

City Council Regular Meeting

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



Monday, December 13, 2021

6:00 p.m.

Meeting Minutes

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER PIZZILLO

The Pledge of Allegiance and Invocation was given by Councilmember Campbell.

Vice Mayor Hampton called for a moment of silence to reflect on the passing of Mayor Lord on December 12, 2021.

ROLL CALL

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

Staff City Manager Julie Karins; Assistant City Attorney Lisa Maxie-Mullins; City Clerk
Present: Darcie McCracken

COMMUNICATIONS

1. Overview of the events and activities that have occurred over the last 12 months to celebrate the city's 75th Anniversary. (Guylene Ozlanski, Arts and Culture Administrator)

Arts and Culture Administrator Guylene Ozlanski provided an overview of the celebrations that occurred over the last 12 months to celebrate the City's 75th Anniversary. Ms. Ozlanski talked about the public art installations such as the series of public art hearts around the City and the branding campaign that included light pole banners, decals on City vehicles and local businesses displaying the 75th Anniversary logo. She added that many local artists were engaged to create a Goodyear History coloring book, an original piece of artwork included in the time capsule and the time capsule wrapped by artist Bonnie Lewis. Ms. Ozlanski discussed the other 75th Anniversary events that were held at Harkins Theaters, the west valley cities luncheon and the celebration held at the new Civic Square Park.

Ms. Ozlanski hoped that the past year created many memories for all and thanked all the committee members who helped with the activities.

City Manager Julie Karins recognized Ms. Ozlanski for her vision and work on the Goodyear 75th Anniversary Celebration.

Council expressed their gratitude to Ms. Ozlanski and her team for all the events that were organized celebrating the 75th Anniversary.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to APPROVE Consent Agenda Items 2 through 11. The motion carried by the following vote:

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

Passed - Unanimously

2. APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the Special Meeting and Regular Meeting held on December 6, 2021. (Darcie McCracken, City Clerk)

3. REAPPOINT MEMBERS TO BOARDS, COMMISSIONS AND COMMITTEES

Recommendation

Approve the reappointments to the Arts and Culture Commission, Fire Public Safety Personnel Retirement Board, Police Public Safety Personnel Retirement Board and Planning and Zoning Commission for the terms listed. (Darcie McCracken, City Clerk)

4. RECOMMEND APPROVAL OF ACQUISITION OF CONTROL FOR SERIES 7 (BEER AND WINE BAR) LIQUOR LICENSE FOR RUDY'S COUNTRY STORE & BAR B QUE

Recommendation

Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 167686, a request from Amy S. Nations, agent/applicant for Rudy's Country Store & Bar B Que, for Multi-Agent Change Acquisition of Control of a Series 7 (Beer and Wine Bar) Liquor License. No. 07070105, located at 845 N. Litchfield Road, Goodyear, Arizona 85338 (generally located near the Northeast corner of N. Litchfield Road and W. Test Drive, just south of the I-10 Interchange). (Darcie McCracken, City Clerk)

5. **RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR TOMO JAPANESE CUISINE**

Recommendation

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No.167964, a request by Amy S. Nations, agent/applicant for Tomo Japanese Cuisine, for a new Series 12 liquor license. Tomo Japanese Cuisine is located at 1550 N. Dysart Road #A7, A8, and A9, Goodyear, Arizona 85338 (generally located near the southwest corner of Dysart Road and McDowell Road). (Darcie McCracken, City Clerk)

6. **COMMUNITY AND NEIGHBORHOOD SERVICES MASTER PLAN - PHASE I: HUMAN SERVICES**

Recommendation

ADOPT RESOLUTION NO. 2021-2192 ADOPTING THE CITY OF GOODYEAR COMMUNITY AND NEIGHBORHOOD SERVICES MASTER PLAN PHASE I: HUMAN SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE. (Jenna Goad, Assistant to the City Manager and Christina Panaitescu, Grants & Neighborhood Services Supervisor)

7. **ARIZONA STATE RETIREMENT SYSTEM SUPPLEMENTAL SALARY DEFERRAL 457 PLAN**

Recommendation

ADOPT RESOLUTION NO. 2021-2193 ESTABLISHING THE ARIZONA STATE RETIREMENT SYSTEM SUPPLEMENTAL SALARY DEFERRAL PLAN; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED AGENT; PROVIDING AUTHORIZATION AND DIRECTION AND PROVIDING AN EFFECTIVE DATE. (Jeanni Ruddy, Total Compensation and HRIS Manager)

8. **ACCEPT THE DEDICATION OF A SPECIAL WARRANTY DEED FOR A PORTION OF W. ELWOOD STREET REQUIRED FOR THE ISOLA AT GOODYEAR RANCH DEVELOPMENT**

Recommendation

Accept the dedication of a Special Warranty Deed for a portion of W. Elwood Street from El Cidro Ranch, LLC, an Arizona limited liability corporation. (Linda Beals, Real Estate Coordinator)

9. **AUTHORIZE THE ESTABLISHMENT OF A PUBLIC STREET FOR A PORTION OF COTTON LANE**

Recommendation

APPROVE RESOLUTION NO. 2021-2196 AUTHORIZING THE ESTABLISHMENT OF A PUBLIC STREET FOR A SECTION OF COTTON LANE; PROVIDING RECORDATION CONDITIONS AND REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (Linda Beals, Real Estate Coordinator)

10. **FINAL PLAT FOR PEBBLECREEK PHASE II UNIT 45**

Recommendation

Approve the final plat for PebbleCreek Phase II Unit 45 subdividing approximately 33.41 acres into 52 lots and 6 tracts located south Indian School Road, west of Sarival Avenue, within the PebbleCreek Planned Area Development (PAD), subject to stipulations. (Katie Wilken, Planning Manager)

11. **FINAL PLAT OF EL CIDRO PARCEL 5**

Recommendation

Approve the Final Plat for El Cidro Parcel 5, subject to stipulations. (Katie Wilken, Planning Manager)

PUBLIC HEARINGS

12. **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (EMR STARBUCKS)**

Vice Mayor Hampton opened the Public Hearing at 6:17 p.m.

Senior Planner Alex Lestinsky presented a request to approve a use permit to allow a drive-through restaurant at the northwest corner of Estrella Parkway and Elliot Road.

Ms. Lestinsky reviewed the details of the request noting that the drive-through was proposed to the west side of the proposed building. She noted that staff and the Planning and Zoning Commission recommended approval of the request.

Brad Anderson, with Kitchell Development, introduced himself and was available for questions.

There being no other speakers present, Vice Mayor Hampton closed the Public Hearing at 6:22 p.m.

A discussion followed regarding the queuing of vehicles coming in and out of the McDonald's and the proposed Starbucks. Mr. Anderson added that a traffic study was conducted and based on that study the vehicles would not queue past the main drive for Starbucks.

Council expressed that the Starbucks would be a welcome addition to the Estrella community and that the concerns for the queuing were legitimate. Council acknowledged that the project meets the City's requirements, however, requested that the developer minimize any disruption to the area as much as possible.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Bill Stipp to APPROVE a use permit for a convenience use (restaurant with drive-through) subject to the stipulations. The motion carried by the following vote:

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

Passed - Unanimously

13. **MAJOR GENERAL PLAN AMENDMENT FOR ESTRELLA COMMUNITY 14**

Vice Mayor Brannon Hampton opened the Public Hearing at 6:33 p.m.

Senior Planner Alex Lestinsky presented a General Plan Amendment for Estrella Community 14. The location of the project is east of Estrella Parkway and south of the Foothills Community Park and Estrella Foothills High School and consists of approximately 480 acres. Ms. Lestinsky provided an overview of the process noting that there is a 60-day review by other jurisdictions where no feedback was received.

Ms. Lestinsky reviewed the current General Plan Land Use Map as well as the land uses permitted under the Business and Commerce category.

Ms. Lestinsky continued by reviewing the existing zoning for the project. The proposal is requesting to change 481 acres of the 521 acres to the Neighborhood designation which will allow for traditional residential.

There being no speakers present, Vice Mayor Hampton closed the Public Hearing at 6:40 p.m.

Council asked if anyone has contacted the high school about the traffic issues. Andrew Yancy, Attorney with Bergin, Frakes, Smalley & Oberholtzer, PLLC, responded that there had not been specific outreach to the high school. Mr. Yancy added that this is a major general plan amendment and not a specific rezoning and when rezoning applications come up, that is when traffic studies will be conducted. Council added that they wanted to make sure the traffic issues were being considered.

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Wally Campbell to ADOPT RESOLUTION NO. 2021-2197, APPROVING A MAJOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN TO AMEND THE LAND USE DESIGNATION OF APPROXIMATELY 481 ACRES GENERALLY LOCATED EAST OF ESTRELLA PARKWAY, NORTH OF THE WILLIS ROAD INTERSECTION FROM BUSINESS & COMMERCE TO NEIGHBORHOODS, REQUIRING AMENDMENT TO FIGURE 5.7, GROWTH AREAS MAP, AND FIGURE 8.12 LAND USE AND TRANSPORTATION PLAN OF THE GOODYEAR 2025 GENERAL PLAN; PROVIDING DIRECTION; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

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

Passed - Unanimously

14. **MAJOR GENERAL PLAN AMENDMENT FOR CITY CENTER**

Vice Mayor Brannon Hampton opened the Public Hearing at 6:47 p.m.

Planning Manager Katie Wilken presented a city initiated major general plan amendment for the City Center Site located at Yuma Road and Estrella Parkway consisting of 180 acres.

Ms. Wilken discussed the City Center planning history noting that plans for the City Center dated back to the 1980s. She added that a City Center Committee was created in 2004. The City Center Special Area Plan was created from the work of the committee which provided a vision for the four quadrants of the City Center Area.

Ms. Wilken spoke about the original plan and the zoning for the City's property. She noted that this was only a major general plan amendment that would not change the City Center zoning until individual rezone cases were brought forward.

Ms. Wilken also spoke about the existing land use in the Goodyear General Plan which designates the site as City Center specific use. It states that development of the site should be developed in conformance with the City Center Specific Area Plan. Since City Hall has been moved, the City has initiated the major general plan amendment due to interest in development of the three privately owned parcels.

Ms. Wilken described the details of the proposal noting that the north parcel would be designated as Business and Commerce; the south parcel would be designated as Neighborhoods, allowing for a variety of zoning for housing products, and a small southern portion would be Business and Commerce which are parking lots for the Ballpark and are part of the Ballpark Village Planned Area Development (PAD).

Ms. Wilken talked about the development plans noting that a proposal was submitted for a single-family development on the southeast corner with a rezoning request possibly coming before Council at a later date. No proposals have been submitted for the other corners.

There being no speakers present, Vice Mayor Hampton closed the Public Hearing at 6:58 p.m.

Council inquired if the property was sold to Fulton Homes. Ms. Wilken replied that Sun MP Investments used to own the northeast corner, southeast and southwest corners (three corners) and have sold the three corners to private property developers. She added that the City owns the northwest corner and has not sold the property.

Council expressed their appreciation for the carryover of the prior vision cast to the planning of the new City Hall and for keeping this site as something that will create a destination that will help build the retail and commercial around the Ballpark.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to ADOPT RESOLUTION 2021-2198 APPROVING A MAJOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN TO AMEND THE LAND USE DESIGNATION OF APPROXIMATELY 180 ACRES GENERALLY LOCATED AT ESTRELLA PARKWAY AND YUMA ROAD FROM CITY CENTER TO 88 ACRES OF BUSINESS AND COMMERCE AND 92 ACRES OF NEIGHBORHOODS AND DESIGNATE A VILLAGE CENTER OVERLAY; REQUIRING AMENDMENT TO FIGURE 8.12, LAND USE AND TRANSPORTATION PLAN MAP IN CHAPTER 8 OF THE GENERAL PLAN OF THE GOODYEAR 2025 GENERAL PLAN; PROVIDING DIRECTION; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by

the following vote:

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

Passed - Unanimously

15. INNOVATION CENTRE BORROW PIT SPECIAL USE PERMIT ON PROPERTY ZONED PAD (PLANNED AREA DEVELOPMENT)

Vice Mayor Hampton opened the Public Hearing at 7:04 p.m.

Planner Christian Williams presented a request for a special use permit for approximately 55.4 acres located on the southeast corner of Citrus Road and Roosevelt Street. Mr. Williams relayed that the property was currently zoned as Planned Area Development (PAD) within the larger Innovation Centre Zoning.

Mr. Williams reviewed the history of the property, noting that the property used to contain the Phoenix Trotting Park.

Mr. Williams reviewed the details of the proposal stating that the applicant intends to develop an inert materials landfill which will be a site where construction and demolition materials and materials that do not contaminate water or leach gases can be deposited.

He relayed that staff had evaluated the impact of the special use permit on the greater community and with no major concerns being found, staff recommends approval of the special use permit.

Elyse DiMartino, with Berry Riddell, expressed that they agreed with the staff recommendations and stipulations and was available for questions.

There being no other speakers present, Vice Mayor Hampton closed the Public Hearing at 7:10 p.m.

Council asked if the City required the borrow pit to be filled as part of the PAD that was previously approved. Mr. Williams replied that the zoning required that a special use permit be brought forward that would allow the process to occur.

Council inquired if the pit needed to be filled in order for the area to be developed. Mr. Williams confirmed Council's statement.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Laura Kaino to APPROVE the request for a Special Use Permit for an Inert Material Landfill on an approximately 55.4-acre property zoned Planned Area Development (PAD) located at the southeast corner of Citrus Road and Roosevelt Street, subject to stipulations. The motion carried by the following vote:

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

Passed - Unanimously

16. **USE PERMIT FOR A CONVENIENCE USE (RAISING CANE'S RESTAURANT WITH DRIVE-THROUGH)**

Vice Mayor Hampton opened the Public Hearing at 7:14 p.m.

Principal Planner Steve Careccia presented a request for a use permit for a Raising Cane's to be located on Dysart Road and the Interstate 10 (I-10). Mr. Careccia provided the details of the property including the users surrounding the project site.

Mr. Careccia provided a brief overview of the history of the property. He also discussed the details of the request that would include a 3,766 square-foot building with indoor and outdoor dining. Mr. Careccia reviewed the site plan for the project adding that there are three drive-through lanes being proposed.

Mr. Careccia spoke about the use permit evaluation criteria noting that traffic and queuing would be internalized on site. He added that the parcel was of adequate size, parking would be accommodated on site, no recommended restriction on hours and all off-site improvement were complete.

Mr. Careccia relayed that only one inquiry was received from a resident who was concerned with additional traffic to the area. He added that staff and the Planning and Zoning Commission recommended approval subject to six stipulations.

There being no speakers present, Vice Mayor Hampton closed the Public Hearing at 7:21 p.m.

Council welcomed Raising Cane's to the community.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to APPROVE the request for a use permit for a convenience use (restaurant with drive-through) on a 1.68-acre parcel in the Palm Valley Cornerstone commercial center generally located at the northwest corner of Dysart Road and I-10 within the Palm Valley Phase I Planned Area Development, subject to stipulations. The motion carried by the following vote:

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

Passed - Unanimously

17. **TEXT AMENDMENT TO ARTICLE 7 (SIGN REGULATIONS) OF THE ZONING ORDINANCE (MENU BOARDS)**

Vice Mayor Hampton opened the Public Hearing at 7:24 p.m.

Principal Planner Steve Careccia presented a Zoning Ordinance Text Amendment to address menu boards for drive-through restaurants. Mr. Careccia relayed that Article 7 of the Goodyear Zoning Ordinance regulates all signage within the City.

Mr. Careccia stated that restaurants were requesting larger menu boards and electronic message displays prompting the City to reevaluate the City's sign code related to menu boards.

Mr. Careccia reviewed the City's proposal which would increase the size of menu boards from 25 square feet to 50 square feet, allow for electronic message displays, screening from the street, lighting and noise directed away from residential and sign base and landscape aesthetics to make sure signs have a nice appearance. He noted that eight other cities were reviewed within the valley, and it was found that Goodyear was in the lower end of the size of menu boards.

Mr. Careccia explained that the text amendment met the City's evaluation criteria and staff and the Planning and Zoning Commission recommended approval.

There being no speakers present, Vice Mayor Hampton closed the Public Hearing at 7:29 p.m.

Council inquired about the difference between a nit and a lumen relating to brightness. Development Services Director Christopher Baker explained that a nit is a measure of brightness. Indoor displays are about 1,500 nits whereas outdoor displays are at about 5,000 nits.

MOTION BY Councilmember Joe Pizzillo, SECONDED BY Councilmember Bill Stipp to ADOPT ORDINANCE NO. 2021-1520 AMENDING ARTICLE 7-8 (PERMITTED SIGNAGE BY ZONING DISTRICT) OF THE CITY OF GOODYEAR ZONING ORDINANCE, AS AMENDED; AND PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. The motion carried by the following vote:

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

Passed - Unanimously

18. AMENDMENTS TO CHAPTER 15 OF THE GOODYEAR CITY CODE (SUBDIVISION REGULATIONS)

Vice Mayor Hampton opened the Public Hearing at 7:33 p.m.

Planning Manager Katie Wilken presented three proposed changes to the preliminary plat and final plat process. She stated this was a follow-up to a Work Session held on July 1, 2021.

Ms. Wilken stated that the first amendment would give staff the ability to waive a preliminary plat under certain circumstances, such as if the property has 10 or fewer lots. She explained that Arizona State law provided this option and the Goodyear City Code did not. The types of instances where this could occur would be with commercial and industrial properties that normally provide a site plan, which contains the same type of engineering report as a preliminary plat.

Ms. Wilken described the second amendment that would allow one administrative extension for preliminary plats. Currently, any extension is brought to Council for

approval. An administrative extension would give staff the ability to approve the first extension. Any additional extension requests would be presented to Council. She noted that this change would help keep the projects moving forward.

Ms. Wilken reviewed the third change that would allow staff to grant one administrative extension for final plat approval, with any additional extension requests presented to Council for approval. This would also allow the project to keep moving forward.

There being no speakers present, Vice Mayor Hampton closed the Public Hearing at 7:36 p.m.

Council inquired about the length of extensions on a preliminary plat and a final plat. Ms. Wilken responded that the extension for a preliminary plate is one year and the extension for a final plat is 90 days.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to ADOPT RESOLUTION 2021-2190 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TITLED "AMENDMENTS TO CHAPTER 15 SUBDIVISION REGULATIONS OF THE GOODYEAR CITY CODE." The motion carried by the following vote:

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

Passed - Unanimously

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Bill Stipp to ADOPT ORDINANCE 2021-1521 AMENDING SECTIONS 15-1-2 (DEFINITIONS) 15-2-3 (STAGE II-PRELIMINARY PLAT) AND 15-2-5 (STAGE III-FINAL PLAT) OF THE GOODYEAR CITY CODE; PROVIDING FOR CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE. The motion carried by the following vote:

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

Passed - Unanimously

INFORMATION ITEMS

Council expressed their appreciation to staff for another great year, wished everyone a great holiday season and they looked forward to a great 2022.

Council relayed that Shop with a Cop was very successful and thanked the Council for their support and the officers for taking time to shop with the children.

City Manager Julie Karins provided an overview of Shop with a Cop that included a total of 20 children ranging from ages 5 through 13. The children had breakfast with an officer, visited with Santa and went shopping at Target.

FUTURE MEETINGS

January 10, 2022	Work Session	5:00 p.m.
January 10, 2022	Regular Session	6:00 p.m.

ADJOURNMENT

There being no further business to discuss, Vice Mayor Hampton adjourned the Regular Meeting at 7:44 p.m.

Darcie McCracken, City Clerk

Joe Pizzillo, 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 December 13, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2022.

SEAL:

Darcie McCracken, City Clerk