

COUNCIL DATE: June 21, 2021

CAR NO.: 2021-227

CASE #: 21-500-00001



CITY COUNCIL ACTION REPORT

SUBJECT: PRELIMINARY PLAT FOR AIRPARK LOGISTICS CENTER

STAFF PRESENTER(S): Katie Wilken, Planning Manager

OTHER PRESENTER(S): (If applicable)

SUMMARY:

Preliminary plat for Airpark Logistics Center subdividing approximately 170.25 acres into five industrial lots. The subject property is located on the east side of Bullard Avenue and the Bullard Wash, extending from Yuma Road on the north, to south of Lower Buckeye Parkway on the south.

RECOMMENDATION:

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

STIPULATIONS:

1. Traffic Impact Study (TIS) is not approved with the preliminary plat. The TIS must be updated and approved prior to the approval of the first site plan submitted for development within the property;
2. Owner shall comply with the terms of all development agreements in effect at the time of construction including, but not limited to that certain Development Agreement for City Center Airpark dated December 11, 2006, recorded in the official records of Maricopa County on December 12, 2006, as Record No. 20061619064 as amended by that certain First Amendment to Development Agreement for City Center Airpark dated August 19, 2014, recorded in the official records of Maricopa County on August 27, 2014 as Record No. 20140567660 (the "City Center Airpark DA");
3. Owner shall construct: (i) full half-street improvements required for a Scenic Arterial as set forth in the Engineering Design Standards in effect at the time the improvements are constructed, for the south half of W. Yuma Road along or

adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting; and (ii) full median and full median landscaping within the section of W. Yuma Road along or adjacent to the frontage of the Property (collectively the “W. Yuma Road Improvements”). The construction of W. Yuma Road Improvements shall occur upon the occurrence of the triggering events in the City Center Airpark DA while it is in effect. Once the City Center Airpark DA has expired, no further temporary certificate of occupancies, certificate of occupancies or certificates of completion shall be issued for structures within the Property until the W. Yuma Road Improvements have been completed and accepted by the City Engineer or his designee subject to completion of the two-year warranty period. The City shall reimburse Owner for 50% of the cost of the full median and full median landscaping. Owner shall complete the construction of the full half-street improvements required for a Major Arterial as set forth in the Engineering Design Standards in effect at the time the improvements are constructed, for the section of Bullard Ave. along or adjacent to the frontage of the Property, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the “Bullard Avenue Improvements”). The construction of Bullard Avenue Improvements shall occur upon the occurrence of the triggering events in the City Center Airpark DA while it is in effect. Once the City Center Airpark DA has expired, no further temporary certificate of occupancies, certificate of occupancies or certificates of completion for structures within the Property shall be issued until the Bullard Avenue Improvements have been completed and accepted by the City Engineer or his designee subject to completion of the two-year warranty period;

4. All existing above-ground utilities within and abutting the subject property, including cable television, shall be placed underground, with the exception of 69 kV or larger electric lines. This shall be shown on the construction plans submitted with the final plat, noted on the final plat, and completed as each phase is developed, prior to the issuance of the first Temporary Certificate of Occupancy or Certificate of Occupancy in such phase;
5. The 20' water line easement recorded in the official records of the Maricopa Recorder at Document 2001-0908605, shall be terminated prior to approval of any final plat including any portion of the Property encumbered by such easement. Owner shall be responsible for submitting to the City all required documents needed for the termination and the easement will only be terminated upon a determination by the City that there are no existing water infrastructure improvements within the easement area and the easement is not needed for future water infrastructure improvements;
6. Owner is jointly and severally responsible for various payments under the terms of the City Center Airpark DA, including payments for various traffic signals, which shall be made in accordance with the terms of the City Center Airpark DA. Upon the expiration of the City Center Airpark DA, no further building permits and no further temporary certificate of occupancies, certificate of occupancies or certificates of completion will be issued for structures within the Property until Owner has made in-lieu payments for the proportionate share of the full cost of traffic signals (all legs of the intersection) at the intersections set forth below. The in-lieu payments shall be based on the actual cost of the traffic signal if it has been constructed or if the payment is required before the signal is constructed it shall be

based on the estimated cost of the traffic signal as determined by the City Engineer or designee. Owner's traffic signal obligations are as follows:

- a. 25% at Yuma Road and Bullard Avenue;
 - b. 33% at Bullard Avenue and Lower Buckeye Parkway;
7. If the construction of any Bullard Avenue street improvements requires cutting into the median, Owner shall salvage all median trees, and any other plant material identified, that need to be removed from the median for the construction. The trees and plants to be salvaged will be coordinated with the Parks Department, and other staff as needed, and shall be transplanted by the Owner to the section of Bullard Avenue adjacent to the Spring Training Development Complexes, or any other city-owned property, as directed by the Director of Parks or his designee, and the Development Services Director or his designee;
8. In addition to compliance with the stipulations and conditions of approval set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the city of Goodyear subdivision regulations, the city of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and local laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property;
9. 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 herein, 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 prior to or concurrent with recordation of a final plat that includes the area in which the dedicated property is located as required by the City Engineer or his designee. Once the City Center Airpark DA has expired,

and unless otherwise provided in a written phasing plan approved by the City Engineer, no further building permits and no further temporary certificate of occupancies, certificate of occupancies or certificates of completion will be issued for structures within the Property until the dedications required herein have been completed; and,

10. In addition to the specific infrastructure identified herein, Owner shall construct all infrastructure improvements required by the City of Goodyear subdivision regulations and Engineering Design Standards and Policy Manual in effect at the time of construction.

FISCAL IMPACT:

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

BACKGROUND AND PREVIOUS ACTIONS:

The Property is a part of the 400± acre SunMP City Center Airpark Planned Area Development (PAD) approved by City Council on December 4, 2006, with the adoption of Ordinance 06-1054. The entirety of City Center Airpark PAD is generally located on the south side of Yuma Road, from one-quarter mile east of Estrella Parkway, east to the Phoenix-Goodyear Airport. The PAD included a land use plan depicting lots of varying sizes with underlying zoning of C-2, General Commercial, I-1, Light Industrial, and I-2, General Industrial. To date, no private development has occurred within the PAD. A city of Goodyear reverse osmosis plant was constructed within the PAD on the west side of Bullard Avenue.

STAFF ANALYSIS:

Current Policy:

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with zoning for the property, 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. An approved preliminary plat shall expire within 12 months from the date of City Council approval unless either a final plat has been submitted for all or part of the property included in the preliminary plat or an extension has been obtained.

Details of the Request:

The preliminary plat for Airpark Logistics Center is intended to subdivide approximately 170.25 acres into five industrial lots, ranging in size from 21.81 acres to 47.11 acres. The smallest lot, at the southeast corner of Yuma Road and Bullard Avenue has an underlying zoning of I-1, Light Industrial. The other four lots, located on the east side of Bullard Avenue have an underlying zoning of I-2, General Industrial. The site plan for Airpark Logistics Center, currently under review by staff, depicts five office/warehouse/distribution buildings to be constructed in two phases. The buildings depicted range in size from 320,320 square feet to 730,290 square feet.

Luke Air Force Base:

The Property is located within the vicinity of a military airport, but given the location of the subject property, base operations should not be adversely impacted by the proposed development nor should the subject property be adversely impacted.

Phoenix-Goodyear Airport:

The Property is adjacent to the Phoenix-Goodyear Airport and is located within the 75, 70, 65, and 60 DNL aviation noise contours. Consequently, an Avigation Notice and Notice to Prospective Purchasers of Proximity to Airport was recorded in the public record by SunMP in 2007, following approval of the City Center Airpark PAD.

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
Station #184/181	4.19	2.09	4.66	2.33	Station #185	10.01	5.00	10.42	5.21

Police Response:

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

Streets/Transportation:

The northernmost lot will be accessed via Yuma Road and Bullard Avenue. The remaining four lots will be accessed via Bullard Avenue. All the lots will also be connected internally along the east property lines of the lots. All required street improvements will be completed with development of the Property, in accordance with a phasing plan approved by the city. Construction of any Bullard Avenue street improvements that require cutting into the median will also require the Property owner to salvage all median trees that need to be removed from the median for the construction. The salvaged trees will be transplanted by the Property owner to the section of Bullard Avenue adjacent to the Spring Training Development Complexes.

Water/Wastewater:

The subject property is located within the city of Goodyear water and wastewater service area.

FINDINGS:

Staff finds the preliminary plat is consistent with the development standards established in the I-1, Light Industrial and the I-2, General Industrial zoning districts, and is consistent with the technical requirements of the city's subdivision regulations. It also provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

PLANNING AND ZONING COMMISSION:

The request for approval of the Preliminary Plat for Airpark Logistics Center was presented to the Commission at its meeting on June 9, 2021. The Commission recommended approval of the preliminary plat by a vote of 6 to 0. No member of the public appeared at the meeting regarding the request.

ATTACHMENTS:

Aerial Photo

Preliminary Plat for Airpark Logistics Center

Landscape Plan