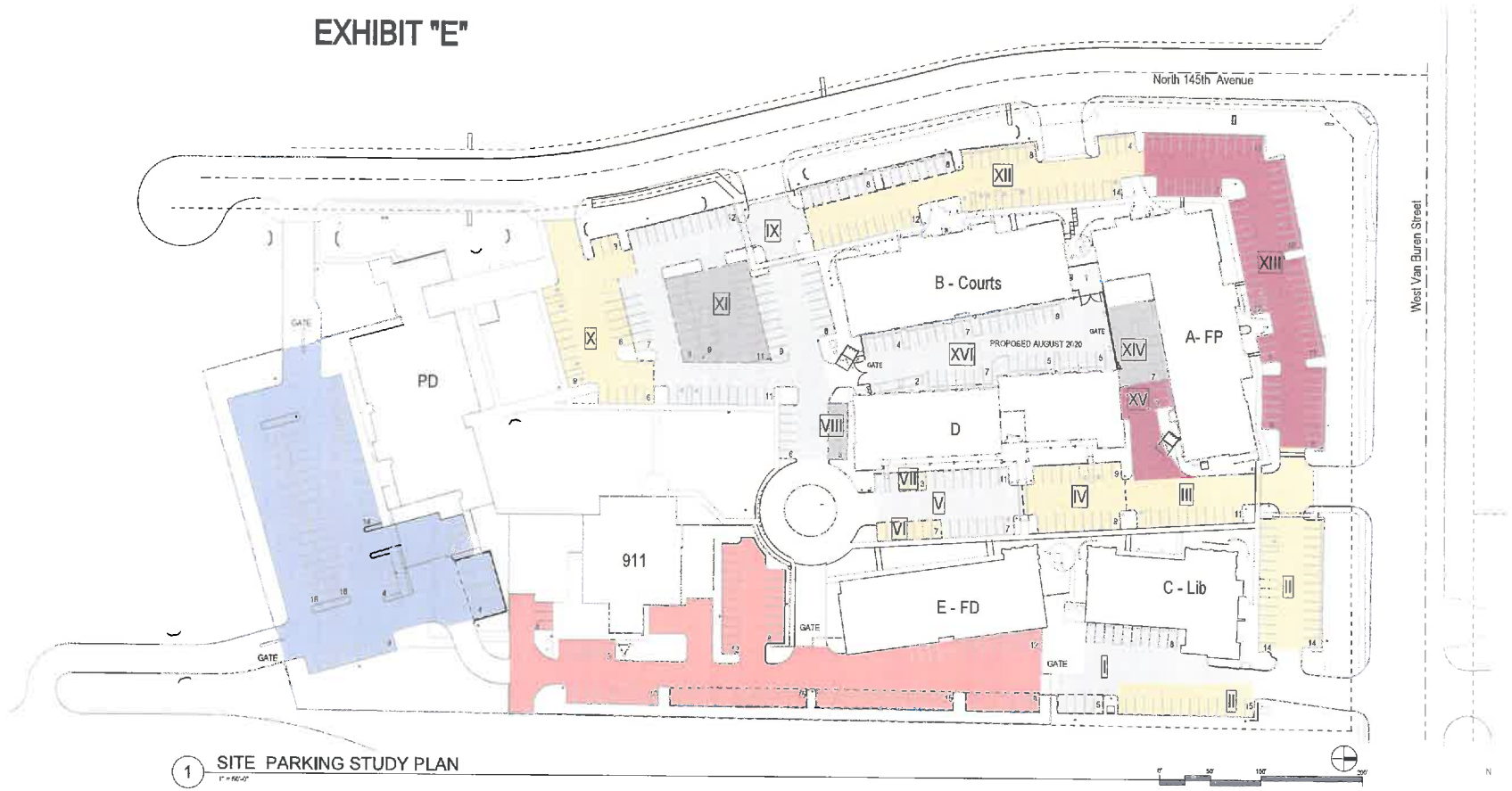
- Business Identification Signs
- Access Control, and Security Systems
- Locks and keys
- Evacuation and Emergency Response systems and programs
- Typical Office services such as: custodial, interior pest control, plant watering, spill or odor cleanup or removal, recycling and waste removal,
- Medical waste collection and removal

- Furniture assembly, placements, adjustments, relocations, repairs, etc.
- Flooring: Carpet and tile replacement, repairs and updates
- Minor tenant improvements such as moving electrical outlets, pony walls etc.
- Small and Large Appliances installation, maintenance and repairs (refrigerators, icemakers, drinking water treatment systems, food prep equipment, stoves, dishwashers etc.
- Installation/modification/relocation of ancillary items such as shelving, whiteboards, pictures, etc.
- Replacement or upgrades of plumbing fixtures such as toilets, sinks, facets, etc.
- Installation, inspections, maintenance and repair of appliances, specialty systems and equipment (e.g. copiers, dishwashers, badging or security machines, reverse osmosis, specialty test equipment, fume hoods
- Cosmetic/Aesthetics/decorations/window coverings etc., such as: interior door and wall Paint, repair/Replacement of Window Coverings, hanging of decorations, etc.
- Special Events Services
- Plug in or battery operated specialty equipment, devices, computers, monitors, speakers, projectors, scanners, etc.
- Repair of damage by others under the control of tenant to city facilities building systems and fixtures (e.g. holes in doors or drywall, etc.)
- Building renovations or modification of any kind (city pre-approval required)
- Tenant to adhere to all applicable codes and city polices and obtain written pre-approval prior to any facility work.

Additional Information:

- Tenant is not to remove or alter any city equipment or systems without written prior approval of the city.
- COGFM will typically conduct annual facility walk through inspections of city infrastructure, equipment and systems, etc.
- COG Fire Prevention Services may also conduct periodic inspections and tenant is to address any deficiencies within the re-inspection period.
- City may conduct construction activities on the complex that may temporarily impact parking or other systems. Such impacts will be communicated and coordinated with tenant prior to commencement of such work.
- This Service Level Overview is to be reviewed and updated prior to any contract renewal or extensions.
- This document is not all-inclusive and serves to highlights major categories of work and responsibilities. See lease for further clarification when needed.

EXHIBIT "E"



1 SITE PARKING STUDY PLAN

SECURED LOT, POLICE
71 SPACES

SECURED LOT, FIRE / 911
88 SPACES

Parking Requirements per Building Area

Note previously approved site plan did not include all buildings shown here

Building	Area	Required Spaces at 1/300 sq. ft.	Provided Spaces
A Franklin Pierce University	20,843 Sq. Ft.	70	74
B Courts	18,083 Sq. Ft.	61	78
C Library	12,439 Sq. Ft.	42	62
D Development Services	18,086 Sq. Ft.	61	87 staff + 68 public **
E Fire Department	14,634 Sq. Ft.	49	50 secured staff + 7 public
911	10,990 Sq. Ft. *	37	36 secured staff
Police Department	21,480 Sq. Ft. *	72	71 secured staff + 24 public
Totals	**116,527 Sq. Ft**	**392**	**559**

* approximate building areas

** includes other unassigned public parking

Defined Parking Areas

Area I.D.	Function	Public	Staff	City Vehicles	Quantity
I	Library Staff (8), Parks Staff (5)	0	13	0	13
II	Library Visitors (43)	43	0	0	43
III	Library Visitors (11)	11	0	0	11
IV	Public Parking - Development Services and Engineering	18	0	0	18
V	Staff Parking - Dev. Serv., Eng. and Economic Development	0	18	0	18
VI	Public Parking - Fire Department	7	0	0	7
VII	Customer Parking - Economic Development	3	0	0	3
VIII	City Pool and Electric Vehicles	0	6	0	6
IX	Staff Parking - Dev. Serv., Eng. and Economic Development	0	69	0	69
X	Public Parking - Police Department	24	0	0	24
XI	City Vehicles	0	0	29	29
XII	Public Parking - Courts	38	0	0	38
XIII	Franklin Pierce University	71	0	0	71
XIV	City Inspector Vehicles	0	0	7	7
XV	Franklin Pierce University - Staff	3	0	0	3
XVI	Secured Staff	0	40	0	40
	Totals	213	151	36	400

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