City Council Regular Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338
Monday, September 27, 2021
6:00 PM
AMENDED 09/23/2021

Mayor
Georgia Lord

Vice Mayor
Brannon Hampton

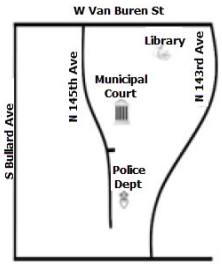
Councilmember
Joe Pizzillo

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, September 27, 2021	6:00 p.m.	Meeting Agenda

Amended to correct additional presenters on Items 11 and 12

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR HAMPTON

ROLL CALL

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

1. **APPROVAL OF MINUTES**

   Recommendation

   Approve the draft minutes from a Regular Meeting held on September 13, 2021. (Darcie McCracken, City Clerk)

2. **RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR OLD CHICAGO PIZZA AND TAPROOM**

   Recommendation

   Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No.155544 a request by Andrea Dahlman Lewkowitz, agent/applicant for Old Chicago Pizza and Taproom, for a new Series 12 liquor license. Old Chicago Pizza and Taproom is located at 1828 N. Litchfield Rd., Goodyear, Arizona 85395 (Generally located north of McDowell Road, west of Litchfield Road). (Darcie McCracken, City Clerk)

3. **APPROVE EXPENDITURE UP TO $675,000 FOR THE PURCHASE OF A NEW CENTRIFUGE TO REPLACE AN EXISTING UNIT AT THE GOODYEAR WATER RECLAMATION FACILITY**

   Recommendation

   Approve expenditure of funds up to $675,000 to purchase a new replacement centrifuge for the Goodyear Water Reclamation Facility. (Todd Carpenter, Process Operations Manager; Barbara Chappell, Deputy Public Works Director)

4. **APPROVE AN AGREEMENT WITH BUCKEYE WATER CONSERVATION AND DRAINAGE DISTRICT (BWCDD) FOR IMPROVEMENTS AND DISCHARGE TO THE CANAL AND RELATED BUDGET TRANSFERS**

   Recommendation

   Approve the Agreement with the Buckeye Water Conservation and Drainage District for improvements and discharge into the canal and related budget transfers. (Barbara Chappell, Deputy Public Works Director)

5. **APPROVE EXPENDITURE OF $2,858,184 FOR NITRATE TREATMENT IMPROVEMENTS AT SITE 18**

Recommendation

Approve expenditure of funds not to exceed $2,858,184 for design, construction and equipment for Treatment Improvements at Site 18. (Barbara Chappell, Deputy Public Works Director and Lisa Melton, Senior Project Manager)

6. **PRELIMINARY PLAT FOR LA PRIVADA PARCELS 3 AND 7**

Recommendation

Approve the preliminary plat for La Privada Parcels 3 and 7, subdividing approximately 87.82 acres into 284 lots and 28 tracts (the "Property"), subject to stipulations and grant the City Engineer or his designee to modify stipulations provided the modifications are consistent with the intent of the stipulations being modified and are not inconsistent with the terms of any other document adopted by the Goodyear City Council related to the development of the La Privada Property. (Christian M. Williams, Planner)

7. **APPROVAL AND AUTHORIZATION TO EXECUTE THE TERMINATION OF IRRIGATION DELIVERY SERVICE, TERMINATION OF TAIL-WATER COLLECTION AND PARTIAL RELEASE AND RESTATEMENT OF EASEMENT ASSOCIATED WITH THE ROOSEVELT IRRIGATION EASEMENT AND IRRIGATION SERVICES ON THE RECREATION CAMPUS PROPERTY**

Recommendation

Authorize the City Manager to execute the Termination of Irrigation Delivery Service, a Termination of Tail-Water Collection, and a Partial Release and Restatement of Easement between the City and Roosevelt Irrigation District, an Arizona municipal corporation. (Linda Beals, Real Estate Coordinator)

8. **ACCEPTANCE OF A PUBLIC UTILITY EASEMENT ASSOCIATED WITH SOUTH SENDERO DRIVE-PHASE 2 WITHIN ESTRELLA MOUNTAIN RANCH**

Recommendation

Authorize the acceptance of the dedication of the Public Utility and Sidewalk Easement from NNP III–EMR 3, LLC, a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

9. **SETTLEMENT AND DISMISSAL OF APPEAL OF AZPDES PERMIT AZ0022357**

Recommendation

ADOPT RESOLUTION NO. 2021-2181 AGREEING TO SETTLEMENT AND DISMISSAL OF THE APPEAL THE CITY OF GOODYEAR FILED CHALLENGING THE TERMS OF AZPDES PERMIT NO. AZ0022357; PROVIDING AUTHORIZATION AND AN EFFECTIVE DATE. (Sarah Chilton, Deputy City Attorney)

10. **APPROVE BUDGET TRANSFERS**

Recommendation

Approve budget transfers. (Doug Sandstrom, Finance Director)

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

11. **REZONE APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY) TO MF-12 AND MF-24 FOR COTTON COMMONS**

Recommendation

1. ADOPT RESOLUTION 2021-2169, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-05 CITY OF GOODYEAR, AZ – REZONE CASE,” “LEGAL DESCRIPTION – COTTON COMMONS,” “LEGAL DESCRIPTION – COTTON COMMONS MF-12 PARCEL,” AND “LEGAL DESCRIPTION – COTTON COMMONS MF-24 PARCEL.”

2. ADOPT ORDINANCE NO. 2021-1508, CONDITIONALLY REZONING APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY RESIDENTIAL) TO MF-12 (MULTI-FAMILY) ON THE EASTERN 19.18-ACRES AND MF-24 (MULTI-FAMILY) ON THE WESTERN 20.95-ACRES; ADOPTING FINDINGS; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Christian M. Williams, Planner)

12. **REZONE APPROXIMATELY 12.7 ACRES FROM COMMERCIAL PAD (PLANNED AREA DEVELOPMENT)/C-2 (GENERAL COMMERCIAL) TO MF-24 WITH CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2176, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED, “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-03” AND “LOT 4 LEGAL DESCRIPTION,” AND “CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY (JULY 2021)."

2. ADOPT ORDINANCE NO. 2021-1516, CONDITIONALLY REZONING APPROXIMATELY 12.7 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COTTON LANE AND CANYON TRAILS BOULEVARD TO BE KNOWN AS CANYON TRAILS TOWNE CENTER RESIDENCES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. (Christian M. Williams, Planner)

13. **LAKIN PARK BUNGALOWS PAD OVERLAY**

Recommendation

1. ADOPT RESOLUTION NO. 2021-2178, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 21-04”; “LAKIN PARK BUNGALOWS LEGAL DESCRIPTION”; AND “LAKIN PARK BUNGALOWS PAD OVERLAY BOOK, AUGUST 2021”.
2. ADOPT ORDINANCE NO. 2021-1517, REZONING APPROXIMATELY 20 ACRES OF LAND LOCATED SOUTH OF MC-85, WEST OF SOUTH COTTON LANE FROM PLANNED AREA DEVELOPMENT (PAD) AND AGRICULTURAL URBAN (AU) TO A MULTIFAMILY RESIDENTIAL USE WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. (Alex Lestinsky, Senior Planner)

BUSINESS

14. **RATIFICATION OF THE THIRD AMENDMENT TO CITY OF PHOENIX INTERGOVERNMENTAL AGREEMENT FOR SHARED TELECOMMUNICATIONS FACILITIES**

Recommendation

ADOPT RESOLUTION NO. 2021-2180 APPROVING THE THIRD AMENDMENT OF INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR CONTINUED SHARED TELECOMMUNICATION FACILITIES, AND PROVIDING FOR AUTHORIZATION AND RATIFICATION. (Santiago Rodriguez, Chief of Police)

15. **COVID-19 LEAVE FOR COVID POSITIVE CASES**

Recommendation

Approve reinstating, retroactively, paid leave for employees testing positive for COVID-19. (Lyman Locket, Human Resources Director)

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

October 4, 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 September 22, 2021 at 2:56 p.m. by VM.
This agenda was AMENDED and posted on September 23, 2021 at 12:39 p.m. by VM.

ITEM #: 1.
DATE: 09/27/2021
AI #:383

APPROVAL OF MINUTES

SUBJECT
APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from a Regular Meeting held on September 13, 2021. (Darcie McCracken, City Clerk)

Attachments

September 13, 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, September 13, 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 COUNCILMEMBER PIZZILLO

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

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Wally Campbell, SECONDED BY Vice Mayor Brannon Hampton to APPROVE Consent Agenda Items 1 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

1. **APPROVAL OF MINUTES**

2. **EXPENDITURE FOR THE PURCHASE OF TASERS, BODY WORN CAMERAS, AND ASSOCIATED TECHNOLOGY**

Recommendation
Approve the expenditure of funds for the purchase of upgraded tasers and body worn camera devices and associated technology. (Greg Garner, Police Lieutenant)

3. **APPROVE EXPENDITURE OF FUNDS UP TO $2,030,000 FOR LITCHFIELD ROAD WATERLINE AND RELATED BUDGET TRANSFERS**

Recommendation
Approve expenditure of funds up to $2,030,000 for construction of new water main in Litchfield Road between Yuma Road and Van Buren Street (project 60045) and related budget transfers. (Barbara Chappell, Deputy Public Works Director)

4. **INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT NO. 216 FOR SCHOOL RESOURCE OFFICER SERVICES AT DESERT EDGE HIGH SCHOOL**

Recommendation
Authorize the City Manager or designee to execute the Intergovernmental Agreement (IGA) between Agua Fria Union High School District No. 216 and the City of Goodyear to provide SRO services to the District at Desert Edge High School. (Santiago Rodriguez, Chief of Police)

5. **INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT NO. 216 FOR SCHOOL RESOURCE OFFICER SERVICES FOR MILLENNIUM HIGH SCHOOL**

Recommendation
Authorize the City Manager or designee to execute the Intergovernmental Agreement (IGA) between Agua Fria Union High School District No. 216 and the City of Goodyear to provide SRO services to the District at Millennium High School. (Santiago Rodriguez, Chief of Police)

6. **ARIZONA OFFICE OF TOURISM, MARICOPA COUNTY PROP 302 MARKETING PROGRAM**

Recommendation
Affirm the City of Goodyear is the designated DMO (Destination Marketing Organization) and authorize the City Manager (or designee) as signatory of the official affidavit for the Arizona Office of Tourism (AOT), which is required annually to participate in the Prop 302 program. (Debbie Diveney, Assistant General Manager of Marketing)

7. **FINAL PLAT OF ESTRELLA PARCEL 11.H**

Recommendation
Approve the Final Plat of Estrella Parcel 11.H, subject to stipulations. (Katie Wilken, Planning Manager)

8. **MAP OF DEDICATION FOR SOUTH SENDERO DRIVE PHASE 2**

Recommendation
Approve the Map of Dedication for South Sendero Drive - Phase 2, subject to stipulations. (Katie Wilken, Planning Manager)

BUSINESS

9. **REVISE BUDGET RECOMMENDATION FOR COMPENSATION**

City Manager Julie Karins presented information on the change to the compensation budget recommendation. Ms. Karins explained that in order to continue to reward performance for employees who have reached the top of their pay range and are no longer eligible for merit increases, city policy allows for a lump sum salary increase. She added that beginning during the recession those at the top of their range only received half of the increase other employees received. She continued that the recommendation is to revise the lump-sum increase to 5 percent for all non-sworn employees retroactive for the current fiscal year and return to that policy for future years.

Council agreed with the policy and added that it is important to be an employer of choice. Council also suggested a CPI (Consumer Price Index) adjustment rather than frequently conducting compensation and classification studies.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Laura Kaino to APPROVE a revised FY2022 budget recommendation that non-represented employees at the top of their pay range receive a lump-um equivalent to 100 percent of the approved merit increase. 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 reported that he was appointed to the CEO and Chief Financial Officer recruitment process and serves as the Treasurer and Chair for the Audit and Finance Subcommittee for Valley Metro Board of Directors.

Councilmember Stipp read a social media post regarding the Loop 303 emptying onto Cotton Lane and asked for increased enforcement.

Vice Mayor Hampton reported that he attended a 9/11 event at the Odyssey school.

FUTURE MEETINGS

September 20, 2021	Work Session	5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 6:18 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 September 13, 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

ITEM #: 2.
DATE: 09/27/2021
AI #:460

CITY COUNCIL ACTION REPORT

SUBJECT: RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR OLD CHICAGO PIZZA AND TAPROOM

STAFF PRESENTER(S): Darcie McCracken, City Clerk

OTHER PRESENTER(S):

Andrea Dahlman Lewkowitz, agent/applicant, Old Chicago Pizza and Taproom

SUMMARY

The applicant is requesting a recommendation of approval for a new Series 12 (Restaurant) liquor license.

Recommendation

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No.155544 a request by Andrea Dahlman Lewkowitz, agent/applicant for Old Chicago Pizza and Taproom, for a new Series 12 liquor license. Old Chicago Pizza and Taproom is located at 1828 N. Litchfield Rd., Goodyear, Arizona 85395 (Generally located north of McDowell Road, west of Litchfield Road). (Darcie McCracken, City Clerk)

FISCAL IMPACT

The applicant paid the $635 application fee for the liquor license per the Goodyear Municipal User Fee Schedule. The business will contribute to the tax base of the community.

BACKGROUND AND PREVIOUS ACTIONS

Ms. Lewkowitz has applied for a new Series 12 liquor license for Old Chicago Pizza and Taproom which is currently under construction with an anticipated opening date of October 2021. This Old Chicago Pizza and Taproom will be a full-service restaurant and is the second in the Phoenix Metro Area, with the other restaurant being located in Chandler.

The City Clerk's Office received the application from the DLLC on August 17, 2021. The applicant paid the $635 application fee for the liquor license, and a public hearing notice was posted on the property on September 2, 2021, to comply with the State-mandated 20-day comment period. No petitions or protests from qualified persons were received during the comment period.

The application was routed to the Police Department and the Development Services

Department (Planning and Zoning), Code Compliance, and Building Safety), and any comments from these departments are listed below:

Department/Division	Comments
Police	None
Planning and Zoning	None
Code Compliance	None
Building Safety	None

STAFF ANALYSIS

A Series 12 license is for a restaurant and is non-transferrable. This on-sale retail privileges liquor license allows the holder to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food.

The DLLC requires license owners, agents, and managers actively involved in the day-to-day operations of the business to complete a state approved management training course prior to the issuance of a liquor license. Ms. Lewkowitz states that the registered premise's manager has completed the required training.

Attachments

DLLC Local Governing Body Report

Liquor License within One Mile Report

Liquor License Evaluation Map

State of Arizona
Department of Liquor Licenses and Control

Created 08/14/2021 @ 01:48:58 PM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	OLD CHICAGO PIZZA AND TAPROOM		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	1828 N LITCHFIELD ROAD GOODYEAR, AZ 85395 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(000)000-0000		
Alt. Phone:	(602)200-7222		
Email:	ANDREA@LEWKLAW.COM		

AGENT

Name:	ANDREA DAHLMAN LEWKOWITZ
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

OWNER

Name:	OC RESTAURANTS ARIZONA LLC		
Contact Name:	ANDREA LEWKOWITZ		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	1888980	State of Incorporation:	AZ
Incorporation Date:	08/18/2018		
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)200-7222		
Alt. Phone:			
Email:	ANDREA@LEWKLAW.COM		

Officers / Stockholders

Name:	Title:	% Interest:
OC RESTAURANTS LLC	Member, Stockholder	100.00

OC RESTAURANTS ARIZONA LLC - Member, Stockholder

Name:	OC RESTAURANTS LLC		
Contact Name:	ANDREA LEWKOWITZ		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:		State of Incorporation:	
Incorporation Date:			
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)200-7222		
Alt. Phone:			
Email:	ANDREA@LEWKLAW.COM		

OC RESTAURANTS LLC - MEMBER

Name:	RICHARD WADE HOLLAND
Gender:	Male
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(719)573-8557
Alt. Phone:	
Email:	R.HOLLAND@WENDYSCOS.COM

MANAGERS

Name: DANIELLE ANGELA MONACO
Gender: Female
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (480)518-1443
Alt. Phone:
Email: DMONACO83@MSN.COM

****

Name: MICHAEL GREGORY VASKE
Gender: Male
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (402)657-1997
Alt. Phone:
Email: M.VASKE@OLDCRESTRESTUARANTS.COM

****

Name: THOMAS JAMES REINHARD
Gender: Male
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (719)573-8557
Alt. Phone:
Email: T.REINHARD@WENDYSCOS.COM

APPLICATION INFORMATION

Application Number: 155544
Application Type: New Application
Created Date: ~~07/20/2021~~ 8-14-2021 AP

QUESTIONS & ANSWERS

012 Restaurant

1) Are you applying for an Interim Permit (INP)?
No

2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT

3) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
TERMINATION + MONETARY PENALTIES

4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes

5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
$0.00

6) Is there a drive through window on the premises?
No

7) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
CONTIGUOUS

8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
SEPTEMBER 2021

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
QUESTIONNAIRE	OC Goodyear_Agent Q - ADL.pdf	07/20/2021
QUESTIONNAIRE	OC Goodyear_Agent Status Ltr - ADL.pdf	07/20/2021
RECORDS REQUIRED FOR AUDIT	OC Goodyear_Audit Form.pdf	07/20/2021
DIAGRAM/FLOOR PLAN	OC Goodyear_Diagram_Jul 20 21.pdf	07/20/2021
QUESTIONNAIRE	OC Goodyear_Officer Q - Richard Holland.pdf	07/20/2021
QUESTIONNAIRE	OC Goodyear_Officer Q - Thomas Reinhard.pdf	07/20/2021
ORGANIZATIONAL DOCUMENTS	OC Restaurants Arizona, LLC_Ownership Chart_Aug 17 18 (use).pdf	07/20/2021
MENU	OC Goodyear_Menu.pdf	07/20/2021
RESTAURANT OPERATION PLAN	OC Goodyear_ROP.pdf	07/20/2021

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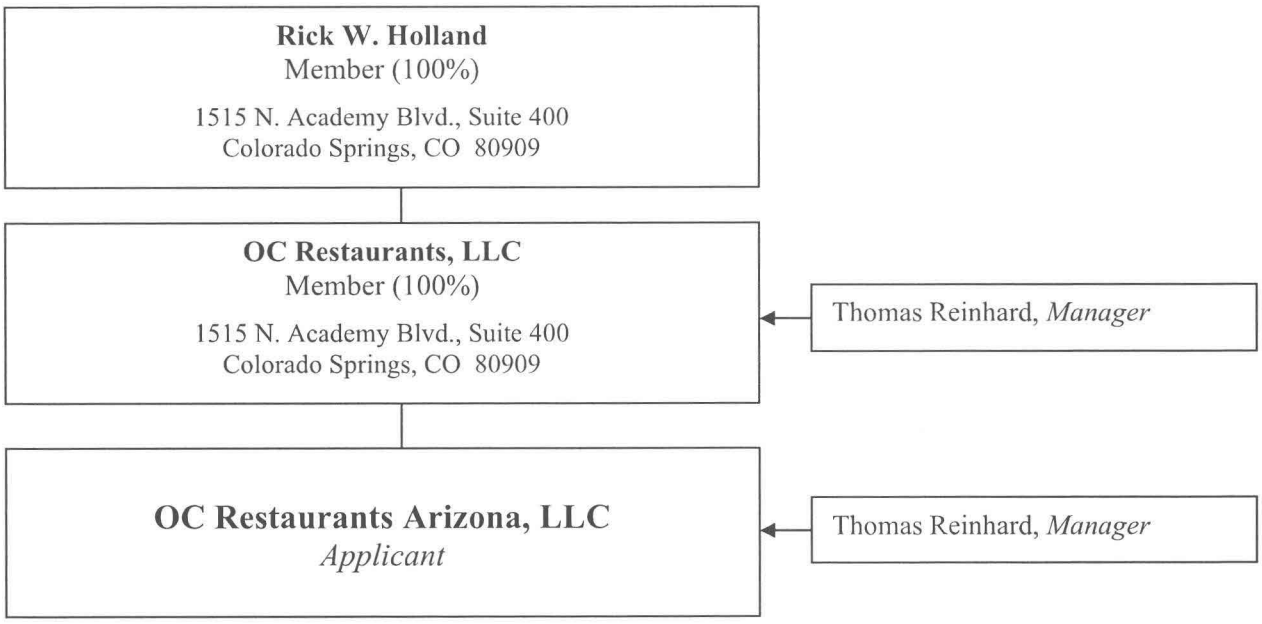
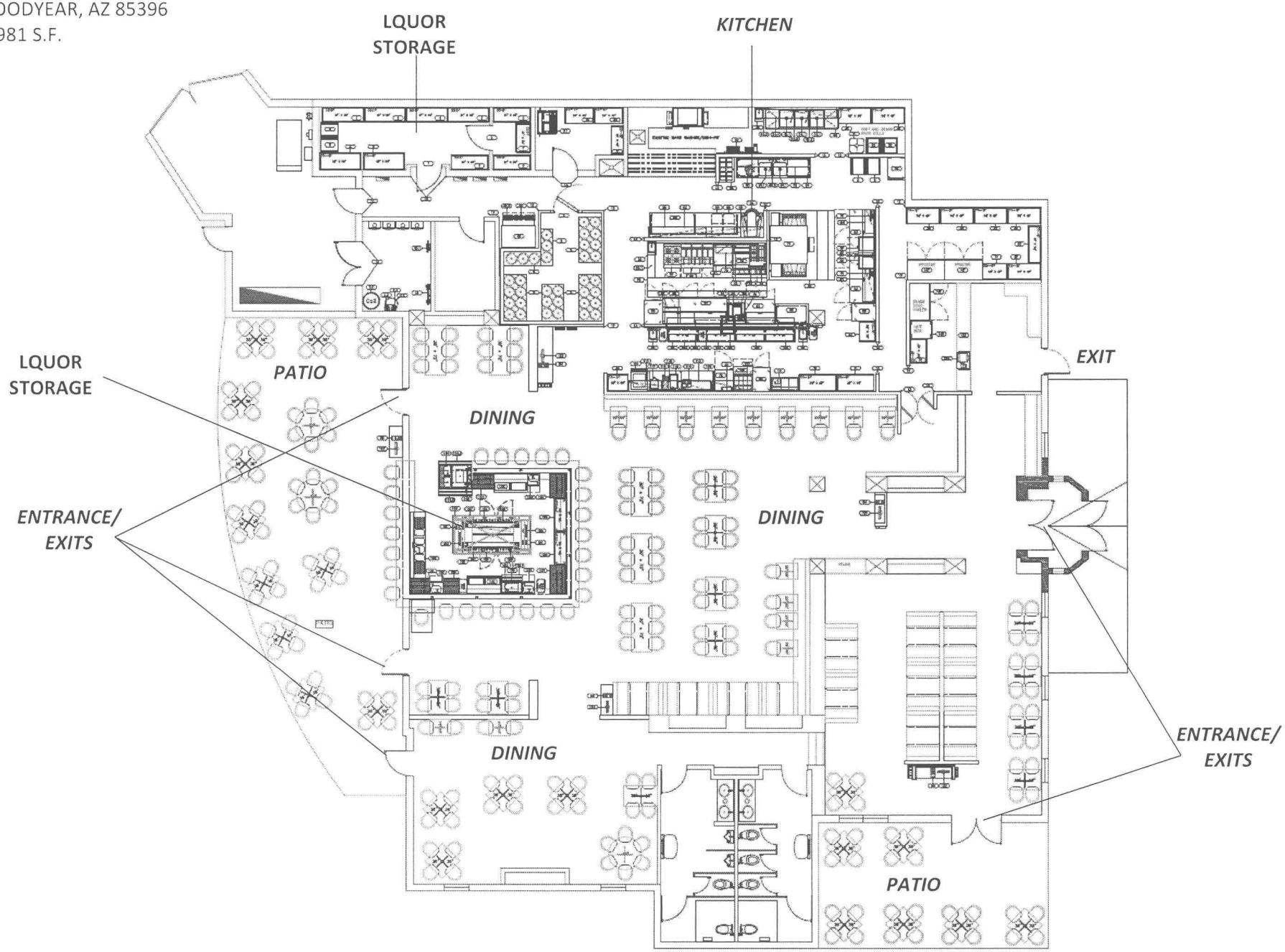
OC Restaurants Arizona, LLC
Ownership Chart



OLD CHICAGO PIZZA AND TAPROOM

1828 N. LITCHFIELD RD
GOODYEAR, AZ 85396
7,981 S.F.



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Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ, 85007-2934
www.azliquor.gov
(602) 542-5141

DLLC USE ONLY
Job #: 155514

RESTAURANT OPERATION PLAN

1. Name of restaurant (Please print):
OLD CHICAGO PIZZA AND TAPROOM

2. List equipment below by Make, Model, and Capacity : **(PROVIDE THE FOLLOWING ITEMS ONLY, NO ATTACHMENTS)**

Grill	6 - BURNER GAS STOVE
Oven	METRO - HEATED HOLDING + PROOFING CABINET PIZZA OVEN
Freezer	NATRAUL REF. 2-SECTION REACH-IN FEEZER (R-290) CUSTOM WALK-IN FREEZER
Refrigerator	CUSTOM WALK-IN COOLER
Sink	KROWNE KR24-84C UNDERBAR SINK BK RESOURCE HAND SINK (APHS-W1410-SSBPG)
Dish Washing Facilities	DMD 3-COMPARTMENT SINK ECOLAB DISHWASHER MACHINE
Food Preparation Counter (Dimensions)	REFRIGERATED WORK TABLE STAINLESS STEEL CUSTOM PREP COUNTERS
Other	DEEP FRYERS

3. Attach a copy of your full menu **including prices** (examples: Breakfast, Lunch, Dinner, and Nonalcoholic beverages).

4. List the **seating capacity** for:

   a. Restaurant dining area of your premises: **(Do not include patio seating)** [170]

   b. Bar area of your premises: [+ 27]

   c. Total dining and bar seating capacity of your premises: [= 197]

5. What Type of dinnerware and utensils are utilized within your restaurant?

   ☐ Reusable ☐ Disposable ☒ Both

6. Does your restaurant have a bar area that is distinct and separate from the dining area? ☐ YES ☒ No

   (If yes, what percentage of the public floor space does this area cover?) _____%

7. What percentage of your public premises is used primarily for restaurant dining?

   (Do not include kitchen, bar, hi-top tables, or game area.) 75 %

Individuals requiring ADA accommodations call (602) 542-9027.

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8. Does your restaurant contain any games, televisions, or any other entertainment? [X] YES [ ] No
(**If yes, specify what types and how many** (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

20 OR LESS (TELEVISIONS)

9. Do you have live entertainment or dancing? [X] YES [ ] No
(**If yes, what type and how often** 8.5
example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

POSSIBLE LIVE BANDS 3-4 TIMES A YEAR

10. Use space below to list how many employees for each position to fully staff your business.

Position	How many
Cooks	28
Bartenders	10
Hostesses	12
Managers	4
Servers	50
Other (BUSSERS)	3
Other (DISHWASHER)	7
Other ( )	6

I, ANDREA DAHLMAN LEWKOWITZ, hereby declare that I am the APPLICANT filing this application. I have read this application and the contents and all statements true, correct and complete.

X (Signature of APPLICANT)

AMY L SCHROFF
Notary Public - Arizona
Maricopa County
My Commission Expires
02/12/2025
Commission # 595847

NOTARY

State of ARIZONA County of MARICOPA

The foregoing instrument was acknowledged before me this 20 (Day) day of JULY (Month) 2021 (Year)

My Commission Expires on: 02/12/2025 (Date)

Signature of Notary Public

Individuals requiring ADA accommodations call (602) 542-9027.

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

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RECORDS REQUIRED FOR AUDIT
Applies to Series 11 (Hotel/Motel W/Restaurant) & Series 12 (Restaurant) Only

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
2. A list of ***all*** food and liquor vendors
3. The restaurant menu used during the audit period
4. A price list for alcoholic beverages during the audit period
5. Mark-up figures on food and alcoholic products during the audit period
6. A recent, ***accurate*** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
7. Monthly Inventory Figures - beginning and ending figures for food and liquor
8. Chart of accounts (copy)
9. Financial Statements-Income Statements-Balance Sheets
10. General Ledger
    - A. Sales Journals/Monthly Sales Schedules
        - 1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
        - 2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
        - 3) Dated Guest Checks
        - 4) Coupons/Specials/Discounts
        - 5) Any other evidence to support income from food and liquor sales
    - B. Cash Receipts/Disbursement Journals
        - 1) Daily Bank Deposit Slips
        - 2) Bank Statements and canceled checks
11. Tax Records
    - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
    - B. Income Tax Return - city, state and federal (copies)
    - C. Any supporting books, records, schedules or documents used in preparation of tax returns
12. Payroll Records
    - A. Copies of all reports required by the State and Federal Government
    - B. Employee Log (A.R.S. §4-119)
    - C. Employee time cards (actual document used to sign in and out each work day)
    - D. Payroll records for all employees showing hours worked each week and hourly wages

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13. Off-site Catering Records (must be complete and separate from restaurant records)

A. All documents which support the income derived from the sale of food off the license premises.

B. All documents which support purchases made for food to be sold off the licensed premises.

C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

REVOCATION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).

A.R.S. §4-210(A)7

The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(G)

For the purpose of this section:

1."Restaurant" means an establishment which derives **at least forty percent (40%)** of its gross revenue from the sale of food
2."Gross revenue" means the revenue derived from all sales of food and spirituous liquor on the licensed premises, regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

NOTARY

I, (Print Full Name) ANDREA DAHLMAN LEWKOWITZ, have read and understand all aspects of this statement

X (Signature) _____ Controlling Person / Agent

State of ARIZONA County of MARICOPA

AMY L SCHROFF
Notary Public - Arizona
Maricopa County
My Commission Expires
02/12/2025
Commission # 595847

the foregoing instrument was acknowledged before me this 20 (Day) of JULY (Month) 2021 (Year)

My commission expires on: 02/12/2021

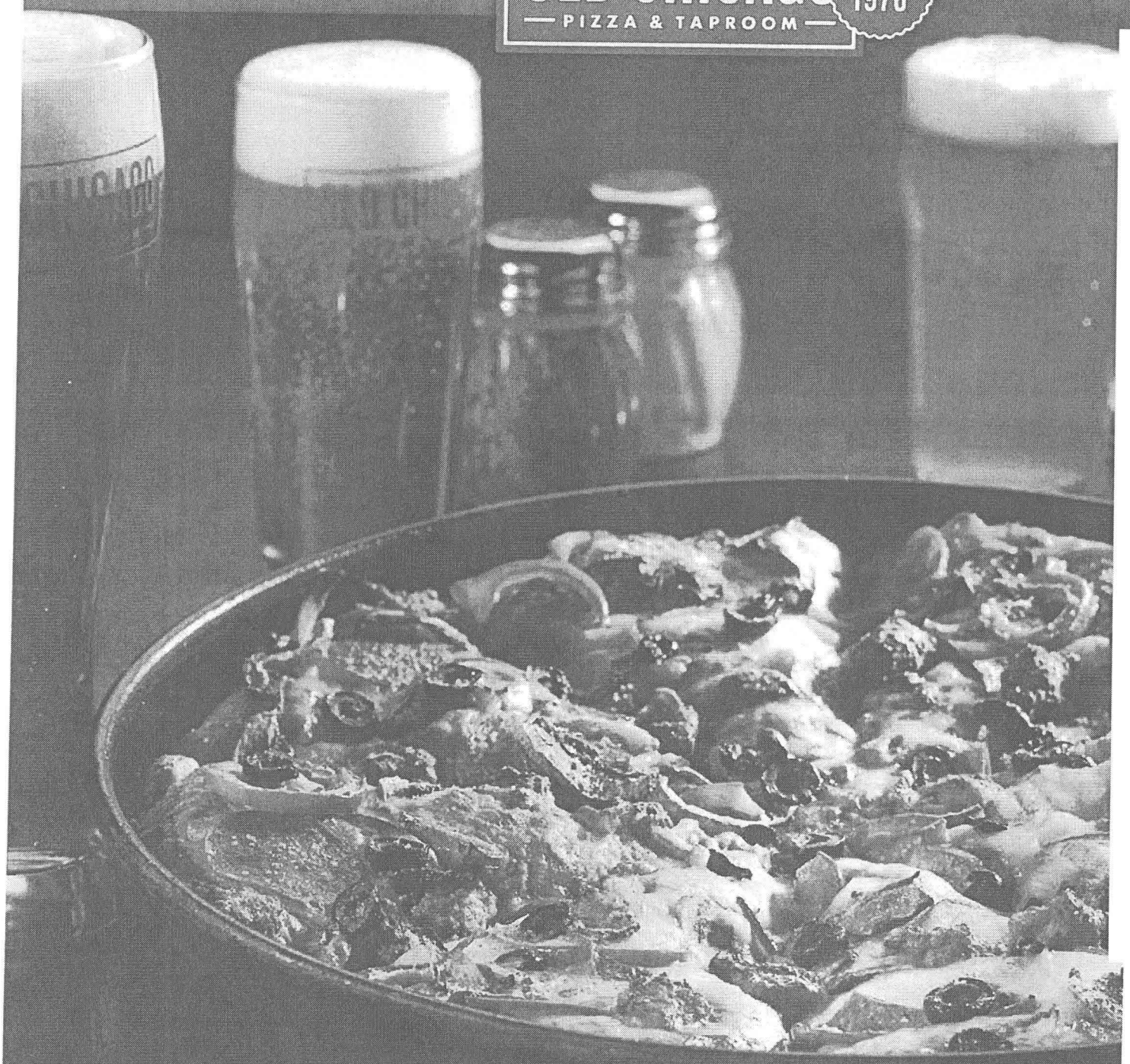
_____ Signature of NOTARY PUBLIC

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH RECORDS REQUIRED BY THE STATE

Individuals requiring ADA accommodations please call (602)542-9027

TAPROOM MENU

OLD CHICAGO
PIZZA & TAPROOM
CRAFTED Since 1976



OLD CHICAGO
OC
REWARDS
- FEATURING -
WORLD BEER TOUR

JOIN OC REWARDS
AND GET MORE FOR YOUR DOUGH

Earn credits for both beer
and food purchases*

VISIT OLDCHICAGO.COM FOR DETAILS

*Must be 18 or older to participate in OC Rewards and 21 or older to participate in the World Beer Tour. - State laws may prohibit granting points or rewards for alcohol purchases.

Gluten sensitive menu available upon request.

HAND TOSSED CHICKEN WINGS

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Served with celery sticks and your choice of ranch or bleu cheese dressing. = ***HEAT LEVEL***

BONELESS: *Short:* ***6.59*** | *Tall:* ***10.99*** | *Keg:* ***19.99*** **BONE-IN:** *Short:* ***6.79*** | *Tall:* ***11.49*** | *Keg:* ***20.99***

SAUCES

APPLEWOOD BBQ
Sweet & tangy BBQ sauce with smoky seasonings.

MAPLE, BROWN SUGAR & BACON
Sweet maple glaze, spiked with bits of bacon.

ORIGINAL BUFFALO
Red hot sauce with butter and spices.

SWEET & SMOKY BACON
Minced bacon, onions, garlic & crushed red peppers in a sweet and savory sauce.

SWEET THAI CHILI
Garlic and crushed red peppers in a sweet chili sauce.

SCREAMING MANGO
Sweet mango spiked with habanero and fresh jalapeño.

FIREHOUSE
Original Buffalo fired up with jalapeños and crushed red peppers.

VOLCANO
We combine our Jamaican jerk seasoning with Firehouse for the hottest wings on the menu.

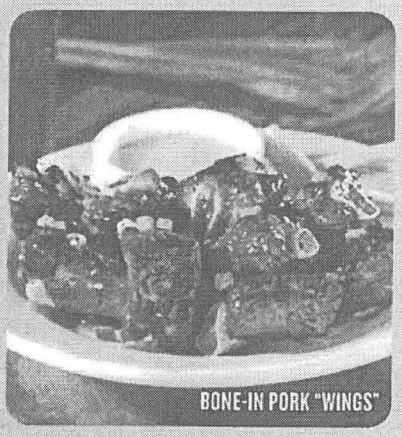
DRY RUBS

TWICE-BAKED APPLEWOOD
A blend of smoky spices, black pepper, and dried herbs.

ITALIAN GARLIC AND HERB
Parmesan Romano cheese with garlic spice and crushed red peppers.

JAMAICAN JERK
A host of fiery island spice.

BONE-IN PORK "WINGS"



BONE-IN PORK "WINGS"

Mini bone-in pork ribs, slow cooked to tender perfection then fried crispy on the outside.

Hand tossed in one of our signature sauces or dry rubs. 3/4 LB portion 11.99

BONELESS

Breaded all-white meat boneless chicken wings hand tossed in one of our signature sauces or dry rubs.

BONELESS ORIGINAL BUFFALO WINGS

CLASSIC

Traditional bone-in, twice cooked chicken wings hand tossed in one of our signature sauces or dry rubs.

CLASSIC SWEET & SMOKY BACON WINGS

BEVERAGES

Complete your **OLD CHICAGO** experience with a craft beer! Browse our beer menu and local **FRESH SHEETS** to explore our selection of draft and bottled craft beer.

OVER 90 CRAFT BEERS AVAILABLE

NON-ALCOHOLIC

Enjoy complimentary refills on lemonades, iced teas, refreshers and fountain drinks.

LEMONADES Classic, Strawberry or Pomegranate

ICED TEAS Freshly Brewed Iced Tea, Lipton Raspberry or Arnold Palmer

REFRESHERS Red Berry Sparkler, Ginger Pomegranate Sparkler

JUICES Apple, Orange, Tomato, Cranberry, Grapefruit, or Pineapple

RED BULL ENERGY DRINKS

GOURMET SODAS & ROOT BEERS

FOUNTAIN DRINK FAVORITES:

PREMIUM LIQUORS

VODKA
Smirnoff | Absolut | Stolichnaya
Tito's Handmade | Ketel One | Grey Goose

TEQUILA
El Jimador Reposado | Jose Cuervo
1800 Reposado | Milagro Silver
Cabo Wabo Reposado
Patrón Silver | Herradura Añejo

BOURBON
Jim Beam | Wild Turkey
Maker's Mark | Buffalo Trace
Bulleit Rye | Woodford Reserve

GIN
Beefeater | Tanqueray
Bombay Sapphire | Hendrick's

WHISKEY/SCOTCH
Dewar's | J&B | Johnnie Walker Black
Chivas Regal | Crown Royal
Jack Daniel's | Tullamore Dew
Jameson Irish Whiskey
Fireball Cinnamon Whisky

RUM
Bacardi | Captain Morgan Spiced Rum
Malibu | Myers's Dark Rum | Sailor Jerry

CORDIALS & SHOTS
Amaretto Disaronno | Baileys
Drambuie | Frangelico | Goldschläger
Grand Marnier | Jägermeister | Kahlúa
Ole Smoky Apple Pie Moonshine
RumChata | Rumple Minze
Sambuca | Tuaca

TAPROOM STARTERS

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SICILIAN PEPPERONI ROLLS™
Signature dough with pepperoni, fresh green onions and cheese. Baked and served with pizza sauce. 8.49

SICILIAN PEPPERONI ROLLS

BUFFALO CHICKEN ROLLS
Grilled chicken, Buffalo sauce, mozzarella cheese and bleu cheese dressing baked inside our signature dough. Topped with celery curls and served with bleu cheese dressing. 8.99

CHEESE CURDS
Bite sized, battered white cheddar cheese curds, flash fried, seasoned and served with a side of jalapeño ranch dressing. 9.49

CHEESE & JALAPEÑO WONTONS
Wontons stuffed with spicy jalapeño and cream cheese filling. Fried light & crispy with sweet Thai chili sauce for dipping. 9.99

BACON & CHEDDAR MAC N' CHEESE BITES
Mac n' cheese wedges made with cheddar cheese and crispy bacon pieces. Fried golden brown and served with beer cheese dipping sauce and spicy sriracha ketchup. 8.49

BACON & CHEDDAR MAC N' CHEESE BITES

BEST VALUE CHI-TOWN TRIO™
Can't decide? Try this shareable selection of our famous Italian Nachos, baked-to-order Cheese Garlic Bread & our irresistible Sicilian Pepperoni Rolls.™ 11.99

BAVARIAN PRETZEL STICKS
Four toasty, salted Bavarian pretzel sticks, served with our mustard cheese sauce made with Guinness. 8.99

BAVARIAN PRETZEL STICKS

BRATWURST PRETZEL BITES
1/2 pound of bratwurst wrapped in our signature jalapeño cheddar pretzel dough, then cut into bite sized pieces. Perfect for dipping in our mustard cheese sauce made with Guinness. 9.49

ITALIAN NACHOS
House-made pasta chips baked with mozzarella, provolone, pepper jack, pepperoni, pepperoncini and Italian sausage. Served with our spicy marinara sauce. 9.99

ITALIAN NACHOS

NACHOS GRANDE
Tortilla chips layered with black beans, Anaheim peppers, onions, tomatoes, cheddar, pepper jack and mozzarella cheeses, cilantro, sour cream and salsa. 9.99
Add sliced avocado .99 | Add roasted chicken 1.99 | Add beef 1.99

ARTICHOKE DIP
Artichoke hearts, spices and melted cream cheese. Served with pasta chips, toasted garlic bread and fresh vegetables for dipping. 9.49

TAVERN BITES

BEST VALUE
PICK 3 FOR
$9.29

FRIED SPICY PICKLES
Flash fried with beer batter and tossed in a zesty southern spice blend. Served with ranch or sweet Thai chili sauce for dipping. 4.79

ITALIAN EDAMAME
Oven roasted soy beans in the husk. Tossed in spicy garlic herb Parmesan seasoning. 3.99

ARTICHOKE CHEESE BREAD
Our Ciabatta bread with roasted garlic butter, topped with artichoke dip and cheese, served with spicy marinara for a perfect start to any meal. 3.99

JALAPEÑO PRETZEL BITES
Freshly baked jalapeño pretzel bites, served with our beer cheese dipping sauce. 4.79

BEER BATTERED ONION RINGS
Thick onion slices, beer battered & lightly fried. Tossed with Parmesan herb seasoning and served with your choice of ranch or signature BBQ sauce for dipping. 3.49

CHEESE GARLIC BREAD
Our Ciabatta bread with roasted garlic butter, topped with mozzarella and provolone cheeses and drizzled with basil infused olive oil. Served with pizza sauce. 3.59

PARMESAN GARLIC FRIES
Tossed with Italian garlic seasonings and drizzled with our creamy garlic sauce. 4.29

PICK 3 - ARTICHOKE CHEESE BREAD, BEER BATTERED ONION RINGS AND ITALIAN EDAMAME

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SPECIALTY PIZZAS

CHOOSE YOUR CRUST

HAND TOSSED ALE CRUST

A hand tossed crust with a subtle ale flavor. Topped with our signature pizza sauce, mozzarella, Parmesan and Romano cheeses, Italian seasonings and fresh toppings.

IND: 4 slices | LG: 8 slices

TAVERN THIN

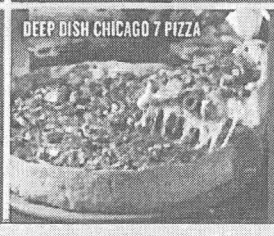
Signature crust stretched thin and baked crispy, served square-cut. Our Tavern Thin pizzas are topped with our sweet pizza sauce, provolone, mozzarella and Asiago cheeses, oregano and fresh toppings.

IND: 9 pieces | LG: 25 pieces

CHICAGO THICK

Our crisp on the bottom, soft in the middle cornmeal crust, baked thick and buttery. Chicago Thick crust pizzas are topped with our signature pizza sauce, mozzarella, Parmesan and Romano cheeses, Italian seasonings and fresh toppings.

IND: 4 slices | MED: 6 slices | LG: 8 slices



DEEP DISH

Our signature buttery cornmeal crust, filled full of your favorite toppings and two layers of mozzarella cheese. We top this masterpiece with chunky, house-made pizza sauce, seasoned with oregano and freshly roasted garlic. This perfect pie is garnished with Parmesan & Romano cheeses and fresh basil.

IND: 4 slices | LG: 8 slices

CLASSIC RECIPES

		IND	MED	LG
CHICAGO 7™ Pepperoni, Italian sausage, red onions, black olives, green peppers, sliced mushrooms.	ALE CRUST	12.49	------	26.99
	CHICAGO THICK	11.99	20.99	24.99
	TAVERN THIN	11.99	------	23.99
	DEEP DISH	11.99	------	24.99
MEAT ME™ Loaded with Italian sausage, Canadian bacon, andouille sausage, pepperoni, green olive garnish and fresh basil.	ALE CRUST	13.79	------	27.99
	CHICAGO THICK	12.99	21.49	25.99
	TAVERN THIN	12.49	------	24.29
	DEEP DISH	12.99	------	25.99
VEGGIE 7 Red onions, green bell peppers, sliced mushrooms, black olives, artichoke hearts and Roma tomatoes.	ALE CRUST	12.49	------	23.99
	CHICAGO THICK	11.99	19.29	22.49
	TAVERN THIN	11.79	------	21.79
HAWAIIAN Canadian bacon, pineapple, red peppers, fresh green onions and sweet Thai chili tomato sauce.	ALE CRUST	12.59	------	23.79
	CHICAGO THICK	11.59	19.49	22.99
	TAVERN THIN	11.39	------	20.99
	DEEP DISH	11.59	------	22.99
THE CLASSIC Pepperoni, sliced mushrooms, Italian sausage and roasted garlic.	ALE CRUST	12.29	------	24.79
	CHICAGO THICK	11.59	19.99	23.49
	TAVERN THIN	11.39	------	21.49
	DEEP DISH	11.59	------	23.49
DOUBLE DECKERONI™ Covered coast-to-coast with a double dose of pepperoni, hot sauce and parsley.	ALE CRUST	12.59	------	24.79
	CHICAGO THICK	11.99	19.79	23.49
	TAVERN THIN	11.69	------	21.49
	DEEP DISH	11.99	------	23.49

SIGNATURE RECIPES

		IND	MED	LG
ITALIAN GRINDER A classic combination of seasoned beef, salami, pepperoni, sweet Italian sausage, red onions, roasted garlic & red peppers, finished with sliced pepperoncini.	ALE CRUST	12.99	------	25.99
	CHICAGO THICK	12.49	21.49	24.99
	TAVERN THIN	12.29	------	24.49
	DEEP DISH	12.49	------	24.99
THAI PIE Our sweet Thai chili sauce with mozzarella, pepper jack & cheddar cheeses, roasted chicken, mushrooms, red peppers and broccoli. Topped with teriyaki sauce and sesame seeds, finished with fresh green onions.	ALE CRUST	12.29	------	23.49
	CHICAGO THICK	11.79	19.79	22.49
	TAVERN THIN	11.39	------	20.79
STEAK AND BEER CHEESE Chopped steak, chopped bacon, grilled onions, roasted garlic and Asiago cheese atop our mustard cheese sauce made with Guinness, finished with fresh green onions.	ALE CRUST	12.49	------	26.99
	CHICAGO THICK	12.19	20.99	25.49
	TAVERN THIN	11.69	------	23.99
TUSCAN CHICKEN WITH SPINACH Lemon garlic sauce, sun-dried tomatoes, applewood-spiced chicken, bruschetta tomatoes and roasted garlic. Topped with fresh spinach tossed in a lemon vinaigrette.	ALE CRUST	12.99	------	26.99
	CHICAGO THICK	12.49	21.79	24.99
	TAVERN THIN	12.19	------	23.99
CLASSIC MARGHERITA A light brush of our signature pizza sauce, topped with fresh basil, sliced Roma tomatoes, fresh mozzarella cheese and garnished with more fresh basil.	ALE CRUST	10.49	------	19.99
	CHICAGO THICK	9.99	16.99	18.99
	TAVERN THIN	9.69	------	17.49

ADD A SIDE SALAD

Enjoy a side Caesar 3.49 or garden salad 3.49

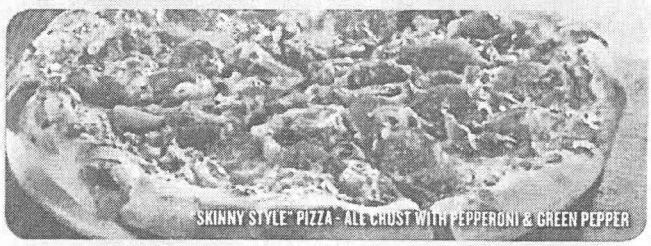
LIGHTER OPTIONS*

CRAFT YOUR OWN "SKINNY STYLE" PIZZA

Choose any of our Specialty Pizzas or Craft Your Own Pizza made with a lighter portion of cheese for a lower calorie meal.

CRAFT YOUR OWN GLUTEN SENSITIVE** PIZZA

Smart Flour Foods Gluten Free Crust is available on any individual size pizza. Add 2.09 to individual Chicago Thick pricing.



"SKINNY STYLE" PIZZA - ALE CRUST WITH PEPPERONI & GREEN PEPPER

*Please see www.oldchicago.com/NutritionalAndAllergenInfo for additional information. **Gluten sensitive designations are based on information provided by our suppliers. In our kitchens, gluten sensitive items may come into contact with surfaces, grills, utensils or other equipment that have previously contacted an allergen, including gluten. Only you and your health care provider will know if this type of cross contact with gluten may be harmful to you.

SPECIALTY CALZONES

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CHICAGO 7™
An Old Chicago original with pepperoni, Italian sausage, red onions, black olives, green peppers, sliced mushrooms and a blend of mozzarella, ricotta and Asiago cheeses. 11.49

CHICAGO FIRE
A spicy mix of pepperoni, salami, sweet Italian sausage, red peppers, red onions and pepperoncini with a blend of mozzarella, ricotta and Asiago cheeses. Topped with a fresh jalapeño baked into the crust. Served with a side of ranch. 11.49

MEAT ME™
Sliced Canadian bacon, Italian sausage, andouille sausage, pepperoni, fresh basil, a blend of mozzarella, ricotta and Asiago cheeses and a green olive garnish. 11.49

CHEESESTEAK "PRETZONE"
Our new pretzel-style calzone crust stuffed with steak, grilled onions, Anaheim and red bell peppers, crushed red pepper flakes and a blend of mozzarella, ricotta and Asiago cheeses. Topped with our beer cheese sauce and fresh green onions. 12.99

CHICAGO 7 CALZONE

CHICAGO FIRE CALZONE

CHEESESTEAK "PRETZONE"

CRAFT YOUR OWN PIZZAS & CALZONES

1 CHOOSE YOUR CRUST

HAND TOSSED ALE CRUST IND: 4 slices | LG: 8 slices
A hand tossed crust with a subtle ale flavor. Topped with our signature pizza sauce, mozzarella, Parmesan and Romano cheeses, Italian seasonings and fresh toppings.

CHICAGO THICK IND: 4 slices | MED: 6 slices | LG: 8 slices
Our crisp on the bottom, soft in the middle cornmeal crust, baked thick and buttery. Chicago Thick crust pizzas are topped with our signature pizza sauce, mozzarella, Parmesan and Romano cheeses, Italian seasonings and fresh toppings.

TAVERN THIN IND: 9 pieces | LG: 25 pieces
Signature crust, stretched thin and baked crispy, served square-cut. Our Tavern Thin pizzas are topped with our sweet pizza sauce, provolone, mozzarella and Asiago cheeses, oregano and fresh toppings.

DEEP DISH IND: 4 slices | LG: 8 slices
Our signature buttery cornmeal crust, filled full of your favorite toppings and two layers of mozzarella cheese. We top this masterpiece with chunky, house-made pizza sauce, seasoned with oregano and freshly roasted garlic. This perfect pie is garnished with Parmesan & Romano cheeses and fresh basil.

CALZONE SINGLE SERVING
Hand braided dough oven baked to perfection, stuffed with your choice of mouthwatering ingredients and a blend of mozzarella, ricotta & Asiago cheeses.

GLUTEN SENSITIVE** 6 slices
Choose any of our Specialty Pizzas or Craft Your Own Pizza made with Smart Flour Foods Gluten Free Crust.

2 CHOOSE YOUR TOPPINGS

MEATS: Pepperoni, Italian Sausage, Canadian Bacon, Grilled Applewood-Spiced Chicken, Andouille Sausage, Peppered Bacon, Seasoned Ground Beef, Sliced Spicy Sausage

EXTRA CHEESES: Extra Mozzarella, Cheddar, Parmesan, Provolone, Swiss, Ricotta, Pepper Jack, Asiago, Feta, Bleu Cheese, Fresh Mozzarella

VEGGIES: Mushrooms, Green Peppers, Red Onions, Black Olives, Spinach, Roma Tomatoes, Anaheim Peppers, Jalapeños, Green Olives, Red Peppers, Broccoli, Fresh Green Onions, Pepperoncini, Artichoke Hearts, Sun-Dried Tomatoes

AND MORE: Fresh Basil, Pineapple, Roasted Garlic, Fresh Cilantro, Avocado

HAND TOSSED ALE CRUST - PEPPERONI & SAUSAGE

CRUST TYPE	HAND TOSSED ALE		CHICAGO THICK			TAVERN THIN		NEW DEEP DISH		CALZONE	GLUTEN SENSITIVE
PIZZA SIZE	IND	LG	IND	MED	LG	IND	LG	IND	LG	SINGLE	SINGLE
CHEESE ONLY	9.79	17.49	9.29	14.49	16.79	8.59	14.99	9.29	16.79	8.49	11.38
ADDITIONAL TOPPINGS	1.19	2.59	1.19	2.09	2.59	1.19	2.59	1.19	2.59	1.19	1.19
3 TOPPINGS	2.79	6.49	2.79	5.29	6.49	2.79	6.49	2.79	6.49	2.79	2.79

TAPROOM BURGERS & SANDWICHES

Lic. PM 1 52

Served with deli-style pickles and choice of fries, coleslaw or fresh veggies with dip.
Substitute for .99 : onion rings, side Caesar or garden salad | Add sliced avocado .99 | Add bacon .99

1/2 LB CRAFTED BURGERS

CRAFTED BEER BURGER*
Our steak burger grilled with a light lager and smothered in caramelized onions and beer cheese sauce made with Guinness, topped with crispy onion strings. 10.49
Add bacon .99

HAWAIIAN BURGER*
Our teriyaki-basted steak burger piled high with Canadian bacon and roasted pineapple. Garnished with sweet Thai chili sauce, fresh green onions, lettuce and mayo. 10.99

WHISKEY BLEU BURGER*
A black pepper crusted steak burger served on a bed of creamy bleu cheese sauce, topped with peppered bacon, balsamic mushrooms and drizzled with our whiskey sauce. Served with lettuce and tomato. 10.99

HANGOVER BURGER*
Our steak burger served atop a hash brown, smothered with beer cheese sauce, finished with bacon, a fried egg and green onions. 10.79

HANGOVER BURGER

1/2 LB CLASSIC BURGERS

BBQ BACON CHEDDAR BURGER*
Our steak burger brushed with our signature BBQ sauce, topped with melted cheddar cheese and peppered bacon strips. 10.29

CLASSIC CHEDDAR BURGER*
Our steak burger loaded with melted cheddar cheese. Served on a toasted bun with lettuce, tomato and mayo. 9.99 ***Add bacon .99 | Add sliced avocado .99***

SANDWICHES

CHICKEN PESTO CIABATTA
A grilled chicken breast with a basil pesto sauce and freshly sliced tomato. Topped with melted fresh mozzarella, basil and sun-dried tomatoes on a griddled Ciabatta bun. 10.19

CALIFORNIA CHICKEN SANDWICH
Grilled chicken breast topped with Swiss cheese and avocado, served atop lettuce, tomato and a dab of signature ranch on a griddled Ciabatta bun. 10.49
Sub a side salad for only .99

CALIFORNIA CHICKEN SANDWICH

CHICKEN BACON MOZZARELLA CIABATTA
Grilled chicken breast with melted fresh mozzarella, peppered bacon, tomato, mayo and lemon vinaigrette tossed spinach on a griddled ciabatta bun. 10.49

STACKED TURKEY & BACON CLUB
Sliced turkey breast, peppered bacon, lettuce, tomato and peppercorn mayo on toasted sourdough bread. 10.29
Sub a side salad for only .99

FRESH ITALIAN WRAPS
A thin, flaky Italian flatbread Piadina, featuring fresh ingredients wrapped to order.

APPLE WALNUT CHICKEN WRAP
Roasted chicken with bleu cheese, toasted walnuts, dried cranberries and crisp apples tossed with a touch of creamy herb dressing. 9.99

CHICKEN DE PINA WRAP
Roasted chicken and freshly roasted pineapple, with lettuce, tomato, Swiss cheese, chopped peppered bacon and zesty chipotle mayo. 10.49

** Our hearty beef burgers are cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions. Hamburgers that are served rare or medium-rare may be undercooked and will only be served upon the consumer's request.*

OC FAVORITES

CHICAGO 7™ STROMBOLI
Italian sausage, pepperoni, green peppers, red onions, mushrooms, black olives and melted mozzarella cheese wrapped and baked in our classic dough. 10.29

CHICAGO 7™ STROMBOLI

ITALIAN STEAK HOAGIE
A classic hoagie sandwich piled high with steak, Italian cheeses, lettuce, tomato and onions, finished with mayo and Italian dressing. 10.99

SWISS VEGGIE BURGER
A veggie-patty made with whole grains, brown rice, black beans and corn. Topped with melted Swiss cheese, char-roasted red onions and peppers. Served with lettuce, tomato and mayo. 9.19
Sub a veggie patty for any burger, no extra charge

TAPROOM GRILLED CHEESE

MAC N' GRILLED CHEESE
Grilled sourdough bread with cheddar and pepper jack cheeses, crisp peppered bacon strips and fresh green onion, stuffed with our signature creamy mac n' cheese. 9.29

MAC N' GRILLED CHEESE

WAKE N' BACON GRILLED CHEESE
Grilled sourdough bread with cheddar cheese, crisp peppered bacon strips, fresh tomato slices and a pan fried egg. 9.29

GARDEN FRESH SALADS

Toasted Ciabatta garlic bread available upon request with all entrée salads. Add sliced avocado .99

CRISPY CHICKEN OR CRISPY BUFFALO CHICKEN
Breaded, all-white meat chicken, romaine lettuce, tomatoes, red onions and shredded cheddar, mozzarella & pepper jack cheeses. 11.29 | Half 9.29 Have it tossed in our signature Buffalo sauce for an added kick. Try with ranch dressing.

SPINACH, CHICKEN & AVOCADO
Applewood-spiced chicken with avocado slices on spinach and romaine, tossed with sun-dried tomatoes and finished with Parmesan and black pepper. 11.69 | Half 9.79
Enjoy with lemon vinaigrette dressing.

SWEET THAI CHICKEN SALAD
Fresh greens and cabbage tossed, with carrots, avocado, peppers and crisp wonton strips. Topped with applewood-spiced chicken, drizzled with sweet Thai Chili, almonds and green onions. 11.49 | Half 9.19 Enjoy with light soy sesame vinaigrette dressing.

SOUTHWEST BBQ CHICKEN
Crispy BBQ chicken tossed with chopped fresh greens, basil, black beans, pepper jack cheese, green onions, tomatoes, cucumber and corn. Topped with crispy tortilla strips. 11.49 | Half 9.29 Try with jalapeño ranch dressing.

ROASTED CHICKEN & APPLE WALNUT
Fresh greens, bleu cheese crumbles, apple slices, toasted walnuts, sun-dried cranberries and applewood-spiced chicken. 11.99 | Half 9.59 Enjoy with creamy herb dressing.

ITALIAN CHEF'S SALAD
Fresh greens tossed with carrots, pepperoncini, black olives, mozzarella and provolone cheeses. Topped with diced turkey, Canadian bacon, salami and pepperoni, finished with a hard-cooked egg, fresh green onions and Italian spices. 11.29 | Half 9.29 Enjoy with creamy herb dressing.

OLD CHICAGO CHOPPED
Applewood-spiced chicken, peppered bacon, bleu cheese, tomatoes and fresh green onions, topped with avocado & tomato. 11.49 | Half 9.29 Enjoy with creamy herb dressing.

AVAILABLE DRESSINGS:

Ranch	Creamy Herb
Bleu Cheese	Balsamic Vinaigrette
Jalapeño Ranch	Lemon Vinaigrette
Caesar	Light Soy Sesame Vinaigrette

SIDE SALADS & SOUPS

GARDEN
Fresh greens with carrots, cucumbers, croutons, toasted almonds and a grape tomato with your choice of dressing.
Side portion 3.99
With entrée 3.49

MEDITERRANEAN
Fresh greens, cucumbers, Roma tomatoes, black olives, artichoke hearts, feta cheese, red onions & Greek dressing.
Side portion 4.29
With entrée 3.59

CAESAR
Romaine, grated Parmesan, basil croutons and signature Caesar dressing.
Side portion 3.99
With entrée 3.49

FEATURED SOUPS
Tomato Basil Bliss or Chicken Green Chili
Cup 4.59
Cup with entrée 2.99

INCREDIBLE WEEKDAY LUNCH MENU

'21 AUG 14 AM 11:52

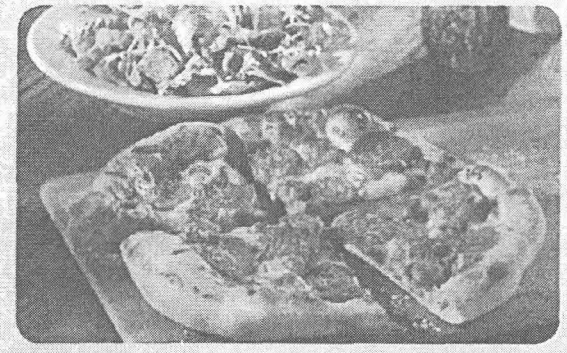
LUNCH SERVED:
M-F: 11:00 AM - 3:00 PM

PIZZA INDIVIDUAL LUNCH

ONLY $7.99

SELECT YOUR INDIVIDUAL PIZZA STYLE
HAND TOSSED ALE CRUST, CHICAGO THICK *or* TAVERN THIN
TWO TOPPINGS - ADDITIONAL TOPPINGS ONLY 1.19 EACH

AND ENJOY UNLIMITED SALAD
CAESAR *or* GARDEN SALAD



HALF SALADS

ONLY $8.29

Choose any of our entrée salads now available in half size, perfect for lunch. Toasted Ciabatta garlic bread available upon request.

CRISPY CHICKEN
Breaded, all-white meat chicken, romaine lettuce, tomatoes, red onions and shredded cheddar, mozzarella & pepper jack cheeses. Try with ranch dressing.

CRISPY BUFFALO CHICKEN
Our crispy chicken salad, featuring all-white meat chicken tossed in spicy Buffalo sauce for that extra kick. Try with ranch dressing.

ROASTED CHICKEN & APPLE WALNUT
Fresh greens, bleu cheese crumbles, apple slices, toasted walnuts, sun-dried cranberries and applewood-spiced chicken. Enjoy with creamy herb dressing.

OLD CHICAGO CHOPPED
Applewood-spiced chicken, peppered bacon, bleu cheese, tomatoes and fresh green onions, topped with avocado & tomato. Enjoy with creamy herb dressing.

SPINACH, CHICKEN & AVOCADO
Applewood-spiced chicken with avocado slices on spinach and romaine, tossed with sun-dried tomatoes and finished with Parmesan and black pepper. Enjoy with lemon vinaigrette dressing.

** Our hearty beef burgers are cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions. Hamburgers that are served rare or medium rare may be undercooked and will only be served upon the consumer's request.*

1/2 LB BURGERS AND SANDWICHES

ONLY $8.59

Served with deli-style pickles and choice of fries, coleslaw or fresh veggies with dip.
Substitute for .99: onion rings, side Caesar or garden salad.
Add sliced avocado .99 | Add bacon .99

CRAFTED BEER BURGER*
Our steak burger grilled with a light lager and smothered in caramelized onions and beer cheese sauce made with Guinness, topped with crispy onion strings. ***Add bacon .99***

CLASSIC CHEDDAR BURGER*
Our steak burger loaded with melted cheddar cheese. Served on a toasted bun with lettuce, tomato & mayo.
Add bacon .99 | Add sliced avocado .99

CHICKEN DE PINA WRAP
Roasted chicken and freshly roasted pineapple, with lettuce, tomato, Swiss cheese, chopped peppered bacon and zesty chipotle mayo.

STACKED TURKEY & BACON CLUB
Sliced turkey breast, peppered bacon, lettuce, tomato and peppercorn mayo on toasted sourdough bread.
Sub a side salad for only .99

CALIFORNIA CHICKEN SANDWICH
Grilled chicken breast topped with Swiss cheese and avocado, served atop lettuce, tomato and a dab of signature ranch on toasted Ciabatta bread. ***Sub a side salad for only .99***

OC CHOPPED SALAD

CHICKEN DE PINA WRAP

CLASSIC CHEDDAR BURGER

ADD A TALL CRAFT BEER TO LUNCH FOR JUST 4.99

DESSERTS

THE BIG COOKIE
A deep-dish pizza pan loaded with chocolate chip cookie dough, oven-baked and cut in slices.

6" Serves 1..... 3.99 | 9" Serves 2-3..... 5.29
Add vanilla ice cream 1.39

BROWNIE BITES
Crispy outside-soft inside fudge brownies on warm caramel, topped with a chocolate drizzle and powdered sugar. With a chocolate fudge sauce for dipping. 5.29

CHEESECAKE WITH FRESH BERRIES
New York-style cheesecake on a graham cracker crust. Finished with fresh strawberries and blueberries then drizzled with a light strawberry sauce. 5.99

THE 9" BIG COOKIE

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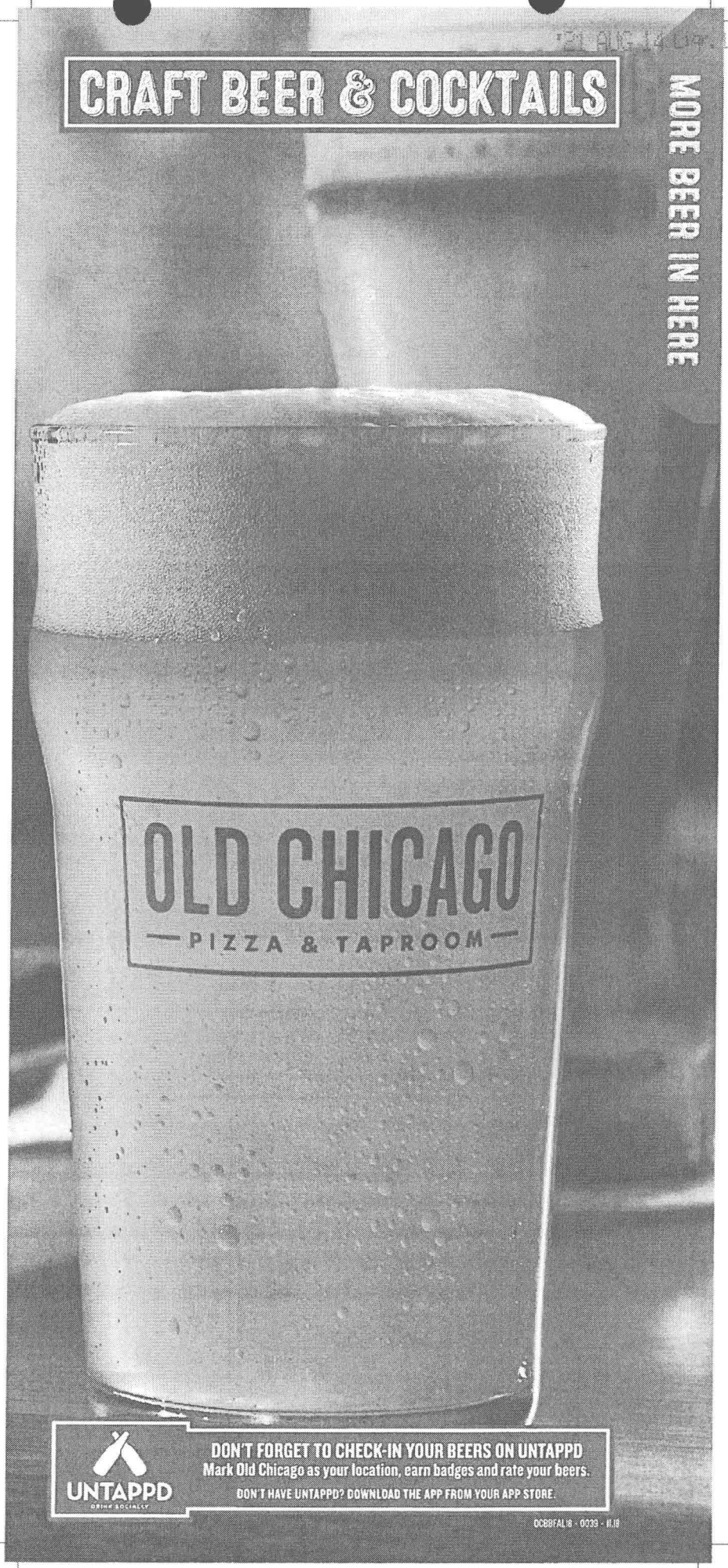
CRAFT BEER & COCKTAILS

MORE BEER IN HERE



UNTAPPD
DRINK SOCIALLY

DON'T FORGET TO CHECK-IN YOUR BEERS ON UNTAPPD
Mark Old Chicago as your location, earn badges and rate your beers.

DON'T HAVE UNTAPPD? DOWNLOAD THE APP FROM YOUR APP STORE.

OCBBFAL18 - 0039 - 11.18

MORE BEER IN HERE

CRAFT DRAFTS

'21 AUG 14 Liqr. Lic. PM 1:52

Served in a Belgian tulip | Served in traditional glassware for that beer | Locally Brewed

HOPPY & BITTER CITRUS, TROPICAL, FLORAL

STONE RIPPER — 5.39 | 7.39
PALE ALE | WBT № 3127 | CALIFORNIA, 5.7% ABV, 40 IBU — cal 200 | 270
Aromas of fresh orange, pineapple and peach with flavors of tropical, dank, and fresh green hops. A balanced malt backbone leading to a crisp, clean finish.

BALLAST POINT GRAPEFRUIT SCULPIN — 5.39 | 7.39
IPA | WBT № 2802 | CALIFORNIA, 7.0% ABV, 70 IBU — cal 235 | 320
Tart fresh grapefruit flavor that compliments the citrusy hop character of traditional Sculpin. High on the hops, but surprisingly refreshing.

BELL'S TWO HEARTED — 5.79 | 7.59
IPA | WBT № 676 | MICHIGAN, 7.0% ABV, 55 IBU — cal 245 | 335
A showcase for the grapefruit and pine resin notes of Centennial hops, this single hopped IPA is amazingly drinkable.

FIRESTONE WALKER UNION JACK — 5.39 | 7.39
IPA | WBT № 1972 | CALIFORNIA, 7.5% ABV, 70 IBU — cal 245 | 335
A gold medal winning West Coast IPA with grapefruit and citrus notes and big aroma.

MALTY & ROASTED CARAMEL, CHOCOLATE, COFFEE

NEWCASTLE BROWN ALE — 5.99
BROWN ALE | WBT № 66 | ENGLAND, 4.7% ABV, 18 IBU — cal 190
Toasted malt and nutty aroma. Rich, earthy, fruit flavors and a dry, crisp finish.

ODELL 90 SHILLING — 5.29 | 6.99
SCOTTISH ALE | WBT № 12 | COLORADO, 5.3% ABV, 32 IBU — cal 190 | 260
Roasted malt forward Scottish Ale with hints of caramel.

FOUR PEAKS KILT LIFTER — 5.19 | 6.99
SCOTTISH ALE | WBT № 1052 | ARIZONA, 6.0% ABV, 21 IBU — cal 295 | 400
A multiple award winning bold Scottish ale with notes of caramel and bready malt and a drinkable finish.

GUINNESS IRISH STOUT — 5.99
DRY STOUT | WBT № 18 | IRELAND, 4.2% ABV — cal 180
Thick and creamy foam collar. Burnt, bitter malt flavors balance a smooth sweet roasted finish.

LEFT HAND MILK STOUT NITRO — 5.29 | 6.99
MILK STOUT | WBT № 735 | COLORADO, 6.0% ABV, 25 IBU — cal 250 | 340
Roasted chocolate and coffee flavors with a creamy, sweet finish.

BALANCED MEDIUM HOPS & MALT

SAMUEL ADAMS BOSTON LAGER — 4.89 | 6.79
AMBER LAGER | WBT № 7 | MASSACHUSETTS, 4.9% ABV, 30 IBU — cal 200 | 270
Deep amber to golden in color, slightly sweet with a roasted caramel flavor from the 2 row barley. Leaves a refreshing finish.

NEW BELGIUM FAT TIRE — 4.99 | 6.79
AMBER ALE | WBT № 178 | COLORADO, 5.2% ABV, 22 IBU — cal 165 | 220
Sweet biscuit and caramel aroma all balanced with a fresh hop bitterness and leaving you with a clean, slightly sweet finish.

EASY DRINKING REFRESHING, CRISP, SESSIONABLE

DOS EQUIS LAGER — 5.79
PALE LAGER | WBT № 353 | MEXICO, 4.2% ABV, 10 IBU — cal 190
A crisp, sessionable, malt forward Mexican import. Simply known as "Lager" in its homeland.

FOUNDERS SOLID GOLD — 4.99 | 6.99
PALE LAGER | WBT № 3266 | MICHIGAN, 4.4% ABV, 20 IBU — cal 165 | 220
Solid Gold is a drinkable premium lager brewed with the highest quality ingredients. Crisp, Clean and Refreshing.

STELLA ARTOIS — 5.99
PALE LAGER | WBT № 1006 | BELGIUM, 5.2% ABV, 20 IBU — cal 205
Clean light aroma with hints of sweet malt flavors and a crisp, mellow, hop finish.

KONA BIG WAVE GOLDEN ALE — 4.99 | 6.99
BLONDE ALE | WBT № 2091 | HAWAII, 4.4% ABV, 21 IBU — cal 155 | 210
Light bodied with a tropical hop aroma and refreshing flavor. A Great American Beer Festival Gold Medal winner!

BOULDER BEER BUFFALO GOLD — 4.99 | 6.89
BLONDE ALE | WBT № 61 | COLORADO, 4.8% ABV, 20 IBU — cal 175 | 240
Easy drinking with a slight malt sweetness and subtle aroma of Cascade hops.

SANTAN HEFEWEIZEN — 4.99 | 6.89
HEFEWEIZEN | WBT № 1821 | ARIZONA, 5.0% ABV, 15 IBU — cal 210 | 285
Bavarian style hef with clove and banana notes and refreshing citrus.

BLUE MOON BELGIAN WHITE — 4.99 | 6.89
WITBIER | WBT № 572 | COLORADO, 5.4% ABV, 9 IBU — cal 185 | 255
A fruity and refreshing witbier with juicy orange flavors and hints of coriander and spice.

AVERY WHITE RASCAL — 5.29 | 7.19
WITBIER | WBT № 1254 | COLORADO, 5.6% ABV, 22 IBU — cal 220 | 300
An authentic Belgian witbier with notes of orange citrus and herbal spice.

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ROTATING SPECIALTIES

FIND OUR LIST OF FRESHLY TAPPED CRAFT DRAFTS ON THE FRONT PAGE

DRAGOON ROTATING — VARIES

VARIES | WBT № 2486 | ARIZONA

Founded in 2011 in Tucson, Dragoon has a diverse lineup of year round, seasonal and specialty beers.

OSKAR BLUES ROTATING — VARIES

VARIES | WBT № 976 | COLORADO

Oskar Blues began brewing in 1999, in Longmont Colorado. In 2002 they were one of the first breweries to put their craft beers in cans. Today they have locations in NC and TX.

SAINT ARCHER ROTATING — VARIES

VARIES | WBT № 3162 | CALIFORNIA

The Saint Archer journey was founded on love and commitment. A love of craft beer and a commitment to creativity and following the road less traveled.

SAMUEL ADAMS ROTATING — VARIES

VARIES | WBT № 233 | MASSACHUSETTS

A brewery that needs no introduction as it is one of the pioneers of craft beer, Samuel Adams has a full range of beloved seasonal and experimental beers.

HARD CIDER

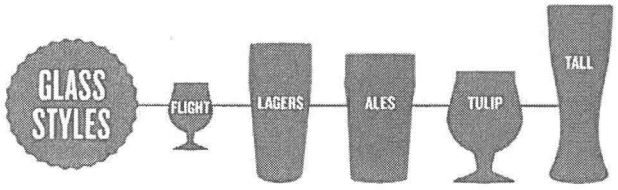
ANGRY ORCHARD CRISP APPLE CIDER HARD CIDER | GLUTEN FREE | WBT № 1968 | OHIO, 5.0% ABV A sweeter hard cider with notes of ripe apple and a crisp and fruity finish.	4.99 cal 220	6.99 300

US CLASSICS

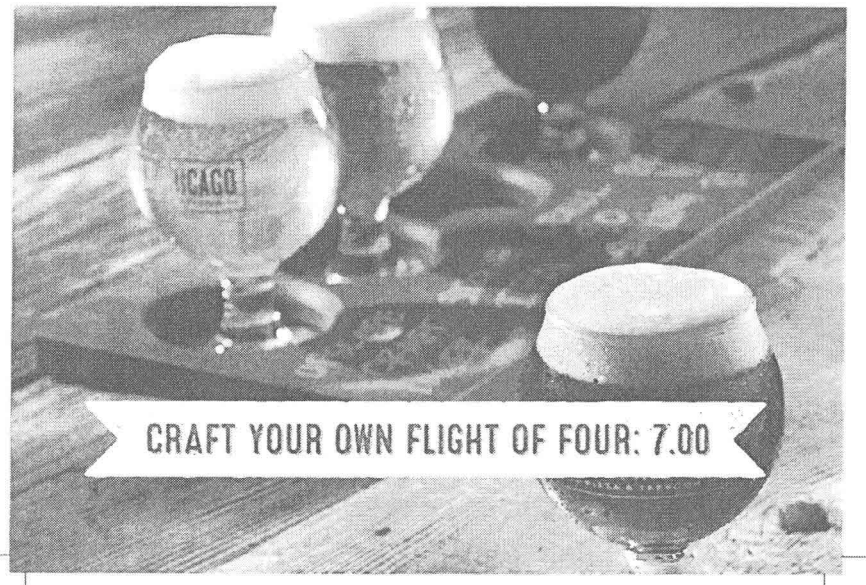
BUD LIGHT LIGHT LAGER | WBT № 2 | MISSOURI, 4.2% ABV	3.99 cal 130	5.99 175
COORS LIGHT LIGHT LAGER | WBT № 24 | COLORADO, 4.2% ABV	3.99 cal 120	5.99 160

BEER BLENDS

BELGIAN BRUNETTE WBT № 1268 | STELLA ARTOIS & GUINNESS	5.99 cal 190
BLACK TIRE WBT № 1745 | NEW BELGIUM FAT TIRE & GUINNESS	5.99 cal 190
ECLIPSE WBT № 47 | BLUE MOON & GUINNESS	5.99 cal 210
SNAKEBITE WBT № 962 | ANGRY ORCHARD & GUINNESS	5.99 cal 230



ALL OF OUR BEERS ARE TASTED AND SELECTED BY OUR CERTIFIED CICERONE® JON STRINGER – THE EQUIVALENT TO A WINE SOMMELIER IN THE BEER WORLD. THIS ENSURES THAT YOU ARE GETTING THE BEST SELECTION OF BEERS POSSIBLE.



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BOTTLES & CANS

Served in a can Locally Brewed

HOPPY & BITTER CITRUS, TROPICAL, FLORAL

OSKAR BLUES DALE'S PALE ALE PALE ALE | WBT № 750 | COLORADO, 6.5% ABV, 65 IBU	5.49 | cal 200
LAGUNITAS IPA IPA | WBT № 1342 | CALIFORNIA, 6.2% ABV, 52 IBU	4.89 | cal 190
DESCHUTES FRESH SQUEEZED IPA IPA | WBT № 2410 | OREGON, 6.4% ABV, 60 IBU	4.79 | cal 225
SIERRA NEVADA HAZY LITTLE THING IPA | WBT № 3267 | CALIFORNIA, 6.7% ABV, 40 IBU	5.49 | cal 210
SANTAN HOP SHOCK IPA IPA | WBT № 1902 | ARIZONA, 7.1% ABV, 85 IBU	4.79 | cal 215
DOGFISH HEAD 90 MINUTE IPA IMPERIAL IPA | WBT № 1321 | DELAWARE, 9.0% ABV, 90 IBU	5.99 | cal 290

MALTY & ROASTED CARAMEL, CHOCOLATE, COFFEE

WARSTEINER PREMIUM DUNKEL DARK LAGER | WBT № 579 | GERMANY, 4.8% ABV	4.79 | cal 180
MODELO NEGRA DARK LAGER | WBT № 74 | MEXICO, 5.3% ABV	4.59 | cal 175
AYINGER CELEBRATOR 11.2 oz. | DOPPELBOCK | WBT № 1890 | GERMANY, 6.7% ABV	5.79 | cal 260
BRECKENRIDGE VANILLA PORTER PORTER | WBT № 182 | COLORADO, 5.4% ABV, 16 IBU	4.79 | cal 195
NORTH COAST OLD RASPUTIN IMPERIAL STOUT | WBT № 280 | CALIFORNIA, 9.0% ABV, 75 IBU	5.29 | cal 270

BALANCED MEDIUM HOPS & MALT

ROGUE DEAD GUY MAIBOCK | WBT № 605 | OREGON, 6.5% ABV, 40 IBU	4.99 | cal 200
DOS EQUIS AMBAR AMBER LAGER | WBT № 31 | MEXICO, 4.7% ABV	4.99 | cal 145
KILLIAN'S IRISH RED AMBER LAGER | WBT № 43 | COLORADO, 4.9% ABV	4.39 | cal 170
ALASKAN AMBER ALE ALTBIER | WBT № 790 | ALASKA, 5.3% ABV, 18 IBU	4.69 | cal 185
SMITHWICK'S IRISH ALE IRISH RED | WBT № 235 | IRELAND, 4.5% ABV	4.79 | cal 150

EASY DRINKING REFRESHING, CRISP, SESSIONABLE

PACIFICO PALE LAGER | WBT № 29 | MEXICO, 4.5% ABV	4.59 | cal 145
CORONA EXTRA PALE LAGER | WBT № 51 | MEXICO, 4.6% ABV	4.69 | cal 150
SAPPORO PREMIUM PALE LAGER | WBT № 219 | JAPAN, 4.9% ABV	5.99 | cal 140
CARLSBERG LAGER GERMAN PILSNER | WBT № 150 | DENMARK, 4.3% ABV	4.79 | cal 110
PILSNER URQUELL CZECH PILSNER | WBT № 42 | CZECH REPUBLIC, 4.4% ABV	4.79 | cal 150
HEINEKEN PILSNER | WBT № 11 | NETHERLANDS, 5.0% ABV	4.39 | cal 140
NEW BELGIUM DAYBLAZER BLONDE ALE | WBT № 3084 | COLORADO, 4.8% ABV, 13 IBU	5.49 | cal 140
BODDINGTON'S PUB ALE 16 oz. | ENGLISH PALE ALE | WBT № 374 | ENGLAND, 4.7% ABV	6.29 | cal 205

FRUITY, SPICY & SOUR UNIQUE, INTERESTING, COMPLEX

REDD'S APPLE ALE FRUIT BEER | WBT № 2178 | WISCONSIN, 5.0% ABV	4.59 | cal 165
SAMUEL SMITH ORGANIC STRAWBERRY ALE 18.7 oz. | FRUIT BEER | WBT № 1230 | ENGLAND, 5.1% ABV	8.99 | cal 360
WILD BLUE BLUEBERRY LAGER FRUIT BEER | WBT № 834 | NEW YORK, 6.0% ABV	4.69 | cal 260
NOT YOUR FATHER'S ROOT BEER SPICED BEER | WBT № 2759 | ILLINOIS, 5.9% ABV	4.99 | cal 320
ORVAL TRAPPIST ALE BELGIAN PALE | WBT № 68 | BELGIUM, 6.2% ABV	8.99 | cal 195
LINDEMANS FRAMBOISE 375 ml | FRUIT LAMBIC | WBT № 100 | BELGIUM, 2.5% ABV	6.59 | cal 230
LA CHOUFFE BELGIAN STRONG | WBT № 3270 | BELGIUM, 8.0% ABV, 20 IBU	8.99 | cal 210
DELIRIUM TREMENS 500 ml | BELGIAN STRONG | WBT № 1231 | BELGIUM, 8.5% ABV	8.99 | cal 320

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OMMEGANG THREE PHILOSOPHERS 7.19 | cal 345
BELGIAN QUAD | WBT № 441 | NEW YORK, 9.7% ABV, 19 IBU

ROTATING SPECIALTIES

FIND OUR LIST OF NEW CANS & BOTTLES ON THE FRONT PAGE

FOUR PEAKS ROTATING VARIES | WBT № 1493 | ARIZONA	VARIES
LEFT COAST ROTATING VARIES | WBT № 3159 | CALIFORNIA	VARIES
MODERN TIMES ROTATING VARIES | WBT № 3116 | CALIFORNIA	VARIES
OSKAR BLUES ROTATING VARIES | WBT № 976 | COLORADO	VARIES
REKORDERLIG CIDER ROTATING VARIES | WBT № 3158 | VARIES	VARIES
SAMUEL SMITH ROTATING VARIES | WBT № 1953 | ENGLAND	VARIES
SANTAN ROTATING VARIES | WBT № 2004 | ARIZONA	VARIES
UNIBROUE ROTATING VARIES | WBT № 1133 | CANADA	VARIES

HARD CIDER, GLUTEN REDUCED & MALTERNATIVES

STRONGBOW HARD CIDER | GLUTEN FREE | WBT № 581 | ENGLAND, 5.0% ABV	5.99 | cal 170
NEW BELGIUM GLUTINY PALE ALE PALE ALE | GLUTEN REMOVED | WBT № 2792 | COLORADO, 6.0% ABV, 30 IBU	5.29 | cal 180
STONE DELICIOUS IPA IPA | GLUTEN REMOVED | WBT № 2746 | CALIFORNIA, 7.7% ABV, 75 IBU	5.29 | cal 220
TRULY SPIKED & SPARKLING LIME MALTERNATIVE | WBT № 3142 | MASSACHUSETTS, 5.0% ABV	4.79 | cal 100
O'DOUL'S AMBER NA NON-ALCOHOLIC | WBT № 1215 | MISSOURI	3.79 | cal 95

US CLASSICS

BUD LIGHT LIGHT LAGER | WBT № 1902 | MISSOURI, 4.2% ABV	3.99 | cal 110
COORS LIGHT LIGHT LAGER | WBT № 1024 | COLORADO, 4.2% ABV	3.99 | cal 100
MICHELOB ULTRA LIGHT LIGHT LAGER | WBT № 1476 | MISSOURI, 4.2% ABV	3.99 | cal 95
PABST BLUE RIBBON 16 oz. | PALE LAGER | WBT № 369 | WISCONSIN, 4.7% ABV	3.79 | cal 190
BUDWEISER PALE LAGER | WBT № 1001 | MISSOURI, 5.0% ABV	3.99 | cal 145
COORS ORIGINAL PALE LAGER | WBT № 66 | COLORADO, 5.0% ABV	3.99 | cal 145

ASK ABOUT OUR SHAREABLE BOTTLES

Hand-picked from our cellar, we strive to bring you the best and most unique craft beer selections. Ask your server or bartender, or check today's fresh sheet for our current selection of shareable bottles to enjoy with your group.

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BEER PAIRING *guide*

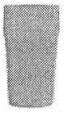
Looking for the perfect beer to pair with your pizza? Or wondering what to order alongside your IPA? **Our Certified Cicerone Jon Stringer is here to help you pair "this" with "that".**

TO BALANCE
Compliment and contrast

SPICY HEAT - Chicago Fire Calzone
pairs with
SWEETNESS - Brown Ale

SWEETNESS - Thai Pie on Hand Tossed Ale Crust
pairs with
HOP BITTERNESS - IPA

TO CUT
Cleanse the palate



INDULGENT - Italian Nachos
pairs with
HOPS - Pale Ale

RICH FLAVOR PROFILES - Bacon & Cheddar Mac N' Cheese Bites
pairs with
BOOZY - Imperial IPA

TO EMPHASIZE
Bring out specific flavors

SPICY HEAT - Jamaican Jerk Boneless Wings
pairs with
HOP BITTERNESS - IPA

TO INTENSIFY
Match strength with strength

RICH FLAVOR PROFILES - Meat Me Chicago Thick Pizza
pairs with
HIGH ABV, STRONG HOP OR MALT PROFILE - Russian Imperial Stout

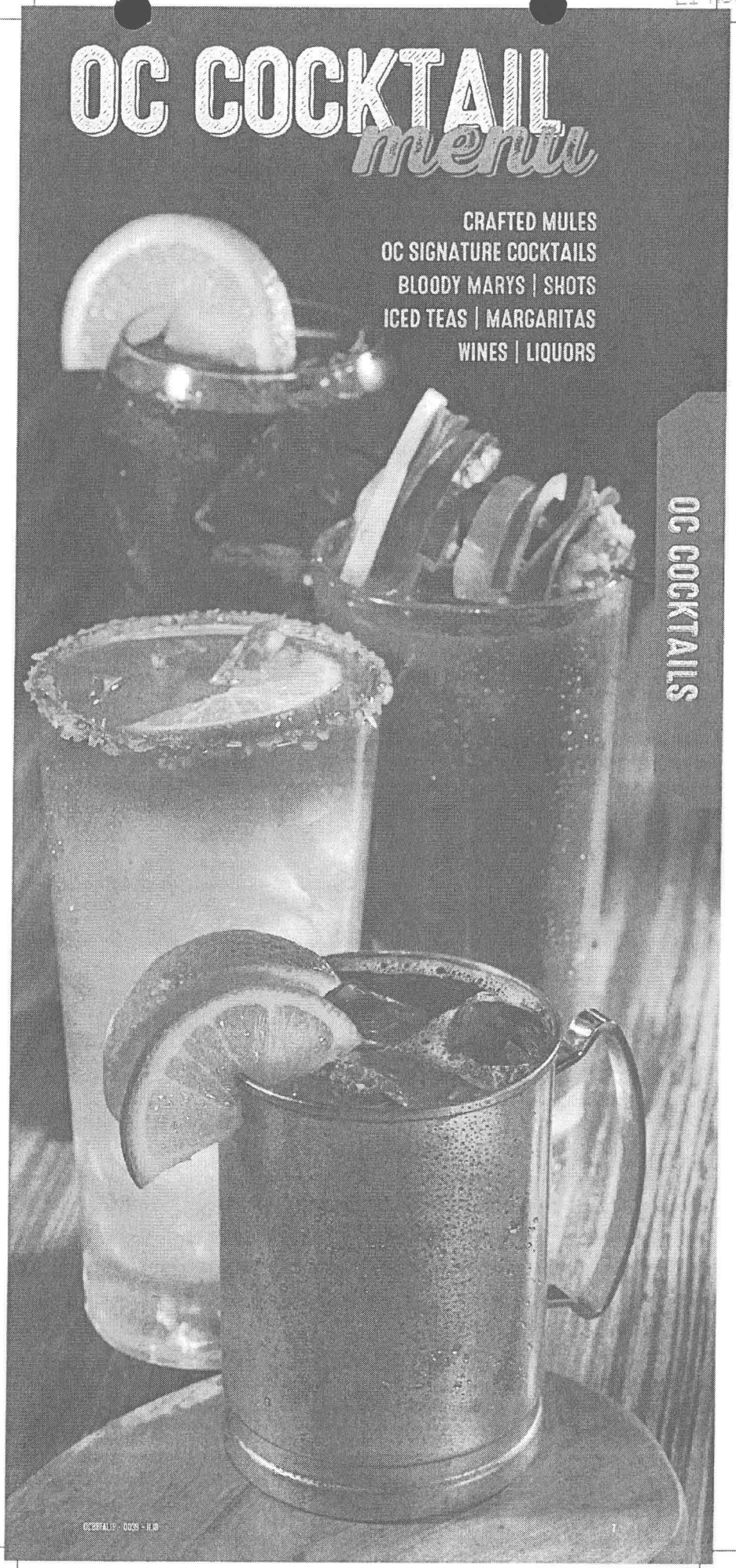
LIGHTER DISHES - Spinach Chicken Avocado Salad
pairs with
EASY DRINKING OR LIGHTER CRAFT BEERS- Pale lager

'21 AUG 14 Liqr. Lic. PM 1:52

OC COCKTAIL *menu*

CRAFTED MULES
OC SIGNATURE COCKTAILS
BLOODY MARYS | SHOTS
ICED TEAS | MARGARITAS
WINES | LIQUORS

OC COCKTAILS



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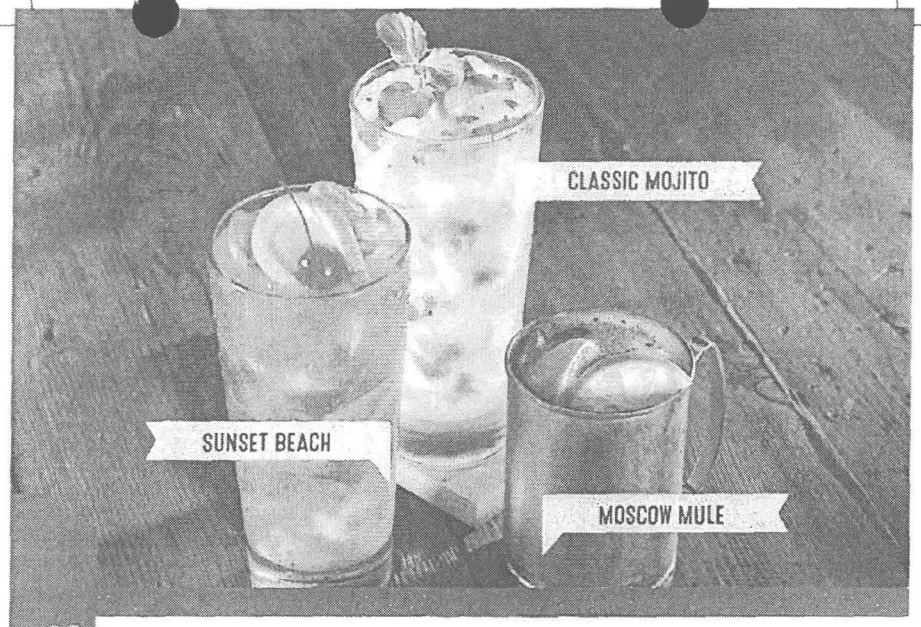


OC COCKTAILS

Crafted Mules

CARIBBEAN MULE
Captain Morgan Spiced Rum, pineapple juice and lime sour mix, topped with ginger beer. 6.99 | cal 145

KENTUCKY MULE
Woodford Reserve Bourbon, fresh lime juice and ginger beer. 7.79 | cal 145

IRISH MULE
Tullamore Dew Irish whiskey, fresh lime juice and ginger beer. 7.49 | cal 130

MEXICAN MULE
El Jimador Reposado, fresh lime juice and ginger beer. 6.99 | cal 140

MOSCOW MULE
Stolichnaya vodka, fresh lime juice and ginger beer. 7.49 | cal 140

OC SIGNATURE Cocktails

CLASSIC MOJITO
Bacardi Limón rum with muddled fresh mint, lime and sugar, with a splash of soda. Add strawberry or wildberry purée for a new twist! 6.49 | cal 215

SUNSET BEACH
Malibu Coconut rum, blackberry brandy, sour, pineapple and cranberry juice. 5.49 | cal 210

PROHIBITION LEMONADE
Crown Royal whisky and lemonade. 5.99 | cal 160

RASPBERRY ICE PICK
Stoli Raspberry vodka, Tanqueray gin, and Captain Morgan Spiced Rum with sour, lemon-lime soda, and a float of Chambord. 7.49 | cal 245

BLUEBERRY COSMO
SKYY Pacific Blueberry vodka with Cointreau and cranberry juice. 7.49 | cal 190

RUM BERRY LIMÓNEE
Bacardi Limón rum, lemonade and strawberry purée. 5.99 | cal 200

SANGRIA
Beso del Sol sangria made with fresh juices and Spanish wine. 5.99 | cal 130

'21 AUG 14 Liqr. Lic. PM 1:52

Bloody Marys

THESE BLOODY MARYS COME WITH A CRAFT BEER CHASER

HAIL MARY
Smirnoff Citrus vodka, bloody mary mix, and a dash of Tabasco. Finished with a lime and a skewer of bacon, pepperoni, green olives, and pickles. 7.49 | cal 135

CHICAGO 7™ MARY
Ketel One vodka with our house bloody mary mix. Garnished with a skewer of your favorite Chicago 7 toppings – pepperoni, Italian sausage, black olive, green pepper, mushroom, and onion. 7.49 | cal 135

SRIRACHA MARY
Absolut Peppar vodka and house bloody mary mix shaken with a dash of sriracha. 6.99 | cal 145

Shots

WHITE GUMMY BEAR
Smirnoff Raspberry vodka, peach schnapps, sour and a splash of lemon-lime soda. 5.29 | cal 105

PB & J
Frangelico Hazelnut and Chambord liqueurs. 5.29 | cal 110

WASHINGTON APPLE
Crown Royal whisky, Apple Pucker and cranberry juice. 5.29 | cal 100

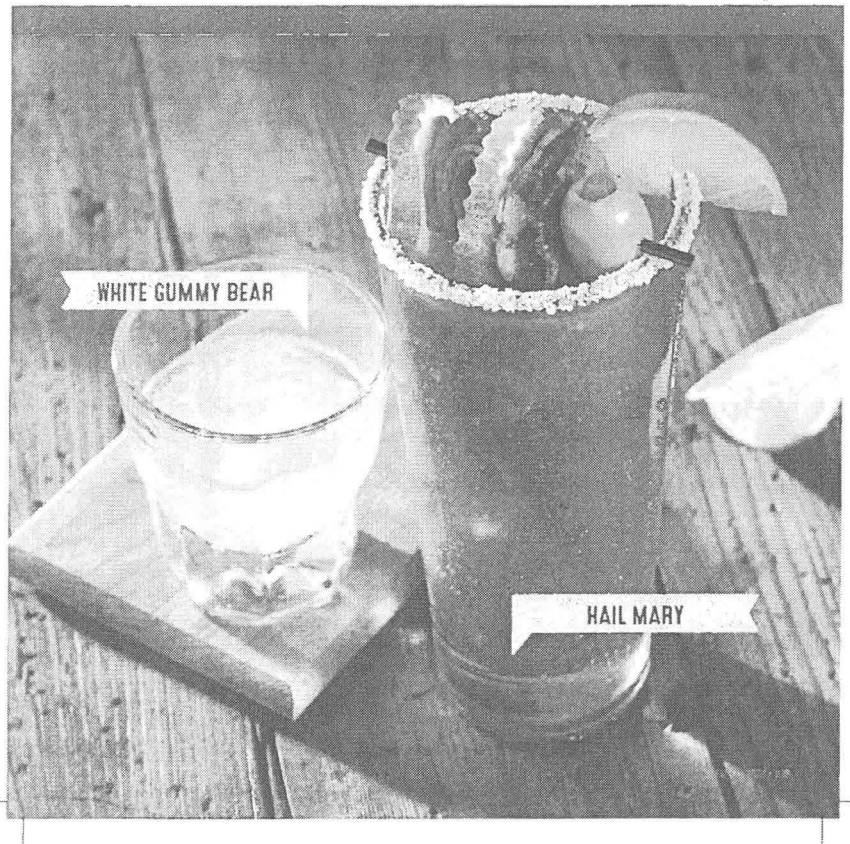
GREEN TEA
Jameson's Irish Whiskey, peach schnapps and sour. 5.29 | cal 95

JOLLY RANCH'A
Tito's vodka, Midori Melon liqueur, peach schnapps and cranberry juice. 5.29 | cal 135

CRAFT BEER SHOTS

ANGRY BALLS
Angry Orchard Crisp Apple Cider and Fireball Cinnamon Whisky. 4.99 | cal 120

ANGRY HILLBILLY
Angry Orchard Crisp Apple Cider and Ole Smoky Apple Pie Moonshine. 4.99 | cal 100



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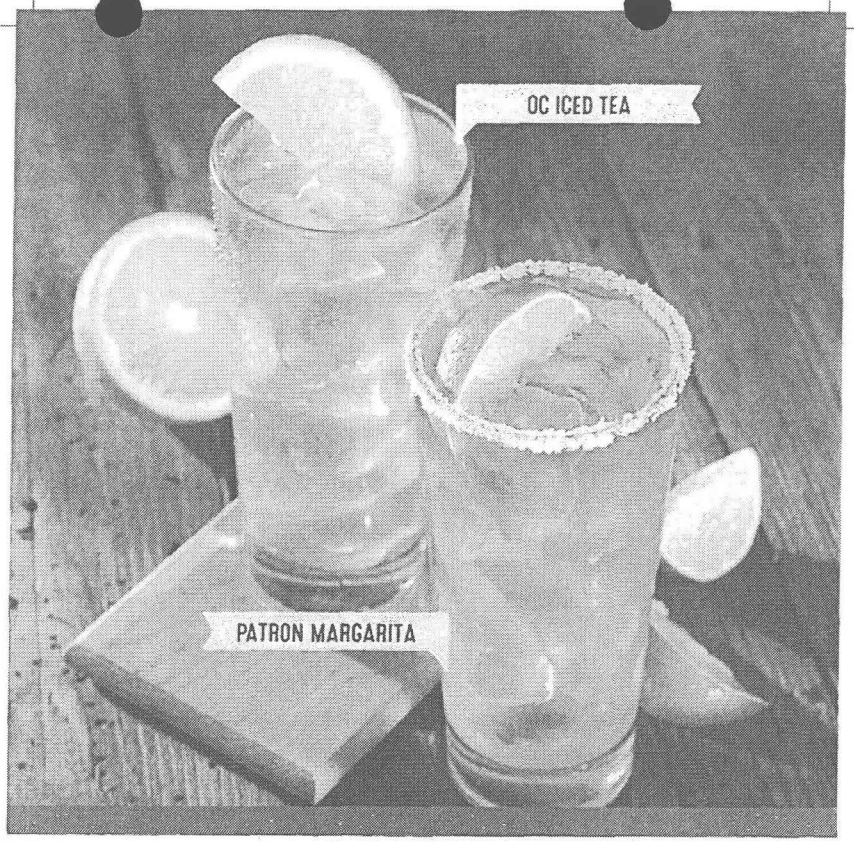


Iced Teas

OC ICED TEA
Smirnoff Vanilla, Smirnoff Raspberry, and Smirnoff Orange vodkas with sour and cola. 5.99 | cal 220

MANGO! MANGO! ICED TEA
Absolut Mango vodka, Bacardi rum, Tanqueray gin and sour, with a splash of lemon-lime soda. 7.49 | cal 260

RASPBOOZY ICED TEA
Absolut vodka, Bacardi Rum, Tanqueray gin and sour with a Chambord liqueur float. 7.49 | cal 165

TOP SHELF LONG BEACH ICED TEA
Absolut vodka, Bacardi Rum, Tanqueray gin, Cointreau liqueur, sour and cranberry juice. 7.49 | cal 240

TOP SHELF LONG ISLAND ICED TEA
Ketel One vodka, Bacardi rum, Tanqueray gin, Cointreau, sour and cola. 7.79 | cal 245

TEXAS TEA
Absolut vodka, Bacardi Rum, Tanqueray gin, El Jimador Reposado tequila, sour and cola. 7.49 | cal 200

Margaritas

STRAWBERRY MARGARITA
El Jimador Reposado tequila, strawberry puree and lime sour mix. 7.99 | cal 225

PATRON MARGARITA
Patron Silver tequila, Cointreau, lime sour, and a float of Grand Marnier. 8.49 | cal 300

WILDBERRY MARGARITA
El Jimador Reposado tequila, wildberry puree and lime sour mix. 7.99 | cal 225

'21 AUG 14 Liq. Lic. AM 1:52

WINES by the glass

Red Wines

PINOT NOIR
Mark West [California]
7.99 | cal 140

MERLOT
Blackstone [California]
6.79 | cal 145

CABERNET SAUVIGNON
Canyon Road [California]
5.59 | cal 145

J Lohr Seven Oaks [Paso Robles]
8.49 | cal 140

White Wines

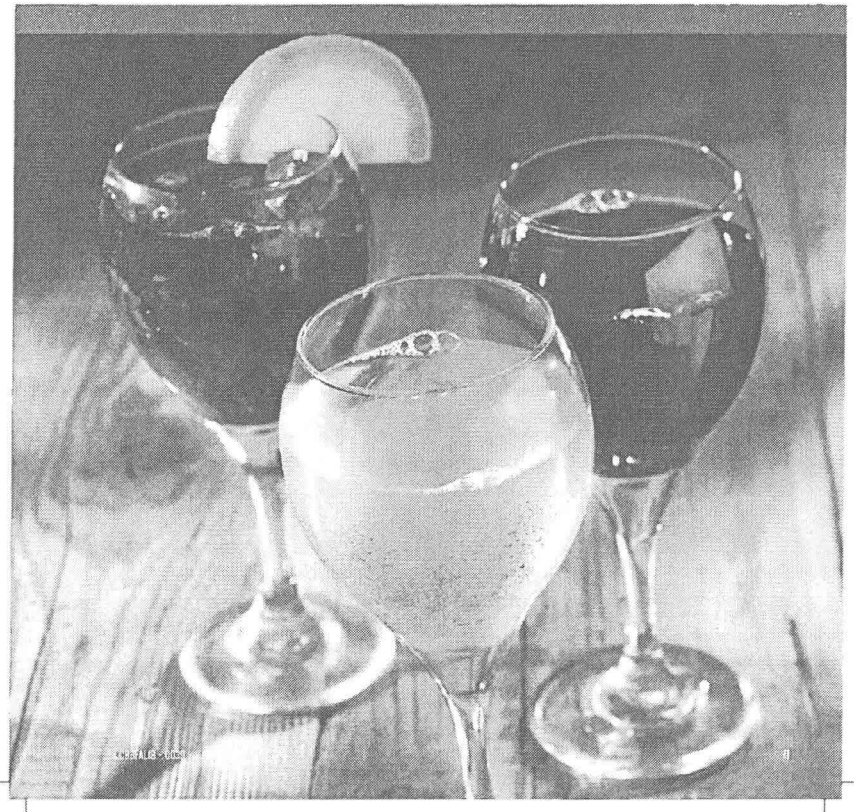
PINOT GRIGIO
Ecco Domani [Italy]
6.59 | cal 140

WHITE ZINFANDEL
Beringer [California]
5.99 | cal 130

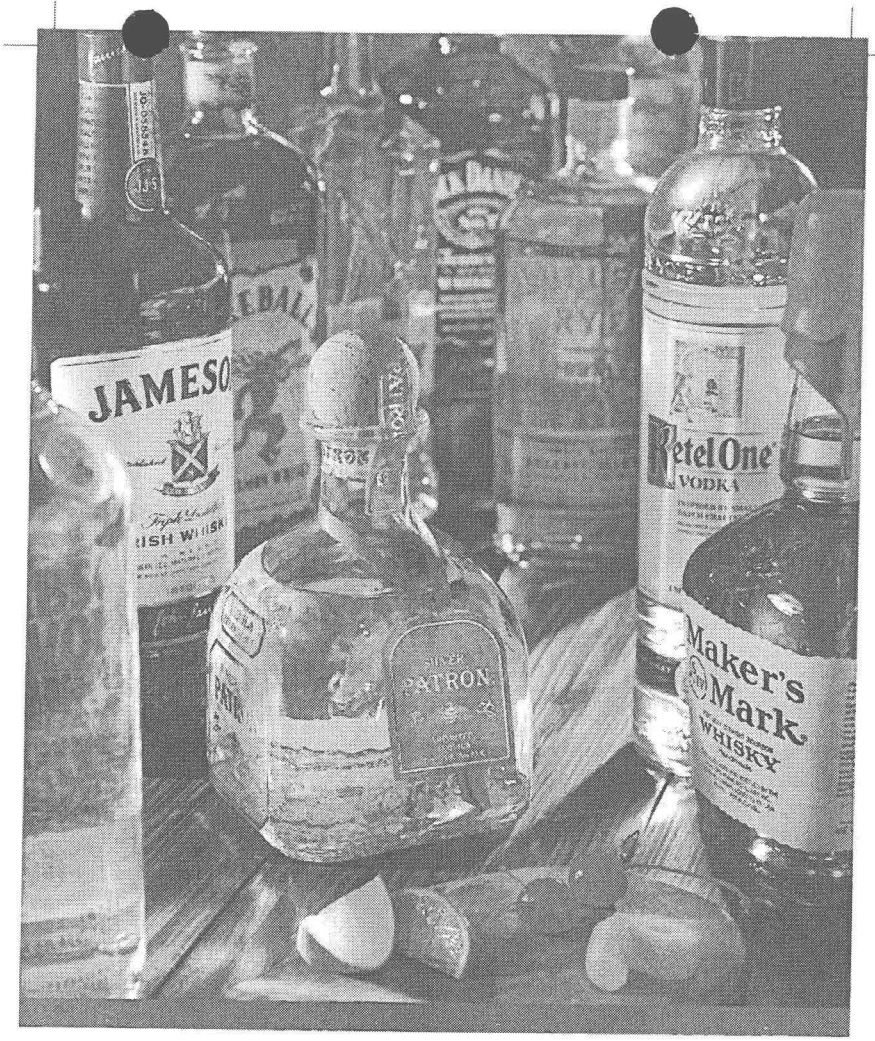
CHARDONNAY
Canyon Road [California]
5.59 | cal 145

Kendall-Jackson [California]
7.99 | cal 150

Sangria
Beso del Sol sangria made with fresh juices and Spanish wine. 5.99 | cal 130



AUG 14 Liq. Lic. PM 1:52



PREMIUM *liquors*

VODKA
Smirnoff
Absolut
Stolichnaya
Tito's
Ketel One
Grey Goose

GIN
Beefeater
Tanqueray
Bombay Sapphire
Hendrick's

RUM
Bacardi
Captain Morgan Spiced Rum
Malibu
Myers's Dark Rum
Sailor Jerry

TEQUILA
El Jimador Reposado
Jose Cuervo
1800 Reposado
Milagro Silver
Cabo Wabo Reposado
Patrón Silver
Herradura Añejo

WHISKEY/SCOTCH
Dewar's
J&B
Johnnie Walker Black
Chivas Regal
Crown Royal
Jack Daniel's
Tullamore Dew
Jameson Irish Whiskey
Fireball Cinnamon Whisky

BOURBON
Jim Beam
Wild Turkey
Maker's Mark
Buffalo Trace
Bulleit Rye
Woodford Reserve

CORDIALS & SHOTS
Amaretto Disaronno
Baileys
Drambuie
Frangelico
Goldschläger
Grand Marnier
Jägermeister
Kahlúa
Ole Smoky Apple Pie Moonshine
RumChata
Rumple Minze
Sambuca
Tuaca

'21 AUG 14 Liq. Lic. PM 1:52

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210

Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks. FP Current 10-18-19

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A $22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL $13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 155544

1. **Check the Appropriate Box** →

☐ Controlling Person ☒ Agent | ☐ Premises Manager (complete all questions except #12)

2. Name: LEWKOWITZ (Last) ANDREA (First) DAHLMAN (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security #: [redacted] Driver License#: [redacted] State: ARIZONA

4. Place of birth: MANKATO (City) MN (State) USA (COUNTRY (not county)) Height: 5' 8" Weight: 140 Eyes: HZL Hair: BLN

5. Name of current/most recent spouse: LEWKOWITZ (Last) HAROLD (First) JEROME (Middle) Birth Date: [redacted] (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: 04/1961

7. Daytime telephone number: (602) 200-7222 E-mail address: andrea@lewklaw.com

8. Business Name: OLD CHICAGO PIZZA AND TAPROOM Business Phone: PENDING

9. Business Location Address: 1828 NORTH LITCHFIELD RD (Street (do not use PO Box)) GOODYEAR (City) AZ (State) MARICOPA (County) ~~85396~~ 85395 (Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
01/2004	CURRENT	ATTORNEY	LEWKOWITZ LAW OFFICE PLC
			2600 N CENTRAL AVENUE, STE. 1775
			PHOENIX, AZ 85004

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Individuals requiring ADA accommodations please call (602)542-2999

'21 AUG 14 Liqr. Lic. PM 1:52

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
02/1999	CURRENT	5745 N 25th STREET, PHOENIX, AZ 85016

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? If you answered YES, then answer **#13 below. If NO, skip to #14.** ☐Yes ☒No

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☒No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐Yes ☒No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☒No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) ANDREA DAHLMAN LEWKOWITZ hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: _____ State of ARIZONA County of MARICOPA

The foregoing instrument was acknowledged before me this

My Commission Expires on: 02/12/2025

20 (Day) Day of JULY (Month), 2021 (Year)

Amy SCHROFF
Notary Public - Arizona
Maricopa County
My Commission Expires
02/12/2025
Commission # 595847

_____
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ **SIGNATURE:** _____

Individuals requiring ADA accommodations please call (602)542-2999

'21 AUG 14 Liq. Lic. PM 1:52

LEWKOWITZ
LAW OFFICE, PLC

2600 North Central Avenue
Suite 1775
Phoenix, Arizona 85004
602.200.7222
602.200.7234
www.lewkowitzlaw.com

Andrea D. Lewkowitz
H.J. Lewkowitz

July 20, 2021

Jennifer Benson, Licensing Manager
Department of Liquor Licensing & Control
800 West Washington Street, 5th Floor
Phoenix, Arizona 85007

Re: Alien Status Form and Passport

Dear Ms. Benson:

My completed Alien Status form and a copy of my passport are on file at the Arizona Department of Liquor Licenses and Control.

If you require more information from me, please call. Thank you!

Sincerely,

Andrea D. Lewkowitz

ADL/als

'21 AUG 14 Liqr. Lic. PM 1:52

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210

Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks. 805-050

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Liquor License#: 155544

1. **Check the Appropriate Box** →

☑ Controlling Person	☐ Agent	☐ Premises Manager (complete all questions except #12)

2. Name: HOLLAND (Last) RICHARD (First) WADE (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security #: [redacted] Driver License#: [redacted] State: COLORADO

4. Place of birth: TOLEDO (City) OH (State) USA (COUNTRY (not county)) Height: 6'0" Weight: 200 Eyes: HZL Hair: BRN

5. Name of current/most recent spouse: _____ (Last) _____ (First) _____ (Middle) Birth Date: ___/___/___ (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: (719) 573-8557 E-mail address: R.HOLLAND@WENDYSCOS.COM

8. Business Name: OLD CHICAGO PIZZA AND TAPROOM Business Phone: PENDING

9. Business Location Address: 1828 N LITCHFIELD RD (Street (do not use PO Box)) GOODYEAR (City) AZ (State) MARICOPA (County) 85395 (Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
01/1996	CURRENT	OWNER / CEO	WENDY'S OF COLORADO SPRINGS, INC.
			1515 N ACADEMY BLVD, #400,
			COLORADO SPRINTS, CO 80909

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Individuals requiring ADA accommodations please call (602)542-2999

'21 AUG 14 Liqr. Lic. PM 1:52

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
11/2002	CURRENT	7925 HEARTLAND WAY, COLORADO SPRINGS, CO 80919

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? If you answered YES, then answer **#13 below. If NO, skip to #14.** ☐Yes ☒No

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☒No

15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) *A.R.S.§4-202,4-210* ☐Yes ☒No

16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☒No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) RICHARD WADE HOLLAND hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Richard W. Holland
RICHARD WADE HOLLAND

State of Colorado County of EL Paso

The foregoing instrument was acknowledged before me this

4th Day of June, 2021
Day Month Year

My Commission Expires on: 07-26-2024
Date

DIANE E. DOYLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004021440
My Commission Expires 07-26-2024

Diane E. Doyle
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: N/A **SIGNATURE:** N/A

Individuals requiring ADA accommodations please call (602)542-2999

'21 AUG 14 Liq. Lic. PM 1:53

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE

A.R.S.§4-202, 4-210

Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

805-050

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Liquor License#: 155544

1. **Check the Appropriate Box** →

[✓] Controlling Person (AP) [ ] Agent | [ ] Premises Manager (complete all questions except #12)

2. Name: REINHARD (Last) THOMAS (First) JAMES (Middle) Birth Date: [redacted] (NOT a public record)

3. Social Security #: [redacted] Driver License#: [redacted] State: COLORADO

4. Place of birth: COLORADO SPRINGS, CO, USA (City State COUNTRY (not county)) Height: 5'10" Weight: 185 Eyes: BLU Hair: GRY

5. Name of current/most recent spouse: REINHARD (Last) TERRI (First) JO (Middle) Birth Date: [redacted] (NOT a public record)

6. Are you a bona fide resident of Arizona? [ ] Yes [X] No If yes, what is your date of residency: _____

7. Daytime telephone number: (719) 573-8557 E-mail address: T.REINHARD@WENDYSCOS.COM

8. Business Name: OLD CHICAGO ~~PIZZA~~ Pizza (AP) AND TAPROOM Business Phone: PENDING / /

9. Business Location Address: 1828 N LITCHFIELD RD (Street (do not use PO Box)) GOODYEAR (City) AZ (State) MARICOPA (County) 85395 (Zip)

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
01/2000	CURRENT	CHIEF FINANCIAL OFFICER	WENDY'S OF COLORADO SPRINGS, INC.
			1515 N ACADEMY BLVD, #400,
			COLORADO SPRINTS, CO 80909

(ATTACH ADDITIONAL SHEET IF NECESSARY)

Individuals requiring ADA accommodations please call (602)542-2999

'21 AUG 14 Liqr. Lic. PM 1:53

11. Provide your residence address information for the last five (5) years: *A.R.S. §4-202(D)*

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
06/2015	CURRENT	1305 NORTHFIELD RD, COLORADO SPRINGS, CO 80919

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? If you answered YES, then answer **#13 below. If NO, skip to #14.** ☐Yes ☒No

13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐Yes ☐No

14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐Yes ☒No

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16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐Yes ☒No

17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? *A.R.S.§4-202(D)* ☐Yes ☒No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) THOMAS JAMES REINHARD hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Thomas J. Reinhard
THOMAS JAMES REINHARD

State of Colorado County of EL PASO

The foregoing instrument was acknowledged before me this

My Commission Expires on: 07-26-2024
Date

8th Day of June, 2021
Day Month Year

DIANE E. DOYLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004021440
My Commission Expires 07-26-2024

Diane E Doyle
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: N/A **SIGNATURE:** N/A

Individuals requiring ADA accommodations please call (602)542-2999

Liquor Licenses within One Mile

Applicant Address 1828 N. Litchfield Rd., Goodyear, AZ 85395

Business Name	Address	Distance from Applicant Address	License Series
Liquor Establishments			
HAYMAKER RESTAURANT CO	1800 N. LITCHFIELD RD	209.18 ft	12
GUS'S NEW YORK PIZZA & BAR	13824 W. MCDOWELL RD #A100	1,038.24 ft	12
APPLEBEE'S NEIGHBORHOOD GRILL & BAR	13832 W. MCDOWELL RD	1,138.7 ft	12
CHIPOTLE MEXICAN GRILL #542	1560 N. LITCHFIELD RD	1,375.11 ft	12
BLACK ANGUS STEAKHOUSE	13766 W. MCDOWELL RD	1,543.35 ft	12
HAYASHI HIBACHI	1480 N. LITCHFIELD RD	1,560.29 ft	10
PALM VALLEY GOLF CLUB	2211 N. LITCHFIELD RD	1,902.12 ft	6
MACAYO RESTAURANT	1474 N. LITCHFIELD RD	1,905.73 ft	12, 12G
TARGET #1242	1515 N. LITCHFIELD RD	1,993.07 ft	10
CHILLI'S GRILL & BAR #608	1371 N. LITCHFIELD RD	2,243.97 ft	12
TOTAL WINE & MORE #1008	1416 N. LITCHFIELD RD	2,409.98 ft	9, 09S
RAUL & THERESA'S	1363 N. LITCHFIELD RD	2,501.69 ft	12
CIRCLE K STORE #9177	1264 N. LITCHFIELD RD	2,912.11 ft	10
BOOTY'S WINGS BURGERS & BEER	13375 W. MCDOWELL RD STE 101	4,559.79 ft	12
BUFFALO WILD WINGS	13311 W. MCDOWELL RD	4,970.01 ft	12
RUDY'S COUNTRY STORE & BAR B QUE	845 N. LITCHFIELD RD	4,983.2 ft	7

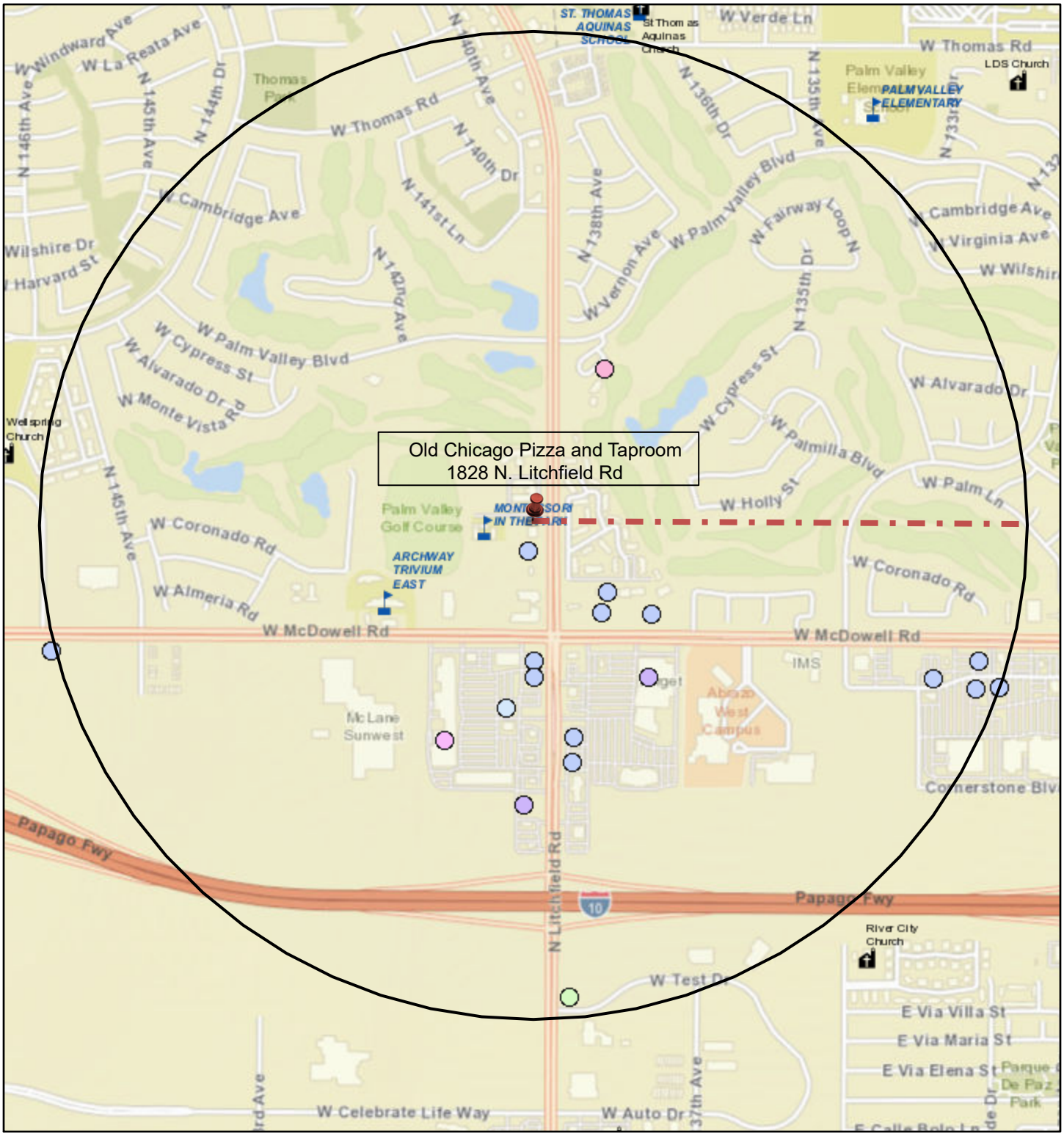
Places of Worship			
NONE			

Schools			
MONTESSORI IN THE PARK	1832 N. LITCHFIELD RD	495.12 ft	
ARCHWAY TRIVIUM EAST	14130 W. MCDOWELL RD	1,735.99 ft	

Series Legend:

Alternating Proprietorship (20)
Bar (6)
Beer & Wine Bar (7)
Beer & Wine Store (10)
Beer & Wine Store (10) with Sampling Privleges
Private Club (14)
Conveyance (8)
Craft Distiller (18)
Custom Crush (21)
Direct Shipment (17W)
Government (5)
Hotel (11)
Producer: In State (1)
Producer: Out of State (2)
Producer: Limited out of State (2L)
Producer: Out of State Winery (2W)
Producer: Out of State Microbrewery (2M)
Liquor Store (9)
Liquor Store (9) with Sampling Privleges
Microbrewery (3)
Restaurant (12)
Restaurant (12) with Growler Privileges
Special Event Contractor (SEC)
Wholesaler (4)
Winery (13)
Tasting Room (19)

Liquor License Evaluation - Old Chicago Pizza and Taproom



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Schools

Places of Worship

February 2021 Liquor License Locations

#N/A

Bar

Beer and Wine Bar

Beer and Wine Store

Beer and Wine Store Sampling

Club

Government

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, City of Goodyear

Clerk and Recorder
City of Goodyear

ITEM #: 3.
DATE: 09/27/2021
AI #:376

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE EXPENDITURE UP TO $675,000 FOR THE PURCHASE OF A NEW CENTRIFUGE TO REPLACE AN EXISTING UNIT AT THE GOODYEAR WATER RECLAMATION FACILITY

STAFF PRESENTER(S): Todd Carpenter, Process Operations Manager; Barbara Chappell, Deputy Public Works Director

SUMMARY

Request Council approval of the expenditure of FY2022 funds for the purchase of a new replacement centrifuge at the Goodyear Water Reclamation Facility (WRF) using wastewater operating funds.

Recommendation

Approve expenditure of funds up to $675,000 to purchase a new replacement centrifuge for the Goodyear Water Reclamation Facility. (Todd Carpenter, Process Operations Manager; Barbara Chappell, Deputy Public Works Director)

FISCAL IMPACT

The FY2022 Capital Improvement Program budget includes $675,000 in wastewater operating funds for the replacement of the east centrifuge at the Goodyear WRF (Project 60065). The purchase price of the new centrifuge to include freight and tax will not exceed $675,000.

BACKGROUND AND PREVIOUS ACTIONS

Per City of Goodyear Resolution 08-1255, all expenditures of budgeted funds in excess of $500,000 must obtain Council approval. The city has developed and approved a Capital Improvement Program for FY2022 through FY2026. The existing centrifuge at the Goodyear WRF is planned to be replaced in FY2022 per this plan.

STAFF ANALYSIS

Per the approved CIP, the centrifuge at the Goodyear WRF is planned to be replaced in FY2022 due to the age of the unit. This replacement is necessary to keep dewatering operations functional as well as keeping the plant in permit compliance. The centrifuge will take about eight months to build and to be delivered for installation.

ITEM #: 4.
DATE: 09/27/2021
AI #:454

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE AN AGREEMENT WITH BUCKEYE WATER CONSERVATION AND DRAINAGE DISTRICT (BWCDD) FOR IMPROVEMENTS AND DISCHARGE TO THE CANAL AND RELATED BUDGET TRANSFERS

STAFF PRESENTER(S): Barbara Chappell, Deputy Public Works Director

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SUMMARY

The proposed Agreement with Buckeye Water Conservation and Drainage District (BWCDD) will allow 6 million gallons per day (MGD) of effluent be discharged in the BWCDD canal from the Goodyear Water Reclamation Facility (GWRF) and provides for payment of canal improvements needed to receive 6 MGD of flow.

Recommendation

Approve the Agreement with the Buckeye Water Conservation and Drainage District for improvements and discharge into the canal and related budget transfers. (Barbara Chappell, Deputy Public Works Director)

FISCAL IMPACT

This Agreement will allow us to discharge up to 6 MGD of effluent for the cost of canal improvements not to exceed $375,000. Wastewater operating funds in the amount of $250,000 are available in the BWCDD Canal Lining CIP Project (60076), based on the estimate we received from BWCDD last year. Since then, costs have escalated in the industry resulting in the new quote of $375,000.

There are savings in the Rainbow Valley Lift Station Generator Replacement CIP project (60068) as the original scope assumed a larger generator would be needed at this location. This request includes a budget transfer of $125,000 from the Rainbow Valley Lift Station Generator project to the BWCDD Canal Lining project.

BACKGROUND AND PREVIOUS ACTIONS

Class A+ effluent from the Goodyear Water Reclamation Facility (the “GWRF”) is typically pumped north from the plant to the Soil Aquifer Treatment (SAT) facility site at the northwest corner of Yuma Road and Estrella Parkway where it is recharged for Long-Term Storage Credits. Due to operational issues, there are times when a portion of the effluent is discharged to the Gila River. To that end, the city entered into agreements with BWCDD to discharge effluent into its canals to add operational flexibility:

- On June 24, 2019, Council approved the original agreement with a term of one year with the option of five one-year renewals and provided for up to 1 MGD discharge.
- On June 22, 2020, Council approved the First Amendment that provided a one-year extension.
- On May 24, 2021, Council approved the Second Amendment that provided for up to 2 MGD discharge and a one-year extension.

STAFF ANALYSIS

As growth occurs, the production of effluent at the GWRF increases. Under its current permit, up to 6 MGD of effluent can be produced at the GWRF. Although it is the city's strategy to recharge all effluent in the SAT to earn Long Term Storage Credits to support the city's Designation of Assured Water Supply, the city needs to have the ability to discharge the increased amounts of effluent that will be produced by the GWRF to alternative discharge locations when the effluent cannot be delivered to the SAT site or the Gila River.

Although BWCDD is willing to accept increased amounts of effluent into its canals, modifications to the canals need to be made before the canals can accept discharges in excess of the 2 MGD currently permitted. BWCDD has agreed to undertake the modifications of its canals and accept the increased flows in exchange for the city's agreement to pay for the modifications. The cost of the modifications is $375,000.

The following is a summary of the major terms of the agreement:

- This agreement will become effective as of the date it is approved by the Board of Directors of BWCDD and executed on behalf of BWCDD and after it is approved by the Goodyear City Council and executed by the Goodyear City Manager.
- This agreement will be in effect until December 31, 2026 unless terminated earlier pursuant to the terms in the agreement.
- This agreement will replace the existing Second Amendment that was approved by Council on May 24, 2021.
- BWCDD is required to construct the improvements to the canal(s) needed for the canal to accept up to 6 MGD of effluent from the city and to have the improvements completed by December 31, 2021.
- The city is required to pay BWCDD for the cost of the improvements within 15 days of the date the agreement is executed, which costs have been capped at $374,971.
- Until the improvements are completed, the city will continue to have the right to discharge up to 2 MGD of effluent into the canals.
- Following the completion of the improvements, the city will have a right to discharge up to 6 MGD of effluent into the canals.
- Because of the city's expenditure, the agreement is intended to ensure the city has the right to discharge up to 6 MGD of effluent into the canals for at least 5 years. The agreement includes provisions for the return of the city's capital expenditure on a prorated basis if BWCDD terminates the agreement before December 31, 2026, if the city terminates the agreement before December 31, 2026 because of a breach on the part of BWCDD, or if the city fails to get a full 5 years because the improvements are not completed by December 31, 2021.
- This agreement also includes the same sorts of requirements as are in the current agreement regarding the discharge of effluent into the BWCDD canals, including requirements for the discharges (i.e. Class A+ effluent), metering requirements, cessation of deliveries during the dry-up period, etc.

This agreement will ultimately provide a discharge source where all of the flows from the GWRF that are currently permitted can be discharged in case of operational issues that prevent us from routing the effluent to the SAT site or the Gila River.

Attachments

Agreement with Buckeye Water Conservation and Drainage District

AGREEMENT

BETWEEN THE CITY OF GOODYEAR

AND

BUCKEYE WATER CONSERVATION & DRAINAGE DISTRICT

FOR IMPROVEMENTS TO THE BWCDD CANAL AND DISCHARGE OF CITY EFFLUENT INTO THE BWCDD CANAL

Project Name:
Effluent Discharge And Canal Improvements

This Agreement between The City of Goodyear (The City), a political subdivision of the State of Arizona, County of Maricopa, and the Buckeye Water Conservation and Drainage District, a political subdivision of the State of Arizona (BWCDD) for Improvements to the BWCDD Canal and Discharge of City Effluent into the BWCDD Canal (the "Agreement") is entered to allow the discharge of 6 MGD of Class A+ effluent from the City's 157th Avenue Water Reclamation Facility into a water delivery canal owned and operated by BWCDD (the "Canal") and provide terms for the design and construction of improvements to the Canal needed for the Canal to accommodate such discharge. The City and BWCDD are collectively referred to as the Parties or individually as a Party.

STATUTORY AUTHORIZATION

1. A.R.S. 48 Chapter 19, Section 48-2978.13, et seq., Authorizes the District to Exercise exclusive control over all District facilities, rights-of-ways, and other district properties.

2. A.R.S. Section 11-951, et seq., authorizes public agencies to enter into Intergovernmental Agreements for the provision of services or for joint or cooperative action.

BACKGROUND

3. The City provides water and wastewater services to its customers within its service area.

4. The City is required to dispose of the Class A+ effluent produced at its 157th Avenue Water Reclamation Facility

5. BWCDD is able to put Class A+ effluent to beneficial use and the City of Goodyear and Buckeye Water Conservation Drainage District entered into that certain Effluent Discharge Agreement dated June 24, 2019 as amended (the "Existing Discharge Agreement") that allows the City to discharge 2 MGD of Effluent into the Canal.

6. The City desires to increase the discharge of effluent into the Canal from 2 MGD to 6 MGD.

7. Certain improvements must be made to the Canal in order for the Canals to accommodate the discharge of 6 MGD of effluent into the Canal.

8. To accommodate the discharge of 6 MGD of effluent into the Canal, a section of the Canal beginning at the current point of effluent discharge continuing for a distance of 150' in the westerly direction of the Canal must be lined in accordance with BWCDD's Canal Lining Improvement Guidelines (the "Canal Improvements")

9. BWCDD has agreed to execute a new agreement, which is to replace the Existing Discharge Agreement, authorizing the increased volume of discharge contingent upon the City incurring the cost for the design and construction of the Canal Improvements.

10. The City is willing to fund the cost of the design and construction of the Canal Improvements subject to BWCDD's commitment that the City will have a right to discharge 6 MGD into the canal for a minimum of five (years).

11. The purpose of this Agreement is to establish the City's right to discharge 6 MGD of Class A+ Effluent into the Canal and to identify and define the responsibilities of the City and BWCDD for the Canal Improvements needed so that the Canal can accommodate the 6 MGD of effluent.

AGREEMENT

NOW THEREFORE, in consideration of the promises and covenants set forth below, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS OF THE AGREEMENT

12. **Incorporation of Provisions.** The foregoing provisions are incorporated herein by this reference as if fully set forth herein and are acknowledged and agreed to by the Parties.

13. **Effective Date.** This Agreement shall be effective as of the date all of the following has occurred (i) this Agreement is approved by the Board of Directors of BWCDD and executed by the Board of Directors of BWCDD or their designee; and (ii) this Agreement is approved by the Goodyear City Council and fully executed by the Goodyear City Manager.

14. **Term:** This Agreement shall commence on the Effective Date described in section 12 above and shall continue in effect until December 31, 2026 unless terminated earlier as provided in Section 24 below.

15. **Responsibilities of the City for Canal Improvements:**

15.1 The City agrees to pay the costs of the Canal Improvements, including, but not limited to the: administrative and construction management fees, engineering design costs, and construction cost set forth in **Exhibit A** attached hereto subject to a maximum amount of $374,971.

15.2 The City agrees that BWCDD has the responsibility for overseeing BWCDD's contractor and managing the construction activities related to the Canal Improvements.

15.3 If applicable, the City shall issue to BWCDD, a Temporary Construction Easement or permit to work within the City's Right-of-Way at no cost to BWCDD.

15.4 Within fifteen (15) days upon the execution of this Agreement by the City, the City shall deposit with BWCDD funds equal to amount of the project costs set forth in **Exhibit A** attached hereto, subject to a maximum amount of $374,971.

16. **City's Right to Discharge:** The City shall have the right to discharge Class A+ effluent into the Canal subject to the following:

16.1 Discharge Prior to Completion of Canal Improvements. Until the Canal Improvements are completed, the City shall have the right to discharge up to 2 MGD of Class A+ effluent into the Canal.

16.2 Discharge After Completion of Canal Improvements. After the Canal Improvements are completed, the City shall have the right to discharge up to 6 MGD of Class A+ effluent into the Canal

16.3 Delivery Point. The City and BWCDD agreed that discharges into the Canal shall be made at the delivery point currently being used, which is generally located at Estrella Parkway and the BWCDD Canal. In the event redundancy is necessary, or temporary alternative discharge points are needed, the City and BWCDD shall identify such additional or alternative discharge points and the City shall be intitled to discharge its Class A+ effluent into the Canal from such discharge points to the extent that the alternative delivery point does not cause damage to the BWCDD Canal.

16.4 Metering. All discharges to the Canal shall be properly metered and reported on a monthly basis, and all costs related to metering and reporting shall be paid for by the City.

16.5 Dry-Up Period. The City shall not discharge into the Canals during scheduled dry-up periods during which the BWCDD performs maintenance. The BWCDD shall provide the City with thirty (30) days written notice of the scheduled dry-up.

16.6 Emergencies. The City shall not discharge into the Canal following notification by the BWCDD of a natural events or emergencies that cause a temporary inability for the Canal to accept discharge from the City. By way of example, but not limitation, this includes storm events that cause an increase **in** the level of water **in** the Canal such that the City's discharge into the Canals may cause a breach of the Canal and the occurrence of some event that would require emergency repairs. The BWCDD shall notify the City by calling the City's On-Call number of the City's Reclamation Operations at 623-606-4831 of the need for the City to temporarily stop discharges into the Canal. Within one-hour or less of receiving notification from the BWCDD of an emergency event as provided herein, the City shall shut-off discharges into the Canal. The BWCDD shall notify the City as soon as practicable under the particular circumstances of when discharges can resume by contacting the On-Call number set forth above.

16.7 Requirements for Discharges of Effluent. Discharges of effluent into the Canal are governed by and subject to all applicable federal, state, and local laws, rules, and regulations governing such discharges.

16.8 Water Quality. All discharges to the Canal shall be of Class A+ effluent standards as permitted through the City's Arizona Pollutant Discharge Elimination System Permit, AZPDES Permit AZ0022357, and in compliance with all regulatory requirements, both present and future, for Class A+ effluent.

16.9 Water Quality Reporting. The City agrees to provide monthly water quality sampling results of the water discharged into the Canal as prepared for ADEQ in compliance with the City's AZPDES Permit AZ0022357, and incur the full cost for any such sampling and delivery of results. In the event the District has concerns with the reported water quality, those concerns will be reported, in writing or via e-mail, to the City within 30 days of receipt of the water quality sampling data/reports. The City agrees to remediate water quality concerns in a timely manner and suspend discharge if that becomes necessary.

16.10 Permitting. The City's current AZPDES Permit AZ0022357 includes the Canal as an approved discharge location. The City shall, at the City' s sole cost, amend any of its existing permits and obtain any additional federal, state or local permits as may be required for the City' s discharge of Class A+ effluent into the Canal. BWCDD shall cooperate with the City in the City' s efforts to obtain such amendments or new permits by providing information as may reasonably requested by the City in a timely manner. In the event the City violates any terms or conditions of any such requisite permit, the City will agree to indemnify and hold harmless the BWCDD as to any such violations

16.11 Minimum Deliveries. The City is not obligated to provide any minimum delivery of Class A+ effluent to the Canal, however, the City shall notify BWCDD of

any increase or decrease in average daily flows within 1 hour of change in flows to the Canal.

17. **Responsibilities of BWCDD for the Canal Improvements:**

17.1 Construction Requirement. BWCDD shall construct the Canal Improvements in accordance with BWCDD's Canal Lining Improvement guidelines and shall complete the Canal Improvements by December 31, 2021.

17.2 COG Permits. If applicable, BWCDD shall apply for and obtain any no-cost permit(s) or approvals required to allow BWCDD to perform work within City of Goodyear ROW.

17.3 Use of Funds. BWCDD shall use the funds deposited pursuant to Section 15.4 above, to pay for the cost of the Canal Improvements.

17.4 Reimbursement. BWCDD shall reimburse the City the funds the City paid BWCDD pursuant to Section 15.4 above if BWCDD fails to complete the Canal Improvements by December 31, 2021.

18. **Joint Cooperation**

18.1 Permits. The City shall obtain all necessary permits in order to meet its regulatory requirements to effectuate the Parties purposes for entering into this Agreement and BWCDD agrees to support these efforts.

18.2 Easements**.** In the event it become necessary for BWCDD to provide any easements to the City for the construction or operation of infrastructure needed for the City to discharge its Class A+ effluent into the Canal, BWCDD agrees to provide such required easement(s), temporary or permanent, to the City at no cost.

18.3 Mutual Aid. Each Party agrees to work cooperatively in the event of any emergency impacting deliveries under this Agreement to the fullest extent possible.

18.4 Delivery of Documents. The Parties agree to execute and/or deliver to each other such other instruments and documents as may be reasonably necessary to fulfill the covenants and obligations to be performed by such Party pursuant to this Agreement.

GENERAL TERMS AND CONDITIONS

19. **Replacement of Existing Discharge Agreement**. This Agreement replaces and supersedes the Existing Discharge Agreement upon the Effective Date of this Agreement, and as of the Effective Date of this Agreement, the Existing Discharge is terminated and has no further force or effect.

20. **Entire Agreement**. This Agreement, including all Exhibits attached to this Agreement, constitutes the entire understanding between the Parties regarding the subject matter of this Agreement, supersedes any and all previous understandings between the Parties regarding the subject matter of this Agreement, and binds and inures to the benefit of the Parties, their successors, assigns and purchasers for value. Neither of the Parties has entered into this Agreement in reliance upon any oral or written representation or information provided by the other Party. This Agreement cannot be modified or changed except by a written instrument executed by all of the Parties hereto.

21. **Limitations of this Agreement**.

21.1 Limited Obligations. This Agreement does not create a duty or responsibility unless the intention to do so is clearly and unambiguously stated in this Agreement. This Agreement does not imply authority to perform any tasks, or accept any responsibility, not expressly stated in this Agreement.

21.2 No Roadway Control. This Agreement does not grant authority to control any City roadway except to the extent necessary to perform the tasks expressly undertaken pursuant to this Agreement, and then, pursuant to a permit if required by the City.

21.3 No Other Benefitted Parties. Nothing contained in this Agreement shall create any partnership, joint venture or other agreement between the Parties hereto. Except as expressly provided in this Agreement, no term or provision of this Agreement is intended or shall be for the benefit of any person or entity not a party to this Agreement, and no such other person or entity shall have any right or cause of action under this Agreement.

21.4 No Relationship with Contractor. Nothing in this Agreement shall make any contractor or subcontractor an agent or employee of the Parties to this Agreement.

22. **Interpretation Related Provisions**.

22.1 Governing Law. The laws of the State of Arizona govern the interpretation and performance of this Agreement, and any action brought to enforce this Agreement shall be brought in a court of competent jurisdiction in Maricopa County, Arizona.

22.2 Time Related Terms. Time is of the essence concerning this Agreement. Unless otherwise specified in this Agreement, the term "day" as used in this Agreement means calendar day. If the date for performance of any obligation under this Agreement or the last day of any time period provided in this Agreement falls on a Saturday, Sunday or legal holiday, then the date for performance or time period shall expire at the close of business on the first day thereafter which is not a Saturday, Sunday or legal holiday

22.3 Construction. This Agreement shall be construed as a whole and in accordance with its fair meaning and without regard to any presumption or other rule requiring construction against the party drafting this Agreement.

22.4 Legal Review. Each Party has reviewed this Agreement and has had the opportunity to have it reviewed by their respective legal counsel.

22.5 Section Headings. Section headings and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

22.6 Severability. Wherever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalid or prohibited under the law, such provision shall be ineffective to the extent of such prohibition or invalidation but shall not invalidate the remainder of such provision or the remaining provisions.

23. **No. Waiver**. The waiver by any Party of any right granted to it under this Agreement is not a waiver of any other right granted under this Agreement, nor may any waiver be deemed to be a waiver of a subsequent right obtained by reason of the continuation of any matter previously waived.

24. **Termination by Agreement**. Either Party may terminate this Agreement upon a written request of the Party. If the Agreement is terminated at the request of BWCDD or if the Termination of this Agreement is at the request of the City because of the occurrence of an Event of Default on the part of BWCDD, then BWCDD shall reimburse the City for a proportionate share of the funds the City paid BWCDD pursuant to Section 15.4 above, which shall be calculated as follows: ((number of days between December 31, 2026 and Termination Date) ÷ (number of days between December 31, 2021 and December 31, 2026)) × total funds City paid BWCDD). This reimbursement obligation shall survive the termination of this Agreement.

25. **Default and Termination**. Upon the occurrence of an Event of Default, in addition to any remedies available under this Agreement , in law, or in equity to the Party not in default (the "Non-defaulting Party"), the Non-Defaulting Party shall have the right to terminate this Agreement immediately upon written notice to the Party responsible for the occurrence of the Event of Default (the "Defaulting Party") if the Event of Default is not properly cured pursuant to Section 25.2 below. .

25.1 Event of Default. The occurrence of any of the events set forth below shall constitute an Event of Default hereunder ("Event of Default"):

A. Failure or refusal of the Defaulting Party to timely perform any term, covenant, or condition pursuant to the terms and conditions of this Agreement;

B. Failure to make any payment required hereunder within thirty (30) days of written notice from the Non-defaulting Party that such payment is overdue, provided such payment is properly owed; and

C. Unless caused by an Uncontrollable Circumstance, the failure to otherwise comply with any of the other obligations, covenants, agreements, terms, or prov1s1ons of this Agreement. "Uncontrollable Circumstance" means any act, event, or condition that is caused by or due to circumstances beyond the reasonable control of the Party relying thereon as justification for not performing an obligation or complying with any condition required of such Party under this Agreement, and that materially interferes with performing its obligations hereunder (other than payment obligations) to the extent that such act, event, or condition is not the result of the willful or negligent act, error or omission, failure to exercise reasonable diligence, or breach of this Agreement on the part of such Party.

D. Breach of any warranty as set forth in Section 29.5 below.

25.2 Opportunity to Cure. The Defaulting Party shall have forty-five (45) days following the receipt of written notice of an Event of Default by the Non- Defaulting Party to cure the Event of Default, which notice shall clearly identify the specific nature of the Event of Default. As to non-monetary Events of Default, if and to the extent the Event of Default cannot reasonably be cured within such forty-five (45) day period, and if the Defaulting Party has theretofore diligently attempted to cure the same and thereafter continues to diligently cure the same, then the cure period provided for herein shall extend for the period of time reasonably needed to cure the Event of Default.

25.3 Reimbursement in Event of Default. If the City of Goodyear terminates this Agreement because of the occurrence of an Event of Default on the part of BWCDD, BWCDD shall reimburse the City for a proportionate share of the funds the City paid BWCDD pursuant to Section 15.4 above, which shall be calculated as follows: ((number of days between December 31, 2026 and Termination Date) ÷ (number of days between December 31, 2021 and December 31, 2026)) × total funds City paid BWCDD). This reimbursement obligation shall survive the termination of this Agreement.

25.4 Remedies. Further, upon the occurrence of any Event of Default and at any time thereafter, the Non-Defaulting Party may, but shall not be required to, exercise any remedies now or hereafter available to it at law or in equity.

26. **Termination for Non-Appropriation of Funds**. Any funding provided for in this Agreement, other than in the current fiscal year, is contingent upon being budgeted and appropriated by the City of Goodyears governing council and the BWCDD's governing body in such fiscal year. This Agreement may be terminated by any Party at the end of

any fiscal year due to non-appropriation of funds. Notwithstanding the foregoing however, If BWCDD terminates this Agreement because of a non-appropriation of funds on the part of BWCDD's governing body, shall reimburse the City for a proportionate share of the funds the City paid BWCDD pursuant to Section 15.4 above, which shall be calculated as follows: ((number of days between December 31, 2026 and Termination Date) ÷ (number of days between December 31, 2021 and December 31, 2026)) × total funds City paid BWCDD). This reimbursement obligation shall survive the termination of this Agreement

27. **Cancellation for Conflicts of Interest**. The provision of A.R.S. § 38-511 are incorporated into this Agreement to the extent applicable, and this Agreement shall be subject to termination pursuant to the provisions of A.R.S. § 38-511.

28. **Indemnification.** By entering into this Agreement, the Parties agree that to the extent permitted by law, each Party will indemnify, defend and save the other Party harmless, including any of the other Party's departments, agencies, officers, employees, elected officials or agents, for, from and against all loss, liability, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the negligent performance or nonperformance by the indemnifying Party of any of the provisions of this Agreement, except to the extent such injury or damage as shall have been caused or contributed to by the negligence of the other Party. The damages which are the subject of this indemnity shall include but not be limited to the damages incurred by any Party, its departments, agencies, officers, employees, elected officials, or agents. In the event of an action, the damages which are the subject of this indemnity shall include costs, expenses of litigation and reasonable attorney's fees. This obligation shall survive the expiration or earlier termination of this Agreement.

29. **Compliance with Applicable Laws**.

29.1 Compliance with A.R.S. § 41-4401. The Parties warrant they are in compliance with A.R.S. § 41-4401.

29.2 Compliance with Immigration Laws. The Parties agree that all contractors or subcontractors contracted by a Party to perform work on the Canal Improvements shall warrant their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with A.R.S. § 23-214(A), and shall keep a record of the verification for the duration of the employee's employment or at least three (3) years, whichever is longer.

29.3 No Debarred Contractors. Each Party to this Agreement warrants that neither it nor any contractor or vendor under contract with the Party to provide goods or services toward the accomplishment of the objectives of this Agreement is suspended or debarred by any federal agency which has provided funding that will be used in the Canal Improvements.

29.4 Inspection of Papers. The Parties retain the legal right to inspect the papers of any contractor or subcontractor employee who works on the Canal Improvements to

ensure that the contractor or subcontractor is complying with the warranty above and that the contractor agrees to make all papers and employment records of said employee available during normal working hours in order to facilitate such an inspection.

29.5 Breach of Warranty. A breach of any of the warranties referred to above shall be an Event of Default.

30. **Notices**. All notices required under this Agreement to be given in writing shall be sent to the addresses set forth below or to any other addresses designated by any of the Parties in a writing:

City:

City of Goodyear
Attn: Barbra Chappell
4980 S. 157th Avenue
Goodyear, Arizona 85338

with a copy to:

City of Goodyear
Attn: City Attorney
190 No. Litchfield Road
Goodyear, Arizona 85338

BWCDD:

Buckeye Water Conservation and Drainage District
Attn: Noel Carter
205 E. Roosevelt Avenue
Buckeye, Arizona 85326

All notices required or permitted by this Agreement or applicable law shall be in writing and may be delivered in person (by hand or courier) or may be sent by regular, certified or registered mail or U.S. Postal Service Express Mail, with postage prepaid, and shall be deemed sufficiently given if served in a manner specified in this paragraph. Either Party may by written notice to the other specify a different address for notice. Any notice sent by registered or certified mail, return receipt requested, shall be deemed given on the date of delivery shown on the receipt card, or if no delivery date is shown, the postmark thereon. If sent by regular mail, the notice shall be deemed given 72 hours after the notice is addressed as required in this paragraph and mailed with postage prepaid. Notices delivered by United States Express Mail or overnight courier that guarantee next day delivery shall be deemed given 24 hours after delivery of the notice to the Postal Service or courier.

31. **Assignment**. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assignees. Neither Party shall assign its interest in this Agreement without the prior written consent of the other Party which shall not unreasonably withheld.

32. **Survival Clause**. All provisions in this Agreement that logically ought to survive the expiration or earlier termination of this Agreement shall survive the expiration or earlier termination of this Agreement. This includes, by way of example but not limitation: all provisions imposing obligations that will not be triggered until the Agreement is terminated, all indemnification provisions, and all remedies and damage related provisions. The fact that certain provisions in this Agreement expressly state that such provisions shall survive the expiration or earlier termination of this Agreement, shall not be construed as limiting the application of this Survival Clause as to other provisions in this Agreement. a.

33. **Counterparts**. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one agreement, binding on all the Parties. Further this Agreement may be executed and delivered by electronic transmission. A manually signed copy of this Agreement delivered by facsimile, e-mail, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

End of Agreement - Signature Page Follows

IN WITNESS WHEREOF, the Parties have executed this Agreement.

BUCKEYE WATER CONSERVATION AND DRAINAGE DISTRICT, a political subdivision of the State of Arizona

Recommended by:

_____

Accepted by:

_____

Approved as to form:

By: _____
Attorney for BWCDD

CITY OF GOODYEAR, a political subdivision of the State of Arizona

Recommended by:

_____

Accepted by:

_____

Approved as to form:

By: _____
Attorney for the City

IN WITNESS WHEREOF, the Parties have executed this Agreement.

BUCKEYE WATER CONSERVATION AND DRAINAGE DISTRICT, a political subdivision of the State of Arizona

Recommended by:

_____

Accepted by:

_____

Approved as to form:

By:_____
Attorney for BWCDD

CITY OF GOODYEAR, a political subdivision of the State of Arizona

Recommended by:

_____

Accepted by:

_____

Approved as to form:

By:_____
Attorney for the City

EXHIBIT A

Project Number: BWC2119
08/26/2021

Barbara Chappell
Deputy Public Works Director
4980 S. 157th Ave
Goodyear, Az 85338

BWCDD:
Canal Lining for Effluent Discharge Agreement

Ms. Chappell:

Please review the following construction costs and fees for the above referenced project and return a signed copy to the District office. Thank you

ITEM #	QTY.	UNIT	DISCRIPTION	UNIT PRICE	EXTENSION
1	1	LS	Mobilization	$ 15,706.00	$ 15,706.00
2	1	LS	Survey	$ 7,500.00	$ 7,500.00
3	1	LS	Traffic Control	$ 1,600.00	$ 1,600.00
4	1	LS	Material Testing	$ 4,215.00	$ 4,215.00
5	300	CY	Over-Excavate Canal Floor	$ 50.00	$ 15,000.00
6	400	SY	Install MAG ABC-Canal Floor	$ 47.00	$ 18,800.00
7	400	SY	Install Geogrid-Canal Floor	$ 4.50	$ 1,800.00
8	1275	CY	Place Canal Fill (Slopes)	$ 86.00	$ 109,650.00
9	1100	SY	Canal Lining-Shotcrete	$ 76.00	$ 83,600.00
10	300	LF	Backfill Top of Shotcrete	$ 32.00	$ 9,600.00
11	1	LS	Contingency Fee	$ 30,000.00	$ 30,000.00
12	1	LS	Engineering	$ 15,000.00	$ 15,000.00
13	1	LS	District Admin/Const. & Development Fee	$ 62,500.00	$ 62,500.00
Project Total					$ 374,971.00

Noel Carter

General Manager,
BWCDD

Barbara Chappell

Deputy Public Works Director,
City of Goodyear

ITEM #: 5.
DATE: 09/27/2021
AI #:406

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE EXPENDITURE OF $2,858,184 FOR NITRATE TREATMENT IMPROVEMENTS AT SITE 18

STAFF PRESENTER(S): Barbara Chappell, Deputy Public Works Director and Lisa Melton, Senior Project Manager

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SUMMARY

Request City Council to approve the expenditure of $2,858,184 of FY2022 funds for design, construction and equipment for Treatment Improvements at Site 18 (Project 60016).

Recommendation

Approve expenditure of funds not to exceed $2,858,184 for design, construction and equipment for Treatment Improvements at Site 18. (Barbara Chappell, Deputy Public Works Director and Lisa Melton, Senior Project Manager)

FISCAL IMPACT

The Site 18 Project (60016) was approved by council in the FY2022 budget at a cost of $3,379,500 utilizing water operating and bond funds. The project budget includes expenditures for design and the purchase of long lead time items that have already occurred. This expenditure authorization request will authorize the expenditure of all budgeted funds in the FY2022 budget to be used for the construction phase of the project.

BACKGROUND AND PREVIOUS ACTIONS

Per City of Goodyear Resolution 08-1255, all expenditures of budgeted funds in excess of $500,000 must obtain council approval. The City has developed and approved a CIP for FY2022 through FY2026.

STAFF ANALYSIS

The groundwater wells at Site 18 have been impacted by increased nitrate levels, which is a common issue for wells in the valley.

The expenditure for this project is needed to maintain the site's operational status and to provide safe and reliable levels of redundancy in the system. Additionally, the completion of this project will allow the city to maintain drinking water quality requirements. This project will incorporate an innovative treatment technology to reduce nitrate levels along with upgrades to the chemical feed system. The construction of the project is scheduled to coincide with low

water demand periods commencing this Fall.

ITEM #: 6.
DATE: 09/27/2021
AI #:464

CITY COUNCIL ACTION REPORT

SUBJECT: PRELIMINARY PLAT FOR LA PRIVADA PARCELS 3 AND 7

STAFF PRESENTER(S): Christian M. Williams, Planner

OTHER PRESENTER(S):
Laurie Castillo, Rick Engineering Co

SUMMARY

Preliminary Plat for La Privada Parcels 3 and 7 subdividing approximately 87.82 acres of the approximate 240.32 acres rezoned by Ordinance No.2021-1505 into 284 lots and 28 tracts. (The property rezoned by Ordinance 2021-1505 is referred to as the “La Privada Property” and the portion of the La Privada Property included within the Preliminary Plat for La Privada Parcels 3 and 7 is referred to as the “Property”).

Recommendation

Approve the preliminary plat for La Privada Parcels 3 and 7, subdividing approximately 87.82 acres into 284 lots and 28 tracts (the “Property”), subject to stipulations and grant the City Engineer or his designee to modify stipulations provided the modifications are consistent with the intent of the stipulations being modified and are not inconsistent with the terms of any other document adopted by the Goodyear City Council related to the development of the La Privada Property. (Christian M. Williams, Planner)

STIPULATIONS

1. 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 La Privada; and

2. As a condition of the rezoning of the La Privada Property, Owner/Developer is required to construct a 6.5-acre centralized park located at the heart of the La Privada Property that provides localized usable active open space area and that includes 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

3. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for any structure within the Property, except for model homes, until the 6.5-acre centralized park has 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

4. Owner/Developer shall construct an 8-foot decomposed granite bridle/equestrian trail along the eastern boundary of the Property, which 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 Property. The bridle/equestrian trail shall be owned and maintained by the HOA that is to be formed, but shall be available for use by the general public. An easement, in a form acceptable to the City Attorney or his designee, that allows for such public use over the portion of the bridle/equestrian trail that is to be constructed as provided herein shall be dedicated to the City prior to or concurrently with the recordation of the first final plat subdividing all or part of the Property; and

5. As a condition of the rezoning of the La Privada Property, Owner/Developer is required to construct paved 5-foot wide off-street paths/trails (i.e. the trails/paths are not adjacent to public right-of-way) within the La Privada Property that interconnect the development parcels and connect all the development parcels to the 6.5-acre centralized park as well as to the 6-foot paved pedestrian trail and to the 8-foot decomposed granite bridle/equestrian trail. The final plat(s) for the Property shall include these 5-wide off-street paths/trails and where these trails cross any roads, 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 the Property. The pavers, colored concrete or stamped concrete constructed within public roadways shall be maintained by the HOA; and

6. 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. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for any structure within the Property, except for model homes until the path/trail referred to herein has been completed; and

7. A raised and landscaped median island, which shall be owned by the City but maintained by the HOA, shall be constructed within 183rd Avenue in front of the centralized park and community center; and

8. The following shall be added as notes on each final plat that includes any portion of the Property:

a. 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

b. The Public Sales Report(s) 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

c. The Public Sales Report(s) shall disclose that the Property is subject to noise, cheering, paddles making contact with balls, bouncing balls, splashes and other loud noises commonly associated with recreation centers, parks and the like; and

d. The Public Sales Report(s) 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

e. HOA shall own and is responsible for 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. Notwithstanding the foregoing, any portion of the Maricopa Trail located within right-of-way conveyed to the City shall be maintained by the City; and

9. 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

10. 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

11. 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

12. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the La Privada 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; and

13. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall remit a cost recovery payment to the City in the amount of $231,022.18 pursuant to the 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") for regional water delivery line E that has been fully constructed and regional water delivery line F that has been partially constructed. No building permits for any structures within the Property shall be issued until this payment has been received by the City; and

14. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall remit a cost recovery payment to the City in the amount of $1,586,284.03 pursuant to the 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") for regional water line B, E, I, J and K that have been fully constructed. No building permits for any structures within the Property shall be issued until this payment has been received by the City; and

15. Unless the following water lines and wastewater lines have been fully constructed or are under construction by others when the first final plat subdividing all or part of the Property is recorded, Owner/Developer shall construct and/or complete the construction of the following water delivery lines identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the La Privada Property and the following wastewater trunk lines identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the La Privada Property:

a. Complete construction of Water Delivery Line F
b. Construct Water Delivery Lines C and D
c. Construct Wastewater Trunk Line N

Regardless of who is constructing the foregoing water delivery lines and wastewater trunk line, no building permits for any structures within the Property shall be issued until all of the foregoing water delivery lines and wastewater trunk line have been completed and accepted by the City Engineer of his designee subject to completion of the two-year warranty period; and

16. If Wastewater Trunk Line N has been or is being constructed by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall make a cost recovery payment for its proportionate share of the costs of Wastewater Trunk Line N pursuant to the Cost Recovery Resolution – Wastewater Trunk Lines prior to the recordation of the first final plat subdividing all or part of the Property. The amount of the cost recovery payment owed shall be based on the actual cost of Wastewater Trunk Line N if it has been completed and the actual cost of the Wastewater Line documented and approved by the City Engineer. If Wastewater Trunk Line N is under construction but has not been completed, or if the actual

cost of Wastewater Trunk Line N has not been documented and approved by the City Engineer, the amount of the cost recovery payment shall be $644,282.70, which is the amount reflected in the Cost Recovery Resolution – Wastewater Trunk Lines as the proportionate share of Wastewater Trunk Line N attributable to the La Privada Property. No building permits for any structures within the Property shall be issued until this payment has been received by the City; and

17. If Water Delivery Line C has been or is being constructed by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall make a cost recovery payment for its proportionate share of the cost of Water Delivery Line C pursuant to the Cost Recovery Resolution – Waster Delivery Lines prior to the recordation of the first final plat subdividing all or part of the Property. The amount of the cost recovery payment owed shall be based on the actual cost of Water Delivery Line C if it has been completed and the actual cost of the Water Delivery Line C documented and approved by the City Engineer. If Water Delivery Line C has not been completed, or if the actual cost of Water Delivery Line C has not been documented and approved by the City Engineer, the amount of the cost recovery payment shall be $149,469.09, which is the amount reflected in the Cost Recovery Resolution – Water Delivery Lines as the proportionate share of Water Delivery Line C attributable to the La Privada Property. No building permits for any structures within the Property shall be issued until this payment has been received by the City; and

18. If Water Delivery Line D has been or is being constructed by others when the first final plat subdividing all or part of the Property is to be recorded, Owner shall make a cost recovery payment for its proportionate share of the cost of Water Delivery Line D pursuant to the Cost Recovery Resolution – Waster Delivery Lines prior to the recordation of the first final plat subdividing all or part of the Property. The amount of the cost recovery payment owed shall be based on the actual cost of Water Delivery Line D if it has been completed and the actual cost of the Water Delivery Line D documented and approved by the City Engineer. If Water Delivery Line D has not been completed, or if the actual cost of Water Delivery Line C has not been documented and approved by the City Engineer, the amount of the cost recovery payment shall be $272,096.31, which is the amount reflected in the Cost Recovery Resolution – Water Delivery Lines as the proportionate share of Water Delivery Line D attributable to the La Privada Property. No building permits for any structures within the Property shall be issued until this payment has been received by the City; and

19. Owner/Developer is responsible for constructing 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 La Privada 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 La Privada Property that is approximately 95-feet wide. The Emergency Conveyance Channel is being phased while the final location of the channel is being determined. Owner/Developer shall complete the first phase of the Emergency Conveyance Channel, which consists of the portion of the channel located along the eastern boundary of the Property prior to the issuance of any Certificate of Completion, Certificate of Occupancy or Temporary Certificate of Occupancy for any structure within the Property. Unless otherwise approved in a written phasing plan approved by the City Engineer or his designee, the remainder of the 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 portion of the

La Privada Property not included within this preliminary plat; and

20. Owner/Developer shall construct full half-street improvements required for a Scenic Arterial as set forth in the Engineering Design Standards and Policies 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. 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 Property; and

21. 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 first final plat subdividing all or part of the Property; and

22. 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"). Full street improvements to the section of 183rd Avenue included within the Property 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 Property; and

23. 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

24. 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

25. Prior to recordation of any final plat subdividing all or part of the property including within this preliminary plat, Owner shall make an in-lieu payment for 50% of the full traffic signal (all four legs) at W. Yuma Road and S. 183rd Avenue. 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; and

26. 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

27. 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

28. Prior to recordation of the first final plat subdividing all or part of the Property, Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the entire La Privada Property zoned by Ordinance 2021-1505 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; and

29. In the final plat that includes Parcel 3 of the preliminary plat, Owner shall dedicate to the City a 20' Temporary Emergency Access Easement over Lot 8 of Parcel 3 as reflected in the preliminary plat. No building permit for Lot 8 within Parcel 3 of this preliminary plat shall be issued until such Temporary Emergency Access Easement has been terminated.

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

On July 19, 2021, the City Council adopted Ordinance No. 2021-1505 rezoning approximately 240.32 Acres generally located at the northwest corner of 181st Avenue and Yuma Road (the "La Privada Property") 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, which designated the parcels for single-family residential uses.

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 required reports and studies submitted in connection with the application for the preliminary plat have been approved and demonstrate compliance with applicable subdivision regulations and design principals and the proposed preliminary plat demonstrates compliance with the property's zoning, public objectives, subdivision design principles and standards, and streets and thoroughfare planning, including open space 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 or an extension has been obtained.

Details of the Request:
This parcel consists of subdividing approximately 87.82 acres into 284 lots and 28 tracts. One of the tracts will contain the centralized park located at the heart of the Property.
Existing land uses and zoning surrounding the subject property include the following:

- North – Vacant land zoned R1-4 with R1-4 Reduced Standards/La Privada PAD Overlay;
- 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 –County island, largely vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban));

Luke Air Force Base and Phoenix Goodyear Airport:
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.

Fire Department:
Fire station 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
Fire Station #184	5.41	2.71	7.83	3.91	Fire Station #185	14.36	7.18	16.78	8.39

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 subject property will be served by city of Goodyear water and wastewater utilities.

Streets/Access:
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.

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.

Staff Findings:
The preliminary plat is consistent with the development standards established within the R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards and a PAD Overlay. The preliminary plat is consistent with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The information that accompanied it demonstrated the adequacy of utilities, open space and other public facilities necessary to serve the site. The Planning and Zoning Commission recommended approval of the preliminary plat by a vote of (4-0) at their regular meeting on September 15, 2021.

Attachments

Aerial Exhibit
Preliminary Plat
Conceptual Landscape Plan
Presentation

Aerial Exhibit
Case No.
21-500-00003

PRELIMINARY PLAT FOR LA PRIVADA PARCELS 3 & 7

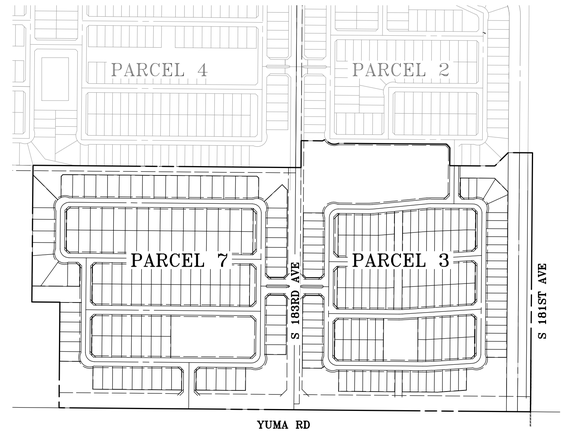
A PORTION OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA

LEGEND

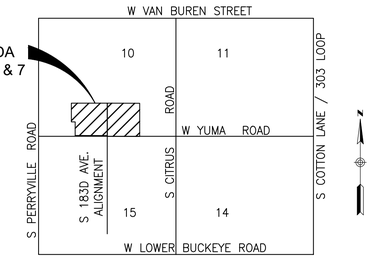
- EXISTING CONTOURS
- EXISTING FIBER OPTICS
- EXISTING IRRIGATION
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING SEWER LINE
- EXISTING OVERHEAD POWERLINE
- EXISTING POWER POLE
- EXISTING SPOT ELEVATIONS
- EXISTING TELEPHONE
- BOX CULVERT
- DRAINAGE OUTFALL
- FLOW ARROW
- JURISDICTIONAL LIMIT LINE
- MIDSECTION LINE
- PROPOSED DRYWELL
- PROPOSED DIRECTIONAL & STREET SLOPE
- PROPOSED FIRE HYDRANT
- PROPOSED GRADE BREAK
- PROPOSED RETENTION BASIN SLOPE
- RETENTION BASIN IDENTIFICATION
- PROPOSED R.I.D. IRRIGATION PIPELINE
- PROPOSED RIP RAP
- PROPOSED SEWER MANHOLE
- PROPOSED SEWER MAIN
- PROPOSED WATER VALVE
- PROPOSED WATER MAIN
- PROPOSED SPOT ELEVATIONS
- PROPOSED SCUPPER
- SECTION IDENTIFICATION
- STORM DRAIN PIPE
- PROPOSED STORM DRAIN INLET WITH STORM DRAIN PIPE

ABBREVIATIONS

APN	ASSESSORS PARCEL NUMBER
B/C	BACK OF CURB
BCF	BRASS CAP FLUSH
BCHH	BRASS CAP IN HAND HOLE
BNDY	BOUNDARY
BOT	BOTTOM OF BASIN ELEVATION
BSW	BACK OF SIDEWALK
C/L	CENTERLINE
CB	CATCH BASIN
COG	CITY OF GOODYEAR
CY	CUBIC YARDS
DG	DECOMPOSED GRANITE
EG	EXISTING GRADE
ELEV.	ELEVATION
EOP	EDGE OF PAVEMENT
ESMT	EASEMENT
ET	PLANNED EQUESTRIAN TRAIL
EX	EXISTING
F/C	FACE OF CURB
FD	FOUND
FF	PROPOSED FINISHED FLOOR ELEVATION
FL	FLOW LINE
G	GAS
GB	GRADE BREAK
HP	HIGH POINT
HW	HIGH WATER ELEVATION
IRR	IRRIGATION
LPCA	LA PRIVADA COMMUNITY ASSOCIATION
L	LENGTH
LP	LOW POINT
LS	LANDSCAPING
LT	LEFT
MAG	MARICOPA ASSOCIATION OF GOVERNMENTS
M.C.D.O.T.	MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
NTS	NOT TO SCALE
O&M	OPERATION & MAINTENANCE
OS	OPEN SPACE
P	PAVEMENT POINT ELEVATION
PP	PRELIMINARY PLAT
P/L	PROPERTY LINE
PAD	PROPOSED PAD ELEVATION
P.A.E.	PEDESTRIAN ACCESS EASEMENT
P.I.E.	PRIVATE IRRIGATION EASEMENT
PROP	PROPOSED
P.U.E.	PUBLIC UTILITY EASEMENT
R	RADIUS
R/W	RIGHT OF WAY
RID	ROOSEVELT IRRIGATION DISTRICT
RT	RIGHT
S	SEWER
S/W	SIDEWALK
SD	STORM DRAIN
SE	SEWER EASEMENT
SS	SEWER SERVICE
SY	SQUARE YARD
TC	TOP OF CURB
TCE	TEMPORARY CONSTRUCTION EASEMENT
TOB	TOP OF BANK
TW	TOP OF RETAINING WALL
TYP	TYPICAL
UT	UTILITY
UVE	UNOBSTRUCTED VIEW EASEMENT
VNAE	VEHICLE NON ACCESS EASEMENT
Vp	VOLUME PROVIDED
Vr	VOLUME REQUIRED
W	WATER
W/O	WITHOUT
WE	WATER EASEMENT
WLE	WATERLINE EASEMENT
WS	WATER SERVICE
WSE/100	WATER SURFACE ELEVATION–100YR STORM
WSEL	WATER SURFACE ELEVATION



LOCATION MAP
1"=400'



VICINITY MAP
NTS

SHEET INDEX	
SHT NO.	DESCRIPTION
1	COVER SHEET
2	DATA SUMMARY & LOT SUMMARY & KEY MAP
3	TYPICAL SECTIONS AND DETAILS
4	TYPICAL SECTIONS AND DETAILS
5–6	PRELIMINARY PLAT
7–8	PRELIMINARY UTILITY PLAN
9–10	PRELIMINARY GRADING & DRAINAGE PLAN

OWNER/ DEVELOPER

MELCOR DEVELOPMENTS ARIZONA, INC.
6930 E. CHAUNCEY LANE SUITE 135
PHOENIX, ARIZONA 85054
PHONE: (480) 699–4687
CONTACT: GRAEME MELTON
EMAIL: gmelton@melcor.ca

ENGINEER/SURVEYOR

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, ARIZONA 85024
PHONE: (602) 957–3350
CONTACT: CHRIS PATTON, P.E.
EMAIL: cpatton@rickengineering.com

LANDSCAPE ARCHITECT

RICK ENGINEERING COMPANY
3945 E. FORT LOWELL RD. SUITE 111
TUCSON, ARIZONA 85712
PHONE: (520) 795–1000
CONTACT: MARK FELLINGER, L.A.
EMAIL: mfellinger@rickengineering.com

BENCHMARK

THE SOUTH QUARTER CORNER OF SECTION 10, T1N, R2W, A MARICOPA COUNTY BRASS CAP FLUSH, ELEVATION = 971.09 (NGVD 29)

THE SOUTHEAST CORNER OF SECTION 10, T1N, R2W, A MARICOPA COUNTY BRASS CAP IN HAND HOLE, ELEVATION = 973.03 (NGVD29)

PRE–PLAT UTILIZES NGVD29

BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS SURVEY IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 10, T1N, R2W, SAID LINE BEARS NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST

LEGAL DESCRIPTION

LOCATED IN THE SOUTH HALF OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(SEE SHEET 2)

NOTES

1. OPEN SPACE AREAS TO BE MAINTAINED BY THE LA PRIVADA HOME OWNER ASSOCIATION.
2. ALL STREETS ARE TO BE PUBLIC STREETS.
3. LOT AND TRACTS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS, CHARGES, SERVITUDES, LIENS RESERVATIONS AND EASEMENTS FOR PURPOSES SHOWN, APPROPRIATE DOCUMENTS WILL BE RECORDED WITH THE FINAL PLAT.
4. THE DESIGN INTENT IS IN ACCORDANCE WITH CITY OF GOODYEAR DESIGN GUIDELINES MANUAL, ADOPTED ON JUNE 9, 2014 AND CITY OF GOODYEAR DESIGN STANDARDS AND POLICY MANUAL ADOPTED AUGUST 2017.
5. THIS PROJECT IS LOCATED IN FEMA FLOOD ZONE "X". SEE MASTER DRAINAGE REPORT FOR FIRM MAP AND DRAINAGE REQUIREMENTS.

DEVELOPMENT STANDARDS

	ZONING	REDUCED R1-4
	MINIMUM LOT AREA (SQ FT)	4,000
	MINIMUM LOT WIDTH (FT) (1)	40
	MINIMUM LOT DEPTH (FT)	100
	MINIMUM SETBACKS (FT)	
	FRONT (2)	10
	FRONT FACING GARAGE	20
	SIDE	5
	TOTAL BOTH SIDES	10
	STREET SIDE (4)	10
	REAR	20

1 FRONT SETBACK SHALL BE MEASURED TO PATIOS, LIVABLE SPACE, AND SIDE ENTRY GARAGES.

2 SETBACK FROM A PUBLIC OR PRIVATE STREET THAT IS NOT PROVIDING DIRECT VEHICULAR ACCESS TO HOMES SHALL BE 10 FEET.

3 NOT APPLICABLE TO THIS PROJECT.

4 WHERE A MINIMUM 10 FOOT WIDE LANDSCAPE TRACT IS PROVIDED, THE TYPICAL SIDE SETBACKS, RATHER THAN STREET SIDE SETBACK APPLIES.

5 TOTAL OF BOTH SIDES SETBACK MAY BE REDUCED TO 10 FEET SUBJECT TO THE REQUIREMENTS AS PROVIDED IN SECTION 3-2-3-D OF THE GOODYEAR ZONING ORDINANCE.

NOTE: MINIMUM WIDTH IS REDUCED FROM 45 FEET TO 40 FEET AND MINIMUM LOT AREA IS REDUCED FROM 4,500 SQUARE FEET TO 4,000 SQUARE FEET AS PROVIDED IN SECTION 3-2-3-D OF THE GOODYEAR ZONING ORDINANCE.

La Privada Lot Mix, Reduced R1-4

Parcel	Lots	45/120	50/120	55/120	65/120	Total
P1*	144	60	84			144
P2*	136	66	70			136
P3	145	145				145
P4*	174	94	80			174
P5*	155	66	89			155
P6						
P7	139			82	57	139
Lot Type Totals		**431**	**323**	**82**	**57**	**893**
La Privada % Mix		48.26%	36.17%	15.57%		
Zoning Minimums		35%	25%	15%		

*Proposed Mixes, not platted

SITE DATA TABLE

	P3	P7
ZONING	(REDUCED) R1-4	(REDUCED) R1-4
GROSS AREA (SQ FT)	1,929,317	1,896,234
GROSS AREA (ACRES)	44.29	43.53
EXISTING RIGHT OF WAY (ACRES)	1.00	0.99
NET AREA (ACRES)	43.29	42.54
OPEN SPACE REQUIRED (% OF NET)	15%	15%
OPEN SPACE REQUIRED (ACRES)	6.49	6.38
ACTIVE OPEN SPACE PROVIDED (ACRES)	14.81	7.69
PASSIVE OPEN SPACE PROVIDED (ACRES)	1.30	1.10
TOTAL OPEN SPACE PROVIDED (ACRES)	16.11	8.79
OPEN SPACE PROVIDED % (NET)	37.22%	20.66%
STREET RIGHT WAY (AC)	9.74	10.43
AVERAGE LOT SIZE (SQ FT)	5,540	7,619
MINIMUM LOT SIZE (SQ FT)	5,345	6,445
MAXIMUM LOT SIZE (SQ FT)	9,894	18,431
LOT COUNT	145	139
DENSITY (BASED ON NET ACRES)	3.35	3.27

PARCEL 3

TRACT SUMMARY TABLE

TRACT ID	TRACT AREA (SQ FT)	ACRES	USE	ACTIVE/PASSIVE	OWNER AND MAINTAINENCE RESPONSIBILITY
TRACT 3–A	289551.26	6.65	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–B	25524.26	0.59	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–C	56561.45	1.30	RID, LANDSCAPE, DRAINAGE,RECREATION	ACTIVE	LPCA
TRACT 3–E	50232.12	1.15	RID, P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–F	1850.71	0.04	LANDSCAPE	PASSIVE	COG/LPCA
TRACT 3–G	5697.21	0.13	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–H	11351.07	0.26	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–I	2096.63	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–J	4848.48	0.11	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–K	11190.80	0.26	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–L	2198.53	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–M	2100.00	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–N	46368.93	1.06	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 3–O	2206.35	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 3–P	6000.06	0.14	RID, WE, SE, LANDSCAPE. RECREATION	ACTIVE	LPCA
TRACT M–A	151015.26	3.47	RID, LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT M–C	34301.80	0.79	RID, LANDSCAPE	PASSIVE	LPCA

PARCEL 7

TRACT SUMMARY TABLE

TRACT ID	TRACT AREA (SQ FT)	ACRES	USE	ACTIVE/PASSIVE	OWNER AND MAINTAINENCE RESPONSIBILITY
TRACT 7–A	109117.39	2.50	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 7–B	1850.74	0.04	LANDSCAPE	PASSIVE	COG/LPCA
TRACT 7–C	63330.29	1.45	P.I.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 7–E	49268.96	1.13	P.I.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA
TRACT 7–F	25911.48	0.59	P.U.E., LANDSCAPE, DRAINAGE	PASSIVE	LPCA
TRACT 7–G	2300.00	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 7–H	4799.00	0.11	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 7–I	2100.00	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 7–J	8408.80	0.19	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 7–K	2100.00	0.05	P.U.E., LANDSCAPE	PASSIVE	LPCA
TRACT 7–L	113576.89	2.61	P.U.E., LANDSCAPE, DRAINAGE, RECREATION	ACTIVE	LPCA

183RD AVE.

TRACT SUMMARY TABLE

TRACT ID	TRACT AREA (SQ FT)	ACRES	USE	ACTIVE/PASSIVE	OWNER AND MAINTAINENCE RESPONSIBILITY
*TRACT M	2514.96	0.06	LANDSCAPE	PASSIVE	COG/LPCA

* SEPRATE TABLE FOR 183RD GENERATED TO DEMONSTRATE ADDITION OF MEDIAN AND DENOTE COG OWNERSHIP WITH LPCA MAINTENANCE RESPONSIBILITY. ACREAGE ACCOUNTED FOR, ADDED TO, AND SPLIT BETWEEN PARCELS IN SITE DATA TABLE.

UTILITY COMMITMENT TABLE

WATER	CITY OF GOODYEAR
SEWER	CITY OF GOODYEAR
ELECTRIC	ARIZONA PUBLIC SERVICE COMPANY
GAS	SOUTHWEST GAS COMPANY
TELEPHONE	CENTURY LINK
SOLID WASTE DISPOSAL	CITY OF GOODYEAR
POLICE PROTECTION	CITY OF GOODYEAR
FIRE PROTECTION AND EMERGENCY SERVICES DISPATCH	CITY OF GOODYEAR
CABLE TELEVISION	COX COMMUNICATIONS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
COVER SHEET

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-25-21 ARIZONA U.S.A.

Expires: 9–30–22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE: AUGUST 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N

© 2021 Rick Engineering Company

PARCEL 3

LOT AREA TABLE		
LOT #	AREA SF	AREA AC
1	5400.00	0.12
2	5400.00	0.12
3	5399.14	0.12
4	5460.83	0.13
5	5567.78	0.13
6	5571.59	0.13
7	5563.22	0.13
8	5554.85	0.13
9	5359.00	0.12
10	5400.00	0.12
11	5400.00	0.12
12	5400.00	0.12
13	5400.00	0.12
14	5400.00	0.12
15	5400.00	0.12
16	5400.00	0.12
17	5400.00	0.12
18	5400.00	0.12
19	5400.00	0.12
20	5400.00	0.12
21	5400.00	0.12
22	5400.00	0.12
23	5400.00	0.12
24	5400.00	0.12
25	5400.00	0.12
26	5399.16	0.12
27	8599.04	0.20
28	9893.55	0.23
29	8341.96	0.19
30	5344.38	0.12
31	5590.00	0.13
32	5709.87	0.13
33	5450.16	0.13
34	5549.48	0.13
35	5648.80	0.13
36	5748.13	0.13
37	5835.22	0.13
38	5812.66	0.13
39	5778.56	0.13
40	5744.45	0.13
41	5676.25	0.13
42	5642.14	0.13
43	5522.89	0.13
44	5434.62	0.12
45	5436.52	0.12
46	5438.79	0.12
47	5441.06	0.12
48	5583.95	0.13
49	5586.22	0.13
50	5588.49	0.13
51	5590.76	0.13
52	5586.48	0.13
53	5571.87	0.13
54	5606.30	0.13
55	5675.14	0.13
56	5709.56	0.13
57	5743.98	0.13
58	5740.11	0.13
59	5697.96	0.13
60	5655.80	0.13
61	5613.65	0.13
62	5571.49	0.13
63	5790.98	0.13
64	6029.87	0.14
65	5687.58	0.13
66	5676.02	0.13
67	5664.45	0.13
68	5652.89	0.13
69	5641.32	0.13
70	5629.76	0.13

LOT AREA TABLE		
LOT #	AREA SF	AREA AC
71	5618.19	0.13
72	5606.63	0.13
73	5583.50	0.13
74	5505.89	0.13
75	5405.59	0.12
76	5400.00	0.12
77	5400.00	0.12
78	5400.00	0.12
79	5760.00	0.13
80	5760.00	0.13
81	5400.00	0.12
82	5400.00	0.12
83	5400.00	0.12
84	5400.00	0.12
85	5400.00	0.12
86	5466.14	0.13
87	5635.65	0.13
88	5624.08	0.13
89	5612.52	0.13
90	5600.95	0.13
91	5589.39	0.13
92	5577.82	0.13
93	5566.26	0.13
94	5554.69	0.13
95	5862.62	0.13
96	6040.88	0.14
97	5706.55	0.13
98	5703.35	0.13
99	5700.16	0.13
100	5696.96	0.13
101	5693.76	0.13
102	5620.29	0.13
103	5400.00	0.12
104	5400.00	0.12
105	5400.00	0.12
106	5400.00	0.12
107	5400.00	0.12
108	5710.00	0.13
109	5710.00	0.13
110	5400.00	0.12
111	5400.00	0.12
112	5400.00	0.12
113	5400.00	0.12
114	5400.00	0.12
115	5555.62	0.13
116	5574.43	0.13
117	5580.51	0.13
118	5577.31	0.13
119	5574.12	0.13
120	5570.92	0.13
121	5889.16	0.14
122	5315.37	0.12
123	5403.60	0.12
124	5403.60	0.12
125	5403.60	0.12
126	5403.60	0.12
127	5403.60	0.12
128	5403.60	0.12
129	5462.88	0.13
130	5459.62	0.13
131	5406.23	0.12
132	5403.60	0.12
133	5403.60	0.12
134	5403.60	0.12
135	5403.60	0.12
136	5403.60	0.12
137	5340.62	0.12
138	5284.30	0.12
139	5400.31	0.12
140	5400.28	0.12

LOT AREA TABLE		
LOT #	AREA SF	AREA AC
141	5400.25	0.12
142	5400.22	0.12
143	5400.20	0.12
144	5400.17	0.12
145	5400.14	0.12

CENTERLINE DATA			
NO.	LENGTH	BEARING/DELTA	RADIUS
C1	78.60'	090°03'51"	50.00'
C2	20.89'	005°59'06"	200.00'
C3	20.67'	005°55'14"	200.00'
C4	78.54'	090°00'13"	50.00'
C5	21.26'	004°03'39"	300.00'
C6	17.72'	004°03'39"	250.00'
C7	78.48'	089°56'09"	50.00'
C8	51.74'	004°03'39"	730.00'
C9	75.05'	086°00'00"	50.00'
L1	171.92'	S89°30'31"E	
L2	306.56'	N84°30'23"E	
L3	127.96'	N89°34'23"W	
L4	106.55'	N89°34'23"W	
L5	252.74'	S89°30'31"E	
L6	580.31'	N86°25'50"E	
L7	190.08'	S89°34'23"E	
L8	394.66'	S89°30'31"E	
L9	441.57'	N86°25'50"E	
L10	344.23'	N89°30'31"W	
L11	134.64'	N89°30'31"W	
L12	226.37'	N86°25'50"E	
L13	240.06'	N0°25'37"E	
L14	150.01'	N0°25'37"E	
L15	139.99'	N0°25'37"E	
L16	244.94'	N0°25'37"E	
L18	213.16'	S0°25'37"W	
L19	254.11'	N0°25'50"E	
L20	299.95'	N0°25'50"E	
L21	237.61'	N0°25'50"E	

PARCEL 7

LOT AREA TABLE		
LOT #	AREA SF	AREA AC
1	7324.52	0.17
2	7115.80	0.16
3	7115.83	0.16
4	7115.86	0.16
5	7115.89	0.16
6	6599.97	0.15
7	6600.43	0.15
8	6600.45	0.15
9	6600.47	0.15
10	6600.50	0.15
11	6658.95	0.15
12	6658.57	0.15
13	6600.00	0.15
14	6600.00	0.15
15	6600.00	0.15
16	6600.00	0.15
17	6609.97	0.15
18	6500.97	0.15
19	11553.08	0.27
20	8277.27	0.19
21	8450.00	0.19
22	8450.00	0.19
23	8450.00	0.19
24	8450.00	0.19
25	8450.00	0.19
26	8450.00	0.19
27	8450.00	0.19
28	8450.00	0.19
29	8450.00	0.19
30	8450.00	0.19
31	8450.00	0.19
32	8450.00	0.19
33	8450.00	0.19
34	8450.00	0.19
35	8450.00	0.19
36	8244.84	0.19
37	8790.00	0.20
38	8450.00	0.19
39	8450.00	0.19
40	8450.00	0.19
41	8450.00	0.19
42	8450.00	0.19
43	8450.00	0.19
44	8450.00	0.19
45	8450.00	0.19
46	8450.00	0.19
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49	8450.00	0.19
50	8450.00	0.19
51	8450.00	0.19
52	8450.00	0.19
53	8450.00	0.19
54	8450.00	0.19
55	8450.00	0.19
56	8450.00	0.19
57	8450.00	0.19
58	8450.00	0.19
59	8450.00	0.19
60	8450.00	0.19
61	8450.00	0.19
62	8450.00	0.19
63	8450.00	0.19
64	8450.00	0.19
65	8450.00	0.19
66	8450.00	0.19
67	8450.00	0.19
68	8790.00	0.20
69	15661.90	0.36
70	8405.08	0.19

LOT AREA TABLE		
LOT #	AREA SF	AREA AC
71	8451.55	0.19
72	8451.60	0.19
73	8806.48	0.20
74	18435.13	0.42
75	13641.10	0.31
76	9123.64	0.21
77	6550.00	0.15
78	6600.00	0.15
79	6600.00	0.15
80	6600.00	0.15
81	6600.00	0.15
82	6600.00	0.15
83	6600.00	0.15
84	6600.00	0.15
85	6600.00	0.15
86	6600.00	0.15
87	6600.00	0.15
88	6600.00	0.15
89	6600.00	0.15
90	6600.00	0.15
91	6600.00	0.15
92	6600.00	0.15
93	6600.00	0.15
94	6600.00	0.15
95	6600.00	0.15
96	6600.00	0.15
97	6600.00	0.15
98	6600.00	0.15
99	6600.00	0.15
100	6600.00	0.15
101	6600.00	0.15
102	6600.00	0.15
103	6600.00	0.15
104	6600.00	0.15
105	6600.00	0.15
106	6600.00	0.15
107	6600.00	0.15
108	6550.00	0.15
109	6790.00	0.16
110	6600.00	0.15
111	6600.00	0.15
112	6600.00	0.15
113	6600.00	0.15
114	6600.00	0.15
115	6600.00	0.15
116	6600.00	0.15
117	6600.00	0.15
118	6600.00	0.15
119	6600.00	0.15
120	6600.00	0.15
121	6600.00	0.15
122	6600.00	0.15
123	6600.00	0.15
124	6790.00	0.16
125	6604.42	0.15
126	6601.61	0.15
127	6601.64	0.15
128	6601.67	0.15
129	6601.70	0.15
130	6447.06	0.15
131	7108.84	0.16
132	7115.81	0.16
133	7115.72	0.16
134	7115.87	0.16
135	7115.79	0.16
136	7115.79	0.16
137	7115.78	0.16
138	7115.79	0.16
139	7324.51	0.17

CENTERLINE DATA			
NO.	LENGTH	BEARING/DELTA	RADIUS
C10	78.56'	090°01'14"	50.00'
C11	78.49'	089°56'23"	50.00'
C12	78.52'	089°58'46"	50.00'
C13	78.52'	089°58'46"	50.00'
C14	78.59'	090°03'37"	50.00'
L22	1022.92'	S89°30'48"E	
L23	96.52'	S89°30'48"E	
L24	976.60'	S89°30'48"E	
L25	190.01'	S89°34'23"E	
L26	976.80'	S89°30'48"E	
L27	529.55'	S89°30'48"E	
L28	347.41'	S89°30'48"E	
L29	210.00'	S0°27'58"W	
L30	240.02'	S0°27'58"W	
L31	290.00'	S0°27'58"W	
L32	259.40'	N0°29'12"E	
L33	239.95'	S0°25'35"W	
L34	140.23'	S0°25'36"W	
L35	149.77'	S0°25'35"W	
L36	260.05'	S0°25'35"W	

FINAL PLAT NOTES:

1. SEPARATE STAND-ALONE OFFSITE PLANS WILL BE PREPARED FOR YUMA ROAD AND 183RD AVENUE.

LEGAL DESCRIPTION (CONTINUATION FROM SHEET 1)

LOCATED IN THE SOUTH HALF OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP FLUSH AT THE SOUTH QUARTER CORNER OF SAID SECTION 10, FROM WHICH A FOUND MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION ALUMINUM CAP FLUSH BEARS NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, A DISTANCE OF 2644.95 FEET;

THENCE NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 1,312.22 FEET;

THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, DEPARTING SAID SOUTH SECTION LINE, A DISTANCE OF 590.00 FEET;

THENCE NORTH 89 DEGREES 30 MINUTES 48 SECONDS WEST, A DISTANCE OF 156.50 FEET;

THENCE NORTH 00 DEGREES 28 MINUTES 00 SECONDS EAST, A DISTANCE OF 764.38 FEET;

THENCE SOUTH 89 DEGREES 30 MINUTES 48 SECONDS EAST, A DISTANCE OF 1,467.78 FEET TO A POINT ON THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 10;

THENCE SOUTH 89 DEGREES 34 MINUTES 23 SECONDS EAST, DEPARTING SAID MID-SECTION LINE, A DISTANCE OF 30.00 FEET;

THENCE NORTH 00 DEGREES 25 MINUTES 37 SECONDS EAST, ALONG A LINE PARALLEL TO AND 30 FEET EAST OF SAID MID-SECTION LINE, A DISTANCE OF 150.53 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 23 SECONDS EAST, DEPARTING SAID LINE, A DISTANCE OF 119.51 FEET;

THENCE NORTH 61 DEGREES 15 MINUTES 19 SECONDS EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF SOUTH 69 DEGREES 40 MINUTES 43 SECONDS EAST, A CHORD DISTANCE OF 72.07 FEET;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 55.00 FEET, THROUGH A CENTRAL ANGLE OF 81 DEGREES 52 MINUTES 03 SECONDS, A DISTANCE OF 78.59 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 21 DEGREES 02 MINUTES 22 SECONDS, A DISTANCE OF 7.34 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 23 SECONDS EAST, A DISTANCE OF 599.50 FEET;

THENCE SOUTH 44 DEGREES 34 MINUTES 23 SECONDS EAST, A DISTANCE OF 28.28 FEET;

THENCE SOUTH 00 DEGREES 25 MINUTES 37 SECONDS WEST, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 23 SECONDS EAST, A DISTANCE OF 251.56 FEET;

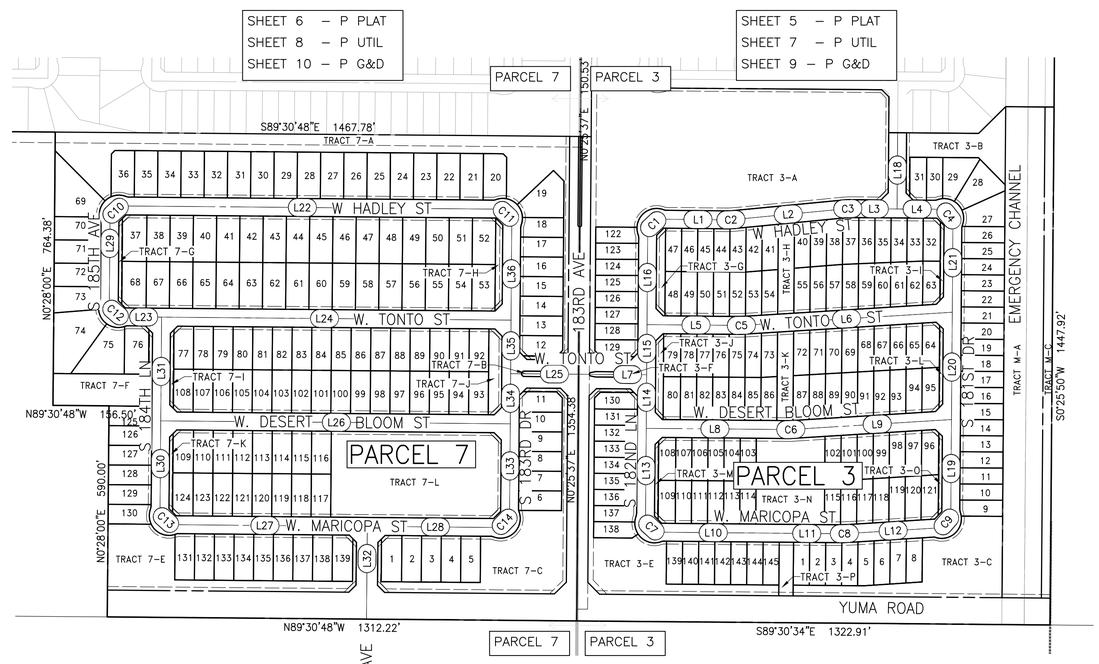
THENCE NORTH 45 DEGREES 25 MINUTES 44 SECONDS EAST, A DISTANCE OF 106.06 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 10 SECONDS EAST, A DISTANCE OF 135.00 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 10;

THENCE SOUTH 00 DEGREES 25 MINUTES 50 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1,447.92 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 10;

THENCE NORTH 89 DEGREES 30 MINUTES 34 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 1,322.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,825,572 SQUARE FEET OR 87.823 ACRES, MORE OR LESS.



KEY MAP
1"=200'

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
KEY MAP & NOTES

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-22-21 ARIZONA, U.S.A.

Expires: 9–30–22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE:	AUGUST 2021
DRAWN:	EH/MFS
DESIGNED:	TW
PROJ NO. 4684N	2 OF 10

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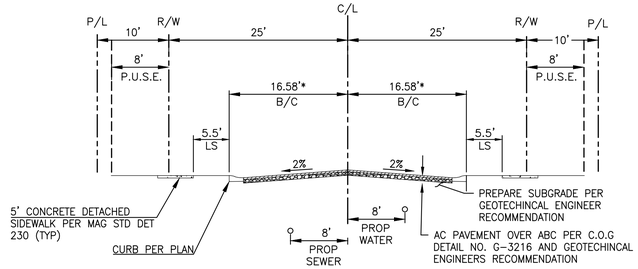
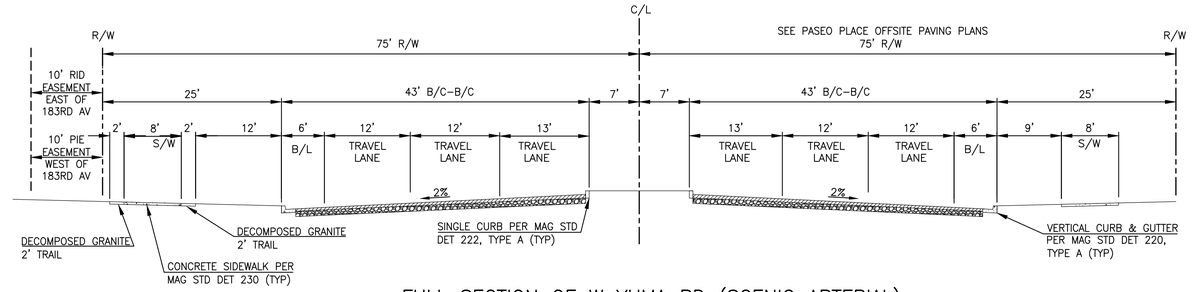


*17.58 FOR 6" ROLLED CURB

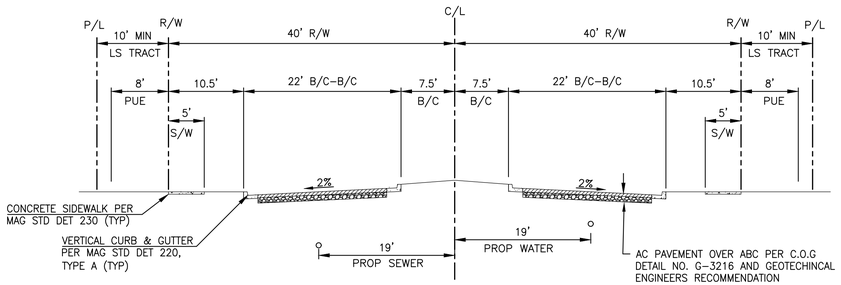
PROPOSED LOCAL STREETS

CITY OF GOODYEAR STD DET G-3126
LOOKING NORTH & WEST
NTS



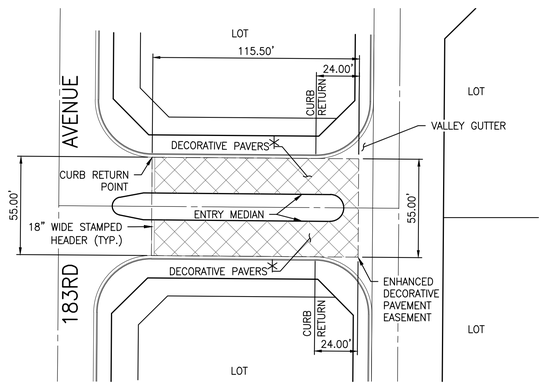
FULL SECTION OF W YUMA RD (SCENIC ARTERIAL)

CITY OF GOODYEAR STD DET G-3130
LOOKING EAST – 150' ROW
NTS



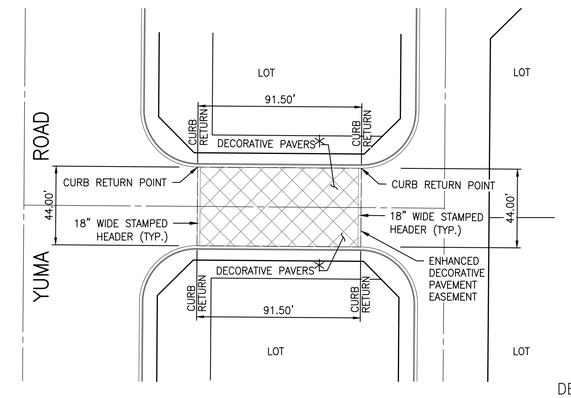
PROPOSED ENTRY STREET WITH MEDIAN

ENTRY STREET ALONG 183RD AVENUE
LOOKING NORTH OR EAST
NTS



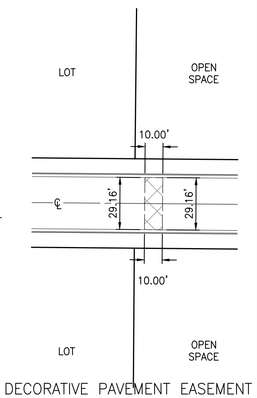
ENTRY ROAD WITH MEDIAN

NTS



ENTRY ROAD WITHOUT MEDIAN

NTS



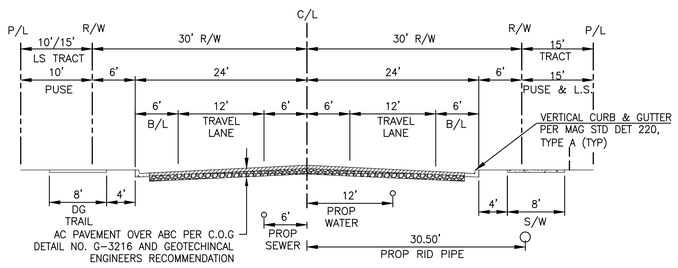
DECORATIVE PAVEMENT EASEMENT MID-BLOCK CROSSING

NTS

* PAVERS, COLORED CONCRETE OR OTHER APPROVED DECORATIVE MATERIAL SHALL BE MAINTAINED BY THE HOA.

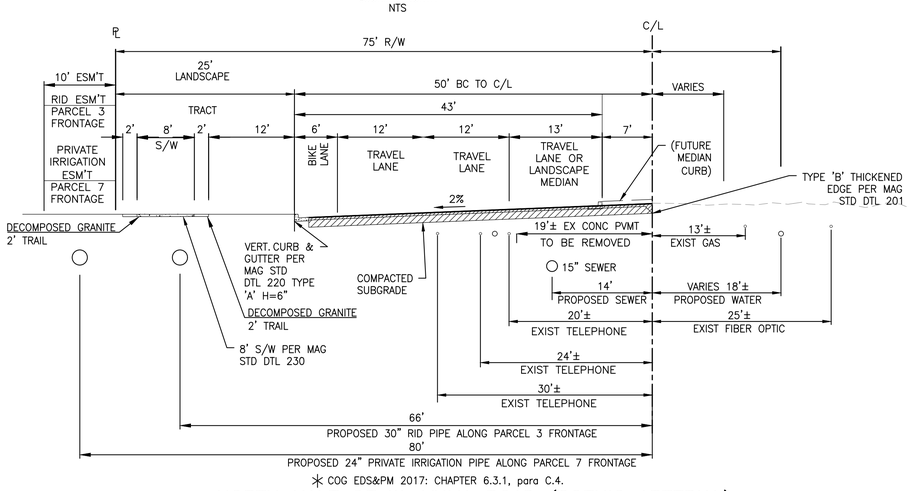
DECORATIVE PAVEMENT DETAIL

NTS



S. 183RD AVENUE MINOR COLLECTOR ROAD

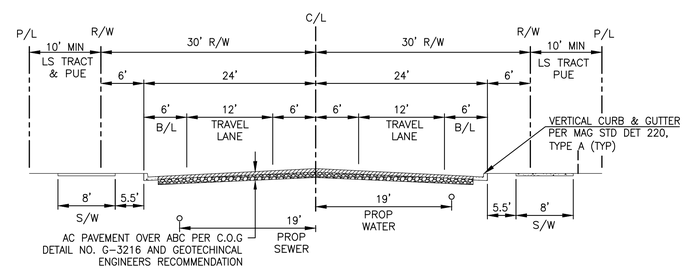
LOOKING NORTH
NTS



* COG EDS&PM 2017: CHAPTER 6.3.1, para C.4.

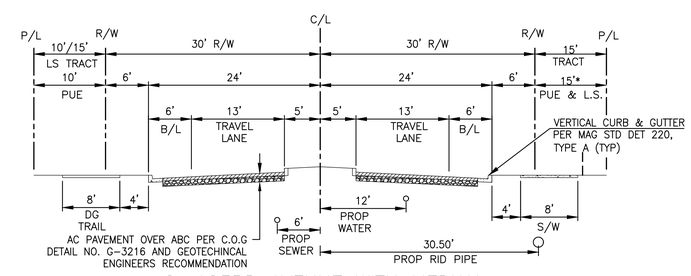
NORTH HALF OF W. YUMA ROAD (SCENIC ARTERIAL)

NTS



PROPOSED ENTRY STREET WITHOUT MEDIAN

ENTRY STREET ALONG YUMA RD
LOOKING NORTH
NTS



S. 183RD AVENUE WITH MEDIAN MINOR COLLECTOR ROAD

LOOKING NORTH
(SECTION ALONG PARCEL 3 MAIN PARK AREA)
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
TYPICAL SECTIONS AND DETAILS

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-23-21 ARIZONA, U.S.A.

Expires: 9-30-22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE: AUGUST 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N

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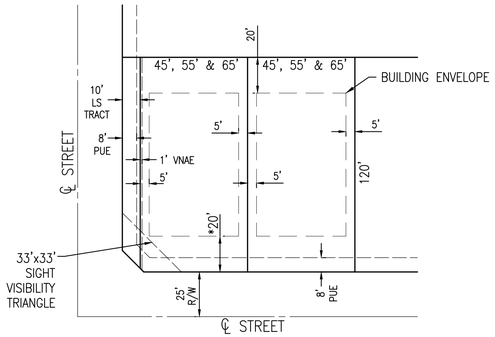
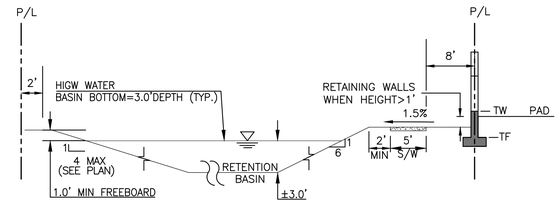


TYPICAL LOT DETAIL

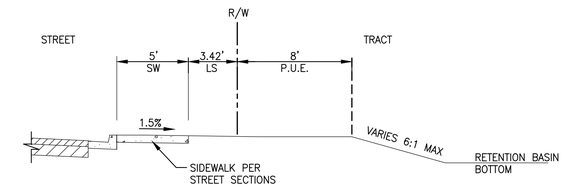
NTS

*10' FOR SIDE LOADED GARAGES, PATIOS, AND LIVABLE SPACE



TYPICAL SECTION A–A

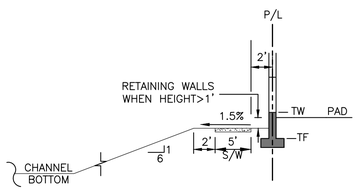
NTS



TYPICAL SECTION B–B

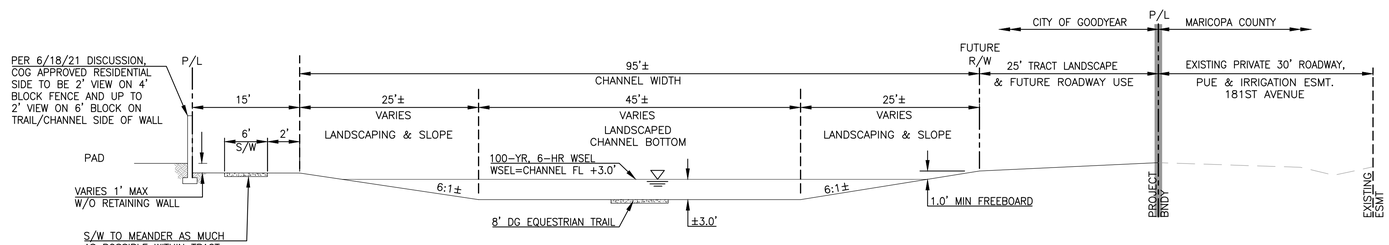
(SEE LOCAL STREET FOR TYPICAL STREET SECTION)

NTS



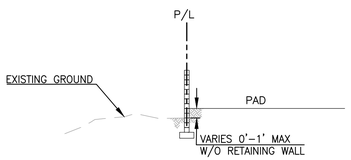
TYPICAL SECTION C–C

NTS



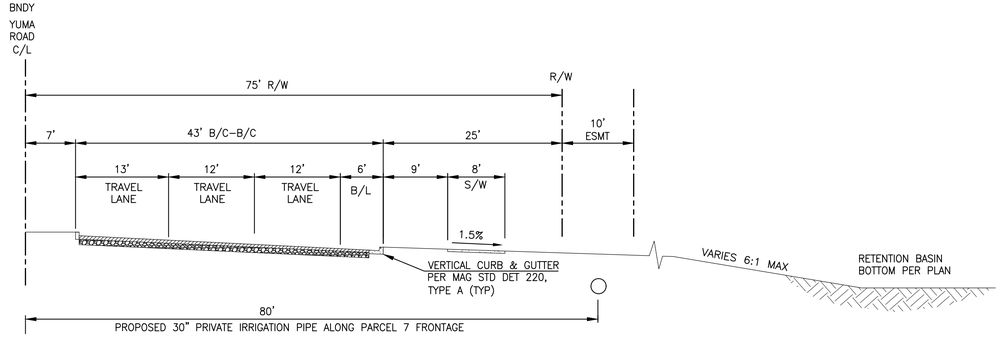
SECTION D–D
EQUESTRIAN TRAIL & CHANNEL

NTS



SECTION E–E
REAR YARD/EXISTING GROUND

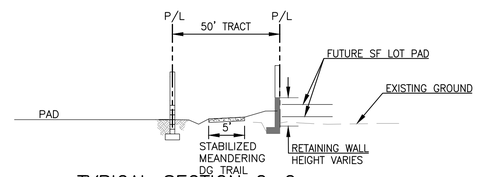
NTS



TYPICAL SECTION F–F

YUMA ROAD AT RETENTION BASINS

NTS



TYPICAL SECTION G–G

NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
TYPICAL SECTIONS AND DETAILS

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 07-12-21 ARIZONA, U.S.A.

Expires: 9–30–22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
Call 811 or click Arizona811.com

DATE: JULY 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N

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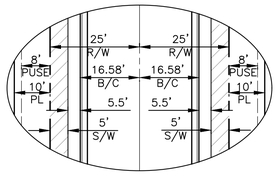
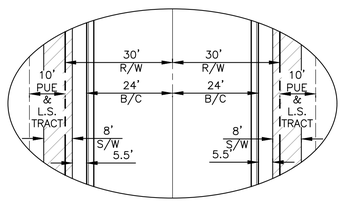
NOTES:

1. SEE SHEET 2 FOR CENTERLINE DATA.
2. SEE SHEET 2 FOR LOT AREAS.
3. SEE SHEET 3 FOR TYPICAL LOT DETAILS.
4. SEE SHEET 3 FOR ENHANCED PAVEMENT DETAILS.



TYPICAL LOCAL STREET DIMENSIONS
NTS

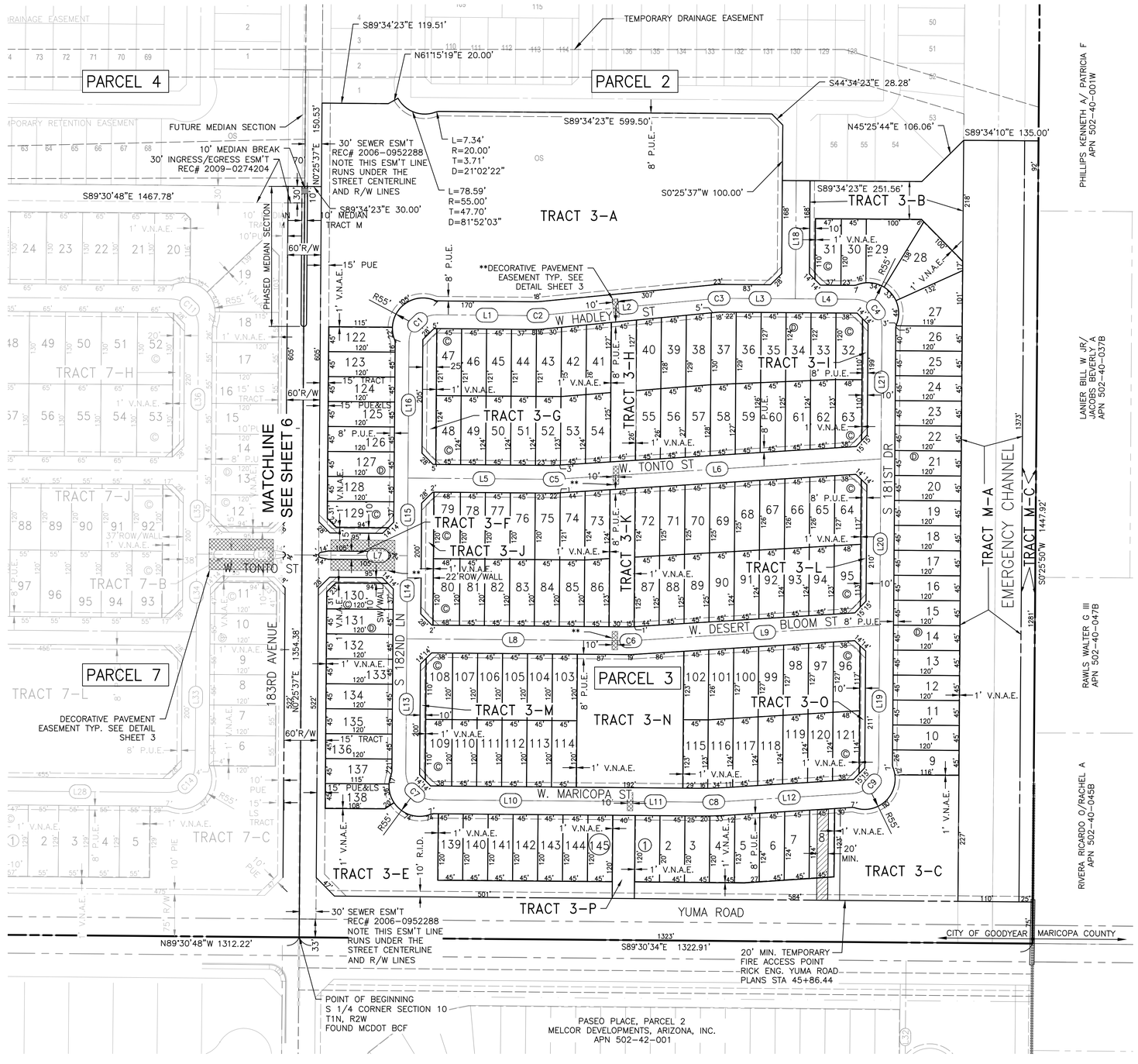


TYPICAL COLLECTOR STREET DIMENSIONS
NTS

LOT NOTES:

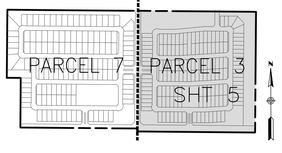
Ⓒ CORNER LOTS

Ⓓ DRIVEWAY RESTRICTED TO SIDE DEPICTED



** DECORATIVE PAVEMENT EASEMENT SEE DETAIL SHEET 3

SCALE:1"=100'



KEY MAP
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY PLAT FOR PARCEL 3

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-25-21 ARIZONA, U.S.A.

Expires: 9-30-22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE:	AUGUST 2021
DRAWN:	EH/MFS
DESIGNED:	TW
PROJ NO. 4684N	5 OF 10

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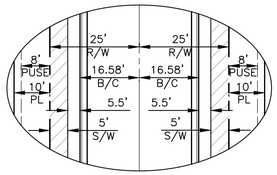
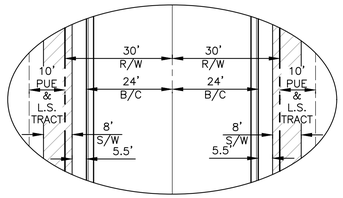
NOTES:

1. SEE SHEET 2 FOR CENTERLINE DATA.
2. SEE SHEET 2 FOR LOT AREAS.
3. SEE SHEET 3 FOR TYPICAL LOT DETAILS.
4. SEE SHEET 3 FOR ENHANCED PAVEMENT DETAILS.

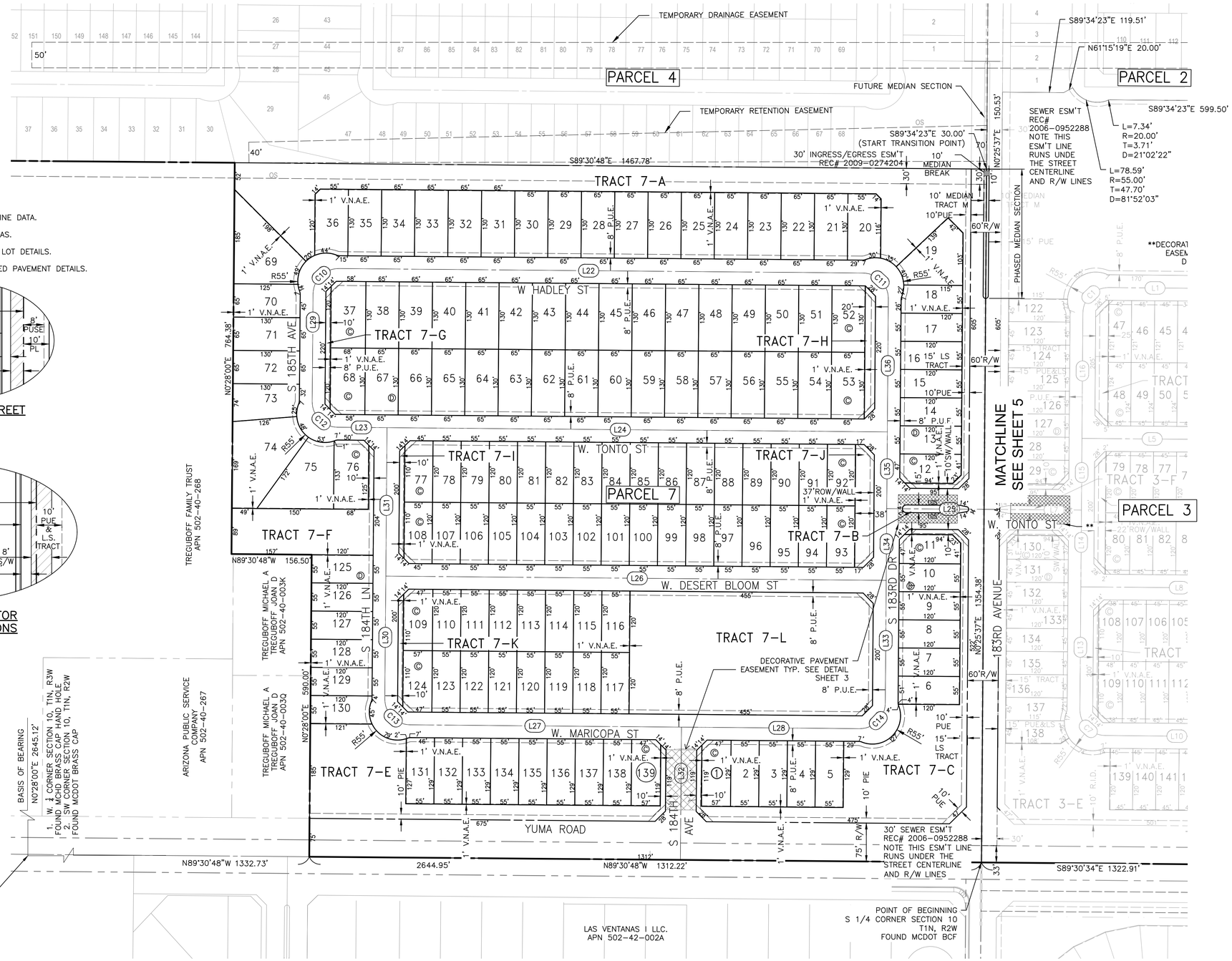


TYPICAL LOCAL STREET DIMENSIONS
NTS



TYPICAL COLLECTOR STREET DIMENSIONS
NTS

LOT NOTES:
Ⓒ CORNER LOTS
Ⓓ DRIVEWAY RESTRICTED TO SIDE DEPICTED



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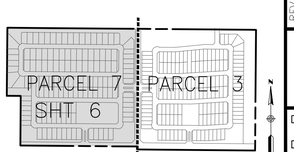


KEY MAP
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY PLAT FOR PARCEL 7

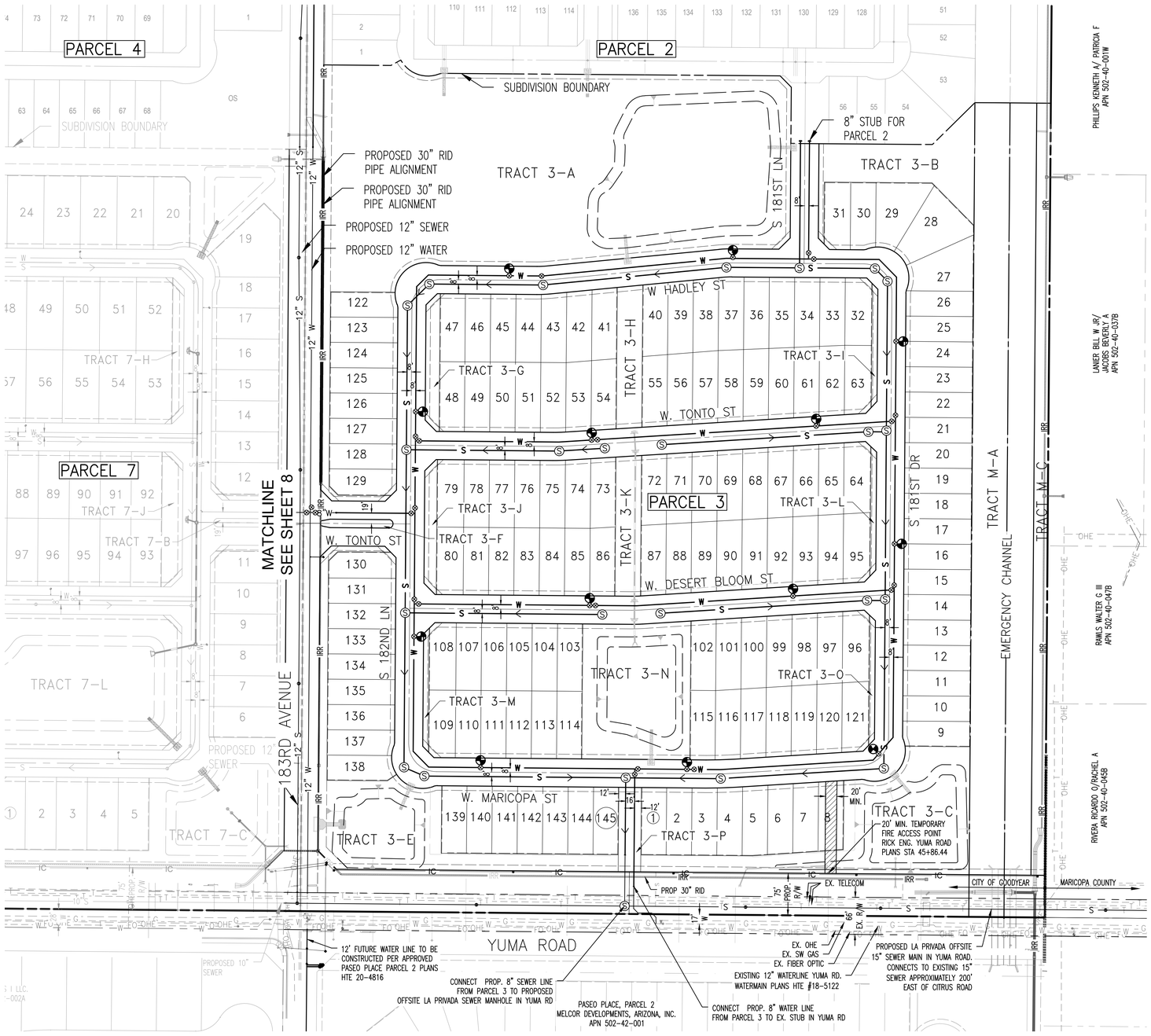
RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com
Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-25-21 ARIZONA, U.S.A.
Expires: 9-30-22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE: AUGUST 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N

2021 Rick Engineering Company



LEGEND

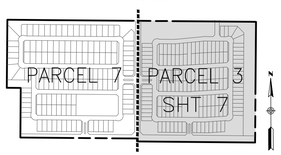
	EXISTING POWER POLE
OHE	EXISTING OVERHEAD POWERLINE
	PROPOSED WATER VALVE
	PROPOSED SEWER MANHOLE
	PROPOSED FIRE HYDRANT
8" W	PROPOSED WATER MAIN
8" S	PROPOSED SEWER MAIN
	PROPOSED STORM DRAIN PIPE
IRR	PROPOSED R.I.D. IRRIGATION PIPELINE

NOTE:

1) ALL PROPOSED SEWER LINE PIPE TO BE SDR-35 PVC.
2) ALL PROPOSED WATER LINE PIPE TO BE DIP, CL-350.

N

100 50 0 100
GRAPHIC SCALE: 1"=100'



KEY MAP
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY UTILITY PLAN FOR PARCEL 3

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
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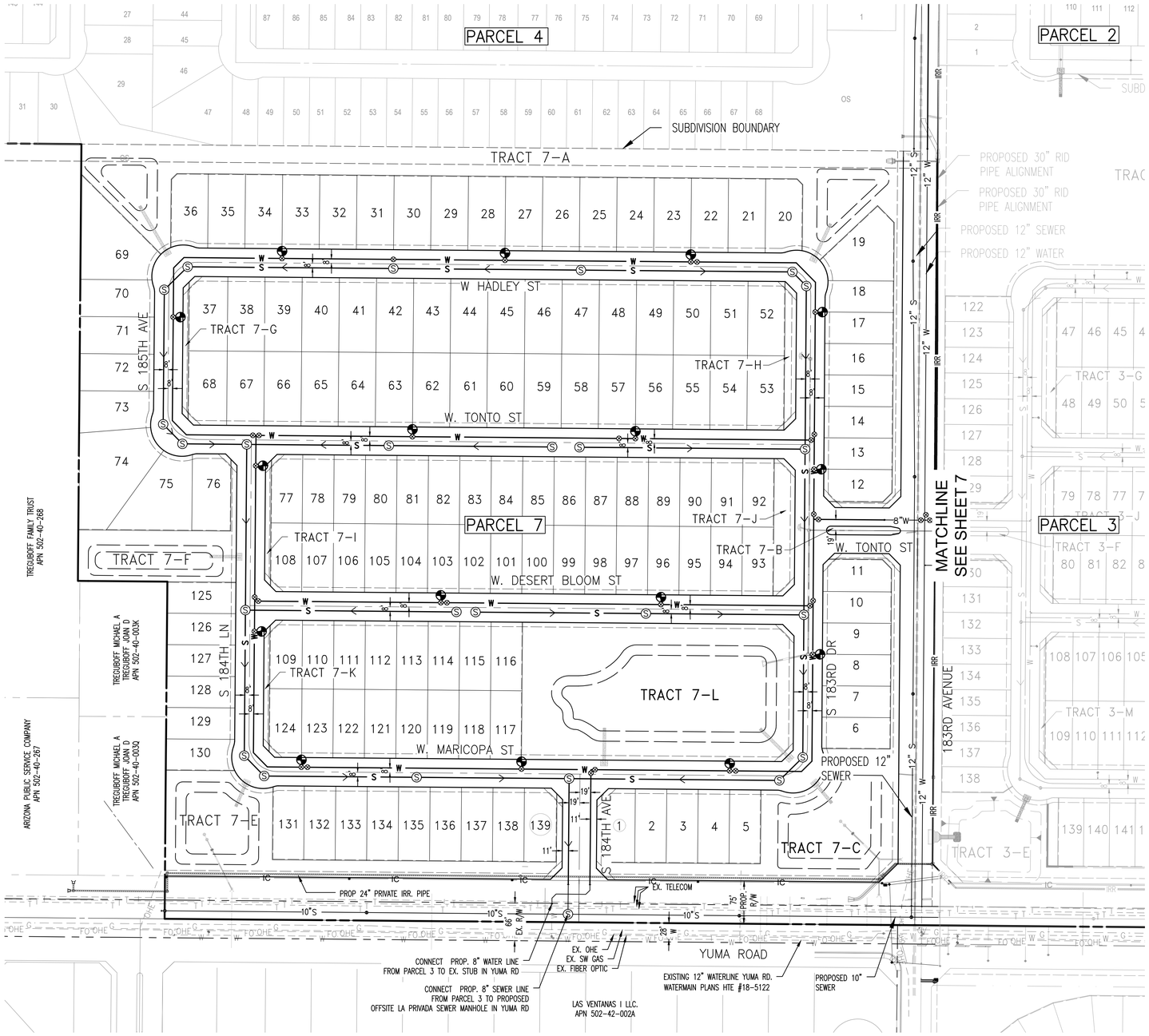

LEGEND

	EXISTING POWER POLE
OHE	EXISTING OVERHEAD POWERLINE
	PROPOSED WATER VALVE
	PROPOSED SEWER MANHOLE
	PROPOSED FIRE HYDRANT
8" W	PROPOSED WATER MAIN
8" S	PROPOSED SEWER MAIN
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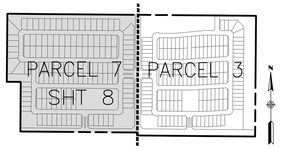
N

100 50 0 100

GRAPHIC SCALE: 1"=100'



KEY MAP

NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY UTILITY PLAN FOR PARCEL 3

RICK ENGINEERING COMPANY
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Contact Arizona 811 at least two full working days before you begin excavation
Call 811 or click Arizona811.com

DATE:	AUGUST 2021
DRAWN:	EH/MFS
DESIGNED:	TW
PROJ NO. 4684N	8 OF 10

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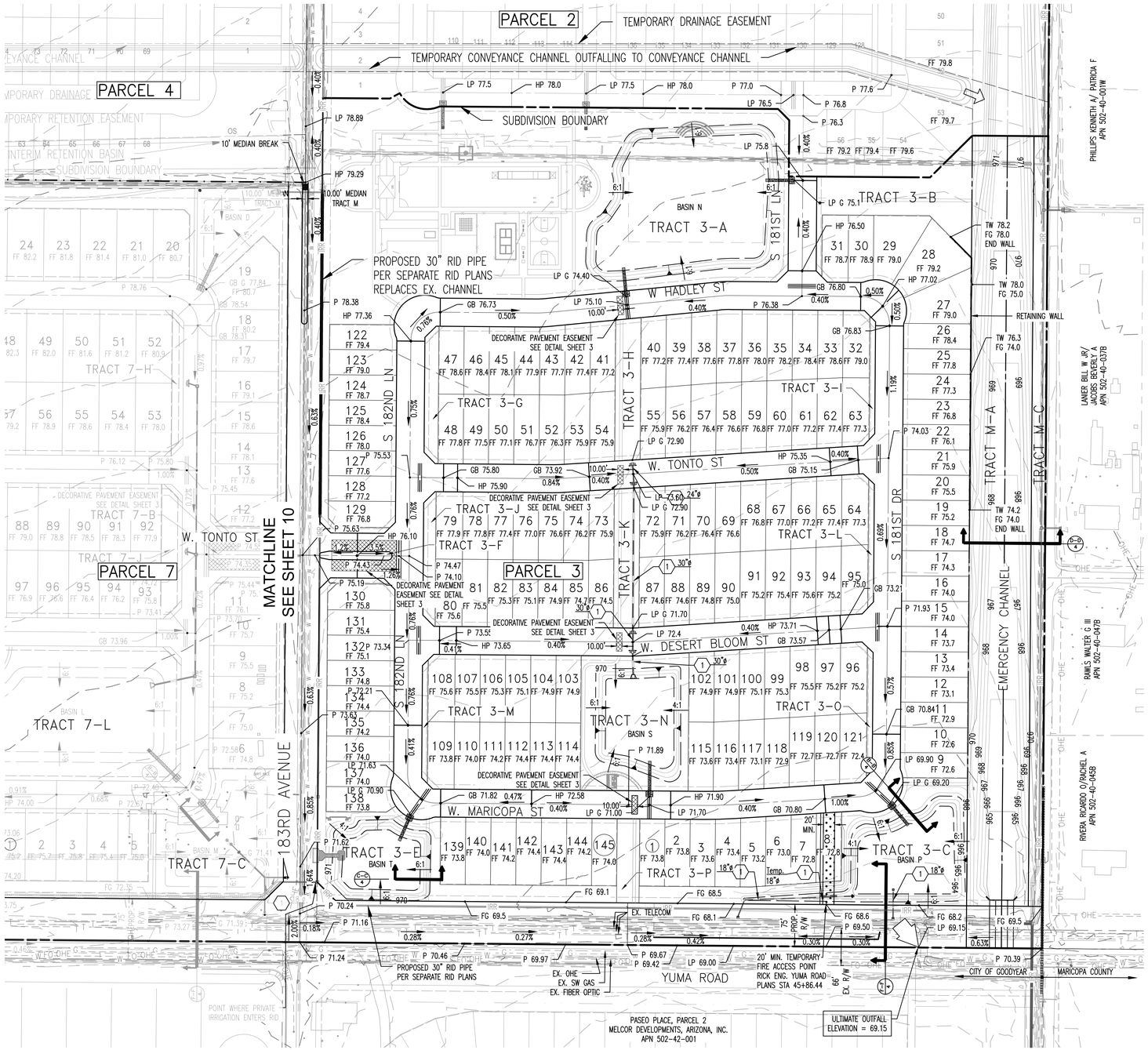
NOTE:

1) ALL PROPOSED STORM DRAIN TO BE CL III RGRCP.
2) ALL PROPOSED STORM DRAIN TO BE PER PLAN.
3) HGL PER DRAINAGE REPORT

EXISTING IRRIGATION FACILITIES NOTE:
THERE ARE PRIVATE AND ROOSEVELT IRRIGATION DISTRICT DELIVERY AND TAILWATER DITCHES AND STRUCTURES WITHIN THIS PROPOSED SUBDIVISION. ABANDONMENT, UNDERGROUNDING, AND RE-ROUTING OF THESE FACILITIES AS DETERMINED NECESSARY WILL BE REQUIRED WITH FINAL DESIGN.



CONSTRUCTION NOTES

1. INSTALL RGRCP STORM DRAIN PIPE. SIZE AS NOTED

GRADING NOTES

1. ALL RESIDENTIAL LOTS ARE TO DRAIN FROM THE BACK OF THE LOT TO THE FRONT UNLESS OTHERWISE NOTED
2. THIS EXHIBIT HAS BEEN PREPARED FOR PRELIMINARY PURPOSES ONLY. RETENTION POND SIZE, ORIENTATION, AND LOCATION ARE SUBJECT TO CHANGE PER THE FINAL DESIGN
3. MINIMUM FINISHED FLOORS ARE THE BE ESTABLISHED IN THE FINAL DRAINAGE REPORT
4. TRAIL AND AMENITIES ARE SHOWN FOR CONCEPTUAL PURPOSES ONLY. THE FINAL LOCATION, TYPE, AND DESIGN OF RECREATIONAL FACILITIES ARE SUBJECT TO CHANGE
5. MAXIMUM SIDE SLOPES ON RETENTION PONDS SHALL BE 4:1 IN AREAS WITH NO OR LIMITED PEDESTRIAN ACCESS. OTHERWISE THE MAXIMUM SIDE SLOPE SHALL BE 6:1
6. ALL RETENTION POND AREAS ARE TO BE MAINTAINED BY THE HOA

LEGEND

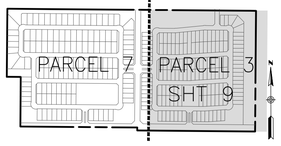
- 980 — EXISTING CONTOURS
- PROPOSED GRADE BREAK
- 0.40% — PROPOSED DIRECTIONAL & STREET SLOPE
- C-C NT01 — SECTION IDENTIFICATION
- TOP / P 85.20 / TOE — SLOPE
- PROPOSED SPOT ELEVATIONS
- STORM DRAIN PIPE WITH MANHOLE
- OR — PROPOSED STORM DRAIN INLET WITH STORM DRAIN PIPE
- PROPOSED SCUPPER
- T — RETENTION BASIN IDENTIFICATION
- PROPOSED RIP RAP
- FLOW ARROW
- DRAINAGE OUTFALL
- BOX CULVERT
- CONCRETE WALKWAY
- DECOMPOSED GRANITE PATH
- VALLEY GUTTER
- DECORATIVE PAVEMENT WITH EASEMENT

N

100 50 0 100
GRAPHIC SCALE: 1"=100'

RETENTION BASIN DATA

BASIN ID	HIGH WATER ELEV. (FT)	BOTTOM ELEV. (FT)	DEPTH(FT)	VOLUME REQD. (CF)	VOLUME PROV. (CF)
N	973.40	970.40	3.00	157,460	170,947
T	969.90	966.90	3.00	47,885	52,500
P	967.00	964.00	3.00	74,163	82,500
S	970.00	967.00	3.00	66,451	68,652



KEY MAP
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY GRADING AND DRAINAGE PLAN
FOR PARCEL 3

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) 41208 CHRISTOPHER G. PATTON Date Signed 08-23-21 ARIZONA, U.S.A.

Expires: 9-30-22

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Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811
Call 811 or click Arizona811.com

DATE: AUGUST 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N

2021 Rick Engineering Company

NOTE:

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2) ALL PROPOSED STORM DRAIN TO BE PER PLAN.
3) HGL PER DRAINAGE REPORT

EXISTING IRRIGATION FACILITIES NOTE:
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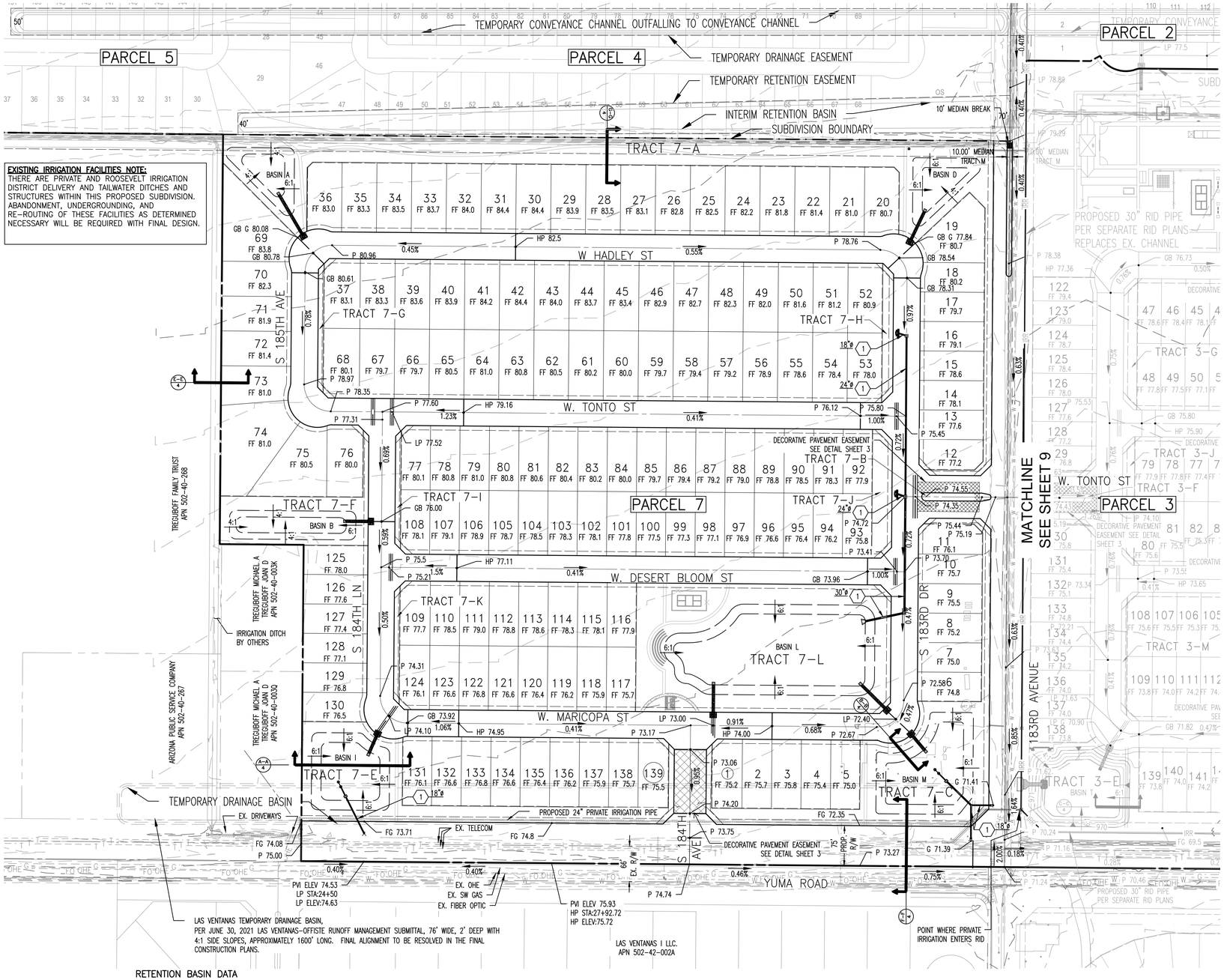

RETENTION BASIN DATA

BASIN ID	HIGH WATER ELEV. (FT)	BOTTOM ELEV. (FT)	DEPTH(FT)	VOLUME REQD. (CF)	VOLUME PROV. (CF)
D	979.00	976.00	3.00	21,266	21,845
A	976.75	973.75	3.00	20,307	21,401
B	974.30	971.30	3.00	24,141	27,550
I	972.30	969.30	3.00	36,847	46,423
L	970.70	967.70	3.00	120,457	147,442
M	970.30	967.30	3.00	49,991	65,419

CONSTRUCTION NOTES

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- 0.40% — PROPOSED DIRECTIONAL & STREET SLOPE
- C-C NT01 — SECTION IDENTIFICATION
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- PROPOSED SCUPPER
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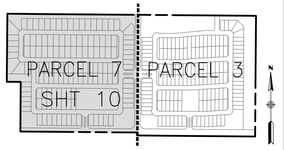
- PROPOSED RIP RAP
- FLOW ARROW
- DRAINAGE OUTFALL
- BOX CULVERT
- CONCRETE WALKWAY
- DECOMPOSED GRANITE PATH
- VALLEY GUTTER
- DECORATIVE PAVEMENT WITH EASEMENT

N

100 50 0 100
GRAPHIC SCALE: 1"=100'



KEY MAP
NTS

MELCOR

LA PRIVADA PARCELS 3 & 7
PRELIMINARY PLAT
PRELIMINARY GRADING AND DRAINAGE PLAN
FOR PARCEL 7

RICK ENGINEERING COMPANY
22415 NORTH 16TH STREET
PHOENIX, AZ 85024
602.957.3350
Tucson - San Diego - Riverside - Orange
Sacramento - San Luis Obispo - Denver
rickengineering.com

Registered Professional Engineer (Civil) CERTIFICATE NO. 41208 CHRISTOPHER G. PATTON Date Signed 08-25-21 ARIZONA, U.S.A.

Expires: 9-30-22

REV	DESCRIPTION	DATE

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 BLUE STAKE, INC.
Call 811 or click Arizona811.com

DATE: AUGUST 2021
DRAWN: EH/MFS
DESIGNED: TW
PROJ NO. 4684N
10 OF 10

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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. CABANAS / SEATING
11. BOCCE COURTS
12. CORNHOLE GAMES
13. PICKLEBALL COURT
14. BASKETBALL COURT
15. PLAY STRUCTURE
16. MULTIUSE FIELD
17. AMPHITHEATER SEATING
18. STREETSCAPE SEATING AREA
19. LIGHTED PICKLEBALL COURT
20. 6' MEANDERING PAVED TRAIL
21. TRAIL MARKER LOCATION
22. FITNESS STATION
23. SEATING / GATHERING AREA

WALL KEY

- MONUMENT SIGN
- THEME WALL
- PARTIAL VIEW WALL

PLANT MATERIAL LEGEND

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE
TREES		
	ACACIA ANURA MULGA	24" BOX
	ACACIA SALICINA WILLOW ACACIA	15 GAL.
	CAESALPINIA CACALACO CASCALOTE	24" BOX
	CHILOPSIS LINEARIS DESERT WILLOW	15 GAL.
	PARKINSONIA 'DESERT MUSEUM' DESERT MUSEUM PALO VERDE	24" BOX
	PARKINSONIA PRAECOX PALO BREA	24" BOX
	PISTACIA CHINENSIS 'RED PUSH' RED PUSH PISTACHE	24" BOX
	PROSOPIS THORNLESS HYBRID 'AZT' AZT HYBRID MESQUITE	15 GAL.
	PROSOPIS GLANDULOSA 'AZT' THORNLESS HONEY MESQUITE	24" BOX

BOTANICAL NAME / COMMON NAME	SIZE
SHRUBS AND ACCENTS	
ACACIA REDOLENS 'DESERT CARPET' DESERT CARPET ACACIA	5 GAL.
AGAVE 'BLUE ELF' BLUE ELF AGAVE	5 GAL.
AGAVE WEBERII WEBER'S AGAVE	5 GAL.
ALOE BARBADENSIS MEDICINAL ALOE	5 GAL.
BULBINE FRUTESCENS BULBINE	5 GAL.
CALLIANDRA CALIFORNICA BAJA FAIRY DUSTER	5 GAL.
CALLISTEMON 'LITTLE JOHN' DWARF BOTTLE BUSH	5 GAL.
CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL.
CORDIA PARVIFOLIA LITTLE-LEAF CORDIA	5 GAL.

BOTANICAL NAME / COMMON NAME	SIZE
SHRUBS AND ACCENTS	
CONVOLVULUS CNEORUM GROUND MORNING GLORY	5 GAL.
CHRYSACTINIA MEXICANA DAMIANITA	5 GAL.
DALEA FRUTESCENS BLACK DALEA	5 GAL.
DALEA GREGGII TRAILING INDIGO BUSH	5 GAL.
EREMOPHILA 'VALENTINE' VALENTINE SHRUB	5 GAL.
EUPHORBIA RIGIDA GOPHER PLANT	5 GAL.
FOUQUIERIA SPLENDENS OCOTILLO	3 CANE MIN.
HESPERALOE FUNIFERA GIANT HESPERALOE	5 GAL.
HESPERALOE PARVIFLORA RED YUCCA	5 GAL.
LANTANA 'NEW GOLD' NEW GOLD LANTANA	1 GAL.

BOTANICAL NAME / COMMON NAME	SIZE
SHRUBS AND ACCENTS	
LEUCOPHYLLUM SPP. TEXAS RANGER	5 GAL.
MUHLENBERGIA 'AUTUMN GLOW' AUTUMN GLOW DEER GRASS	5 GAL.
MUHLENBERGIA 'REGAL MIST' REGAL MIST DEER GRASS	5 GAL.
OPUNTIA 'SANTA RITA' SANTA RITA PRICKLY PEAR CACTUS	5 GAL.
PENSTEMON PARRYI PARRY'S PENSTEMON	1 GAL.
RUELLIA PENINSULARIS BAJA RUELLIA	5 GAL.
SALVIA GREGGI AUTUMN SAGE	5 GAL.
SENNA ARTEMISIODES FEATHERY SENNA	5 GAL.

BOTANICAL NAME / COMMON NAME	SIZE
SHRUBS AND ACCENTS	
SENNA PHYLLODINEA SILVERY SENNA	5 GAL.
TECOMA 'ORANGE JUBILEE' ORANGE JUBILEE YELLOW BELLS	5 GAL.
VERBENA GOODDINGII GOODDING VERBENA	5 GAL.
YUCCA PALLIDA PALE LEAF YUCCA	5 GAL.
ZINNIA ACEROSA DESERT ZINNIA	1 GAL.
TURF	
SOD OR SEED TO BE DETERMINED	

PARKWAY PLANTING

THIS PROJECT PROPOSES DETACHED SIDEWALKS AS A STREETSCAPE ELEMENT AND AS SUCH, PARKWAYS BETWEEN CURB AND SIDEWALK SHALL BE PLANTED, IRRIGATED, AND MAINTAINED BY THE HOA WITH LIVE PLANT MATERIALS.

PLANTING DENSITIES

PLANT MATERIAL QUANTITIES / DENSITIES ON THE FINAL LANDSCAPE PLAN SHALL ADHERE TO THE REQUIREMENTS OF ZONING ORDINANCE SECTION 5-1-3.

N

SCALE

100' 0' 50' 100'

SCALE: 1" = 100'

MELCOR DEVELOPMENTS LTD.

RICK ENGINEERING COMPANY

LA PRIVADA

CONCEPTUAL LANDSCAPE PLAN

1 OF 3

8-25-21

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C:\RICK\Projects\P_PHX_P\4684NP3_Lots_3&7\Landscape\Concept\4684NP3-L-CONCEPT-PLAN.dwg Plotted: Aug. 25, 2021

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. CABANAS / SEATING
11. BOCCE COURT
12. CORNHOLE GAMES
13. PICKLEBALL COURT
14. BASKETBALL COURT
15. PLAY STRUCTURE
16. MULTIUSE FIELD
17. AMPHITHEATER SEATING

N

SCALE

30' 0' 15' 30'

SCALE: 1" = 30'

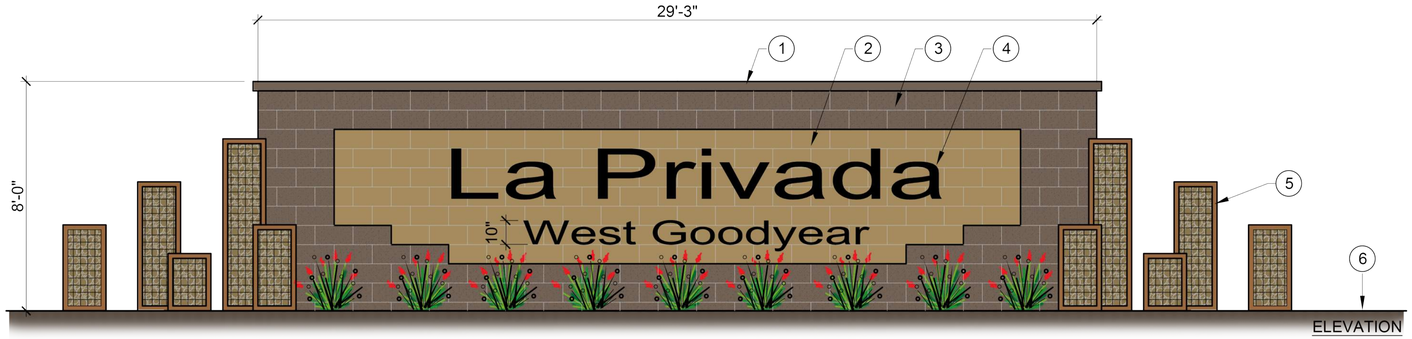
MELCOR DEVELOPMENTS LTD.

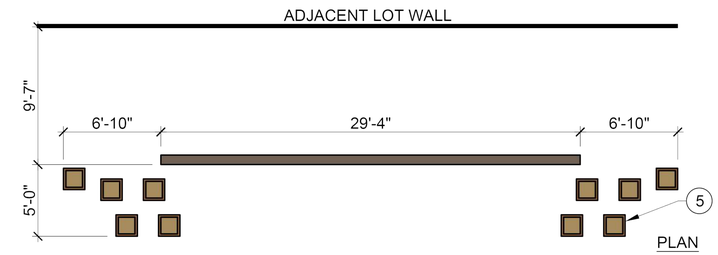
RICK ENGINEERING COMPANY

LA PRIVADA

CONCEPTUAL LANDSCAPE PLAN

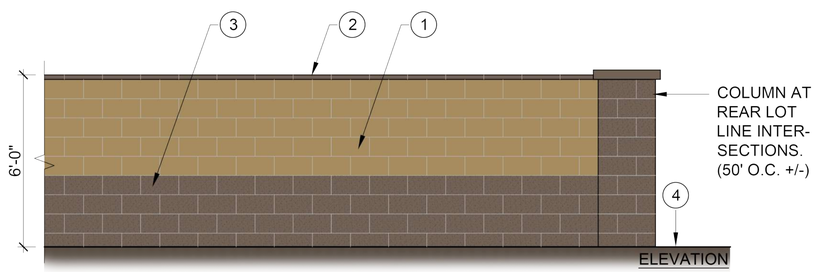
8-25-21





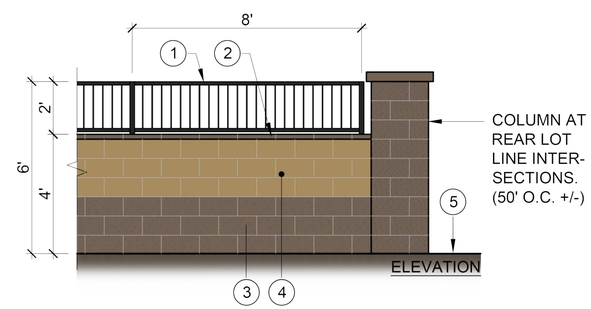
1. 4" THICK, INTEGRALLY COLORED, SOLID CMU TOP CAP (BROWN).
2. 6x8x16 INTEGRALLY COLORED CMU (TAN).
3. 8x8x16 INTEGRALLY COLORED SPLITFACE (ONE SIDE) CMU (BROWN).
4. HALO LIT REVERSE CHANNEL METAL LETTERING.
5. ACCENT GABION STYLE COLUMNS.
6. FINISH GRADE.

FREESTANDING MONUMENT WALL



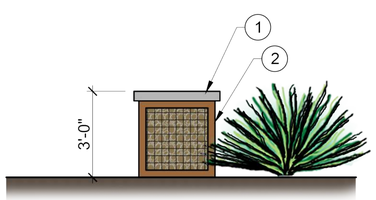
1. 6x8x16 INTEGRALLY COLORED CMU (TAN).
2. 2" THICK, INTEGRALLY COLORED, SOLID CMU TOP CAP (BROWN).
3. 6x8x16 INTEGRALLY COLORED SPLITFACE (ONE SIDE) CMU (BROWN).
4. FINISH GRADE.

THEME WALL



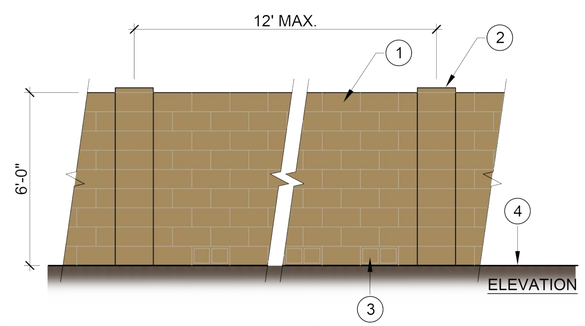
1. PAINTED TUBULAR STEEL FENCE AS SHOWN.
2. 2" THICK, INTEGRALLY COLORED, SOLID CMU TOP CAP (BROWN).
3. 6x8x16, INTEGRALLY COLORED, SPLITFACE (ONE SIDE) CMU (BROWN).
4. 6x8x16 INTEGRALLY COLORED CMU (TAN).
5. FINISH GRADE.

PARTIAL VIEW WALL



1. 4" THICK CAST IN PLACE CONCRETE CAP.
2. STEEL FRAME GABION STYLE COLUMN.

ACCENT COLUMN/ TRAIL MARKER



1. 4x8x16 INTEGRALLY COLORED CMU FENCE BLOCK.
2. 8x8x16 INTEGRALLY COLORED CMU "H" BLOCK PILASTER.
3. 8x4x16 CMU TURNED ON SIDE, EVERY OTHER BLOCK OF BASE COURSE.
4. FINISH GRADE.

SCREEN WALL

TYPICAL STREETSCAPE SEATING AREA

MELCOR DEVELOPMENTS LTD.

RICK ENGINEERING COMPANY

LA PRIVADA
CONCEPTUAL LANDSCAPE PLAN

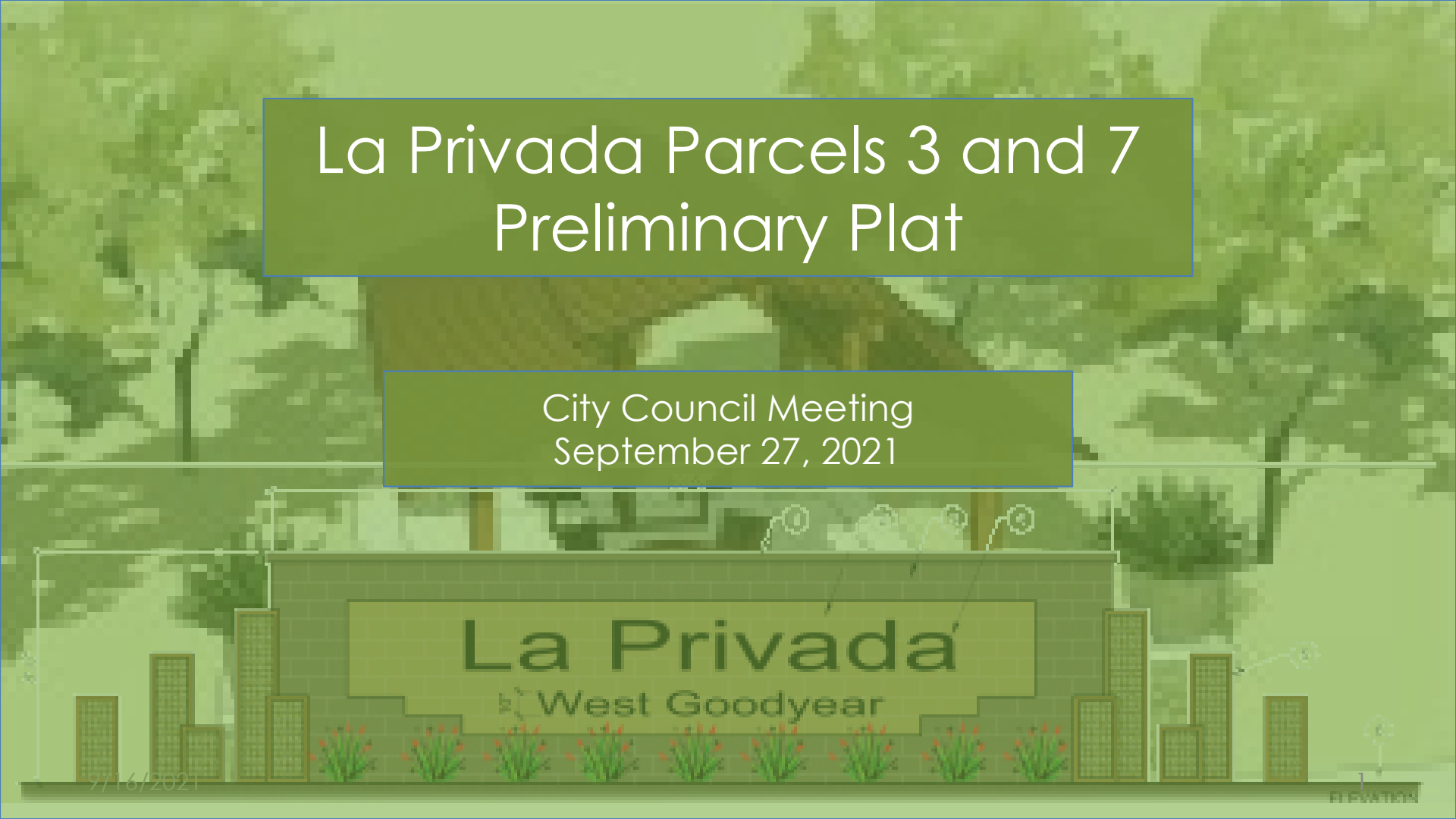
3 OF 3

8-25-21

© 2021 Rick Engineering Company

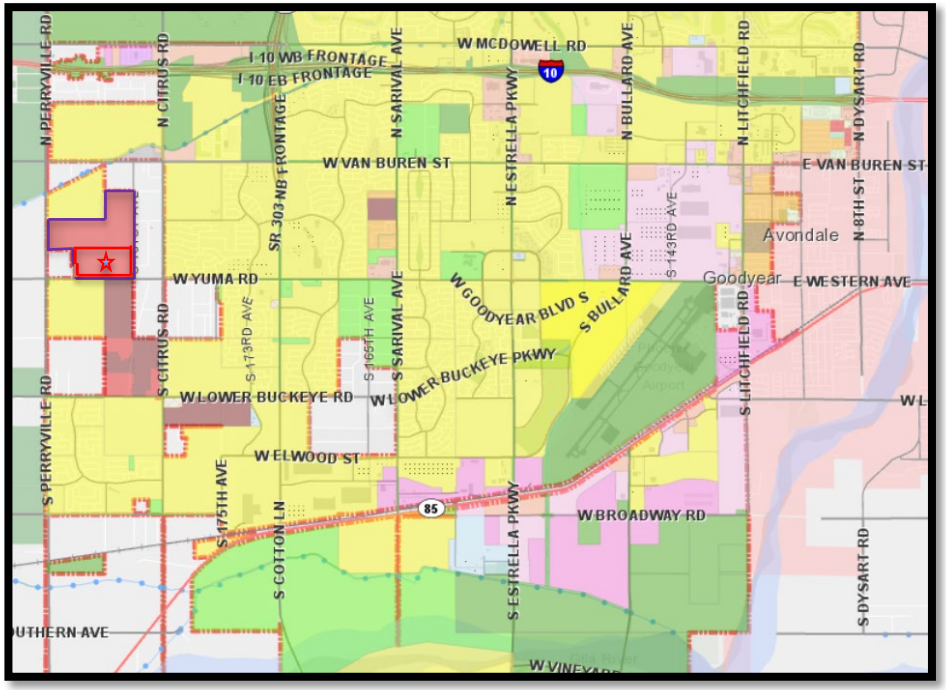
La Privada Parcels 3 and 7 Preliminary Plat

City Council Meeting
September 27, 2021



Location

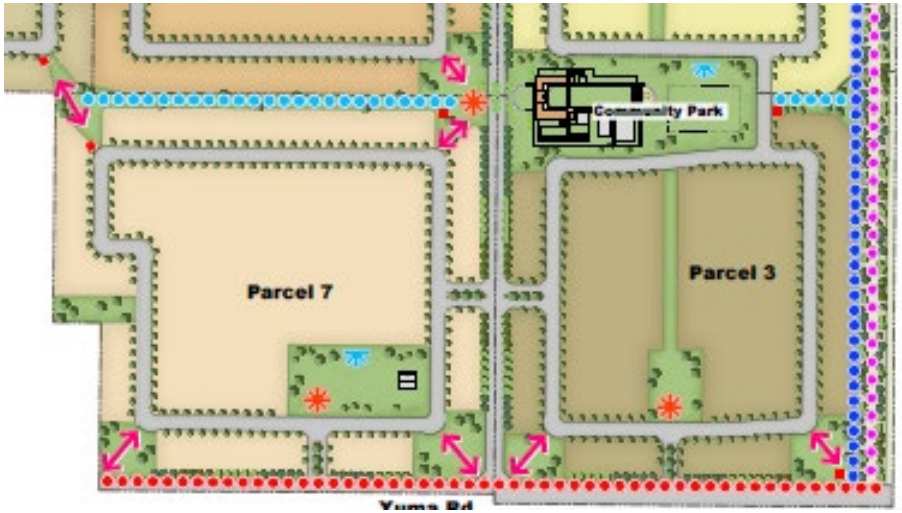
- Central Goodyear (West Goodyear)
  - NWC of 181st Ave and Yuma Rd.
  - Approximately 87 acres of the 240 acre.
  - Currently zoned R1-4 with R1-4 Reduced Standards



Location

- La Privada
  - East
    - County Island and County Residential
  - West
    - County residential
  - North
    - Future La Privada
  - South
    - Paseo Place Parcel 2 future residential
    - Las Ventanas Planned Development

From Land Use to Preliminary Plat



^ From Zoning Case in July

^ Today's Preliminary Plat

Recommendation

- Approve Preliminary Plat:
  - 284 Lots
  - 28 Tracts
  - Subject to Stipulations

Thank You!

ITEM #: 7.
DATE: 09/27/2021
AI #:479

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL AND AUTHORIZATION TO EXECUTE THE TERMINATION OF IRRIGATION DELIVERY SERVICE, TERMINATION OF TAIL-WATER COLLECTION AND PARTIAL RELEASE AND RESTATEMENT OF EASEMENT ASSOCIATED WITH THE ROOSEVELT IRRIGATION EASEMENT AND IRRIGATION SERVICES ON THE RECREATION CAMPUS PROPERTY

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

SUMMARY

The Roosevelt Irrigation District (RID) requires the City execute three documents in order to release the Roosevelt Irrigation District easement from the City's Recreation Campus property. These documents include the Termination of Irrigation Delivery Service, a Termination of Tail-Water Collection, and a Partial Release and Restatement of Easement.

Recommendation

Authorize the City Manager to execute the Termination of Irrigation Delivery Service, a Termination of Tail-Water Collection, and a Partial Release and Restatement of Easement between the City and Roosevelt Irrigation District, an Arizona municipal corporation. (Linda Beals, Real Estate Coordinator)

FISCAL IMPACT

There will be no fiscal impact to the City in the fiscal year 2022 or future years with the partial release of the easement and the associated termination documents.

BACKGROUND AND PREVIOUS ACTIONS

On May 8, 1928, the Roosevelt Irrigation District obtained an easement for the construction, maintenance and operation of canals and ditches which included the property acquired by the City located northwest of Yuma Road and Estrella Parkway. In 2014, it was determined by City staff that since the City's property was no longer being farmed, there was no reason to retain the grandfathered water rights associated with this property and the City worked with the Arizona Department of Water Resources to retire the grandfathered water rights. The 1928 RID easement included, among other properties in the area, the portion of the City's property where the Recreation Campus has been constructed.

STAFF ANALYSIS

City staff has been working with the RID to remove the irrigation facilities from the City's Recreation Campus property. The facilities have been removed and/or relocated to allow for the termination of the existing easement. One of the last steps in the relocation process is to obtain a partial release and to terminate the City's ability to utilize the RID tail-water collection system or to obtain irrigation delivery through their delivery system. The Partial Release and Restatement of Easement will remove the easement from the Recreation Campus property leaving it free and clear of this encumbrance and eliminate the RID's rights to utilize the property for canals and ditches. In order to approve the partial release, RID requires that the City terminate its right to their delivery service and their tail-water collection facilities. These services and facilities are not of any use to the City since the property is no longer farmed and the grandfathered water rights have been extinguished.

Attachments

Termination of Delivery Service

Termination of Tail-Water Collection

Partial Release of Easement

When recorded, release return to:

Jake D. Curtis, Esq.
Burch & Cracchiolo, P.A.
1850 North Central Avenue, Suite 1700
Phoenix, AZ 85004

TERMINATION OF IRRIGATION DELIVERY SERVICE

This Termination of Irrigation Delivery Service is requested by CITY OF GOODYEAR, a MUNICIPAL CORPORATION hereafter ("GOODYEAR") with respect to the real property located within the southeast quarter of Section 7, T1N-R1W; and is more particularly described on that Special Warranty Deed recorded in the Official Records of the Maricopa County Recorder at No. 2004-0234018, except that portion included described on that Special Warranty Deed recorded in the Office Records of the Maricopa County Recorder at No. 2014-084626 (the Subject Property). GOODYEAR acknowledges and warrants that it is the true owner of the Subject Property and that the undersigned, as the representative of GOODYEAR has the legal ability to terminate the Subject Properties' irrigation delivery service from the Roosevelt Irrigation District.

The Subject Property has historically been serviced by the ROOSEVELT IRRIGATION DISTRICT by way of Roosevelt Irrigation District Lateral 5 ½, Gates 5S and 6E. Irrigation delivery services are no longer needed or desired for the Subject Property. GOODYEAR, as the owner of the Subject Property, therefore requests that all irrigation deliveries and related services to the Subject Property from said Roosevelt Irrigation District Lateral 5 ½ Gates 5S and 6E be heretofore terminated, waived, released and/or abandoned.

The City may, at the City's sole cost, remove any and/or all of the District's irrigation facilities located within any portion of the Subject Property wherein the District has recorded a release extinguishing it rights. It is understood that, pursuant to this Termination of Irrigation Delivery Service, the District may, at the District's sole discretion, remove or relocate to a location which is subject to the District's easement rights, any and/or all of its irrigation delivery facilities currently servicing the Subject Property from Roosevelt Irrigation District Lateral 5 ½ Gates 5S and 6E. In the event that the restoration of said irrigation delivery facilities servicing the Subject Property are, at some point in the future, desired by the owner of the Subject Property, that the costs of such restoration, including, but not limited to, design and construction costs, will be borne entirely by the owner of the Subject Property and not by the Roosevelt Irrigation District.

In Witness Whereof, CITY OF GOODYEAR, A MUNICIPAL CORPORATION has executed this Termination of Irrigation Delivery Service on this _____ day of _____, 2021.

BY: _____

ITS: _____

STATE OF ARIZONA)

) ss.

COUNTY OF MARICOPA)

On this __ day of _____, 20___, before me personally appeared _____ as, _____, an Arizona municipal corporation whose identity was proved to me on the basis of satisfactory evidence to be the person whose name in subscribed to this document, and who acknowledged that he signed this document.

_____

Notary Public

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

When recorded return to:

Jake D. Curtis, Esq.
Burch & Cracchiolo, P.A.
1850 North Central Avenue, Suite 1700
Phoenix, AZ 85004

TERMINATION OF TAIL-WATER COLLECTION

The ROOSEVELT IRRIGATION DISTRICT, an Arizona municipal corporation (hereinafter "RID") operates and maintains Lateral 5 ½, which serves as a tail-water pickup for the real property which is owned by CITY OF GOODYEAR, an Arizona municipal corporation (hereinafter "GOODYEAR,") and which is located in the southeast corner of the of Section 7, T1N-R1W; and is more particularly described on that Special Warranty Deed recorded in the Official Records of the Maricopa County Recorder at No. 20040234018, except that portion included described on that Special Warranty Deed recorded in the Office Records of the Maricopa County Recorder at No. 2014-084626.

GOODYEAR, owner of the real property heretofore described agrees that, because it no longer requires tail-water pickup by the RID, all of the GOODYEAR tail-water pickup by RID with respect to Lateral 5 ½ are hereby forever abandoned and terminated. GOODYEAR further agrees to allow the RID, if the RID so chooses, to relocate to a location which is subject to the District's easement rights, abandon, and/or destroy that portion of Lateral 5 ½ that collects tail-water from the above-described properties.

This Agreement is binding on GOODYEAR's successors and assigns and may not be modified without the RID's written consent.

[Signature on following page]

IN WITNESS WHEREOF, CITY OF GOODYEAR, an Arizona municipal corporation has executed this termination on this _____ day of _____, 2020.

BY: _____

ITS: _____

STATE OF ARIZONA)

) ss.

COUNTY OF MARICOPA)

On this __ day of _____, 20___, before me personally appeared _____ as, _____, an Arizona municipal corporation whose identity was proved to me on the basis of satisfactory evidence to be the person whose name in subscribed to this document, and who acknowledged that he signed this document.

_____

Notary Public

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

When recorded please return to:

Jake D. Curtis, Esq.
Burch & Cracchiolo, P.A.
1850 North Central Avenue, Suite 1700
Phoenix, AZ 85004

PARTIAL RELEASE AND RESTATEMENT OF EASEMENT

This PARTIAL RELEASE AND RESTATEMENT OF EASEMENT is given this ___ of _____, 2021 by the ROOSEVELT IRRIGATION DISTRICT, an Arizona municipal corporation (herein after "DISTRICT"), through its undersigned agent to CITY OF GOODYEAR (GOODYEAR), an Arizona municipal corporation (herein after "GRANTEE").

"DISTRICT"

Name:	ROOSEVELT IRRIGATION DISTRICT
Address:	103 West Baseline Road, Buckeye, Arizona 85326
Phone:	(623) 386-2046 Fax: (623) 386-4360
Representative:	Mr. Donovan Neese, Superintendent

"GRANTEE"

Name:	CITY OF GOODYEAR (GOODYEAR)
Address:	190 N. Litchfield Road
	Goodyear, Arizona 85338
Phone:	(623) 882-7051

RECITALS:

A. On May 8, 1928, SUTHERLIN, BARRY & CO., INC., as owner, granted to the DISTRICT an easement for the construction, maintenance and operation of canals, ditches and laterals upon, over, along and across several Sections of land including, but not limited to, the East half of the Southeast Quarter in Section 7, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona as recorded in the official records of Maricopa County, Arizona, at Book 220,

Pages 392-393, and incorporated herein by reference (hereinafter referred to as the "Easement").

B. In conjunction with the relocation of DISTRICT'S facilities and the planned development of the GRANTEE'S Property, the GRANTEE has requested that the DISTRICT modify the Easement within the GRANTEE'S Property by releasing a portion of its Easement, while maintaining sufficient easement area to permit normal operation of THE DISTRICT's irrigation facilities and adjacent operation and maintenance roads.

C. Pursuant to the above, the DISTRICT herein desires to release to the GRANTEE the portion of its Easement described and shown in Exhibit "A" through "H" attached hereto as "Roosevelt Irrigation District Easement Extinguishment".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The DISTRICT hereby releases, relinquishes, and conveys all right, title, and interest in said Roosevelt Irrigation District Easement Retirement Area, described and shown in Exhibit "A" through "H" attached hereto and incorporated by reference herein, to the GRANTEE.

2. The effect of this PARTIAL RELEASE AND RESTATEMENT OF EASEMENT is that only that portion of the Easement described in Exhibit "A" through "H" as the Roosevelt Irrigation District Easement Retirement Area is, in fact, released; the DISTRICT continues to own a perpetual easement for the construction, maintenance and operation of canals, ditches, and laterals upon, over, along and across the balance of the Easement as well as all attendant rights stated in the original Easement recorded in Book 220, Pages 392-393 in the Official Records of Maricopa County Recorder.

3. All of the provisions of this AGREEMENT, including the benefits and burdens, run with the land and are binding upon and inure to the assigns, successors, heirs, administrators, executors, personal representatives, legal representatives, lessees, and/or tenants of the lot owners and the DISTRICT subject to the conditions herein contained.

4. As to the portion of the Easement not being released, the District reaffirms and restates the following:

    A. The DISTRICT's Easement includes roadways along the DISTRICT's Facilities for the DISTRICT's use in accessing the Facilities for the construction, maintenance and operation of

canals, ditches and laterals. The DISTRICT's use of such Facilities may create noise, dust and/or odor.

B. The DISTRICT's roadways within the Easement may not be improved roads and the DISTRICT does not have plans for these to become improved or paved roads.

C. The Easement provides for the uses and purposes of irrigation and drainage and maintenance of irrigation pipelines, canals, laterals, structures and drainage ditches, together with such rights of entry upon, passage over, deposit of excavated earth, and storage of material and equipment on such pipelines, canals, laterals and area as may be necessary or useful for the construction, operation, maintenance, inspection, cleaning out, and repair of such Facilities.

D. The DISTRICT may, without notice to any property owner, trim any vegetation in the remaining Easement which impedes The DISTRICT's use of its Facilities or access to its Facilities within the Easement.

Notwithstanding the foregoing, nothing in paragraph 4 and the subparagraphs herein are intended to nor does it expand the scope of the Easement.

5. Any party may enforce this AGREEMENT by appropriate legal action and the prevailing party in such litigation may recover as part of its costs in such action reasonable attorneys' fees, costs and expenses of enforcing its rights hereunder. This AGREEMENT contains the entire AGREEMENT between the parties. Any modification of this AGREEMENT or additional obligation assumed by either party in connection with this AGREEMENT shall be binding only if evidenced in writing and signed by each party. This AGREEMENT shall be construed in accordance with the laws of the State of Arizona.

6. The failure of either party to this Agreement to insist on the performance of any of the terms and conditions herein contained, or the waiver of any breach of any of the terms and conditions herein contained, shall not be construed as thereafter waiving any such terms and/or conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

7. If any provision of this Agreement is declared invalid or unenforceable, that provision shall be modified by the Parties to the extent necessary to make it valid and enforceable. If it cannot be so modified, it shall be deemed

severed, and the remaining provisions of this Agreement shall remain in full force and effect.

8. Each representative of a party signing this Release represents that he or she is authorized to do so.

9. This RELEASE may be executed in one or more counterparts, all of which, taken together, shall constitute one and the same instrument. The parties authorize each other to attach all such signature pages to a single document so that the signatures of all parties will be physically attached to the same document for recording.

10. The acceptance date of this RELEASE shall be the day which the last party executes the RELEASE.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT.

Counsel Accepted:

CITY OF GOODYEAR,
an Arizona municipal corporation

By: _____

Its Authorized Agent

Date _____

ROOSEVELT IRRIGATION DISTRICT,
an Arizona municipal corporation

By: _____

Title: _____

Date _____

ACKNOWLEDGMENT BY GRANTEE

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2021, personally appeared before me _____, personally known to me to be an Authorized Agent of CITY OF GOODYEAR, an Arizona municipal corporation, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for CITY OF GOODYEAR, an Arizona municipal corporation, and that the seal impressed on the within instrument is the seal of said Company; and that said instrument is the free and voluntary act of said Company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said Company and that said Company executed the same.

WITNESS my hand and official seal.

_____

Notary Public
Residing at: _____

My commission expires:

_____

Attest:

_____
Darcie McCracken, City Clerk

Approved as to Form

_____
Roric Massey, City Attorney

ACKNOWLEDGMENT BY DISTRICT

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by_____, the _____ of the Roosevelt Irrigation District, on behalf of said municipal corporation.

_____
Notary Public

My Commission Expires:

_____

EXHIBIT “A” – “H”

Roosevelt Irrigation District
Legal Description and
Easement Retirement Area Exhibits

EXHIBIT "A"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

A portion property described in recorded Document No. 2020-0875007, Maricopa County Recorders (M.C.R.), situate in the East Half of Section 7, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, United States of America, more particularly described as follows:

Commencing at the Southeast corner of said Section 7, being a brass cap in handhole, from which the East Quarter corner of said Section 7, being a brass cap in handhole bears North 00°26'37" East (**Basis of Bearing**), a distance of 2638.34 feet;
Thence along said east line, North 00°26'37" East, a distance of 1394.17 feet;
Thence departing said line, North 89°33'23" West, a distance of 107.10 feet to a point on the northerly right-of-way line of Goodyear Boulevard North as described in Book 685 of Maps, Page 36, M.C.R., being the **Point of Beginning;**
Thence North 89°33'23" West, a distance of 660.55 feet to the beginning of a curve concave to the southwest having a radius of 600.00 feet;
Thence West, along said curve, through a central angle of 41°22'55", an arc length of 433.35 feet;
Thence departing said north line, South 88°44'24" West, a distance of 30.66 feet, to a point on the northerly right-of-way line of Sherman St., and the beginning of a non-tangent curve concave to the northeast having a radius of 300.00 feet, from which the center bears North 63°53'06" East;
Thence North, along said curve, through a central angle of 10°30'04", an arc length of 54.98 feet;
Thence North 89°33'15" West, a distance of 89.25 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 438.00 feet, from which the center bears South 24°29'19" West;
Thence West, along said curve, through a central angle of 24°02'34", an arc length of 183.80 feet;
Thence North 89°33'15" West, a distance of 18.95 feet, to the southeast corner of the property described in Document No. 2014-0846426, M.C.R.;

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: PROPERTY DESCRIPTION

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 1 of 10

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EXHIBIT "A"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED IN
DOCUMENT NO. 2020-0875007, MARICOPA COUNTY
RECORDER'S OFFICE, (M.C.R.)

Thence departing said north line, along the east line and extension thereof of said property, North 00°26'45" East, a distance of 1268.72 feet, to a point on the south right-of-way line of Harrison Street;
Thence along said right-of-way line, South 89°26'34" East, a distance of 275.04 feet;
Thence departing said right-of-way line, South 00°05'14" West, a distance of 2.00 feet;
Thence South 89°24'52" East, a distance of 639.82 feet;
Thence South 82°13'56" East, a distance of 234.38 feet to a point on said Harrison Street right-of-way line;
Thence along said right-of-way line, South 79°30'59" East, a distance of 18.54 feet;
Thence South 89°25'32" East, a distance of 227.90 feet;
Thence South 44°29'58" East, a distance of 0.99 feet;
Thence departing said south right-of-way line, South 00°26'02" West, a distance of 1168.68 feet to the **Point of Beginning**.

Containing 1,716,389 Square Feet or 39.403 Acres, more or less.

Subject to existing rights-of-way and easements.

Together with a portion of land further described as Exhibit "C";

Commencing at the Northeast Corner of Tract A as described in recorded Document No. 2020-0875007, (M.C.R.), from which the Northwest corner of Lot 1 bears North 89°33'30" West (**Basis of Bearing**), being a point on the West right-of-way line of Estrella Parkway as described in Book 490 of Maps, Page 20, M.C.R., being the **Point of Beginning**;
Thence along said right-of-way line, South 00°26'37" West, a distance of 14.72 feet to a point on the North right-of-way line of Harrison Street;
Thence along said North right-of-way line,South 45°30'01" West, a distance of 46.62 feet;
Thence North 89°26'34" West, a distance of 1094.95 feet;
Thence departing said right-of-way line, North 00°05'14" East, a distance of 16.30 feet;

EXHIBIT "A"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED IN
DOCUMENT NO. 2020-0875007, MARICOPA COUNTY
RECORDER'S OFFICE, (M.C.R.)

Thence North 89°37'51" West, a distance of 105.38 feet;
Thence North 00°05'14" East, a distance of 29.28 feet to a point on the north boundary line of said Tract A;
Thence along said north line, South 89°33'30" East, a distance of 1233.61 feet to the **Point of Beginning**.

Containing 55,085 Square Feet or 1.265 Acres, more or less.

Subject to existing rights-of-way and easements.

Together with a portion of land further described as Exhibit "D";

Commencing at the Northeast corner of Tract A as described in recorded Document No. 2020-0875007, (M.C.R.), from which the Northwest corner of Lot 1 bears North 89°33'30" West (**Basis of Bearing**), being a point on the West right-of-way line of Estrella Parkway as described in Book 490 of Maps, Page 20, M.C.R.**;**
Thence along said north boundary line, North 89°33'30" West, a distance of 1257.29 feet to the **Point of Beginning**;
Thence departing said north line, South 00°16'24" West, a distance of 45.19 feet to a point on the North right-of-way line of Harrison Street;
Thence along said right-of-way line, North 89°26'32" West, a distance of 169.34 feet;
Thence departing North 00°26'45" East, A Distance of 44.84 feet to a point on the northern boundary line of Tract A;
Thence along said line, South 89°33'30" East, A Distance of 169.20 feet to the **Point of Beginning**.

Containing 7,620 Square Feet or 0.175 Acres, more or less.

Subject to existing rights-of-way and easements.

EXCEPTING ANY PORTION WHICH MAY FALL IN THE HARRISON STREET RIGHT-OF-WAY.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: PROPERTY DESCRIPTION

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 3 of 10

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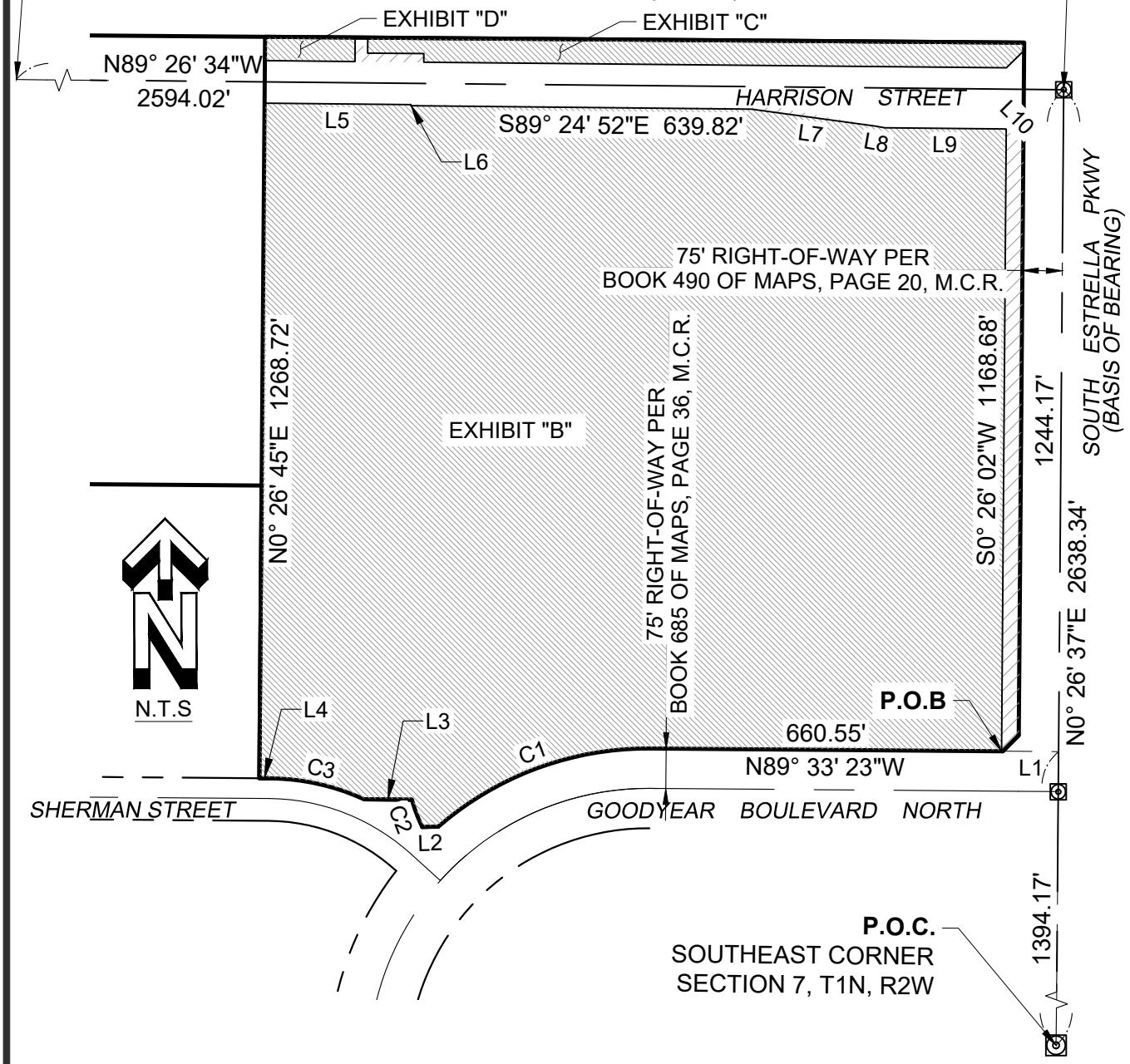
EXHIBIT "B"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A AS RECORDED IN
DOCUMENT NO. 2020-0875007, MARICOPA COUNTY
RECORDER'S OFFICE, (M.C.R.)



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: EXHIBIT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 4 of 10

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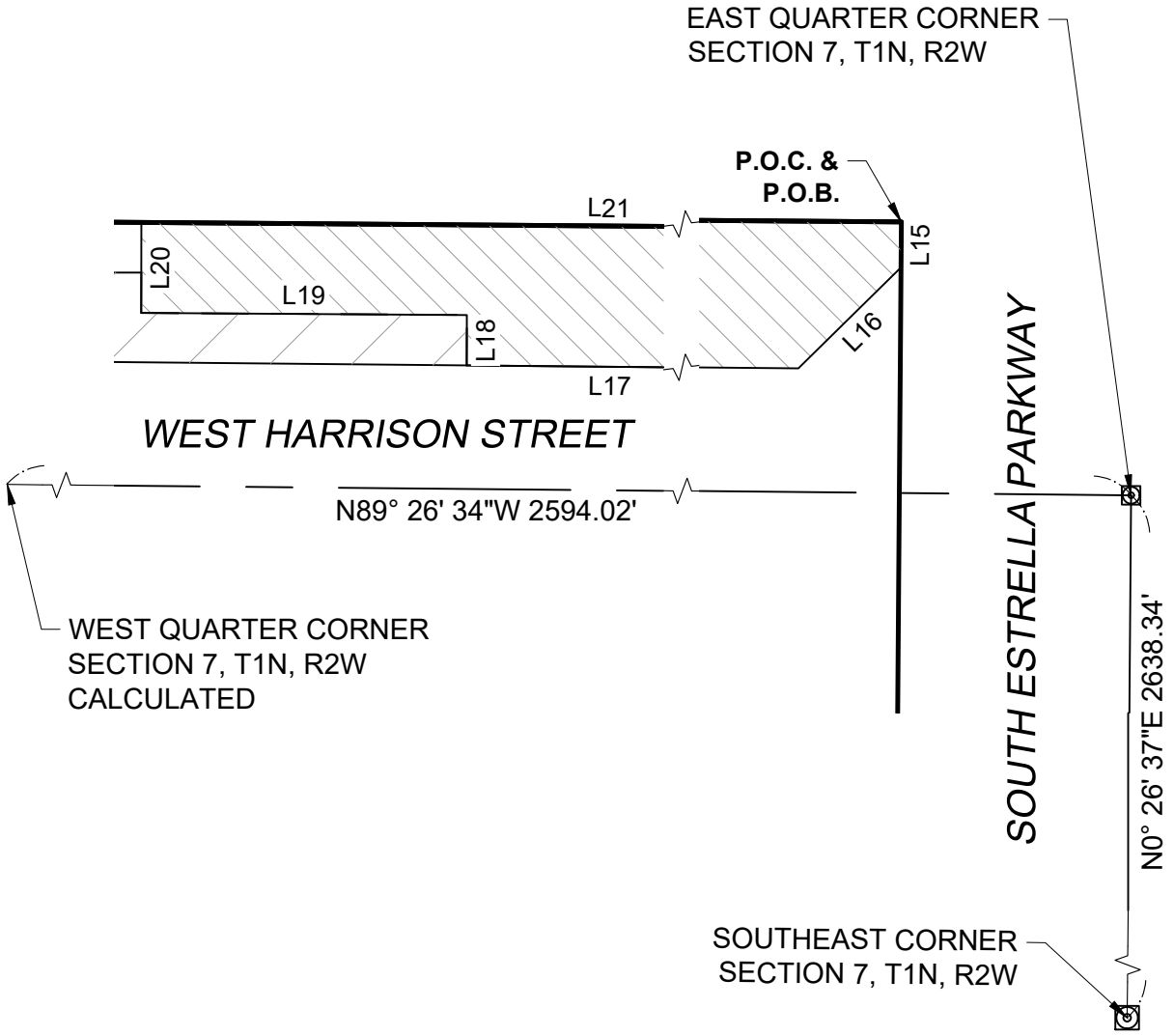
EXHIBIT "C"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: EXHIBIT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 5 of 10

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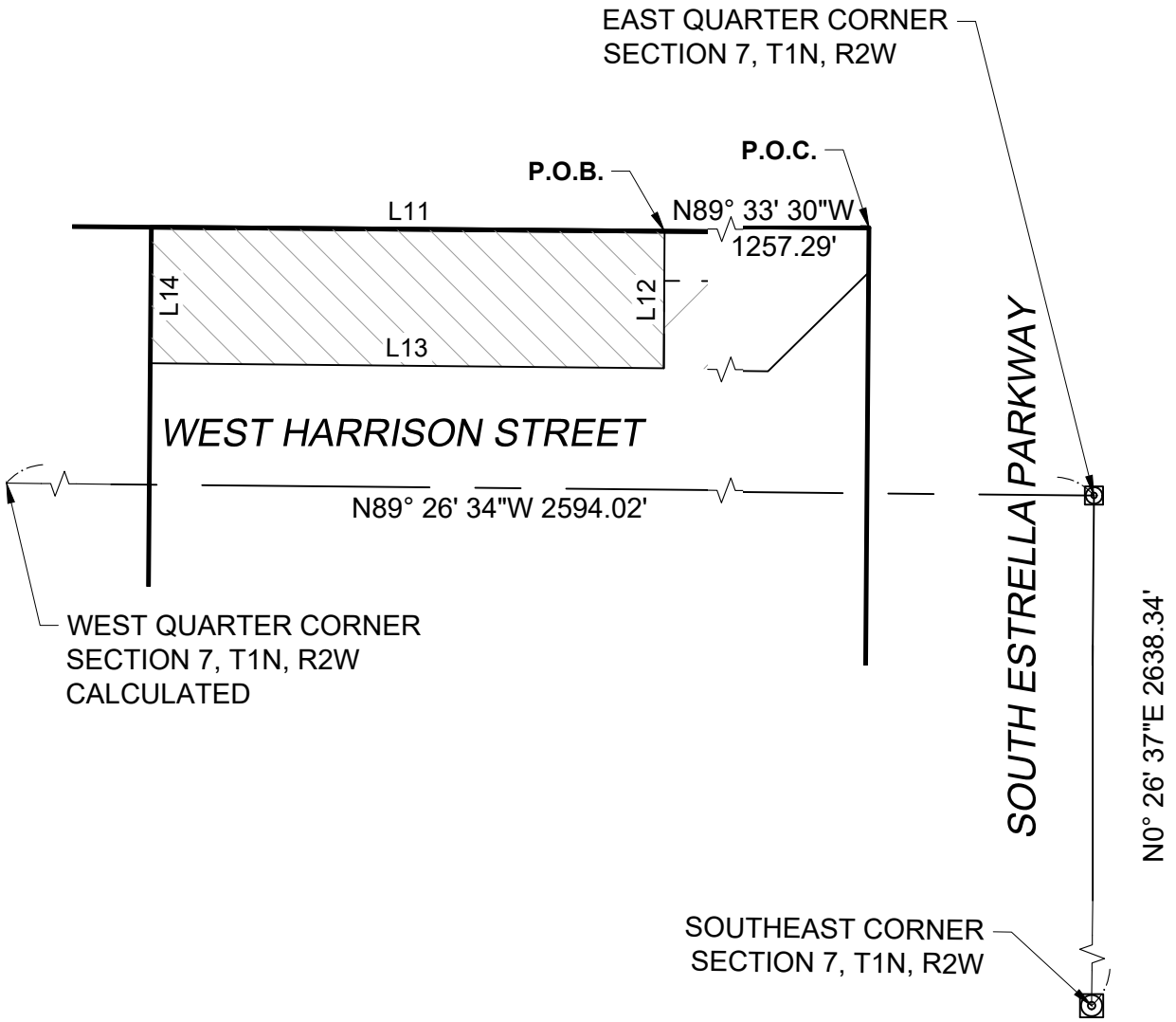
EXHIBIT "D"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: EXHIBIT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 6 of 10

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EXHIBIT "E"

PROPERTY DESCRIPTION FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

LINE TABLE		
LINE	LENGTH	BEARING
L1	107.10	N89° 33' 23"W
L2	30.66	S88° 44' 24"W
L3	89.25	N89° 33' 15"W
L4	18.95	N89° 33' 15"W
L5	275.04	S89° 26' 34"E
L6	2.00	S0° 05' 14"W
L7	234.38	S82° 13' 56"E
L8	18.54	S79° 30' 59"E
L9	227.90	S89° 25' 32"E
L10	0.99	S44° 29' 58"E

LINE TABLE		
LINE	LENGTH	BEARING
L11	169.20	S89° 33' 30"E
L12	45.19	S0° 16' 24"W
L13	169.34	N89° 26' 32"W
L14	44.84	N0° 26' 45"E
L15	14.72	S0° 26' 37"W
L16	46.62	S45° 30' 01"W
L17	1094.95	N89° 26' 34"W
L18	16.30	N0° 05' 14"E
L19	105.38	N89° 37' 51"W
L20	29.28	N0° 05' 14"E
L21	1233.61	S89° 33' 30"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	CHORD LENGTH
C1	433.35	600.00	41°22'56"	S69° 45' 02"W	424.00
C2	54.98	300.00	10°30'04"	N20° 51' 52"W	54.91
C3	183.80	438.00	24°02'34"	N77° 31' 58"W	182.45

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: EXHIBIT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 7 of 10

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"EXHIBIT "F"

CLOSURE REPORT FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

EXHIBIT "B" CLOSURE

N89°33'23" W 660.55

RB = S00°26'29" W
R = 600.00
A = 433.35
C = 423.99
CB = S69°45'02" W
D = 41°22'55"
T = 226.61
RB = N40°56'26" W

S88°44'24" W 30.66

RB = N63°53'06" E
R = 300.00
A = 54.98
C = 54.91
CB = N20°51'52" W
D = 10°30'04"
T = 27.57
RB = S74°23'10" W

N89°33'15" W 89.25

RB = S24°29'19" W
R = 438.00
A = 183.80
C = 182.45
CB = N77°31'58" W
D = 24°02'34"
T = 93.27
RB = N00°26'45" E

N89°33'15" W 18.95

N00°26'45" E 1268.72

S89°26'34" E 275.04

S00°05'14" W 2.00

S89°24'52" E 639.82

S82°13'56" E 234.38

S79°30'59" E 18.54

S89°25'32" E 227.90

S44°29'58" E 0.99

S00°26'02" W 1168.68

Area = 1,716,389 39.403 AC

Closing course: 207°25'46" 0.01

Precision: 1/422,212

North Error: 0.011
East Error: 0.01

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: CLOSURE REPORT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 8 of 10

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"EXHIBIT "G"

CLOSURE REPORT FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

EXHIBIT "C" CLOSURE

S00°26'37" W 14.72

S45°30'01" W 46.62

N89°26'34" W 1094.95

N00°05'14" E 16.30

N89°37'51" W 105.38

N00°05'14" E 29.28

S89°33'30" E 1233.61

Area = 55,085 1.265 AC

Closing course: 198°28'39" 0.003

Precision: 1/956,454

North Error: 0.003
East Error: 0.001

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: CLOSURE REPORT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 9 of 10

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"EXHIBIT "H"

CLOSURE REPORT FOR
A RETIREMENT OF EASEMENT OVER A
PORTION OF LOT 1 AND TRACT A, AS RECORDED
IN DOCUMENT NO. 2020-0875007, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

EXHIBIT "D" CLOSURE

S00°16'24" W 45.19

N89°26'32" W 169.34

N00°26'45" E 44.84

S89°33'30" E 169.20

Area = 7620 0.175 AC

Closing course: 29°05'32" 0.01

Precision: 1/56,690

North Error: 0.01
East Error: 0.003

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35113
MICHAEL E.
FONDREN
Date Signed 09/23/20
ARIZONA, U.S.A.

Title: CLOSURE REPORT

Project #: 09009077

Date: 09/23/2020

Scale: N / A

Page: 10 of 10

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ITEM #: 8.
DATE: 09/27/2021
AI #:489

CITY COUNCIL ACTION REPORT

SUBJECT: ACCEPTANCE OF A PUBLIC UTILITY EASEMENT ASSOCIATED WITH SOUTH SENDERO DRIVE-PHASE 2 WITHIN ESTRELLA MOUNTAIN RANCH

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

SUMMARY

Accept the dedication of a Public Utility and Sidewalk Easement along the north side of Sendero Drive required for the recording of the Map of Dedication for South Sendero Drive - Phase 2, which is associated with the Final Plat for Estrella Mountain Ranch Parcel 11H.

Recommendation

Authorize the acceptance of the dedication of the Public Utility and Sidewalk Easement from NNP III–EMR 3, 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 or future years related to the acceptance of this easement.

BACKGROUND AND PREVIOUS ACTIONS

The Final Plat for Estrella Mountain Ranch Parcel 11H (Final Plat) and the Map of Dedication for South Sendero Drive - Phase 2 (MOD), were approved at the September 13, 2021 Council meeting. Per the stipulations for the Final Plat and MOD this Public Utility and Sidewalk Easement must be recorded and the recording information for the easement inserted into the MOD.

STAFF ANALYSIS

The Public Utility and Sidewalk Easement along the north side of South Sendero Drive - Phase 2 is needed for the development the property within the Final Plat for Estrella Mountain Ranch Parcel 11H as it provides for placement of public utilities required for the development of this property and connectivity through this portion of Estrella Mountain Ranch.

Attachments

Easement

When recorded Mail to:

City of Goodyear
City Clerk / LRB
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338
QS-**116**

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

PUBLIC UTILITY AND SIDEWALK EASEMENT

GRANTOR:	GRANTEE:
NNP III – EMR 3, 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, **NNP III – EMR 3, 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:
NNP III – EMR 3, LLC,
a Delaware limited liability company

By:_____

Its: SVP

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility and Sidewalk Easement) was acknowledged before me this 1st day of September, 2021 by William M. Olson, as Senior Vice President of NNP III – EMR 3, LLC, a Delaware limited liability company.

ELLANIE NUTTALL
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
COMMISSION # 548791
My Comm. Expires July 14, 2022

_____
Notary Public

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

EXHIBIT A
PUE EASEMENT DEDICATION
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1;

THENCE SOUTH 89° 30' 18" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 1, 1485.27 FEET;

THENCE NORTH 00° 29' 42" EAST, 841.76 FEET TO THE NORTHWEST CORNER OF S. SENDERO DRIVE, AS DEPICTED ON THE MAP OF DEDICATION FOR ESTRELLA - HILLSIDE DRIVE & SENDERO DRIVE, AS RECORDED IN BOOK 1370, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 48° 00' 48" EAST, ALONG THE NORTH LINE OF SAID S. SENDERO DRIVE, 60.00 FEET TO THE NORTHEAST CORNER OF SAID S. SENDERO DRIVE, AND A POINT ON THE SOUTHWESTERLY LINE OF ESTRELLA PARCEL 11.C AS RECORDED IN BOOK 1392, PAGE 46, RECORDS OF MARICOPA COUNTY, SAID POINT BEING A NON TANGENT CURVE WHOSE RADIUS BEARS SOUTH 48° 00' 48" WEST, 520.00 FEET;

THENCE NORTHWESTERLY, 22.40 FEET ALONG SAID SOUTHWESTERLY LINE, ALONG THE ARC OF SAID CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 02° 28' 05" TO A WESTERLY CORNER OF TRACT B OF SAID PARCEL 11.C, BEING THE POINT OF BEGINNING;

THENCE NORTHWESTERLY, 516.19 FEET CONTINUING ALONG SAID CURVE, WHOSE RADIUS BEARS SOUTH 45° 32' 43" WEST, 520.00 FEET, CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 56°52' 34";

THENCE SOUTH 78° 40' 08" WEST, 54.42 FEET;

THENCE NORTH 11° 19' 52" WEST, 8.00 FEET;

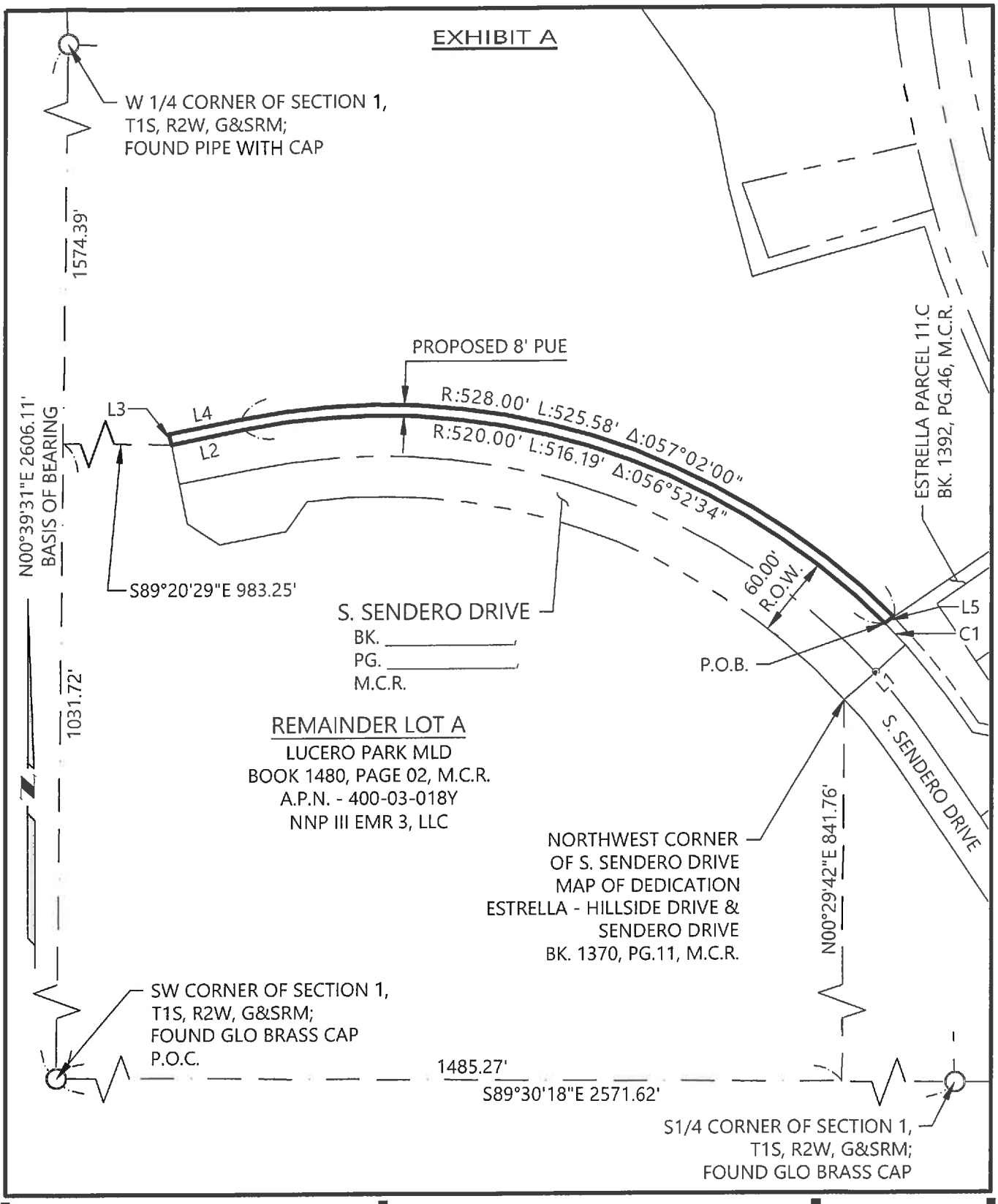
THENCE NORTH 78° 40' 08" EAST, 54.42 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE, WITH A RADIUS OF 528.00 FEET;

THENCE EASTERLY, 525.58 FEET ALONG THE ARC OF SAID CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 57° 02' 00" TO THE WESTERLY LINE OF SAID PARCEL 11.C;

THENCE SOUTH 55°48' 39" WEST, ALONG SAID WESTERLY LINE, 8.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,602 SQ.FT. OR 0.1057 ACRES MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
38175
MICHAEL A.
BANTA
DATE SIGNED 04-09-21
ARIZONA, U.S.A.



Westwood

PUE DEDICATION
SOUTH SENDERO DRIVE-PHASE 2
GOODYEAR, ARIZONA

SHEET NUMBER:
2 OF 3

DATE: 04-09-2021
PROJ: 0017340

EXHIBIT A

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N48°00'48"E	60.00'
L2	S78°40'08"W	54.42'
L3	N11°19'52"W	8.00'
L4	N78°40'08"E	54.42'
L5	S55°48'39"W	8.13'

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C1	520.00'	22.40'	2°28'05"	N43°13'15"W	22.40

LEGEND

RIGHT OF WAY LINE

SECTION LINE

CENTER LINE

PROPOSED EASEMENT LINE

EXISTING EASEMENT LINE

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
BK.	BOOK
PG.	PAGE
R.O.W.	RIGHT OF WAY
PUE	PUBLIC UTILITIES EASEMENT

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
38175
MICHAEL A.
BANTA
DATE SIGNED 04-09-21
ARIZONA, U.S.A.

Westwood

PUE DEDICATION
SOUTH SENDERO DRIVE-PHASE 2
GOODYEAR, ARIZONA

SHEET NUMBER:
3 OF 3

DATE: 04-09-2021
PROJ: 0017340

ITEM #: 9.
DATE: 09/27/2021
AI #:500

CITY COUNCIL ACTION REPORT

SUBJECT: SETTLEMENT AND DISMISSAL OF APPEAL OF AZPDES PERMIT AZ0022357

STAFF PRESENTER(S): Sarah Chilton, Deputy City Attorney

SUMMARY

Agreeing to Settlement and Dismissal of the Appeal the City of Goodyear filed challenging the Terms of the Arizona Pollutant Discharge Elimination System (AZPDES) Permit No. AZ0022357.

Recommendation

ADOPT RESOLUTION NO. 2021-2181 AGREEING TO SETTLEMENT AND DISMISSAL OF THE APPEAL THE CITY OF GOODYEAR FILED CHALLENGING THE TERMS OF AZPDES PERMIT NO. AZ0022357; PROVIDING AUTHORIZATION AND AN EFFECTIVE DATE. (Sarah Chilton, Deputy City Attorney)

FISCAL IMPACT

As a result of the settlement, the city will no longer be incurring legal fees and costs associated with the appeal once all of the final documentation has been completed and filed. The city will be responsible for a one-time administrative processing fee for the cost of revising the city's AZPDES permit, which is estimated to be between $3,000 and $3,500. There is no change to the annual fees for the city's AZPDES permit as a result of this settlement, which remains at $2,500 per year for 1,000,000 to 9,999,999 gallons of discharge per day.

BACKGROUND AND PREVIOUS ACTIONS

Substantial amounts of Class A+ effluent are produced at the city's 157th Avenue Wastewater Treatment Facility (the "Treatment Facility"). The city's policy is to recharge effluent produced at the Treatment Facility into the city's existing SAT site to satisfy the city's renewable water supply requirements in its Designation of Assured Water Supplies. There are, however, times when the effluent cannot be discharged into the SAT site. When the effluent produced at the Treatment Facility cannot be recharged, the city discharges the effluent into the Buckeye Water Conservation Drainage ("BID") canal pursuant to its Arizona Pollutant Discharge Elimination System ("AZPDES") Permit issued by the Arizona Department of Environment Quality ("ADEQ").

The city's AZPDES Permit allows discharges of class A+ effluent into the Gila River and into Buckeye Water Conservation Drainage District ("BID") canal. Although the city's AZPDES Permit allows effluent to be discharged into the Gila River, the city has directed its discharges

into the BID canal because the standards for discharge into the Gila River are more stringent than those for discharge into the BID canal, making it difficult for the city to comply with the permit requirements for discharges into the Gila River. The reason for the difference in standards is based on the classifications of the two receiving waters (i.e. the Gila River and the BID canal, which feeds into the Hassyampa River) under the Clean Water Act.

The renewal AZPDES permit issued by ADEQ, the BID canal was reclassified to the same classification that applied to the Gila River, and the same stringent standards for discharges into the Gila River now applied to discharges into the BID canal. Staff objected to the reclassification of the BID canal. In addition, assuming that the BID canal was properly reclassified, staff objected to the testing parameters included within the renewal permit. When the renewal AZPDES permit was issued, staff was aware that a case was winding its way through the courts challenging the rule pursuant to which the BID Canal had been reclassified.

On May 24, 2021, the Goodyear City Council adopted Resolution 2021-2162 authorizing the retention of outside counsel specializing in environmental law and authorizing the appeal of the renewal AZPDES permit. The city's outside counsel filed an appeal and requested an administrative hearing, which allowed the city to continue operating under the terms of the expired AZPDES permit. Following the filing of the appeal and request for an administrative hearing, numerous informal settlement meetings and discussions were held at the request of the city to discuss the city's objections. After the final settlement meeting on August 11, 2021, ADEQ agreed to reissue the city's renewal AZPDES permit with modified terms, including: (i) modifications to testing requirements that applied under the new classification of the BID Canal, which provided the city the most flexibility that provided the city the best chance of meeting the higher standards for discharges into the BID Canal; modifications to the levels of minerals allowed in the discharges as requested by the City of Goodyear; and terms that would allow lower standards to be imposed if, there was a ruling in the pending case that would result in discharges into irrigation canals being classified such that lower standards applied.

Before the documentation could be prepared, a ruling in the pending court case was issued that resulted in the reinstatement of the rules in effect when the city's expiring AZPDES permit was issued. In response, the state proposed a settlement pursuant to which the state would reissue the renewal AZPDES permit under the same terms as the expired AZPDES permit with both sides to bear their own costs and expenses for the appeal, including attorney's fees. There will be an administrative processing fee, which is estimated to be between $3,000 and $3,500, for the reissuance of the revised AZPDES permit. The renewal AZPDES permit will be effective for a period of five (5) years for the renewal date.

STAFF ANALYSIS

Staff supports the settlement and dismissal of the appeal as set forth in Resolution 2021-2181. The revised permit that will be issued allows the city to continue its operations without the need for any operational changes, eliminates future costs and expenses if the appeal were to continue, and allows staff to focus its time and attention on other operational needs.

Attachments

Resolution with Exhibit A

RESOLUTION NO. 2021-2181

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AGREEING TO SETTLEMENT AND DISMISSAL OF THE APPEAL THE CITY OF GOODYEAR FILED CHALLENGING THE TERMS OF AZPDES PERMIT NO. AZ0022357; PROVIDING AUTHORIZATION AND AN EFFECTIVE DATE.

WHEREAS, the city has an Authorization to Discharge under the Arizona Pollutant Discharge Elimination System (the "AZPDES") Permit issued by Arizona Department of Environmental Quality (ADEQ) (the "Discharge Permit") permitting discharge of effluent from the City's 157th Avenue Wastewater Treatment Facility that could not be recharged into the Gila River and into the Buckeye Water Conservation Drainage District canal (the "BID Canal"); and

WHEREAS, because of differences in the requirements for discharging effluent into the Gila River and the requirements for discharging effluent into the BID Canal, for the past few years, the city has been using the BID canal as it sole source for the discharge of effluent; and

WHEREAS, the city received a renewal Discharge Permit, which included substantial modifications from the expiring permit, including reclassification of the BID Canal and the imposition of stringent and onerous requirements for discharging effluent into the BID Canal; and

WHEREAS, city staff objected to the reclassification of the BID canal and various other terms in the renewal permit and obtained authorization to appeal the terms of the renewal Discharge Permit; and

WHEREAS, on May 24, 2021, the Goodyear City Council adopted Resolution 2021-2162 authorizing the retention of outside counsel specializing in environmental law and authorizing the appeal of the renewal Discharge Permit; and

WHEREAS, the city's outside counsel filed an appeal and requested an administrative hearing, which allowed the city to continue operating under the terms of the expired Discharge Permit; and

WHEREAS, following the filing of the appeal and request for an administrative hearing, numerous informal settlement meetings and discussions were held at the request of the City to discuss the city's claims; and

WHEREAS, after the final settlement meeting on August 11, 2021, ADEQ agreed to reissue the city's renewal Discharge Permit with modified terms; and

WHEREAS, while the appeal was pending, a case was winding its way through the courts challenging the rule pursuant to which the BID Canal was reclassified; and

WHEREAS, the modifications to the renewal Discharge Permits included: (i) modifications to testing requirements that applied under the new classification of the BID Canal, which provided the city the most flexibility that provided the city the best chance of meeting the higher standards

for discharges into the BID Canal; modifications to the levels of minerals allowed in the discharges as requested by the City of Goodyear; and terms that would allow lower standards to be imposed if, there was a ruling in the pending case that would result in discharges into irrigation canals being classified such that lower standards applied; and

WHEREAS, after the final settlement meeting on August 11, 2021, a ruling in the pending court case was issued that resulted in the reinstatement of the rules in effect when the city's expiring Discharge Permit was issued; and

WHEREAS, the state has proposed a settlement pursuant to which the state would reissue the renewal Discharge Permit under the same terms as the expired Discharge Permit with both sides to bear their own costs and expenses, including attorney's fees, of the appeal; and

WHEREAS, the renewal Discharge Permit will be in effect for a period of five (5) years for the renewal date; and

WHEREAS, there will be an administrative processing fee for the reissuance of the revised Renewal Discharge Permit; and

WHEREAS, the resolution of the appeal under these terms is in the best interests of the City of Goodyear as it allows the city to continue its operations without the need for any operational changes, eliminates future costs and expenses if the appeal were to continue, and allows staff to focus its time and attention on other operation needs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. SETTLEMENT

The Mayor and Council of the City of Goodyear hereby agree to settle and dismiss the appeal the City of Goodyear filed challenging the terms of AZPDES permit No. AZ0022357 pursuant to ADEQ's agreement to reissue the city's permit with the terms set forth in the draft letter from ADEQ attached hereto as Exhibit A, with each side to bear their own attorneys' fees, consultants' fees and costs of the appeal.

SECTION 2. AUTHORIZATION

The City Attorney or his designee, which includes outside counsel retained to represent the City of Goodyear in the appeal filed challenging the terms of the AZPDES permit No. AZ0022357, is hereby authorized to take all actions and execute all documents necessary to carry out the intent of this Resolution.

SECTION 3. EFFECTIVE DATE

This resolution shall be effective upon its adoption by the Mayor and Council of the City of Goodyear.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

(Exhibit 'A" on the following page)

EXHIBIT 'A'

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Douglas A. Ducey
Governor

Misael Cabrera
Director

Via Email

September __, 2021 LTF ID: 86573

City of Goodyear
Attn.: Todd Carpenter
P. O. Box 5100
Goodyear, AZ 85338
(Sent Via Email)

Re: AZPDES Permit No. AZ0022357 City of Goodyear 157th Ave Water Reclamation Facility (WRF)

Dear Todd Carpenter:

On April 1, 2021, the Arizona Department of Environmental Quality (ADEQ) granted the renewal of the City of Goodyear WRF AZPDES permit No. AZ0022357 ("Permit"). During public participation and comment period for the above-referenced permit, comments were received from Todd Carpenter, acting on behalf of the City of Goodyear 157th Ave. On June 3, 2021, a formal appeal was filed by the City of Goodyear challenging the Permit's requirements related to the application of the Navigable Waters Protection Rule in Arizona. On Monday, August 30, 2021, a District Judge for the District of Arizona in *Pasqua Yaqui Tribe et. al. v. EPA*, No. CV-20-00266-TUC-RM issued an order to vacate and remand the Navigable Waters Protection Rule. This order has the effect of setting Clean Water Act regulations in Arizona to those in place pre-2015. A copy of the order is available here: https://static.azdeq.gov/wqd/swpp/order_remand_and_vacate.pdf.

ADEQ intends to revise the Permit consistent with current state and federal requirements, with the following conditions and parameter changes:

-Returning to the previous permit's receiving water of the Buckeye Canal and its associated Agricultural Designated Uses.
-The sampling point for hardness, pH, and temperature will return to the point of discharge to the canal rather than monitoring being required further downstream.
-No requirements for Whole Effluent Toxicity (WET) testing.
-Selenium effluent limitations to be revised to be consistent with the Middle Gila River Boron and Selenium TMDL WLA previously in place.

DRAFT

ADEQ intends to provide the City of Goodyear with the revised permit in the coming weeks for your review during the internal/external review period, prior to public noticing the revised permit. Your issued and signed revised permit will be emailed immediately after the director signs the revised permit.

Please contact me at (602) 771-4162 or e-mail me at montague-breakwell.chris@azdeq.gov if you have any questions regarding this notice or your permit.

Sincerely,

Chris Montague-Breakwell
Environmental Program Manager 2
Water Quality Division

Electronic cc: Justin Bern, WQD-SWP Value Stream Manager
Jessica Kohls, Permit Writer
Adam Swartz, AGO
Christopher Thomas, Perkins Coie

ITEM #: 10.
DATE: 09/27/2021
AI #:488

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE BUDGET TRANSFERS

STAFF PRESENTER(S): Doug Sandstrom

SUMMARY

Approve budget transfers

Recommendation

Approve budget transfers. (Doug Sandstrom, Finance Director)

FISCAL IMPACT

Fiscal impacts are outlined in the attached report. The citywide budget total remains unchanged within the Adopted State Expenditure Limitation Budget.

BACKGROUND AND PREVIOUS ACTIONS

Budget transfers requiring City Council approval are presented, as necessary throughout the year. The FY2022 expenditure limitation budget was adopted on June 07, 2021.

STAFF ANALYSIS

Budget transfers are permitted by Arizona Revised Statute 42-17106(B), which provides authorization for cities and towns to exceed expenditures in a budget item after final adoption of a city/town budget by transferring appropriations between budget items. All budget transfers are completed within city policy established by Resolution 2020-2039.

Review of budget transfers keeps the Council and general public informed about the city's current fiscal year revenues and expenditures.

Attachments

Budget Transfers Report

City Council Budget Transfers Report - FY2022

Council Agenda Date: 9/27/2021

							Expenditure/Use of or (Savings/Addition to) Fund Balance				
Date	Transfer Journal No.	Reason Needed	Transfer Amount	Ultimate Fund(s) Affected; Explanation	New Resource/ Revenue	No Ultimate Funding Change	General	Water Operating	Wastewater Operating	Other Operating Funds	Other Capital Funds
9/8/2021	2022-03-151	This new Firefighter Cancer Fund is required per state statue effective September 29, 2021. The Finance department's ADOR fee was eliminated, which allows this transfer of budget to the Human Resources Risk department where the restricted budget will be spent.	$240,000	General		$240,000					

ITEM #: 11.
DATE: 09/27/2021
AI #:462

CITY COUNCIL ACTION REPORT

SUBJECT: REZONE APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY) TO MF-12 AND MF-24 FOR COTTON COMMONS

STAFF PRESENTER(S): Christian M. Williams, Planner

OTHER PRESENTER(S):
Wendy Riddell

SUMMARY

Request to rezone approximately 40-acres generally located southwest of 173rd Avenue and Lower Buckeye Road from R1-6 (Single-Family Residential) to MF-12 and MF-24 for the development of Cotton Commons.

Recommendation

1. ADOPT RESOLUTION 2021-2169, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-05 CITY OF GOODYEAR, AZ – REZONE CASE,” “LEGAL DESCRIPTION – COTTON COMMONS,” “LEGAL DESCRIPTION – COTTON COMMONS MF-12 PARCEL,” AND “LEGAL DESCRIPTION – COTTON COMMONS MF-24 PARCEL.”

2. ADOPT ORDINANCE NO. 2021-1508, CONDITIONALLY REZONING APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY RESIDENTIAL) TO MF-12 (MULTI-FAMILY) ON THE EASTERN 19.18-ACRES AND MF-24 (MULTI-FAMILY) ON THE WESTERN 20.95-ACRES; ADOPTING FINDINGS; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. (Christian M. 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 property being rezoned consists of approximately 40 acres generally located southwest of 173rd Avenue and Lower Buckeye Road (the “Property”). The Property is currently zoned R1-6 (Single-Family Residential), which was established by Ordinance No. 05-945.

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 owner is seeking to rezone approximately 19.18 acres of the Property located on the east side of the Property to MF-12 (Multi-Family Residential) (the “MF-12 Parcel”) and to rezone approximately 20.95 acres on the west side of the Property to MF-24 (Multi-family Residential) (the “MF-24 Parcel”).
An MF-12 Parcel will be developed under the Multi-Family and MF-12 Design Guidelines as outlined in the Goodyear Design Guidelines and the MF-24 Parcel will be developed under the Multi-Family Design Guidelines as outlined in the Goodyear Design Guidelines and subject to additional stipulations.

Staff has added stipulations to address continuity within the surrounding community of West Goodyear as well as product color and aesthetics to provide for more diversity in product offerings.

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 General Plan designates the Land Use Category for this property is Neighborhoods. Due to this fact, a rezone of this property from R1-6 single-family residential to a multi-family residential use would continue to align with the General Plan. Additionally, the project will provide a housing product that is much needed in this area, will maximize the investment made into the future Arizona State Route 303 Loop (Loop 303) extension, and will bring the density needed to support the surrounding employment, commercial, and entertainment land uses.

2. Suitability of the subject property’s physical and natural features for the uses permitted under the proposed zoning district.
   This Site is generally flat with no physical or natural features that would hinder the development of the proposed multi-family and single-family rental project.

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

Current and future uses and development of the properties surrounding the subject property include:
North – Vacant land planned for La Jolla Vista (single-family residential development);
South – El Cidro (single-family development);
East – City of Goodyear Site 12 Water Facility and El Cidro (single-family development;
West – Vacant land owned by Agua Fria Union High School District;

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.

The Site is currently surrounded by either constructed or planned single-family detached developments on the north, east, and south, with a high school planned for the vacant land to the west of the Site. Development of the Site under the current zoning of R1-6 would only add to the repetitiveness of land uses that exists in the vicinity, while the request will allow for much-needed diversity in housing. The size and scale of the proposed project is physically compatible with the surrounding zoning and existing developments.

Luke Air Force Base:
The property does not fall within the Luke Air Force Base Accident Potential Zone or the DNL. However, the subject property is located within the vicinity of a military airport. Given the location of the property and multi-family nature of the proposed zoning, base operations will not be adversely impacted by this development.

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.

Since the 1990s the population of the City of Goodyear has grown substantially and continues to increase faster than the housing market is able to keep pace with demand. Using data compiled by the Maricopa Association of Government, the General Plan reports that the population of Goodyear will double between 2020 and 2040, but the population has been growing much more quickly than the housing stock. If continued, this will create overcrowding and housing will become overpriced. This proposal will lessen the burden on the housing market and reinforce Goodyear as a place where individuals and families can seek attractive, high-quality housing.

Additionally, this proposal will add two different housing products that are not currently offered within a three-mile radius of the Site. The construction of the Loop 303 extension will only add to the already high demand for this type of product here, given the existing lack of housing diversity in the area.

As part of this rezoning application, the applicant will continue to have discussions with the local school districts.

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 Avondale Elementary School District and the Agua Fria 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	5.2	2.60	6.02	3.01	Fire Station #182	11.35	12.16	12.16	6.08

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 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 proposed rezoning is within proximity to existing public services. The property owner and/or developer will be responsible for the costs of making the necessary connections to these existing services and for constructing any additional infrastructure needed for the city to provide services, including water and wastewater services, to the 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 that was in place at the time the citizen review process took place. 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, those notices were mailed on May 22, 2021. In addition to those notices, the applicant hosted a virtual neighborhood meeting on June 1, 2021; comments from neighbors were largely concerning three-story rental products and the loss of views of the mountains to the northwest.

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 September 15, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 2021.

At the Planning and Zoning Commission meeting, nine households spoke in opposition to the rezoning request and an additional two members of the public filled out forms stating they were opposed to the rezoning request. The members of the public were from the adjacent El Cidro and Sin Lomas communities. The speakers stated concerns with increased traffic, increased crime, loss of views, noise, transient renters and homelessness.

One member of the public asked if Lower Buckeye Road would be improved. Mr. Williams stated that the applicant would be responsible for improving the ½ street of Lower Buckeye Road, 175th Avenue and 173rd Avenue along their development.

After public discussion, the Commission voted (4-1) to recommend approval of the proposed rezoning, subject to the proposed stipulations.

9. Whether the amendment promotes orderly growth and development.

This proposal presents a land use that will convert an underutilized Site that is not appropriately entitled to meet demand to a high-quality development that offers two housing products that are much needed in this area to provide the diversity in housing necessary to support Goodyear's employment, commercial, and entertainment land uses. With the pending investments made into the nearby Loop 303 extension, the proposal promotes the orderly growth and development of the area by adding residential densities appropriate to their context.

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 proposal converts an underutilized Site into two housing options that will create some variety within the existing sea of single-family detached that will positively impact the surrounding residents and businesses.

Attachments

Resolution
Supplementary Zoning Map
Legal Description
Legal Description - M12
Legal Description - M24
Ordinance
Aerial Exhibit
Project Narrative
Presentation
Applicant Presentation

RESOLUTION NO. 2021-2169

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 AND TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-05 CITY OF GOODYEAR, AZ – REZONE CASE," "LEGAL DESCRIPTION – COTTON COMMONS," "LEGAL DESCRIPTION – COTTON COMMONS MF-12 PARCEL," AND "LEGAL DESCRIPTION – COTTON COMMONS MF-24 PARCEL."

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. 21-05 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 – Cotton Commons," a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That a certain document titled "Legal Description – Cotton Commons MF-12 Parcel," a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

That a certain document titled "Legal Description – Cotton Commons MF-24 Parcel," 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 rezoning Ordinance No. 2021-1508.

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 A.R.S 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:

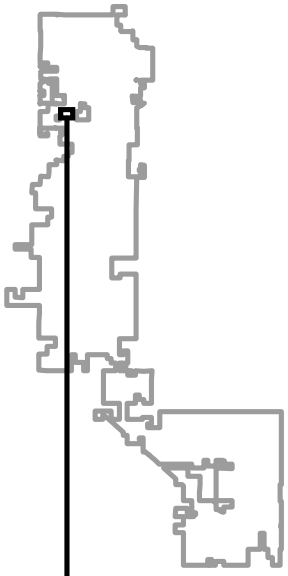
_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-05

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.



_____

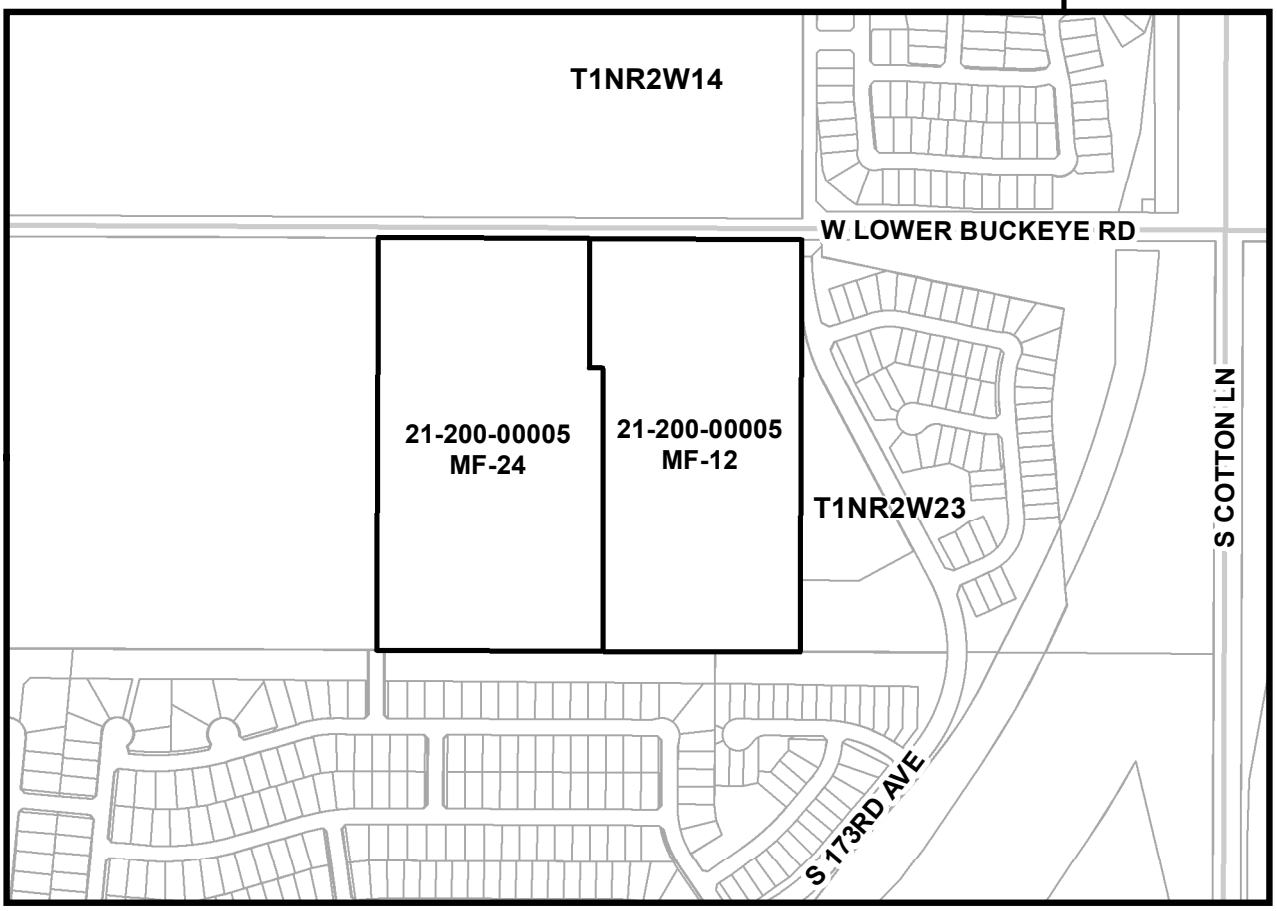
MAYOR

_____

CITY CLERK

SUBJECT PROPERTY:

A portion of the Northeast Quarter of Section 23, 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 R1-6 TO MF-12 AND MF-24 21-200-00005	Sept 2021

EXHIBIT B

LEGAL DESCRIPTION - COTTON COMMONS

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

Lots 25, 26, 27 and 28, of SALT RIVER ACRES, according to Book 23 of Maps, Page 19, recorded in the office of the County Recorder of Maricopa County, Arizona, also known as the Northwest quarter of the Northeast quarter of Section 23, Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

APN: 502-44-003D

September 2, 2021
Project # 050908-01-001

EXHIBIT 'C'

LEGAL DESCRIPTION
COTTON COMMONS MF-12 PARCEL

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 23, FROM WHICH POINT THE NORTHEAST CORNER OF SAID SECTION 23 BEARS SOUTH 89°45’34” EAST (BASIS OF BEARINGS), A DISTANCE OF 2646.09 FEET;

THENCE SOUTH 89°45’34” EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 661.40 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 89°45’34” EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 661.65 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE SOUTH 00°11’58” WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1321.81 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 89°44’24” WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 618.88 FEET TO A POINT;

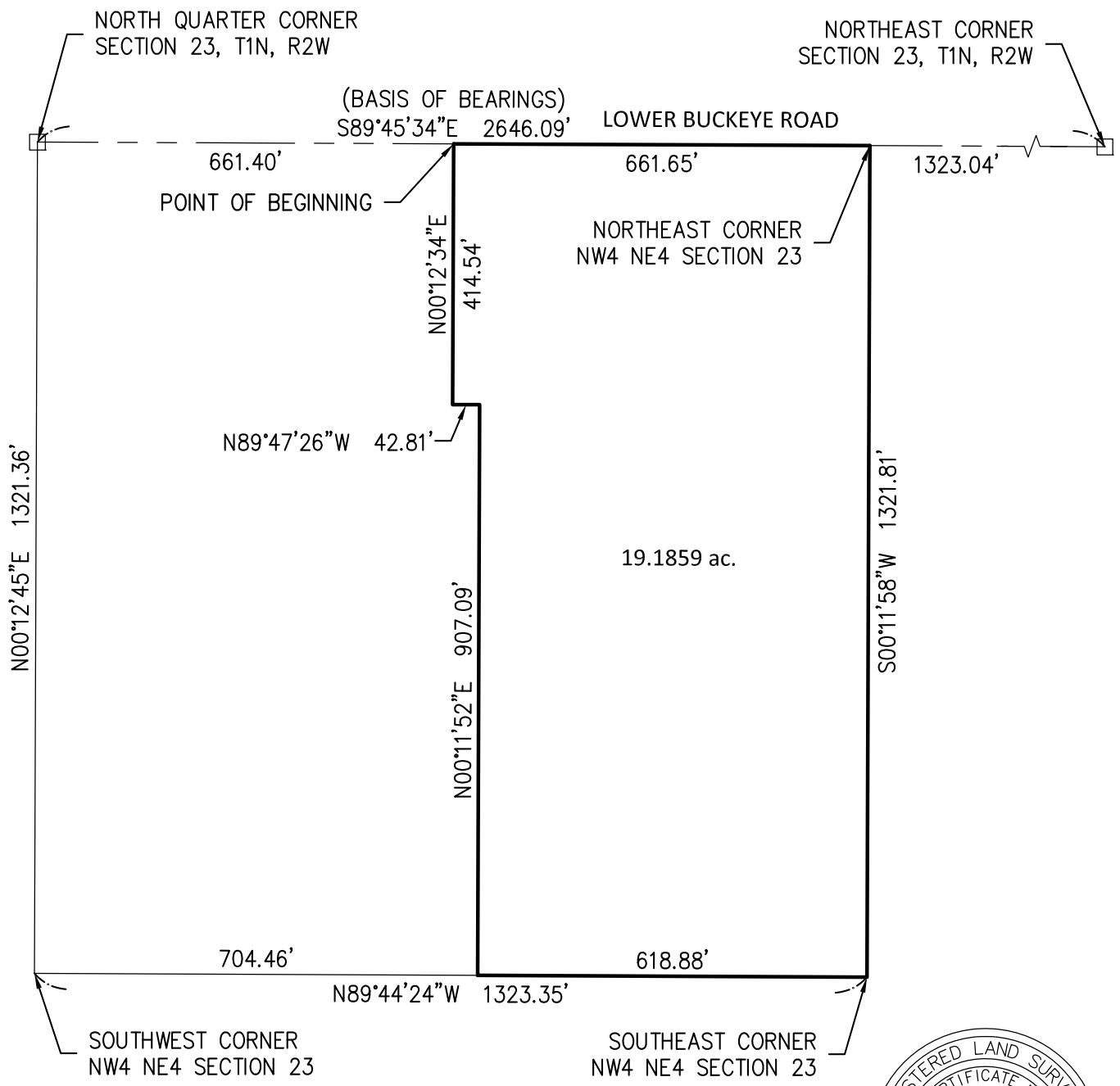
THENCE NORTH 00°11’52” EAST, A DISTANCE OF 907.09 FEET;

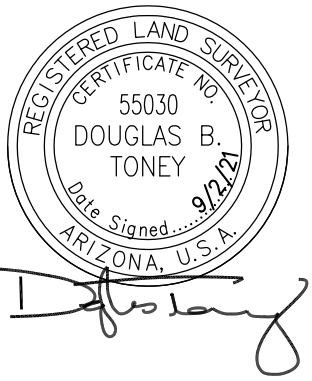
THENCE NORTH 89°47’26” WEST, A DISTANCE OF 42.81 FEET;

THENCE NORTH 00°12’34” EAST, A DISTANCE OF 414.54 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 835,736 SQ.FT. OR 19.1859 ACRES, MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
55030
DOUGLAS B.
TONEY
Date Signed 9/2/21
ARIZONA, U.S.A.





N.T.S.

SHEET 1 OF 1	DATE: 9/2/21	EXHIBIT COTTON COMMONS EAST PARCEL		
		BY: DT	CHK:	QC:
		BCG PROJECT NO: 050908-01 TASK: 001 CLIENT REF NO:		

Bowman CONSULTING
1600 N Desert Drive, #210
Tempe, AZ 85281
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com

September 2, 2021
Project # 050908-01-001

EXHIBIT 'D'

LEGAL DESCRIPTION
COTTON COMMONS MF-24 PARCEL

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 23, FROM WHICH POINT THE NORTHEAST CORNER OF SAID SECTION 23 BEARS SOUTH 89°45’34” EAST (BASIS OF BEARINGS), A DISTANCE OF 2646.09 FEET;

THENCE SOUTH 89°45’34” EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 661.40 FEET TO A POINT;

THENCE SOUTH 00°12’34” WEST, A DISTANCE OF 414.54 FEET;

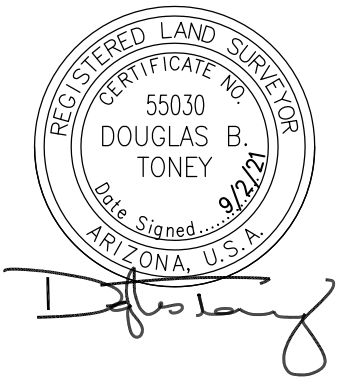
THENCE SOUTH 89°47’26” EAST, A DISTANCE OF 42.81 FEET;

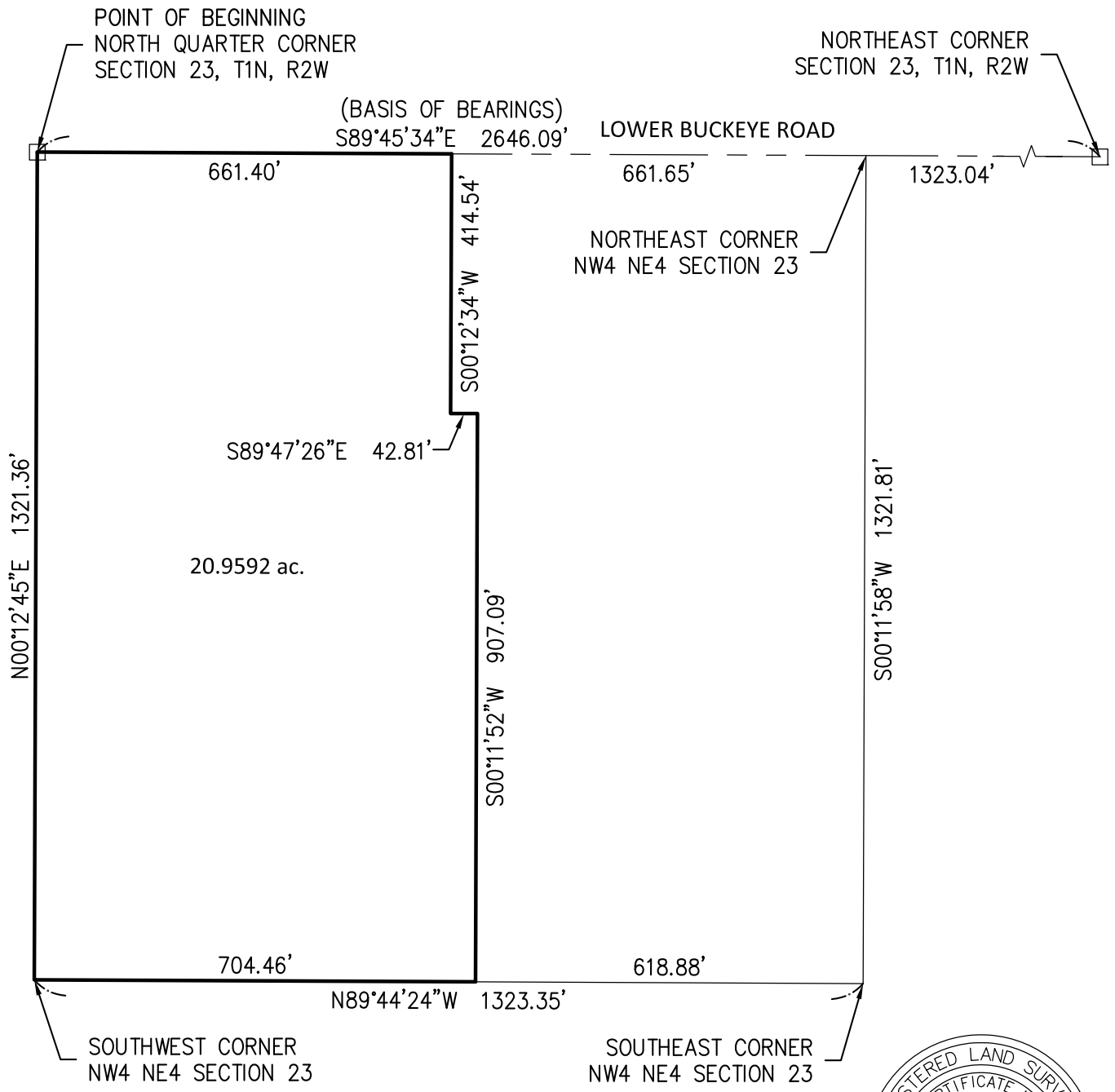
THENCE SOUTH 00°11’52” WEST, A DISTANCE OF 907.09 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23;

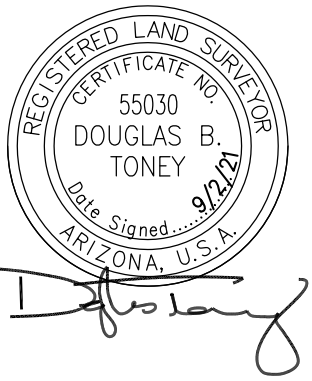
THENCE NORTH 89°44’24” WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 704.46 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE NORTH 00°12’45” EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1321.36 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 912,982 SQ.FT. OR 20.9592 ACRES, MORE OR LESS.







N.T.S.

SHEET 1 OF 1	DATE: 9/2/21	EXHIBIT COTTON COMMONS WEST PARCEL		
		BY: DT	CHK:	QC:
		BCG PROJECT NO: 050908-01 TASK: 001 CLIENT REF NO:		

Bowman CONSULTING

1600 N Desert Drive, #210
Tempe, AZ 85281
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com

ORDINANCE NO. 2021-1508

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY RESIDENTIAL) TO MF-12 (MULTI-FAMILY) ON THE EASTERN 19.18-ACRES AND MF-24 (MULTI-FAMILY) ON THE WESTERN 20.95-ACRES; ADOPTING FINDINGS; 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 40-acres located southwest of 173rd Avenue and Lower Buckeye Road as more particularly described in that certain document titled "Legal Description – Cotton Commons" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property is located within West Goodyear and is one of the original "West Goodyear Properties" that was subject to that certain Memorandum of Understanding ("MOU") Regarding West Goodyear Regional Infrastructure dated May 11, 2005 recorded in the official records of Maricopa County Recorder as instrument 2005-1315299, which was approved by Resolution 2005-981 (the "West Goodyear MOU"); and

WHEREAS, on June 13, 2005, the Goodyear City Council adopted Ordinance 2005-945 rezoning the Property to R1-6 (Single-Family Residential) zoning district which was adopted by Ordinance No. 05-945; and

WHEREAS, on or about June 13, 2016, the City of Goodyear and the then owner of the Property entered into a Development Agreement for Cotton Commons, which was approved by the Goodyear City Council by Resolution 2016-1765 and recorded in the Official Records of the Maricopa County Recorder as instrument 2016 0423816; 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 (collectively the "West Goodyear Master Water and Wastewater Studies"); and

WHEREAS, the regional water and wastewater lines identified in the West Goodyear Master Water and Wastewater Studies were determined based on water demands for the properties within the study area, which demand was calculated based on the zoning and land use designations of the properties within the study area and requirements of applicable development regulations; 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, all of the regional water delivery lines identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property have been completed and Owner is responsible for making a cost recovery payment for each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property; and

WHEREAS, all of the regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property have been completed and Owner is responsible for making a cost recovery payment for each regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property; and

WHEREAS, the owner of the Property is seeking to rezone approximately 20.95-acres of the Property located on the western side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-24 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-24 Parcel") from R1-6 (Single-Family Residential) zoning district to MF-24 (Multi-Family Residential) zoning district; and

WHEREAS, the owner of the Property is seeking to rezone approximately 19.18-acres of the Property located on the eastern side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-12 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-12 Parcel") from R1-6 (Single-Family Residential zoning district to MF-12 (Multi-Family Residential) zoning district; and

WHEREAS, the General Plan designates the Property as being within a General Plan Land Use Designation of Neighborhoods; and

WHEREAS, a rezoning of the Property from R1-6 (Single-Family) to MF-12 (Multi-Family) and MF-24 for the development of a multi-family community is consistent with the current General Plan; and

WHEREAS, the increase in densities that will result from the proposed rezoning will result in an increase in the amount of potable water needed to serve the Property and an increase in the discharges to the city's wastewater treatment plant than reflect in the West Goodyear Master Water and Wastewater Studies, which may require additional water and/or sewer infrastructure improvements other than the infrastructure improvements reflected in the West Goodyear Master Water and Wastewater Studies; and

WHEREAS, Owner is responsible for constructing, at Owner's sole cost and expense, all additional water and sewer infrastructure needed to serve the Property; and
WHEREAS, the proposed zoning is in conformance with the General Plan and will not adversely impact the surrounding area; 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 and 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 September 15, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 15, 2021, nine households spoke in opposition to the rezoning request and an additional two members of the public filled out forms stating they were opposed to the rezoning request. The members of the public were from the adjacent El Cidro and Sin Lomas communities. The speakers stated concerns with increased traffic, increased crime, loss of views, noise, transient renters and homelessness; and

WHEREAS, following the public hearing, the Commission voted 4-1 to recommend approval of the proposed rezoning subject to stipulations; 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 September 27, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 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. 2021-1508 applies to approximately 40-acres of land in Goodyear, Maricopa County, Arizona, generally located southwest of 173rd Avenue and Lower Buckeye Road as shown on the "Official Supplementary Zoning Map No. 21-05 City of Goodyear, AZ – Rezone Case" and as legally described in that certain document titled "Legal Description – Cotton Commons," both documents having been declared public records by Resolution No. 2021-

2169 and which documents are referred to made a part hereof as if fully set forth in this Ordinance (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 REZONING

Approximately 20.95-acres of the Property located on the western side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-24 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-24 Parcel") is conditionally rezoned from R1-6 (Single-Family Residential) zoning district to the MF-24 (Multi-Family Residential) zoning district and approximately 19.18-acres of the Property located on the eastern side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-12 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-12 Parcel") is conditionally rezoned from the R1-6 (Single Family Residential) zoning district to the MF-12 (Multi-Family Residential) zoning district.

SECTION 4. STIPULATIONS

The rezoning and development of the Property is subject to all of the following stipulations and conditions:

1. Approval of the rezoning does not constitute approval of the site plan that has been submitted to the City. 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. Except as modified the stipulations herein, the MF-12 Parcel shall be developed in accordance with all requirements in the Goodyear Zoning Ordinance including the requirements specific to the MF-12 (Multi-Family Residential) zoning district, which includes, by way of example, but not limitation, principal permitted uses, permitted accessory uses, use permit uses, special uses development regulations, parking, signage, lighting, and the City of Goodyear Design Guidelines, including the design guidelines applicable to multi-family residential.

3. Except as modified the stipulations herein, the MF-24 Parcel shall be developed in accordance with all requirements in the Goodyear Zoning Ordinance including the requirements specific to the MF-24 (Multi-Family Residential) zoning district, which includes, by way of example, but not limitation, principal permitted uses, permitted accessory uses, use permit uses, special uses development regulations, parking, signage, lighting, and the City of Goodyear Design Guidelines, including the design guidelines applicable to multi-family residential.

4. Development within the MF-24 Parcel include color schemes that add visual interest and variation to buildings on the site.
    a. At least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of base colors and accent colors/materials shall be used in a manner which creates a minimum of 4 (four) unique building schemes throughout the site.
    b. The color palates that incorporate a variety colors and not simply shades of grays/browns.
    c. A variation in roof height is required.

5. Development within the MF-12 Parcel include color schemes that add visual interest and variation to buildings on the site.
    a. The main body color(s) for the individual homes (residential structures) shall be distinctly different from one another and will not simply utilize varying shades of grey or varying shades of tan to accomplish the three unique colors.
    b. The accent colors/shades utilized on the individual homes (residential structures) shall add vibrancy to the base color of the home and not simply be a darker, lighter or muted shades/colors/version of the primary homes base color.
    c. The upper portions of the structure, that are visible above the perimeter wall height, shall utilize different trim, facia, siding, recessed features, shutters, pop-outs, etc. color (different than the main body color of the home (residential structure) in order to add to the uniqueness and street character of the project.

6. A West Goodyear monument sign shall be installed at the corner southwest corner of Lower Buckeye Road and 173rd Avenue to match the theme and character of the West Goodyear area (agrarian). This will be achieved by constructing a trellis or agrarian themed monument structure that says “West Goodyear” or “<Project Name> at West Goodyear “on the monumentation at this location or similar concept as determined by the Zoning Administrator.

7. The Property shall be developed to provide a minimum of one pedestrian connection from the MF-24 Parcel to 175th Avenue. If only one

pedestrian connection is provided it shall be located generally midway between Lower Buckeye Road and the Pioneer Street alignment unless otherwise approved by the Zoning Administrator in an approved Site Plan.

8. If a perimeter wall is constructed along the boundaries of the Property, it shall be cohesive between the MF-12 Parcel and MF-24 Parcel and shall compliment the overall themes established within the West Goodyear area and shall provide a complimentary transition between the existing El Cidro development theme wall.

9. Perimeter walls constructed along the boundaries of the Property shall incorporate faux picket fence and/or split rail fence, cobblestone wall pillars with end caps, and/or other agrarian elements and desert/natural colors for the primary wall (not shades of grey, white or pink). Accent colors on the theme wall are encouraged.

10. If a perimeter wall or fence is constructed along the southern boundary of the Property adjacent to the El Cidro open space corridor, view walls and/or view fencing shall be utilized except where trash enclosures, utilities and mechanical equipment need to be screened. If parking is located along the southern property line, the view wall shall have a minimum of three (3) feet of Concrete Masonry Unit (CMU) or a similar screening material at the base of the wall.

11. The maximum number of dwelling units that can be developed within the Property shall be 734.

12. A minimum 15-foot wide landscape buffer shall be installed along the southern boundary of the MF-24 Parcel. No buildings, carports, parking spaces or drive aisles/ driveways shall be located within the landscape buffer except drive aisles/driveways may cross over a landscape buffer as needed to access a parking lot. The landscape buffer may include sidewalks, parks/open space, and private yards.

13. Structures within 100 feet of the southern boundary of the Property shall not exceed 30 feet.

14. Owner shall submit water and wastewater studies required by the City Engineer or his designee that reflect the increased demands on the city's water and wastewater systems resulting from the rezoning reflected herein proposed herein. Owner shall be responsible, at Owner's sole cost, for constructing any additional water and wastewater infrastructure improvements located within the Property or outside the boundaries of the Property identified in any water and wastewater study for the Property approved by the City Engineer or his designee as being needed to provide water and wastewater service to the Property and for

conveying to the City, at no cost to the City, all easements located within the Property or outside the boundaries of the Property required for such infrastructure improvements. The easement to be conveyed to the City herein shall be in a form acceptable to the City Attorney or his designee.

15. Except as otherwise provided herein, Property Owner shall, at no cost to the City, construct full half-street improvements along and adjacent to the boundaries of the Property for the following roadways. Half-Street Improvements are the improvements required in the Engineering Design Standards and Policies Manual for the applicable street designation (i.e. scenic, major arterial, arterial, major collector, collector etc.) and include, but are not limited to curb, gutter, sidewalk, paving, half street width of medians if required, half of median landscaping, landscaping, landscape irrigation, street lights, signing and striping.

    a. Half-Street Improvements to the section of Lower Buckeye Road (minor arterial) along and adjacent to the frontage of the Property.

    b. Half-Street Improvements to the section of 175th Avenue (minor collector) along and adjacent to the frontage of the Property.

    c. Half-Street Improvements to the western half of 173rd Avenue (minor collector) from where the existing sidewalk ends, which is generally at the south side of the intersection of 173rd Avenue and W. Kendall Street, to Lower Buckeye Road.

    d. Notwithstanding the foregoing, rather than constructing half a median and installing half of the median landscaping, Property Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and full-median landscaping, for any required median. The in-lieu payment for the median and landscaping shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. Unless modified by the terms of a development agreement approved by the Goodyear City Council or a written phasing plan approved by the City Engineer, the in-lieu payments referred to herein shall be made prior to or concurrent with recordation of a final plat that includes the area in which the property to be dedicated is located or prior to the issuance of any permits for construction work within the Property pursuant to an approved site plan for the development of the Property that includes or is adjacent to the area in which the portion of the Property to be dedicate is located.

16. Property Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements, whether within the boundaries of the Property or outside 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 to be dedicated pursuant to any development agreement with the City regarding the development of the Property; and/or (iv) required for the construction of infrastructure improvements required to be constructed pursuant to the stipulations herein. 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 the terms of a development agreement approved by the Goodyear City Council or a written phasing plan approved by the City Engineer, all dedications shall be made prior to or concurrent with recordation of a final plat that includes the area in which the property to be dedicated is located or prior to the issuance of an permit for construction work within the Property pursuant to an approved site plan for the development of the Property that includes or is adjacent to the area in which the portion of the Property to be dedicate is located. The rights-of-way to be dedicated include, but are not limited to the following:

a. South half of Lower Buckeye Road right-of-way, 55 feet from centerline;

b. East half of 175th Avenue right-of-way, 30 feet from centerline

c. West half of 173rd Avenue right-of-way, 30 feet from centerline, where the Property is adjacent to the existing 173rd Avenue right-of-way.

17. Owner is responsible for a proportionate share of the costs for adjacent traffic signals and for additional adjacent traffic signals identified in any approved Traffic Impact Analysis/Study for the Property as being needed. The proportionate share shall be 25% of the cost of a full traffic signal (all four legs) for each leg of the traffic signal adjacent to Property. Owner shall make an in-lieu payment for a proportionate share of the cost of each traffic signal adjacent to the Property and towards the cost of additional traffic signals identified in any approved Traffic Impact Analysis/Study for the Property as being needed. The in-lieu payment shall be based on shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. The in-lieu payment shall be made at the earlier of the following: (i) prior to the recordation of any final plat that triggers the requirement for the construction of the adjacent roadway where the traffic signal is require or (ii) prior to the issuance of any construction

permit for work pursuant to any approved site plan for the development of any part of the Property that triggers the requirement for the construction of the adjacent roadway where the traffic signal is required.

18. 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 permits for work within the Property, whichever is earlier.

19. Prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any permit for work within the Property, whichever is earlier, a reimbursement in the amount of $39,666.00 for the reimbursements owed per the Cost Recovery Resolution – Water Delivery Lines for water delivery lines A ($12,035.00) and B ($27,631.00) shall be paid to the City. No permits shall be issued for any construction work within the Property until the payments referred to herein have been paid to the City.

20. Prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any permit for work within the Property, whichever is earlier, a reimbursement in the amount of $135,759.00 for the reimbursements owed per the Cost Recovery Resolution – Wastewater Trunk Lines for wastewater trunk lines B ($71,509.00) E ($27,735.55) and F ($36,514.43) shall be paid to the City. No permits shall be issued for any construction work within the Property until the payments referred to herein have been paid to the City

21. 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.

22. 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 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.

23. All public infrastructure improvements Owner is required to construct shall be constructed in accordance with the prevailing Engineering Design Standards at the time the improvement plans are reviewed and approved by the City Engineer, or his designee.

24. 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.

25. All Public Sales Reports for the Property, all final plats subdividing all or part of the Property, and all rental agreements for the rental of any unit within the Property shall include disclosures that the Property is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses.

26. All Public Sales Reports for the Property, all final plats subdividing all or part of the Property, and all rental agreements for the rental of any unit within the Property shall include disclosures 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.

27. Signage shall be posted within all sales and rental office 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 and rental offices and shall include the approximate locations of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary and all of the buildings on the Property.

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. 21-05 City of Goodyear, AZ – Rezone Case"

declared a public record by Resolution No. 2021-2169, which is referred to and made a part hereof as if fully set forth in this Ordinance, and the "Official Supplementary Zoning Map No. 21-05 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

Aerial Exhibit
Case No. 21-200-00003

City of Goodyear

Rezoning Narrative

Cotton Commons

July 15, 2021

Prepared for:
SJ Acquisitions LLC
Steve Addison

Prepared by:
Berry Riddell LLC
Wendy Riddell, Esq.
Elyse DiMartino, Planner
6750 E Camelback Road, Suite 100
Scottsdale, Arizona 85251

REQUEST

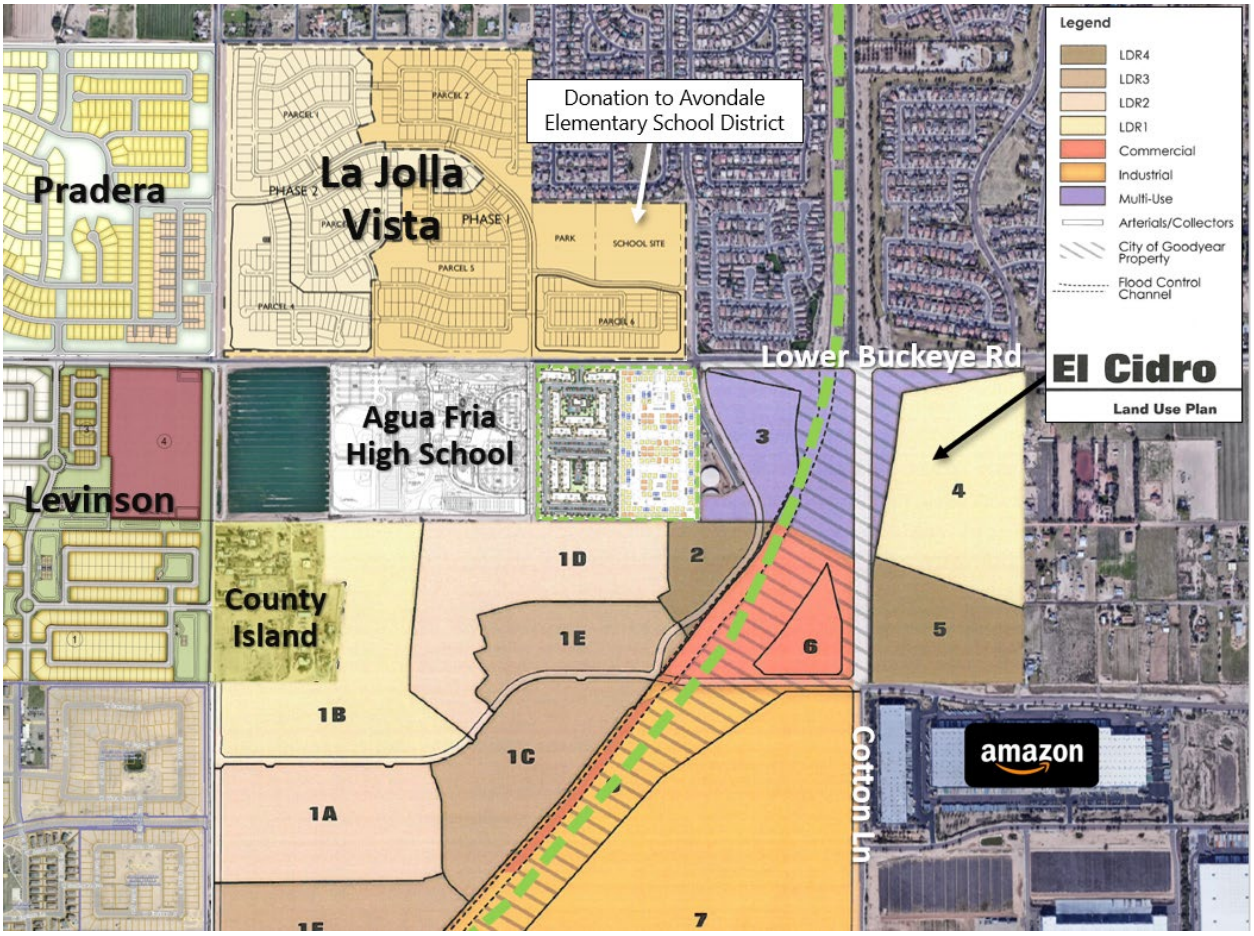
The purpose of this request is to rezone an approximate 40.23-gross-acre site located at the southwest corner of Lower Buckeye Road and 173rd Avenue (the "Site") from R1-6 to 20.97 gross acres of MF-24 to accommodate a traditional multi-family residential development and 19.26 gross acres of MF-12 to accommodate a single-family for-rent community. The Site consists of one parcel, APN 502-44-003D, and is currently used for agriculture. The Site is designated as Neighborhoods on the City of Goodyear's General Plan land use map, which anticipates a *wide range of densities and housing products* (Goodyear 2025 General Plan, pg. 106), although this area currently lacks diversity in housing type. As shown in the below Context Aerial, the future Loop 303 extension will be located approximately 1,200 feet east of the Site with a frontage road planned at Lower Buckeye Road that provides access to the full traffic interchange at Yuma Road. This proposal will help maximize the investment made into the freeway expansion by bringing sufficient density near transit corridors to support surrounding employment, commercial, and entertainment land uses.

Context Aerial

SURROUNDING CONTEXT

As shown in the aerial above, much of the surrounding land is currently vacant or developed as single-family detached subdivisions. However, most of the surrounding vacant land is entitled for additional single-family detached residences. A range of multi-family housing options as proposed by this development, would create additional options for residents. Currently, the

closest traditional multi-family development (Encantada Canyon Trails) is located approximately 3 miles from the Site, and the closest single-family rental option is TerraLane at Canyon Trails, which is over two miles from the Site. The next closest single-family rental option is Avilla Centerra, located nearly 4 miles from the Site. The Site is located less than a half mile from a number of employment opportunities including the Macy's Distribution Center, Amazon, and Huhtamaki, which require a healthy range of housing options to support their diverse employee base and ensure their success. As shown below, most of the remaining land in the vicinity is planned for single-family detached and the proposal will help create a balanced housing stock to support the surrounding employment land uses. The vacant land north of the Site is planned for single-family detached residential. To the east of the Site is a water treatment facility and recently constructed one and two-story single-family detached residential. South of the Site has recently been constructed as one and two-story single-family detached residential and to the west of the Site is the proposed location of a high school. This proposal has been designed to create appropriate transitions between land uses, while providing the density needed to maximize the investment made into the Loop 303 extension and support surrounding businesses.



DEVELOPMENT PLAN

Cotton Commons will feature two distinct multi-family housing options not currently represented within the vicinity. The west half of the Site will be developed as traditional three-story multi-family and the east half of the Site will be developed as single-family rental product. This request does not include a Planned Area Development Overlay to modify the base MF-12 or MF-24 standards, as the development team seeks to remain consistent with Goodyear's established standards and design guidelines for this type of housing. The two development types will share a common main entrance but will be separately gated and secured by perimeter walls and feature their own amenities. The proposed development will be complementary to the look and feel of the West Goodyear community.

As noted previously, the nearest similar developments are located approximately two to four miles from the Site. By providing these much-needed housing options, employees of the surrounding businesses desiring these types of residences can live close to their jobs, thereby reducing trip lengths and preventing traffic congestion.

Traditional Multi-Family

The traditional three-story multi-family development is proposed to be a gated community with a full amenity package including a community clubhouse, open space community area, fitness center, dog park, and two resort-style pools. Buildings are grouped to create proximity to community amenities with inviting landscaping to support healthy neighborhood interactions. It will fill a housing need for the traditional renter that wants access to amenities that are professionally managed so they can avoid the hassle of maintaining their own pool, landscaping, etc.

Each unit features a private patio or balcony. The entire property will be managed by a professional on-site management team. The conceptual layout provided with this application includes approximately 400 units consisting of a mix of one, two, and three-bedroom units to give a variety of options to suit the needs of renters.

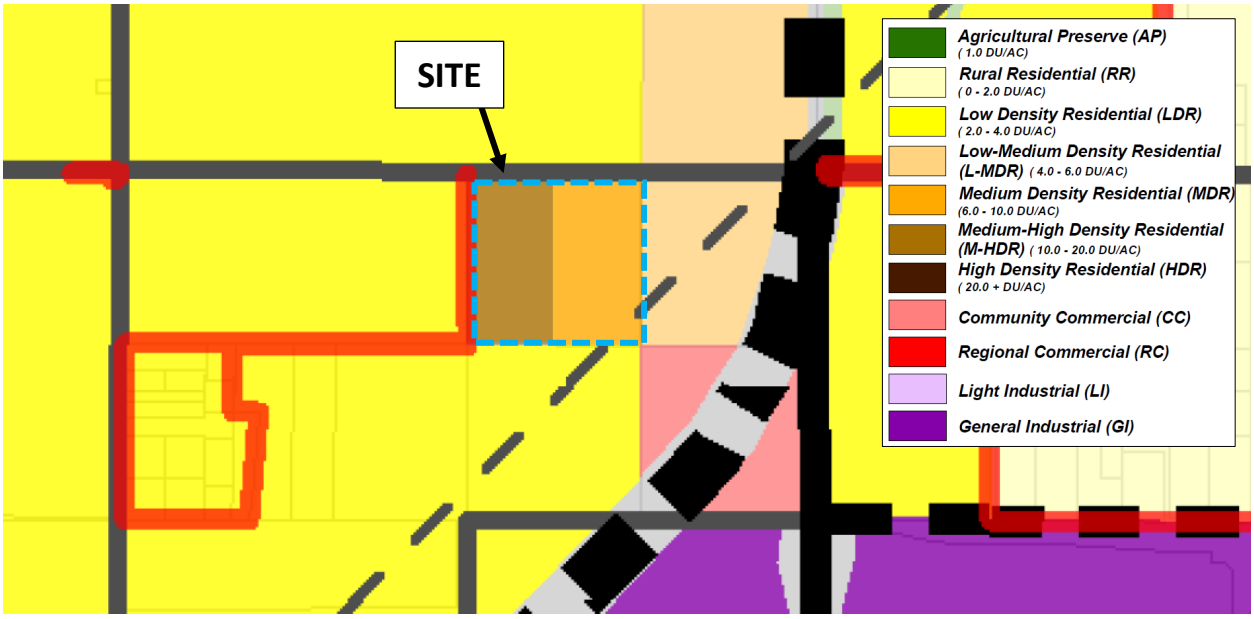
Single-Family Rental

The east half of the Site is proposed as a single-family style rental community that functions like a grouping of attached and detached single-family dwelling units akin to a compact single-family subdivision which encourages compatibility with the surrounding context. The development features its own centralized amenities including an open space community area, fitness facility, dog park, and resort-style pool. Buildings are grouped to create intimate courtyards, with inviting landscaping to support healthy neighborhood interactions. It will fill a need in the market for those renters who want a backyard and the privacy offered by a single-family layout, but don't want the financial and maintenance responsibilities associated with owning a traditional single-family home.

Each unit is single-story and offers a private rear yard, similar to a single-family home. The private yards will be professionally maintained by the site manager, just like the common areas throughout the property. The conceptual site plan provided with this application includes approximately 205 dwelling units in a mix of one, two, and three-bedroom units to meet the needs of renters.

GENERAL PLAN

The Goodyear 2025 General Plan was adopted in 2014 with a vision of continuing to develop the City as a *desirable place for all to live, work, visit, and play by fostering a sustainable community with diverse destinations connected throughout the City* (Goodyear 2025 General Plan, pg. 4). Although the 2025 General Plan consolidated the six residential density land use designations formerly used on the 2003 – 2013 General Plan land use map into one Neighborhood category, the previous General Plan anticipated that the Site would be developed as a mix of Medium Density Residential (6-10 du/acre) and Medium-High Density Residential (10-20 du/acre), as shown below. The current sea of single-family residential located near an employment corridor does not promote Goodyear's vision to create a place where *all* can live and work, but only those that choose to own or rent a single-family detached home within a traditional subdivision layout. This proposal will bring some balance to the housing stock to support this vision and continue to make Goodyear a desirable place to live for all prospective residents.



City of Goodyear General Plan 2003 – 2013 Land Use Plan

This proposal promotes the achievement of the overall vision, goals and policies outlined in the General Plan as outlined below.

Physical Growth and Development, 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; and*
- *Be compatible with existing surrounding development when infill development (e.g. limit height of buildings to reflect surrounding existing residential buildings).*

Response: This Site is located approximately 1,200 feet from the future Lower Buckeye Road frontage road that leads to the interchange at Yuma Road, which will provide easy access for residents. Although Goodyear does not yet have a robust public transit system, the Site design accommodates convenient pickup by ride sharing services. Located within a mile from a number of quality employment opportunities, the Site is appropriately situated to provide necessary diversity in housing for employees. The development also accomplishes this goal by providing a transition in scale from the east to the west to maintain compatibility with the surrounding residential developments and future high school.

Community and Cultural Development, Housing Goal CC-2: *A diverse stock of high-quality housing that meets the needs of all residents.*

Response: Located within the fastest growing county in the nation for the past three years, Goodyear will need thousands of new dwelling units to meet demand. Designated as Neighborhoods on the General Plan Land Use Map, the Site is an appropriate location for the proposed development. As described previously, this proposal creates a natural land use transition from the one and two-story residential to the east and south to the future high school located to the west of the Site. This proposal presents two housing options not currently offered in the vicinity, which will help support Goodyear's growing and increasingly diverse population.

Community and Cultural Development, Objective CC-2-2: *Preserve the quality of existing housing. Ensure that infill development matches or exceeds the quality and style of adjacent existing developments.*

Response: Cotton Commons will feature contextually appropriate architecture that meets or exceeds the quality of the adjacent developments. High-quality materials and amenities will ensure a level of luxury including resort-style pools, private optional garages, abundant open space and a fitness facility in each development. The scale is respectful of the local conditions and will create an appropriate transition between land uses.

REZONING CRITERIA

The Zoning Ordinance identifies specific criteria that guide rezoning requests to respond appropriately to the surrounding context of the Site, address demand for the types of uses proposed and consistency with long-range planning goals. This proposal meets and exceeds

those criteria as outlined below.

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;

Response: As outlined previously, this proposal is consistent with the long-range planning goals and policies outlined in the General Plan, will provide a housing product that is much needed in this area, will maximize the investment made into the future Loop 303 extension, and will bring the density needed to support the surrounding employment, commercial, and entertainment land uses.

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

Response: This Site is generally flat with no physical or natural features that would hinder the development of the proposed multi-family and single-family rental project.

c. 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;

Response: This proposal has been thoughtfully planned to respect the scale of the existing and planned land uses in the surrounding context. The proposed density has been anticipated by the General Plan and a traffic impact study has been conducted in association with this request to confirm that the available roadway improvements are sufficient to accommodate the project. As part of the rezoning, the completion of half-street improvements is anticipated.

d. 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;

Response: The Site is currently surrounded by either constructed or planned single-family detached developments on the north, east, and south, with a high school planned for the vacant land to the west of the Site. Development of the Site under the current zoning of R1-6 would only add to the repetitiveness of land uses that exists in the vicinity, while the request will allow for much-needed diversity in housing. The size and scale of the proposed project is physically compatible with the surrounding zoning and existing developments.

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;

Response: Since the 1990s the population of the City of Goodyear has grown substantially and continues to increase faster than the housing market is able to keep pace with demand. Using data compiled by the Maricopa Association of Government, the General Plan reports that the population of Goodyear will double between 2020 and 2040, but the population has been growing much more quickly than the housing stock. If continued, this will create overcrowding and housing will become overpriced. This proposal will lessen the burden on the housing market and reinforce Goodyear as a place where individuals and families can seek attractive, high-quality housing.

Additionally, this proposal will add two different housing products that are not currently offered within a three-mile radius of the Site. The construction of the Loop 303 extension will only add to the already high demand for this type of product here, given the existing lack of housing diversity in the area.

As part of this rezoning application, and as we work to accommodate demand, we will continue to have discussions with the local school districts.

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 as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;

Response: This proposal appropriately responds to the available public services and infrastructure in the surrounding vicinity. Designated as Neighborhoods by the Goodyear 2025 General Plan, this Site location has been anticipated for a range of residential densities. A traffic impact study included with this application confirms the adequacy of the surrounding roadway conditions and their ability to properly serve the proposed land uses.

g. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;

Response: None. There is no projected increase in demand for public infrastructure and services available to the Site that exceeds capacity as a result of this development.

h. General public's concerns;

Response: A neighborhood meeting was held on June 1, 2021, with nine residents in attendance. Concern was expressed regarding the condition along the southern property line, located between the Site and the residents given that the proposed building height is a maximum of three-stories. The development team explained and assured residents that the three-story buildings would be setback at a significant distance, approximately 240 feet from their backyard walls. As a result of the meeting, visuals are being created to better depict the line of sight from the existing residences to the three-story buildings. The intent is to move forward with the

proposal as presented at the neighborhood meeting. The development team understands the importance of neighborhood involvement and has and will continue to diligently respond to questions from residents.

i. Whether the amendment promotes orderly growth and development; and

Response: This proposal presents a land use that will convert an underutilized Site that is not appropriately entitled to meet demand to a high-quality development that offers two housing products that are much needed in this area to provide the diversity in housing necessary to support Goodyear's employment, commercial, and entertainment land uses. With the pending investments made into the nearby Loop 303 extension, the proposal promotes the orderly growth and development of the area by adding residential densities appropriate to their context.

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.

Response: This proposal converts an underutilized Site into two housing options that will create some variety within the existing sea of single-family detached that will positively impact the surrounding residents and businesses.

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 subject property. As such, the primary connection will be to an existing 16-inch water line on Lower Buckeye Road and a secondary connection via an existing 12-inch water line on 173rd Avenue.

This project is included in the 2013/2014 West Goodyear Central Planning Area Master Water Study Update (Master Water Study). Cotton Commons 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.

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). This system includes an existing 18-inch sewer line in Lower Buckeye Road. Cotton Commons 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.

Drainage

The project drainage concept proposes to convey on-site runoff through driveways and storm drain to an underground retention system. 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 to its ultimate historic outfall.

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 underground subsurface retention.

Roadway Sections

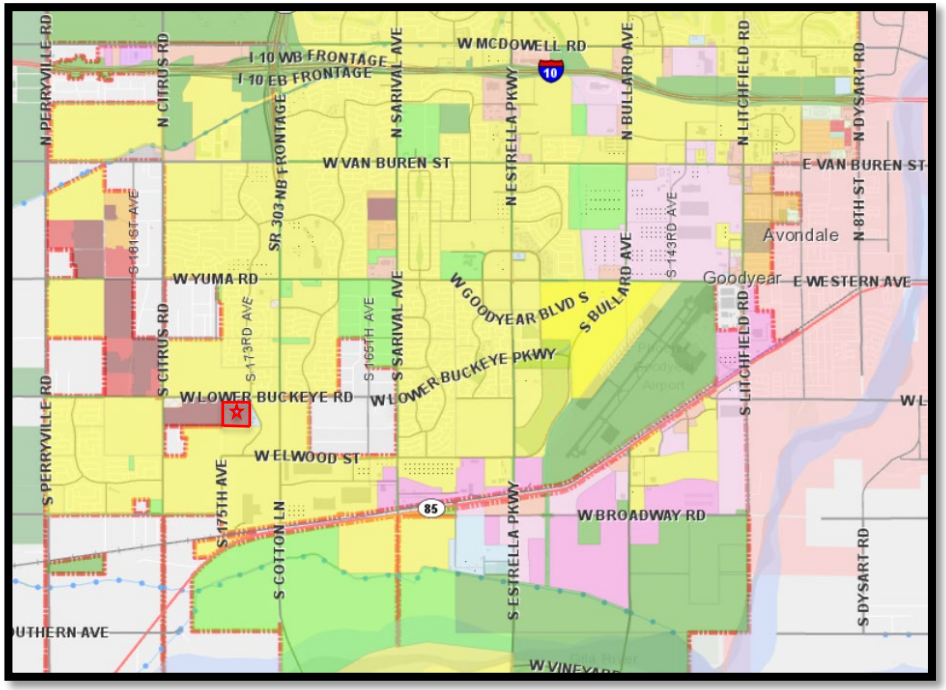
Street roadway cross sections shall be determined by the Transportation Master Plan and shall conform to the EDS&PM standard street sections. Lower Buckeye is denoted as a major arterial road per COG Std. Detail G-3132.

Cotton Commons

City Council Meeting
September 27, 2021

Location

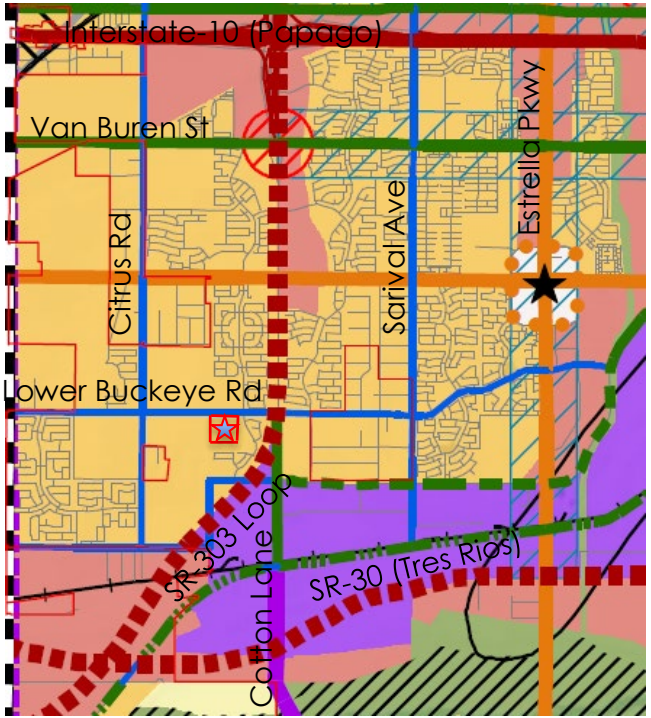
- Central Goodyear (West Goodyear)
  - SW Corner of 173rd Ave and Lower Buckeye Road
  - Approximately 40 Acres
  - Currently zoned R1-6 (Single-family residential)

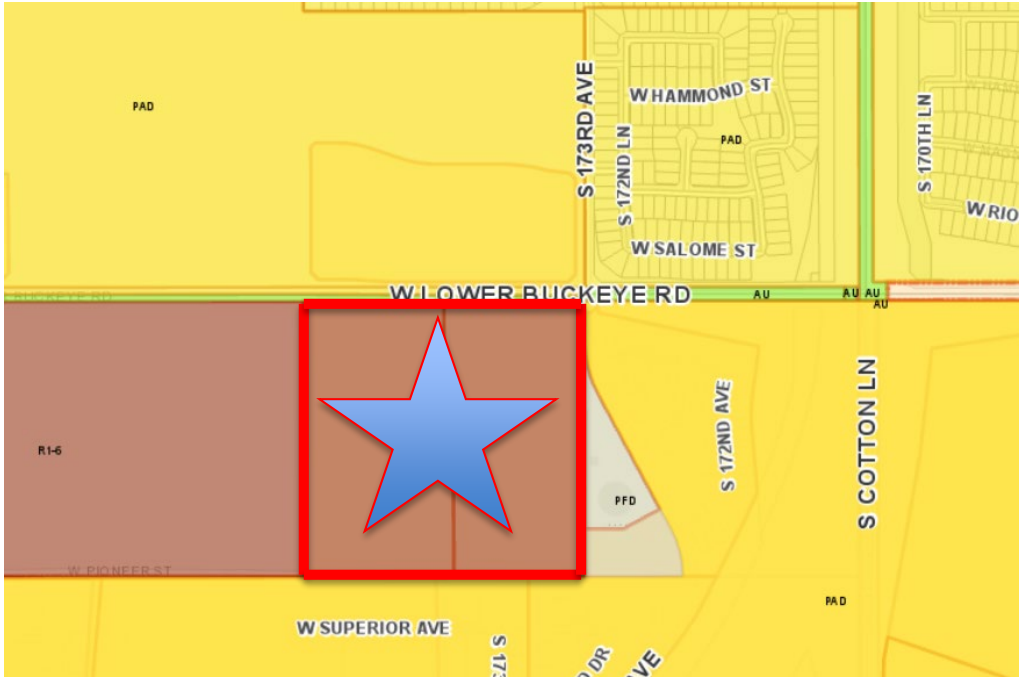


Specific Location

- Cotton Commons
  - East
    - Goodyear Well Site 12
  - West
    - Agua Fria Union High School District Site
  - North
    - La Jolla Vista (planned residential)
  - South
    - El Cidro (residential and open space)

General Plan and Zoning History





Area Multi-Family

=Established Multi-Family

=Under Construction or Recently Completed Multi-Family

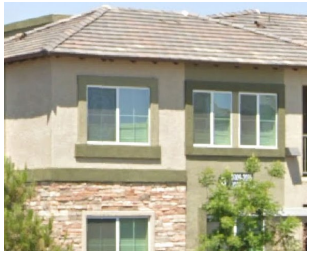
=Zoned for Multi-Family

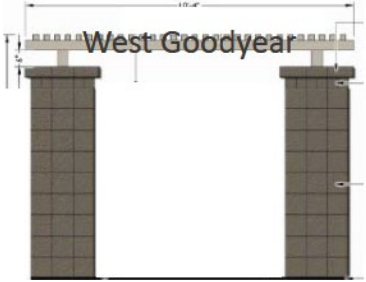
=Developer Interest in Multi-Family (Application Submitted)

= Cotton Commons

Proposal

- MF-24 (Multi-Family/Residential) AND MF-12 (Multi-Family/Residential) w/ Stipulations

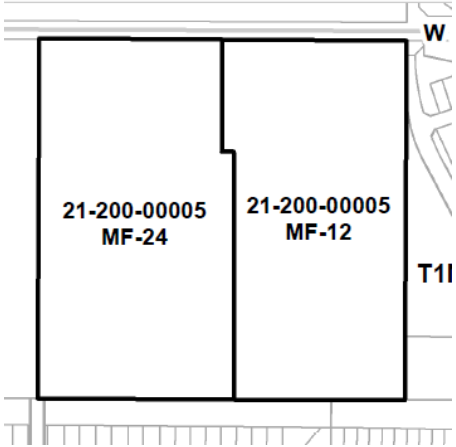




*Images are preliminary and for illustrative purposes only

Public Outreach and Staff Recommendation

- Neighborhood Meeting June 1, 2021
- Planning and Zoning Commission Recommend Rezone:
  - From R1-6 (single-family residential)
  - To MF-12 on the east AND MF-24 on the west, subject Ordinance stipulations



W Lower Buckeye Rd
W Lower Buckeye Rd
LOWER BUCKEYE ROAD
W Kendall St
S 3rd Ave
W Pioneer St
3rd Ave
CITY OF
Goodyear

Thank You!

Cotton Commons

Southwest corner of 173rd Avenue & Lower Buckeye Road
SJ Acquisitions

Planning & Zoning Commission

September 27, 2021

Development Team – Long Term Holder of the Project

Steve Addison

- Oversees acquisitions, financing, investor relations, entitlements, development and dispositions
- Past projects include 1,300+ residential units
- Graduate of the Master's program of the Graaskamp Real Estate Program

Jon de Fiebre

- Over 20 years of diverse real estate experience
- Completed over 1 million square feet of new commercial and industrial projects, and 400 multifamily units
- Master of Science in Real Estate and Urban Land Economics

Past Projects

Development Partner

29TH STREET CAPITAL

Began investing in for-rent single-family residential in 2009

Has acquired over $1 Billion of assets in over 14 markets

Current portfolio includes over 10,000 residential units

Invests in a range of residential products: garden-style and mid-rise multi-family, senior housing, student housing, and single-family rental

Portfolio

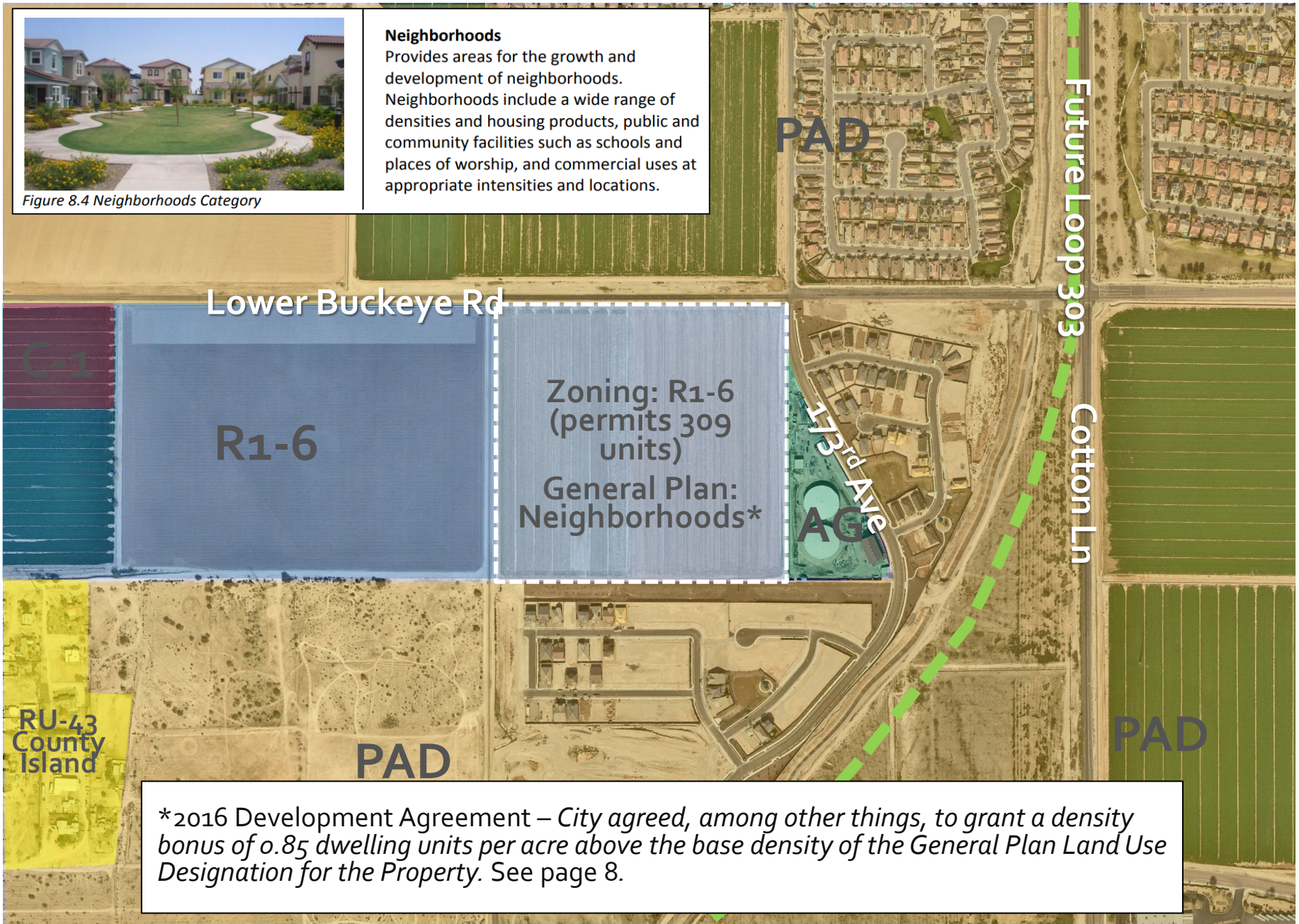
Request

- Rezone approximately 40.23 acres from **R1-6** (Single-Family Residential) to **MF-24** (Multi-Family Residential) and **MF-12** (Multi-Family Residential) to allow a traditional multi-family development and a single-family for rent development.

Consistent with the General Plan

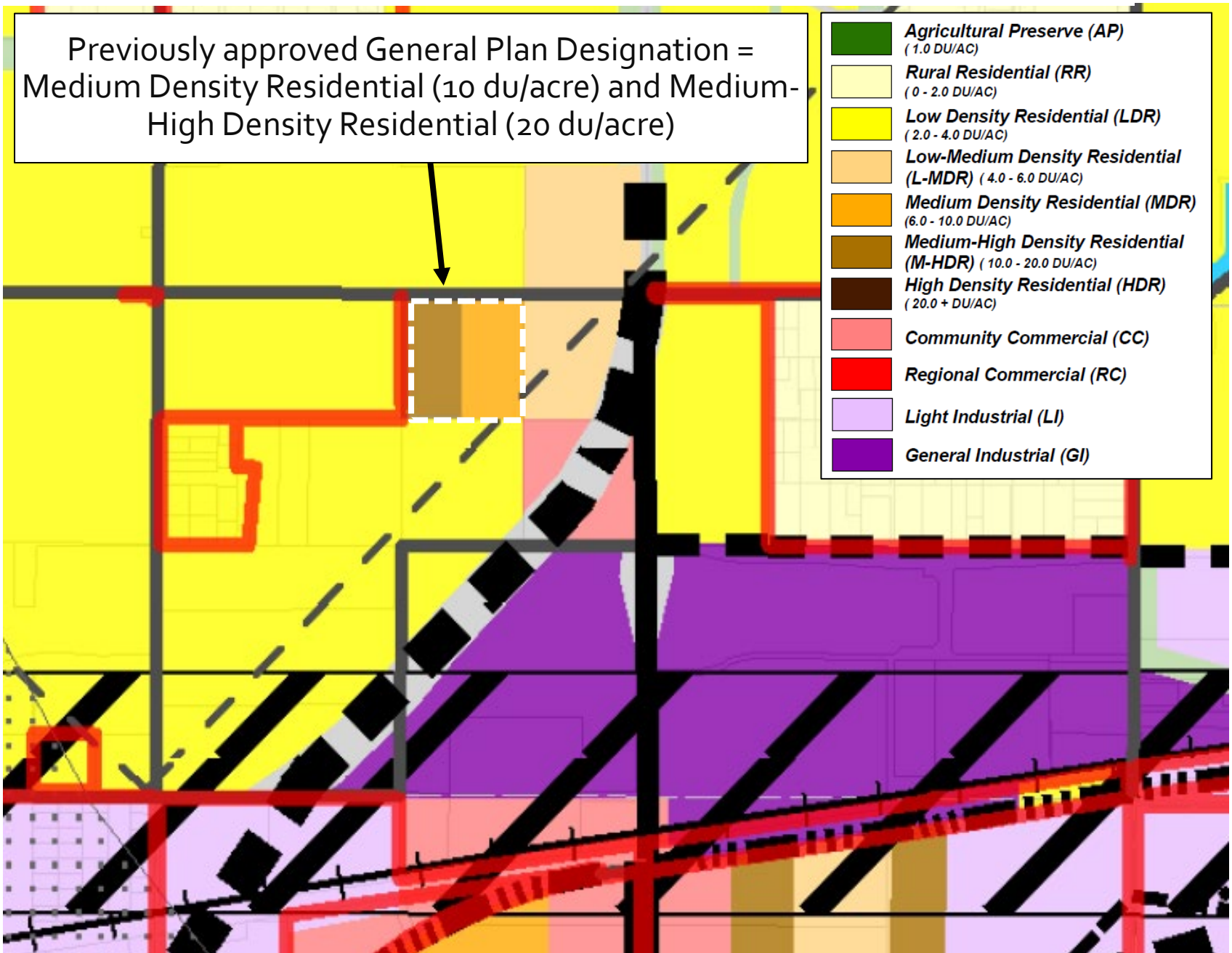
Figure 8.4 Neighborhoods Category

Neighborhoods
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.



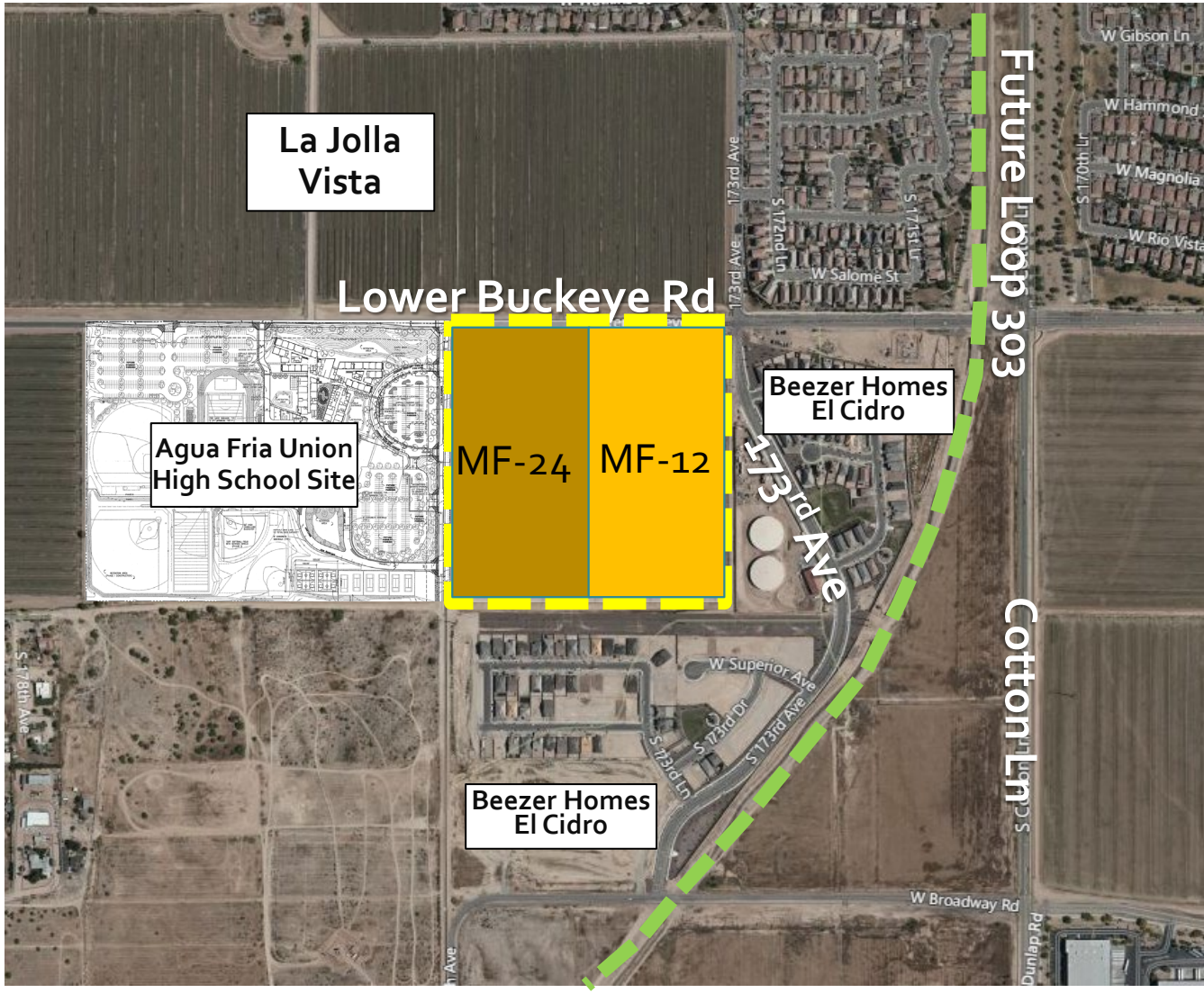
*2016 Development Agreement – *City agreed, among other things, to grant a density bonus of 0.85 dwelling units per acre above the base density of the General Plan Land Use Designation for the Property.* See page 8.

Previous General Plan Anticipated Multi-Family Development

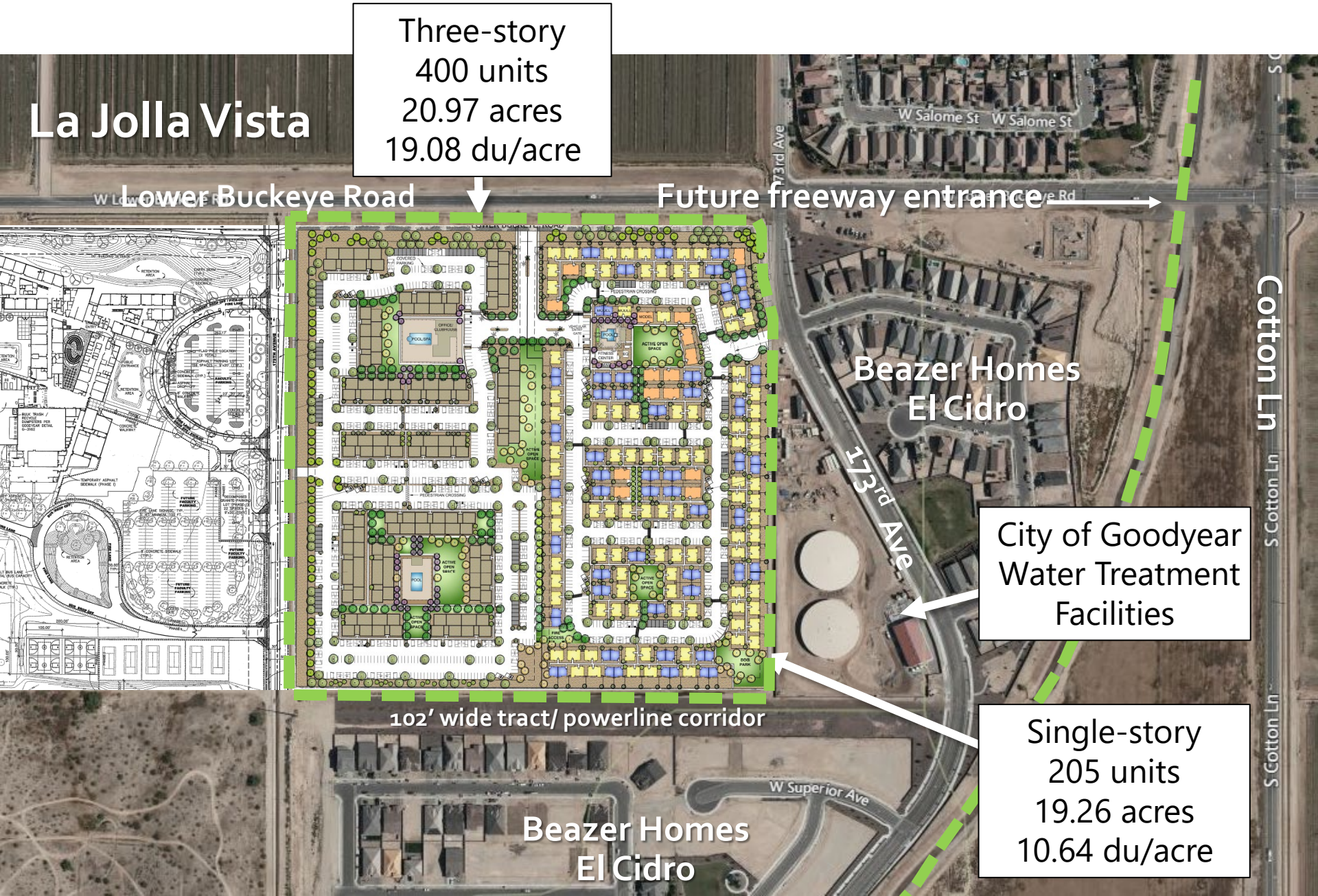


Aerial Map

- Approximately 40.23 gross acres (37.18 net acres)
- Located at the southwest corner of 173rd Ave and Lower Buckeye Road
- Existing Zoning: R1-6 (Single-Family Residences)
- Proposed Zoning: MF-24 and MF-12 (Multi-Family Residences)
- General Plan: Neighborhoods
- Proposed Use: Traditional multi-family and single-family for rent communities



Conceptual Site Plan



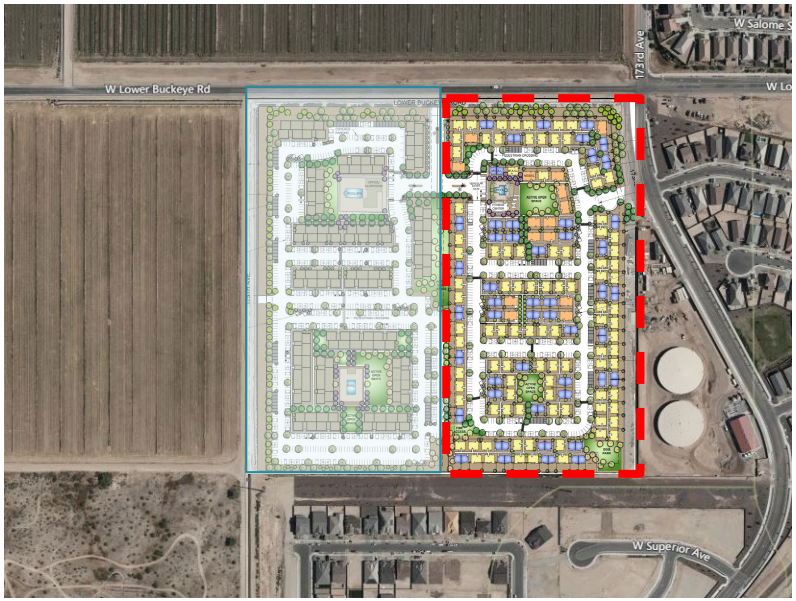
Surrounding Development

Traditional Multifamily (MF-24)

- Max. three-story (40’)
- Mix of garages, carports and surface parking
- 19.08 du/acre
- One, two, & three-bedrooms

Single-Family Rental (MF-12)

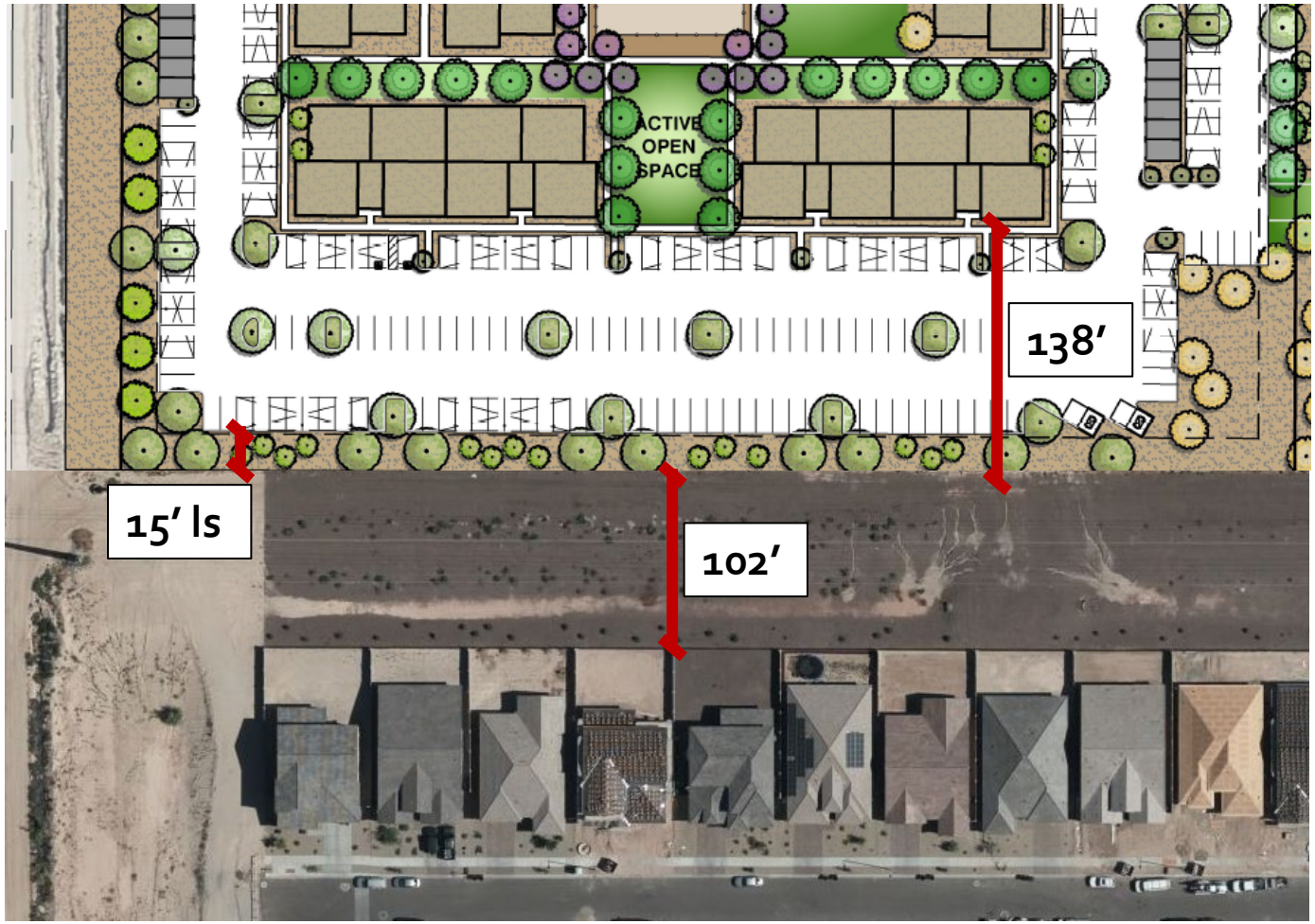
- ***Single-story***
- 10.64 du/acre
- One, two, & three-bedrooms
- Private rear yards
- Mix of garages, carports and surface parking



South Property Line Conditions

MF-24 Development:

- Max. three-story, traditional multi-family
- Approx. 240′ from backyard wall of existing homes to the south
- A *minimum 15′ wide landscape buffer shall be installed (staff stipulation 12)* along the south property line



MF-24 Line of Sight Section

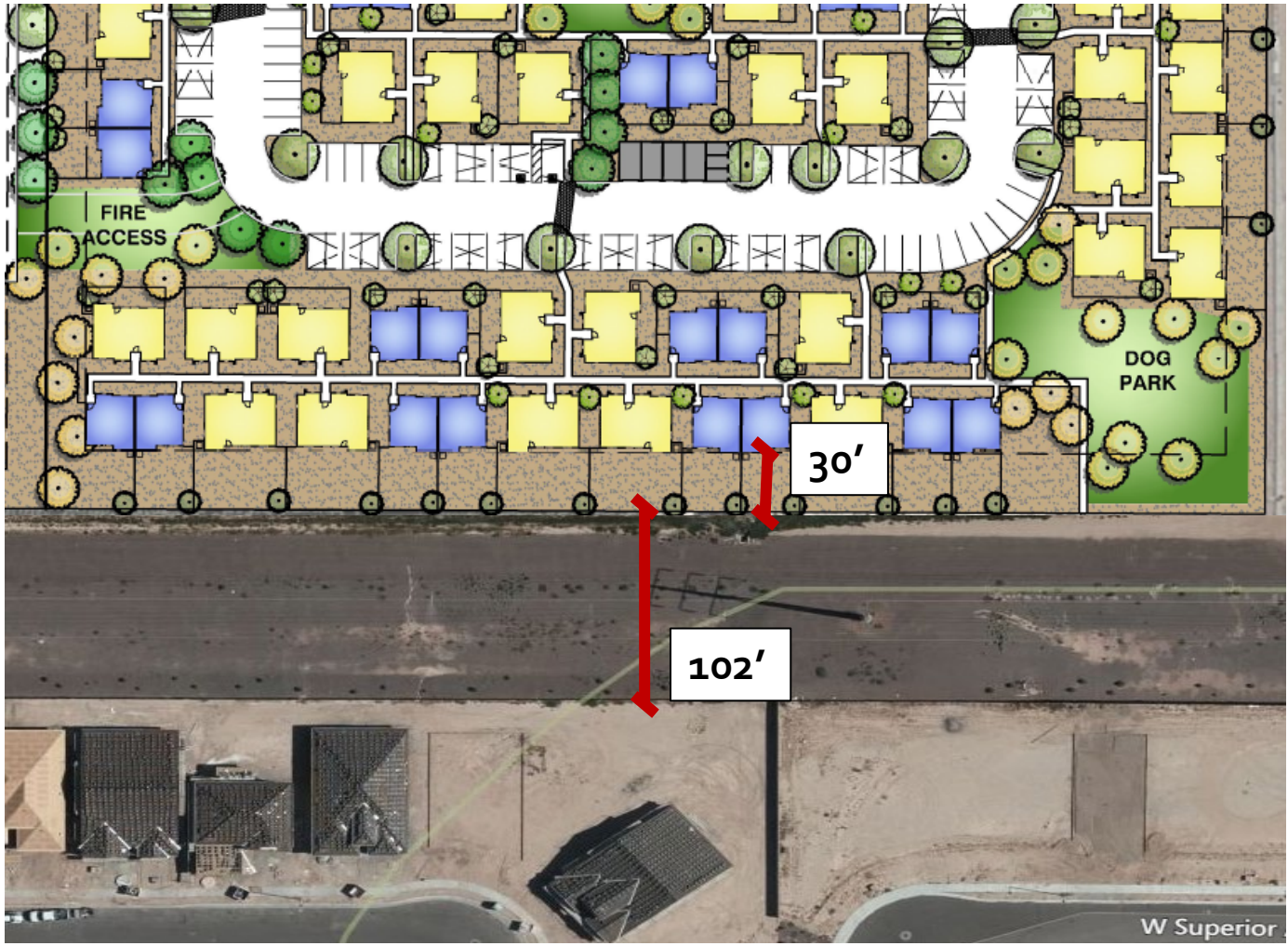
Sight line per proposed MF-24 zoning:

- Max. 40’ tall buildings
- Setback 138’ from property line
- Setback approx. **<u>240’</u>** from backyard wall of existing residences

South Property Line Conditions

<u>MF-12 Development:</u>

- ***<u>Single-story</u>***, single-family for rent
- Approx. 132′ from existing homes to the south

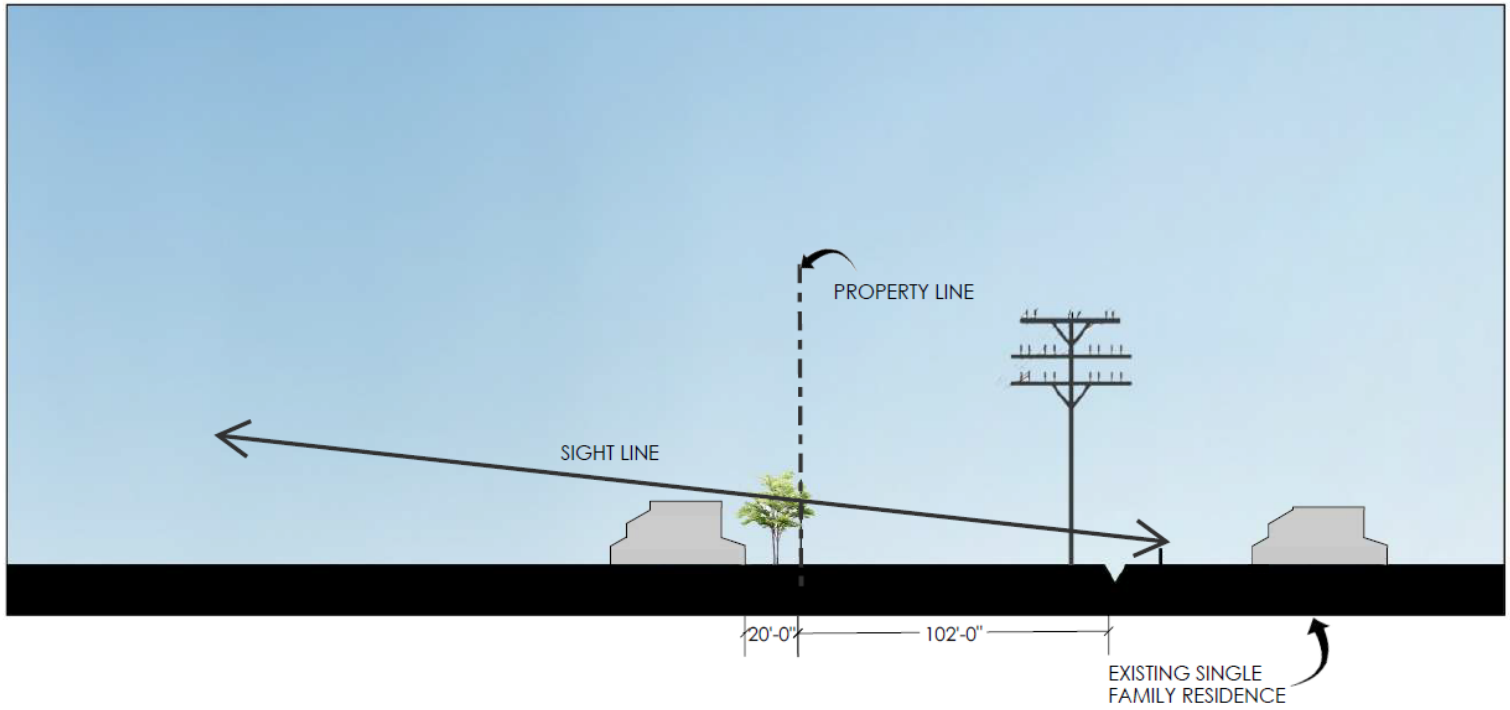


Sight Line Per R1-6 Existing Zoning

122’ setback with a 30’ tall building

VS.

240’ setback with a 40’ tall building

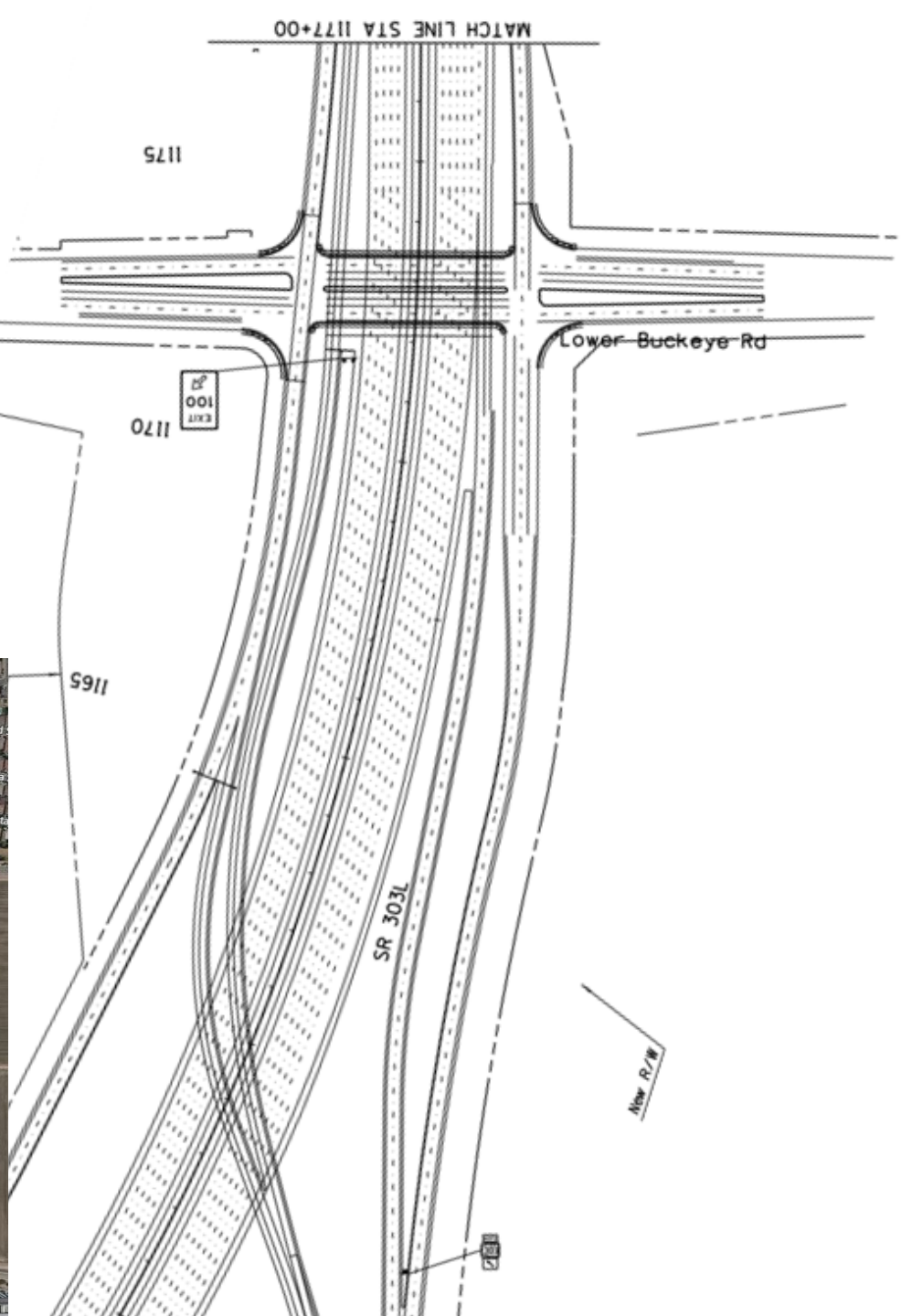


Why Here?

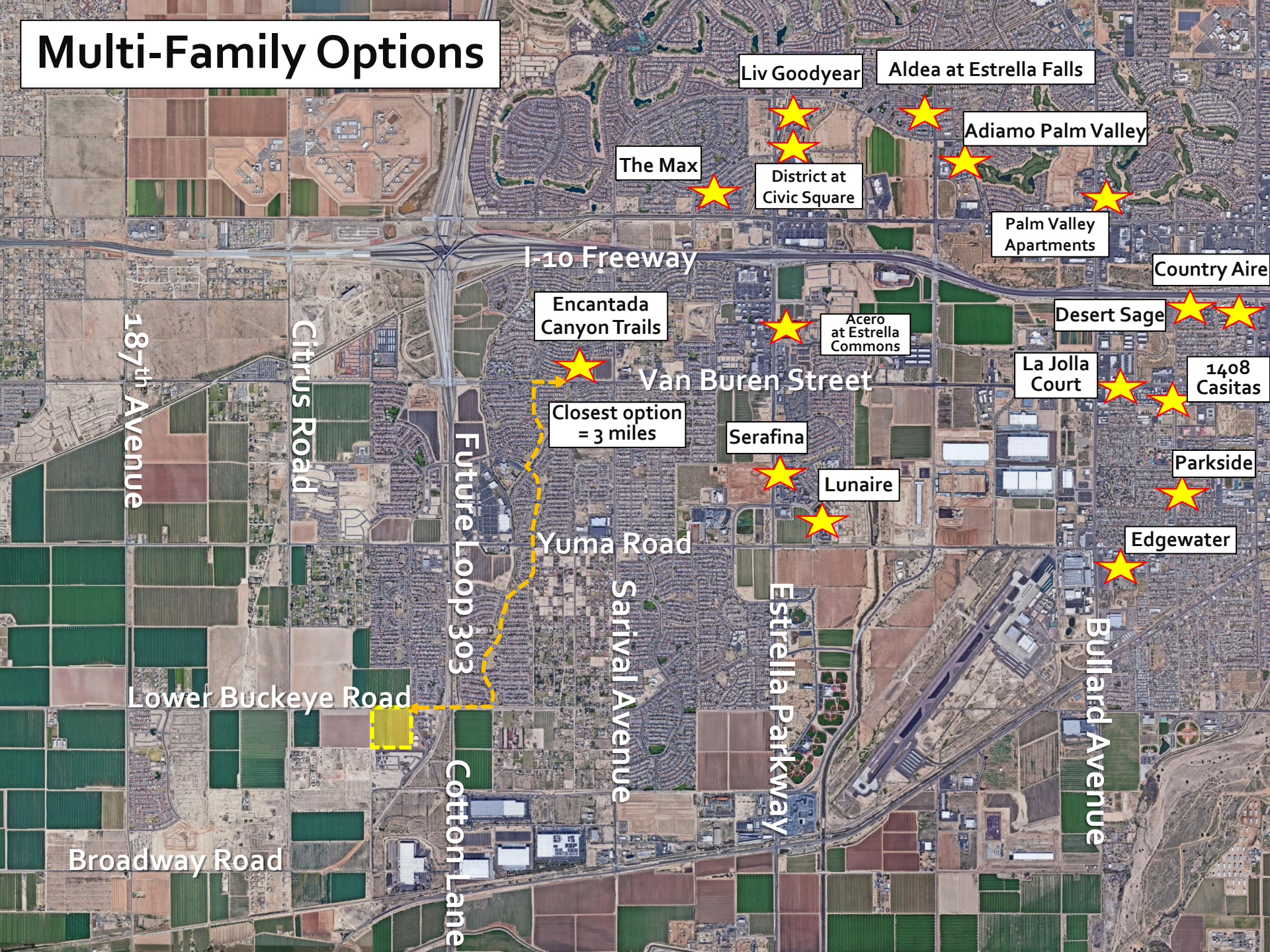
Innovation Centre
UPS Regional Operations Center
Future Loop 303
Lower Buckeye Rd
40-ac Site
Elwood Logistics
65 DNL
SAFEWAY
Dignity Health
CANCER TREATMENT CENTERS OF AMERICA
chewy
amazon
NIKE
BASIS CHARTER SCHOOLS
fry's
GORBEL
SPARTECH
GYR
PHOENIX GOODYEAR AIRPORT
GOODYEAR BALLPARK
POORE BROTHERS
Microsoft
Del Monte
ARIZONA 85
amazon
Schoeller Allibert
Huhtamaki
ANDERSEN
BLUE
macy's
XPO Logistics
McLANE

Loop 303 Freeway

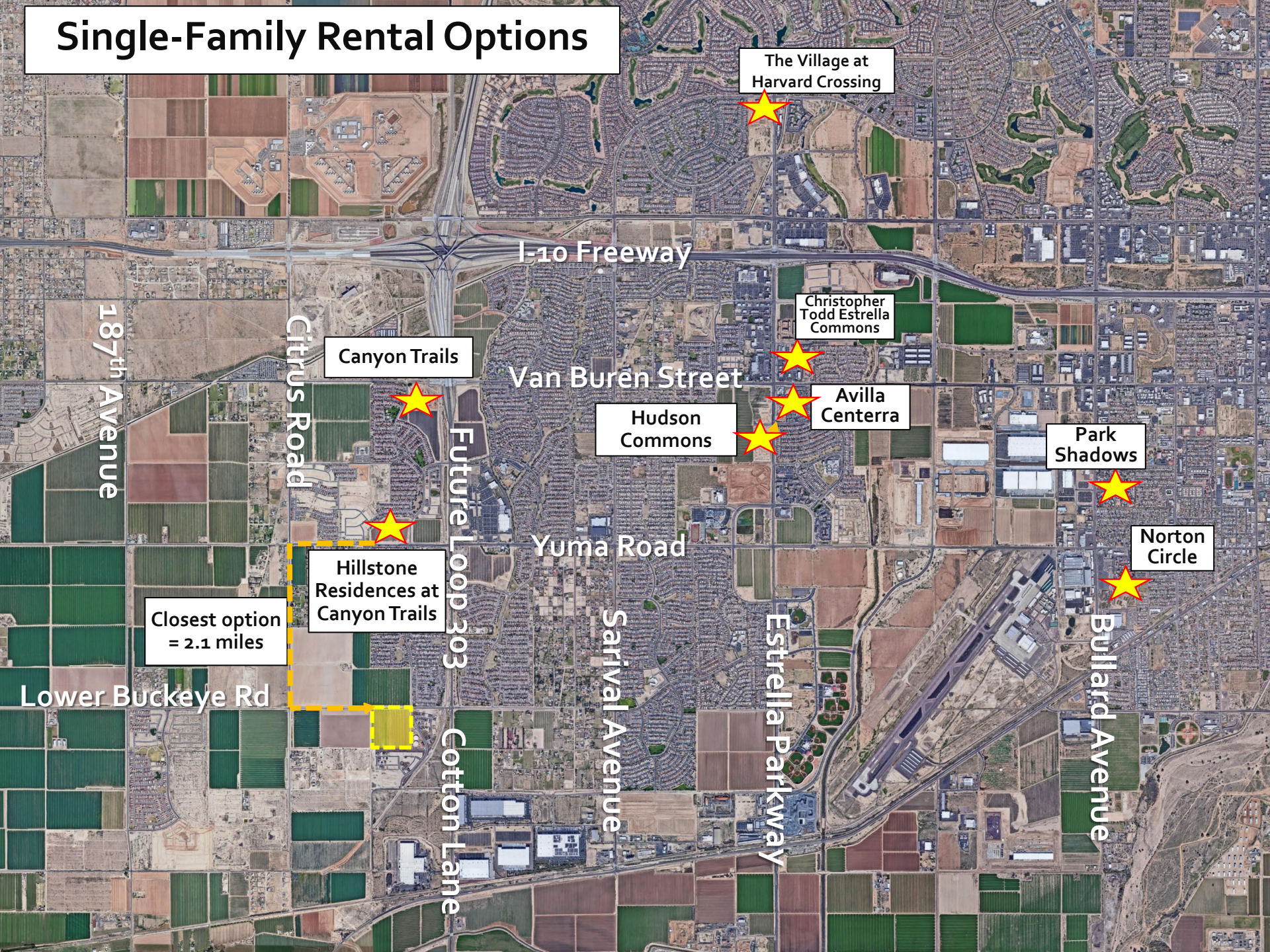
- The Site is located approximately ¼ mile from a future Loop 303 Freeway interchange
- Final Design is scheduled to begin Summer 2021
- Construction start date has not been determined



Multi-Family Options



Single-Family Rental Options



Thank you!

High-Quality Finishes

Both developments feature:

- Stainless steel appliances
- Quartz countertops
- In-unit washer/dryer
- Walk-in closets
- Vinyl flooring
- Patios and balconies
- Clubhouse
- Pool
- Fitness center

ITEM #: 12.
DATE: 09/27/2021
AI #:461

CITY COUNCIL ACTION REPORT

SUBJECT: **REZONE APPROXIMATELY 12.7 ACRES FROM COMMERCIAL PAD (PLANNED AREA DEVELOPMENT)/C-2 (GENERAL COMMERCIAL) TO MF-24 WITH CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY**

STAFF PRESENTER(S): Christian M. Williams, Planner

OTHER PRESENTER(S):

Ed Bull

SUMMARY

Request to rezone approximately 12.7 acres generally located southeast of Cotton Lane and Canyon Trails Boulevard from Commercial Planned Area Development (PAD)/C-2 (General Commercial) to MF-24 with Canyon Trails Towne Center Residences Planned Area Development (PAD) Overlay.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2176, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED, “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-03” AND “LOT 4 LEGAL DESCRIPTION,” AND “CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY (JULY 2021)."

2. ADOPT ORDINANCE NO. 2021-1516, CONDITIONALLY REZONING APPROXIMATELY 12.7 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COTTON LANE AND CANYON TRAILS BOULEVARD TO BE KNOWN AS CANYON TRAILS TOWNE CENTER RESIDENCES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. (Christian M. 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 zoning for this property is Commercial Planned Area Development (PAD)/General Commercial (C-2) as established in 2005 through Ordinance No. 2005-942. Previous to the 2005 zoning, the entire 91-acre area that now encompasses Canyon Trails Towne Center was zoned for a mix of single-family residential, townhomes, court homes, multi-family residential and commercial land use designations under the Canyon Trails Phase I PAD via Ordinance No. 99-649; specifically, where the Canyon Trails Towne Center Residences proposed to be located today, the original Canyon Trails Phase I PAD zoning called for approximately 9 acres of townhomes and 4 acres of court homes.

The current proposed to rezone 12.7 acres of the commercial portion of the larger 91-acre site back to a residential use in the form of multi-family to create a horizontally mixed-use commercial and residential center.

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 current General Commercial (C-2) to MF-24 with a Planned Area Development Overlay to facilitate the development of a multi-family development under the existing city of Goodyear Zoning District. An MF-24 Zoning District shall be developed under the Multi-Family Design Guidelines as outlined in the Goodyear Design Guidelines.

The use of a PAD Overlay is justified as the current development standards for the MF-24 zoning district do not address some of the unique circumstances found within this horizontally mixed-use development.

The proposed PAD overlay will modify the MF-24 standards as follows:

Development Standards:

Development Standard	Canyon Trails Towne Center Residences
Min. Rear Setback (East)*	20 ft. **
Min. Recreational Open Space (sq. ft./d.u.)	275 sq. ft.
Min. Private Outdoor Open Space (sq. ft./d.u.)	54 sq. ft.
Freeway Development Overlay District - Noise Level Limits	66 Leq (Exterior) / 52 Leq (Interior)

*Measured from property line
**Minimum 10-foot landscaped area between the back of sidewalk and building shall be provided along the east and south property lines.

In addition to modifying certain setbacks, recreational open space, private open space and noise level requirements, the PAD Overlay contains standards to enhance architecture, pedestrian connectivity, amenities and continuity within the existing center.

Setbacks and Landscaping:
As the existing property lines fall within the private streets, the side setback is clarified to ensure a minimum of 10-feet of landscaping will be installed between the private streets and buildings. The east (rear setback) has been reduced by 10 feet down to 20 feet to provide more continuity between the existing commercial and the future residential to provide more of a mixed-use feel.

Recreational Open Space:
A reduction to the recreational open space per dwelling unit is being requested from the required 400 square feet per dwelling unit to 275 square feet per dwelling unit. The proposed reduction in recreational open space provided is made up for in quality, amenity offerings, and the scale of the open space provided. The residential buildings will be centered around a large amenity core that will include a clubhouse, fitness center, resort-style pool, outdoor kitchen, and lounge area. An additional large outdoor amenity area will be provided at the southeast corner of the site, allowing for both active and passive recreation in the form of a dog park and park area. Residents of Canyon Trails Towne Center Residences will also have direct access to the expansive multi-use path and bicycle network located adjacent to and in close proximity to the site.

Although the majority of the open space along the western property line is located within the required minimum thirty (30) foot front setback and is not included in the calculation of recreational open space provided per unit, this area is an integral part of the recreational open space network not only for the proposed residential community, but for the larger Canyon Trails development. The existing eight (8) foot multi-use path is planned to remain in place as a public accessible path and receive enhanced landscaping to provide additional shade.

Private Open Space:
MF-24 District development standards require sixty (60) square feet of private open space (balconies, patios) per residential unit with a minimum 6’ x 6’ patio or balcony. Canyon Trails Towne Center Residences is providing a total of 284 private open spaces in the form of balconies or patios which range in square footage from 54 – 73 square feet. Four (4) unit types out of ten (10) are proposed at just under the required sixty (60) square feet requirement. Two (2) unit types do not meet the minimum six (6) foot dimensional requirement, with one (1) unit type having a minimum five (5) foot dimension and the other 5.5 feet. However, a total of 18,570 square feet of private open space is being provided throughout the project which exceeds the 17,040 square foot total code requirement. Although a small percentage of individual units may be slightly under the required minimum private outdoor open space requirement, Embrey takes great pride in providing superior amenities and outdoor areas in their communities, and this project is no different.

Noise Level:
Article 9-1 (Freeway Development Overlay District) of the Goodyear Zoning Ordinance specifies the following noise level limits: 64 Leq (exterior) and 45 Leq (interior). These noise level limits were derived from the old Arizona Department of Transportation (ADOT) noise level limits. In May of 2017, ADOT enacted its new Noise Abatement Requirements. ADOT’s new exterior noise standard is a maximum of 66 Leq and interior noise standard is a maximum of 52 Leq. ADOT updated its noise standards to be more reasonable and consistent with the noise standards utilized across the United States.

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.

   Located within the Central Study Area of the Goodyear Municipal Planning Area, the site is designated as Business and Commerce on the Goodyear General Plan Land Use Map. Business & Commerce is designed to provide “areas for the growth and development of Goodyear’s economic base including areas for shopping and entertainment.” This category allows a variety of uses, including high density residential when located adjacent a community or regional park, open space area, single-family residential, or commercial area. Incorporating a multi-family residential component into the existing Canyon Trails Towne Center commercial development is supported by the General Plan.

   The rezoning of this site from PAD to MF-24 with PAD Overlay and the proposed multi-family residential project are in line with the following goals identified in the Goodyear General Plan:

   Goal GD-1: A compatible mix of land uses that fosters a quality community, with livable and safe neighborhoods, a healthy population, a strong economy, and a 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.
   Introducing a higher density, multi-family residential community in an area that is primarily commercial and single-family residential will provide a variety of housing opportunities for the immediate area and encourage additional business growth by adding rooftops and increasing density. The location of this proposed project is in line with Objective CC-5-1 Policy F, which dictates that high-density residential should be located near commercial uses and provide a buffer between commercial and lower density residential.

   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.
   The primary land use within the approximately 2,000-acre Canyon Trails PAD is single-family residential. With the lack of housing diversity and density needed to attract new residents and support the existing and proposed commercial, the Canyon Trails community is in need of multi-family residential communities to add sustainability and vibrancy into the area. Goodyear, and specifically Canyon Trails, lacks mixed-use development and the ability to offer higher density residential within walking distance to restaurants, goods and services. Although other multi-family residential developments are beginning to come to this area, the Canyon Trails Towne Center Residences will provide for a vibrant, more urban lifestyle option due to its integration into the existing commercial center.

   Embrey, the developer of the proposed Canyon Trails Towne Center Residences, has a history of producing top quality, Class A multi-family residential communities in Arizona and many other states. This project will follow their typical model, providing a high-quality product and increasing diversity of housing products available to current and prospective residents in the Canyon Trails area.

   In addition, the rezoning of this site and proposed project are compliant with and supported by all ten (10) Universal Development Standards and the following Business & Commerce Category standards, noted in Chapter 8 of the Goodyear General Plan, which are used to guide decision making during the rezoning and development review process:

   Standard 40: Walking and biking should be accommodated and encouraged by providing trails, bike lanes, sidewalks, and paths to allow for safe pedestrian movement. Linkages to nearby residential developments should be provided in conformance with Standard 28.
   The proposed project will maintain an existing eight (8) foot multi-use path along the west property line, providing connectivity to a community-wide path/trail and bicycle network. Access to the Canyon Trails greenbelt system, located east of the commercial center, will be provided along the existing sidewalk on Canyon Trails Boulevard. The project site is located in a prime location which provides easy, convenient, and safe access to a variety of walking and biking amenities.

   Standard 41: High Density (e.g., multi-family) residential development is permitted in the Business & Commerce category when located adjacent to a community or regional park, open space area, single family residential, commercial area or used as a buffer between the Neighborhoods category and Business & Commerce category. Circulation and access to necessary amenities such as schools and grocery stores, and compatibility with surrounding existing and planned uses shall be taken into account when considering this type of use in the Business & Commerce category.

   The project site is located within Canyon Trails Towne Center, an existing retail and commercial center. By providing a residential component within the commercial center, a horizontal mixed-use area is created within a walkable and collaborative environment. Goods and services, as well as schools, are within walking distance, and the future Loop 303 freeway is proposed immediately adjacent to the west, providing great pedestrian and vehicular connectivity. The proposed multi-family use is compatible with the surrounding existing and planned uses and is appropriate for the site.

   Finally, Chapter 8 identifies which zoning categories are appropriate within each land use category, and Multi-Family Residential (specifically MF-18 is listed) is considered a compatible zoning category within Business & Commerce. Because the General Plan predates the creation of the MF-24 zoning category, it is presumed that MF-24 is equally appropriate for the Business & Commerce category.

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

   The existing site is flat and contains no natural washes, floodway or floodplain designations, hillside slopes, irrigation district canals, or any other known significant physical and natural features that would be worthy of preservation or

hinder development on the site. The site is well-suited for multi-family residential development.

3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.
Current and future uses and development of the properties surrounding the subject property include:
North – Vacant, zoned for Aviata (MF-24 with PAD Overlay);
South – Canyon Trails Towne Center (C-2) anchored by Target;
East – Canyon Trails Towne Center (C-2) and Planet Fitness;
West – Future SR 303 Loop and Crestwood at Canyon Trails (PAD) single-family residential;

Although the site was previously envisioned for commercial development, it has received little interest and sits vacant along with a number of other pads and inline shops within Canyon Trails Towne Center. Rezoning the approximately 12.7-acre site to MF-24 with a PAD Overlay will support the development of multi-family residential, providing the existing commercial center with patrons in close proximity to support the existing retail, entertainment, and service-oriented businesses. A multi-family community serves as an ideal complementary use to an existing commercial center, generating fewer averages daily vehicular trips than previously approved for the commercial use, utilizing existing available site infrastructure, and positively impacting adjacent property values. The proposed multi-family use will generate little environmental impact. The open space provided as part of the development of the residential project will be more environmentally beneficial to surrounding properties compared to the currently proposed commercial uses or the existing vacant commercial site.

The site does not directly border single-family residential development; the homes at Crestwood at Canyon Trails are located across a significant future freeway corridor to the west. The overwhelming majority of existing residential development in the Canyon Trails area is single-family. Adding multi-family residential to the Canyon Trails Towne Center will create an integrated mixed-use development and bring needed housing diversity, including an urban living option. The undeveloped parcel to the north of the project site, across Canyon Trails Boulevard, is likely to be developed in some medium to high density residential manner given its existing entitlements, which would be compatible with the proposed site use.

Immediately west of the site, the Loop 303 freeway corridor expansion is planned and the right-of-way necessary to construct this freeway extension has already been dedicated. The General Plan supports residential uses with higher densities (over twelve dwelling units per acre) adjacent to interstate corridors, so the proposed multi-family residential use is both appropriate and compatible with the Loop 303 extension.

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.
Luke Air Force Base:
The property does not fall within the Luke Air Force Base Accident Potential Zone or the DNL. However, the subject property is located within the vicinity of a military airport. Given the location of the property the proposed zoning, base operations will not be adversely impacted by this development.

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 designation of Business and Commerce, the property may be zoned to multi-family.

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 Avondale Elementary School District and the Agua Fria 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	3.50	1.75	4.01	2.00	Fire Station #181	8.75	4.38	8.80	4.40

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 via private streets/driveways within the Canyon Trails Towne Center, those private streets access the public roadways of Cotton Lane (future northbound frontage road), Canyon Trails Boulevard and Yuma Road to the far south. 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 site is located in close proximity to existing and planned public infrastructure and services and therefor, no adverse fiscal impacts are anticipated.

8. General public concerns.

Public Participation, Public Comment and Planning and Zoning Commission Meeting:
A Neighborhood Meeting was conducted for this proposal and notice of the application was provided to property owners within 500 feet of the property on July 29, 2021. The neighborhood meeting took place virtually on August 18, 2021.

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 September 15, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 2021.

On September 15, 2021, the Planning & Zoning Commission held a public hearing for this item. After the staff presentation the applicant addressed the Commission. One member of the public spoke in opposition of the request. They stated concerns with safety and that they would rather see commercial development on the property and it didn't fit in with the single-family community. The applicant responded that the site will be secure and will be a quality development. Commissioner Kish asked staff where the residential was in relation to the project. Mr. Williams showed the location on the map and stated the closest home is 498 feet away. The Planning & Zoning Commission voted (4-0) to recommend approval of the proposed rezoning, subject to the proposed stipulations.

9. Whether the amendment promotes orderly growth and development.

The subject property is within a quarter mile of existing development and located within the proximity of City services and infrastructure.

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 amendment will add residential in close proximity to a major commercial center in a horizontally mixed-use manner.

Attachments

Resolution
Official Supplementary Zoning Map
Legal Description
Planned Area Development Overlay
Ordinance
Aerial Exhibit
Narrative
Presentation

RESOLUTION NO. 2021-2176

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. 21-03" AND "LOT 4 LEGAL DESCRIPTION," AND "CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY (JULY 2021)."

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. 21-03," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Lot 4 Legal Description," a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Canyon Trails Towne Center Residences Development Regulations MF-24 with PAD Overlay (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 Ordinance 2021-1516.

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 A.R.S 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:

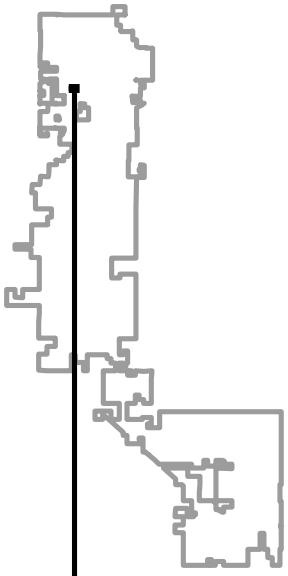
_____
Roric Massey, City Attorney

(Exhibits on the following pages)

EXHIBIT 'A'

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-03

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.



_____

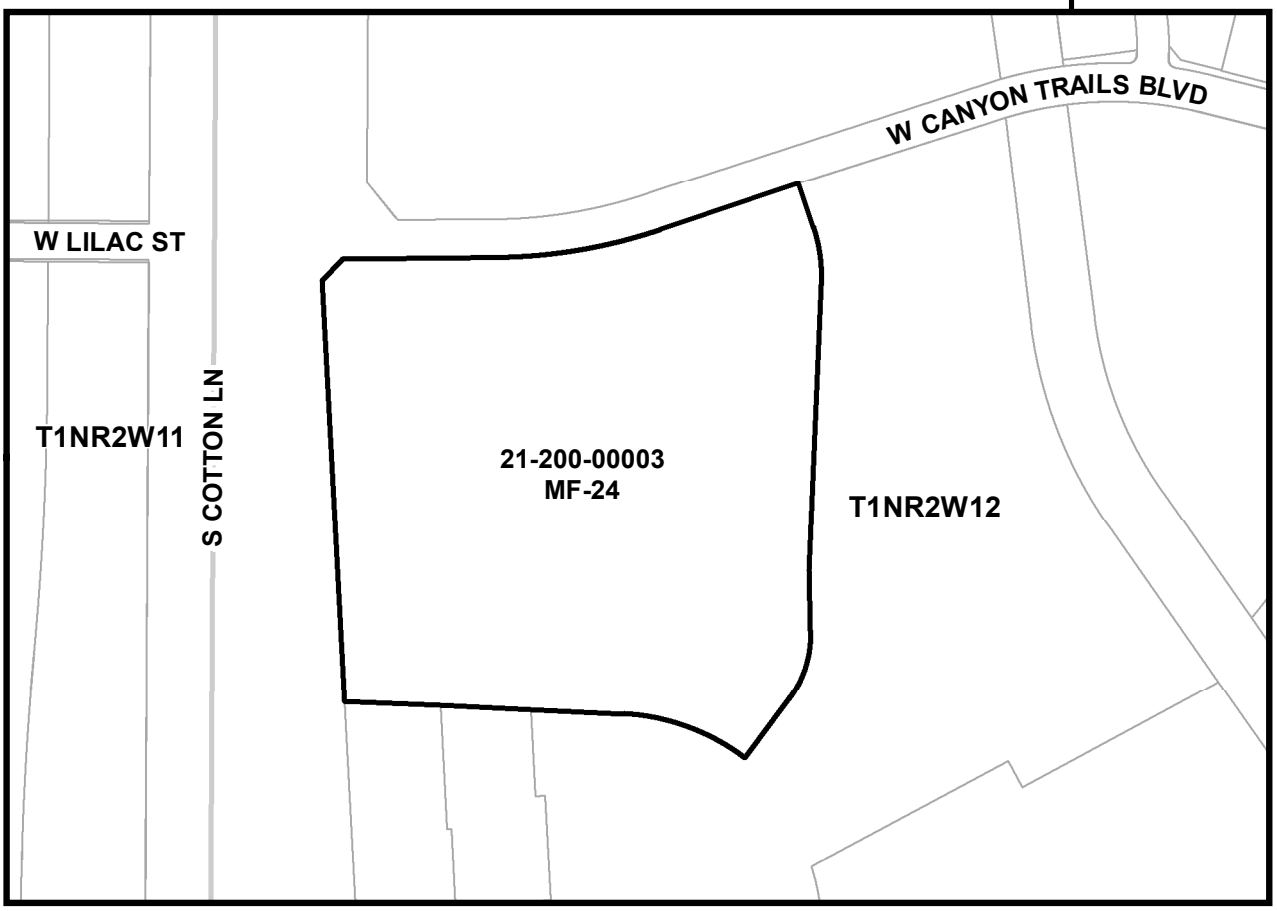
MAYOR

_____

CITY CLERK

SUBJECT PROPERTY:

Portions of the Southwest Quarter and Northwest Quarter of Section 12, 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 C-2 TO MF-24 PAD OVERLAY 21-200-00003	August 2021

Exhibit B

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:
LOT 4 OF CANYON TRAILS TOWNE CENTER, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 938 OF MAPS, PAGE 22.

Exhibit C

CANYON TRAILS TOWNE CENTER RESIDENCES

DEVELOPMENT REGULATIONS
MF-24 with PAD Overlay

July 2021

PERMITTED USES

The permitted uses for the Property are those uses allowed in the MF-24 Multi-family Residential Zoning District in accordance with Article 3-2-2 of the City of Goodyear Zoning Ordinance.

DEVELOPMENT STANDARDS

The Development Standards for MF-24 Multi-family Residential Zoning District shall apply to this Property, except as modified below:

Development Standard	Canyon Trails Towne Center Residences
Min. Rear Setback (East)(1)	20 ft. (2)
Min. Recreational Open Space (sq. ft./d.u.)	275 sq. ft.
Min. Private Outdoor Open Space (sq. ft./d.u.) (3)	54 sq. ft.
Freeway Development Overlay District - Noise Level Limits	66 Leq (Exterior) / 52 Leq (Interior)

Notes:

1. Measured from property line.

2. Minimum 10-foot landscape area between back of sidewalk and building shall be provided along the east and south property lines.

3. Private outdoor open space is that portion of the unit devoted to outdoor recreational use by the individual resident(s) of the unit or lot. This area is provided in addition to the recreational open space. Private outdoor open space shall be provided in the form of private yards, patios, or balconies. The minimum length and the minimum width of patios and balconies shall be five (5) feet.

ADDITIONAL REGULATIONS

General

1. Unless expressly modified in this document, all development within the Property shall comply with the requirements of the City of Goodyear Zoning Ordinance.

2. All permitted uses are subject to Administrative Site Plan review.

3. Design Guidelines shall meet the intent of the Canyon Trails Towne Center Design Guidelines dated February 6, 2007 and be in conformance with the multi-family residential requirements of Chapter 3 of the City of Goodyear Design Guidelines, except as modified below:
   - Multi-Family residential apartment buildings may have external downspout when used as a matching design element.

4. Signage shall be in conformance with the requirements of the current Comprehensive Sign Package which is incorporated in the Canyon Trails Towne Center Design Guidelines or a Comprehensive Sign Package Amendment must be requested.

5. Off-street parking and loading shall comply with Goodyear Zoning Ordinance Article 6, with the following exceptions and standards.
   - Tandem parking may be provided on site.
   - Each of the two (2) parking spaces within each tandem parking space shall be reserved to the same dwelling unit.
   - A Parking Plan addressing parking management shall be submitted and approved with the Site Plan. All parking shall adhere to the approved Parking Plan.

6. Site wall style shall complement existing walls in the Canyon Trails area.

7. If walls or fencing are constructed, full view or partial view fencing shall be used between the multi-family apartments and commercial center, except where screening of mechanical equipment and trash enclosures is necessary.

8. Site lighting, pavers, landscaping, signage design, and other community features shall complement the existing improvements at Canyon Trails Towne Center.

9. The multi-family residential apartment development shall bear the name of the master plan such as "<Multi-family Project Name> at Canyon Trails".

Architecture

10. Color schemes should add interest and variation to buildings on the site. At least three (3) base color and one (1) accent color shall be used throughout the site. The combination of base colors and accent colors shall be used in a manner which creates a minimum of two (2) unique building schemes throughout the site.

11. All multi-family residential apartment building design shall incorporate four-sided architecture.

12. Ground floor facades facing south and east, adjacent to the commercial portions of the center, shall not extend for more than thirty (30) feet without being interrupted by a change in color, material, texture, or an architectural feature such as, but not limited to, a window, shade awning, or pop-out.

13. As the multi-family residential parcel interfaces with the commercial center, it should not be fronted with "back of house" type features such as carriage garages or largely walled off patios. It should be pedestrian oriented or fronted by the narrowest section of the apartment buildings or ground level pedestrian accessible patios thus providing gaps in which pedestrians can traverse between the two parcels.

14. At least one (1) of the multi-family residential buildings shall front or side the east/rear side of the development to provide visual and pedestrian connectivity to the remaining Canyon Trails Towne Center.

15. Architecture Elements on the residential buildings shall include all of the following features:
    - Articulated parapet line including variation in height

- Expressed window heads and sills
- Variety of Reglet stucco patterning (horizontal and vertical)
- Flat metal shading elements and awnings
- Pitched standing seam metal roofs at lower building projections
- Variety in window articulation
- Stepped cornice detailing
- Roof forms that complement existing retail center
- Celebrated entries
- Complementary color palette
- Metal accent detailing where appropriate

Connectivity

16. A minimum of four (4) total pedestrian connections to the perimeter sidewalks shall be provided along the south and east portions of the multi-family parcel, creating pedestrian connectivity with the remaining Canyon Trails Towne Center.

17. A minimum of one (1) pedestrian connection shall be provided to the Canyon Trails Cotton Lane Greenbelt Trail along the western edge of the multi-family parcel, and include at least one (1) shaded seating area on the perimeter of the complex, adjacent to the trail.

18. Pedestrian connections through the parking lot or drive aisles shall be clearly marked with enhanced paving such as pavers, colored concrete, stamped asphalt or other approved material.

Amenities

19. Amenities shall comply with Article 3-5-5 of the Goodyear Zoning Ordinance and all of the following additional enhanced amenities shall be provided:
    - Minimum 6,500 square foot clubhouse/leasing office (may be located in separate buildings)
    - Resort-style pool
    - Shaded seating areas
    - Dog park
    - Fitness center (may be located in clubhouse)
    - Outdoor barbeque area
    - Outdoor kitchen
    - Turf area(s)

20. The multi-family activity center shall be located along the northern, eastern or southern boundary of the property or within view of the entrance of the multi-family development. Other amenities should be included along the southern or eastern boundary of the property or within view of the entrance of the multi-family development, as this brings more pedestrian activity to the area nearest to the commercial.

ORDINANCE NO. 2021-1516

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 12.7 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COTTON LANE AND CANYON TRAILS BOULEVARD TO BE KNOWN AS CANYON TRAILS TOWNE CENTER RESIDENCES; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, this property subject to this Ordinance consists of approximately 12.7 acres and is located at the southeast corner of Cotton Lane and Canyon Trails Boulevard and is known as Canyon Trails Towne Center Residences as more particularly described in that certain document titled "Legal Description," which document was declared public record by Resolution No. 2021-2176, and which is referred to and made a part hereof as if fully set forth in this Ordinance (the "Property"); and

WHEREAS, on May 16, 2005, the City Council conditionally approved the Major Amendment to the Planned Area Development (PAD) District zoning for the Canyon Trails Planned Area Development to change the land use designation for approximately 72 acres of a 91-acre parcel located at the northwest corner of Yuma Road and Cotton Lane to Commercial Planned Area Development with the adoption of Ordinance No. 05-942; and,

WHEREAS, the approximately 12.7 acres known as Canyon Trails Towne Center Residences is within a portion of the aforementioned 91-acre parcel that was rezoned by Ordinance No. 05-942; and,

WHEREAS, previous to the 2005 zoning, the 12.7-acre parcel was zoned for residential uses containing approximately 9 acres of townhomes and 4 acres of court homes as was adopted by Ordinance No. 99-649; and,

WHEREAS, the General Plan Land Use Plan shows the Property designated as 'Business and Commerce'; and,

WHEREAS, this request intends to replace the commercial uses on this property with Multi-Family-24 subject to modified Development Regulations as established with the "Canyon Trails Towne Center Residences Development Regulations MF-24 with PAD Overlay dated July 2021" which document was declared public record by Resolution No. 2021-2176; and,

WHEREAS, city staff finds that the proposed rezoning will not adversely impact the surrounding area as the proposed land uses will allow for the orderly growth and development of a horizontal mixed-use commercial and residential project within the larger 91-acre Canyon Trails Towne Center; and

WHEREAS, a Neighborhood Meeting was conducted for this proposal and notice of the application was provided to property owners within 500 feet of the property on July 29, 2021; and,

WHEREAS, the neighborhood meeting took place virtually on August 18, 2021; 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 September 15, 2021, appeared in the Arizona Republic Southwest Valley edition on August 27, 2021 and postcards were mailed to adjoining owners on August 19, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 15, 2021, and at that meeting the Commission voted (4-0) 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 September 27, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 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. 2021-1516 applies to approximately 12.7 acres located at the southeast corner of Cotton Lane and Canyon Trails Boulevard and legally described in that certain document titled "Legal Description," which document was declared public record by Resolution No. 2021-2176, and which is referred to and made a part hereof as if fully set forth in this Ordinance (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. REZONING

The Property is conditionally rezoned to MF-24 with a Planned Area Development Overlay by the adoption herein of that certain document titled "Canyon Trails Towne Center Residences Development Regulations MF-24 with PAD Overlay dated July 2021" which document was declared public record by Resolution No. 2021-2176, and which is referred to and made a part hereof as if fully set forth in this Ordinance.

SECTION 4. STIPULATIONS

The rezoning of the Property is subject to the following stipulations and conditions:

1. The Property shall be developed in accordance with the requirements of the City of Goodyear Zoning Ordinance as it may be amended from time to time applicable to the Multi-Family Residential Zoning District MF-24, except as modified by the Canyon Trails Towne Center Residences Development Regulations MF-24 with PAD Overlay July 2021, which document was declared public record by Resolution No. 2021-2176, and which is hereby referred to and made a part hereof as if fully set forth in this Ordinance and except as modified the stipulations set forth herein; and

2. Approval of the rezoning does not constitute approval of the 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; and

3. The Exterior Noise Standards set forth in Goodyear Zoning Ordinance section 9-1-3(A) and the Interior Noise Standards set forth in Goodyear Zoning Ordinance section 9-1-3(B) apply to the development of the Property except as modified by the PAD Overlay. At the time of site plan, a sound attenuation plan that includes a noise analysis shall be submitted to the City Engineer or his/her designees for approval. The sound attenuation plan shall demonstrate that the development reflected in the site plan will result in compliance with the Exterior and Interior Noise Standards in section 9-1-3 of the Goodyear Zoning Ordinance except as modified by the PAD Overlay, and the Property shall be developed to incorporate all internal and external noise mitigation measures reflected in the approved sound attenuation plan. All noise mitigation measures reflected in the approved sound attenuation plan shall be constructed prior to the issuance of the first certificate of

occupancy or certificate of completion for any residential unit within the Property; and

4. The existing eight-foot sidewalk constructed as part of the "Canyon Trails Cotton Lane Greenbelt Trail" shall be continuously maintained and kept in good repair, and a thirty-foot landscape buffer shall be installed and maintained by the property owner. The landscape buffer shall be measured from the west property line (i.e. the eight-foot sidewalk is included within the landscape buffer), and the landscape improvements within the landscape buffer shall be completed prior to issuance of the first temporary certificate of occupancy, certificate of occupancy or certificate of completion for any structure within the Property; and

5. Any perimeter fence or wall constructed along the western side of the Property shall be constructed on the east side of the landscape buffer referred to in stipulation 4 above; and

6. 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 permits for work within the Property, whichever is earlier; and

7. 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 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 or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made prior to or concurrent with recordation of a final plat or the issuance of any permit for work within the Property whichever is earlier; and

8. 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.

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. AMENDMENT TO ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning set forth in Section 3 of this Ordinance by the adoption of that certain document titled, "Supplementary Zoning Map No. 21-03," declared a public record by Resolution 2021-2176, 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.

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:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

Aerial Exhibit
21-200-00003

Canyon Trails
Goodyear, AZ

CANYON TRAILS TOWNE CENTER RESIDENCES

Southeast corner of Cotton Lane and Canyon Trails Boulevard
APN 500-91-877

Rezone Case Number: 21-200-00003

July 2021

PROJECT NARRATIVE
REZONE FROM PAD TO MF-24 WITH PAD OVERLAY

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EXHIBITS
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Exhibit C | Zoning Map
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Exhibit E | Conceptual Site Plan
Exhibit F | Illustrative Concept Plan
Exhibit G | Pedestrian Connectivity Plan

I. INTRODUCTION

Embrey Partners, Ltd. ("Embrey") respectfully submits the following rezoning request for a new multi-family residential apartment community, Canyon Trails Towne Center Residences, located at the southeast corner of Canyon Trails Boulevard and Cotton Lane within the existing Canyon Trails Towne Center development. The 12.7-net acre site, located at the north end of the commercial center, was originally planned for an anchor tenant (Home Depot) that never came to fruition. With the changing demand and physical attributes of retail, the 91-acre Canyon Trails Towne Center, has faced challenges in occupancy of existing tenant space and development of vacant pads, resulting in far less than the 848,375 square feet of retail once envisioned. The current commercial center management group and Embrey have realized an opportunity to breathe new life into the Canyon Trails Towne Center and build upon the initial goals of creating 'a strategically integrated shopping environment that reflects a family atmosphere in a pedestrian-friendly environment'. The incorporation of high-density residential on the subject site would provide additional patrons and sustainability for the existing retail and restaurants within Canyon Trails Towne Center.

This application requests to rezone Lot 4 of Canyon Trails Towne Center from PAD (Planned Area Development) to MF-24 (Multi-Family Residential) with PAD Overlay to accommodate a new residential component within the Canyon Trails Towne Center.

II. EXISTING CONDITIONS + SURROUNDINGS

EXISTING CONDITIONS

The existing site is flat and contains no natural washes, floodway or floodplain designations, hillside slopes, irrigation district canals, or any other known significant natural features that would be worthy of preservation or hinder development on the site. Though the site is currently vacant, it was previously primed for development of an anticipated retail anchor with on-site vehicular circulation, a striped parking lot with landscape planters, and perimeter landscaping. No buildings were ever constructed on the site due to lack of commercial tenant interest. As part of the overall Canyon Trails Towne Center development, elements such as monumentation in the northwest corner of the site, perimeter walls of varying heights along the west and north property edge, and an eight (8) foot concrete multi-use path along the western property edge were constructed.

The site currently takes vehicular access from two (2) existing internal access drives within Canyon Trails Towne Center, one (1) along the south boundary of the site and one (1) along the east. Canyon Trails Boulevard, an existing collector roadway, borders the site along the northern boundary and Cotton Lane borders the site along the western property line and will eventually be developed as the future expansion of the Loop 303 corridor.

See Exhibit A | Aerial Map and Exhibit B | Vicinity Map for an introduction to the site.

EXISTING ZONING AND LAND USE

The site is currently zoned Commercial/PAD as part of the Canyon Trails Towne Center PAD approved by City Council on May 16, 2005, with the adoption of Ordinance No. 05-942. The City of Goodyear's General Plan identifies the site for development as Business & Commerce. The Business & Commerce land use category includes community level retail, entertainment, service-oriented businesses, and high density residential that supports the commercial areas. This proposed rezoning request from PAD to MF-24 with PAD Overlay is in compliance with the General Plan land use designation for the site and will complement the existing and proposed uses in the vicinity of the project.

Adjacent uses and zoning designations are as follows:

Location	General Plan Land Use	Existing Zoning	Existing Land Use
Site	Business & Commerce	PAD	Vacant commercial pad site
North	Business & Commerce	PAD	Vacant
South	Business & Commerce	PAD	Canyon Trails Towne Center – existing commercial
East	Business & Commerce	PAD	Canyon Trails Towne Center – existing commercial
West	Business & Commerce Neighborhood	PAD PAD	Future Loop 303 Freeway Crestwood at Canyon Trails – planned single-family residential community

See Exhibit C | Zoning Map and Exhibit D | General Plan Map for zoning and General Plan land use information.

III. DEVELOPMENT PROPOSAL

The proposal envisions a high-quality multi-family residential development that will become integrated into the Canyon Trails Towne Center, introducing new housing opportunities, patronage, and vitality to the area. Connectivity and synergy through design elements and vehicular and pedestrian systems will promote a cohesive framework for a vibrant mix of compatible uses. The conceptual site plan is functional and responsive to the site and surroundings, being mindful of sight visibility into the commercial center and enhancing pedestrian connectivity to the immediate commercial uses and the surrounding community network of multi-use trails and bicycle routes.

The proposed project includes nine (9) three-story garden-apartment style residential buildings, two (2) two-story carriage unit buildings, a two-story central clubhouse / leasing office, a fitness center, and two (2) amenity areas. A combination of one-bedroom, two-bedroom, and three-bedroom units of varying square footages and floor plans will be offered, for a combined total of 284 residential units, and an overall project density of 22.4 dwelling units per net acre. The average unit square footage will be approximately 923 square feet. Buildings have been oriented on the site to proactively mitigate any potential noise impacts associated with the future Loop 303 freeway and interface with the existing commercial center, providing visual and pedestrian connectivity. Due to a sight line constraint, which has been required by the commercial center property owner to preserve retail shops' visibility, the south and southeast portion of the site are restricted for building placement. The design of the site has used this constraint as an opportunity to open the southern edge of the residential development, creating a transparent edge condition and allowing for visual connectivity between the commercial and residential uses. See Exhibit E | Conceptual Site Plan.

CIRCULATION + PARKING

The site's primary ingress/egress point will be located off of the southern access drive within Canyon Trails Towne Center, aligning with the proposed clubhouse, fitness center, and main central amenity area. It is anticipated that this main entry will include public parking in front of the clubhouse/leasing office with resident gated access flanking the entry drive. A secondary resident only gated access will be provided at the northeast corner of the site to the adjacent commercial access drive, with direct access to Canyon Trails Boulevard to the north. Vehicular circulation through the site will be provided by private access drives which loop around the site, providing efficient circulation and the ability to offer parking in close proximity to all residential units. Parking and loading quantities shall meet the requirements outlined in Article 6: Off-Street Parking and Loading of the City of Goodyear Zoning Ordinance and will be provided evenly throughout the site through a combination of uncovered surface parking, carport parking areas, and attached and detached garages. A number of the attached garages shall include tandem parking for rent by residents. The tandem parking is located behind the garages in an open, uncovered space and shall be reserved to the same dwelling unit as the adjacent garage.

The garages are rented based on availability, with a limited number available to studios or one-bedroom units to ensure garage parking is sufficient for all residents. Each dwelling unit that does not rent a garage has one (1) assigned covered parking space. Occupancy of each residential unit and the total number of vehicles permitted is limited to ensure the parking is adequate. Any uncovered parking spaces are available to guests and are provided at a rate of one (1) space per ten (10) dwelling units. Residents are familiarized with this system when signing a lease and signage on site is provided for the benefit of guests. In addition to signage around the site, the design itself suggests that the tandem spaces are reserved and thus, it is rare that guests will park in assigned spaces.

A parking plan addressing parking management shall be submitted and approved with the Site Plan. All parking shall adhere to the approved parking plan. The parking plan will be enforced by the property management team to ensure proper parking protocol is being utilized. Resident leases may be terminated if they are found to be repeatedly in violation of the parking program. This ensures that guest parking is maintained for guests and residents are utilizing their assigned parking spaces.

NOISE

The site is partially located within the Freeway Development Overlay District, which extends 500 feet from the planned Loop 303 freeway. Per the City of Goodyear Zoning Ordinance Article 9-1: Freeway Development Overlay District, new residential development within this Overlay District is required to provide sound attenuation measures needed to reasonably predict that the projected exterior noise levels on the property at ground level shall not exceed the 64 dBA (Leq) noise level and projected interior noise levels for each building unit shall be limited to 45 dBA (Leq). These City requirements are based on ADOT's old standards which have since been updated (May 2017) to an exterior noise standard of 66 dBA (Leq) and interior standard of 52 dBA (Leq).

Adjacent to the site, the freeway is planned to be approximately twenty-eight (28) feet above grade, with the eastern most north bound lane a minimum distance of approximately 170 feet from the nearest proposed residential building. A Preliminary Noise Study prepared by Acoustical Consulting Services dated July 15, 2021, provided with this application, demonstrates that Canyon Trails Towne Center Residences can meet the interior noise level requirements of both City of Goodyear and ADOT through the use of upgraded building materials. Buildings along the western edge of the property will use upgraded building materials (i.e. dual-glazed windows and solid wood, minimum of R30 roof/ceiling assembly, foam-filled fiberglass or metal doors, etc.) to maintain interior noise levels under the maximum allowed interior 45 dBA (Leq) noise levels.

The site has been thoughtfully designed to mitigate exterior noise levels for residential units along the western property boundary through building orientation and the inclusion of two-story carriage units along this property edge. No balconies or patios on the residential units that border the western edge of the property will face immediately to the west, proactively mitigating potential noise from the future Loop 303 freeway. In addition, site design for the multi-family residential community provides for a centralized community amenity area, more than 450 feet from the planned eastern most north bound freeway lane, that is surrounded by buildings which creates a peaceful outdoor environment for all residents to enjoy.

The overall design intent of Canyon Trails Towne Center Residences is to provide an urban lifestyle environment and synergy with the existing retail center. Activation and transparency through architecture, building placement, and pedestrian paths/sidewalks on all sides of the site are being planned to provide engagement with the surrounding context. The landscaped building setback and community trail along the western edge of the site is integral to activating this property edge and providing a presence along the community trail. Canyon Trails Towne Center Residences is embracing its urban context, while providing safe and private residential apartment units and high end amenities with outdoor common spaces for community social interaction.

Additional information can be found in the Preliminary Noise Study, provided under separate cover. At the time of Site Plan submittal, a sound attenuation plan that includes a noise analysis shall be submitted to the City Engineer or his/her designees for approval.

ARCHITECTURE

Architectural elevations will be provided for review and approval with the Site Plan/Design Review submittal. The overall design intent is to incorporate timeless architecture that provides visual interest and complements the Canyon Trails Towne Center. Buildings will incorporate four-sided architecture so that all edges of the site are visually appealing and interface with the existing commercial center. The PAD Regulations document, provided as part of this rezone request, includes regulations that shall guide the future architecture and site design elements for the Canyon Trails Towne Center Residences development, while providing assurances for a successful multi-family residential community that is welcomed and embraced by the City of Goodyear.

OPEN SPACE + AMENITIES

To create a sense of place and locations for residents to gather, various luxury amenities have been designed for the multi-family residential community. Two (2) large scale open space areas are planned to offer passive and active recreational opportunities for residents, while also allowing for synergy and connectivity to Canyon Trails Towne Center. The private clubhouse and main amenity area are centrally located within the development to provide convenient access for all residents. This main amenity area will include a resort-style pool, outdoor kitchen, and lounge area, flanked by the clubhouse to the south and fitness center to the north. In the southeast corner of the site a second amenity area is planned which will offer two (2) additional outdoor amenity features. This open space area has been conceptually designed to include a dog park and a small park area, creating a welcoming entrance to the project and providing visual connectivity between the residential and commercial uses. The vision for Canyon Trails Towne Center was to provide a shopping environment that reflects a family atmosphere in a pedestrian-friendly environment, and the multi-family residential being proposed will only enhance and build upon this vision. See Exhibit F | Illustrative Concept Plan

In addition to on-site amenities, direct connectivity to the community path/trail and bicycle networks will be provided, offering residents a variety of recreational opportunities. The existing eight (8) foot multi-use path along the western property edge will remain in place and direct access to this path/trail network will be provided from within the residential development. Pedestrian connectivity to the adjacent commercial uses will be provided in multiple locations, creating a mixed-use environment with great walkability for future residents. See Exhibit G | Pedestrian Connectivity Plan.

LANDSCAPE

Landscape around the perimeter of the site will be harmonious with the existing landscape provided within Canyon Trails Towne Center to further provide visual cohesiveness between the proposed multi-family residential apartments and existing commercial uses. The west and north property boundaries, which are external edges of the Canyon Trails Towne Center development, will be landscaped to provide visual interest and buffering adjacent to the proposed future freeway access road and existing Canyon Trails Boulevard. The east and south boundaries of the site, which share a common edge with the existing commercial use, will provide a mix of landscape and hardscape, activating these areas and responding to the more urban context of the commercial center. A minimum ten (10) foot landscape area will be provided along these edges of the development between buildings and the back of sidewalk. Existing plant material on-site will be evaluated and salvaged where appropriate, and all new landscape will be drought-resistant and chosen for their shading, screening, color, and textural qualities. Turf will be provided in areas to provide an active recreational component and complement the turf elements existing and proposed within the commercial center. Landscaping proposed will meet the requirements outlined in Article 5-1: Landscaping Standards of the City of Goodyear Zoning Ordinance.

PHASING

Canyon Trails Towne Center Residences will be developed in a single phase.

IV. DEVELOPMENT STANDARDS

The proposed rezoning would remove the property from the Canyon Trails Towne Center PAD and apply the City's current MF-24 District development standards with the following modifications (see chart below), implemented through a PAD Overlay. Unless expressly modified in this document, all site development shall comply with the requirements of the Goodyear Zoning Ordinance.

Development Standard	MF-24 Standards	Proposed PAD Overlay Standards
Maximum Density in Du/Ac	24	24
Minimum lot Width	100 ft.	100 ft.
Minimum lot depth	N/A	N/A
Maximum Height (ft.)	40	40
Accessory building (ft.)	12	12
Maximum Building Coverage	50%	50%
Minimum Setbacks*		
Front (ft.) (West)	30	30
Street Side (ft.) (North)	30	30
Side except for Street Side (ft.) (South)	20	20**
Total Both Sides (ft.)	40	40
Rear (ft.) (East)	30	**20****
Minimum setback from single-family residential zoning		
Building Height 20 feet or less (ft.)	30	30
Building Height Between 20 and 30 feet (ft.)	50	50
Building Height greater than 30 feet (ft.)	50 feet + 5 feet for every foot over 30'	50 feet + 5 feet for every foot over 30'
Recreational Open Space (sq. ft./d.u.)	400	**275**
Private Outdoor Open Space (sq. ft./d.u.)	60	**54**
Freeway Development Overlay District - Noise Level Limits	65 Leq (Exterior) 45 Leq (Interior)	**66 (Leq (exterior)** **52 Leq (Interior)**

* Measured from property line.

** Minimum 10-foot landscape area between back of sidewalk and building shall be provided..

The proposed deviations to the MF-24 standards are notated in bold in the table above. Justification for each deviation is provided below.

DEVIATION JUSTIFICATION

Rear Setback

To create synergy with the commercial uses within Canyon Trails Towne Center, a reduced rear yard building setback of twenty (20) feet is proposed. Only one (1) residential building is proposed along the rear/eastern property line, so less than one-third of the eastern frontage has been reduced to twenty (20) feet.

This east side of the property is adjacent to the private access drive off Canyon Trails Boulevard and is the closest direct access to existing commercial buildings. Reducing the rear building setback assists with this connectivity, reducing the separation between the two uses. A minimum ten (10) landscape area will be provided between back of sidewalk and building to soften

this edge and provide for a pleasant pedestrian experience. Proposed breezeways through the building will provide additional pedestrian connectivity and walkability to the adjacent commercial uses, activating this property edge. At the time of Site Plan/ Design Review, additional items may be considered such as secondary private access to ground floor units located along the eastern boundary.

Recreational Open Space

A reduction to the recreational open space per dwelling unit is being requested from the required 400 square feet per dwelling unit to 275 square feet per dwelling unit. The proposed reduction in recreational open space provided is made up for in quality, amenity offerings, and the scale of the open space provided. The residential buildings will be centered around a large amenity core that will include a clubhouse, fitness center, resort-style pool, outdoor kitchen, and lounge area. An additional large outdoor amenity area will be provided at the southeast corner of the site, allowing for both active and passive recreation in the form of a dog park and park area. Residents of Canyon Trails Towne Center Residences will also have direct access to the expansive multi-use path and bicycle network located adjacent to and in close proximity to the site.

Although the majority of the open space along the western property line is located within the required minimum thirty (30) foot front setback and is not included in the calculation of recreational open space provided per unit, this area is an integral part of the recreational open space network not only for the proposed residential community, but for the larger Canyon Trails development. The existing eight (8) foot multi-use path is planned to remain in place as a public accessible path and receive enhanced landscaping to provide additional shade.

Private Outdoor Open Space

MF-24 District development standards require sixty (60) square feet of private open space (balconies, patios) per residential unit with a minimum 6' x 6' patio or balcony. Canyon Trails Towne Center Residences is providing a total of 284 private open spaces in the form of balconies or patios which range in square footage from 54 – 73 square feet. Four (4) unit types out of ten (10) are just under the required sixty (60) square feet requirement. Two (2) unit types do not meet the minimum six (6) foot dimensional requirement, with one (1) unit type having a minimum five (5) foot dimension and the other 5.5 feet. However, a total of 18,570 square feet of private open space is being provided throughout the project which exceeds the 17,040 square foot total code requirement. Although a small percentage of individual units may be slightly under the required minimum private outdoor open space requirement, Embrey takes great pride in providing superior amenities and outdoor areas in their communities, and this project is no different.

Noise Level

Article 9-1 (Freeway Development Overlay District) of the Goodyear Zoning Ordinance specifies the following noise level limits: 64 Leq (exterior) and 45 Leq (interior). These noise level limits were derived from the old ADOT noise level limits. In May of 2017, ADOT enacted its new Noise Abatement Requirements. ADOT's new exterior noise standard is a maximum of 66 Leq and interior noise standard is a maximum of 52 Leq. ADOT updated its noise standards to be more reasonable and consistent with the noise standards utilized across the United States. Further, the City is utilizing ADOT's current noise standards on the west side of the Loop 303 Freeway and applying consistent noise standards on the west and east sides of the freeway is appropriate.

V. DESIGN GUIDELINES

The City of Goodyear Design Guidelines for multi-family residential shall apply to the Canyon Trails Towne Center Residences development. In addition, as part of the overall Canyon Trails Townes Center development, the proposed residential apartments will need to meet the design expectations of the private Canyon Trails Towne Center Design Guidelines dated February 6, 2007. If needed, collaboration between Embrey and the commercial management group may be necessary to request interpretation of compliance. The design intent of the proposed residential use is to complement the existing commercial fabric and create continuity and connectivity between the two uses.

The design and contextual architectural character for Canyon Trails Towne Center Residences will emphasize a contemporary desert design aesthetic for inspiration. The architectural design of the buildings will incorporate surface articulation, balconies

and patios, and vertical design elements that help to break up the facade. The architecture will be highlighted with stucco and complementary color schemes. The predominant exterior material on the residential buildings shall be stucco with stone and stucco on the clubhouse. The primary color scheme will complement the Canyon Trails Towne Center desert tone color palette. The architectural details, colors and materials will be modern, but with a contextual southwestern color and design emphasis. One harmonious material pallet will be used with the potential for a variety of accent colors. Final building elevations and materials/color palette will be provided for review and approval as part of the Site Plan/Design Review process.

Canyon Trails Towne Center Residences shall be in conformance with Chapter 3 of the City of Goodyear Design Guidelines, except as follows:

1. Multi-family residential apartment buildings may have external downspouts. The intent is to feature them as a design element on the facade and incorporate them as an architectural detail that complements the overall design theme.

VI. INFRASTRUCTURE + PUBLIC FACILITIES

Below is a list of utility and service providers for the Canyon Trails Towne Center Residences:

Utility/Public Facility	Provider
Water	City of Goodyear
Wastewater	City of Goodyear
Solid Waste	Private
Electric	Arizona Public Service
Gas	Southwest Gas Corporation
Telephone/Cable	Cox Communications/CenturyLink
Schools	Avondale Elementary School District Agua Fria Union High School District
Library	City of Goodyear
Police	City of Goodyear
Fire	City of Goodyear

WATER + WASTEWATER

The proposed Canyon Trails Towne Center Residences will connect to an existing 12-inch water main located in Canyon Trails Boulevard to the north, which extends west to an existing 16-inch water transmission line located along the east side of Cotton Lane. Sewer connectivity will be to an existing 15-inch sewer main, also located in Canyon Trails Boulevard. All proposed water and sewer infrastructure shall be constructed per the City's development regulations and approved materials list. Preliminary Water and Preliminary Sewer Reports, prepared by HilgartWilson, have been submitted as part of this application under separate cover.

GRADING + DRAINAGE

The site is located within Flood Zone "X" as delineated on the Federal Emergency Management Agency (FEMA) FIRM Map No. 04013C2135L, dated October 16, 2013 and is not within a known flood hazard area.

The site was previously graded as part of the development of Canyon Trails Towne Center. An existing drainage basin located in the northeast corner of the site, receives drainage from the north through underground pipes and then is piped to its ultimate outfall, a basin just east of the access drive off Canyon Trails Boulevard. It is anticipated that the on-site basin will be removed.

The project team will work with the proposed Aviata development to the north to determine the ultimate drainage solution needed, however, it is understood from preliminary assessment, that the drainage basin immediately to the east of the site has capacity for the current flows.

The proposed residential development will include drainage facilities, in the form of underground storage tanks and surface retention basins, sufficient to retain the volume calculated with new proposed use of the site. A Preliminary Drainage Report, prepared by HilgartWilson, is submitted as part of this application under separate cover.

TRANSPORTATION

No new public roadways, or expansions of existing public roadways, are proposed as part of the development of the Canyon Trails Towne Center Residences. Canyon Trails Boulevard to the north, an existing Minor Collector, and any adjacent landscaping, facilities, and sidewalks within the right-of-way will remain in place and maintained by the City. The access drives along the east and south of the site will remain private, maintained jointly by the Canyon Trails Towne Center development, and will remain in place. The new residential development will include a gated entry from the southern access drive and a secondary resident only access from the eastern access drive. Both of these existing internal access drives provide connectivity to Canyon Trails Boulevard to the north and Cotton Lane to the west. With the future extension of the Loop 303 corridor south of I-10, Cotton Lane will become a frontage road running parallel with the new freeway just west of the site. Timing on Loop 303 construction has yet to be determined, though final design is scheduled for summer 2021.

The proposed rezoning and proposed multi-family residential use will generate less average daily vehicle trips to the site than the existing PAD zoning would typically generate if developed with commercial uses. Therefore, the demand on transportation facilities will be no more than what is currently allowed by current entitlements. A Trip Generation and Comparison Statement, prepared by CivTech, is submitted as part of this application under separate cover.

SCHOOLS

The site falls within the Avondale Elementary School District, and the nearest elementary school is Copper Trails Elementary School (K-8), located approximately five hundred (500) feet east of the site along Canyon Trails Boulevard. The site falls within the Agua Fria Union High School District, and the nearest high school is Desert Edge High School, located approximately one mile southeast of the site. Based on the student ratios provided by the City of Goodyear and the number of residential units proposed, the project will generate approximately 141 students – 86 elementary school students and 55 high school students.

School Type	No. of Residential Units	Student Ratio	No. of Students
Elementary (K-8) Avondale ESD	288	0.30 Students/Unit	86
Agua Fria Union High School District	288	0.19 Students/Unit	55
Total	288	-	141

VII. REZONING EVALUATION CRITERIA

Section 1-3-1(D) of the Goodyear Zoning Ordinance sets forth evaluation criteria to be considered for amendments to the zoning map. As described below, the project is in conformance with these criteria and meets the goals and objectives provided in the City's planning documents.

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;

Located within the Central Study Area of the Goodyear Municipal Planning Area, the site is designated as Business and Commerce on the Goodyear General Plan Land Use Map. Business & Commerce is designed to provide "areas for the growth and development of Goodyear's economic base including areas for shopping and entertainment." This category allows a variety of uses, including high density residential when located adjacent a community or regional park, open space area, single-family residential, or commercial area. Incorporating a multi-family residential component into the existing Canyon Trails Towne Center commercial development is supported by the General Plan.

The rezoning of this site from PAD to MF-24 with PAD Overlay and the proposed multi-family residential project are in line with the following goals identified in the Goodyear General Plan:

- *Goal GD-1: A compatible mix of land uses that fosters a quality community, with livable and safe neighborhoods, a healthy population, a strong economy, and a 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.*

      Introducing a higher density, multi-family residential community in an area that is primarily commercial and single-family residential will provide a variety of housing opportunities for the immediate area and encourage additional business growth by adding rooftops and increasing density. The location of this proposed project is in line with Objective CC-5-1 Policy F, which dictates that high-density residential should be located near commercial uses and provide a buffer between commercial and lower density residential.
- *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.*

      The primary land use within the approximately 2,000-acre Canyon Trails PAD is single-family residential. With the lack of housing diversity and density needed to attract new residents and support the existing and proposed commercial, the Canyon Trails community is in need of multi-family residential communities to add sustainability and vibrancy into the area. Goodyear, and specifically Canyon Trails, lacks mixed-use development and the ability to offer higher density residential within walking distance to restaurants, goods and services. Although other multi-family residential developments are beginning to come to this area, the Canyon Trails Towne Center Residences will provide for a vibrant, more urban lifestyle option due to its integration into the existing commercial center.

      Embrey, the developer of the proposed Canyon Trails Towne Center Residences, has a history of producing top quality, Class A multi-family residential communities in Arizona and many other states. This project will follow their typical model, providing a high-quality product and increasing diversity of housing products available to current and prospective residents in the Canyon Trails area.

In addition, the rezoning of this site and proposed project are compliant with and supported by all ten (10) Universal Development Standards and the following Business & Commerce Category standards, noted in Chapter 8 of the Goodyear General Plan, which are used to guide decision making during the rezoning and development review process:

- *Standard 40: Walking and biking should be accommodated and encouraged by providing trails, bike lanes, sidewalks, and paths to allow for safe pedestrian movement. Linkages to nearby residential developments should be provided in conformance with Standard 28.*

The proposed project will maintain an existing eight (8) foot multi-use path along the west property line, providing connectivity to a community-wide path/trail and bicycle network. Access to the Canyon Trails greenbelt system, located east of the commercial center, will be provided along the existing sidewalk on Canyon Trails Boulevard. The project site is located in a prime location which provides easy, convenient, and safe access to a variety of walking and biking amenities.

- *Standard 41: High Density (e.g., multi-family) residential development is permitted in the Business & Commerce category when located adjacent to a community or regional park, open space area, single family residential, commercial area or used as a buffer between the Neighborhoods category and Business & Commerce category. Circulation and access to necessary amenities such as schools and grocery stores, and compatibility with surrounding existing and planned uses shall be taken into account when considering this type of use in the Business & Commerce category.*

  The project site is located within Canyon Trails Towne Center, an existing retail and commercial center. By providing a residential component within the commercial center, a horizontal mixed-use area is created within a walkable and collaborative environment. Goods and services, as well as schools, are within walking distance, and the future Loop 303 freeway is proposed immediately adjacent to the west, providing great pedestrian and vehicular connectivity. The proposed multi-family use is compatible with the surrounding existing and planned uses and is appropriate for the site.

Finally, Chapter 8 identifies which zoning categories are appropriate within each land use category, and Multi-Family Residential (specifically MF-18 is listed) is considered a compatible zoning category within Business & Commerce. Because the General Plan predates the creation of the MF-24 zoning category, it is presumed that MF-24 is equally appropriate for the Business & Commerce category.

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

The existing site is flat and contains no natural washes, floodway or floodplain designations, hillside slopes, irrigation district canals, or any other known significant physical and natural features that would be worthy of preservation or hinder development on the site. The site is well-suited for multi-family residential development.

c. 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;

Although the site was previously envisioned for commercial development, it has received little interest and sits vacant along with a number of other pads and inline shops within Canyon Trails Towne Center. Rezoning the approximately 12.7-acre site to MF-24 with a PAD Overlay will support the development of multi-family residential, providing the existing commercial center with patrons in close proximity to support the existing retail, entertainment, and service-oriented businesses. A multi-family community serves as an ideal complementary use to an existing commercial center, generating fewer averages daily vehicular trips than previously approved for the commercial use, utilizing existing available site infrastructure, and positively impacting adjacent property values. The proposed multi-family use will generate little environmental impact. The open space provided as part of the development of the residential project will be more environmentally beneficial to surrounding properties compared to the currently proposed commercial uses or the existing vacant commercial site.

The site does not directly border single-family residential development; the homes at Crestwood at Canyon Trails are located across a significant future freeway corridor to the west. The overwhelming majority of existing residential development in the Canyon Trails area is single-family. Adding multi-family residential to the Canyon Trails Towne Center will create an integrated mixed-use development and bring needed housing diversity, including an urban living option. The undeveloped parcel to the north of the project site, across Canyon Trails Boulevard, is likely to be developed in some medium to high density residential manner given its existing entitlements, which would be compatible with the proposed site use.

Immediately west of the site, the Loop 303 freeway corridor expansion is planned and the right-of-way necessary to construct this freeway extension has already been dedicated. The General Plan supports residential uses with higher densities (over twelve dwelling units per acre) adjacent to interstate corridors, so the proposed multi-family residential use is both appropriate and compatible with the Loop 303 extension.

d. 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;

The proposed MF-24 zoning with PAD Overlay will complement the immediately adjacent Commercial/PAD zoning and existing commercial center uses. The site was previously envisioned for commercial development and has received little interest. As long as the site remains vacant, it adds little value to the Canyon Trails Towne Center development. The proposed rezone and multi-family residential project will support the existing commercial center with high-quality development, increased pedestrian connectivity, and density of users to support existing retail, entertainment, and service-oriented businesses.

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;

The Canyon Trails area was envisioned to include a variety of uses, however, has primarily developed with single-family residential subdivisions. Multi-family residential within the Canyon Trials PAD has a maximum density of 18 dwelling units per acre, which would not allow for the development of garden style multi-family development, which typically has a density of 20 dwelling units per acre or greater. Unit recently, there were no parcels zoned MF-18 or MF-24 within a minimum of one (1) mile of the site, however the undeveloped property immediately to the north, across Canyon Trails Boulevard, recently received zoning approval of MF-24 with PAD Overlay for the proposed Aviata multi-family community.

Rezoning the property to allow multi-family residential would assist in meeting the demand for more multi-family in the area, provide a unique mixed-use development opportunity, increase housing options, and produce a housing density necessary to support existing and future commercial development. The overall design intent of Canyon Trails Towne Center Residences is to create synergy with the existing retail center and provide an urban lifestyle environment, something unique and not currently offered in this area of town.

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 as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;

The Canyon Trails Towne Center Residences site is uniquely positioned adjacent to existing development and infrastructure on all sides and with convenient vehicular access to the future Loop 303 freeway expansion. The vacant site will utilize existing infrastructure and services in the area. The project will connect to water and sewer infrastructure currently existing in Canyon Trails Boulevard to the north, and no additional public roadway improvements will be required as part of this development. More information regarding public service demand can be found in the Infrastructure + Public Services section of this document.

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 in close proximity to existing and planned public infrastructure and services and therefor, no adverse fiscal impacts are anticipated.

h. General public's concerns;

As part of the rezone process, the Citizen Review Process (per Section 1-3-8 of the City of Goodyear Zoning Ordinance) will be adhered to. Public concerns with the proposed zoning request will be identified through the public review process and addressed by the project team as needed.

Notification of the proposed rezoning for Canyon Trails Towne Center Residences will be sent to the following parties:

- property owners within 500 feet of the property
- any homeowners' associations within the notice area
- neighboring municipalities in the notice area, school districts

- Luke Air Force Base
- Arizona Department of Transportation
- any identified stakeholders
- anyone who has requested to receive this type of notice

i. Whether the amendment promotes orderly growth and development; and,

The proposed multi-family residential apartment development will promote orderly growth and development by providing a compatible land use adjacent to existing commercial and the future Loop 303 freeway. Development is slowly starting to increase along the future expansion of the Loop 303 corridor, as design of the freeway is expected to be completely within the next year. The property has been vacant since development of Canyon Trails Towne Center began in 2008, and the development of a complementary multi-family residential use will be a major benefit to the existing commercial center and surrounding neighborhood.

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.

The proposed rezoning is expected to positively impact the general health, safety and welfare of citizens and the general public by providing a high-quality, attractive, and diverse housing product with enhanced pedestrian connectivity, walkability, and residential amenities.

VIII. CONCLUSION

The proposed rezoning from Commercial/PAD to MF-24 with PAD Overlay will allow for the development of a multi-family residential apartment community with a density of 22.4 dwelling units per net acre. Minor modifications through the use of a PAD Overlay will allow the property to create synergy and connectivity to the adjacent commercial uses, effectively creating a new mixed-use development within Canyon Trails.

The addition of the Canyon Trails Towne Center Residences will benefit both the Canyon Trails Towne Center and the surrounding area by providing additional patrons to support existing commercial goods and services, as well providing diversity in housing opportunities offered in the area. The overall design of Canyon Trials Towne Center Residences will be contemporary yet responsive to the Arizona desert environment, while providing enhanced landscaping and premium amenities to create a welcoming and high-end residential community experience. The proposed multi-family residential use will complement the commercial center through the use of unifying landscape, a complementary material and color palette, contemporary architecture, and vehicular and pedestrian connectivity.

Embrey is excited to bring their multi-family community product to the City of Goodyear and look forward to working with the City through the entitlement and development processes.

0' 75' 150' 300'

SCALE 1:150

NORTH

EMBREY Development | Construction | Management

NORRIS DESIGN Planning | Landscape Architecture | Branding

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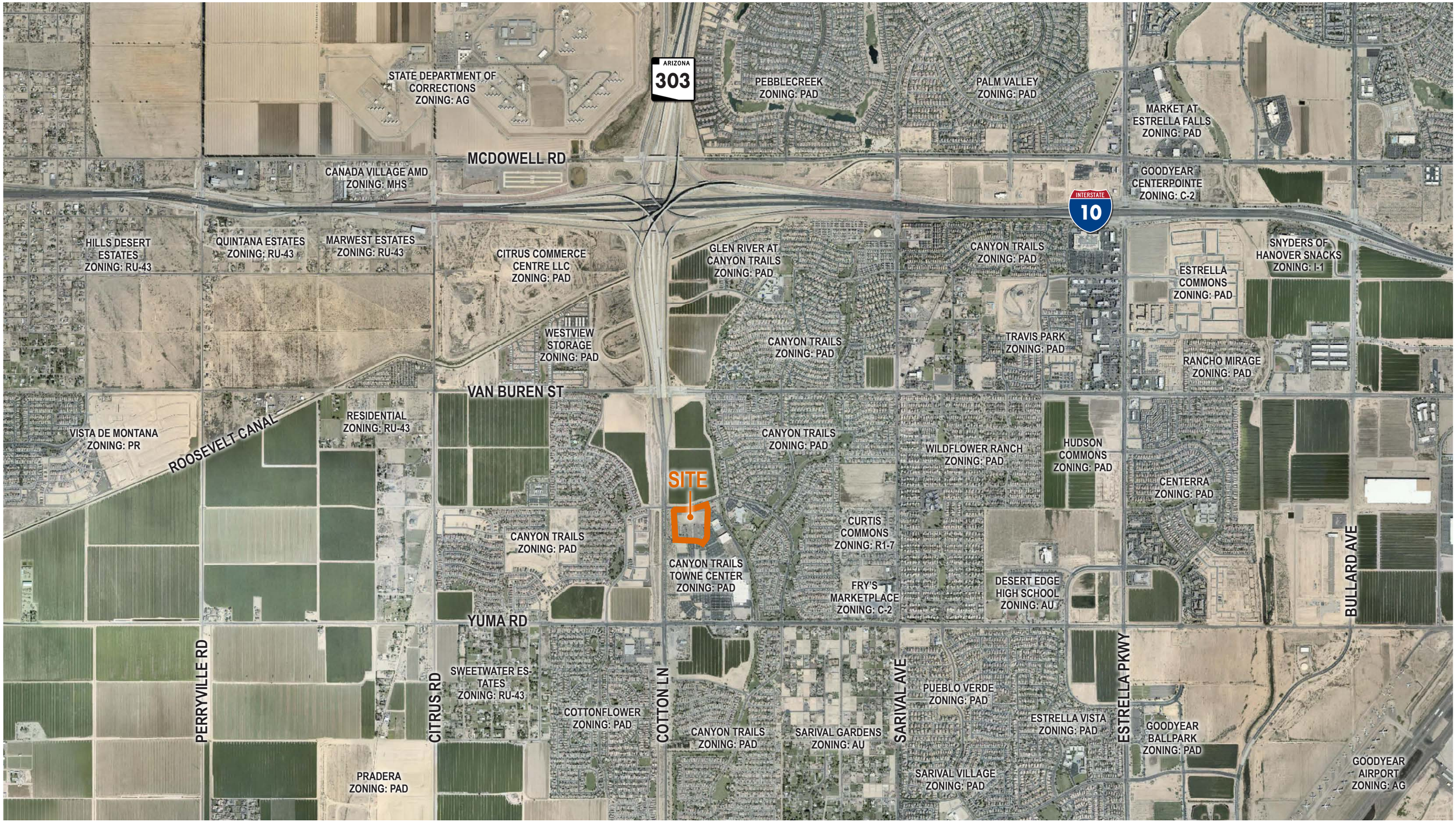
EXHIBIT A | Aerial Map

Canyon Trails | Goodyear, AZ



0' 1000' 2000' 4000'

SCALE 1:2000

NORTH

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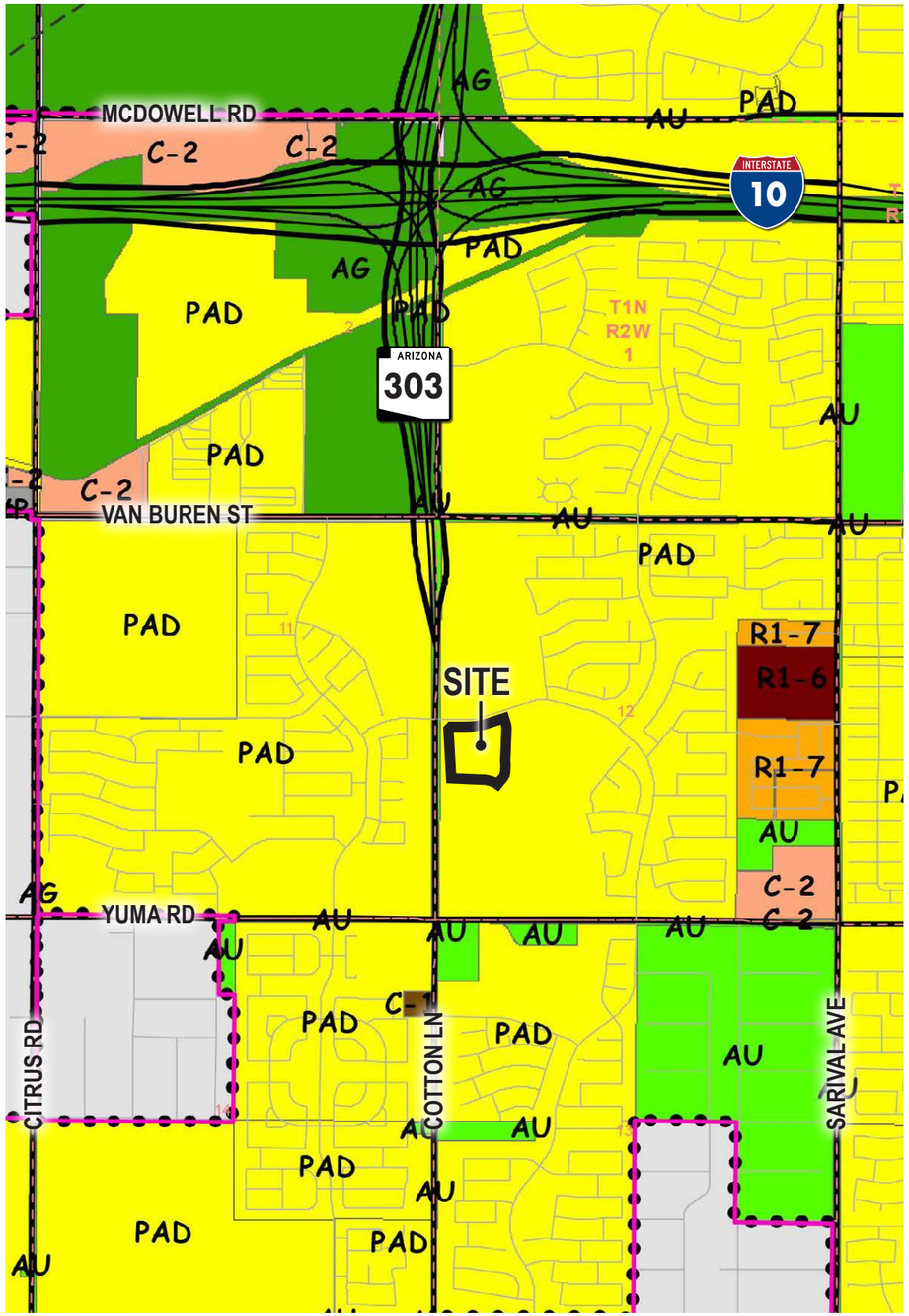
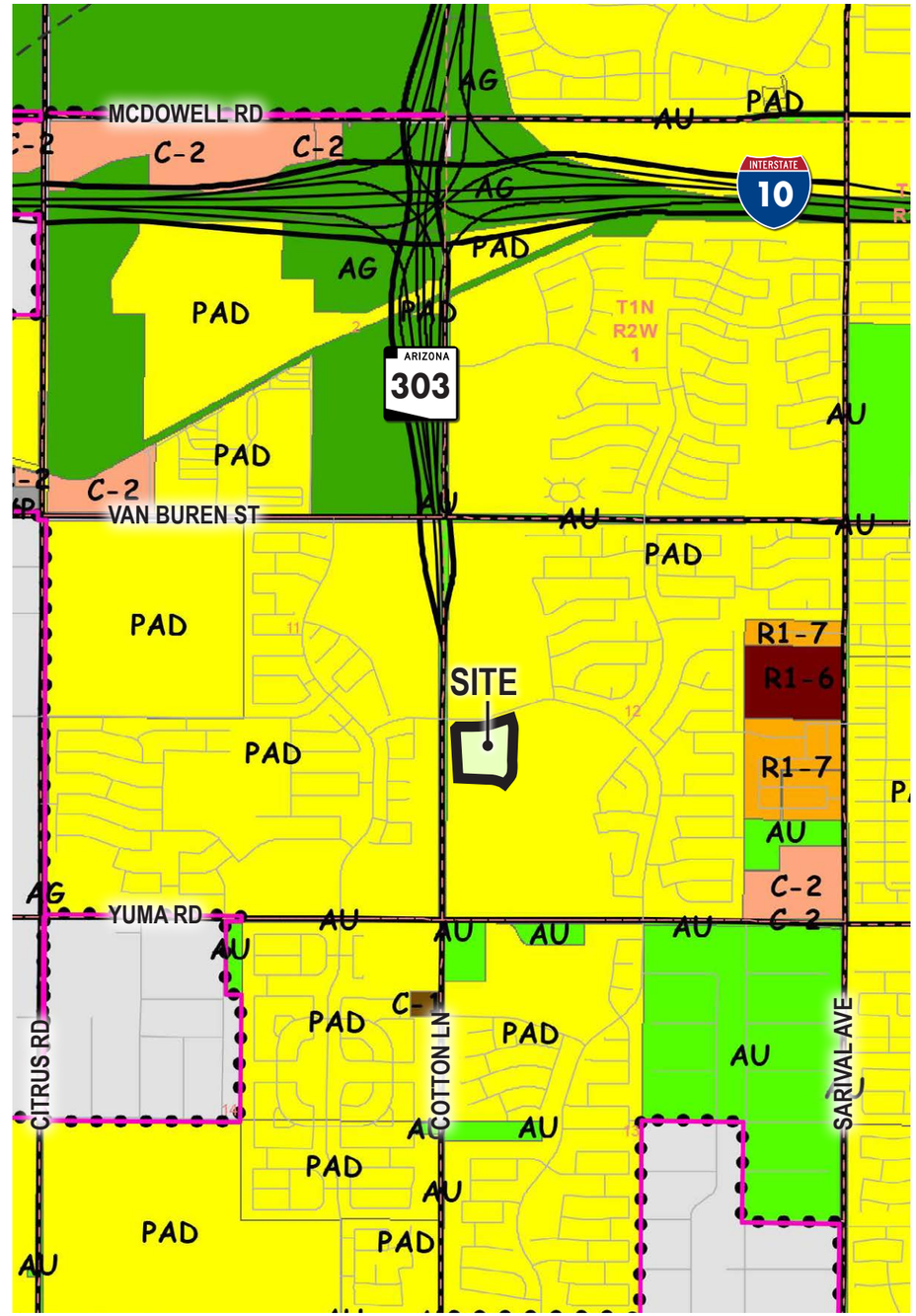
EXHIBIT B | Vicinity Map

Canyon Trails | Goodyear, AZ



EXISTING ZONING | PAD Planned Area Development



PROPOSED ZONING | MF-24 Multi Family Residential with PAD Planned Area Development overlay

Zoning Legend

- AG Agricultural District
- AU Agricultural/Urban
- C-0 Commercial Office
- C-1 Neighborhood Commercial
- C-2 General Commercial
- I-1 Light Industrial Park
- I-2 General Industrial Park
- MF-24* Multi Family Residential
- MH/RVP Mobile Home or R.V. Park
- MHS Mobile Home Subdivision
- PAD Planned Area Development
- PFD Public Facilities District
- R-1-4* Single Family Residential
- R1-6 Single Family Residential
- R1-7 Single Family Residential
- R1-10 Single Family Residential
- R-2 One and Two Family Residential
- PARK

* Discontinued

- County
- Planning Area
- City Boundary
- Sections

0' 1000' 2000' 4000'

SCALE 1:2000

NORTH

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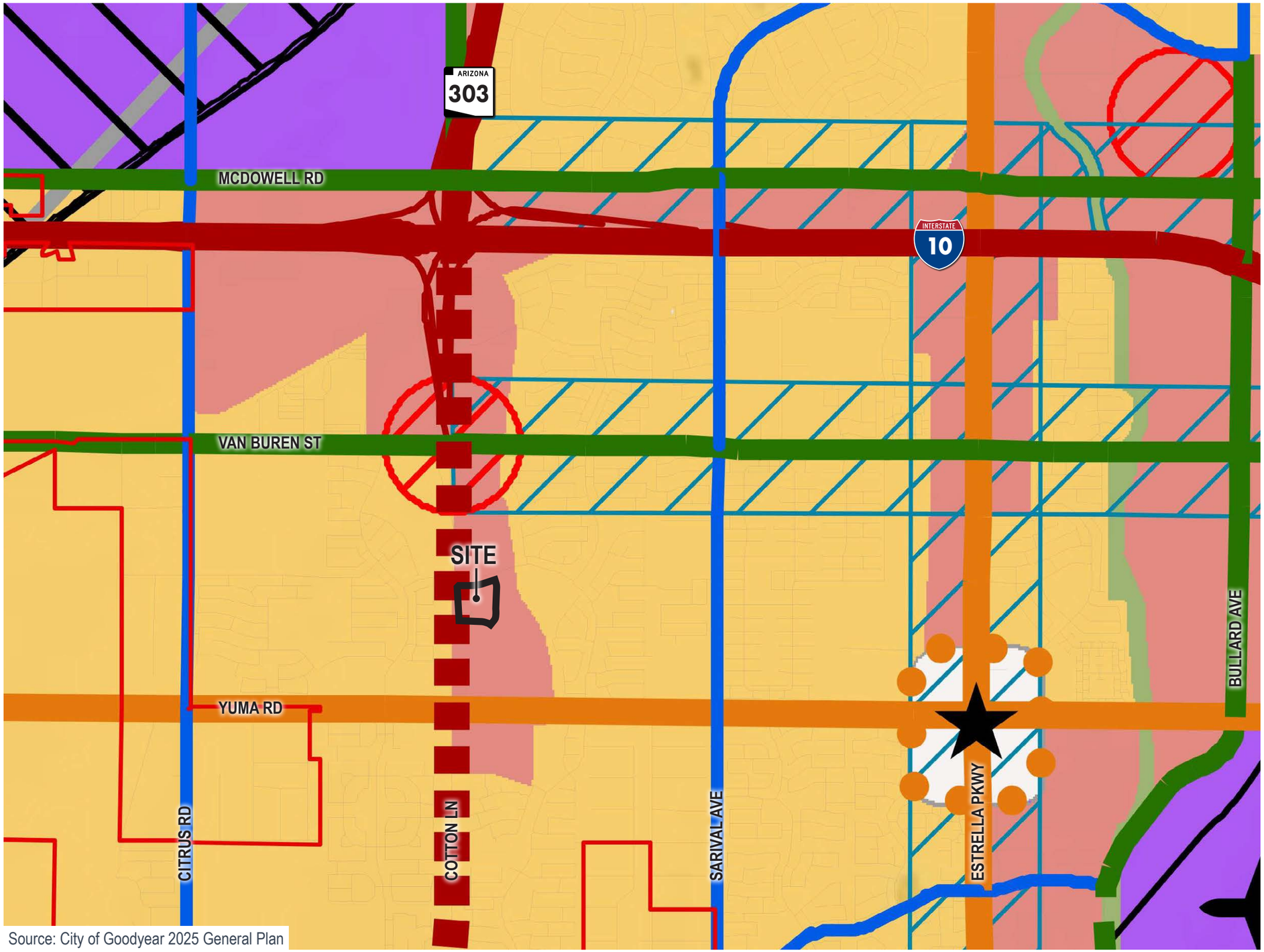
EXHIBIT C | Zoning Map

Canyon Trails | Goodyear, AZ



Source: City of Goodyear 2025 General Plan

Land Use + Transportation Legend

- 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

0' 1000' 2000' 4000'

SCALE 1:2000

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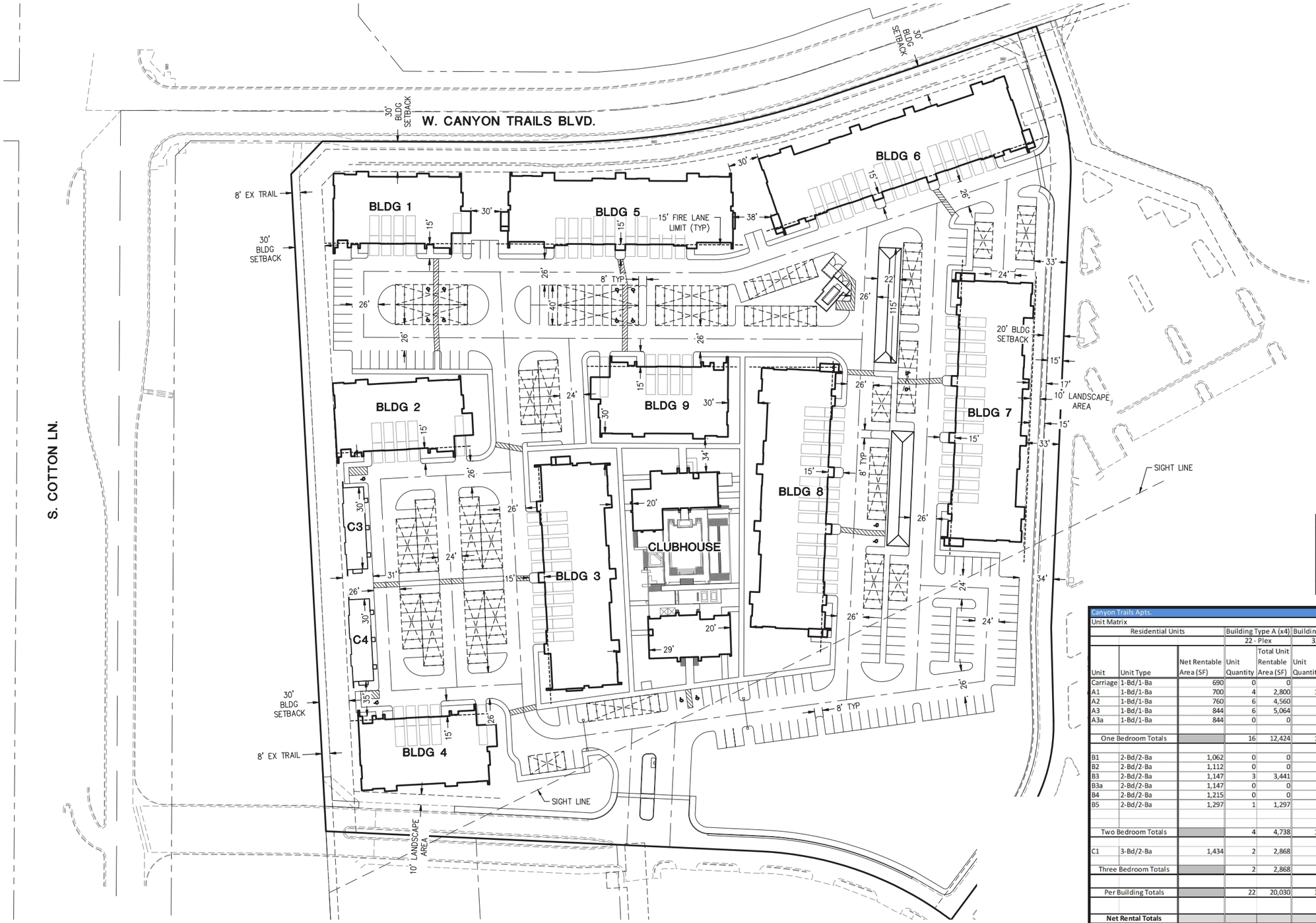
EXHIBIT D | General Plan Map

Canyon Trails | Goodyear, AZ



PARKING TABLE	SPACES
OPEN PARKING	147
OPEN PARKING ADA	6
COVERED CARPORT	181
COVERED CARPORT ADA	10
ATTACHED GARAGES (INTEGRAL TO RESIDENTIAL BUILDINGS)	94
TANDEM PARKING (OPEN PARKING SPACE IN FRONT OF GARAGE)	82
DETACHED GARAGES	20
TOTAL PARKING SHOWN (512 SPACES REQUIRED)	540

PARKING CALCULATIONS				
THE NUMBER OF REQUIRED SPACES PER CODE SECTION 6-4-2 IS AS FOLLOWS:				
1 BEDROOM	= 168 UNITS X 1.5 SP/DU	=	252	REQUIRED SPACES
2+ BEDROOM	= 116 UNITS X 2.0 SP/DU	=	232	REQUIRED SPACES
GUEST	= 1 SPACE PER 10 DU (284/10)	=	28	REQUIRED SPACES
TOTAL	= 512 TOTAL SPACES REQUIRED	=	512/284 = 1.80	SP/DU

Canyon Trails Apts. 6/23/2021 220101.00

Unit Matrix

Residential Units			Building Type A (x4) 22 - Plex		Building Type B (x2) 32 - Plex		Building Type C (x3) 42 - Plex		Building Type D (x2) 3 - Plex				
Unit	Unit Type	Net Rentable Area (SF)	Unit Quantity	Total Unit Rentable Area (SF)	Unit Quantity	Total Unit Rentable Area (SF)	Unit Quantity	Total Unit Rentable Area (SF)	Unit Quantity	Total Unit Rentable Area (SF)	Unit Quantity	Unit Mix Percentage	Total Unit Rentable Area (SF)
Carriage	1-Bd/1-Ba	690	0	0	0	0	0	0	3	2,070	6		4,140
A1	1-Bd/1-Ba	700	4	2,800	10	7,000	20	14,000	0	0	96		67,200
A2	1-Bd/1-Ba	760	6	4,560	0	0	0	0	0	0	24		18,240
A3	1-Bd/1-Ba	844	6	5,064	0	0	6	5,064	0	0	42		35,448
A3a	1-Bd/1-Ba	844	0	0	0	0	0	0	0	0	0		0
One Bedroom Totals			16	12,424	10	7,000	26	19,064	3	2,070	168	59.2%	125,028
B1	2-Bd/2-Ba	1,062	0	0	6	6,372	6	6,372	0	0	30		31,860
B2	2-Bd/2-Ba	1,112	0	0	6	6,672	0	0	0	0	12		13,344
B3	2-Bd/2-Ba	1,147	3	3,441	0	0	6	6,882	0	0	30		34,410
B3a	2-Bd/2-Ba	1,147	0	0	0	0	0	0	0	0	0		0
B4	2-Bd/2-Ba	1,215	0	0	4	4,860	4	4,860	0	0	20		24,300
B5	2-Bd/2-Ba	1,297	1	1,297	2	2,594	0	0	0	0	8		10,376
Two Bedroom Totals			4	4,738	18	20,498	16	18,114	0	0	100	35.2%	114,290
C1	3-Bd/2-Ba	1,434	2	2,868	4	5,736	0	0	0	0	16		22,944
Three Bedroom Totals			2	2,868	4	5,736	0	0	0	0	16	5.6%	22,944
Per Building Totals			22	20,030	32	33,234	42	37,178	3	2,070			
													Average Unit = 923
Net Rental Totals											284	100%	262,262

0' 50' 100' 200'

SCALE 1:100

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EXHIBIT E | Conceptual Site Plan

Canyon Trails | Goodyear, AZ

Legend

1. Clubhouse
2. Fitness Center
3. Primary Vehicular Entry
4. Residence Building (3-Story)
5. Residence Building (2-Story Carriage Unit)
6. Pool Courtyard
7. Dog Park
8. Seating Node
9. Park Area
10. Existing 8′ Multi-Use Path
11. Trail Node
12. Carport
13. Garage
14. Existing Landscape To Remain

Project Data

Acreage: 12.7 Net Acres

Yield: 284 Residential Units

Density: 22.4 Du/Ac

0' 50' 100' 200'

SCALE 1:100

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EXHIBIT F | Illustrative Concept Plan

Canyon Trails | Goodyear, AZ

Legend

- Public Trail
- Primary Pedestrian Circulation
- Resident/Guest Access
- Internal Pedestrian Circulation
- Trail Node

0' 50' 100' 200'

SCALE 1:100

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EXHIBIT G | Pedestrian Circulation Plan

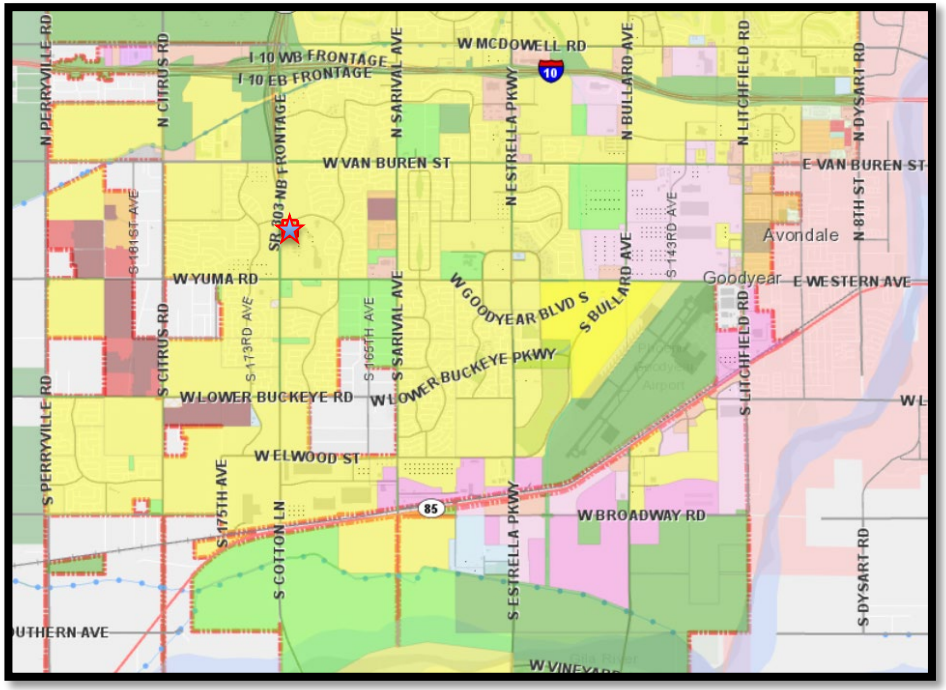
Canyon Trails | Goodyear, AZ

Canyon Trails Towne Center Residences

City Council Meeting
September 27, 2021

Location

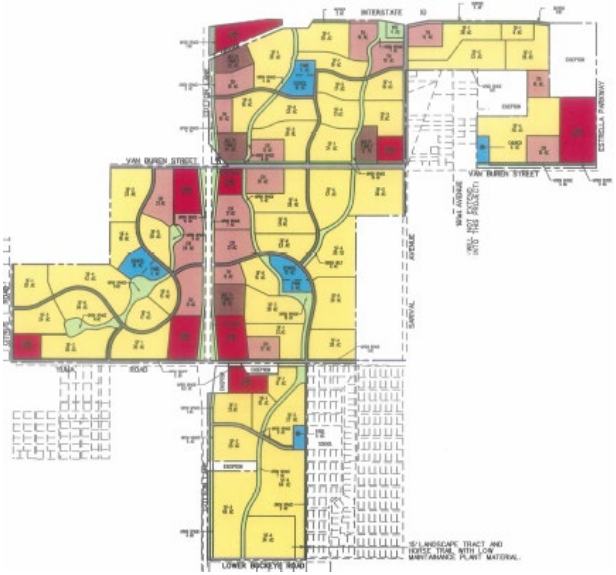
- Central Goodyear
  - SE Corner of Cotton Lane and Canyon Trails Boulevard
  - Approximately 12.7 Acres
  - Currently zoned Commercial PAD/General Commercial (C-2)



Specific Location

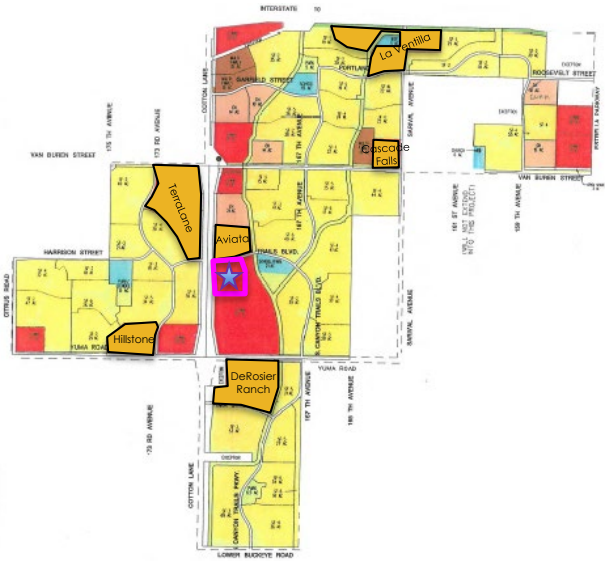
- Canyon Trails Towne Center Residences
  - East
    - Planet Fitness and Big Box Commercial
  - West
    - Cotton Lane Trail
    - Future SR-303 Loop
  - North
    - Future Aviata at Canyon Trails (multi-family)
  - South
    - Canyon Trails Towne Center Retail

Zoning History



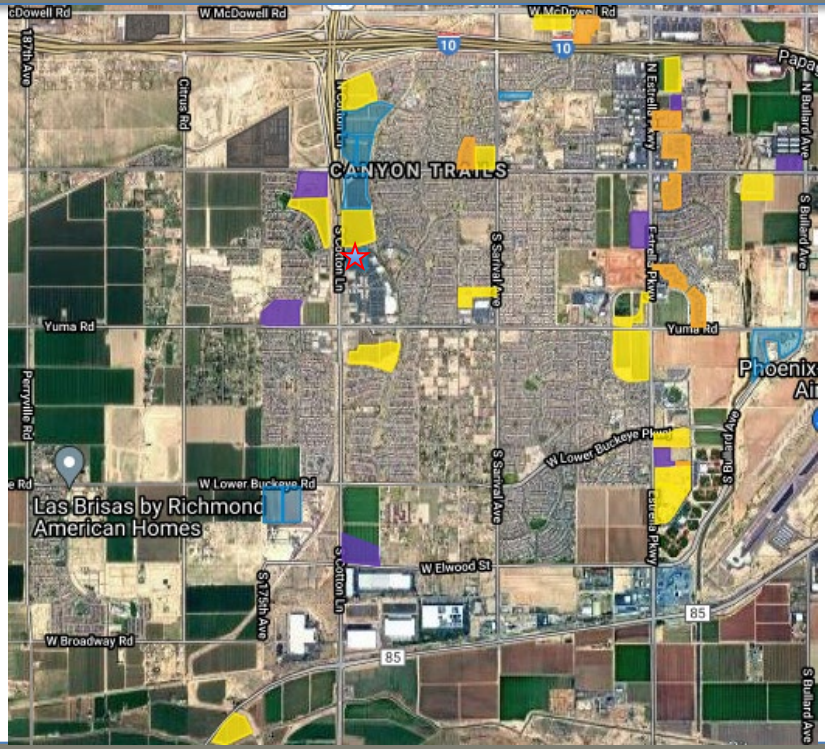
^ 1998

^ 1999-2003



^ 2005/June 2021

Area Multi-Family



=Established Multi-Family

=Under Construction or Recently Completed Multi-Family

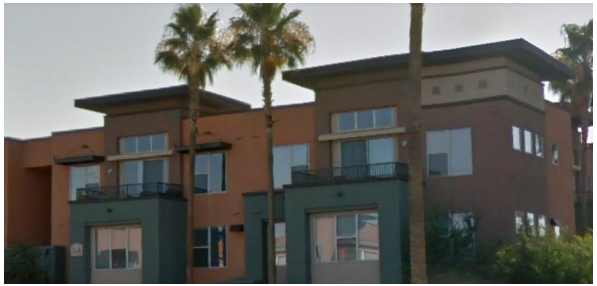
=Zoned for Multi-Family

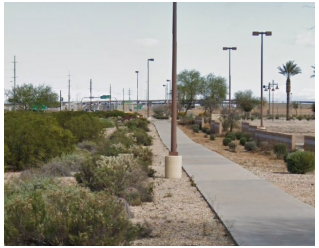
=Developer Interest in Multi-Family (Application Submitted)

= Canyon Trails Towne Center Residences

Proposal

- MF-24 (Multi-Family/Residential) w/ PAD Overlay





*Images are preliminary and for illustrative purposes only

Public Outreach and Recommendation

- Planning and Zoning Commission
- Recommend Rezone:
  - From Commercial Planned Area Development (PAD)/General Commercial (C-2)
  - To MF-24 with Canyon Trails Towne Center Residences PAD Overlay

CITY OF Goodyear

Thank You!

ITEM #: 13.
DATE: 09/27/2021
AI #:458

CITY COUNCIL ACTION REPORT

SUBJECT: LAKIN PARK BUNGALOWS PAD OVERLAY

STAFF PRESENTER(S): Alex Lestinsky, Senior Planner

OTHER PRESENTER(S):
Kyle Barichello, RVi Planning

SUMMARY

Rezone approximately 20 acres south of MC-85, west of Cotton Lane to Planned Area Development (PAD) under the Lakin Park Bungalows PAD, designated for multifamily.

Recommendation

1. ADOPT RESOLUTION NO. 2021-2178, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 21-04”; “LAKIN PARK BUNGALOWS LEGAL DESCRIPTION”; AND “LAKIN PARK BUNGALOWS PAD OVERLAY BOOK, AUGUST 2021”.
2. ADOPT ORDINANCE NO. 2021-1517, REZONING APPROXIMATELY 20 ACRES OF LAND LOCATED SOUTH OF MC-85, WEST OF SOUTH COTTON LANE FROM PLANNED AREA DEVELOPMENT (PAD) AND AGRICULTURAL URBAN (AU) TO A MULTIFAMILY RESIDENTIAL USE WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, AND 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

On October 28, 2019, Council adopted Ordinance 2019-1451 creating the CP Lakin Park Planned Area Development (PAD). The PAD included ~645 acres of Industrial, ~35 acres of Commercial/Industrial flex zone, and ~15 acres of Multifamily. The proposed rezone will apply to the ~15 acres designated as multifamily in the CP Lakin Park Planned Area Development (PAD) and an additional adjacent 4.8 acres (2.8 of which were recently annexed into the city). The adjacent 4.8 acres is currently zoned AU (Agricultural Urban).

The approximate 20 acres is being rezoned to MF-24 (Multi-Family Residential) with a PAD Overlay (the Lakin Park Bungalows PAD Overlay). Under the proposed rezoning, the Property is to be developed in accordance with all requirements of the Goodyear Zoning Ordinance, including the development standards applicable to MF-24 (Multi-Family Residential) Zoning District except as modified by the PAD Overlay. The PAD overlay reduces the rear set back to 20', requires that all setbacks fronting public streets be fully landscaped, allows for the development of single family rent apartments, and imposes some additional design requirements if the single family for rent apartments are developed on the Property rather than apartment buildings.

The General Plan designates the property as Business & Commerce. The Business & Commerce land use permits higher density residential zoning districts.

The Planning & Zoning Commission held a public hearing on September 15, 2021 and voted 4-0 to recommend approval of the request.

STAFF ANALYSIS

Current Policy:

A request for a zoning amendment requires public review and approval by the Planning & Zoning Commission and the City Council. 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 rezone approximately 20 acres from (~15 acres) MF-24 with a PAD Overlay and (4.8 acres) AU-Agricultural Urban to MF-24 with a PAD Overlay, the "Lakin Park Bungalows PAD Overlay".

The development standards of this overlay apply the MF-24 standards with minor modifications as set forth in the PAD Overlay. (The modifications are consistent with the standards that applied when the Property was included in the CP Lakin Park Planned Area Development (PAD) as multi-family residential).

The subject property includes ~15 acres that were already designated as MF-24 within the overlay and adds the adjacent 4.8 acres, 2.8 of which were recently annexed into the city. The added 4.8 acres is already abutting the existing multifamily piece and is adjacent to MC-85 and the Buckeye Canal. Because of these site constraints, including this piece into the PAD and making it consistent with the abutting property is good planning practice. The addition of this parcel also provides for more MC-85 frontage allowing better access to the proposed multifamily development.

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*

   As mentioned in the Background and Previous Actions section, the General Plan designated this area as Business and Commerce. Multifamily is an appropriate and permitted use within the Business and Commerce designation.

   Standard 37
   General Plan Standard 37 states that light industrial uses are appropriate throughout the Business & Commerce category but should be buffered from residential. The Buckeye Irrigation District (BID) canal and ADOT drainage channel provide a buffer around the residential parcel between the proposed multi-family residential use and industrial use.

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 vacant. The property is 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 – State Route MC85; Union Pacific Railroad; Huhtamaki
   South – Buckeye Irrigation Canal
   East – ADOT drainage channel; Lakin Park Industrial currently under construction
   West – Future Loop 303 ROW; County land

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.*

   Luke Air Force Base:
   The proposed PAD is located outside the high noise or accident potential zones for Luke Air Force Base, but 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 development.

   Phoenix-Goodyear Airport:
   Although the property may experience aircraft overflights since it is located within the Traffic Pattern area of the Phoenix-Goodyear Airport, the site is not within or adjacent to the high noise or accident potential zones.

5. D*emand 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*.

   The area is adjacent to existing and future transit corridors and will provide additional residential opportunities in Goodyear.

6. *Demands for public services that will be generated by the uses permitted in the proposed zoning district*.

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
#185	4.8	2.4	5.1	2.55	#184/181	7.25	3.63	7.56	3.78

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.

Streets/Transportation:
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 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 proposed rezoning is within proximity to existing public services. The property owner and/or developer will be responsible for the costs of making the necessary connections to these existing services.

8. *General public concerns*.

   Public Participation:
   An alternative citizen review process was conducted for this proposal. Notice of the application was provided to property owners within 500-feet of the property. To date, no objections or inquiries were received as a result of this notification.

   Notice for the 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 August 27, 2021; and a notice of public hearing sign posted on the property. To date, staff has not received any public inquiries as a result of this notice.

   On September 15, 2021, the Planning & Zoning Commission held a public hearing for this item. After the staff presentation the applicant addressed the Commission. No members of the public spoke regarding the request. The Planning & Zoning Commission recommended approval of the request with a 4-0 vote.

9. *Whether the amendment promotes orderly growth and development.*

   The subject property is an infill property located within the proximity of City services and infrastructure.

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 multi-family property 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.

Attachments

Resolution No. 2021-2178
Exhibit A - Supplementary Zoning Map
Exhibit B - Legal Description
Exhibit C - PAD Overlay
Ordinance No. 2021-1517
Aerial Photo
Project Narrative
Staff Presentation
Applicant Presentation

RESOLUTION NO. 2021-2178

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 21-04"; "LAKIN PARK BUNGALOWS LEGAL DESCRIPTION"; AND "LAKIN PARK BUNGALOWS PAD OVERLAY BOOK, AUGUST 2021".

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 21-04", a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Lakin Park Bungalows Legal Description", a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Lakin Park Bungalows PAD Overlay Book, August 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. 2021-1517.

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 A.R.S 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:

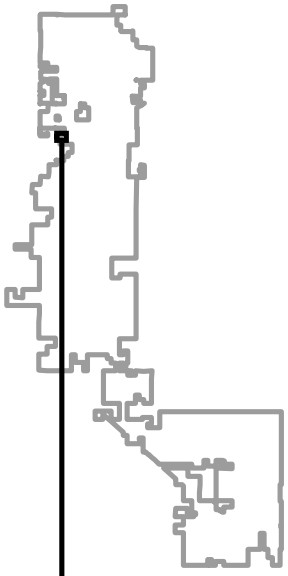
_____
Roric Massey, City Attorney

(Exhibits are on the following pages)

EXHIBIT 'A'

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-04

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.

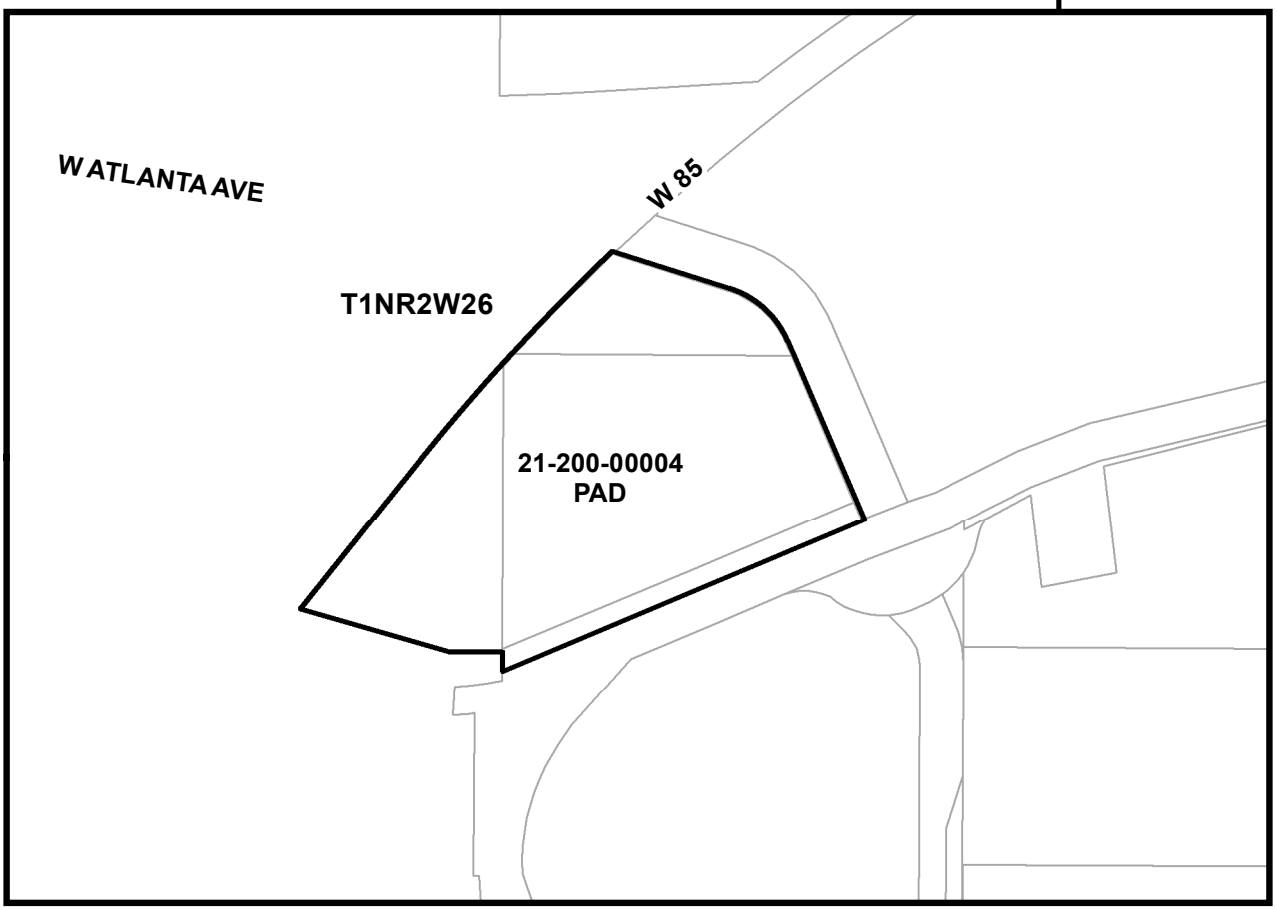


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A portion of the Southwest Quarter of Section 26,
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 AU TO PAD	21-200-00004	August 2021

EXHIBIT 'B'

LAKIN PARK BUNGALOWS
LEGAL DESCRIPTION

A portion of land being situated within the Southwest Quarter of Section 26, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found 2 inch brass cap accepted as the South Quarter corner of said Section 26 from which a found 1/2 inch rebar accepted as the Southwest corner thereof bears North 89°44'33" West, 2,647.68 feet;

Thence North 89°44'33" West, 1198.62 feet along the south line of the Southwest Quarter of said Section 26;

Thence leaving said south line, North 00°12'37" East, 1818.04 feet to the **POINT OF BEGINNING;**

Thence North 00°12'37" East, 51.52 feet;

Thence North 89°41'46" West, 140.81 feet;

Thence North 74°00'29" West, 401.81 feet to the southeasterly Right of Way line of MC 85;

Thence the following two (2) courses along said southeasterly Right of Way line:

Thence North 38°54'49" East, 496.86 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 5679.58 feet;

Thence northeasterly along said curve, through a central angle of 07°27'28", an arc length of 739.26 feet to a point on the southwesterly line of that certain parcel of land described as Exhibit A-1 item F00282 in recording no. 2013-0542642, Maricopa County Records, Arizona;

Thence the following three (3) courses along said southeasterly Right of Way line:

Thence South 72°25'25" East, 322.10 feet to the beginning of a tangent curve, concave southwesterly, having a radius of 241.50 feet;

Thence southeasterly along said curve, through a central angle of 49°13'34", an arc length of 207.49 feet to a tangent line;

Thence South 23°11'52" East, 508.12 feet to a point on the northerly Right of Way line of the Buckeye Canal as described in Book 122 of Deeds, Page 167, Maricopa County Records, Arizona;

Thence the following two (2) courses along said northerly Right of Way line:

Thence South 67°25'07" West, 458.59 feet;

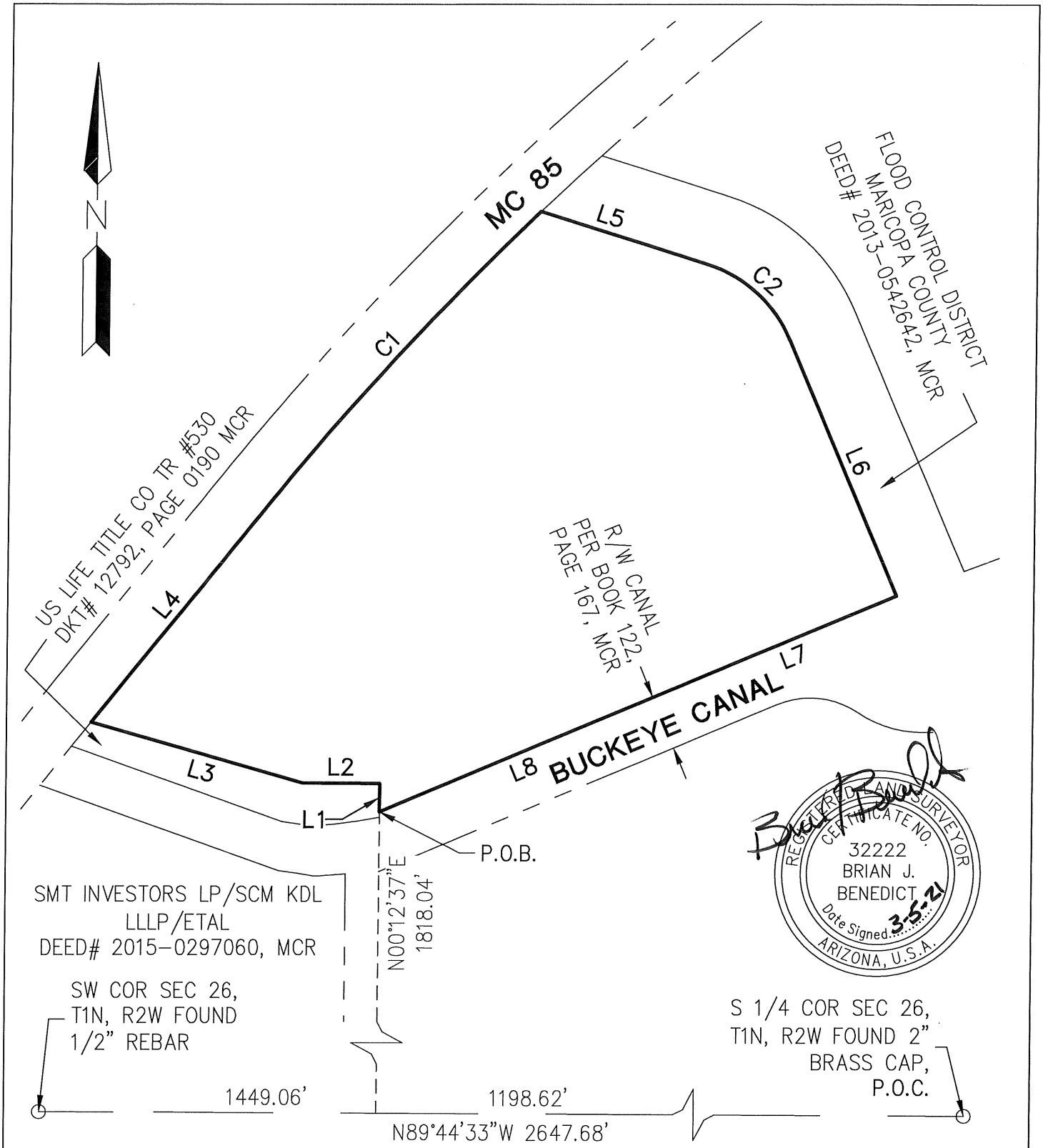
Thence South 67°14'37" West, 562.25 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 880,995 sq. ft. (20.2249 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1981
Date: February 2021

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
32222
BRIAN J.
BENEDICT
Date Signed 3-5-21
ARIZONA, U.S.A.



P.O.B. – POINT OF BEGINNING
P.O.C. – POINT OF COMMENCEMENT

PROJ.NO.: 1981	LAKIN PARK BUNGALOWS BOUNDARY GOODYEAR, ARIZONA	HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: FEB 2021		
SCALE: N.T.S.		
DRAWN BY: GS	EXHIBIT	
CHECKED BY: BJB		

©2021, HILGARTWILSON, LLC

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LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N00°12'37"E	51.52'
L2	N89°41'46"W	140.81'
L3	N74°00'29"W	401.81'
L4	N38°54'49"E	496.86'
L5	S72°25'25"E	322.10'
L6	S23°11'52"E	508.12'
L7	S67°25'07"W	458.59'
L8	S67°14'37"W	562.25'

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C1	5679.58'	7°27'28"	739.26'
C2	241.50'	49°13'34"	207.49'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
32222
BRIAN J.
BENEDICT
Date Signed 3-5-21
ARIZONA, U.S.A.

PROJ.NO.:	1981
DATE:	FEB 2021
SCALE:	NONE
DRAWN BY:	GS
CHECKED BY:	BJB

LAKIN PARK BUNGALOWS
BOUNDARY
GOODYEAR, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

©2021, HILGARTWILSON, LLC

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Exhibit C

Lakin Park Bungalows
PAD Overlay Book
August 2021

OVERVIEW

Lakin Park Bungalows is an approximate 20.2 gross acre Property providing for multi- family development.

PERMITTED USES

Multi-Family Zone -- Permitted Uses

The permitted uses for Multi-Family Residential MF-24 zoning district as set forth in the Zoning Ordinance shall apply to the Property except as modified below:

The following use is added as a principal permitted use:

Single-family for rent apartments

DEVELOPMENT STANDARDS

Multi-Family Zone -- Development Standards

The development standards for the Multi-Family Residential MF-24 zoning district as set forth in the City of Zoning Ordinance shall apply to the development of the Property except as the minimum rear yard setback which will be 20' per this PAD overlay. All required setbacks fronting onto public streets shall be entirely landscaped except for necessary driveways and walkways. Parking is not permitted within the required setback area, including driveway area.

Application of Zoning Ordinance

All applicable standards standards and requirements set forth in the Zoning Ordinance, including, but not limited to, property improvement standards, City of Goodyear Design Guidelines, parking requirements, sign regulations and lighting requirement shall apply to the development of the Property except as modified with this PAD Overlay.

Multi-family (MF-24)

If the multifamily parcel develops with a single family for rent product, the following additional design guidelines shall apply:

- Three different exterior paint color schemes shall be provided.
- Three different roof colors shall be provided.

ORDINANCE NO. 2021-1517

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, REZONING APPROXIMATELY 20 ACRES OF LAND LOCATED SOUTH OF MC-85, WEST OF SOUTH COTTON LANE FROM PLANNED AREA DEVELOPMENT (PAD) AND AGRICULTURAL URBAN (AU) TO A MULTIFAMILY RESIDENTIAL USE WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, the City has received a request rezone approximately 20 acres of property generally located south of MC 85, west of South Cotton Lane, as legally described in that certain document titled "Lakin Park Bungalows Legal Description" and as shown on that certain document titled "Official Supplementary Zoning Map No. 21-04," both documents having been declared a public record by Resolution No. 2021-2178, and which documents are referred to made a part hereof as if fully set forth in this Ordinance (the "Property"); and

WHEREAS, approximately 2.8 acres of the 20 acre Property were annexed into the City of Goodyear in 2021 and is currently zoned Agricultural Urban (AU), approximately 2 acres were annexed in 1983 and zoned Agricultural Urban (AU), and the remaining approximate 15 acres were annexed in 1983 and zoned Planned Area Development (PAD) under the CP Lakin Park PAD Overlay in 2019; and

WHEREAS, the Property Owner ("Owner") is seeking to rezone the Property (the approximate 20 acres) to MF-24 Multi-Family Residential District with a PAD Overlay; and

WHEREAS, the Property is designated as 'Business and Commerce' in the Land Use Plan of the City of Goodyear General Plan (Goodyear 2025); and

WHEREAS, development of the Property as mutli-family residential is consistent with the Business and Commerce designation in the City of Goodyear General Plan; and

WHEREAS, a rezoning request requires public review and approval by the Planning and Zoning Commission and the City Council. The proposed amendment is in conformance with the General Plan and should not adversely impact the surrounding area; and

WHEREAS, public notice that this rezone was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on September 15, 2021, appeared in the Arizona Republic Southwest Valley edition on August 27, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 15, 2021, to consider the rezone of the Property, and the Commission voted 4-0 to recommend approval of the proposed rezoning; and

WHEREAS, public notice that this rezone of the Property, is to be considered and reviewed at a public hearing held before the City Council on September 27, 2021, appeared in the Arizona Republic Southwest Valley edition on August 27, 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 BEING REZONED

This Ordinance No. 2021-1517 applies to approximately 20 acres generally located south of MC 85 west of South Cotton Lane, as legally described in that certain document titled "Lakin Park Bungalows Legal Description" and as shown on that certain document titled "Official Supplementary Zoning Map No. 21-04," both documents having been declared a public record by Resolution No. 2021-2178, which documents are referred to made a part hereof as if fully set forth in this Ordinance (the "Property").

SECTION 2. REZONING

The Property is conditionally rezoned to MF-24 with a planned area development overlay by the adoption herein of that certain document titled titled "Lakin Park Bungalows PAD Overlay Book dated August 2021, declared a public record by Resolution No. 2021-2178, which is referred to and made part hereof as if fully set forth in this Ordinance (hereinafter referred to as the "Lakin Park Bungalows PAD Overlay").

SECTION 3. STIPULATIONS

The rezoning of the Property is subject to the following stipulations:

1. The Property shall be developed in accordance with the requirements of the City of Goodyear Zoning Ordinance as it may be amended from time to time applicable to the Multi-Family Residential Zoning District MF-24, except as modified by the Lakin Park Bungalows PAD Overlay and as further modified by the stipulations herein; and

2. Article 9 of the Zoning Ordinance imposes certain requirements applicable to development within the vicinity certain specified state freeways. Council will be presented with a request to amend Article 9 to apply to all federal and state freeways, highways and expressways. Owner shall comply with the provision of Article 9 of the Zoning Ordinance as it may be amended in effect at the time of development; and

3. If alterations of the Floodplain are required for the development of the Property, a CLOMR shall be submitted to the City Engineer prior to or concurrent with the first preliminary plat for the Property by the Goodyear City Council. A CLOMR shall be submitted to and approved by the City Engineer or his/her designee prior to submittal of any final plat and/or civil construction drawings for development within the floodplain unless a CLOMR is not required as determined by the City Engineer, in which case Owner may proceed directly to LOMR which shall be submitted and approved by the City Engineer or his/her designee before the issuance of construction permits for work within the floodplain; and

4. No final plat shall be recorded, no site plan approved and/or no construction permits issued until Owner has provided the City with all approvals and/or easements from jurisdictions or parties whose property interests will be impacted by the development contemplated by such final plat, site plan and/or construction permit. This includes, but is not limited to, approvals and/or easements that may be needed from Maricopa County Department of Transportation, Buckeye Irrigation District, and the Flood Control District of Maricopa County. All required approvals and easements shall be in a form acceptable to the City Engineer or his/her designee; and

5. The underground placement of all permanent utilities, excluding power lines 69 kV or larger, within the proposed development, and also those abutting the Development's portion of perimeter arterial streets per phase prior to issuance of the first Certificate of Occupancy, including those for model homes; and

6. With respect to the existing power poles located along the western boundary of the Property, all existing power lines on such power poles shall be placed underground and rerouted to the PUE along the front of the affected lots except that the crossings over the BID Canal, the Maricopa County Flood Control drainage channel and the APS Palo Verde water line do not need to be undergrounded but may cross over such improvements; and

7. Owner shall dedicate, lien free, at no cost to the City, and in a form acceptable to the City Attorney or his designee, all easements as required in applicable development regulations. Except as otherwise approved in a written phasing plan approved by the City Engineer or his/her designee in his/her sole discretion, such dedications shall be made at the earlier of the following: prior to the recordation of any final plat that includes the easement area to be dedicated; prior to the issuance of the first civil construction permit within the Property; or when requested by the City Engineer or designee. If a written phasing plan has been approved by the City Engineer of his/her designee the dedication required herein shall be made at the time prescribed in the phasing plan; and

8. Owner shall dedicate, lien free and at no cost to the City or to MCDOT as determined by the City Engineer, all additional right-of-way that MCDOT requires to be dedicated along the portion of the Property fronting MC85; and

9. The references to specific obligations that are addressed in the City's Development Regulations, which include but is not limited to, the requirements in the City of Goodyear Engineering Design Standards and Policies Manual, the City of Goodyear Subdivision Regulations and the City of Goodyear Zoning Ordinance, does not relieve Owner of complying with all applicable Development Regulations, even those Development Regulations that address the same matters set forth herein; and

10. 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. Owner shall construct, at Owner's sole cost all infrastructure identified in the approved Traffic Impact Analayis as being needed to support the development of the property. Owner shall dedicate at no cost to the City, the property required for the infrastructure identified in the approved Traffic Impact Analayis, which dedication shall be in fee, lien free, and unencumbered except as otherwise approved by the City Engineer.

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. 21-04," declared a public record by Resolution No. 2021-2178, and which is referred to and made a part hereof as if fully set forth in this Ordinance, and the "Official Supplementary Zoning Map 21-04," 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 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 8. EFFECTIVE DATE

This rezoning shall become effective at the later of the following: thirty (30) days from the date this Ordinance is passed and adopted by the Mayor and Council of the City of Goodyear and the date an Ordinance passed and adopted by the Mayor and Council of the City of Goodyear approving a Major General Plan Amendment designating the Property as Industrial and Business and Commerce becomes effective.

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, by a _____ vote, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

Aerial Photo Exhibit
Lakin Park Bungalows PAD
Case No. 21-200-00004

Drawn By: Alex Lestinsky
City of Goodyear Development Sevices Department
Date: August 19, 2021

N

CP LAKIN PARK PAD AMENDMENT

Project Narrative

Proposed PAD Amendment to the CP Lakin Park PAD to add approximately 4.8 acres of vacant land into the CP Lakin Park PAD boundary area to facilitate future multi-family development

Submitted by:

RVi Planning + Landscape Architecture
Mark Reddie
120 South Ash Avenue
Tempe, AZ 85281
Phone: (480) 994-0994

Civil Engineer
George Krall
2141 E. Highland Ave
Phoenix, AZ 85016
Phone: (602) 730-3814

On behalf of:

PROJECT DESCRIPTION

RVi Planning + Landscape Architecture, on behalf of Advanced Acquisitions, LLC (an affiliate of Cavan Companies), is pleased to submit this PAD Amendment request to add approximately 4.8 acres of vacant land into the approved CP Lakin Park PAD (Ord #2019-1451) to facilitate the future development of a single family for rent proposal located west of the southwest corner of MC-85 and Cotton Lane. The subject property is currently located in unincorporated Maricopa County (APN# 502-49-017E) and is contiguous to the approved CP Lakin Park PAD and the City of Goodyear jurisdictional boundary.

Upon annexation of the 2.8-acres of the total 4.8-acre parcel, the intent of the PAD amendment is to expand the boundaries of the CP Lakin Park PAD to include the entire 4.8-acre parcel and rezone from AU to MF-24 to match exactly the existing multi-family zoning and existing development standards within the CP Lakin Park PAD. This will allow for the additional property to be included in a future request for development of a professionally managed, single-family detached and duplex gated community with one- and two-story rental homes designed in a cluster configuration on a single lot. The combined parcel would total 20.2 acres to be developed as part of the CP Lakin Park PAD MF-24 development standards.

This amendment is simply to expand the boundaries as shown by Figure 1 and Figure 2 below of the adjacent MF-24 parcel to include the existing exception parcel, and no other modifications to the existing CP Lakin Park PAD are requested at this time. All development standards will remain as approved by Ordinance 2019-1451 as outlined in the following sections.

Figure 1: Proposed Expanded PAD Boundary

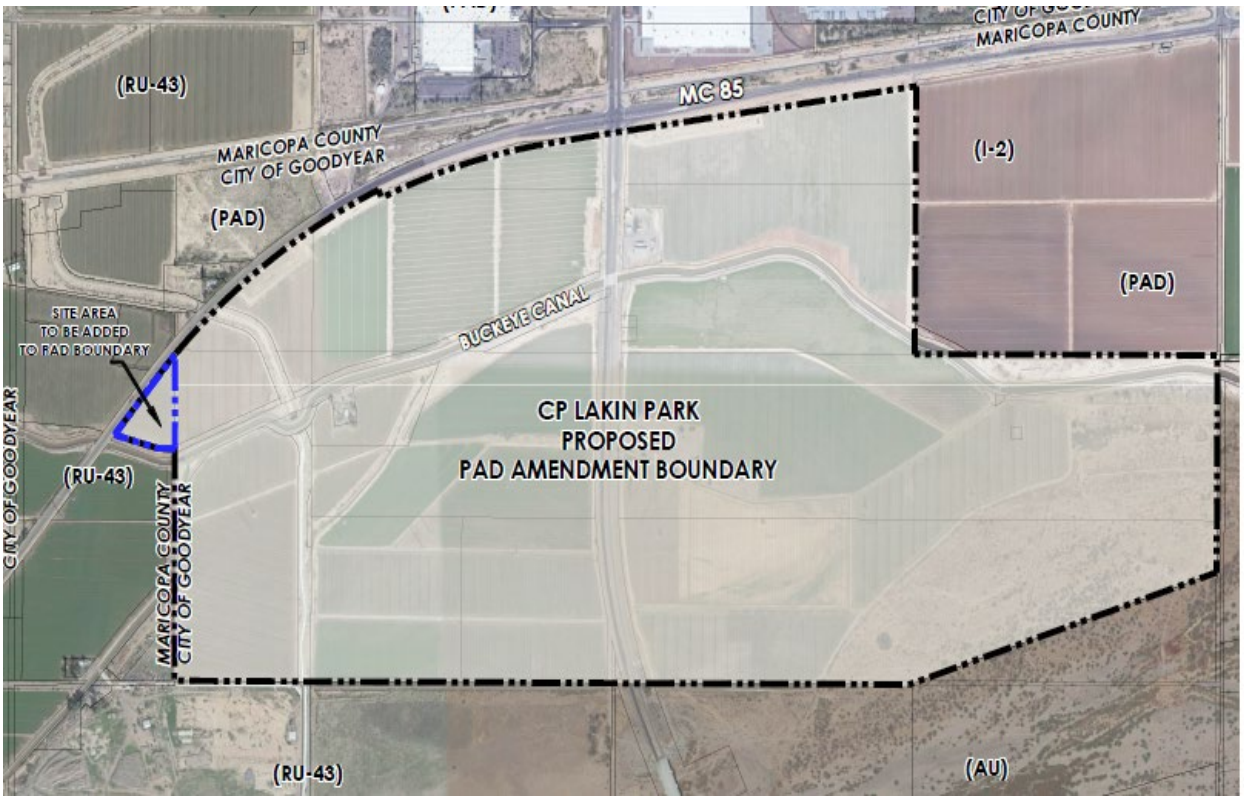
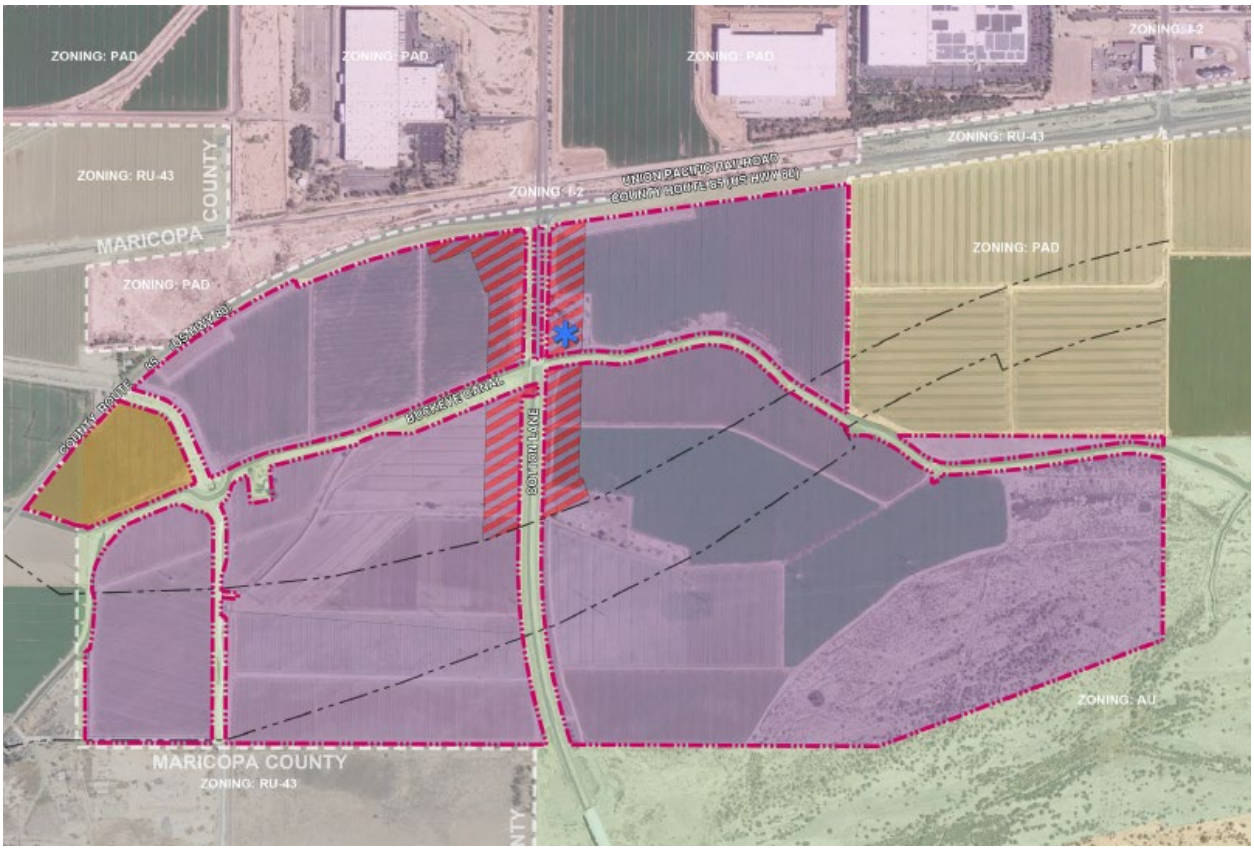


Figure 2: Proposed Amended PAD Zoning Map



The Flex Zone generally extends 300' on either side of Cotton Lane. The width increases on the northwest and southeast end to accommodate for access from MC 85 and conceptual site planning that has already occurred.

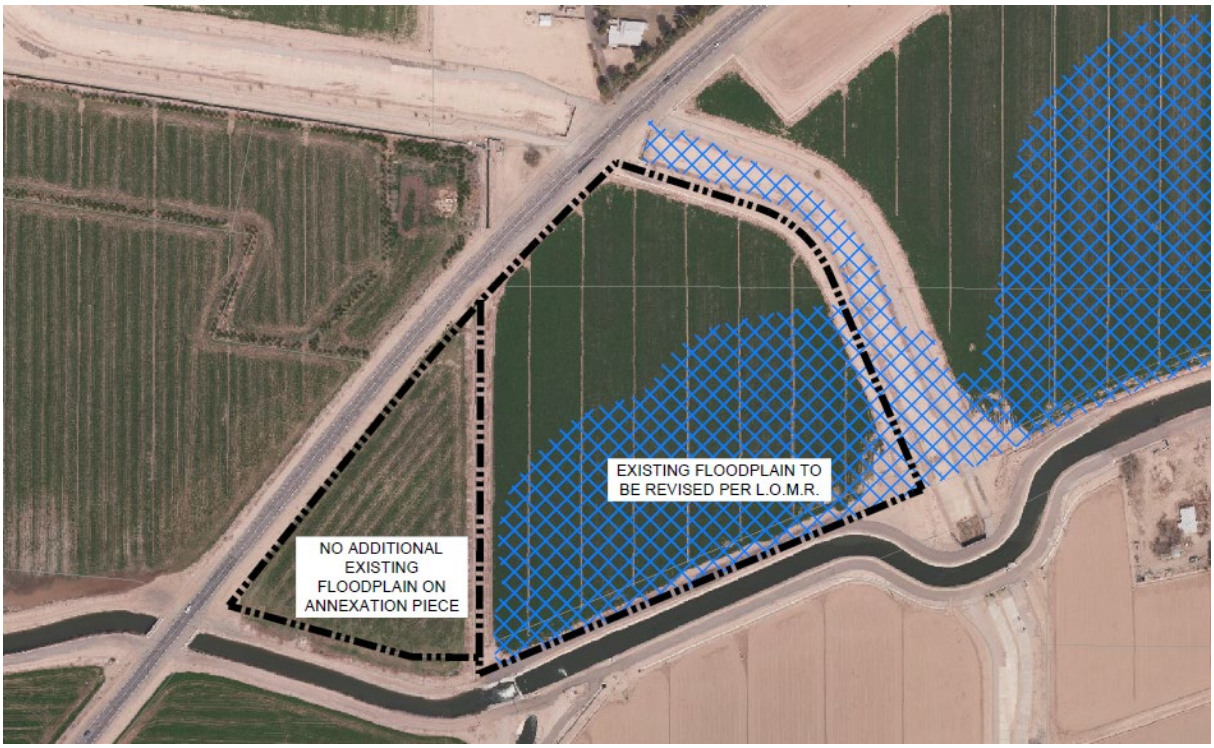
LEGEND

- PROPERTY BOUNDARY
- SR 30 ALIGNMENT
- POTENTIAL FIRE STATION LOCATION

CP LAKIN PARK	SITE DATA	
	ZONING	AREA
	MULTIFAMILY (MF-24)	20.2
	COMMERCIAL/INDUSTRIAL FLEX ZONE	35.3
	INDUSTRIAL	644.9
	TOTAL	700.4

While the floodplain does not impact the 4.8-acre site as part of this PAD Amendment, a LOMR is currently in process which impacts the adjacent property (APN#502-49-007H) by removing this area out of the floodplain as shown by Figure 3 below. The LOMR will be completed before future development commences on the overall combined approximately 20.2 acre MF-24 property.

Figure 3: Proposed Floodplain to Be Revised Per LOMR



CONFORMANCE WITH SECTION 1-3-1 D ZONING ORDINANCE AMENDMENTS

The Zoning Ordinance identifies specific criteria in Section 1-3-1 D that staff and the Planning Commission is to use to evaluate rezoning applications. The following section provides an overview of how the proposed development meets the intent of the Zoning Ordinance.

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 recent approval of a Major General Plan amendment was processed prior to the approval of the CP Lakin Park PAD to change the land use from Neighborhood to Industrial and Business & Commerce on most of the Property. The proposed PAD amendment is consistent with the adjacent land uses defined by the General Plan and current development in the area as part of the approved CP Lakin Park PAD.

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

The current 4.8-acre addition to the approved PAD has relatively flat topography. All other features and constraints such as the major drainage channel along the eastern boundary, the Buckeye Canal along the southern property line and the 300-foot-wide electrical easement with high tension overhead power lines approximately 350-ft south of the Canal and the Gila River do not impact the future development of this multi-family area as amended per this application.

Additionally, this 4.8-acre property is essentially a remnant parcel bounded by MC-85 to the north and west, the CAP Canal to the south, and the CP Lakin Park PAD to the west, and is a natural to be connected to the adjacent MF-24 parcel.

c. 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;

The subject Property is within the Territory in the Vicinity of a Military Airport notification area and a departure corridor for Luke AFB. The Property is located approximately 3.6 miles southeast of the 65 Ldn noise contour and, as such, is outside of the Luke AFB Graduated Density Concept (GDC). Notice and disclosure of this manmade environmental condition will be required as part of the development review process. This site and proposed zoning is compatible with the adjacent property, and is intended to be combined into a single parcel with the parcel to the east upon development.

d. 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;

The addition of the 4.8-acre parcel to multi-family as part of the proposed amendment is consistent with the existing multi-family designation within the approved PAD. The annexation of the subject property and associated PAD amendment meets the intent of the existing PAD and conforms with the General Plan.

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;

The wide variety of new major companies that have or will soon be locating in Goodyear creates a considerable demand for additional industrial and employment centers. This Property, at the intersection of Cotton Lane and MC 85 and the planned SR 30, is in an ideal location to accommodate this demand. As means of supporting the influx of future employment in the area, housing options including single family for rent style bungalows provides necessary and diverse options for future residents.

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 as water supplies, water treatment, storage, and distribution facilities, wastewater treatment recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;

As defined by the CP Lakin Park PAD, it was established that a maximum 2.5-acre parcel would be set aside for a future fire station if needed. While most of the Project will have industrial and commercial land uses and will have no effect on the local school districts, the multifamily parcel has an estimated density of up to 12 du/ac; thus, creating a range of approximately 228 residential units on 19.26 proposed acres.

School district boundaries are split along Cotton Lane through the development. West of

Cotton Lane is the Liberty Elementary School District and Buckeye Union #201 School District. Calculations for the anticipated impact on the school districts are shown below.

School District	# of Residential Units	Student Ratio	# of Students
Liberty Elementary School District	228	0.30 Students/Unit	68
Buckeye Union #201 High School District	228	0.19 Students/Unit	43
Total			111

In general, the primary access driveway location and spacing should follow MCDOT Roadway Design Manual Section 7.9. The design of the driveway should follow Section 4.1.4.E. of the City of Goodyear Engineering Design Standards and Policies Manual.

The proposed potable water system design consists of extending the existing 16-inch water main along the MC-85 to the west along the Project's northern boundary. In addition, a 10-inch water main is proposed to connect the east side of the Project to the proposed 10-inch water main in the adjacent Parcel 2 development. Both the 16-inch main to the north of the Project and the 10-inch main to the east of the Project will connect to the existing 30-inch main within Cotton Lane. This 30-inch main within Cotton Lane is consistent with the City of Goodyear 2016 Integrated Water Master Plan (November 2016).

The onsite proposed wastewater system consists of 8-inch sewer mains that generally route wastewater to the Project's eastern boundary. The proposed offsite 8-inch sewer main will flow to the east to connect to an 8-inch sewer main proposed as part of the Parcel 2 improvements. The sewer mains continue to flow east to the proposed regional Lakin Park lift station, located near the southwest corner of Building A in Parcel 2. The City of Goodyear 2016 Integrated Water Master Plan (November 2016) shows the Rubbermaid Lift Station, located near MC-85 and Cotton Lane. It also shows the 12-inch gravity sewer main that extends east along MC-85. The infrastructure proposed as a part of this Project, along with the proposed Lakin Park lift station and force main along Cotton Lane (proposed as part of separate project/submittal) are not shown within the 2016 Integrated Water Master Plan (November 2016).

All other utilities such as fire, police, and emergency medical services, and trash collection services are proposed to be through the City of Goodyear government. No Pre-annexation Development Agreement is needed to accommodate this request as this parcel is within the City of Goodyear Service Areas and is in general conformance with the approved CP Lakin Park PAD.

g. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;

The CP Lakin Park development is within close proximity of all required infrastructure (see attached Engineering Reports). The Project will provide necessary onsite improvements to connect to the existing infrastructure in Cotton Lane and MC 85. In addition, the developer of the larger CP Lakin PAD is reserving a maximum 2.5-acre site along Cotton

Lane for a future City of Goodyear Fire Station if needed.

h. General public's concerns;

As previously approved, the CP Lakin Park PAD includes industrial, commercial, and multifamily uses and remains in general conformance with the approved PAD, including the area designated as Multi-family by the CP Lakin Park Land Plan. Notices will be sent to property owners within 500-feet of the property, any HOAs that are within the notice area, neighboring municipalities in the notice area, school districts, Luke AFB, ADOT, any identified stakeholders, and anyone who has requested to receive this type of notice, alerting them of this proposed PAD amendment. Any feedback received will be incorporated into the formal application.

i. Whether the amendment promotes orderly growth and development; and,

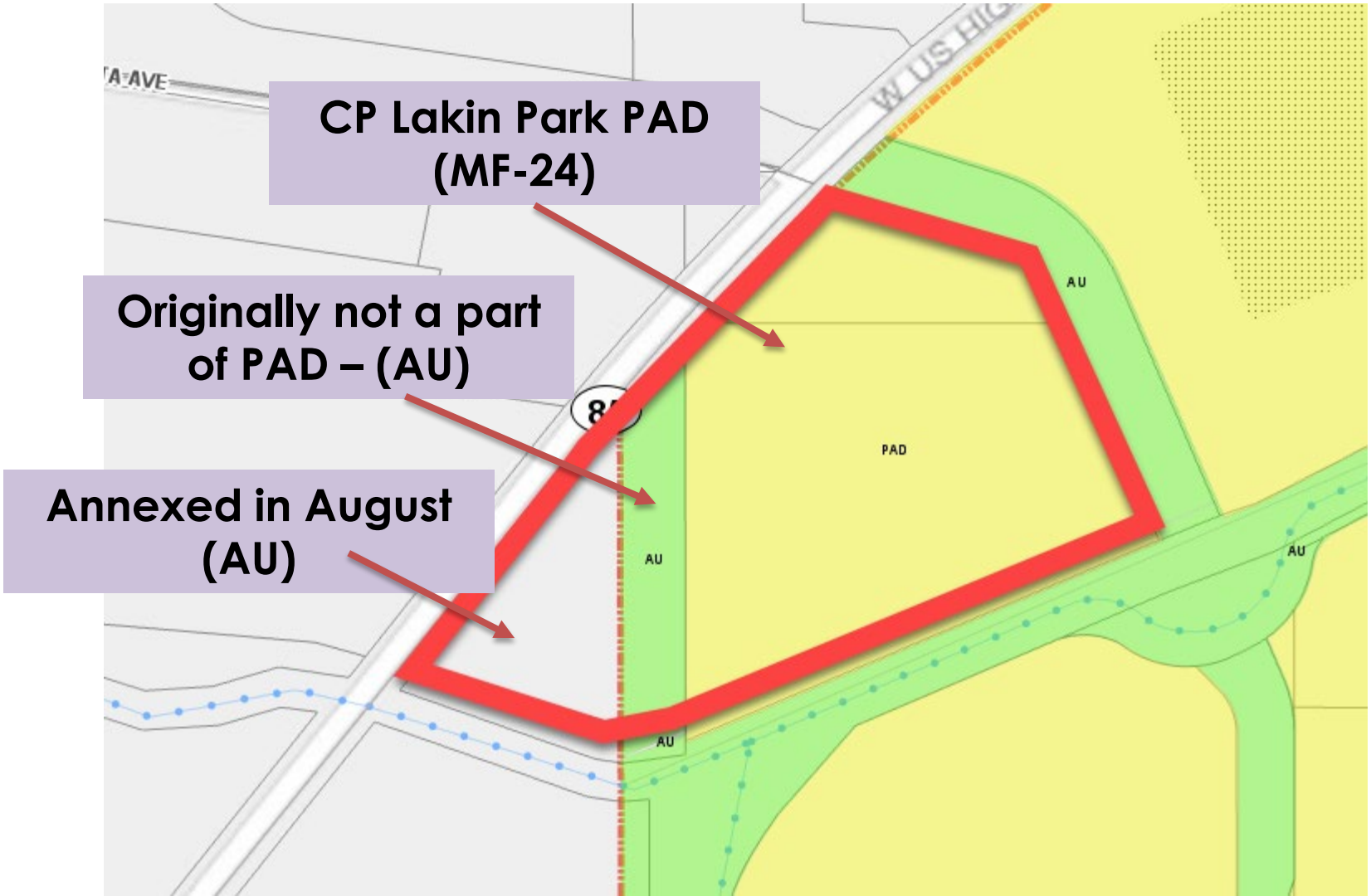
As this area continues to grow with commercial and industrial uses, this provides the opportunity for a diversity of housing options to accommodate future employees and City of Goodyear residents. The proposed amendment to include additional acreage lies immediately adjacent to the existing multi-family designation and will be zoned similar to the existing PAD and be in general conformance with the approved PAD.

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.

The project team has taken great care in evaluating the need for this amendment and ensuring consistency with the approved PAD is achieved. The addition of the 4.8-acre parcel into the existing CP Lakin Park PAD does not significantly alter the intent of the approved PAD and provides additional acreage for more housing to support the future growth in this area.

Lakin Park Bungalows
PAD Rezone

Subject Property:
South of MC-85
West of Cotton Lane
~20 acres


CP Lakin Park PAD
(MF-24)
Originally not a part
of PAD – (AU)
Annexed in August
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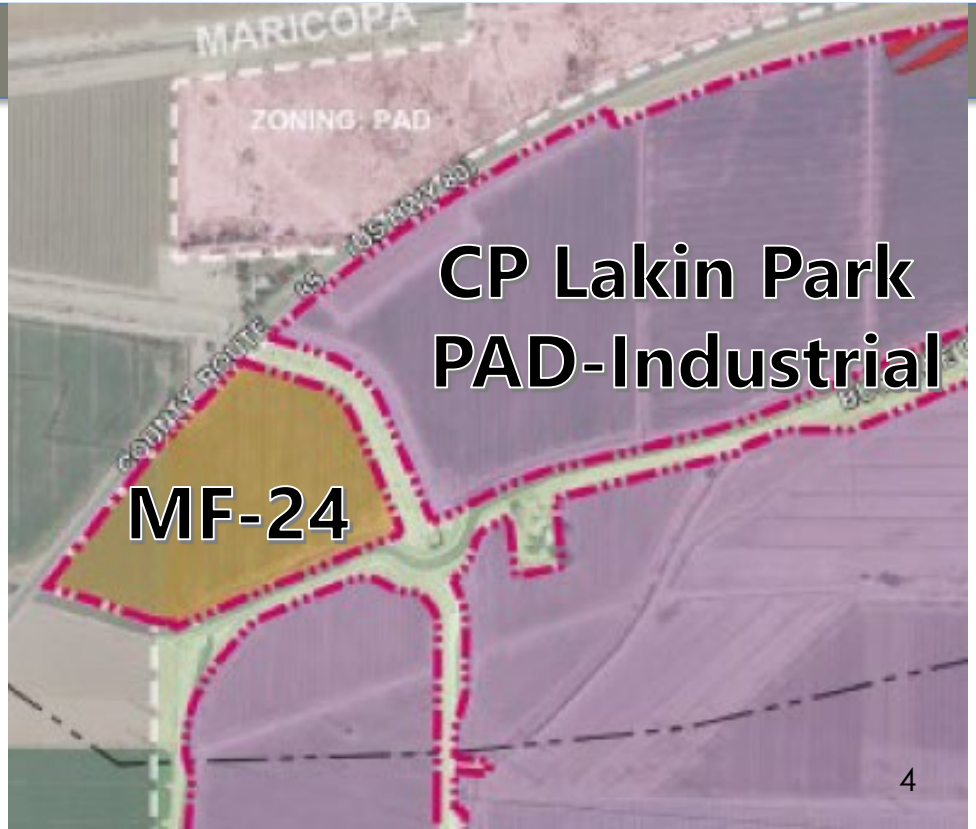
Request

LAKIN PARK BUNGALOWS PAD

- Rezone property to MF-24 with PAD Overlay.
- Consistent with what was approved with MF district in CP Lakin Park PAD (2019)



PAD Overlay

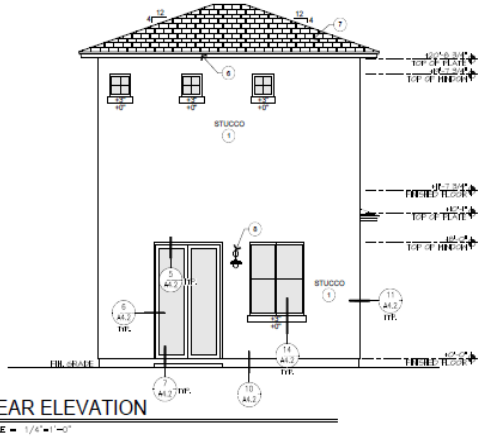
MF-24

- Allows single-family rentals
- Reduces rear yard setback from 30’ to 20’

Conceptual Site Plan

Conceptual Elevations – Ranch Style (1BR)

2-Story



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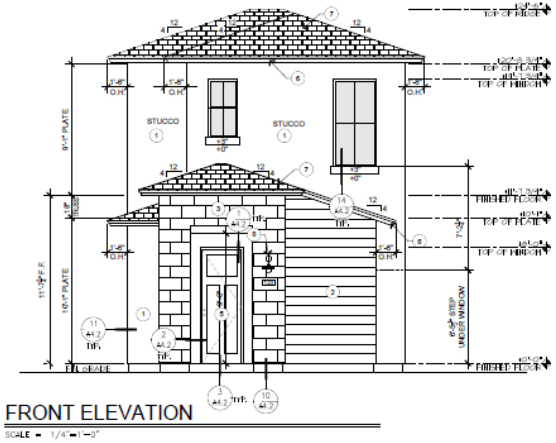

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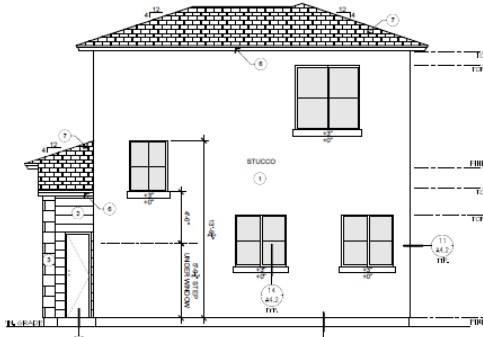

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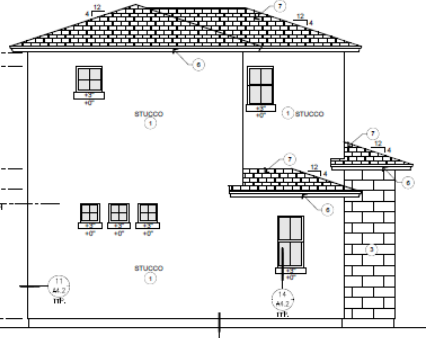

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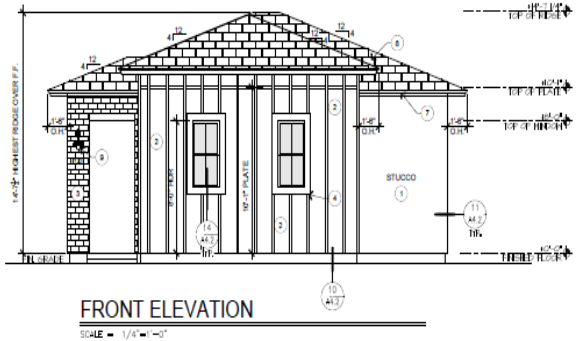
1-Story



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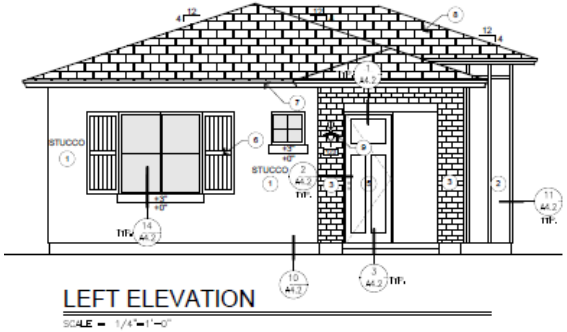

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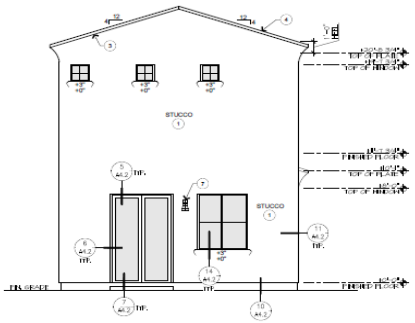
Conceptual Elevations – Spanish Style (1BR)

2-Story



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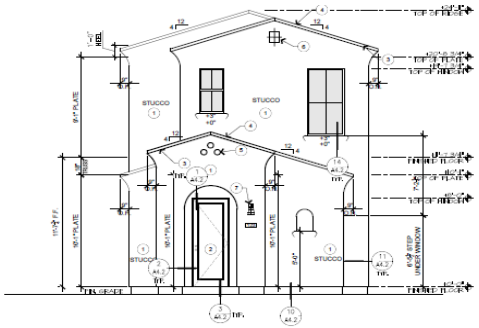

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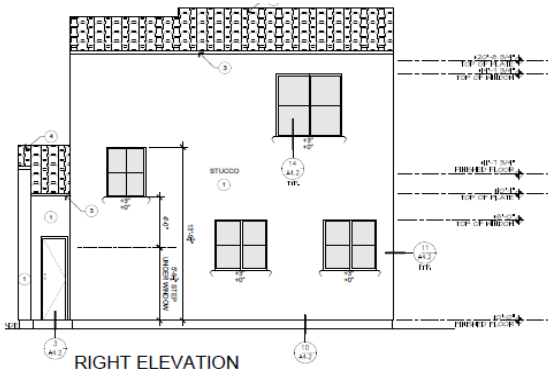

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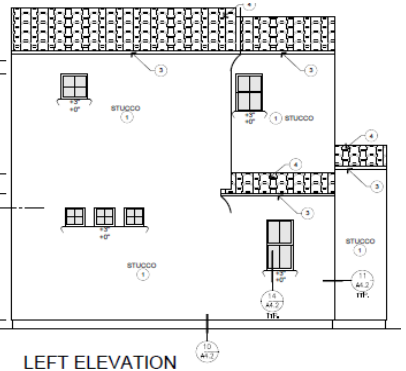

LEFT ELEVATION

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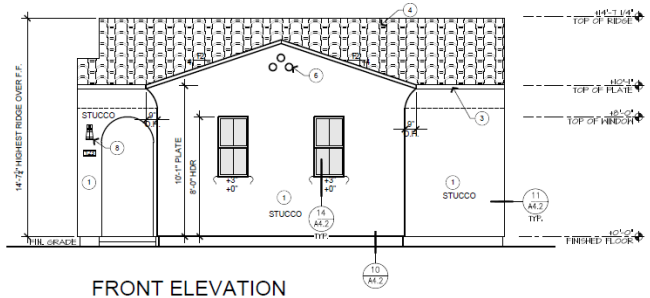
1-Story



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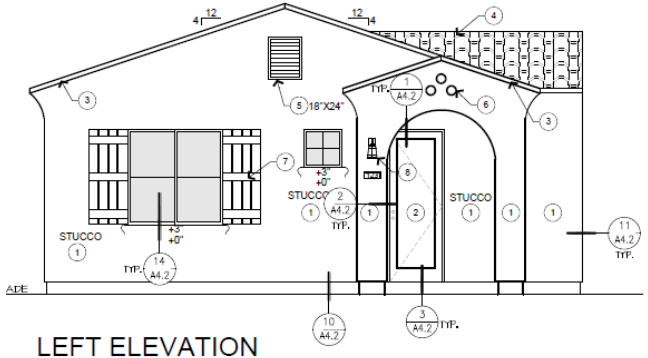

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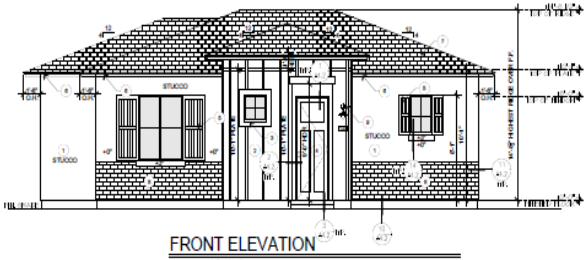
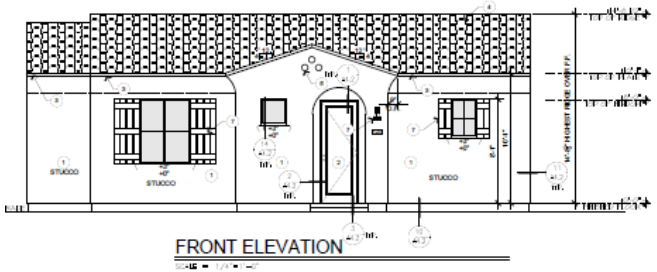
Conceptual Elevations – Ranch & Spanish (2BR)





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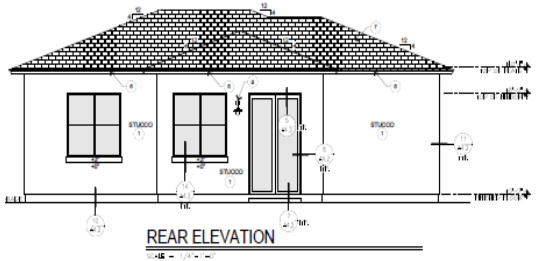
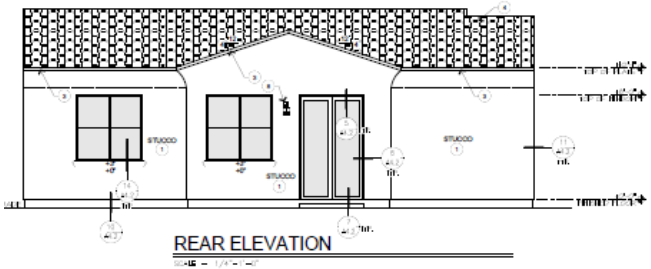
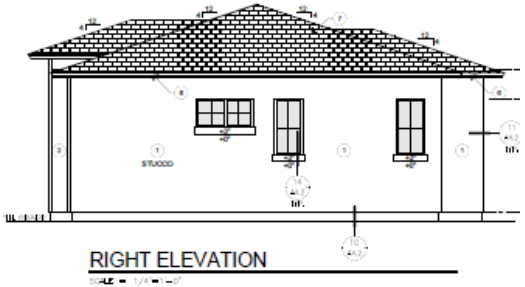
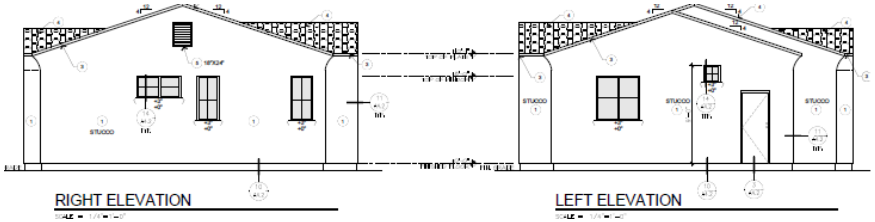


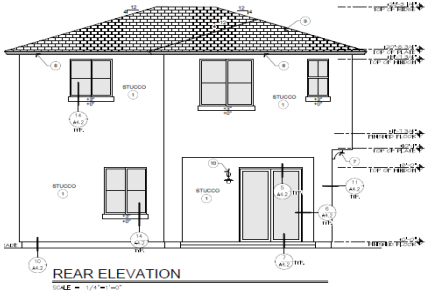


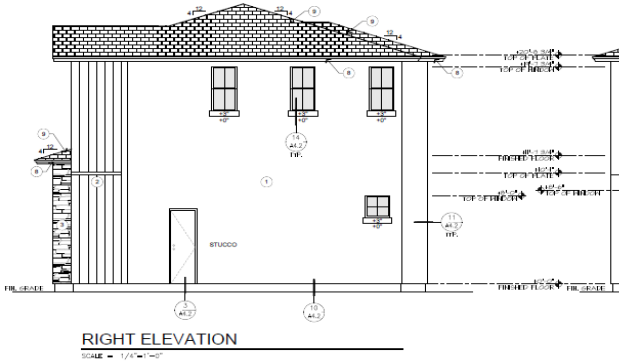


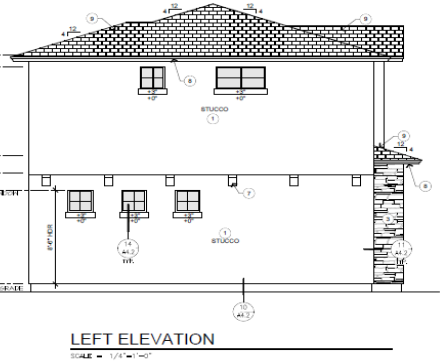


Conceptual Elevations – Ranch Style (3BR)

2-Story







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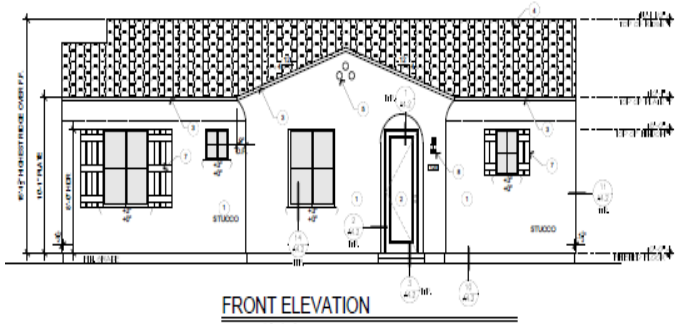
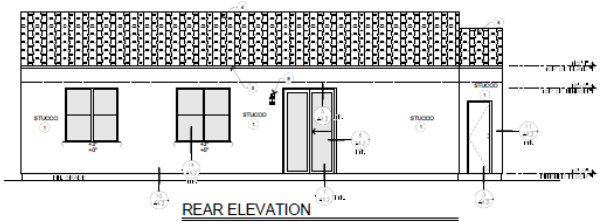
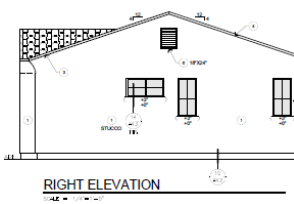
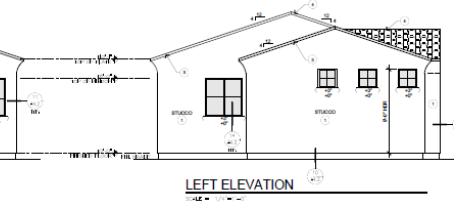


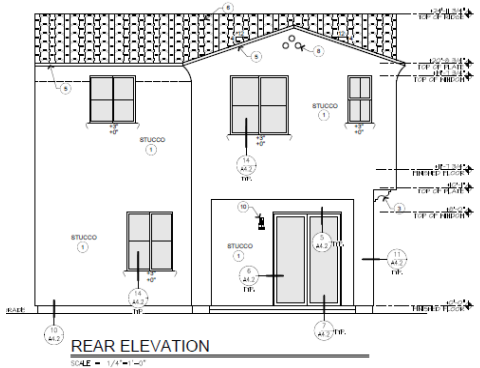


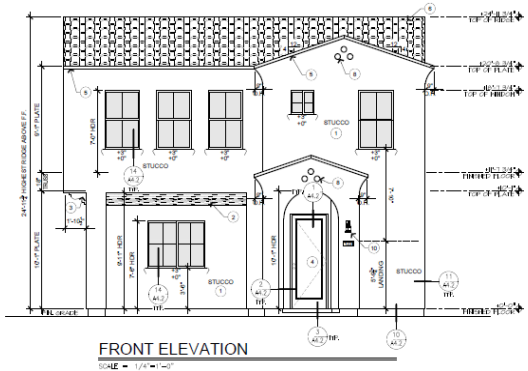


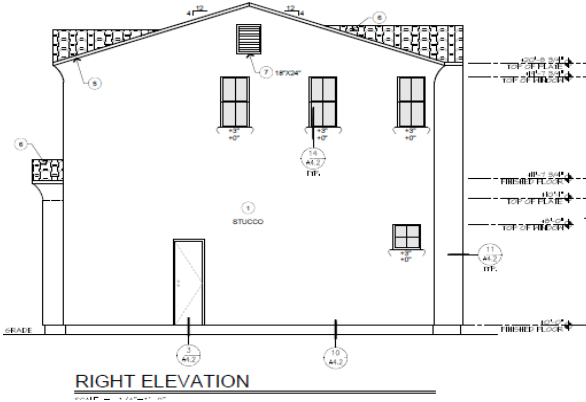


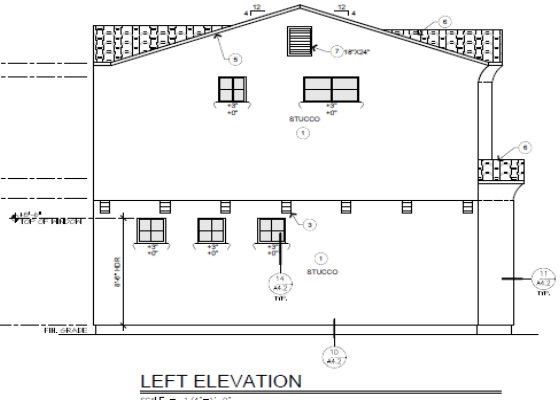
Conceptual Elevations – Spanish Style (3BR)

2-Story









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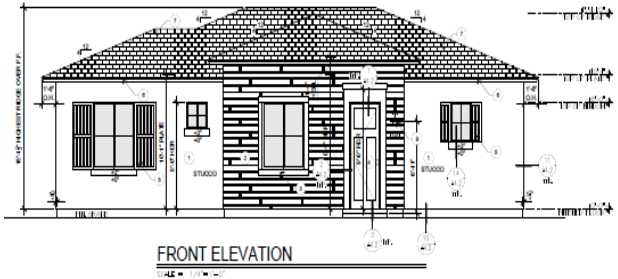
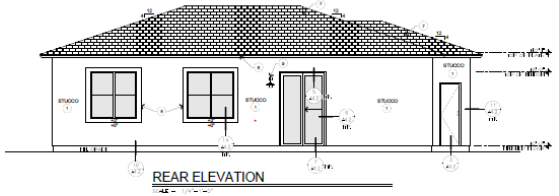
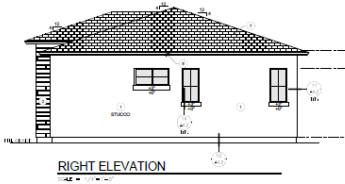
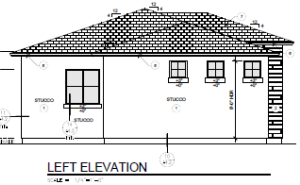








Public Comment

LAKIN PARK BUNGALOWS

- Alternative Citizen Review – no feedback received
- Planning & Zoning Commission hearing

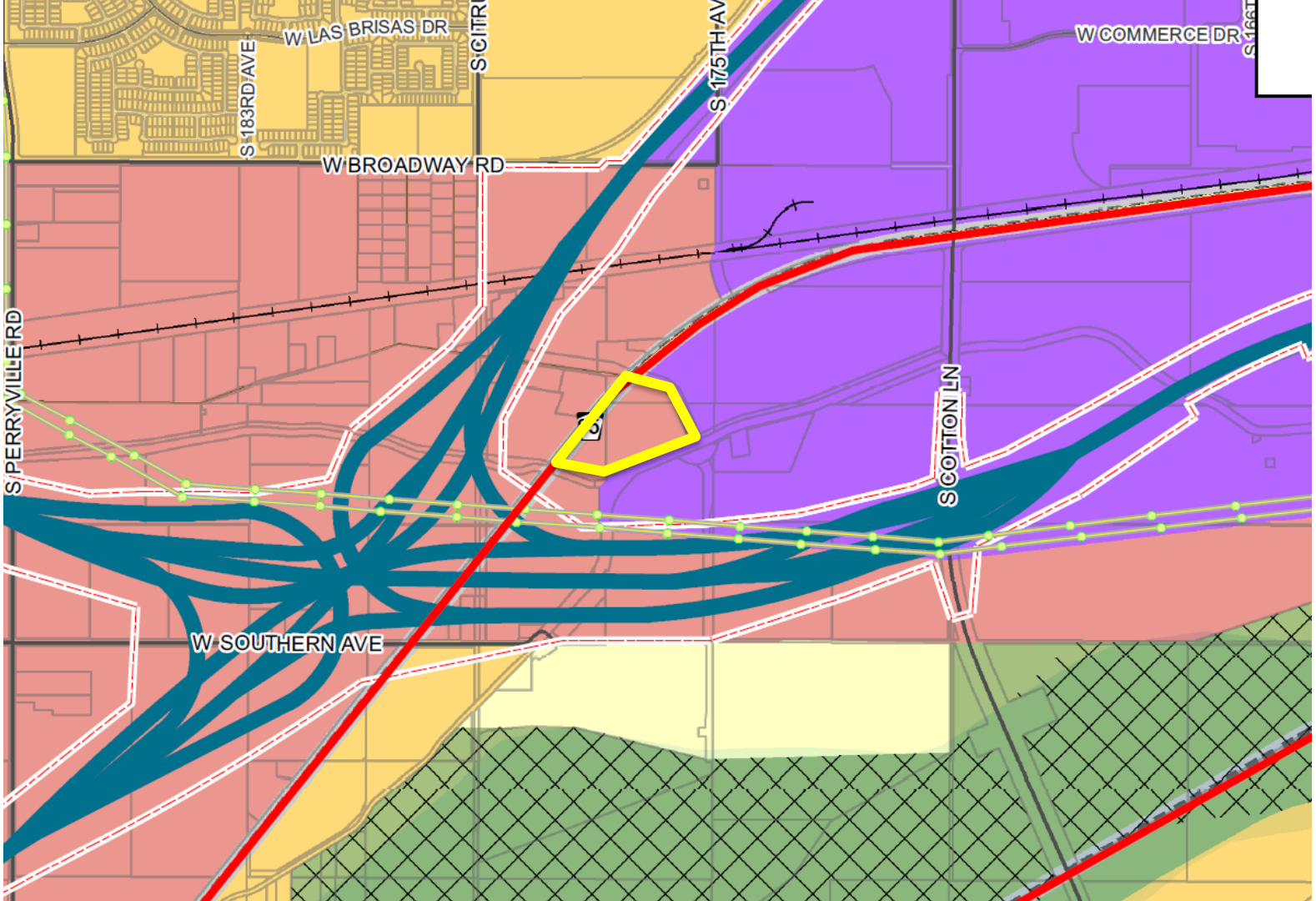
Recommendation

LAKIN PARK BUNGALOWS

- Rezone request meets General Plan, Zoning Ordinance and Engineering Standards
- PZC recommended approval 9/15/2021

Questions?

W LAS BRISAS DR
El Cidro
175TH AVE
Goodyear Crossing
Industrial Park
W BROADWAY RD
Citrus Rd
MC-85
Lakin Industrial
S COTTON LN
Subject
Property
County
W SOUTHERN AVE
Gila River


W LAS BRISAS DR
S 183RD AVE
S CITRUS
S 175TH AVE
W COMMERCE DR
W BROADWAY RD
S PERRYVILLE RD
S COTTON LN
W SOUTHERN AVE

the BUNGALOWS™

Lakin Park Bungalows PAD

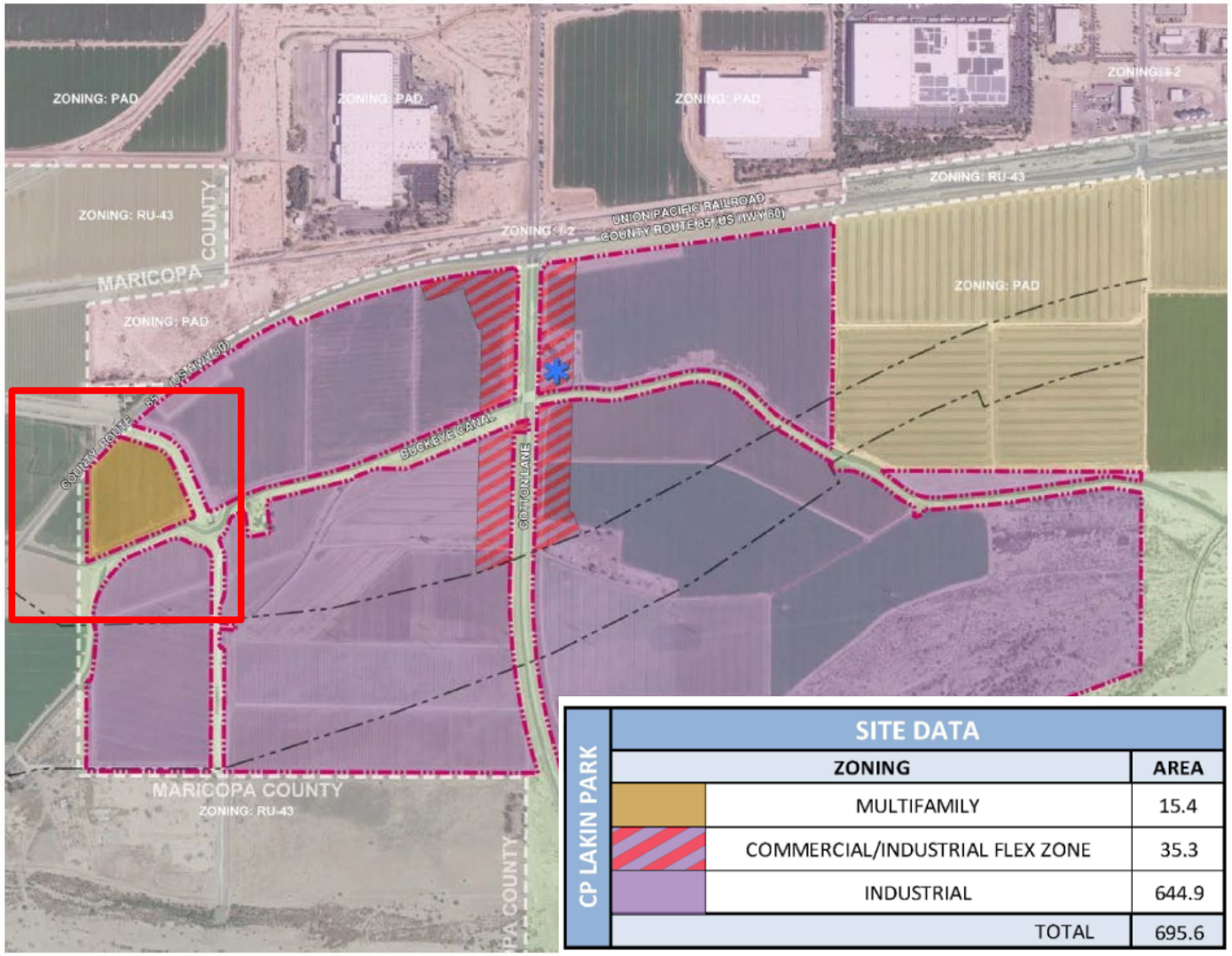
City Council Meeting

September 27, 2021

Lakin Park Bungalows PAD Amendment

City of Goodyear

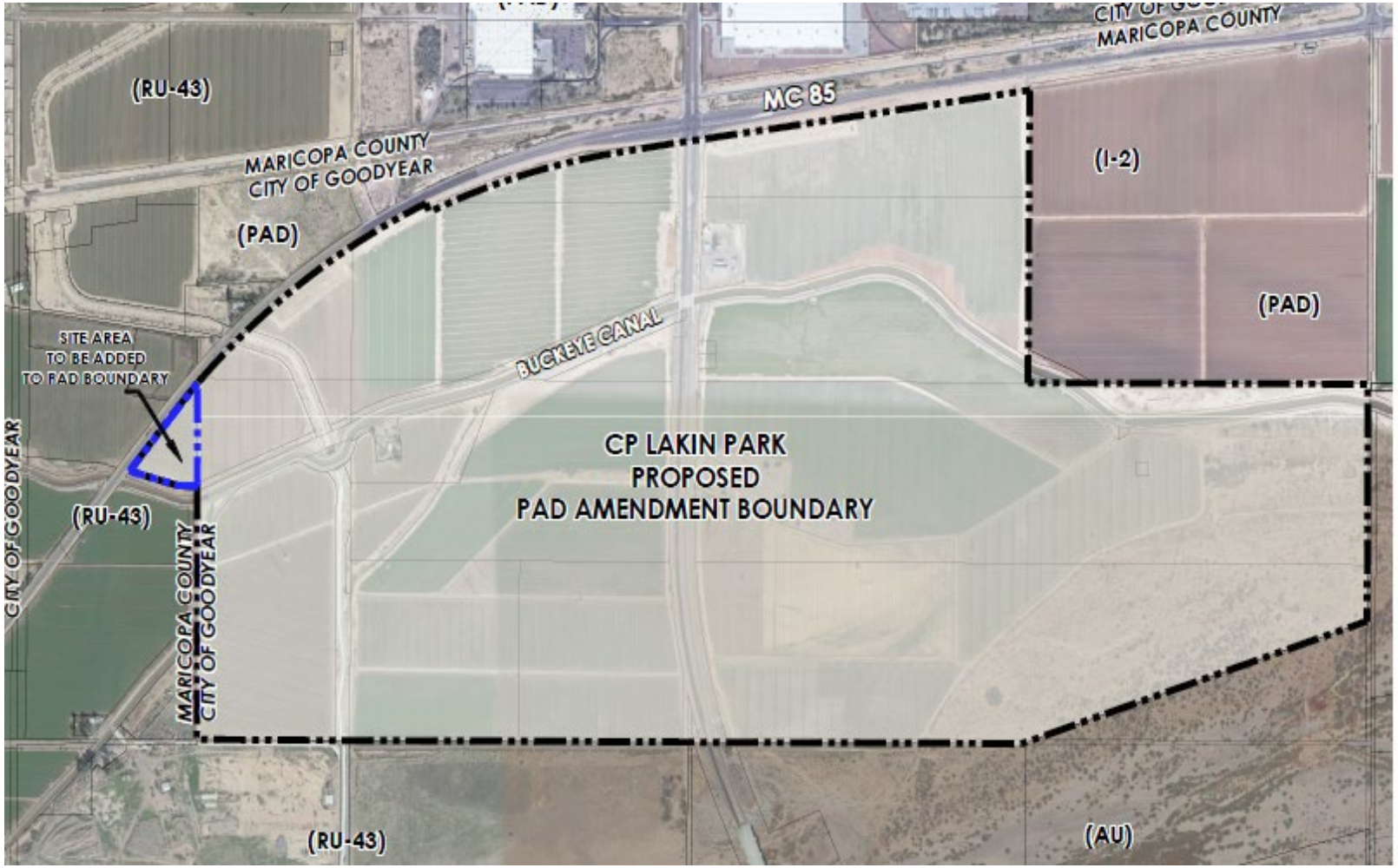
Existing Lakin Park PAD



CP LAKIN PARK	SITE DATA	
	ZONING	AREA
	MULTIFAMILY	15.4
	COMMERCIAL/INDUSTRIAL FLEX ZONE	35.3
	INDUSTRIAL	644.9
	TOTAL	695.6

- Approved in 2019 - Approximately 695.6 acres
- Existing Multifamily (MF) area within Lakin Park PAD intended for single family for rent
- MF was to be developed under MF-24 standards per existing Lakin Park PAD
- The existing MF portion is within City of Goodyear limits (shown by white dotted line)

Proposed Lakin Park PAD Amendment



- 4.8-acre parcel to be added into Lakin Park PAD
  - 2.8 acres of that parcel was recently annexed into City
- PAD Amendment rezones this 4.8-acres to MF-24 PAD
  - Match standards of the existing contiguous MF-24 zone
- Subsequent Site Plan & Design Review

Existing Approved PAD Development Standards

Table 1
Development Standards

		Multi-Family MF-24	Commercial C-2	Industrial I-2	PFD
Minimum site area		N/A	10,000 sq. ft.	1 acre	The PFD (Public Facilities District) standards shall apply to the development of a municipal fire station within the portion of the Property designated Commercial/Industrial Flex
Maximum density (du/ac)		24	N/A	N/A	
Minimum lot width (ft.)		100	150	150	
Minimum lot depth (ft)		N/A	N/A	200	
Maximum height (ft)		40	56	60/70 (6)	
Maximum building coverage (%)		50	50	50	
Minimum Project perimeter building setback (4) (5)	Front (ft)	30	30	30 (1)	
	Rear (ft)	20	N/A	20	
	Side (ft)	20	N/A	30 (2)	
	Total both sides (ft)	40	N/A	N/A	
	Street side (ft)	30	30	30 (1)	
Minimum internal building setback (ft)		10	N/A	N/A	
Minimum Recreational Open Space (3) (sq. ft./du)		400	N/A	N/A	

Footnotes:
(1) Buildings with heights in excess of 56 ft. shall provide 1 foot of additional setback for each foot of building height over 56 ft.
(2) Thirty (30) feet per side; provided that a ten (10) foot area adjacent to the property line be landscaped and maintained.
(3) Open Space requirements for the Multi-Family Zoning District in the Zoning Ordinance applies, and the definition of Recreational Open Space is currently codified at Section 3-2-5.B.a.
(4) Setbacks apply to the perimeter of Project and not between zoning districts or individual parcels.
(5) Required perimeter setback areas fronting onto public streets shall be entirely landscaped except for necessary driveways and walkways. Parking is not permitted within the required setback area, including driveway area.
(6) Maximum building height of seventy (70) feet shall be permitted for I-2 industrial developments located north of the SR-30 Freeway Corridor.

- City of Goodyear MF-24 PAD standards are 30’ for rear yard setback
- Lakin Park PAD rear yard setback is 20’
- Maintain all existing approved MF-24 standards, including 20’ rear yard setback

Site Plan Per a Separate Application

- One and two-story, residential luxury rental community
- Site Plan Features:
  - 19.8 net acre site
  - ~222 proposed units
  - Cluster configuration, varying rooflines
  - Front porches and private backyards
  - Gated community
  - Exceeds required parking
  - Looped circulation and parking
  - Primary access from MC-85
  - Decorative theme wall, view fencing
  - 20’ Perimeter setback adjacent to residential, tree in each backyard

Preliminary Proposed Elevations Details

- One story
  - 1BR – 726 sq. ft.
  - 2BR – 1033 sq. ft.
  - 3BR – 1273 sq. ft.

- Two story (< 25’ in height)
  - 1 BR - 866 sq. ft.
  - 3 BR - 1,586 sq. ft.

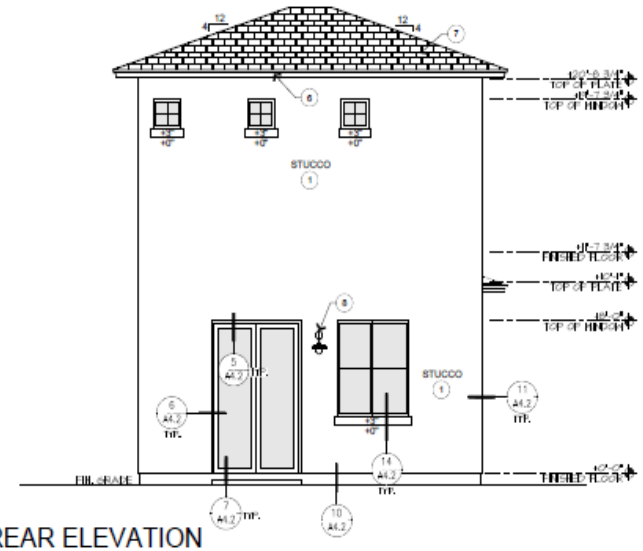
- 5 different floor plans, 2 elevation styles, 3 different color schemes (i.e. 30 possible combinations)

- Units proportionally distributed and oriented throughout site to add variety

- 4-sided architecture and multiple treatments
  - Sconce, shutters, stone/brick veneer, vents, wood, terracotta vents, window trim popouts, concrete tile roof, metal plank siding

Preliminary Proposed Elevations - 1BR Ranch Style

2-Story



REAR ELEVATION

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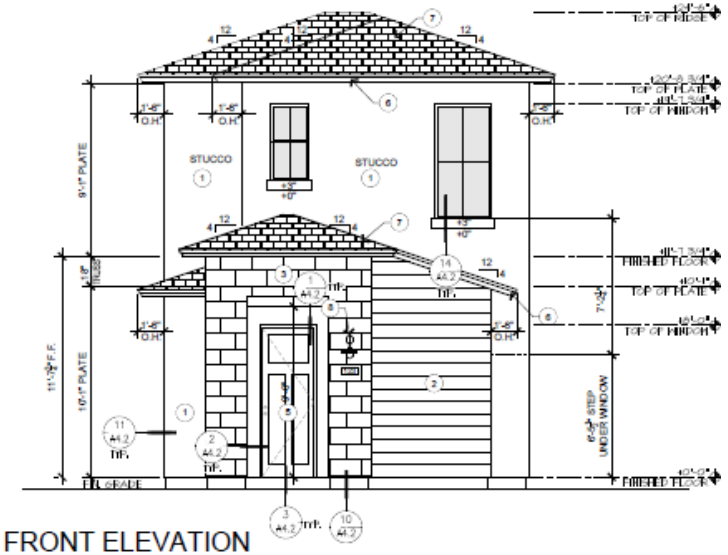

FRONT ELEVATION

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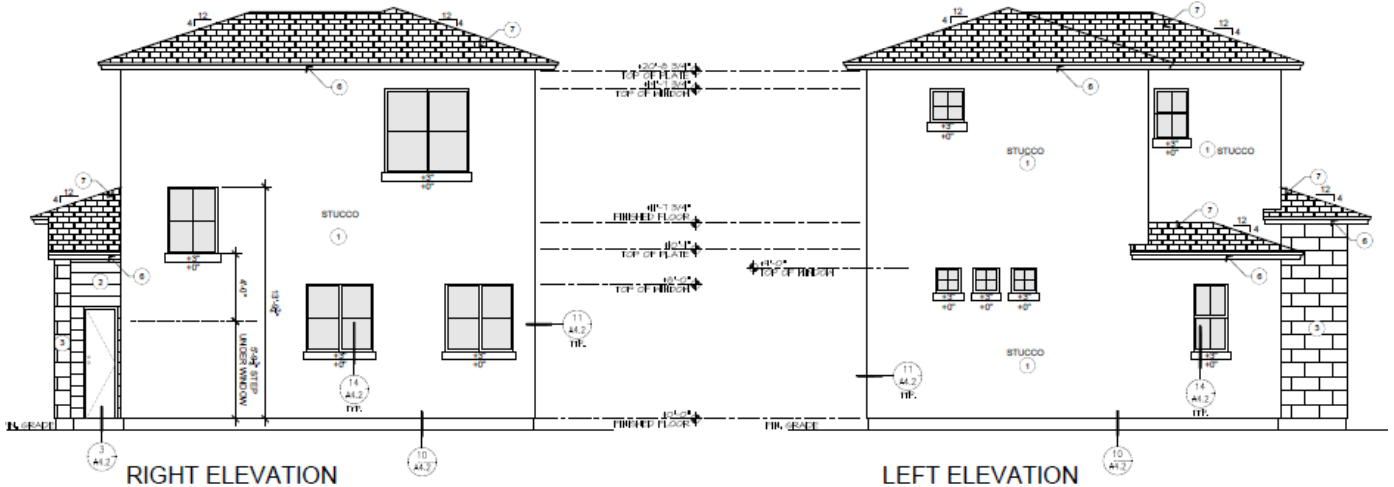

RIGHT ELEVATION

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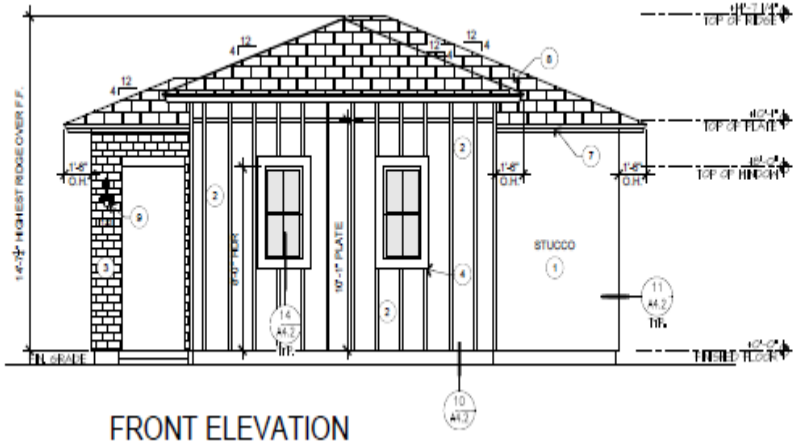
LEFT ELEVATION

SCALE = 1/4"=1'-0"

1-Story



FRONT ELEVATION

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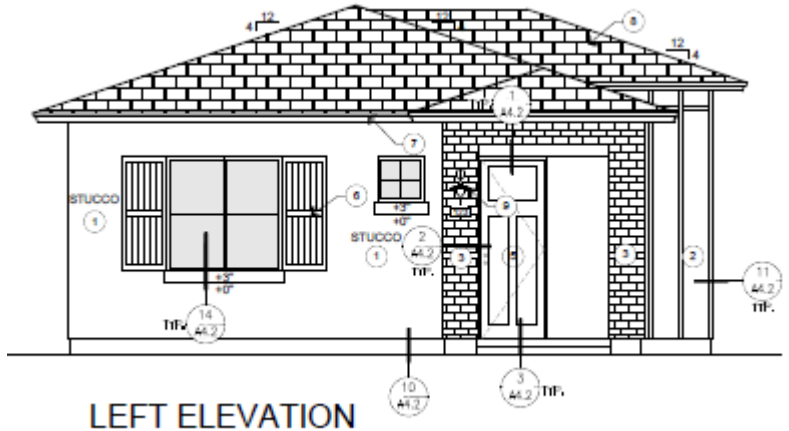

LEFT ELEVATION

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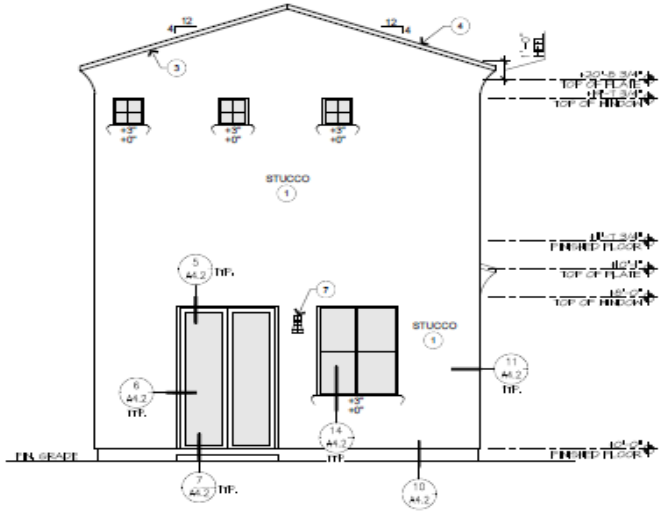
Preliminary Proposed Elevations – 1BR Spanish

2-Story



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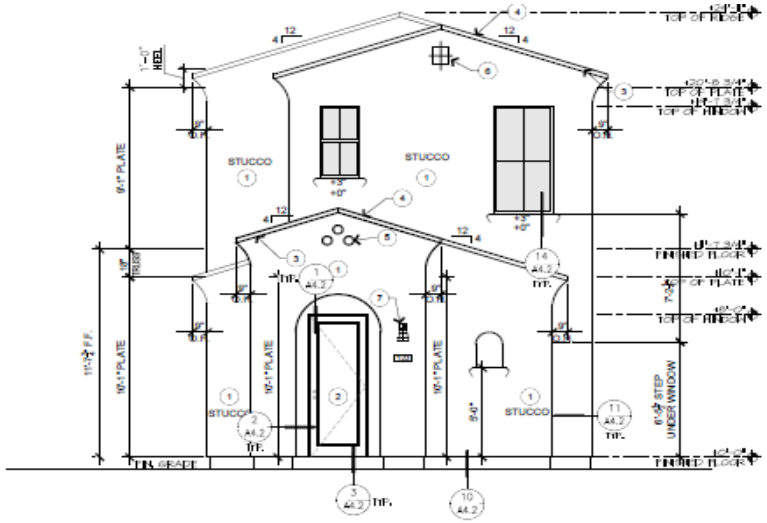

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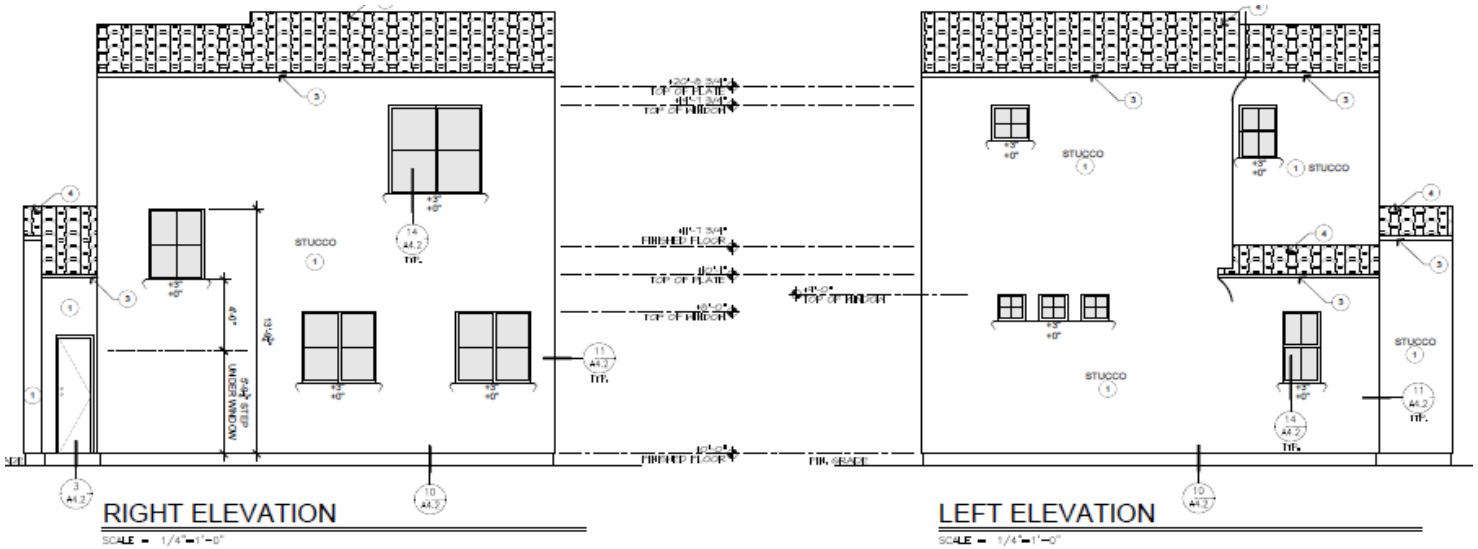

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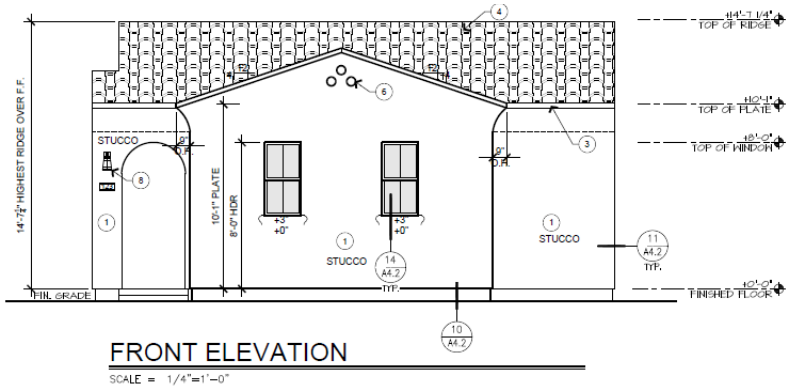
LEFT ELEVATION
SCALE = 1/4"=1'-0"

1-Story



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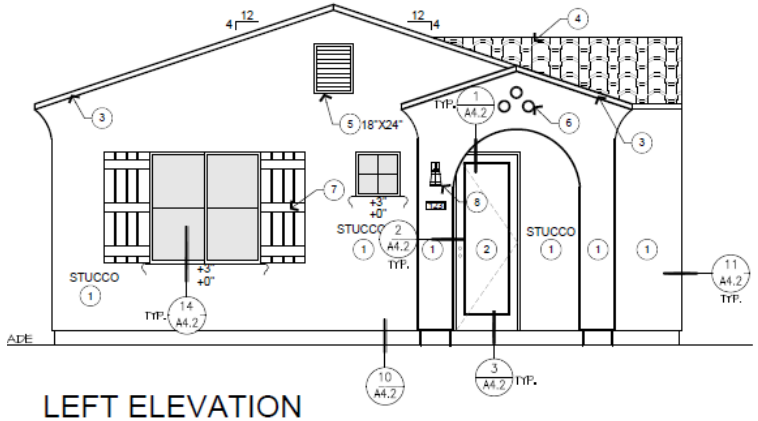

LEFT ELEVATION
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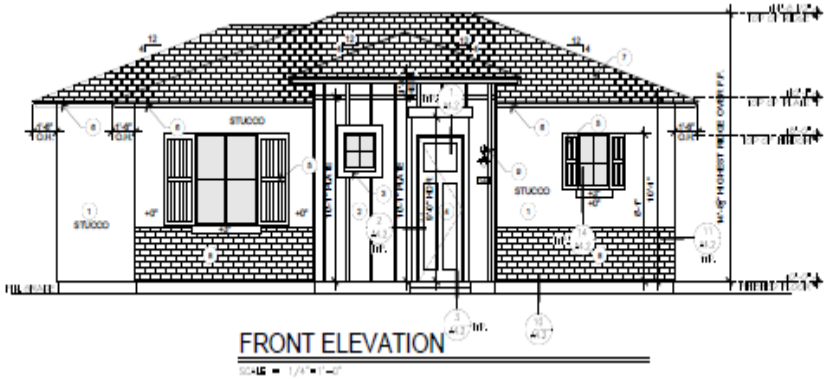
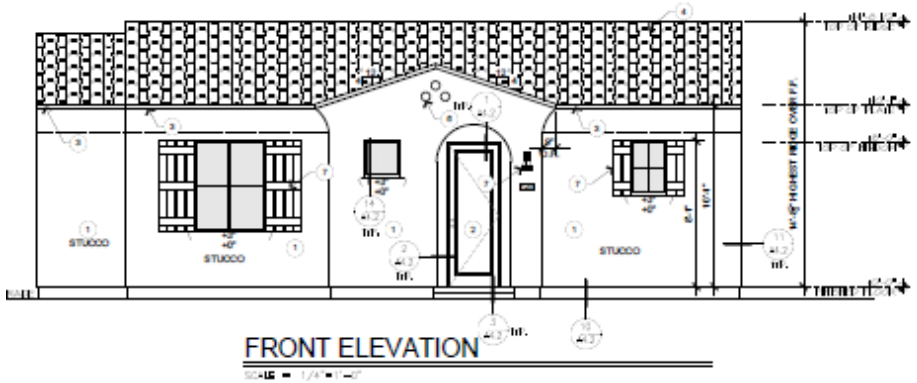
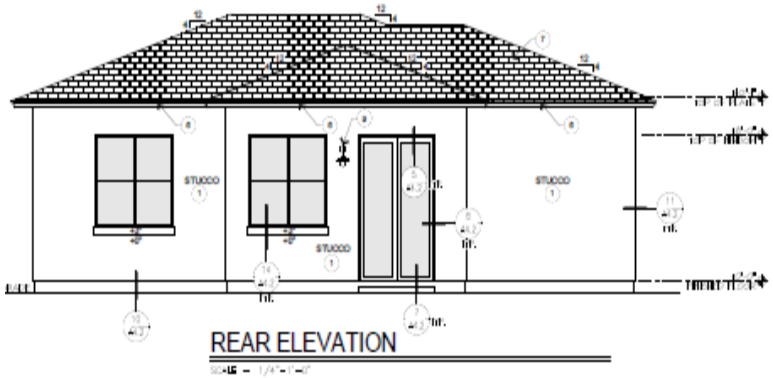
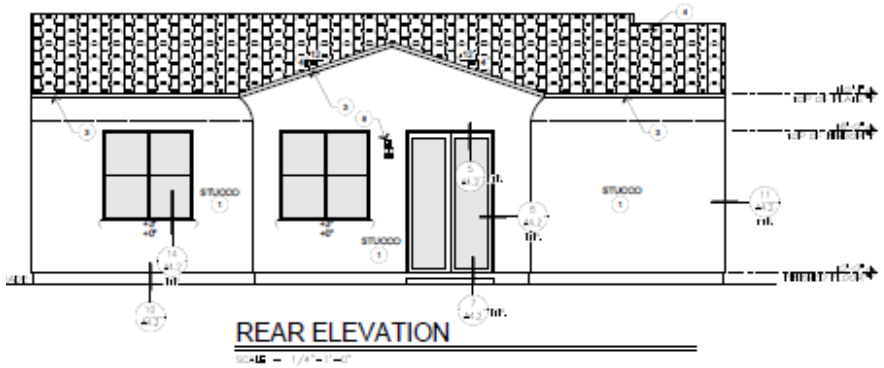
Preliminary Proposed Elevations – 2BR Ranch & Spanish

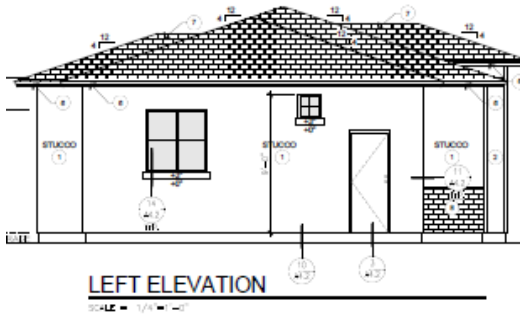
1-Story Only

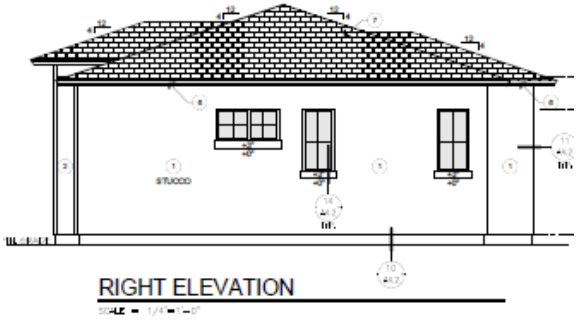


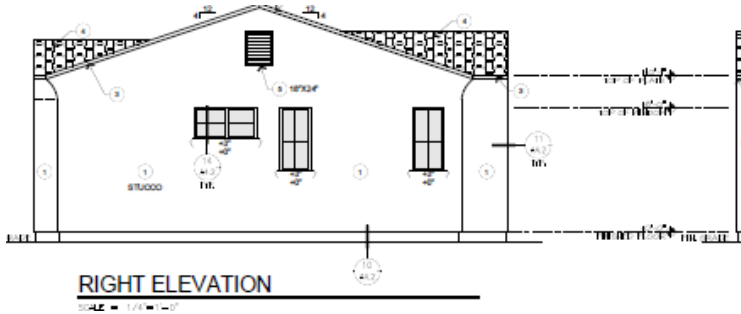


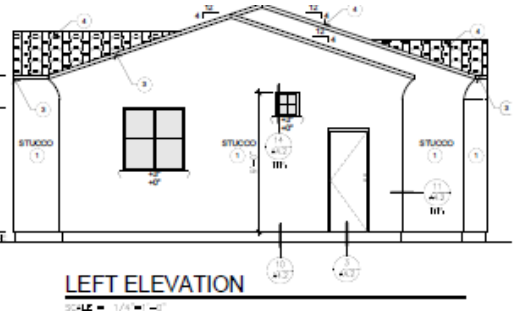






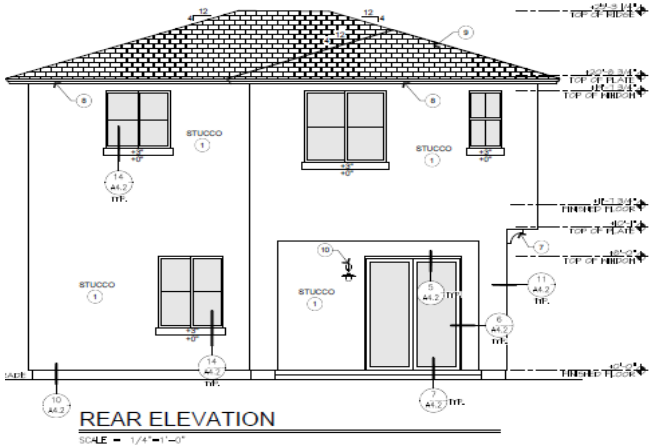


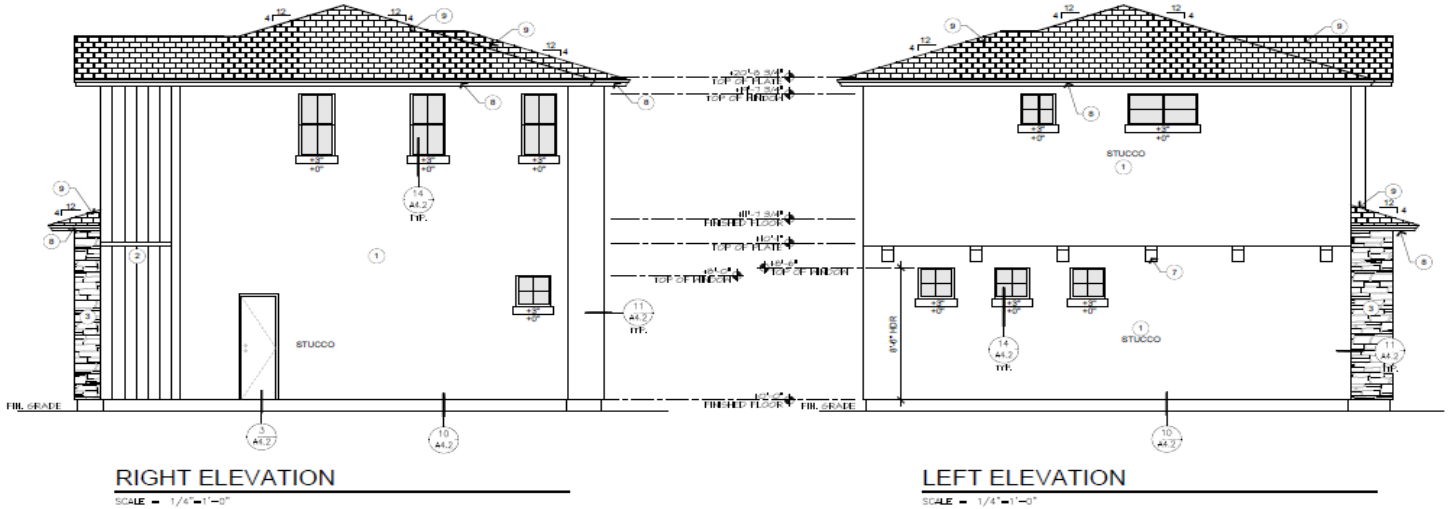




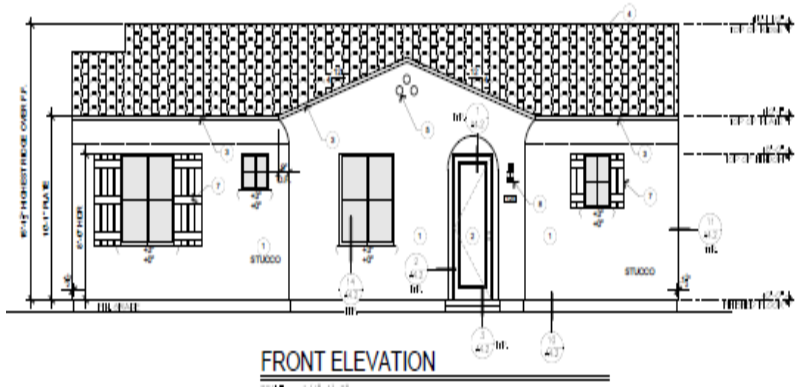
Preliminary Proposed Elevations – 3BR – Ranch

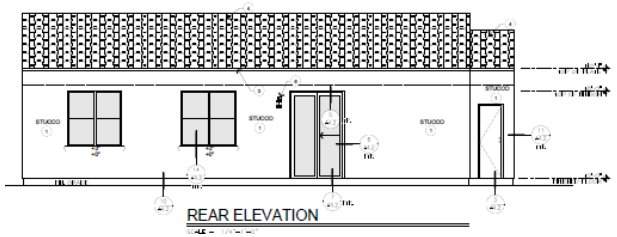
2-Story

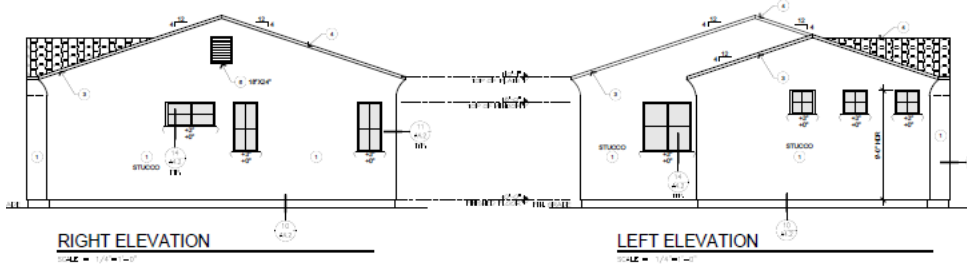




1-Story

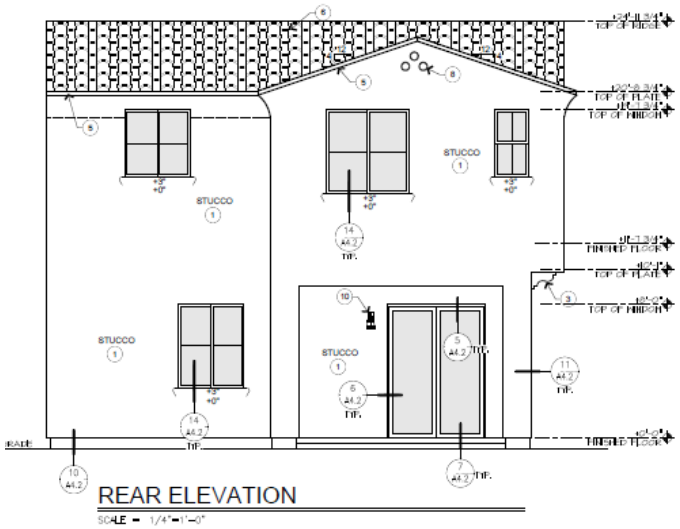


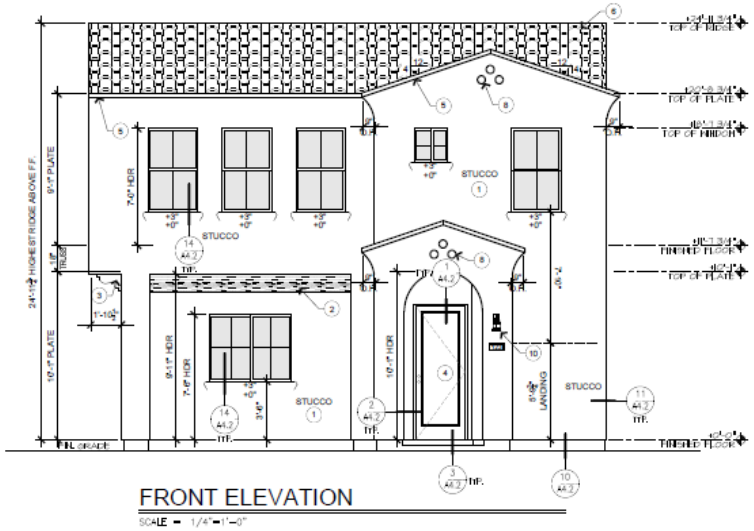


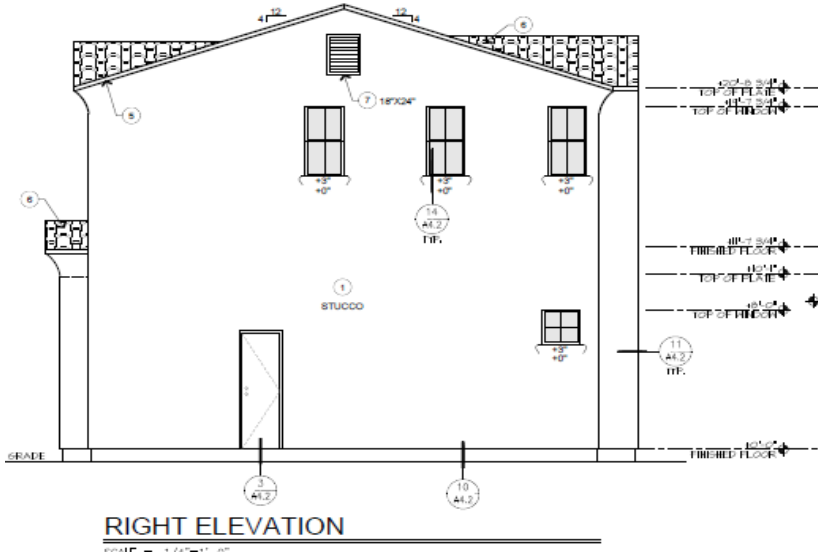


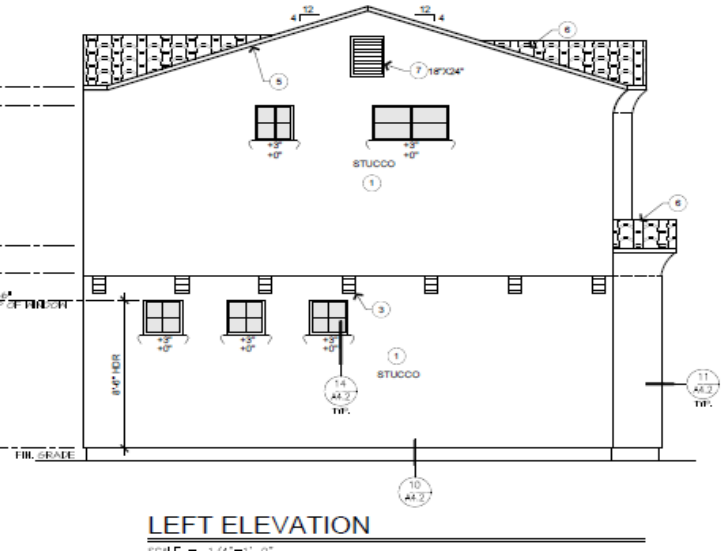
Preliminary Proposed Elevations – 3BR – Spanish

2-Story

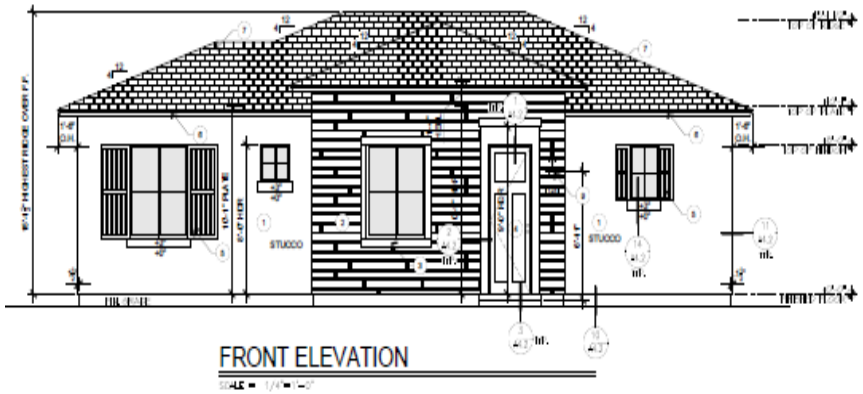


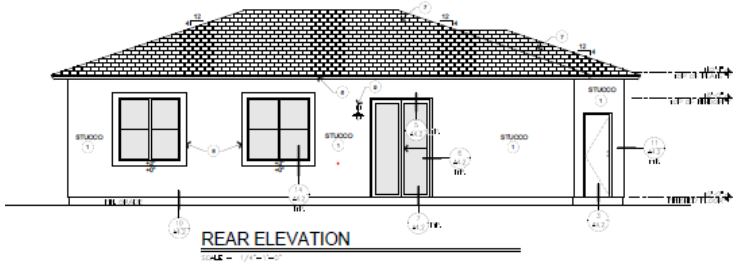


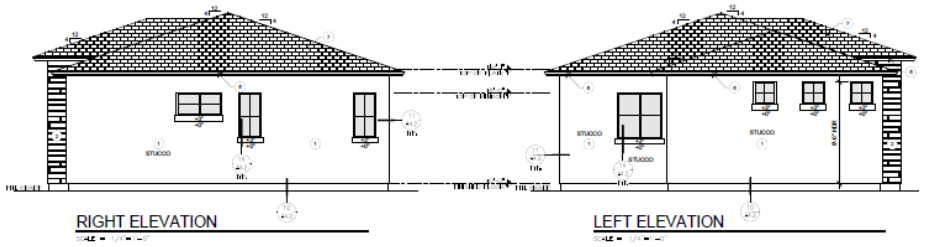




1-Story



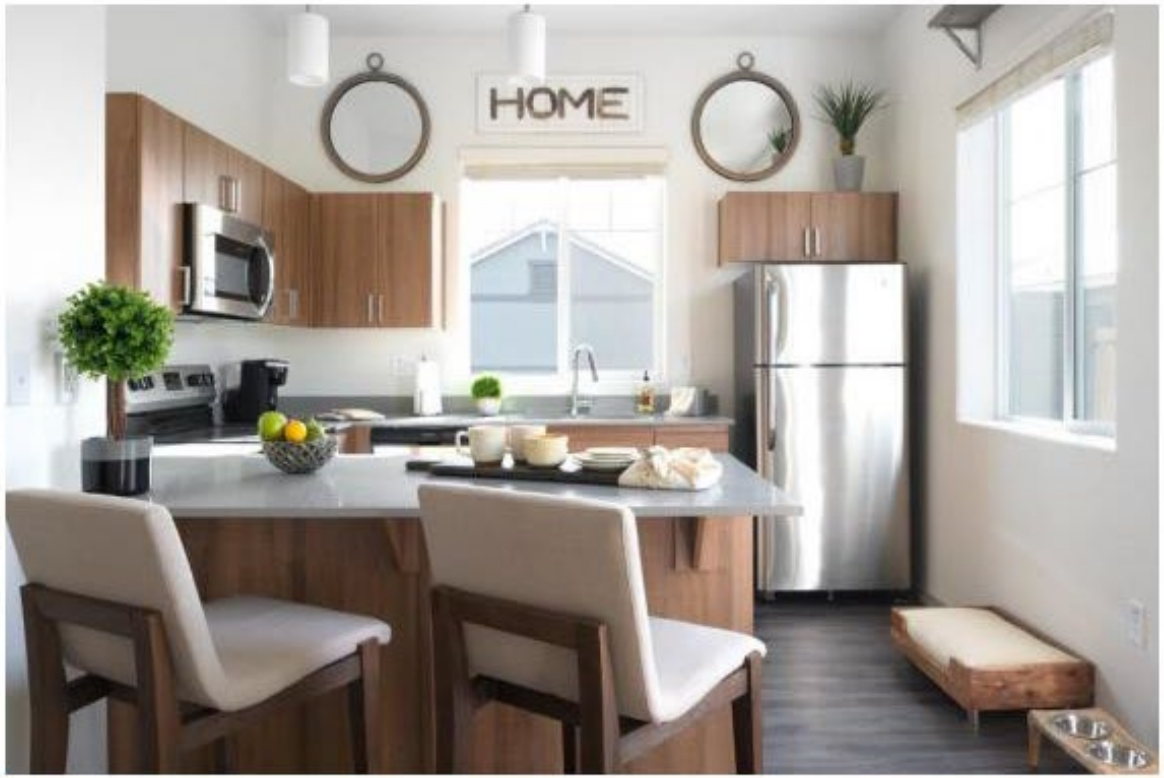




Representative Imagery: Community Clubhouse

- Leasing Office
- Meeting Space
- Outdoor Patio
- 4-Sided Architecture

Representative Imagery: Interior Units



Privacy of single-family living with apartment-like amenities, rental terms, and management

Representative Imagery: Interior units

Stainless steel appliances, 10-foot ceilings, wood-like floors, quartz counters, private backyards

Summary

- Existing Multifamily (MF-24) area within Lakin Park PAD was always intended for single family for rent product

- This amendment facilitates the addition of a 4.8-acre undesirable parcel for the development of a 222-unit SFFR product on approx. 19.6-net acre site

- Consistent with the approved standards of original Lakin Park PAD (MF-24 district) and the intent of the newly adopted MF-12 standards

the BUNGALOWS™

Lakin Park Bungalows PAD

Questions?

Contact Information

- Kyle Barichello, Project Manager, RVi Planning + Landscape Architecture
  - kbarichello@rviplanning.com, 815-674-1412

ITEM #: 14.
DATE: 09/27/2021
AI #:494

CITY COUNCIL ACTION REPORT

SUBJECT: RATIFICATION OF THE THIRD AMENDMENT TO CITY OF PHOENIX INTERGOVERNMENTAL AGREEMENT FOR SHARED TELECOMMUNICATIONS FACILITIES

STAFF PRESENTER(S): Santiago Rodriguez, Chief of Police

SUMMARY

Request to ratify the execution of the Third Amendment to the City of Phoenix Intergovernmental Agreement (IGA) for shared telecommunications facilities to extend the agreement for another ten years through May 10, 2030.

Recommendation

ADOPT RESOLUTION NO. 2021-2180 APPROVING THE THIRD AMENDMENT OF INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR CONTINUED SHARED TELECOMMUNICATION FACILITIES, AND PROVIDING FOR AUTHORIZATION AND RATIFICATION. (Santiago Rodriguez, Chief of Police)

FISCAL IMPACT

There is no fiscal impact for the FY2022 or future years with the approval of this IGA.

BACKGROUND AND PREVIOUS ACTIONS

In May 1995, Goodyear City Council authorized the first Intergovernmental Agreement (IGA) between the City of Phoenix and the City of Goodyear for shared use of telecommunication facilities.

The IGA was for an initial term of five years, with the option of future ten-year extensions. Council subsequently approved ten-year extensions of the IGA on May 22, 2000 for the First Amendment and June 28, 2010 for the Second Amendment. The Second Amendment extended the IGA through May 10, 2020.

STAFF ANALYSIS

The City of Goodyear continues to utilize dispatching services and radio equipment shared with the City of Phoenix and intends to continue to utilize telecommunication facilities. When the Second Amendment to the IGA expired on May 10, 2020, the Third Amendment document was signed and executed by both parties extending the IGA term for another 10-year term and was made effective May 11, 2020. The execution of the Third Amendment required council approval but was erroneously approved administratively.

Staff is seeking to ratify the Third Amendment to the IGA, attached as Exhibit ‘A’ to this Resolution, which will authorize the extension of the agreement through May 10, 2030 and allow for one ten-year option to renew through May 10, 2040.

Attachments

Resolution with Ex. A

RESOLUTION NO. 2021-2180

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING THE THIRD AMENDMENT OF INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR CONTINUED SHARED TELECOMMUNICATION FACILITIES, AND PROVIDING FOR AUTHORIZATION AND RATIFICATION.

WHEREAS, in May of 1995 Goodyear City Council authorized the first Intergovernmental Agreement (IGA) between the City of Phoenix and the City of Goodyear for shared use of the radio equipment at various sites for dispatching services, for an initial term of five years, with the option of future 10-year extensions; and

WHEREAS, subsequent 10-year extensions of the IGA were approved by Council on May 22, 2000 for the First Amendment and June 28, 2010 for the Second Amendment; and

WHEREAS, the City of Goodyear continues to utilize dispatching services and radio equipment shared with the City of Phoenix and intends to continue utilizing this communications site for the foreseeable future; and

WHEREAS, when the Second Amendment to this IGA expired on May 10, 2020, the Third Amendment document was signed and executed by both parties extending the IGA term for another ten-year term and was made effective May 11, 2020; and

WHEREAS, with this Resolution No. 2021-2180, staff is seeking to ratify the Third Amendment to the IGA, attached as Exhibit "A," to this Resolution which will authorize the extension of the agreement through May 10, 2030 and allow for one ten-year option to renew through May 10, 2040; and

WHEREAS, the City of Goodyear has authority to enter intergovernmental agreements in accordance with A.R.S. 11-952; and

WHEREAS, Mayor and Council of the city of Goodyear, Arizona believe it is in the best interests of the City of Goodyear and its residents to ratify and approve the ten-year extension of the Intergovernmental Agreement with the City Phoenix for the shared use of telecommunications facilities, which will remain effective until May 10, 2030.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. APPROVAL AND AUTHORIZATION

Council approves Third Amendment to the Intergovernmental Agreement No. 71736 between the City of Phoenix and the City of Goodyear for shared use of telecommunication facilities and authorizes the City Manager and/or designee to

execute the agreement and take all action necessary to carry out the intent of this Resolution and the agreement authorized herein.

SECTION 2. RATIFICATION

The Third Amendment to the Intergovernmental Agreement No. 71736 between the City of Phoenix and the City of Goodyear extending the agreement through May 10, 2030, with on ten-year option to renew through May 10, 2040, is hereby ratified.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Georgia Lord, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

Exhibit ‘A’
Amendment No. 3 to City of Phoenix Intergovernmental Agreement No. 71736

(on the following pages)

Amendment No. 3 to
City of Phoenix Intergovernmental Agreement No. 71736

This Amendment No. 3 to Agreement No. 71736 (**"Agreement"**) is entered into by the City of Phoenix, a municipal corporation of the State of Arizona (**"City"**), and the City of Goodyear (**"Goodyear"**) and is made effective May 11, 2020.

Amendment

The City and Goodyear mutually desire to amend the Agreement as follows:

1. The "Term of Agreement," is amended by extending the term from May 11, 2020 to May 10, 2030, with one (1) additional ten (10) year option to extend.

2. Except as otherwise amended, all other terms and conditions of the Agreement and any prior amendments not in conflict will remain in full force and effect. If there is a conflict or ambiguity among amendments and the Agreement, the documents in the following order prevail and control: (a) the most recent amendment; and (b) the original Agreement.

City of Goodyear

Goodyear acknowledges receipt of and is in agreement with this amendment. A signed copy must be returned to Information Technology Services Department.

Signatures:

ATTEST:

City Clerk

APPROVED TO FORM:

City Attorney

City of Phoenix, a municipal corporation

ED ZUERCHER, City Manager

By: Matthew Arvay (Jun 9, 2020 17:32 PDT)

Matthew B. Arvay
Chief Informatin Officer

Date: Jun 9, 2020

ATTEST:

Denise Archibald (Jun 17, 2020 09:43 PDT)

City Clerk Jun 17, 2020

APPROVED AS TO FORM:

Patricia Boland (Jun 16, 2020 14:46 PDT)

Acting City Attorney XX

Rev. 08/2017 (JMK)

ITEM #: 15.
DATE: 09/27/2021
AI #:501

CITY COUNCIL ACTION REPORT

SUBJECT: COVID-19 LEAVE FOR COVID POSITIVE CASES

STAFF PRESENTER(S): Lyman Locket, Human Resources Director

SUMMARY

Over the course of the last 16 months we have successfully managed the impact of the COVID-19 pandemic without impact to essential city services. We have employed many different strategies to mitigate the spread of COVID-19 among our employee base, with isolating positive cases away from the workforce being the most effective. The availability of paid leave is a key component of managing and encouraging employees to stay home if they do not feel well. During the period of April 1, 2020 – December 31, 2020 the Family First Coronavirus Response Act required us to pay leave related to the pandemic. Once the mandated program ended, we presented and received Council approval to extend the benefit through May 31, 2021. In pursuit of continued effective mitigation strategies while the pandemic is still active, we propose reinstating the leave retroactively to June 1, 2021 and leave in place until such time that Governor Ducey's Declaration of Emergency – COVID-19 is lifted. Employees who are ill will be required to provide proof of a positive diagnosis to access the leave. Typically, there is a ten-day isolation period required before employees can return to work and this leave would cover that period. Based on our past experience, we estimate that on average approximately 10 to 12 employees per month will access the leave.

Recommendation

Approve reinstating, retroactively, paid leave for employees testing positive for COVID-19. (Lyman Locket, Human Resources Director)

FISCAL IMPACT

It is estimated that 10-12 employees per month will avail themselves of this leave. The majority of this leave will have no budgetary impact as employees will continue to get paid their budgeted salary while on COVID leave. In the event that backfills are necessary to ensure adequate staffing it is anticipated that the cost of these backfills will be absorbed within the departments currently allocated budget. The actual cost of this leave is an eligible expense under the American Rescue Plan Act and may be used as part of our reimbursement reporting under COVID Expenses

BACKGROUND AND PREVIOUS ACTIONS

Over the course of the last 16 months we have successfully managed the impact of the COVID-19 pandemic without impact to essential city services. We have employed many different strategies to mitigate the spread of COVID-19 among our employee base, with isolating positive cases away from the workforce being the most effective. During the period of April 1, 2020 – December 31, 2020 the Family First Coronavirus Response Act required us to pay leave related to the pandemic. Once the mandated program ended, we presented and received Council approval to extend the benefit through May 31, 2021.

STAFF ANALYSIS

Based on our past experience, we estimate that on average approximately 10 to 12 employees per month will access the leave.