

## City Council Regular Meeting

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



**Monday, October 25, 2021**

**6:00 p.m.**

**Meeting Minutes**

### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER LAURITANO

### ROLL CALL

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

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

### CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

David Reese, Goodyear resident, spoke about how he was not notified about the approval of a long-term care facility in the neighborhood where he resides.

### CONSENT

**MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to APPROVE Consent Agenda Items 1 and 3 through 7. 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

Recommendation

Approve the draft minutes from the Regular Meeting held on September 27, 2021 and October 4, 2021. (Darcie McCracken, City Clerk)

2. **APPROVE THE CREATION OF THE WESTERN AVENUE PROJECT AND ASSOCIATED BUDGET TRANSFERS**

This item was pulled from the Consent Agenda to be heard separately.

Council inquired as to why there was an urgency on the Western Avenue Project and if there was another more important Capital Improvement Program (CIP) project that this project was replacing. Engineering Director Sumeet Mohan replied that there was no urgency, but that it was being addressed as part of the CIP along with other projects. City Manager Julie Karins added that when the CIP was created, this project had not been approved by Council and with this action, the project would be interjected into the CIP along with the associated budget transfer. She also relayed that the Western Avenue Project was not displacing any other planned projects.

**MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to APPROVE the creation of the Western Avenue project and associated budget transfers. The motion carried by the following vote:**

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

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

Passed

3. **APPROVE BUDGET TRANSFERS**

Recommendation

Approve budget transfers. (Doug Sandstrom, Finance Director)

4. **INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR THE ADMINISTRATION OF THE DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)**

Recommendation

Approve the IGA with the City of Phoenix for grant administration for the Edward Byrne Justice Assistance Grant. (Santiago Rodriguez, Chief of Police)

5. **ACCEPT AN EMERGENCY/GOVERNMENT SERVICES ACCESS EASEMENT FOR THE COMPASS DATACENTERS DEVELOPMENT**

Recommendation

Accept an Emergency/Government Services Access Easement from Compass Datacenters PHX I, LLC, a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

6. **APPROVAL OF LETTER OF INTENT AND AUTHORIZATION TO ENTER INTO PURCHASE AGREEMENT FOR LOT 15, BALLPARK VILLAGE-WOOD CORPORATE CAMPUS**

Recommendation

ADOPT RESOLUTION NO. 2021-2184 APPROVING THE LETTER OF INTENT FOR ACQUISITION OF REAL PROPERTY; AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT CONSISTENT WITH THE TERMS OF THE LETTER OF INTENT; AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO ACQUIRE THE REAL PROPERTY; AUTHORIZING AND APPROVING THE REQUIRED BUDGET TRANSFER; AND PROVIDING FOR AN EFFECTIVE DATE. (Roric Massey, City Attorney)

7. **APPROVAL OF LETTER OF INTENT AND AUTHORIZATION TO ENTER INTO PURCHASE AGREEMENT FOR LOTS 14 AND 19, BALLPARK VILLAGE-WOOD CORPORATE CAMPUS**

Recommendation

ADOPT RESOLUTION NO. 2021-2187 APPROVING THE LETTER OF INTENT FOR ACQUISITION OF REAL PROPERTY; AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT CONSISTENT WITH THE TERMS OF THE LETTER OF INTENT; AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO ACQUIRE THE REAL PROPERTY; AUTHORIZING AND APPROVING THE REQUIRED BUDGET TRANSFER; AND PROVIDING FOR AN EFFECTIVE DATE. (Roric Massey, City Attorney)

**PUBLIC HEARINGS**

8. **REZONE FOR HANCOCK AT CANYON TRAILS NORTH**

Mayor Lord opened the Public Hearing at 6:15 p.m.

Senior Planner Alex Lestinsky presented a request to rezone the Hancock Communities at Canyon Trails North Planned Area Development (PAD) located at the southeast corner of Cotton Lane and Garfield Street.

Ms. Lestinsky reviewed the information related to the surrounding properties and provided the history of the Canyon Trails PAD. She added that the request was to rezone the property to Multifamily-12 (MF-12) with a PAD Overlay and reduce the rear yard setback from 30 feet to 20 feet. Ms. Lestinsky reviewed the conceptual site plan, landscape plan and unit elevations. Ms. Lestinsky stated that the Planning and Zoning Commission voted 5-0 to recommend approval of the rezone.

Paul Gilbert, with Beus Gilbert McGroder, commented that Hancock Communities was a well-known developer. Mr. Gilbert reviewed the details of the rezone and added that the units were high quality units with garages.

There being no other speakers present, Mayor Lord closed the Public Hearing at 6:28 p.m.

Councilmember Kaino discussed the proposals for the single-family rentals that surround this project and expressed her hesitance to change from a product that is really needed like the town homes and court homes and stated she would be voting no on this request.

Council commented that the elevation of the future SR-303 does not allow for putting homeowners in the area and did not see anything other than the multifamily products going into that area due to what it would develop into in 10 years.

A discussion continued on the diversity of the housing stock in the proposed area for the rezone and with Council requesting there be a variety in the color of the elevations.

**MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to ADOPT RESOLUTION NO. 2021-2179, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP 21-06 REZONE FROM PAD TO MF-12"; AND "LEGAL DESCRIPTION – CANYON TRAILS NORTH." The motion carried by the following vote:**

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

**NAY: Vice Mayor Brannon Hampton, Councilmember Laura Kaino**

Passed

**MOTION BY Councilmember Joe Pizzillo, SECONDED BY Vice Mayor Brannon Hampton to ADOPT ORDINANCE NO. 2021-1518, CONDITIONALLY REZONING APPROXIMATELY 31 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF COTTON LANE AND GARFIELD STREET FROM THE CANYON TRAILS PHASE I PLANNED AREA DEVELOPMENT TO THE MULTIFAMILY (MF-12) ZONING DISTRICT WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. The motion carried by the following vote:**

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

**NAY: Vice Mayor Brannon Hampton, Councilmember Laura Kaino**

Passed

**9. USE PERMIT FOR A CONVENIENCE USE (SUPERSTAR CAR WASH)**

Mayor Lord opened the Public Hearing at 6:48 p.m.

Principal Planner Steve Careccia presented a request to approve a use permit for a carwash to be constructed at McDowell Road and west of Bullard Avenue. Mr. Careccia provided the details of the request noting that a 4,487 square foot building would be constructed on a 1.27-acre parcel.

Mr. Careccia went on to discuss the evaluation criteria for the use permit and noted that when looking at a carwash the main thing that was looked at was the noise. He stated that the applicant placed most of the sound generating equipment within enclosures. He then reviewed a diagram of the noise levels that would radiate out of the car wash.

Mr. Careccia added that the Planning and Zoning Commission and staff recommended approval of the use permit.

Christopher Barta, project manager with Cawley Architects, complimented the city staff they have worked with on the preapplications and discussed the noise level concerns.

There being no other speakers present, Mayor Lord closed the Public Hearing at 6:59 p.m.

Council asked if customers had to drive through the vacuum area to get to the queue. Mr. Barta replied that the queuing line was separate from the vacuum area.

Councilmember Kaino expressed concerns with placing the car wash in close proximity to the hotels. She added that she believed there was too much traffic and noise in a small amount of space in relation to the car wash, the hotel, and the QuikTrip and could not support the use permit.

Tim Varley, with Superstar Car Wash, provided information about the green elements of the Superstar Carwash, that included water reclamation and electrical vehicle chargers. He added that the sound issue is being addressed by using the best technology available to address Council's concern.

A discussion continued with regard to the traffic entering and exiting the businesses in that location, the noise generated from the dryer, the screening from the arterial streets and about the car wash not being a good fit on McDowell Road due to it being designated as the future entertainment district.

Development Services Director Christopher Baker added that the stipulations regarding the noise levels are a direct result from the lessons learned from previous experiences with car washes adjacent to businesses and property owners.

**MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to APPROVE the request for a Use Permit for a convenience use (car wash) to be constructed on approximately 1.27 acres within the property identified as Lot 2 in the approved Preliminary Plat for Quiktrip Store #1417, as reflected in the conceptual site plan, which is located in the C-2 (General Commercial) zoning district, subject to stipulations. The motion failed by the following vote:**

AYE: **Mayor Georgia Lord, Councilmember Wally Campbell**

NAY: **Vice Mayor Brannon Hampton, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Bill Stipp, Councilmember Laura Kaino**

Failed

10. **USE PERMIT FOR A CONVENIENCE USE (JAMBA/MCALISTER'S DELI RESTAURANT WITH DRIVE-THROUGH)**

Mayor Lord opening the Public Hearing at 7:39 p.m.

Principal Planner Steve Careccia presented a request to approve a use permit for Jamba/McAlister's Deli drive-through restaurant. Mr. Careccia provided information on the location of the subject property and the surrounding businesses and access points. He reviewed the details of the request that would include the construction of a 4,598 square foot building on a 1.9-acre parcel within an existing commercial center. The

building would also include two users with two drive-throughs, indoor and outdoor dining.

Kirk Farrelly, with Capital Growth Buchalter, stated that the Jamba/McAlister's Deli was the first dual concept in the country and would be used as the model for future dual sites.

There being no other speakers present, Mayor Lord closed the Public Hearing at 7:47 p.m.

A discussion continued regarding the current businesses surrounding the project and the queuing of vehicles through the unique drive-throughs.

**MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to APPROVE the request for a use permit for a convenience use (restaurant with drive-through) on a 1.88-acre parcel within the Palm Valley Phase I Planned Area Development, subject to stipulations. The motion carried by the following vote:**

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

Passed - Unanimously

Mayor Lord recessed the meeting at 7:58 p.m.

Mayor Lord reconvened the meeting at 8:09 p.m.

## **BUSINESS**

### **11. COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR PROFESSIONAL PLAZA**

Principal Planner Steve Careccia presented a request to approve the supplemental comprehensive sign package (CSP) for the Goodyear Professional Plaza. Mr. Careccia reviewed the zoning and the CSP history for the parcel. He noted that the CSP that was approved in 2010 did not anticipate an office building and was geared more for retail and hotel uses.

Mr. Careccia went on to discuss the evaluation criteria used for a CSP adding that this request meets the criteria.

Council inquired about the size of the lettering on the hotels near the project. Mr. Careccia replied that he did not know the size of the lettering for the hotels and that the lettering size was determined by the user. City Manager Julie Karins commented that the signs for the hotels are what the hotels requested and that they were not restricted by the City's rules.

Development Services Director Christopher Baker added that the user decides how tall they want the individual letters on the sign and the City calculates the square footage providing users the flexibility that they would like for their signage.

**MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to APPROVE the supplemental comprehensive sign package for Lot 3C of the Minor Land Division Lot 3 recorded in the Official Records of Maricopa County on June 25, 2019 at Book 1463 of Maps Page 48 the Goodyear Professional Plaza, subject to stipulations.**

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

**NAY: Councilmember Wally Campbell**

Passed

## **12. THIRD AMENDMENT TO DEVELOPMENT AND FIRE SERVICES AGREEMENT**

Development Services Director Christopher Baker presented a third amendment to an existing development agreement. Mr. Baker explained that the agreement goes back to 2006 and caps the capital contribution that the developers of Estrella Mountain Ranch and CantaMia would contribute to the City. The cap is at about \$5.8 million and that amount is also what is eligible to be reimbursed. He relayed that the amendment was changing the mechanism of reimbursement only, adding that currently the developers get repaid with impact fee credits. He continued that the proposed revision would provide a quarterly reimbursement in the form of a check to the interested parties who have the legal rights to the reimbursement. He added that any reimbursement dollars that are sent to the parties are from permit fees they have paid.

**MOTION BY Vice Mayor Brannon Hampton, SECONDED BY Councilmember Laura Kaino to ADOPT RESOLUTION NO. 2021-2182, APPROVING THE THIRD AMENDMENT TO DEVELOPMENT AND FIRE SERVICES AGREEMENT; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND DEVELOPMENT AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:**

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

Passed - Unanimously

## **INFORMATION ITEMS**

Mayor Lord thanked the Council for attending WESTMARC and for being a part of her accomplishments and being awarded the Inspirational and Leadership Award.

## **FUTURE MEETINGS**

November 8, 2021

Work Session

5:00 p.m.

## ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 8:09 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 October 25, 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