



City Council Regular Meeting
City Hall - Council Chambers Room
1900 N. Civic Square
Goodyear, AZ 85395

Monday, February 6, 2023

Immediately following the Work Session that begins at 5:00 PM
AMENDED 02/02/2023

Mayor
Joe Pizzillo

Vice Mayor
Laura Kaino

Councilmember
Sheri Lauritano

Councilmember
Wally Campbell

Councilmember
Bill Stipp

Councilmember
Brannon Hampton

Councilmember
Vicki Gillis

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.

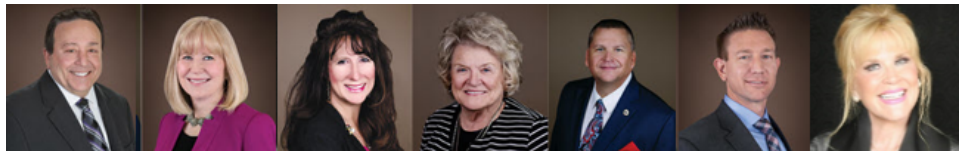
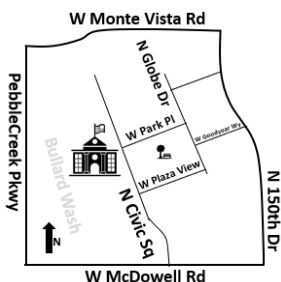
AGENDA ITEMS

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: 1900 N. Civic Square, Goodyear, AZ 85395 (623) 882-7830
www.goodyearaz.gov/cityclerk

City Council Meeting Live Broadcast: <https://www.facebook.com/goodyearazgov/videos>

Immediately following the Work Session that begins at 5:00 p.m.

Amended on 02/02/2023 - Communication item #1 added

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER LAURITANO

COMMUNICATIONS

1. **PROCLAMATION RECOGNIZING CITY MANAGER JULIE KARINS**
2. **SPRING TRAINING 2023 PREVIEW**
(Bruce Kessman, Deputy Director Ballpark)

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

3. **APPROVAL OF MINUTES**
Recommendation
Approve the draft minutes from the January 23, 2023 Regular Meeting. (Darcie McCracken, City Clerk)
4. **FINAL PLAT FOR VILLAS GOODYEAR**
Recommendation
Approve the Final Plat of Villas Goodyear, subject to the following stipulations. (Marty Crossland, Interim Deputy Director of Development Engineering)
5. **APPROVE BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY**
Recommendation
Approve budget amendments & related expenditure authority. (Ryan Bittle, Finance Manager)
6. **FINAL PLAT FOR LAS VENTANAS PARCEL 1**

Recommendation

Approve the Final Plat of Las Ventanas Parcel 1. (Marty Crossland, Interim Deputy Director of Development Engineering)

7. FINAL PLAT FOR LAS VENTANAS PARCEL 2**Recommendation**

Approve the Final Plat of Las Ventanas Parcel 2. (Marty Crossland, Interim Deputy Director of Development Engineering)

8. RECOMMEND APPROVAL OF A NEW SERIES 4 (WHOLESALE) LIQUOR LICENSE FOR BLUE CLOUD DISTRIBUTION OF ARIZONA, INC.**Recommendation**

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 219076, a request made by Camila Alarcon, Agent of Blue Cloud Distribution of Arizona, Inc., for a new Series 4 liquor license. Blue Cloud Distribution of Arizona, Inc. is located at 3105 N. Cotton Ln., Goodyear, AZ 85395, (Generally located North of Thomas and East of Cotton Rd.). (Darcie McCracken, City Clerk)

9. RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR GUS'S NEW YORK PIZZA & BAR**Recommendation**

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 220527, a request by Manal Almasri, owner/applicant for Gus's New York Pizza & Bar, for a new Series 12 liquor license. Gus's New York Pizza & Bar is located at 13824 W. McDowell Rd. #A100, Goodyear, AZ 85395 (generally located N of McDowell Rd and E of Litchfield Rd). (Darcie McCracken, City Clerk)

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

10. RECOMMEND APPROVAL FOR A NEW CLASS A BINGO LICENSE**Recommendation**

Recommend approval to the Arizona Department of Revenue (ADOR) for a Class A bingo license, submitted by Laura Szakacs, President of Pebble Creek Association (Association), for bingo games to be held at 3657 Club House Drive, Goodyear, AZ 85395. (Corinne Ferguson, Deputy City Clerk)

BUSINESS

11. EXTENSION OF REZONING APPROVAL FOR THE INNOVATION CENTRE PLANNED AREA DEVELOPMENT

Recommendation

Approve the request for an extension of the Innovation Centre PAD zoning approval for a period of two years. (Steve Careccia, Planning Manager; Wendy Riddell, Berry Riddell LLC)

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.

- Reports from the Mayor and City Council
This may include current events and activities as well as requests for information or future agenda items.
- Report from the City Manager
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

Future meetings are tentatively scheduled as follows:

February 13, 2023	Work Session	5:00 p.m.
February 27, 2023	Regular Meeting	5:00 p.m.

EXECUTIVE SESSION

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

12. Pursuant to A.R.S. § 38-431.03 (A)(1) & (3) for consultation with the city's attorney and for the discussion or consideration of employment, assignment, appointment, promotion, salaries or resignation of a public officer, appointee or employee of the public body related to the process or appointment of a new or interim City Manager.

ADJOURNMENT OF EXECUTIVE SESSION

RECONVENING OF REGULAR MEETING

CONTINUATION OF BUSINESS

13. The City Council may consider for possible action the appointment of a City Manager on an interim or other basis.

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.

For Non-English assistance please contact the City Clerk at (623) 882-7830.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (623) 882-7830.

POSTING VERIFICATION

This agenda was amended & posted on 02/02/2023 at 12:30 p.m. by PP.

ITEM #: 2.
DATE: 02/06/2023
AI #:1292



CITY COUNCIL COMMUNICATION

STAFF PRESENTER(S): Bruce Kessman, Deputy Director Ballpark

SUBJECT:

SPRING TRAINING 2023 PREVIEW

(Bruce Kessman, Deputy Director Ballpark)

Attachments

Presentation





SUN

MON

TUE

WED

THU

FRI

SAT

Spring Training '23

FEB 25

CLE

1:05PM

26

TEX

1:05PM

27

TEX

1:05PM

28

KC

1:05PM

MAR 1

OAK

1:05PM

2

SF

1:05PM

3

MIL

1:05PM

4

KC

1:05PM

5

ARI

1:05PM

6

COL

6:05PM

7

SF

1:05PM

8

TEAM
MEXICO

1:05PM

9

SD

1:05PM

10

ARI

6:05PM

11

OAK

1:05PM

12

LAD

1:05PM

13

MIL

1:05PM

14

LAA

1:05PM

15

CHC

6:05PM

16

CWS

1:05PM

17

CLE

6:05PM

18

SEA

6:05PM

19

COL

1:05PM

20

LAA

1:05PM

21

LAD

1:05PM

22

SD

6:05PM

23

SEA

6:05PM

24

CHC

6:05PM

25

CWS

6:05PM

26

CIN

1:05PM



GOODYEAR BALLPARK

Game dates, times, promotions and opponents are subject to change.



HOME



HOME



Spring Training



TICKETS AND PROMOTIONS

- Military offers
- Senior discount
- Child pricing
- Kids Run the Bases
- Senior Stroll





Spring Training

CONCESSIONS





ITEM #: 3.
DATE: 02/06/2023
AI #:1158



APPROVAL OF MINUTES

SUBJECT
APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the January 23, 2023 Regular Meeting. (Darcie McCracken, City Clerk)

Attachments

January 23, 2023 Regular Meeting draft minutes

City Council Regular Meeting
City Hall - Work Session Room
1900 N. Civic Square
Goodyear, AZ 85395



Monday, January 23, 2023

5:00 p.m.

Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the meeting to order at 5:00 p.m.

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR KAINO

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Goodyear resident Jennifer Barber spoke about benefits of a business license fee sliding scale. She also requested information on how to accomplish shorter fire response times, ensure proper American Flag disposal, and a larger post office with better access. Ms. Barber thanked the Council for the L.E.A.D. program.

Goodyear resident Marcia DeSalvo expressed frustration regarding the noise level from Loop 303.

CONSENT

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Wally Campbell to APPROVE Consent Agenda items 1 through 6. The motion carried as follows:

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

Passed - Unanimously

1. **APPROVAL OF MINUTES**

Recommendation

Approve the draft minutes from the January 3, 2023 Special Meeting, the January 9, 2023 Special Meeting and the January 9, 2023 Regular Meeting. (Darcie McCracken, City Clerk)

2. **APPROVE BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY**

Recommendation

Approve budget amendments & related expenditure authority. (Doug Sandstrom, Finance Director)

3. **FINAL PLAT FOR LA PRIVADA PARCELS 3 & 7 PHASE 1**

Recommendation

Approve the Final Plat of La Privada Parcels 3 & 7 Phase 1, subject to the following stipulations (Marty Crossland, Interim Deputy Director of Development Engineering)

4. **INTERGOVERNMENTAL AGREEMENT (IGA) WITH CITY OF GLENDALE TO UTILIZE LANDFILL**

Recommendation

Authorize the Mayor or designee to enter into an IGA with the city of Glendale, which would allow city staff and Goodyear residents the ability to utilize the Glendale landfill. (Adam Kurtz, Solid Waste Superintendent)

5. **MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN GOODYEAR AND SALT RIVER PROJECT (SRP) WHERE SRP AGREES TO SUBSIDIZE THE ANNUAL COST OF THE WATERFLUENCE WATER BUDGET EFFICIENCY SOFTWARE CURRENTLY UTILIZED BY GOODYEAR TO PROVIDE EFFICIENCY METRIC DATA TO WATER CUSTOMERS WITH LARGE LANDSCAPES**

Recommendation

Approve and authorize the City Manager or designee to execute the MOU with Salt River Project (SRP) to subsidize the annual cost of Waterfluence. (Ray Diaz, Water Resources & Sustainability Manager)

6. **AUTHORIZATION OF EXPENDITURE OF DESIGN FUNDS FOR APPROVED FY2023 CIP PROJECT #42046- COTTON LANE- ESTRELLA PARKWAY TO COTTON LANE BRIDGE PROJECT**

Recommendation

Authorize the expenditure of design funds for the Cotton Lane project in an amount not to exceed \$806,200. (Hugh Bigalk, City Traffic Engineer; Troy Scott, Senior Project Manager)

PUBLIC HEARINGS

7. **GOODYEAR CELEBRATION PLAZA REZONE**

Mayor Pizzillo opened the public hearing at 5:11 p.m.

Business Analyst Alex Lestinsky presented information on the request for Goodyear Celebration Plaza rezone. She provided information on the property location, neighborhood, and current commercial zoning designations and the request to rezone to a mix of uses, commercial and multifamily, as well as modified development standards and guidelines included within the preliminary area plan.

Applicant representative Jeff Blilie with Beus, Gilbert, McGroder, presented additional information on the current market concerns with the original plan for development and changes in the neighborhood surrounding the area. He also included information about the need for residential in the area, the benefit of a public park and medical offices envisioned to support the Cancer Treatment Center of America (CTCA).

There being no additional speakers, Mayor Pizzillo closed the public hearing at 5:28 p.m.

Council inquired about how CTCA felt about the proposed development changes, the types of potential commercial use, number of sites and noise mitigation standards. Jeff Blilie referenced a letter of support from CTCA. Development Services Director Christopher Baker provided information on design standards for noise mitigation that the architect would be required to provide.

Council continued discussing concerns with the hybrid and multifamily options in the area and near I-10.

Property owner Tom Blake stated that without the mixed use to include multifamily residential he was unsure how the planned area development could proceed.

Council expressed additional concerns with the project as presented.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Bill Stipp to ADOPT RESOLUTION NO. 2023-2279, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS REFERRED TO AND INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1562 FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR “GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT.

[The item was tabled and no vote was taken on the motion/second to adopt the Resolution.]

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to TABLE item 7. The motion carried as follows:

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

Passed - Unanimously

8. **ANNEXATION OF LAND WITHIN A PARCEL AT THE SOUTHWEST CORNER OF W. LOWER BUCKEYE ROAD AND CITRUS ROAD**

Mayor Pizzillo opened the public hearing at 6:22 p.m.

Planning Manager Steve Careccia presented the staff request to annex a small parcel of land near the southwest corner of West Lower Buckeye and Citrus Road. The city zoning designation will be AU agricultural urban. Mr. Careccia also stated the annexation meets all city and state requirements and supports the City's acceptance of the right of way and completion of improvements.

There being no speakers, Mayor Pizzillo closed the public hearing at 6:25 p.m.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2022-1568, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GOODYEAR, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING APPROXIMATELY 3,287 SQUARE FEET OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LOWER BUCKEYE ROAD AND CITRUS ROAD, WHICH IS CONTIGUOUS TO AND SURROUNDED BY THE EXISTING CITY LIMITS OF THE CITY OF GOODYEAR, AND PROVIDING A CITY ZONING DESIGNATION OF AU AGRICULTURAL URBAN; PROVIDING DIRECTIONS AND AN EFFECTIVE DATE. Motion carried as follows:

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

Passed - Unanimously

9. A REZONING FOR URBAN DISTRICT 10

Mayor Pizzillo opened the public hearing at 6:28 p.m.

Planning Manager Steve Careccia reviewed the history of the proposed rezoning area and described the development of a business/commerce park.

Shaine Alleman with Tiffany and Bosco provided additional information regarding the proposed project and introduced Urban Logistics Realty, the developers of the proposed project.

There being no additional speakers, Mayor Pizzillo closed the public hearing at 6:45 p.m.

Council expressed concern with commercial warehouse in the location and impact on the Cancer Treatment Center of America.

Mr. Alleman provided additional information on the difference between industrial warehouses and an office/commerce park.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2023-2285, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1569 RELATED TO THE REZONING OF "URBAN DISTRICT 10". Motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Bill Stipp

NAY: Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Vicki Gillis

Passed

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2023-1569, CONDITIONALLY REZONING APPROXIMATELY 43.93 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF BULLARD AVENUE AND CELEBRATE LIFE WAY TO BE KNOWN AS URBAN DISTRICT 10 FROM THE PRELIMINARY PLANNED AREA DEVELOPMENT ZONING DISTRICT TO THE FINAL PLANNED AREA DEVELOPMENT ZONING DISTRICT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. Motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Bill Stipp

NAY: Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Vicki Gillis

Passed

Council recessed at 7:20 p.m.

Mayor Pizzillo reconvened the Regular Meeting at 7:40 p.m.

10. REZONE APPROXIMATELY 8.62 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO R1-A WITH THE ASCENT AT CANYON TRAILS DEVELOPMENT REGULATIONS R1-A WITH PAD OVERLAY

Mayor Pizzillo opened the public hearing at 7:40 p.m.

Principal Planner Christian Williams presented a brief zoning history of the land and surrounding area within the Canyon Trails Development. He then spoke regarding the applicant rezoning request for 8.62 acres within the Canyon Trails Development from Commercial to Neighborhood Townhouse community.

There being no speakers, Mayor Pizzillo closed the public hearing at 7:48 p.m.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2023-2282, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1566 RELATED TO THE REZONING CASE FOR – ASCENT AT CANYON TRAILS. Motion carried as follows:

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

Passed - Unanimously

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Vice Mayor Laura Kaino to ADOPT ORDINANCE NO. 2023-1566, CONDITIONALLY REZONING APPROXIMATELY 8.62 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROOSEVELT STREET AND 158TH AVENUE TO BE KNOWN AS ASCENT AT CANYON TRAILS; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. Motion carried as follows:

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

Passed - Unanimously

11. **REZONE APPROXIMATELY 156 ACRES LOCATED SOUTHEAST OF ESTRELLA PARKWAY AND YUMA ROAD, KNOWN AS FULTON HOMES AT BALLPARK VILLAGE, FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT AMENDMENT**

Mayor Pizzillo opened the public hearing at 7:54 p.m.

Principal Planner Christian Williams introduced the rezone request of 156 acres known as Fulton Homes at Ballpark Village. The rezone requested modifications to setbacks, additions to trail amenities, and pool regulations.

Goodyear resident Nola Isla asked about traffic plans for the development and expressed concern for the traffic during events at the Ballpark.

Staff responded that although the density is not increased, the additional conditions will be addressed during event planning.

There being no additional speakers, Mayor Pizzillo closed the public hearing at 8:00 p.m.

Council reiterated that the development does not increase the planned density and the traffic would be addressed during event planning.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Vicki Gillis to ADOPT RESOLUTION NO. 2023-2283, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS REFERRED TO AND INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1567 FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR – FULTON HOMES AT BALLPARK VILLAGE 1ST AMENDED. Motion carried as follows:

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

Passed - Unanimously

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Vicki Gillis to ADOPT ORDINANCE NO. 2023-1567, CONDITIONALLY REZONING APPROXIMATELY 156 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ESTRELLA PARKWAY AND YUMA ROAD TO BE KNOWN AS FULTON HOMES AT BALLPARK VILLAGE; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. Motion carried as follows:

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

Passed - Unanimously

12. ANNEXATIONS FOR TWO PROPERTIES NEAR THE SOUTHEAST CORNER OF SARIVAL AVENUE AND BROADWAY ROAD ALIGNMENTS

Mayor Pizzillo opened the public hearing at 8:06 p.m.

Principal Planner Christian Williams introduced the request to annex 1.81 and 0.42 acres near the southeast corner of Sarival Avenue and Broadway Road Alignments. The proposed zoning is Agriculture Urban.

There being no speakers, Mayor Pizzillo closed the public hearing at 8:10 p.m.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Councilmember Bill Stipp to APPROVE Annexation of approximately 1.81 acres of property along the Broadway Road alignment between the Sarival Avenue alignment and the 159th Avenue alignment, generally located southeast of Sarival Avenue and Maricopa County 85. Motion carried as follows:

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

Passed - Unanimously

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to APPROVE Annexation of approximately 0.42 acres of property along the Sarival Avenue alignment between Maricopa County Highway 85 and the future Arizona State Route 30 (Tres Rios Freeway) generally located southeast of Sarival Avenue and Maricopa County 85. Motion carried as follows:

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

Passed - Unanimously

BUSINESS

13. **PRELIMINARY PLAT FOR FULTON HOMES AT BALLPARK VILLAGE**

Principal Planner Christian Williams spoke about the second phase of the Fulton Homes at Ballpark Village that was approved on Item No. 11. This stage is requesting approval of the preliminary plat.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Brannon Hampton to APPROVE the preliminary plat for Fulton Homes at Ballpark Village, subdividing approximately 164.92 gross acres into 796 lots and 87 tracts. Motion carried as follows:

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

Passed - Unanimously

14. **PRELIMINARY PLAT FOR LA JOLLA VISTA**

Principal Planner Christian Williams provided information regarding a request for preliminary plat approval of approximately 201 acres of La Jolla Vista.

MOTION BY Councilmember Bill Stipp, SECONDED BY Vice Mayor Laura Kaino to APPROVE the Preliminary Plat for La Jolla Vista subdividing approximately 201.01 gross acres into 736 lots and 59 tracts. Motion carried as follows:

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

Passed - Unanimously

INFORMATION ITEMS

Council spoke about road construction projects and the need for a tracking system to address having the same street under construction for consecutive projects.

Council spoke about a successful meeting with Senator Sinema and the successful running of the Bullard Wash that took place the prior Saturday.

City Manager Julie Karins reminded residents about the upcoming town hall meeting scheduled to discuss ideas for development of the city-owned 46 acres around the ballpark. She added that the Wag and Tag event is Saturday, January 28th from 9a.m. to noon at Goodyear Civic Square.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

February 3, 2023

City Council Retreat

1:00 p.m.

EXECUTIVE SESSION

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

15. Pursuant to A.R.S. §38-431.03(A) (3) (4): Discussion and consultation with the City Attorney for legal advice to consider its position and instruct its attorneys regarding the City's position regarding contracts that are the subject of negotiations related to Westcor/Goodyear LLC Development Agreement and amendments.

MOTION BY Councilmember Bill Stipp, SECONDED BY Vice Mayor Laura Kaino to CONVENE an Executive Session. The motion carried as follows:

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

Passed - Unanimously

Council entered into Executive Session at 8:25 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 8:45 p.m.

RECONVENING OF REGULAR MEETING

Mayor Pizzillo reconvened the Regular Meeting at 8:45 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 8:45 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 January 23, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2023.

SEAL:

Darcie McCracken, City Clerk

ITEM #: 4.
DATE: 02/06/2023
AI #:1279



CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT FOR VILLAS GOODYEAR

STAFF PRESENTER(S): Marty Crossland, Interim Deputy Director of
Development Engineering

OTHER PRESENTER(S):

Waldy Coronado, Walcor LLC

SUMMARY

A Final Plat combining approximately 13 acres into 1 lot at the intersection of S. Sarival Avenue and W. Yuma Road.

Recommendation

Approve the Final Plat of Villas Goodyear, subject to the following stipulations. (Marty Crossland, Interim Deputy Director of Development Engineering)

STIPULATIONS

1. Any technical corrections to the Final Plat of Villas Goodyear (the "Final Plat") approved herein required by the City Engineer or his designee shall be made prior to the recordation of the Final Plat;
2. Prior to recordation of the Final Plat, Owner shall submit an updated title report for the property included within the boundaries of the Final Plat (the "Platted Property") and shall modify the Final Plat to reflect the current ownership and current lender including on Final Plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the Platted Property. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing the Final Plat is authorized to do so; and
3. Owner shall, at Owner's sole cost and expense, construct or cause the construction of full half-street improvements, except for $\frac{1}{2}$ a median and $\frac{1}{2}$ median landscaping, for the section of west half of S. Sarival Avenue along or adjacent to the frontage of the Property required for a Minor Arterial as set forth in the Engineering Design Standards in effect at the time the improvements are constructed, including but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "S. Sarival Avenue Improvements"). The S. Sarival Avenue Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property; and
4. If all or part of the required S. Sarival Avenue Improvements have been constructed by the City of Goodyear, Owner shall remit to the City of Goodyear an in-lieu payment for the costs

the City of Goodyear incurred in constructing such improvements and Owner shall construct all remaining required S. Sarival Avenue Improvements. The payment required hereunder shall be remitted prior to the issuance of any permit for construction within the Property. The remaining S. Sarival Avenue Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property; and

5. The Final Plat, shall not be recorded until Roosevelt Irrigation District and Maricopa County Department of Environmental Services have provided the city written approvals approving all construction plans that impact their respective interests.

6. Prior to recordation of the Final Plat, owner shall remit to the city an in-lieu payment for 50% of the costs of a constructing a full median and full median landscaping for the section of S. Sarival Avenue along or adjacent to the frontage of the Property. The in-lieu payment shall be 50% of the actual cost of the full median and full median landscaping if the median and landscaping have been constructed and installed or if the payment is required before the full median and median landscaping has been constructed and installed, the payment shall be based on the estimated cost of the full median and median landscaping as determined by the City Engineer or his designee;

7. 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;

8. Prior to the issuance any construction permits for any work on the Property, other than for at-risk mass grading permits, the existing 8' wide electric easements along the northern boundary of the Property conveyed by instruments MCR# 84-388753 and MCR# 84-388759 shall be terminated and Owner shall provide documentation showing that said easements have been terminated and the terminations are recorded with the Maricopa County Recorder office.

9. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, Owner shall terminate the portion of the existing Public Utility Easement per MCR #20210074402 that is within the proposed S. Sarival Avenue right of way.

10. 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 dry utilities located within the existing and proposed S. Sarival Avenue right-of-way shall be relocated to within the new 10 foot public utility easement adjacent to the Property, including but not limited to, cable and electrical utilities, shall be relocated at no cost to the City;

11. Prior to final plat recordation, Owner shall terminate the following existing ingress and egress easements:

- Docket 15950, Page 160; and thereafter First Amendment to Easement recorded in 2005-0009144 of Official Records and Amended and Restated recorded as 2005-0273005 of Official Records.

- Docket 15950, Page 169

- Docket 15950, Page 175 and First Amended recorded as 2005-0273004 of Official Records; and.

12. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, all existing above ground utilities, except for electric lines that are 69kV or larger, located within and adjacent to the Property, including but not limited to, cable and electrical utilities, shall be placed underground at no cost to the City; and

13. The development of the Property shall be in compliance with all other stipulations/conditions of approval set forth in Ordinance 2021-1502 not specifically addressed herein.

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 is currently zoned MF-12 under the Innovations Villas on Sarival zoning, which was approved by City Council on by Ordinance No. 2021-1502. The site plan of Innovation Villas on Sarival was approved on March 8, 2022.

STAFF ANALYSIS

The Final Plat is consistent with the technical requirements of the city's subdivision regulations and engineering standards. The Final Plat is consistent with the land use and development standards approved in the MF-24 Zoning Districts for the Property. It provides for the orderly development of the property by identifying the required infrastructure needed to serve the development and the proposed subdivision is consistent with the General Plan and will not adversely impact the surrounding area.

Attachments

Final Plat for Villas Goodyear
Aerial Map

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THAT BVFD VILLAS GOODYEAR OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER HAS SUBDIVIDED UNDER THE NAME OF "VILLAS AT GOODYEAR", BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 2 WEST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREIN AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID "VILLAS AT GOODYEAR" AND HEREBY DECLARES THAT SAID FINAL PLAT SET FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING THE SAME. EACH LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

BYVD VILLAS GOODYEAR OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") FOR USE BY THE CITY AND ITS PERMITTEES EXCLUSIVE PUBLIC UTILITY EASEMENTS WITHIN, ON, ACROSS, OVER AND UNDER THOSE AREAS WITHIN LOT 1 DESIGNATED AS "PUBLIC SIDEWALK EASEMENT DEDICATED HEREON" AS SHOWN ON THIS FINAL PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN ("PUBLIC UTILITY EASEMENT AREAS"). SUCH PUBLIC UTILITY EASEMENTS ARE FOR THE PURPOSES OF: ENTERING UPON, INSTALLING, OPERATING, INSPECTING, MAINTAINING, REPLACING, AND/OR REPAIRING PUBLIC UTILITY IMPROVEMENTS WITHIN, ON, OVER, ACROSS, ABOVE, AND UNDER THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REMOVING, REPAIRING AND REPLACING PUBLIC SIDEWALKS OVER AND ABOVE THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY OF GOODYEAR AND ITS PERMITTEES; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT AREAS. THE PUBLIC UTILITY EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE PUBLIC UTILITY EASEMENT AREAS.

BYVD VILLAS GOODYEAR OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") A NON-EXCLUSIVE DRAINAGE EASEMENT ON, OVER, ACROSS AND UNDER ALL AREAS WITHIN LOT 1 DESIGNATED AS "DRAINAGE EASEMENT DEDICATED HEREON," AS SHOWN ON THIS FINAL PLAT AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN FOR THE FOLLOWING PURPOSES: THE CONVEYANCE, RETENTION, STORAGE AND DISPOSAL OF STORM-WATER FLOWS IDENTIFIED IN THE GRADING AND DRAINAGE IMPROVEMENT PLANS FOR THE PREMISES DESCRIBED HEREIN APPROVED BY THE GOODYEAR CITY ENGINEER OR HIS/HER DESIGNEE (THE "APPROVED GRADING AND DRAINAGE PLANS") AND FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF DRAINAGE IMPROVEMENTS SUCH AS SCUPPERS, STORM DRAINS, PIPES, DRY WELLS, HEAD WALLS, RETENTION BASINS AND THE LIKE INCLUDED IN THE APPROVED GRADING AND DRAINAGE PLANS (THE "DRAINAGE FACILITIES"). OWNER, AT OWNER'S EXPENSE, SHALL BE RESPONSIBLE FOR CONSTRUCTING AND INSTALLING THE DRAINAGE FACILITIES; MAINTAINING THE DRAINAGE FACILITIES IN GOOD CONDITION; REPLACING AND REPAIRING THE DRAINAGE FACILITIES AS NEEDED TO MAINTAIN THEIR CARRYING AND STORAGE CAPACITY; PREVENTING EROSION; PREVENTING DAMAGE, DEBRIS AND OTHER OBSTRUCTIONS FROM ACCUMULATING IN THE DRAINAGE FACILITIES (COLLECTIVELY THE "MAINTENANCE WORK"). THE CITY IS NOT OBLIGATED TO PERFORM THE MAINTENANCE WORK, BUT IF THE CITY ENGINEER, THE CITY DIRECTOR OF PUBLIC WORKS AND/OR ANY OF THEIR RESPECTIVE DESIGNEES DETERMINES THAT OWNER HAS FAILED TO PERFORM THE MAINTENANCE WORK, THE CITY MAY UNDERTAKE SUCH MAINTENANCE WORK AT OWNER'S EXPENSE. OWNER SHALL REIMBURSE THE CITY FOR ALL COSTS THE CITY INCURS IN PERFORMING ANY MAINTENANCE WORK, AND OWNER SHALL INDEMNIFY, DEFEND AND HOLD THE CITY HARMLESS AGAINST ALL CLAIMS ARISING FROM OR RELATED TO OWNER'S FAILURE TO PERFORM THE MAINTENANCE WORK AS AND WHEN REQUIRED HEREIN. THE DRAINAGE EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF LOT 1.

IN WITNESS WHEREOF

BVFD VILLAS GOODYEAR OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

ITS: _____

STATE OF ARIZONA }
COUNTY OF MARICOPA } S.S.

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

NOTARY PUBLIC	DATE
---------------	------

MY COMMISSION EXPIRES: _____

VICINITY MAP
N.T.S.

BVFD VILLAS GOODYEAR OWNER, LLC
44801 VILLAGE COURT, SUITE 104
PALM DESERT, CA 92260
PHONE: (760) 900-8989
CONTACT: RUDY HERRERA
rudy@fdgroup.us

BOWMAN
301 SE OCEAN BOULEVARD, SUITE 301
STUART, FL 34994
PHONE: (772) 678-4330
CONTACT: OCTAVIO REIS
oreis@bowman.com

BOWMAN
1600 N DESERT DRIVE, #210
TEMPE, AZ 85281
PHONE: (480) 629-8830
CONTACT: DOUG TONEY
dtoney@bowman.com

1	COVER, DEDICATION, SITE DATA, BASIS OF BEARINGS, CERTIFICATION, NOTES LEGAL DESCRIPTION
2	FINAL PLAT PLAN SHEETS, SITE AREA TABLE, LINE TABLE

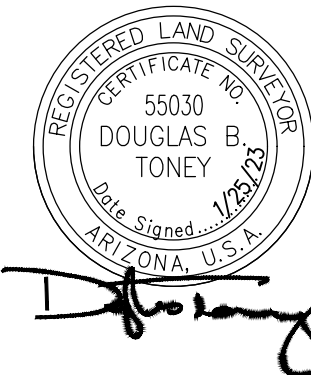
ZONING	M-12
NUMBER OF LOTS	1
GROSS AREA	569,886 SQ.FT. OR 13.0828 ACRES, MORE OR LESS
NET AREA	568,271 SQ.FT. OR 13.0457 ACRES, MORE OR LESS

NORTH 89 DEGREES 45 MINUTES 09 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO THE FINAL PLAT OF "CANYON TRAILS UNIT 3 PARCEL G", RECORDED IN BOOK 687 OF MAPS, PAGE 36, MARICOPA COUNTY RECORDS.

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED
HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND
BELIEF.

1/25/23

DOUGLAS B. TONEY
REGISTERED LAND SURVEYOR NO. 55030
BOWMAN
1600 N DESERT DRIVE, #210
TEMPE, AZ 85288

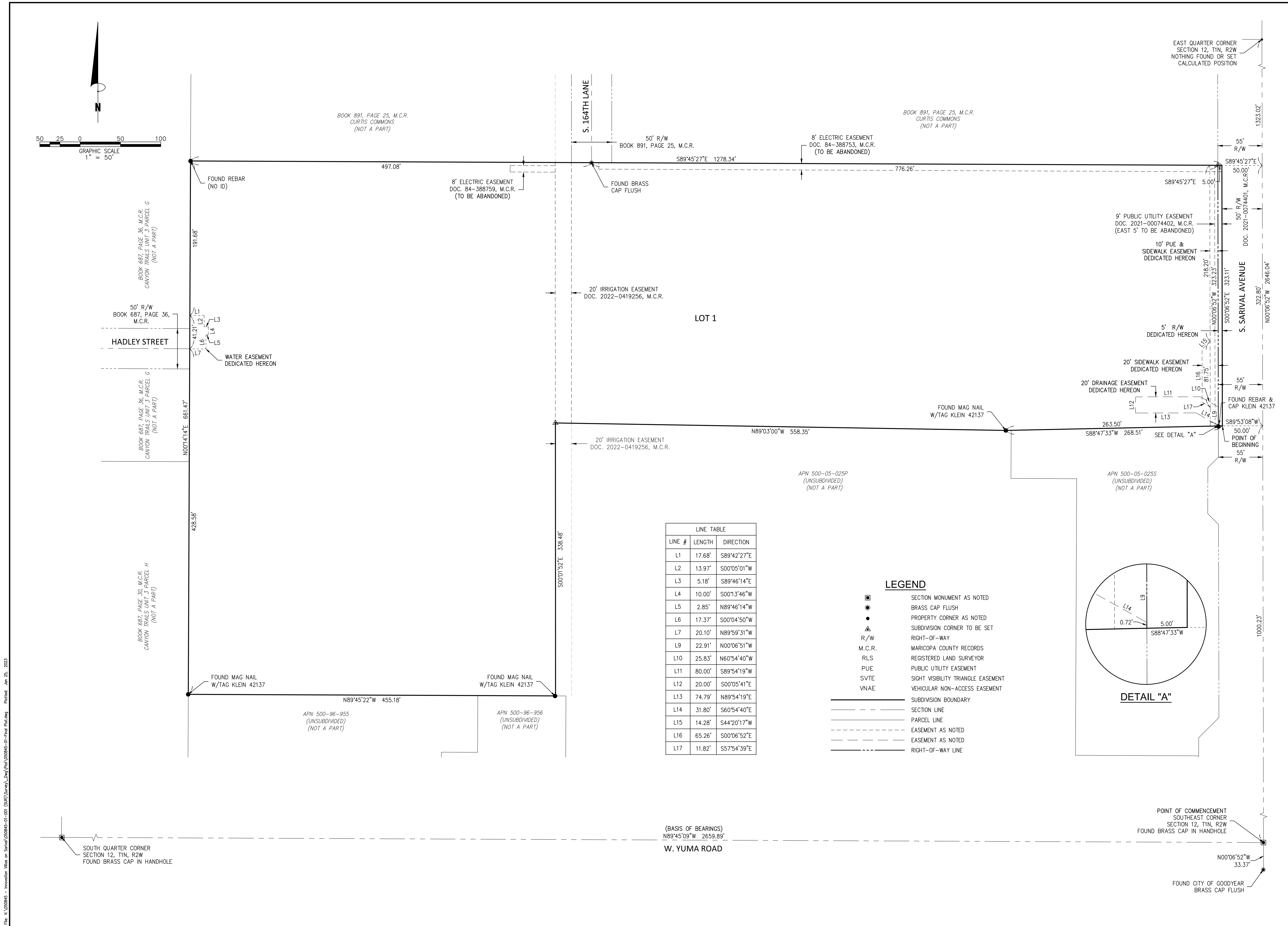


APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY
OF _____, 2023.

BY: JOE PIZZILLO – MAYOR ATTEST: DARCIE McCRACKEN – CITY CLERK

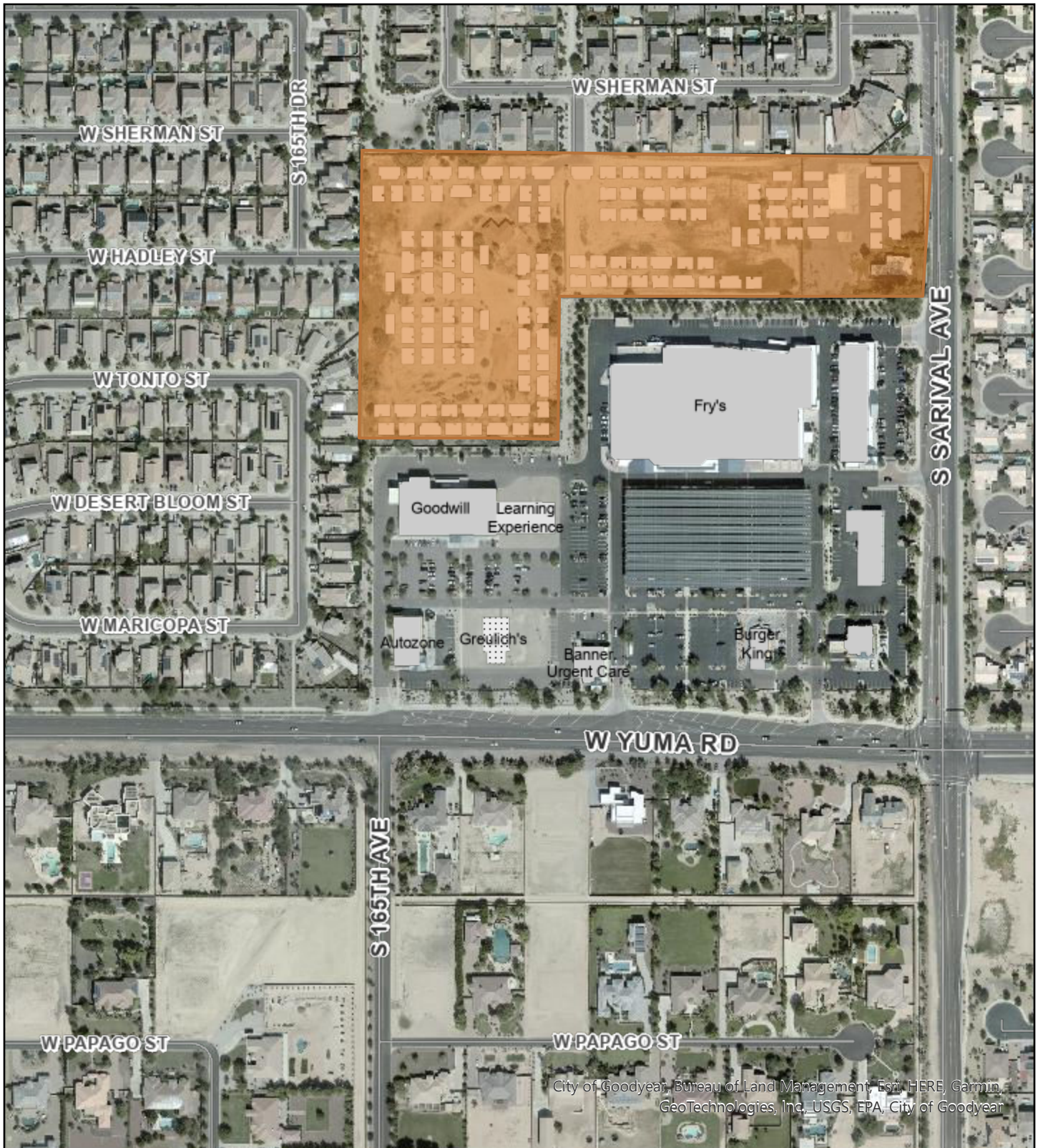
APPROVED BY THE CITY ENGINEER OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY
OF _____, 2023

BY: _____
SUMEET MOHAN – CITY ENGINEER



City of Goodyear

Villas Goodyear



0 0.02 0.04 0.06 0.08 0.1 0.12 0.14 0.16
mi

Author:

Date Created: 1/13/2023

Data Source: City of Goodyear

When receiving and using GIS data, the user agrees and acknowledges the following: The City of Goodyear provides geospatial digital data on an "as is" and "as available" basis. The City makes no representations or warranties of any kind, express or implied with respect to the data. The City is not liable for geospatial digital data errors, inaccuracies or omissions and shall be held harmless from and against all damage, loss or liability arising from any use or the results obtained from its use.

ITEM #: 5.
DATE: 02/06/2023
AI #:1283



CITY COUNCIL ACTION REPORT

**SUBJECT: APPROVE BUDGET AMENDMENTS & RELATED
EXPENDITURE AUTHORITY**

STAFF PRESENTER(S): Doug Sandstrom, Finance Director

SUMMARY

Approve budget amendments & related expenditure authority.

Recommendation

Approve budget amendments & related expenditure authority. (Ryan Bittle, Finance Manager)

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 amendments requiring City Council approval are presented, as necessary throughout the year. The FY2023 expenditure limitation budget was adopted on June 06, 2022.

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 Amendment Report

City Council - Budget Amendments Report - FY2023

Council Agenda Date: 2/6/2023

Date	Transfer Journal No.	Reason Needed	Amount	Ultimate Fund(s) Affected; Explanation	New Resource/ Revenue	No Ultimate Funding Change	General	Water Operating	Wastewater Operating	Other Operating Funds	Other Capital Funds
1/19/2023	2023-7-537	As part of the FY23 budget adoption process, Council was informed the City would set aside general fund dollars as a backup plan in case we were not awarded the SAFER grant. We were not awarded the grant and are now asking to utilize those set aside dollars.	\$981,100	General Fund			\$981,100				

ITEM #: 6.
DATE: 02/06/2023
AI #:1293



CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT FOR LAS VENTANAS PARCEL 1

STAFF PRESENTER(S): Marty Crossland, Interim Deputy Director of
Development Engineering

OTHER PRESENTER(S):

Heidi Tilson, P.E., CVL Consultants

SUMMARY

A Final Plat subdividing approximately 46 acres into 137 lots and 21 tracts at the intersection of W. Yuma Road and S. 183rd Avenue. The previous approval on May 23, 2022 has expired.

Recommendation

Approve the Final Plat of Las Ventanas Parcel 1. (Marty Crossland, Interim Deputy Director of Development Engineering)

STIPULATIONS

1. Any technical corrections to the Final Plat for Las Ventanas Parcel 1 required by the City Engineer shall be made prior to the recordation of the final plat.
1. Prior to recordation of the Final Plat for Las Ventanas Parcel 1, Owner shall submit an updated title report for the property and shall modify this plat to reflect the current ownership and current lender including on the final plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the property being platted herein. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing the Final Plat for Las Ventanas Parcel 1 is authorized to do so.
3. Prior to recordation of the Final Plat, Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the property rezoned by Ordinance 2017-1364 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.
4. Prior to recordation of the Final Plat, owner shall remit all cost recovery payments owed pursuant to: CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; and

CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747. The cost recovery payments that are to be paid are as follows:

Wastewater Line B	\$286,035.00
Wastewater Line E	\$110,941.00
Water Line C	\$ 98,139.71
Water line D	\$178,655.35
Water Line F	\$181,115.32
Total	\$854,886.38

5. The Final Plat for Las Ventanas Parcel 1 shall not be recorded unless either (i) the Final Plat for Las Ventanas Parcel 2, which is being presented by separate council action concurrently with the Final Plat for Las Ventanas Parcel 1, is recorded or until (i) drainage easement(s) located outside the boundaries of the Final Plat for Las Ventanas Parcel 1 have been conveyed to the City, the developer of the property within the Final Plat for Las Ventanas Parcel 1 (the "Property"), and the Las Ventanas West Goodyear Homeowners Association and recorded in the official records of Maricopa County. The drainage easements referred to herein shall be in a form acceptable to the City Attorney or his designee and shall provide for the acceptance, containment, retention and disposal of storm waters and drainage and the construction, installation, inspection, maintenance, repair, and replacement of drainage facilities pursuant to grading and drainage improvement plans approved for the development of the Property.

6. Unless the property on the north side of Yuma Road across from the Property has been developed and permanent drainage facilities constructed to handle drainage from the north, then prior to the recordation of the Final Plat for Las Ventanas Parcel 1, Temporary Drainage Easement(s) located within the property on the north side of Yuma Road across from the Property (Melcor Developments Arizona Inc parcels 502-40-003T, 502-40-003V and 50240003H) shall be conveyed to the City, the developer of the Property, and the Las Ventanas West Goodyear Homeowner's Association and recorded in the official records of Maricopa County. The drainage easements referred to herein shall be in a form acceptable to the City Attorney or his designee and shall provide for the acceptance, containment, retention and disposal of storm waters and drainage and the construction, installation, inspection, maintenance, repair, and replacement of drainage facilities pursuant to grading and drainage improvement plans approved for the development of the Property.

7. Owner shall remit to the city an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of W. Yuma Road along or adjacent to the frontage of the Property. 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. The in-lieu payment referred to herein shall be made prior to or concurrent with recordation of the Final Plat or prior to the issuance of any permits for construction work within the Property, whichever is earlier

8. Owner is responsible for a proportionate share of the costs of traffic signals at the intersection identified below. Owner shall make an in-lieu payment for the costs of the following traffic signals. The in-lieu payment shall be made prior to the recordation of the Final Plat or the issuance of any construction permits for work within the Property, whichever is earlier. The in-lieu payment shall be based on the percentage reflected below of the actual cost of the full traffic signal (all four legs) 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. The Property Owner's traffic signal obligations include, but may not be limited to:

- a. 25% of the cost of the full traffic signal (all four legs) at W. Yuma Road and S. Perryville Road

9. The Final Plat for Las Ventanas Parcel 1 shall not be recorded unless either (i) the Final Plat for Las Ventanas Parcel 2 being presented by separate council action concurrently with the Final Plat for Las Ventanas Parcel 1 is recorded simultaneously with the Final Plat for Las Ventanas Parcel 1 or until (i) wastewater easement(s) needed for the construction of City wastewater lines and appurtenances that will serve the Property ("Wastewater Facilities") are conveyed to the City and the developer of the Property. The wastewater easement(s) referred to herein shall be in a form acceptable to the City Attorney or his designee and shall provide for the construction, operation, maintenance, repair, removal and replacement of Wastewater Facilities.

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 preliminary plat of Las Ventanas was approved by the City Council on January 22, 2018. The final plat of Las Ventanas Parcel 1 was approved by the City Council on May 23, 2022 and has since expired. No changes have been made to the final plat City Council approved on May 23, 2022, but since it has expired, City Council is being asked to reapprove the Final Plat of Las Ventanas Parcel 1.

STAFF ANALYSIS

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

Attachments

Final Plat

Aerial Photo

Preplat CAR

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH 89°42'25" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN OF MARICOPA COUNTY, ARIZONA.

HOMEOWNER'S ASSOCIATION RATIFICATION

BY THIS RATIFICATION AND CONSENT, _____, DULY AUTHORIZED AGENT OF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, ACKNOWLEDGES AND CONSENTS TO THE OWNERSHIP OF TRACTS A THROUGH T, INCLUSIVE, REFLECTED HEREIN, THE DEDICATION OF THE VEHICLE NON-ACCESS EASEMENTS REFLECTED HEREIN, THE MAINTENANCE RESPONSIBILITIES OF TRACTS A THROUGH U, AND OTHER RESPONSIBILITIES REFERRED TO HEREIN.

NAME: _____
TITLE: _____ DATE: _____

HOMEOWNER'S ASSOCIATION RATIFICATION
ACKNOWLEDGEMENT

STATE OF ARIZONA)
JSS
COUNTY OF MARICOPA)

ON THIS THE _____ DAY OF _____, 2022, BEFORE ME

PERSONALLY APPEARED _____, AND ACKNOWLEDGED HIMSELF/HERSELF TO BE AN AUTHORIZED AGENT OF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, AND ACKNOWLEDGED THAT HE/SHE, AS THE AUTHORIZED AGENT, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE CONTAINED THEREIN.

IN WITNESS WHEREOF:

I HEREBY SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES: _____ DATE
NOTARY PUBLIC

CERTIFICATION

I, RICHARD G. ALCOCER, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS MAP, CONSISTING OF SEVEN (7) SHEETS, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION DATED MAY 2018, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY: *Richard G. Alcocer* 5-12-2022
RICHARD G. ALCOCER
REGISTRATION NUMBER 33851
4550 N. 12TH STREET
PHOENIX, ARIZONA 85014
(602)-264-6831
CVLSURVEY@CVLCL.COM

ACKNOWLEDGEMENT

STATE OF ARIZONA)
JSS
COUNTY OF MARICOPA)

ON THIS THE _____ DAY OF _____, 2022, BEFORE ME

PERSONALLY APPEARED _____ AND ACKNOWLEDGED HIMSELF/HERSELF TO BE AN AUTHORIZED AGENT OF MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT HE/SHE, AS THE AUTHORIZED AGENT, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE CONTAINED THEREIN.

IN WITNESS WHEREOF:

I HEREBY SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES: _____ DATE
NOTARY PUBLIC

FINAL PLAT APPROVAL
APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA THIS _____ DAY OF _____, 2022.
BY: _____ MAYOR (JOE PIZZILLO)
ATTEST: _____ CITY CLERK (DARCIE McCracken)

FINAL PLAT APPROVAL
APPROVED BY THE CITY ENGINEER OF THE CITY OF GOODYEAR, ARIZONA THIS _____ DAY OF _____, 2022.
BY: _____ CITY ENGINEER (SUMEET MOHAN)

UTILITY PROVIDERS

SEWER	CITY OF GOODYEAR
WATER	CITY OF GOODYEAR
TELEPHONE	CENTURYLINK
CABLE	COX COMMUNICATIONS
NATURAL GAS	SOUTHWEST GAS
ELECTRIC	ARIZONA PUBLIC SERVICE
FIRE	CITY OF GOODYEAR

FINAL PLAT FOR
LAS VENTANAS PARCEL 1

A PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER/DEVELOPER

MATTAMY ARIZONA, LLC
9200 EAST PIMA CENTER PARKWAY,
SUITE 160 PHOENIX, AZ. 85016
PHONE: (480) 302-6080
CONTACT: KEVIN RUST

ENGINEER/SURVEYOR

CVL CONSULTANTS
4550 NORTH 12TH STREET
PHOENIX, ARIZONA 85014
PHONE: (602) 264-6831
FAX: (602) 264-6831
CONTACT: HEIDI TILSON P.E.

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

KNOW ALL MEN BY THESE PRESENTS:

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, , AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "LAS VENTANAS PARCEL 1" A PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY DECLARES THAT SAID FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING THE SAME. EACH LOT, TRACT, EASEMENT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR THE STREETS AND TRACT U, IN FEE, SHOWN ON SAID PLAT AND INCLUDED IN PREMISES DESCRIBED HEREIN.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") FOR USE BY THE CITY AND ITS PERMITEES, NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS WITHIN, ON, ACROSS, OVER AND UNDER THOSE AREAS WITHIN TRACTS A THROUGH T INCLUSIVE, AND IN LOTS DESIGNATED AS "PUE" AS SHOWN ON THIS FINAL PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN ("PUBLIC UTILITY EASEMENT AREAS"). SUCH PUBLIC UTILITY EASEMENTS ARE FOR THE PURPOSES OF: ENTERING UPON, INSTALLING, OPERATING, MAINTAINING, REPLACING, AND/OR REPAIRING PUBLIC UTILITY IMPROVEMENTS WITHIN, ON, OVER, ACROSS, ABOVE AND UNDER THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY AND ITS PERMITEES; ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, MODIFYING, REPAIRING, AND REPLACING PUBLIC SIDEWALKS OVER AND ABOVE THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY AND ITS PERMITEES; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT AREAS. THE PUBLIC UTILITY EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE PUBLIC UTILITY EASEMENT AREAS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR AND LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION PERPETUAL, NON-EXCLUSIVE VEHICLE NON-ACCESS EASEMENTS (UPON, OVER AND ACROSS ALL AREAS IN THIS FINAL PLAT DESIGNATED AS "V.N.A.E." AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "VEHICLE NON-ACCESS EASEMENT AREAS") FOR THE PURPOSE OF PROHIBITING ALL USE OF MOTOR VEHICLES UPON, OVER AND ACROSS THE VEHICLE NON-ACCESS EASEMENT AREAS. THE VEHICLE NON-ACCESS EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE VEHICLE NON-ACCESS EASEMENT AREAS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") FOR USE BY THE CITY AND ITS PERMITEES A PERPETUAL WATER EASEMENT UPON, OVER, ACROSS, ABOVE, AND UNDER ALL AREAS WITHIN TRACT G DESIGNATED AS "WATER EASEMENT" AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "WATER EASEMENT AREA"). THE WATER EASEMENT DEDICATED HEREIN IS FOR THE PURPOSES OF ENTERING, INSTALLING, OPERATING, MAINTAINING, REPLACING AND/OR REPAIRING WATERLINES AND APPURTENANCES THAT WILL BE OWNED BY THE CITY OR ITS ASSIGNEES (THE "WATER FACILITIES") WITHIN, ON, OVER, ACROSS ABOVE, AND UNDER THE WATER EASEMENT AREA, NO UNDERGROUND IMPROVEMENTS OTHER THAN WATER FACILITIES SHALL BE CONSTRUCTED WITHIN THE WATER EASEMENT AREA EXCEPT UPON THE CONSENT OF THE CITY. NO BUILDING, STRUCTURE OR WELL SHALL BE ERCTED, CONSTRUCTED, OR DRILLED WITHIN THE WATER EASEMENT AREAS AND THE WATER EASEMENT AREAS SHALL BE KEPT FREE OF ALL VEGETATION EXCEPT VEGETATION ALLOWED UNDER THE CITY OF GOODYEAR ENGINEERING DESIGN STANDARDS AND POLICIES MANUAL. THE WATER EASEMENT DEDICATED HEREIN RUNS WITH THE LAND AND IS BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE WATER EASEMENT AREA.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY"), FOR USE BY THE CITY AND ITS PERMITEES, A PERPETUAL WATER METER EASEMENT UPON, OVER, ACROSS, ABOVE, AND UNDER ALL AREAS WITHIN TRACT O DESIGNATED AS "WATER METER EASEMENT" AS SHOWN ON THIS FINAL PLAT AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "WATER METER EASEMENT AREA"). THE WATER METER EASEMENT DEDICATED HEREIN IS FOR THE PURPOSES OF ENTERING, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, INSPECTING, MODIFYING, REPAIRING, REMOVING, AND/OR REPLACING WATER METERS, APPURTENANCES, AND UNDERGROUND WATER LINES THAT WILL BE OWNED BY THE CITY OR ITS ASSIGNEES (THE "WATER METER FACILITIES") WITHIN, UPON, OVER, ACROSS, ABOVE AND UNDER THE WATER METER EASEMENT AREA. NO UNDERGROUND IMPROVEMENTS OTHER THAN THE WATER FACILITIES SHALL BE CONSTRUCTED WITHIN THE WATER METER EASEMENT AREA EXCEPT UPON THE WRITTEN CONSENT OF THE CITY OF GOODYEAR. NO BUILDING, STRUCTURE OR WELL SHALL BE ERCTED, CONSTRUCTED, OR DRILLED WITHIN THE WATER METER EASEMENT AREA. THE WATER METER EASEMENT DEDICATED HEREIN RUNS WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE WATER METER EASEMENT AREA.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") FOR USE BY THE CITY AND ITS PERMITEES A PERPETUAL SEWER EASEMENT UPON, OVER, ACROSS AND UNDER ALL AREAS WITHIN TRACT N DESIGNATED AS "SEWER EASEMENT" AS SHOWN ON THIS FINAL PLAT AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "SEWER AND ACCESS EASEMENT AREA"), THE SEWER EASEMENT DEDICATED HEREIN IS FOR THE PURPOSES OF ENTERING, INSTALLING, OPERATING, MAINTAINING, REPLACING AND/OR REPAIRING WASTEWATER LINES AND APPURTENANCES THAT WILL BE OWNED BY THE CITY OR ITS ASSIGNEES (THE "WASTEWATER FACILITIES") WITHIN, ON, OVER, ACROSS ABOVE, AND UNDER THE SEWER EASEMENT AREA. NO UNDERGROUND IMPROVEMENTS OTHER THAN WASTEWATER FACILITIES SHALL BE CONSTRUCTED WITHIN THE SEWER EASEMENT AREA EXCEPT UPON THE WRITTEN CONSENT OF THE CITY. NO BUILDING, STRUCTURE OR WELL SHALL BE ERCTED, CONSTRUCTED, OR DRILLED WITHIN THE SEWER EASEMENT AREA AND THE SEWER EASEMENT AREA SHALL BE KEPT FREE OF ALL VEGETATION EXCEPT VEGETATION ALLOWED UNDER THE CITY OF GOODYEAR ENGINEERING DESIGN STANDARDS AND POLICIES MANUAL. THE SEWER EASEMENT DEDICATED HEREIN RUNS WITH THE LAND AND IS BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE SEWER AND ACCESS EASEMENT AREA.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DECLARES TRACTS A THROUGH T INCLUSIVE INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN AS COMMON AREAS FOR THE USE AND ENJOYMENT OF THE MEMBERS OF THE LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, AND, SUBJECT TO THE COVENANTS, RESERVATIONS, RESTRICTIONS AND EASEMENTS SET FORTH HEREIN, CONVEYS TO THE LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION TRACTS A THROUGH T INCLUSIVE WITHIN THE PREMISES DESCRIBED HEREIN FOR THE PURPOSES INDICATED HEREIN AND AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") PERPETUAL NON-EXCLUSIVE DRAINAGE EASEMENTS ON, OVER, ACROSS AND UNDER TRACTS E, G, H, J, N, O AND P INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "DRAINAGE EASEMENT AREAS") FOR THE FOLLOWING PURPOSES: THE CONVEYANCE, RETENTION, STORAGE AND DISPOSAL OF STORM-WATER FLOWS IDENTIFIED IN THE GRADING AND DRAINAGE IMPROVEMENTS PLANS FOR THE PLATTED PROPERTY APPROVED BY THE CITY ENGINEER OR HIS/HER DESIGNEE (THE "APPROVED GRADING AND DRAINAGE PLANS"); AND THE CONSTRUCTION INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF DRAINAGE IMPROVEMENTS SUCH AS SCUPPERS, STORM DRAINS, PIPES, DRY WELLS, HEAD WALLS, RETENTION BASINS AND THE LIKE INCLUDED IN THE APPROVED GRADING AND DRAINAGE PLANS (THE "DRAINAGE FACILITIES"). OWNER, AT OWNER'S EXPENSE SHALL BE RESPONSIBLE FOR CONSTRUCTING AND INSTALLING THE DRAINAGE FACILITIES; MAINTAINING THE DRAINAGE FACILITIES IN GOOD CONDITION; REPLACING AND REPAIRING THE DRAINAGE FACILITIES AS NEEDED TO MAINTAIN THEIR CARRYING AND STORAGE CAPACITY; PREVENTING EROSION; PREVENTING REFUSE, DEBRIS, SEDIMENT, VEGETATION OR OTHER OBSTRUCTIONS FORM ACCUMULATING IN THE DRAINAGE FACILITIES (COLLECTIVELY THE "MAINTENANCE WORK"). THE CITY IS NOT OBLIGATED TO PERFORM THE MAINTENANCE WORK, BUT, IF THE CITY ENGINEER, THE GOODYEAR DIRECTOR OF PUBLIC WORKS AND/OR THEIR RESPECTIVE DESIGNEES DETERMINES THAT OWNER HAS FAILED TO PERFORM THE MAINTENANCE WORK, THE CITY MAY UNDERTAKE SUCH MAINTENANCE WORK AT OWNER'S EXPENSE. OWNER SHALL REIMBURSE THE CITY FOR ALL COSTS THE CITY INCURS IN PERFORMING ANY MAINTENANCE WORK AND OWNER SHALL INDEMNIFY, DEFEND AND HOLD THE CITY HARMLESS AGAINST ALL CLAIMS ARISING FROM, ALLEGED TO HAVE ARISEN FROM, OR RELATED TO OWNER'S FAILURE TO PREFORM THE MAINTENANCE WORK AS AND WHEN REQUIRED HEREIN. THE DRAINAGE EASEMENTS DEDICATED HEREON RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF TRACTS E, G, H, J, N, O, AND P.

IN CONSIDERATION OF THE CITY'S AGREEMENT TO ALLOW THE CONSTRUCTION OF A MEDIAN AND INSTALLATION OF LANDSCAPING WITHIN TRACT U, LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION HEREBY EXPRESSLY AGREES THAT IT SHALL, AT ITS SOLE COST, MAINTAIN AND REPLACE LANDSCAPING INSTALLED WITHIN MEDIANS CONSTRUCTED WITHIN TRACT U, INCLUDING THE PROVISION OF ALL WATER NEEDED FOR THE MAINTENANCE OF SUCH LANDSCAPING. LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION SHALL OBTAIN ALL PERMITS AS MAY BE REQUIRED BY THE CITY OF GOODYEAR (THE "CITY") FOR UNDERTAKING WORK WITHIN CITY RIGHT-OF-WAY. LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION EXPRESSLY AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, ELECTED OFFICIALS, EMPLOYEES AND AGENTS FOR ALL CLAIMS ARISING FROM OR ALLEGED TO HAVE ARISEN FROM THE LANDSCAPING INSTALLED WITHIN TRACT U, INCLUDING THE FAILURE TO MAINTAIN THE LANDSCAPING, WITHIN TRACT U. LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR TAKING ACTION TO REMEDY ANY UNSAFE CONDITION CAUSED BY LANDSCAPING WITHIN TRACT U ("UNSAFE CONDITION") IDENTIFIED BY THE CITY WITHIN THREE (3) BUSINESS DAYS AFTER BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. IF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION FAILS TO REMEDY ANY UNSAFE CONDITION IDENTIFIED BY THE CITY WITHIN THREE (3) BUSINESS DAYS AFTER BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY, THE CITY SHALL BE ENTITLED TO REMEDY SUCH UNSAFE CONDITION. NOTWITHSTANDING THE FOREGOING, I IF THE CITY ENGINEER OR HIS/HER DESIGNEE IN HIS/HER REASONABLE DISCRETION DETERMINES THAT THE SAFETY OF THE PUBLIC REQUIRES THAT AN UNSAFE CONDITION BE REMEDIATED BEFORE THREE (3) BUSINESS DAYS OF ITS DISCOVERY; THE CITY SHALL BE ENTITLED TO IMMEDIATELY REMEDY SUCH UNSAFE CONDITION. IN THE EVENT THE CITY EXERCISES ITS RIGHT TO REMEDY UNSAFE CONDITIONS AS PROVIDED HEREIN, LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN DOING SO. SHOULD THE LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION FAIL TO MAINTAIN THE LANDSCAPING INSTALLED WITHIN TRACT U PROVIDED HEREIN OR FAIL TO REIMBURSE THE CITY FOR COSTS THE CITY INCURS IN REMEDYING UNSAFE CONDITIONS, THE CITY SHALL BE ENTITLED TO REMOVE THE LANDSCAPING AND OR REMOVE THE LANDSCAPING AND MEDIAN, AND LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN SUCH REMOVAL. IN ANY DISPUTE UNDER THIS AGREEMENT, THE SUCCESSFUL PARTY SHALL BE ENTITLED TO COLLECT ITS REASONABLE ATTORNEYS' FEES, AND OTHER COSTS AS DETERMINED BY A COURT OF COMPETENT JURISDICTION.

IN WITNESS WHEREOF MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE SIGNED BY THE UNDERSIGNED DULY AUTHORIZED REPRESENTATIVE THIS ___ DAY OF _____, 2022

BY: _____ ITS: _____

GROSS AREA = 60.599 ACRES
NET AREA = 45.928 ACRES

SEE SHEET 3 FOR CURVE
TABLE AND LOT AREA TABLE

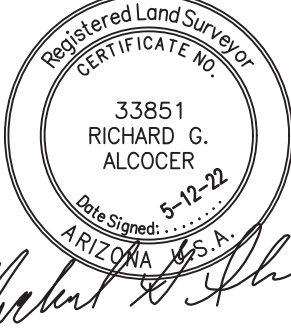


DATE	REVISION	NO.

Coe & Van Loo Consultants, Inc.

FINAL PLAT

LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA



1 SHEET OF 8

CVL Contact: H. TILSON
CVL Project #: 01-0116204
© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to reproduction in any format

NOTES

- A. THIS DEVELOPMENT IS WITHIN THE SERVICE AREA OF THE CITY OF GOODYEAR WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. 45-576 SUBSECTION B. THE CITY OF GOODYEAR'S ASSURED WATER SUPPLY DESIGNATION IS SUPPORTED IN PART BY THE CITY'S MEMBERSHIP IN THE CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT (CAGRD). PROPERTY WITHIN THIS DEVELOPMENT MAY BE ASSESSED A FEE BASED ON ITS PRO RATA SHARE OF THE CITY'S COST FOR CAGRD PARTICIPATION.
- B. NO STRUCTURES OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE UTILITY EASEMENTS EXCEPT: UTILITIES, ASPHALT PAVING, GRASS, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING. THE CITY OF GOODYEAR SHALL NOT BE REQUIRED TO REPLACE OR PROVIDE REIMBURSEMENT FOR THE COST OF REPLACING ANY OBSTRUCTIONS, PAVING OR PLANTING THAT IS REMOVED DURING THE COURSE OF MAINTAINING, CONSTRUCTING OR RECONSTRUCTING UTILITY FACILITIES.
- C. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION SHALL BE PLANTED NOR WILL BE ALLOWED TO GROW WITHIN, ON OR OVER ANY DRAINAGE EASEMENT WHICH WOULD OBSTRUCT OR DIVERT THE FLOW OF STORM WATER. THE CITY MAY, IF IT SO DESIRES, CONSTRUCT OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND OF THE DRAINAGE EASEMENT.
- D. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURBS, GUTTERS, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STREET STRIPING.
- a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
 - b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
 - c. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF A SEALANT ON ALL CRACKS AND JOINTS, AND APPLICATION OF A SEALANT OVER ALL ASPHALT PAVEMENTS.
 - d. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
 - e. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR WARRANTY PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
- E. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING.
- a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL PLANTED AREAS INCLUDING IRRIGATION SYSTEMS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
 - b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
 - c. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE GOOD NORMAL GROWTH.
 - d. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND AN APPROXIMATE HEIGHT OF 3-INCHES, MOWING SHALL BEGIN IMMEDIATELY TO A 2-INCH HEIGHT AND SHALL BE MOWED THEREAFTER AND REDUCED IN SAFE INCREMENTS TO A HEIGHT OF 2-INCHES.
 - e. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL TURF AREA SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
 - f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.
- F. STRUCTURES WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO A HEIGHT OF THREE (3) FEET; LANDSCAPING WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO GROUND COVER, FLOWERS AND GRANITE LESS THAN TWO (2) FEET (MATURE) IN HEIGHT AND/OR TREES WITH BRANCHES NOT LESS THAN SEVEN (7) FEET ABOVE THE GROUND. TREES SHALL NOT BE PLACED LESS THAN EIGHT (8) FEET APART.
- G. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE AND REPAIR OF ALL FACILITIES ASSOCIATED WITH STORMWATER MANAGEMENT ON A PROPERTY.
- H. THIS PARCEL IS SUBJECT TO ATTENDANT NOISE, VIBRATIONS, DUST, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY OVERFLIGHTS AND BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM PHOENIX-GOODYEAR AIRPORT AND LUKE AIR FORCE BASE.
- I. LAS VENTANAS IS IN PROXIMITY TO THE PROPOSED LOOP 303 AND INTERSTATE 10 RELIEVER FREEWAYS AND MAY BE SUBJECT TO POTENTIAL NOISE INTRUSION, VIBRATIONS, DUST AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY SAID FREEWAYS.
- J. THIS DEVELOPMENT IS ADJACENT TO AGRICULTURAL USES AND IS THEREFORE SUBJECT TO NOISE, DUST AND ODORS ASSOCIATED WITH SUCH A USE.
- K. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND, EXCLUDING POWER LINES 69 KV OR LARGER.
- L. ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2" REBAR WITH CAP, TAG OR OTHER MONUMENTATION AS DESCRIBED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- M. THE CITY OF GOODYEAR IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES OR LANDSCAPED AREAS WITHIN THIS DEVELOPMENT.
- N. MAINTENANCE OF LANDSCAPING THAT LIES WITHIN THE FRONT YARD OF A SINGLE FAMILY RESIDENCE SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER UNLESS OTHERWISE NOTED ON THIS PLAT. THIS INCLUDES LANDSCAPING WITHIN THE RIGHT-OF-WAY, PRIVATE STREET TRACT, AND/OR PUBLIC UTILITY EASEMENT (PUE).
- O. ALL CORNER LOTS, LOTS ABUTTING AN ARTERIAL STREET AND LOTS ADJACENT TO A COMMERCIAL PARCEL ARE LIMITED TO SINGLE-STORY STRUCTURES. (LOTS 1-13, 19, 25, 26, 34, 35, 42, 43, 52, 53, 62, 83, 84, 99, 100, 115, 116, 128, AND 129-137).
- P. AT T-INTERSECTIONS (THREE-WAY INTERSECTIONS) THE NON-LIVING SPACE SIDE OF THE HOUSE SHALL BE POSITIONED ON THE LOT IN ORDER TO AVOID HEADLIGHT INTRUSION INTO LIVING AREAS. (LOTS 1, 24, 25, 27, 31, 32, 48, 56, 58, 66, 88, 112, 135 AND 136).
- Q. NO MORE THAN THREE (3) TWO-STORY HOMES SHALL BE PERMITTED SIDE BY SIDE AND THREE CONSECUTIVE TWO-STORY HOMES MUST BE FOLLOWED BY A MINIMUM OF TWO (2) SINGLE-STORY HOMES.
- R. DWELLING UNITS WITH THE SAME ELEVATION OR COLOR SCHEME WITHIN THE LAS VENTANAS PAD SHALL NOT BE PLACED SIDE BY SIDE OR ACROSS THE STREET FROM EACH OTHER, UNLESS THE ELEVATION IS FUNDAMENTALLY DIFFERENT AS DETERMINED BY THE DEVELOPMENT SERVICES DIRECTOR.
- S. LAS VENTANAS IS WITHIN THE VICINITY OF A PROPOSED 230 KV OVERHEAD ELECTRIC LINE PLANNED ALONG THE WEST SIDE OF PERRYVILLE ROAD.

COUNTY RECORDER



NO.

REVISION

DATE

Coe & Van Loo Consultants, Inc.

FINAL PLAT

LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA

2 SHEET OF 8

CVL Contact: H. TILSON
CVL Project #: 01-0116204
© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to reproduction in any format

Printed By: TomD Print Date: May 12, 2022 Filename: N:\01\0116204\CADD\Phase 1\DS FPLAT P1-1-3.dwg

LINE TABLE		
NO.	BEARING	LENGTH
L1	N45°17'35"E	28.28'
L2	S45°18'13"W	28.29'
L3	S00°17'35"W	15.07'
L4	N00°17'35"E	5.50'
L5	S47°24'15"W	16.33'
L6	N47°04'28"W	17.66'
L7	N03°24'36"W	16.97'
L8	N03°24'36"W	16.97'
L9	N22°31'38"E	11.67'
L10	S44°42'25"E	28.28'
L11	S00°17'35"W	25.00'
L12	S00°17'35"W	35.00'
L13	S15°42'38"W	18.06'
L14	S89°42'25"E	11.54'
L15	S41°35'24"W	37.00'
L16	N44°42'25"W	16.97'
L17	N89°15'11"W	18.16'
L18	N01°18'17"E	15.52'
L19	N44°42'25"W	16.97'
L20	N45°17'35"E	16.97'
L21	N45°17'35"E	16.97'
L22	N44°42'25"W	16.97'
L23	S44°42'25"E	14.14'
L24	S52°57'00"W	16.60'
L25	S28°46'44"E	18.63'
L26	N86°35'24"E	16.97'
L27	S86°35'24"W	14.14'
L28	S45°17'35"W	16.97'
L29	N45°17'35"E	16.97'
L30	S44°42'25"E	16.97'
L31	S45°17'35"W	16.97'
L32	N44°42'25"W	16.97'
L33	S44°42'25"E	16.97'
L34	S44°42'25"E	16.97'
L35	S45°17'35"W	16.97'
L36	S45°17'35"W	16.97'
L37	N03°24'36"W	16.97'
L38	N45°17'35"E	16.97'
L39	N47°19'17"E	16.36'
L40	S44°42'25"E	16.97'
L41	S45°17'35"W	16.97'
L42	N31°15'16"W	20.45'
L43	N48°33'30"W	27.00'
L44	S45°18'13"W	22.63'
L45	S44°42'25"E	22.63'
L46	S89°42'25"E	24.66'
L47	S48°24'36"E	31.58'
L48	S44°42'25"E	5.86'
L49	S02°28'52"W	18.99'
L50	S89°42'25"E	18.49'
L51	S89°42'25"E	25.91'
L52	S48°24'36"E	7.00'
L53	S41°35'24"W	10.00'
L54	N48°24'36"W	7.00'
L55	N41°35'24"E	10.00'

CURVE TABLE							
NO.	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD-BEARING	
C1	2.38'	75.00'	001°49'14"	1.19	2.38	N01°12'13"E	
C2	15.82'	125.00'	007°14'59"	7.92	15.81	S03°55'05"W	
C3	107.24'	175.00'	035°06'37"	55.36	105.57	N65°57'54"W	
C4	162.17'	225.00'	041°17'49"	84.79	158.68	N69°03'30"W	
C5	281.77'	375.00'	043°03'05"	147.91	275.19	N26°53'03"W	
C6	108.11'	150.00'	041°17'49"	56.53	105.79	N69°03'30"W	
C7	309.47'	400.00'	044°19'43"	162.95	301.81	S68°07'44"W	
C8	108.11'	150.00'	041°17'49"	56.53	105.79	S69°03'30"E	
C9	180.19'	250.00'	041°17'49"	94.21	176.32	S69°03'30"E	
C10	17.79'	100.00'	010°11'32"	8.92	17.77	S10°36'52"W	
C11	216.23'	300.00'	041°17'49"	113.05	211.58	S69°03'30"E	
C12	72.08'	100.00'	041°17'49"	37.68	70.53	N69°03'30"W	
C13	216.23'	300.00'	041°17'49"	113.05	211.58	N69°03'30"W	
C14	72.08'	100.00'	041°17'49"	37.68	70.53	S69°03'30"E	
C15	144.15'	200.00'	041°17'49"	75.37	141.05	S69°03'30"E	
C16	108.11'	150.00'	041°17'49"	56.53	105.79	N69°03'30"W	
C17	144.15'	200.00'	041°17'49"	75.37	141.05	N20°56'30"E	
C18	126.13'	175.00'	041°17'49"	65.95	123.42	N69°03'30"W	
C19	293.59'	425.00'	039°34'49"	152.93	287.79	S70°30'11"W	
C20	42.30'	50.00'	048°28'25"	22.51	41.05	N54°31'48"E	
C21	209.44'	50.00'	240°00'00"	-86.60	86.60	N29°42'25"W	
C22	251.05'	375.00'	038°21'25"	130.43	246.38	S71°06'53"W	
C23	90.10'	125.00'	041°17'49"	47.11	88.16	S69°03'30"E	
C24	15.49'	50.00'	017°45'10"	7.81	15.43	N81°25'00"E	
C25	120.48'	55.00'	125°30'20"	106.80	97.79	N44°42'25"W	
C26	15.49'	50.00'	017°45'10"	7.81	15.43	S09°10'10"W	
C27	15.49'	50.00'	017°45'10"	7.81	15.43	S08°35'00"E	
C28	120.48'	55.00'	125°30'20"	106.80	97.79	N45°17'35"E	
C29	15.49'	50.00'	017°45'10"	7.81	15.43	N80°49'50"W	
C30	15.49'	50.00'	017°45'10"	7.81	15.43	N81°25'00"E	
C31	98.36'	55.00'	102°27'52"	68.49	85.77	N56°13'39"W	
C32	36.74'	275.00'	007°39'16"	18.40	36.71	S85°52'47"E	
C33	87.31'	275.00'	018°11'30"	44.03	86.95	S57°30'21"E	
C34	54.06'	75.00'	041°17'49"	28.26	52.89	N69°03'30"W	
C35	90.10'	125.00'	041°17'49"	47.11	88.16	S69°03'30"E	
C36	126.13'	175.00'	041°17'49"	65.95	123.42	N20°56'30"E	
C37	15.49'	50.00'	017°45'10"	7.81	15.43	N08°35'00"W	
C38	120.48'	55.00'	125°30'20"	106.80	97.79	S45°17'35"W	
C39	15.49'	50.00'	017°45'10"	7.81	15.43	S80°49'50"E	
C40	90.10'	125.00'	041°17'49"	47.11	88.16	N69°03'30"W	
C41	126.13'	175.00'	041°17'49"	65.95	123.42	S69°03'30"E	
C42	126.13'	175.00'	041°17'49"	65.95	123.42	S69°03'30"E	
C43	126.13'	175.00'	041°17'49"	65.95	123.42	N69°03'30"W	
C44	15.49'	50.00'	017°45'10"	7.81	15.43	N09°10'10"E	
C45	120.48'	55.00'	125°30'20"	106.80	97.79	S44°42'25"E	
C46	15.49'	50.00'	017°45'10"	7.81	15.43	S81°25'00"W	
C47	90.10'	125.00'	041°17'49"	47.11	88.16	N69°03'30"W	
C48	162.17'	225.00'	041°17'49"	84.79	158.68	S69°03'30"E	
C49	198.21'	275.00'	041°17'49"	103.63	193.95	S69°03'30"E	
C50	185.92'	325.00'	032°46'34"	95.58	183.39	N64°47'53"W	
C51	13.19'	50.00'	015°07'00"	6.63	13.15	S73°37'40"E	
C52	126.13'	55.00'	131°23'25"	121.78	100.25	S48°14'07"W	
C53	15.49'	50.00'	017°45'10"	7.81	15.43	N08°35'00"W	
C54	54.06'	75.00'	041°17'49"	28.26	52.89	S69°03'30"E	
C55	162.17'	225.00'	041°17'49"	84.79	158.69	N20°56'30"E	
C56	172.74'	275.00'	035°59'25"	89.33	169.92	N66°24'19"W	
C57	234.25'	325.00'	041°17'49"	122.47	229.21	S69°03'30"E	
C58	162.17'	225.00'	041°17'49"	84.79	158.68	S69°03'30"E	
C59	25.40'	125.00'	011°38'28"	12.74	25.35	N54°13'50"W	
C60	178.70'	365.00'	028°03'03"	91.18	176.92	S64°39'41"W	
C61	46.85'	65.00'	041°17'49"	24.49	45.84	S69°03'30"E	
C62	11.00'	7.00'	090°00'00"	7.00	9.90	S45°17'35"W	

CURVE TABLE						
NO.	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD-BEARING
C63	11.00'	7.00'	090°00'00"	7.00	9.90	N44°42'25"W
C64	11.00'	7.00'	090°00'00"	7.00	9.90	N45°17'35"E
C65	11.00'	7.00'	090°00'00"	7.00	9.90	S44°42'25"E
C66	21.50'	50.00'	024°38'09"	10.92	21.33	N20°39'32"E

LOT AREA TABLE	
LOT #	AREA (SQUARE FEET)
1	11,050
2	10,400
3	10,400
4	10,402
5	11,208
6	14,915
7	16,692
8	13,148
9	11,027
10	10,456
11	10,400
12	10,400
13	10,397
14	11,501
15	11,142
16	11,142
17	11,142
18	14,326
19	13,808
20	10,400
21	14,604
22	10,400
23	10,317
24	21,404
25	13,381
26	11,050
27	10,660
28	10,660
29	10,660
30	10,660
31	15,819
32	19,726
33	10,439
34	10,398
35	10,398
36	10,551
37	12,478
38	13,090
39	12,248
40	10,400
41	10,962
42	15,061
43	11,855
44	7,800
45	7,800
46	7,800
47	10,218
48	9,958
49	7,800
50	7,800
51	7,800
52	7,798
53	7,798
54	7,800
55	7,646

LOT AREA TABLE	
LOT #	AREA (SQUARE FEET)
56	19,077
57	8,160
58	8,160
59	8,160
60	8,160
61	8,160
62	10,400
63	10,400
64	10,400
65	15,362
66	10,400
67	10,400
68	10,400
69	12,212
70	10,481
71	10,400
72	10,400
73	10,400
74	10,400
75	10,400
76	12,853
77	10,400
78	10,400
79	10,400
80	11,732
81	14,235
82	11,060
83	10,400
84	11,759
85	10,400
86	10,317
87	21,349
88	14,496
89	13,642
90	13,101
91	11,112
92	10,400
93	12,469
94	13,573
95	10,814
96	10,400
97	10,400
98	10,400
99	10,398
100	10,398
101	10,400
102	10,400
103	10,401
104	13,481
105	13,043
106	10,400
107	10,400
108	10,400
109	15,666
110	10,400

LOT AREA TABLE	
LOT #	AREA (SQUARE FEET)
111	13,680
112	22,369
113	10,323
114	10,400
115	10,400
116	7,200
117	7,200
118	7,200
119	7,200
120	7,200
121	7,200
122	8,375
123	10,339
124	14,696
125	11,633
126	8,400
127	8,287
128	8,173
129	7,200
130	7,200
131	7,200
132	7,200
133	7,200
134	7,138
135	14,086
136	13,209
137	7,773
TOTAL	1,502,305 SF

TRACT AREA TABLE					
TRACT	AREA (SQUARE FEET)	AREA (ACRES)	DESCRIPTION	TRACT OWNERSHIP	PARTY RESPONSIBLE FOR MAINTENANCE
TRACT A	7,546	0.173	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT B	4,622	0.106	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT C	5,056	0.116	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT D	1,769	0.041	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT E	25,582	0.587	OPEN SPACE/LANDSCAPE/DRAINAGE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT F	6,468	0.148	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT G	47,371	1.087	LANDSCAPE/DRAINAGE/WATER EASEMENT/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT H	39,679	0.911	OPEN SPACE/LANDSCAPE/DRAINAGE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT I	2,460	0.056	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT J	15,556	0.357	OPEN SPACE/LANDSCAPE/DRAINAGE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT K	2,494	0.057	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT L	1,762	0.040	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT M	1,282	0.029	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT N	17,364	0.399	LANDSCAPE/OPEN SPACE/SEWER EASEMENT/DRAINAGE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT O	287,847	6.608	OPEN SPACE/LANDSCAPE/TOT LOT/DRAINAGE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT P	23,766	0.546	OPEN SPACE/LANDSCAPE/DRAINAGE/PUE /W.M.E	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT Q	2,360	0.054	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT R	2,360	0.054	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT S	1,130	0.026	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT T	1,855	0.043	LANDSCAPE/PUE	LAS VENTANAS HOA	LAS VENTANAS HOA
TRACT U	1,470	0.034	LANDSCAPE MEDIAN	CITY OF GOODYEAR	LAS VENTANAS HOA
TOTAL	499,798 SF	11.474 AC			

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE BRASS CAP FLUSH MARKING THE NORTH QUARTER CORNER OF SAID SECTION 15, FROM WHICH THE 1/2" REBAR WITH CAP LS#22782 BEARS SOUTH 00°18'51" WEST, A DISTANCE OF 2,645.38 FEET;

THENCE SOUTH 00°18'51" WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 1,489.93 FEET;

THENCE NORTH 89°42'25" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 195.35 FEET;

THENCE SOUTH 00°17'35" WEST, A DISTANCE OF 15.07 FEET;
THENCE NORTH 89°42'25" WEST, A DISTANCE OF 145.00 FEET;
THENCE SOUTH 00°17'35" WEST, A DISTANCE OF 110.00 FEET;
THENCE NORTH 89°42'25" WEST, A DISTANCE OF 340.00 FEET;
THENCE NORTH 00°17'35" EAST, A DISTANCE OF 104.50 FEET;
THENCE NORTH 89°42'25" WEST, A DISTANCE OF 120.00 FEET;

THENCE NORTH 00°17'35" EAST, A DISTANCE OF 5.50 FEET TO THE BEGINNING OF A TANGENT CURVE OF 75.00 FOOT RADIUS, CONCAVE EASTERLY;

THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°49'14", A DISTANCE OF 2.38 FEET;

THENCE NORTH 74°25'58" WEST, A DISTANCE OF 50.83 FEET TO A POINT ON A 125.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 82°27'25" EAST;

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°14'59", A DISTANCE OF 15.82 FEET;

THENCE SOUTH 00°17'35" WEST, A DISTANCE OF 328.36 FEET;

THENCE SOUTH 47°24'15" WEST, A DISTANCE OF 16.33 FEET TO A POINT ON A 175.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 06°28'47" EAST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°06'37", A DISTANCE OF 107.24 FEET;

THENCE NORTH 48°24'36" WEST, A DISTANCE OF 210.23 FEET TO THE BEGINNING OF A TANGENT CURVE OF 225.00 FOOT RADIUS, CONCAVE SOUTHERLY;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°17'49", A DISTANCE OF 162.17 FEET;

THENCE NORTH 89°42'25" WEST, A DISTANCE OF 153.56 FEET;

THENCE NORTH 47°04'28" WEST, A DISTANCE OF 17.66 FEET; TO A POINT ON A 375.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 84°38'29" WEST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°03'05", A DISTANCE OF 281.77 FEET;

THENCE NORTH 48°24'36" WEST, A DISTANCE OF 118.92 FEET;
THENCE NORTH 03°24'36" WEST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 41°35'24" EAST, A DISTANCE OF 216.00 FEET;
THENCE NORTH 48°24'36" WEST, A DISTANCE OF 50.00 FEET;
THENCE NORTH 03°24'36" WEST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 48°24'36" WEST, A DISTANCE OF 210.92 FEET;
THENCE NORTH 41°35'24" EAST, A DISTANCE OF 171.35 FEET;
THENCE NORTH 48°24'36" WEST, A DISTANCE OF 161.19 FEET;
THENCE NORTH 22°31'38" EAST, A DISTANCE OF 11.67 FEET;
THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 52.10 FEET;

THENCE NORTH 00°17'35" EAST, A DISTANCE OF 582.77 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 75.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15;

THENCE NORTH 89°42'25" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 812.00 FEET;

THENCE NORTH 00°12'55" EAST, DEPARTING SAID PARALLEL LINE, A DISTANCE OF 75.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15;

THENCE SOUTH 89°42'25" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2,466.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,639,672 SQUARE FEET OR 60.599 ACRES, MORE OR LESS.

APN 502-42-002A
LAS VENTANAS I, LLC
UNSUBDIVIDED
FUTURE LAS VENTANAS PHASE 4
REC. NO. 20130138255

APN 502-42-002A
LAS VENTANAS I, LLC
UNSUBDIVIDED
FUTURE LAS VENTANAS PHASE 5
REC. NO. 20130138255

APN 502-40-003H
MELCOR DEVELOPMENTS ARIZONA INC
UNSUBDIVIDED
FUTURE PASEO PLACE
NOT A PART OF THIS SUBDIVISION
REC. NO. 20140500455

APN 502-42-001
MELCOR DEVELOPMENTS ARIZONA INC
UNSUBDIVIDED
FUTURE PASEO PLACE
NOT A PART OF THIS SUBDIVISION
REC. NO. 20140500455

APN 502-42-002A
LAS VENTANAS I, LLC
UNSUBDIVIDED
FUTURE LAS VENTANAS PHASE 2
REC. NO. 20130138255

CENTER SECTION 15
TOWNSHIP 1 NORTH RANGE 2 WEST
FOUND 1/2" REBAR W/CAP #22782

KEY MAP
SCALE: 1"=100'

COUNTY RECORDER



4 SHEET OF 8

CVL Contact: H. TILSON
CVL Project #: 01-0116204

© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to reproduction in any format

FINAL PLAT

LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA

Coe & Van Loo Consultants, Inc.

NO.	REVISION	DATE

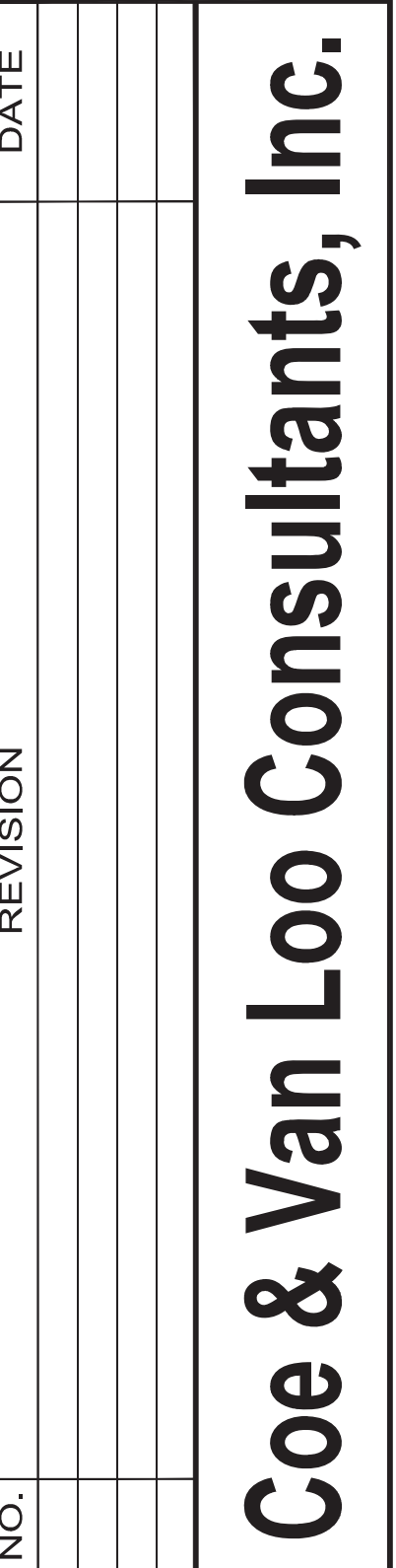




APN 502-42-002A
LAS VENTANAS I, LLC
UNSUBDIVIDED
PURE LAS VENTANAS PHASE 3
REC. NO. 20130138255

SEE DETAIL B
ON THIS SHEET

SEE DETAIL B
ON THIS SHEET



LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA

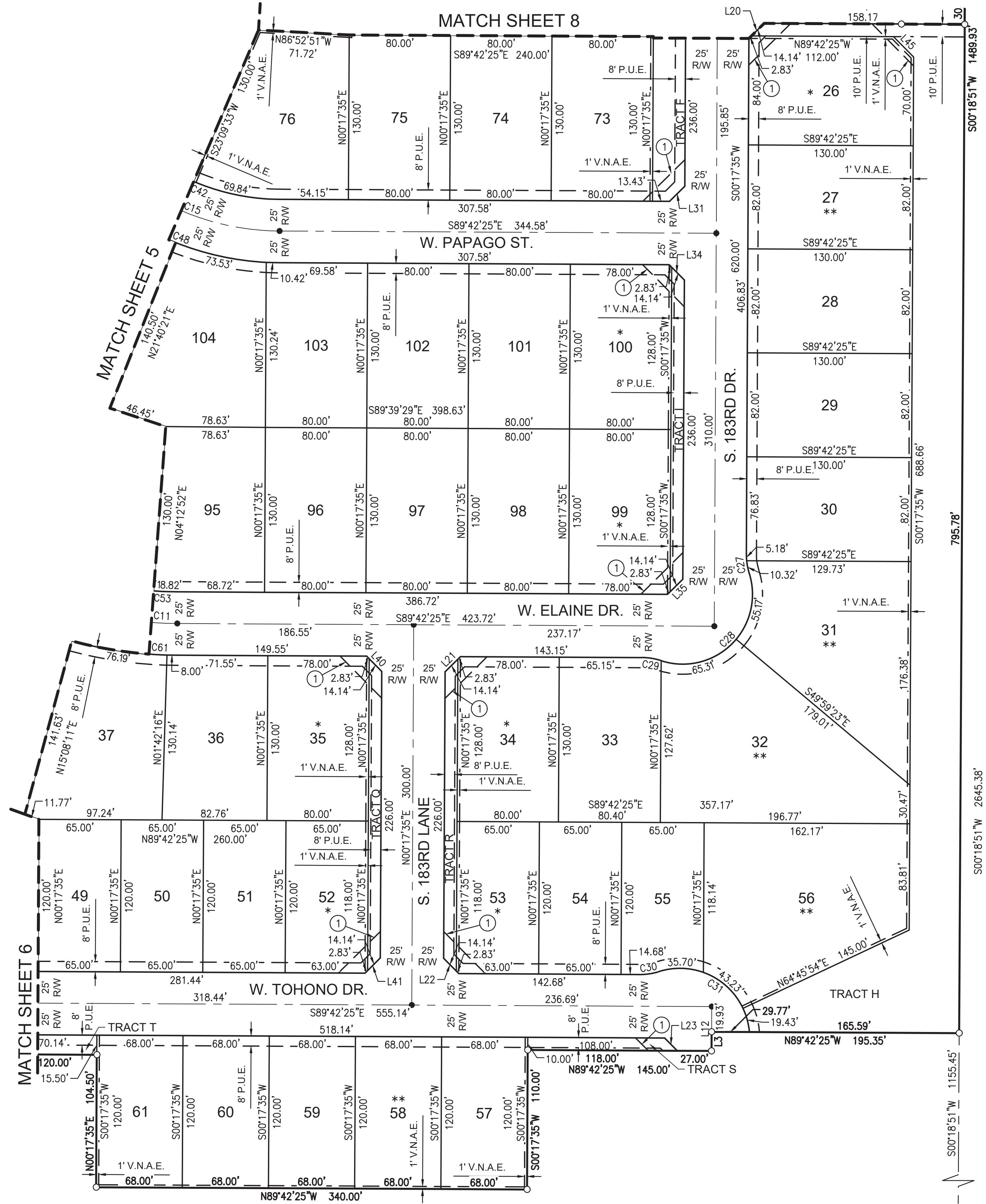
FINAL PLAT

LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA



© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to
reproduction in any format

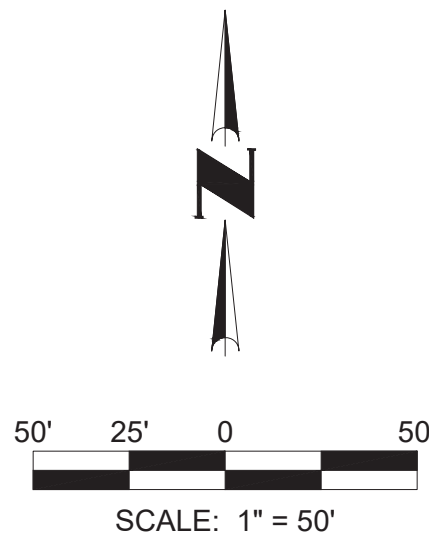
Printed By: TomD Print Date: May 12, 2022 Filename: N:\01\0116204\CADD\Phase 1\DS.FPLAT.P1.4-7.dwg



APN 502-42-002A
LAS VENTANAS I, LLC
UNSUBDIVIDED
FUTURE LAS VENTANAS PHASE 2
REC. NO. 20130138255

CENTER SECTION 15
TOWNSHIP 1 NORTH RANGE 2 WEST
FOUND 1/2" IRON PIN W/CAP #22782

APN 502-42-001
MELCOR DEVELOPMENTS ARIZONA INC
UNSUBDIVIDED
FUTURE PASEO PLACE
NOT A PART OF THIS SUBDIVISION
REC. NO. 20140500455

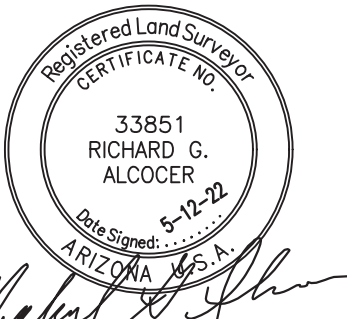


COUNTY RECORDER

REVISION		DATE
NO.		

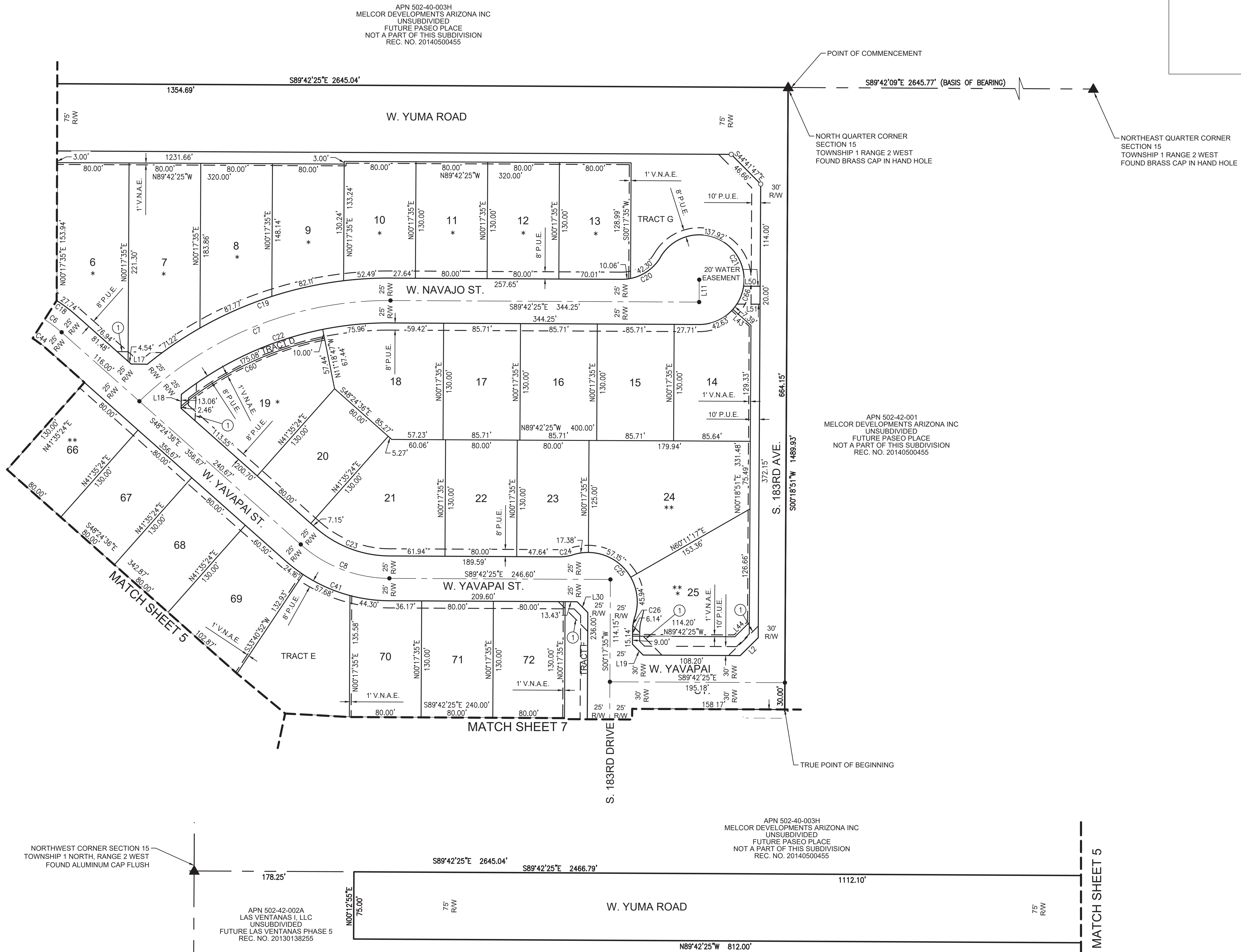
Coe & Van Loo Consultants, Inc.

FINAL PLAT
LAS VENTANAS PARCEL 1
GOODYEAR, ARIZONA



7 SHEET **8**
OF

COUNTY RECORDER



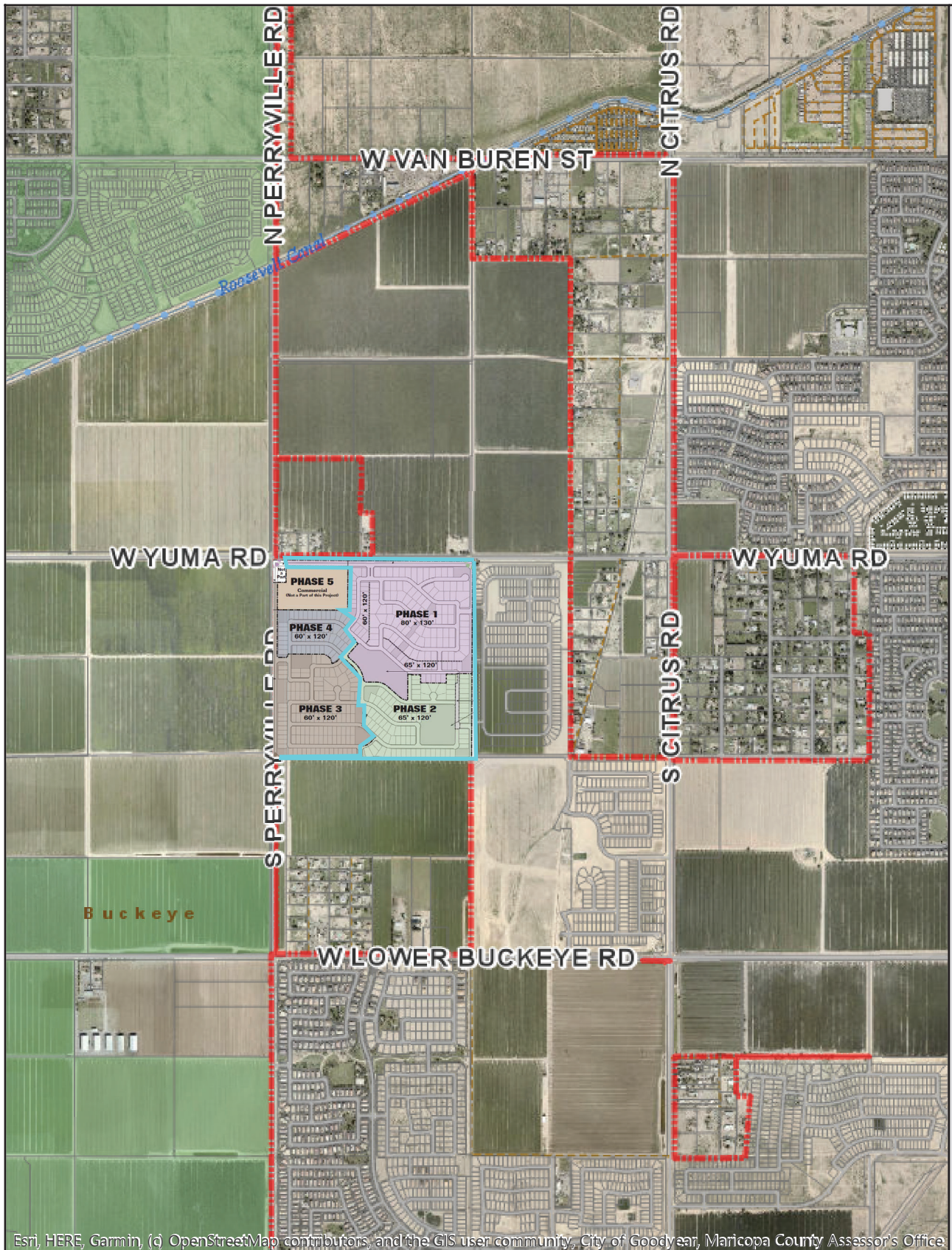
Printed By: TomD Print Date: May 12, 2022 Filename: N:\01\0116204\CADD\Phase 1\DS,FPLAT,P.1.4-7.dwg

Name of Map: City of Goodyear

Description: Las Ventanas



City of Goodyear



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Goodyear, Maricopa County Assessor's Office

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: Las Ventanas Preliminary Plat	STAFF PRESENTER: Karen Craver, AICP Planner III CASE NUMBER: 17-500-00011 OTHER PRESENTER: David Coble, Coe and Van Loo, representing Tait Development
---	---

PROPOSED ACTION:

Approve the preliminary plat for Las Ventanas subdividing 159.31 acres into 412 single family lots and one 13.21-acre commercial parcel, located at the southeast corner of Perryville Road and Yuma Road, subject to the following stipulations:

- 1) Compliance with the stipulations contained in Ordinance No. 2006-1001 conditionally approving the rezoning of approximately 159.31 acres of property for the purpose of establishing the Las Ventanas Final Planned Area Development (PAD) and adopted by City Council on May 8, 2006;
- 2) Compliance with the stipulations contained in Ordinance No. 17-1364 conditionally amending the Las Ventanas Final Planned Area Development (PAD) and adopted by City Council on September 25, 2017;
- 3) The following right-of-way dedications shall be included on the final plat:
 - a) East half of Perryville Road right-of-way, 65 feet from centerline
 - b) South half of Yuma Road right-of-way, 75 feet from centerline
 - c) North half of Durango Street right-of-way, 30 feet from centerline
 - d) West half of 183rd Avenue right-of-way, 30 feet from centerline;
- 4) The final plat shall include a statement that Las Ventanas is within the vicinity of a proposed 230 kV overhead electric line planned along the west side of Perryville Road.
- 5) The developer is responsible for the half street and half median improvements along those portions of Perryville Road and Yuma Road adjacent to Las Ventanas, and provided the city obtains an easement for such right-of-way, the half street and half median improvements to Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas) at the immediate southeast corner of Perryville Road and Yuma Road. An Engineer's estimate that meets city of Goodyear requirements shall be provided to determine the costs for the street improvements along the north and west perimeters of the corner parcel (outside the boundaries of Las Ventanas). All half streets shall be constructed with the following minimum improvements: three 12-foot travel lanes, one four-foot shoulder opposite of the development for a total of 44 feet of pavement.

- 6) Provided the city obtains an easement for the right-of-way for those portions of Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas) at the immediate southeast corner of Perryville Road and Yuma Road, the developer shall construct the half street and half median improvements to Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas), with the costs for said improvements being eligible for cost recovery, when the corner parcel is developed by others, subject to each developers compliance with the city's cost recovery ordinance.
- 7) If W. Durango Street between S. Citrus Road and S. 183rd Avenue is not constructed by others prior to the construction of Phase 2 of Las Ventanas, then W. Durango Street between S. 183rd Avenue and S. Perryville Road shall be constructed by Las Ventanas as part of Phase 2;
- 8) An in lieu payment for the following traffic signals shall be required of the developer:
 - a) 25% of the cost of a traffic signal at the intersection of Perryville Road and Yuma Road to be paid to the city prior to recordation of the first final plat within Las Ventanas.
 - b) 25% of the cost of a traffic signal at the intersection of Yuma Road and 183rd Avenue to be paid to the city prior to recordation of any final plat that includes any of the property included within the area identified as Phase 2 of Las Ventanas.
 - c) 25% of the cost of a traffic signal at the intersection of Perryville Road and Durango Street to be paid to the City prior to recordation of any final plat that includes any of the property included within the area identified as Phase 3 of Las Ventanas.
- 9) Prior to final plat recordation, the existing water rights, irrigation rights, and assured water credits associated with such final plat shall be extinguished and conveyed to the city.
- 10) Unless otherwise modified by an amendment to the Second Amended and Restated Development Agreement for Las Ventanas, or by an amendment to the Development Agreement for West Goodyear Sewer and Water Infrastructure, or by an amendment to any currently existing cost recovery resolution applicable to the water and wastewater lines addressed in the approved cost recovery resolutions, owner shall, prior to recordation of the first final plat subdividing all or part of the property subject to the preliminary plat being approved herein, remit all cost recovery payments owed pursuant to: CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747 and the Second Amended & Restated Development Agreement for Las Ventanas. As of the date this preliminary plat is approved the cost recovery payments are:

Wastewater Line B	\$286,035.00
Wastewater Line E	\$110,941.00
Water Line C	\$ 98,139.71
Water line D	\$178,655.35
<u>Water Line F</u>	<u>\$181,115.32</u>
Total	\$854,886.38

If CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747; the Second Amended & Restated Development Agreement for Las Ventanas; and/or the Development Agreement for West Goodyear Sewer and Water Infrastructure are amended and such amendment(s) impact the amount of the cost recovery payments required for the foregoing lines, owner shall be responsible only for paying the amounts that would be owed under the amended agreement(s) and/or cost recovery resolution(s).

- 11) The submittal for the final plat for Phase 1, shall be revised to reflect that the median, identified as Tract B is to be owned by the City but maintained by the HOA.
- 12) Developer shall commence construction of external and internal infrastructure (except Regional Water Delivery Lines and Trunk Lines) within 180 days of final plat recordation in accordance with the phasing plan approved by the Director of Engineering.
- 13) The Las Ventanas drainage report states that offsite flows from the north are being mitigated by Amber Meadows and La Privada. Based on this assumption, construction permits for the Las Ventanas project cannot be pulled until both Amber Meadows and La Privada have pulled construction permits. If Amber Meadows and La Privada do not develop prior to Las Ventanas, then the Las Ventanas drainage design shall be updated to account for the additional offsite flows that were to be mitigated with the construction of Amber Meadows and La Privada and may require a modification to the Preliminary Plat. .
- 14) The underground placement of all permanent utilities, excluding power lines 69 kV or larger, within the proposed development and abutting the development's portion of perimeter arterial streets is required per phase prior to issuance of the first certificate of occupancy for each phase of the development.
- 15) The final plat that includes Tract B (i.e. the final plat that includes Phase 1) shall:

- a) reflect the City's ownership of Tract B and the HOA's maintenance responsibility for Tract B in the Tract Table
- b) include the following language for the dedication of public streets

_____(*INSERT DEVELOPER'S CORPORATE NAME*)_____, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR THE PUBLIC STREETS AND TRACT B, IN FEE, SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

- c) include the following language for the declaration of purpose and dedication of Tracts

_____(*INSERT OWNER'S CORPORATE NAME*)_____, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DECLARES ALL TRACTS

WITHIN THE FINAL PLAT, EXCEPT FOR TRACT B, AS COMMON AREAS FOR THE USE AND ENJOYMENT OF THE OWNERS WITHIN _____ (CORPORATE NAME OF HOA) _____ AND SUBJECT TO THE COVENANTS AND EASEMENTS HEREIN, DEDICATES TO _____ (INSERT CORPORATE NAME OF HOA) ALL TRACTS WITHIN THE SUBDIVISION, EXCEPT FOR TRACT B, FOR THE PURPOSES INDICATED HEREIN AND AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

- d) Include the following language regarding the HOA's maintenance of the landscaping in the median

IN CONSIDERATION OF THE CITY'S AGREEMENT TO ALLOW THE CONSTRUCTION OF A MEDIAN AND INSTALLATION OF LANDSCAPING WITHIN TRACT B, _____ (INSERT CORPORATE NAME OF HOA) _____ HEREBY EXPRESSLY AGREES THAT IT SHALL, AT ITS SOLE COST, , MAINTAIN AND REPLACE LANDSCAPING WITHIN THE TRACT B, INCLUDING PROVIDING ALL WATER NEEDED FOR THE MAINTENANCE OF SUCH LANDSCAPING. _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL OBTAIN ALL PERMITS AS MAY BE REQUIRED BY THE CITY FOR UNDERTAKING WORK WITHIN CITY RIGHT-OF-WAY. _____ (INSERT CORPORATE NAME OF HOA) _____ EXPRESSLY AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, ELECTED OFFICIALS, EMPLOYEES AND AGENTS FOR ALL CLAIMS ARISING FROM OR ALLEGED TO HAVE ARISEN FROM THE LANDSCAPING, INCLUDING THE FAILURE TO MAINTAIN SUCH LANDSCAPING, WITHIN THE MEDIAN. EXCEPT AS PROVIDED HEREIN, _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL BE RESPONSIBLE FOR TAKING ACTION TO REMEDY ANY UNSAFE CONDITION IDENTIFIED BY THE CITY WITHIN THREE (3) BUSINESS DAYS AFTER BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE LANDSCAPING WITHIN THE MEDIAN IF THE CITY ENGINEER OR HIS/HER DESIGNEE IN HIS/HER REASONABLE DISCRETION DETERMINES THAT THE SAFETY OF THE PUBLIC REQUIRES THAT THE UNSAFE CONDITION BE REMEDIATED BEFORE THREE (3) BUSINESS DAYS OF ITS DISCOVERY; AND THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE FAILURE OF _____ (INSERT CORPORATE NAME OF HOA) _____ TO REMEDY THE UNSAFE CONDITION WITHIN THREE (3) BUSINESS DAYS OF BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. IN THE EVENT THE CITY EXERCISES ITS RIGHT TO REMEDY UNSAFE CONDITIONS AS PROVIDED HEREIN, _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN DOING SO. SHOULD

THE HOA FAIL TO MAINTAIN THE LANDSCAPING WITHIN TRACT B AS PROVIDED HEREIN, THE CITY SHALL BE ENTITLED TO REMOVE THE LANDSCAPING AND OR REMOVE THE LANDSCAPING AND MEDIAN, AND _____(INSERT CORPORATE NAME OF HOA)_____ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN SUCH REMOVAL. IN ANY DISPUTE UNDER THIS AGREEMENT, THE SUCCESSFUL PARTY SHALL BE ENTITLED TO COLLECT ITS REASONABLE ATTORNEYS' FEES, AND OTHER COSTS AS DETERMINED BY A COURT OF COMPETENT JURISDICTION.

BACKGROUND AND PREVIOUS ACTIONS:

On May 8, 2006, the City Council approved the Las Ventanas PAD with the adoption of Ordinance No. 2006-1001, conditionally rezoning the subject property from the Agricultural Urban (AU) zoning district to the Final Planned Area Development (PAD) zoning district. The Planning and Zoning Commission had recommended approval of the rezoning on March 1, 2006.

On September 25, 2017, the City Council adopted Ordinance No. 17-1364, conditionally amending the stipulations of approval for the Las Ventanas PAD. The Planning and Zoning Commission had recommended approval of the stipulation modifications on September 13, 2017. To date, no development has occurred at Las Ventanas.

This preliminary plat for Las Ventanas has not previously been presented to the City Council.

STAFF ANALYSIS:

Current Policy:

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The preliminary plat also must be accompanied by information demonstrating the adequacy of utilities and other public facilities necessary to serve the subdivision. An approved preliminary plat expires 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.

Surrounding Area:

North: Agricultural land, partially in unincorporated Maricopa County zoned RU-43 and in Goodyear zoned R1-6

South: Agricultural land in unincorporated Maricopa County zoned RU-43

East: Agricultural land in Goodyear zoned R1-6

West: Agricultural land in unincorporated Maricopa County Zoned RU-43

Details of the Request:

The Las Ventanas preliminary plat proposes:

- The subdivision of 159.31 acres into 412 single family lots (to be developed in four phases) and one 13.21-acre commercial parcel (5th phase)

- Phase 1 will consist of a mix of 60' x 120', 65' x 120', and 80' x 130' lots
- Phase 2 will be developed with 65' x 120' lots
- Phase 3 will be developed with 60' x 120' lots
- Phase 4 will be developed with 60' x 120' lots
- 23.78 acres of useable open space tracts
- Access from four perimeter roadways
 - Yuma Road
 - Perryville Road
 - Durango Street
 - 183rd Avenue

Impact to City Services

Fire Response:

The subject property will be served by Fire Station #184/181 located at 16161 W. Yuma Road, and by Fire Station #185 located at 15875 W. Clubhouse Drive. Emergency response times and distances are below.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	5.92	2.96	7.65	3.82	#185	14.87	7.43	16.60	8.30

Police Services:

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

Water & Wastewater:

Water and wastewater services will be provided by the city of Goodyear pursuant to the West Goodyear Cost Recovery Resolution. As such, the developer will construct the Las Ventanas on-site utility lines and then extend lines off-site to connect with the regional utility lines being constructed pursuant to the Cost Recovery Resolution. The developer will then pay their proportionate share of the cost of the regional lines pursuant to the Cost Recovery Resolution.

Stormwater:

A stormwater management system and a storm water pollution prevention plan will be developed in accordance with city of Goodyear Engineering Design Standards.

Streets/Access:

Las Ventanas will be accessed from Yuma Road on the north, Durango Street on the south, 183rd Avenue on the east, and Perryville Road on the west. The intersections of Perryville & Yuma, Perryville & Durango, and Yuma & 183rd will be signalized.

Solid Waste/Recycling:

Solid waste and recycling services for the residential development will be provided by the city of Goodyear. Services for the commercial parcel will be contracted through a commercial provider.

Luke Air Force Base

Luke AFB has reviewed the preliminary plat request and determined that it will not have a negative impact on the flying operations at Luke AFB. The base did note that the site is inside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461. Luke also determined that the preliminary plat meets the guidelines of the Graduated Density Concept.

Public Participation

A Citizen Review Meeting and advertised public hearings before the Planning and Zoning Commission or City Council are not required as part of the preliminary plat approval process.

Planning and Zoning Commission Meeting

At its January 10, 2018 regular meeting, following a presentation by staff, the Commission voted 4 to 0 to recommend approval of the preliminary plat subject to the stipulations of approval that had been provided in the Commission staff report.

FISCAL ANALYSIS:

This development will consist of 412 new single family detached homes that will require public services such as water/wastewater, sanitation, police, and fire. The streets will be public and maintained by the city; the open space will be private and maintained by the homeowner's association.

There is no immediate impact to the current fiscal year budget associated with the approval of the preliminary plat. The following future fiscal impacts are anticipated:

- Before recordation of the first final plat within Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Perryville and Yuma.
- Before recordation of any final plat within the area designated as Phase 2 of Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Yuma and 183rd Avenue.
- Before recordation of any final plat within the area designated as Phase 3 of Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Perryville and Durango.

The city separately accounts for and holds in lieu payments until the traffic signal is installed.

RECOMMENDATION:

The Las Ventanas preliminary plat:

- Is consistent with the land use and development standards of the Las Ventanas PAD; and,
- Is consistent with the technical requirements of the City's Subdivision Regulations.

Therefore, staff and the Planning and Zoning Commission recommend approval of the preliminary plat, subject to stipulations.

ATTACHMENTS:

1. Aerial Photo
2. Narrative
3. Preliminary Plat

ITEM #: 7.
DATE: 02/06/2023
AI #:1294



CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT FOR LAS VENTANAS PARCEL 2

STAFF PRESENTER(S): Marty Crossland, Interim Deputy Director of
Development Engineering

OTHER PRESENTER(S):

Heidi Tilson, P.E., CVL Consultants

SUMMARY

A Final Plat subdividing approximately 26 acres into 91 lots and 8 tracts at the intersection of W. Durango Street and S. 183rd Avenue. The previous approval on May 23, 2022 has expired.

Recommendation

Approve the Final Plat of Las Ventanas Parcel 2. (Marty Crossland, Interim Deputy Director of Development Engineering)

STIPULATIONS

1. Any technical corrections to the Final Plat for Las Ventanas Parcel 2 required by the City Engineer shall be made prior to the recordation of the final plat.
2. Prior to recordation of the Final Plat for Las Ventanas Parcel 2, Owner shall submit an updated title report for the property included within the Final Plat for Las Ventanas Parcel 2 (the "Property") and shall modify this plat to reflect the current ownership and current lender including on the final plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the property being platted herein. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing the Final Plat for Las Ventanas Parcel 2 is authorized to do so.
3. Prior to recordation of the Final Plat, Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the property rezoned by Ordinance 2017-1364 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.
4. Prior to recordation of the Final Plat, owner shall remit all cost recovery payments owed

pursuant to: CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747 and the Second Amended & Restated Development Agreement for Las Ventanas. The cost recovery payments are:

Wastewater Line B	\$286,035.00
Wastewater Line E	\$110,941.00
Water Line C	\$ 98,139.71
Water line D	\$178,655.35
Water Line F	\$181,115.32
Total	\$854,886.38

5. Owner is responsible for a proportionate share of the costs of traffic signals at the intersection identified below. Owner shall make an in-lieu payment for the costs of the following traffic signals. The in-lieu payment shall be made prior to the recordation of the Final Plat or the issuance of any construction permits for work within the Property, whichever is earlier. The in-lieu payment shall be based on the percentage reflected below of the actual cost of the full traffic signal (all four legs) 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. The Property Owner's traffic signal obligations include, but may not be limited to:

- a. 25% of the cost of the full traffic signal (all four legs) at W. Yuma Road and S. 183rd Avenue

6. Prior to the recordation of the Final plat for Las Ventanas Parcel 2, Owner, shall obtain, at no cost to the City of Goodyear, a permanent drainage easement from the owner of the property north of the Property. The easement shall be located along the north side of the W. Apache St. Alignment. The easement shall be lien free and free of all encumbrances unless otherwise approved by the City Engineer or his/her designee and shall be conveyed to the City, the developer of the Property, and the Las Ventanas West Goodyear Homeowners Association and recorded in the official records of Maricopa County. The drainage easements referred to herein shall be in a form acceptable to the City Attorney or his designee and shall provide for the acceptance, containment, retention and disposal of storm waters and drainage and the construction, installation, inspection, maintenance, repair, and replacement of drainage facilities pursuant to grading and drainage improvement plans approved for the development of the Property.

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 preliminary plat of Las Ventanas was approved by the City Council on January 22, 2018. The Final Plat of Las Ventanas Parcel 2 was approved by the City Council on May 23, 2022 and has since expired. No changes have been made to the final plat City Council approved on May 23, 2022, but since it has expired, City Council is being asked to reapprove the Final Plat of Las Ventanas Parcel 2.

STAFF ANALYSIS

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

Attachments

Final Plat

Aerial Photo

Preplat CAR

NOTES

- A. THIS DEVELOPMENT IS WITHIN THE SERVICE AREA OF THE CITY OF GOODYEAR WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. 45-576 SUBSECTION B. THE CITY OF GOODYEAR'S ASSURED WATER SUPPLY DESIGNATION IS SUPPORTED IN PART BY THE CITY'S MEMBERSHIP IN THE CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT (CAGRD). PROPERTY WITHIN THIS DEVELOPMENT MAY BE ASSESSED A FEE BASED ON ITS PRO RATA SHARE OF THE CITY'S COST FOR CAGRD PARTICIPATION.
- B. NO STRUCTURES OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE UTILITY EASEMENTS EXCEPT: UTILITIES, ASPHALT PAVING, GRASS, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING. THE CITY OF GOODYEAR SHALL NOT BE REQUIRED TO REPLACE OR PROVIDE REIMBURSEMENT FOR THE COST OF REPLACING ANY OBSTRUCTIONS, PAVING OR PLANTING THAT IS REMOVED DURING THE COURSE OF MAINTAINING, CONSTRUCTING OR RECONSTRUCTING UTILITY FACILITIES.
- C. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION SHALL BE PLANTED NOR WILL BE ALLOWED TO GROW WITHIN, ON OR OVER ANY DRAINAGE EASEMENT WHICH WOULD OBSTRUCT OR DIVERT THE FLOW OF STORM WATER. THE CITY MAY, IF IT SO DESIRES, CONSTRUCT OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND OF THE DRAINAGE EASEMENT.
- D. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURBS, GUTTERS, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STREET STRIPING.
- a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
- b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
- c. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF A SEALANT ON ALL CRACKS AND JOINTS, AND APPLICATION OF A SEALANT OVER ALL ASPHALT PAVEMENTS.
- d. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
- e. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR WARRANTY PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
- E. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING.
- a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL PLANTED AREAS INCLUDING IRRIGATION SYSTEMS FOR A PERIOD OF TWO-YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
- b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
- c. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE GOOD NORMAL GROWTH.
- d. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND AN APPROXIMATE HEIGHT OF 3-INCHES, MOWING SHALL BEGIN IMMEDIATELY TO A 2-INCH HEIGHT AND SHALL BE MOWED THEREAFTER AND REDUCED IN SAFE INCREMENTS TO A HEIGHT OF 2-INCHES.
- e. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD ALL TURF AREA SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
- f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.
- F. STRUCTURES WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO A HEIGHT OF THREE (3) FEET; LANDSCAPING WITHIN VISIBILITY EASEMENTS WILL BE LIMITED TO GROUND COVER, FLOWERS AND GRANITE LESS THAN TWO (2) FEET (MATURE) IN HEIGHT AND/OR TREES WITH BRANCHES NOT LESS THAN SEVEN (7) FEET ABOVE THE GROUND. TREES SHALL NOT BE PLACED LESS THAN EIGHT (8) FEET APART.
- G. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE AND REPAIR OF ALL FACILITIES ASSOCIATED WITH STORMWATER MANAGEMENT ON A PROPERTY.
- H. THIS PARCEL IS SUBJECT TO ATTENDANT NOISE, VIBRATIONS, DUST, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY OVERFLIGHTS AND BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM PHOENIX-GOODYEAR AIRPORT AND LUKE AIR FORCE BASE.
- I. LAS VENTANAS IS IN PROXIMITY TO THE PROPOSED LOOP 303 AND I-10 RELIEVER FREEWAYS AND MAY BE SUBJECT TO POTENTIAL NOISE INTRUSION, VIBRATIONS, DUST AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY SAID FREEWAYS.
- J. THIS DEVELOPMENT IS ADJACENT TO AGRICULTURAL USES AND IS THEREFORE SUBJECT TO NOISE, DUST AND ODORS ASSOCIATED WITH SUCH A USE.
- K. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND, EXCLUDING POWER LINES 69 KV OR LARGER.
- L. ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2" REBAR WITH CAP, TAG OR OTHER MONUMENTATION AS DESCRIBED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- M. THE CITY OF GOODYEAR IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES OR LANDSCAPED AREAS WITHIN THIS DEVELOPMENT.
- N. DRIVEWAYS ON CORNER LOTS ARE TO BE LOCATED ON THE SIDE OF THE LOT FURTHEST FROM THE STREET INTERSECTION. (LOTS 10, 11, 30, 32, 43, 44, 81, 82, 86, AND 87).
- O. ALL CORNER LOTS AND ALL LOTS ABUTTING AN ARTERIAL STREET ARE LIMITED TO SINGLE-STORY STRUCTURES. (LOTS 10, 11, 30, 32, 43, 44, 81, 82, 86, AND 87).
- P. AT T-INTERSECTIONS (THREE-WAY INTERSECTIONS) THE NON-LIVING SPACE SIDE OF THE HOUSE SHALL BE POSITIONED ON THE LOT IN ORDER TO AVOID HEADLIGHT INTRUSION INTO LIVING AREAS. (LOTS 6, 14, 22, 36, 65, 70 AND 84).
- Q. NO MORE THAN THREE (3) TWO-STORY HOMES SHALL BE PERMITTED SIDE BY SIDE AND THREE CONSECUTIVE TWO-STORY HOMES MUST BE FOLLOWED BY A MINIMUM OF TWO (2) SINGLE-STORY HOMES.
- R. DWELLING UNITS WITH THE SAME ELEVATION OR COLOR SCHEME WITHIN THE LAS VENTANAS PAD SHALL NOT BE PLACED SIDE BY SIDE OR ACROSS THE STREET FROM EACH OTHER, UNLESS THE ELEVATION IS FUNDAMENTALLY DIFFERENT AS DETERMINED BY THE DEVELOPMENT SERVICES DIRECTOR.
- Q. LAS VENTANAS IS WITHIN THE VICINITY OF A PROPOSED 230 KV OVERHEAD ELECTRIC LINE PLANNED ALONG THE WEST SIDE OF PERRYVILLE ROAD.

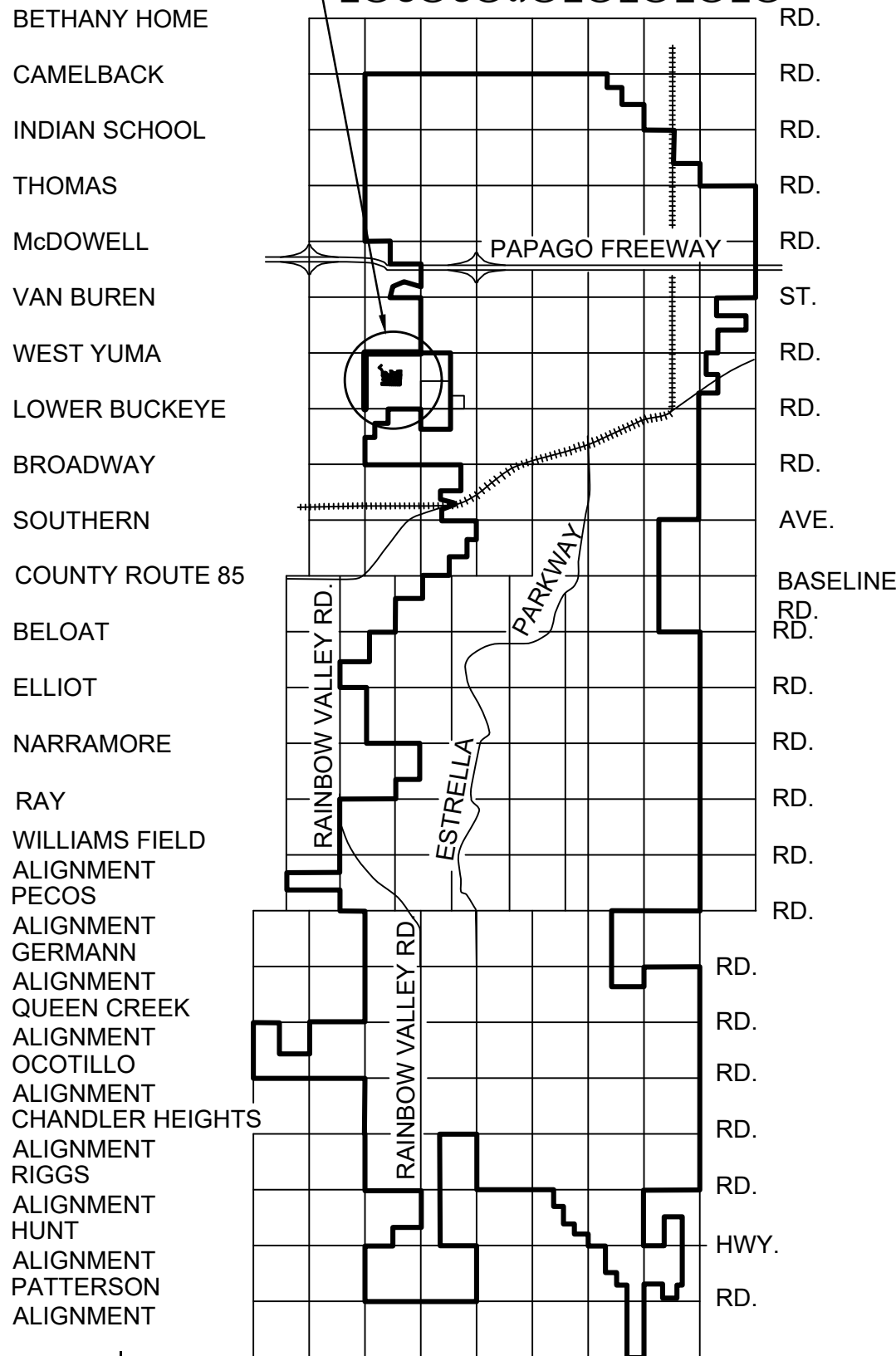
OWNER/DEVELOPER

MATTAMY ARIZONA, LLC
9200 EAST PIMA CENTER PARKWAY,
SUITE 160
PHOENIX, AZ. 85016
PHONE: (480) 302-6080
CONTACT: KEVIN RUST

ENGINEER

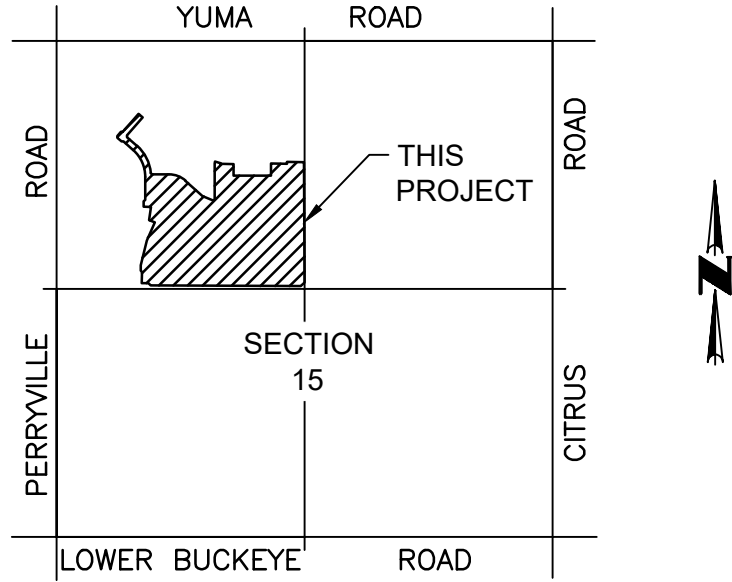
CVL CONSULTANTS
4550 NORTH 12TH STREET
PHOENIX, ARIZONA 85014
PHONE: (602) 264-6831
FAX: (602) 264-6831
CONTACT: HEIDI TILSON P.E.

THIS PROJECT



VICINITY MAP

(NOT-TO-SCALE)



VICINITY MAP

(NOT-TO-SCALE)

UTILITY PROVIDERS

SEWER	CITY OF GOODYEAR
WATER	CITY OF GOODYEAR
TELEPHONE	CENTURYLINK
CABLE	COX COMMUNICATIONS
NATURAL GAS	SOUTHWEST GAS
ELECTRIC	ARIZONA PUBLIC SERVICE
FIRE	CITY OF GOODYEAR

SITE SUMMARY

PARCEL	AREA
GROSS AREA	33.991 AC
NET AREA	26.180 AC
ACTIVE OPEN SPACE	5.353 AC
PASSIVE OPEN SPACE	2.513 AC
PERCENT OPEN SPACE	21.72%

FINAL PLAT FOR
LAS VENTANAS PARCEL 2

A PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH 89°42'25" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN OF MARICOPA COUNTY, ARIZONA.

HOMEOWNER'S ASSOCIATION RATIFICATION

BY THIS RATIFICATION AND CONSENT, _____, DULY AUTHORIZED AGENT OF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, ACKNOWLEDGES AND CONSENTS TO THE OWNERSHIP OF TRACTS A THROUGH H, INCLUSIVE, REFLECTED HEREIN, THE DEDICATION OF THE VEHICLE NON-ACCESS EASEMENTS REFLECTED HEREIN. THE MAINTENANCE RESPONSIBILITIES OF TRACTS A THROUGH H AND OTHER RESPONSIBILITIES REFERRED TO HEREIN.

NAME: _____

TITLE: _____ DATE: _____

HOMEOWNER'S ASSOCIATION RATIFICATION
ACKNOWLEDGEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

ON THIS THE _____ DAY OF _____, 2022, BEFORE ME

PERSONALLY APPEARED _____, AND
ACKNOWLEDGED HIMSELF/HERSELF TO BE AN AUTHORIZED AGENT OF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, AND ACKNOWLEDGED THAT HE/SHE, AS THE AUTHORIZED AGENT, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE CONTAINED THEREIN.

IN WITNESS WHEREOF:

I HEREBY SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES: _____ DATE
NOTARY PUBLIC

CERTIFICATION

I, RICHARD G. ALCOCER, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS MAP, CONSISTING OF SEVEN (7) SHEETS, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION DATED MAY 2018, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY: _____ 5-12-2022
RICHARD G. ALCOCER
REGISTRATION NUMBER 33851
4550 N. 12TH STREET
PHOENIX, ARIZONA 85014
(602)-264-6831
CVLSURVEY@CVLCL.COM

FINAL PLAT APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA
THIS _____ DAY OF _____, 2022.

BY: _____
MAYOR (JOE PIZZILLO)

ATTEST: _____
CITY CLERK (DARCIE McCracken)

FINAL PLAT APPROVAL

APPROVED BY THE CITY ENGINEER OF THE CITY OF GOODYEAR, ARIZONA
THIS _____ DAY OF _____, 2022.

BY: _____
CITY ENGINEER (SUMEET MOHAN)

ACKNOWLEDGEMENT

STATE OF _____)

)SS
COUNTY OF _____)

ON THIS THE _____ DAY OF _____, 2022, BEFORE ME

PERSONALLY APPEARED _____, AND
ACKNOWLEDGED HIMSELF/HERSELF TO BE AN AUTHORIZED AGENT OF MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT HE/SHE, AS THE AUTHORIZED AGENT, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE CONTAINED THEREIN.

IN WITNESS WHEREOF:

I HEREBY SET MY HAND AND OFFICIAL SEAL

BY: _____ MY COMMISSION EXPIRES: _____ DATE
NOTARY PUBLIC

COUNTY RECORDER

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS:

THAT MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "LAS VENTANAS PARCEL 2" A PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY DECLARES THAT SAID FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING THE SAME. EACH LOT, TRACT, EASEMENT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR, IN FEE, ALL STREETS SHOWN ON SAID PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") FOR USE BY THE CITY AND ITS PERMITTEES, NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS WITHIN, ON, ACROSS, OVER AND UNDER THOSE AREAS WITHIN TRACTS A-H INCLUSIVE AND IN LOTS DESIGNATED AS "PUE" AS SHOWN ON THIS FINAL PLAT AND INCLUDED IN THE PREMISES DESCRIBED HEREIN (PUBLIC UTILITY EASEMENT AREAS), SUCH PUBLIC UTILITY EASEMENTS ARE FOR THE PURPOSES OF: ENTERING UPON, INSTALLING, OPERATING, MAINTAINING, REPLACING AND/OR REPAIRING PUBLIC UTILITIES WITHIN, ON, OVER, ACROSS, ABOVE, AND UNDER THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY AND ITS PERMITTEES; ENTERING UPON, CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, , MODIFYING, REPAIRING AND REPLACING PUBLIC SIDEWALKS OVER AND ABOVE THE PUBLIC UTILITY EASEMENT AREAS BY THE CITY AND ITS PERMITTEES; AND FOR PEDESTRIAN TRAVEL BY THE GENERAL PUBLIC OVER ANY PUBLIC SIDEWALKS INSTALLED WITHIN THE PUBLIC UTILITY EASEMENT AREAS. THE PUBLIC UTILITY EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE PUBLIC UTILITY EASEMENT AREAS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR AND LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION PERPETUAL, NON-EXCLUSIVE VEHICLE NON-ACCESS EASEMENTS UPON, OVER AND ACROSS ALL AREAS IN THIS FINAL PLAT DESIGNATED AS "V.N.A.E." AND INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "VEHICLE NON-ACCESS EASEMENT AREAS") FOR THE PURPOSE OF PROHIBITING ALL USE OF MOTOR VEHICLES UPON, OVER AND ACROSS THE VEHICLE NON-ACCESS EASEMENT AREAS. THE VEHICLE NON-ACCESS EASEMENTS DEDICATED HEREIN RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF THE VEHICLE NON-ACCESS EASEMENT AREAS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DECLARES TRACTS A THROUGH H AS COMMON AREAS FOR THE USE AND ENJOYMENT OF THE MEMBERS OF LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, AND, SUBJECT TO THE COVENANTS, RESERVATIONS, RESTRICTIONS AND EASEMENTS SET FORTH HEREIN, CONVEYS TO THE LAS VENTANAS WEST GOODYEAR HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION TRACTS A THROUGH H INCLUSIVE WITHIN THE PREMISES DESCRIBED HEREIN FOR THE PURPOSES INDICATED HEREIN AND AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF GOODYEAR (THE "CITY") PERPETUAL NON-EXCLUSIVE DRAINAGE EASEMENTS ON, OVER, ACROSS AND UNDER TRACTS A, D, E AND H INCLUDED WITHIN THE PREMISES DESCRIBED HEREIN (THE "DRAINAGE EASEMENT AREAS") FOR THE FOLLOWING PURPOSES: THE CONVEYANCE, RETENTION, STORAGE AND DISPOSAL OF STORM-WATER FLOWS IDENTIFIED IN THE GRADING AND DRAINAGE OF IMPROVEMENT PLANS FOR THE PLATTED PROPERTY APPROVED BY THE CITY ENGINEER OR HIS/HER DESIGNEE (THE "APPROVED GRADING AND DRAINAGE PLANS"); AND THE CONSTRUCTION INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF DRAINAGE IMPROVEMENTS SUCH AS SCUPPERS, STORM DRAINS, PIPES, DRY WELLS, HEAD WALLS, RETENTION BASINS AND THE LIKE INCLUDED IN THE APPROVED GRADING AND DRAINAGE PLANS (THE "DRAINAGE FACILITIES"). OWNER, AT OWNER'S EXPENSE SHALL BE RESPONSIBLE FOR CONSTRUCTING AND INSTALLING THE DRAINAGE FACILITIES; MAINTAINING THE DRAINAGE FACILITIES IN GOOD CONDITION; REPLACING AND REPAIRING THE DRAINAGE FACILITIES AS NEEDED TO MAINTAIN THEIR CARRYING AND STORAGE CAPACITY; PREVENTING EROSION; PREVENTING REFUSE, DEBRIS, SEDIMENT, VEGETATION OR OTHER OBSTRUCTIONS FORM ACCUMULATING IN THE DRAINAGE FACILITIES (COLLECTIVELY THE "MAINTENANCE WORK"). THE CITY IS NOT OBLIGATED TO PERFORM THE MAINTENANCE WORK, BUT, IF THE CITY ENGINEER, THE GOODYEAR DIRECTOR OF PUBLIC WORKS AND/OR THEIR RESPECTIVE DESIGNEES DETERMINES THAT OWNER HAS FAILED TO PERFORM THE MAINTENANCE WORK, THE CITY MAY UNDERTAKE SUCH MAINTENANCE WORK AT OWNER'S EXPENSE. OWNER SHALL REIMBURSE THE CITY FOR ALL COSTS THE CITY INCURS IN PERFORMING ANY MAINTENANCE WORK AND OWNER SHALL INDEMNIFY, DEFEND AND HOLD THE CITY HARMLESS AGAINST ALL CLAIMS ARISING FROM, ALLEGED TO HAVE ARISEN FROM, OR RELATED TO OWNER'S FAILURE TO PREFORM THE MAINTENANCE WORK AS AND WHEN REQUIRED HEREIN. THE DRAINAGE EASEMENTS DEDICATED HEREON RUN WITH THE LAND AND ARE BINDING UPON OWNER AND ALL SUCCESSORS AND ASSIGNS IN INTEREST OR TITLE TO ALL OR PART OF TRACTS A, D, E, AND H.

IN WITNESS WHEREOF MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE SIGNED BY THE UNDERSIGNED DULY AUTHORIZED REPRESENTATIVE

THIS _____ DAY OF _____ 2022.

BY: _____ ITS: _____

GROSS AREA = 36.213 ACRES
NET AREA = 26.180 ACRES

SEE SHEET 2 FOR CURVE AND
LINE TABLE AND LOT AREA
TABLE



DATE	REVISION	NO.

Coe & Van Loo Consultants, Inc.

FINAL PLAT

LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA



1 SHEET OF 7

CVL Contact: H. TILSON
CVL Project #: 01-0116204
© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to reproduction in any format

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE NORTH 89°38'43" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 2,644.07 FEET TO THE ALUMINUM CAP FLUSH MARKING THE WEST QUARTER CORNER OF SAID SECTION 15;

THENCE NORTH 00°17'35" EAST, A DISTANCE OF 98.98 FEET;
THENCE NORTH 44°42'25" WEST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 00°17'35" EAST, A DISTANCE OF 50.00 FEET;

THENCE NORTH 41°35'24" EAST, A DISTANCE OF 39.14 FEET;
THENCE NORTH 03°24'36" WEST, A DISTANCE OF 16.97 FEET

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°19'22", A DISTANCE OF 52.91 FEET;

THENCE NORTH 24°16'02" EAST, A DISTANCE OF 181.44 FEET
THENCE NORTH 70°52'15" WEST, A DISTANCE OF 55.53 FEET;

THENCE NORTH 07°57'28" EAST, A DISTANCE OF 120.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 07°57'28" WEST:

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°39'52", A DISTANCE OF 36.79 FEET:

THENCE NORTH 89°42'25" WEST, A DISTANCE OF 29.10 FEET
THENCE NORTH 00°17'35" EAST, A DISTANCE OF 50.00 FEET;
THENCE NORTH 45°17'35" EAST, A DISTANCE OF 16.97 FEET;

THENCE NORTH 00°17'35" EAST, A DISTANCE OF 208.53 FEET TO THE BEGINNING OF A TANGENT CURVE OF 325.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY:

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 48°42'11", A DISTANCE OF 276.26 FEET;

THENCE NORTH 48°24'36" WEST, A DISTANCE OF 118.92 FEET;
THENCE SOUTH 86°35'24" WEST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 48°24'36" WEST, A DISTANCE OF 50.00 FEET;
THENCE NORTH 03°35'24" EAST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 41°35'24" EAST, A DISTANCE OF 50.00 FEET;
THENCE NORTH 86°35'24" EAST, A DISTANCE OF 16.97 FEET;
THENCE NORTH 41°35'24" EAST, A DISTANCE OF 216.00 FEET;
THENCE SOUTH 48°24'36" EAST, A DISTANCE OF 50.00 FEET;
THENCE SOUTH 41°35'24" EAST, A DISTANCE OF 216.00 FEET;
THENCE SOUTH 03°35'24" WEST, A DISTANCE OF 16.97 FEET;

THENCE SOUTH 48°24'36" EAST, A DISTANCE OF 118.92 FEET TO THE BEGINNING OF A TANGENT CURVE OF 375.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°03'05", A DISTANCE OF 281.77 FEET;

THENCE SOUTH 47°04'28" EAST, A DISTANCE OF 17.66 FEET;

THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 153.56 FEET TO THE BEGINNING OF A TANGENT CURVE OF 225.00 FOOT RADIUS, CONCAVE SOUTHERLY;

THENCE EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°17'49", A DISTANCE OF 162.17 FEET:

THENCE SOUTH 48°24'36" EAST, A DISTANCE OF 210.23 FEET TO THE BEGINNING OF A TANGENT CURVE OF 175.00 FOOT RADIUS, CONCAVE NORTHEASTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°06'37", A DISTANCE OF 107.24 FEET;

THENCE NORTH 47°24'15" EAST, A DISTANCE OF 16.33 FEET,

THENCE NORTH 00°17'35" EAST, A DISTANCE OF 328.36 FEET TO THE BEGINNING OF A TANGENT CURVE OF 125.00 FOOT RADIUS, CONCAVE EASTERLY;

THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°14'59", A DISTANCE OF 15.82 FEET:

THENCE SOUTH 74°25'58" EAST, A DISTANCE OF 50.83 FEET TO A POINT ON A 75.00 FOOT RADIUS
NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 87°53'10" EAST:

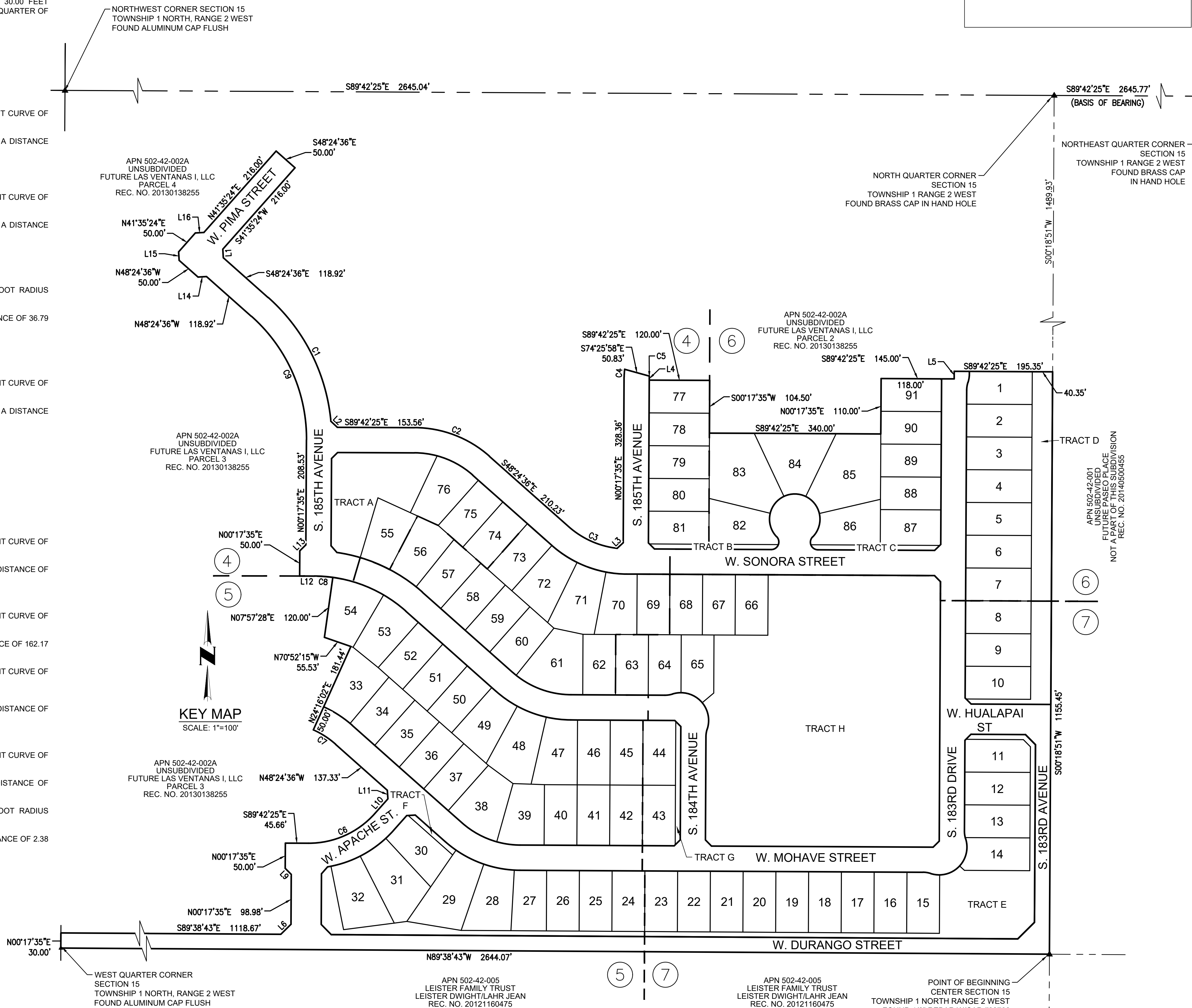
THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°49'14", A DISTANCE OF 2.38 FEET:

THENCE SOUTH 00°17'35" WEST, A DISTANCE OF 5.50 FEET;
THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 120.00 FEET
THENCE SOUTH 00°17'35" WEST, A DISTANCE OF 104.50 FEET
THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 340.00 FEET
THENCE NORTH 00°17'35" EAST, A DISTANCE OF 110.00 FEET
THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 145.00 FEET
THENCE NORTH 00°17'35" EAST, A DISTANCE OF 15.07 FEET;

THENCE SOUTH 89°42'25" EAST, A DISTANCE OF 195.35 FEET TO A POINT ON
THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15:

THENCE SOUTH 00°18'51" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1.155.45 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,577,437 SQUARE FEET OR 36.213 ACRES, MORE OR LESS.



COUNTY RECORDER	

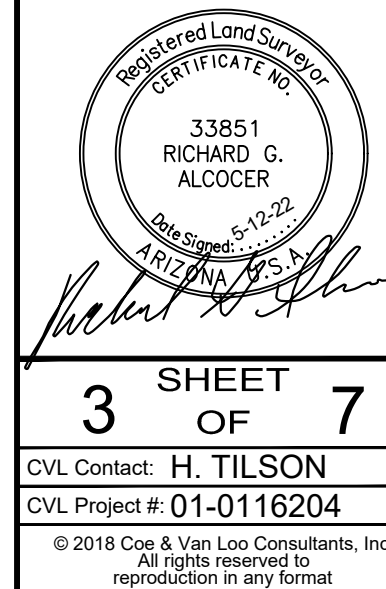
NO.	REVISION	DATE

FINAL PLAT

LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA

LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA

LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA

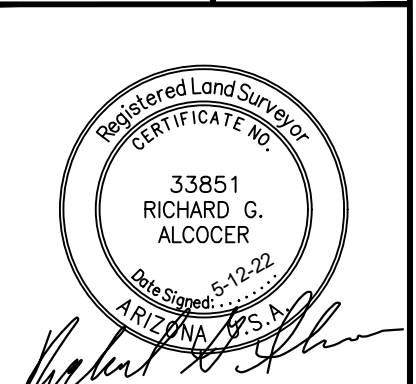


[illegible]

Coe & Van Loo Consultants, Inc.

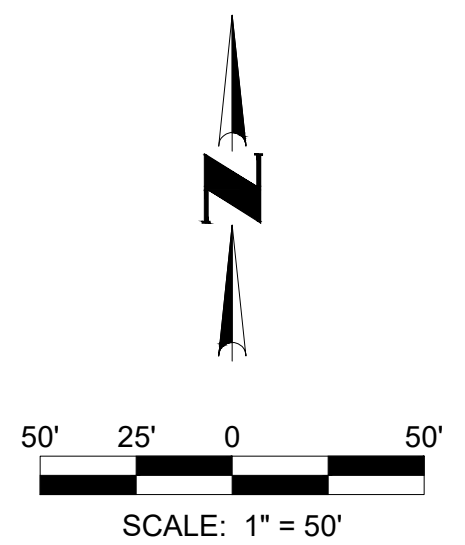
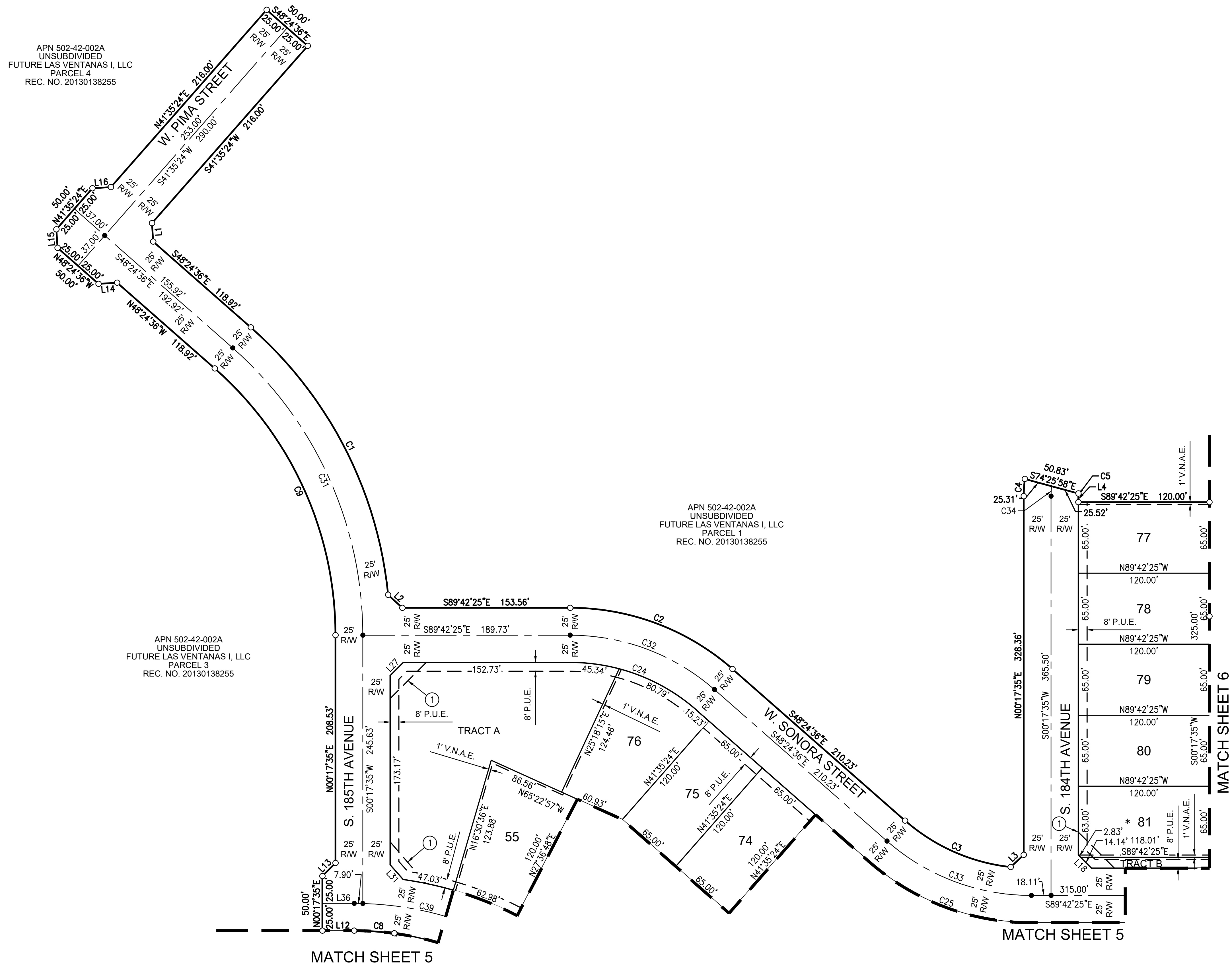
FINAL PLAT

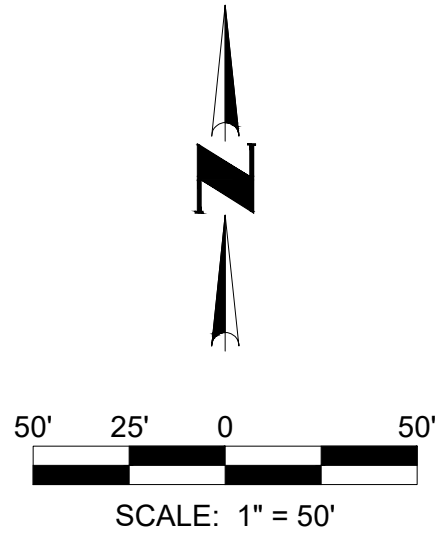
LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA

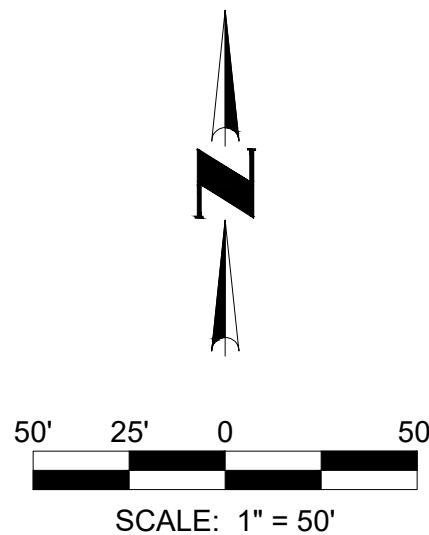
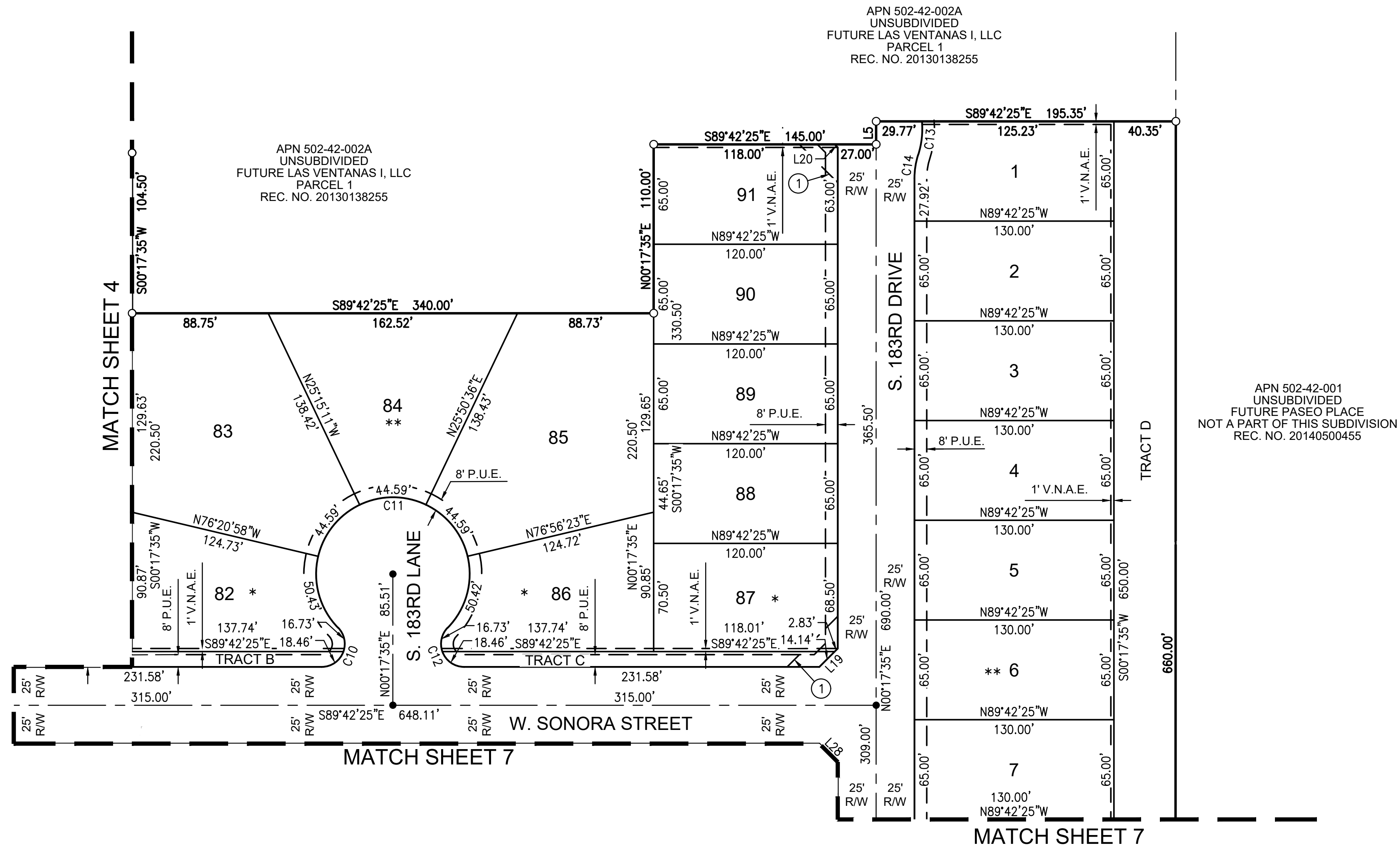



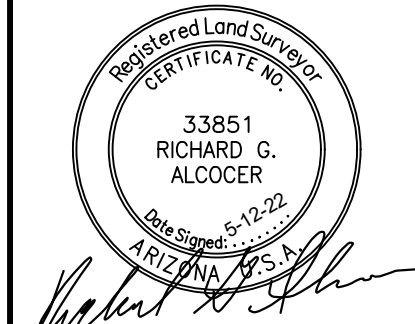
4 SHEET OF 7
CVL Contact: H. TILSON
CVL Project #: 01-0116204

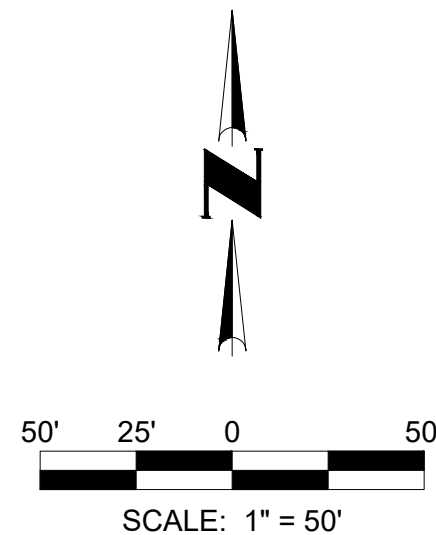
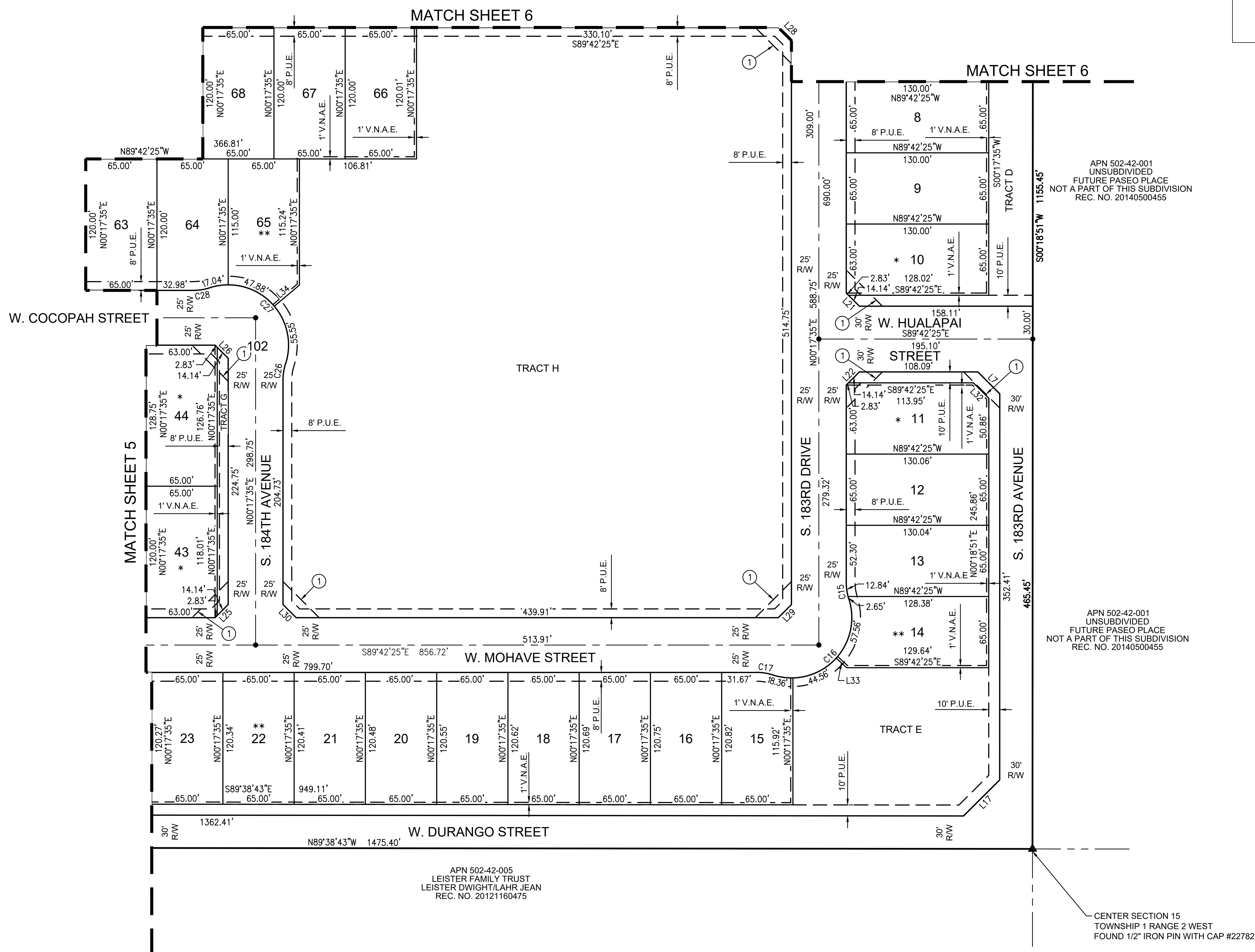
© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to
reproduction in any format







 CELEBRATING 60 YEARS 4550 North 12th Street Phoenix, Arizona 85014 Phone: 602-264-8931 www.cvlai.com	COUNTY RECORDER	
FINAL PLAT	NO.	REVISION
	DATE	
LAS VENTANAS PARCEL 2 GOODYEAR, ARIZONA		
Coe & Van Loo Consultants, Inc.		
		
6 SHEET OF 7		
CVL Contact: H. TILSON CVL Project #: 01-0116204 © 2018 Coe & Van Loo Consultants, Inc. All rights reserved for reproduction in any format		



COUNTY RECORDER

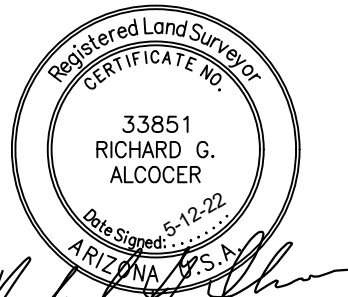


NO.	REVISION	DATE

FINAL PLAT

LAS VENTANAS PARCEL 2
GOODYEAR, ARIZONA

Coe & Van Loo Consultants, Inc.



7 SHEET OF 7

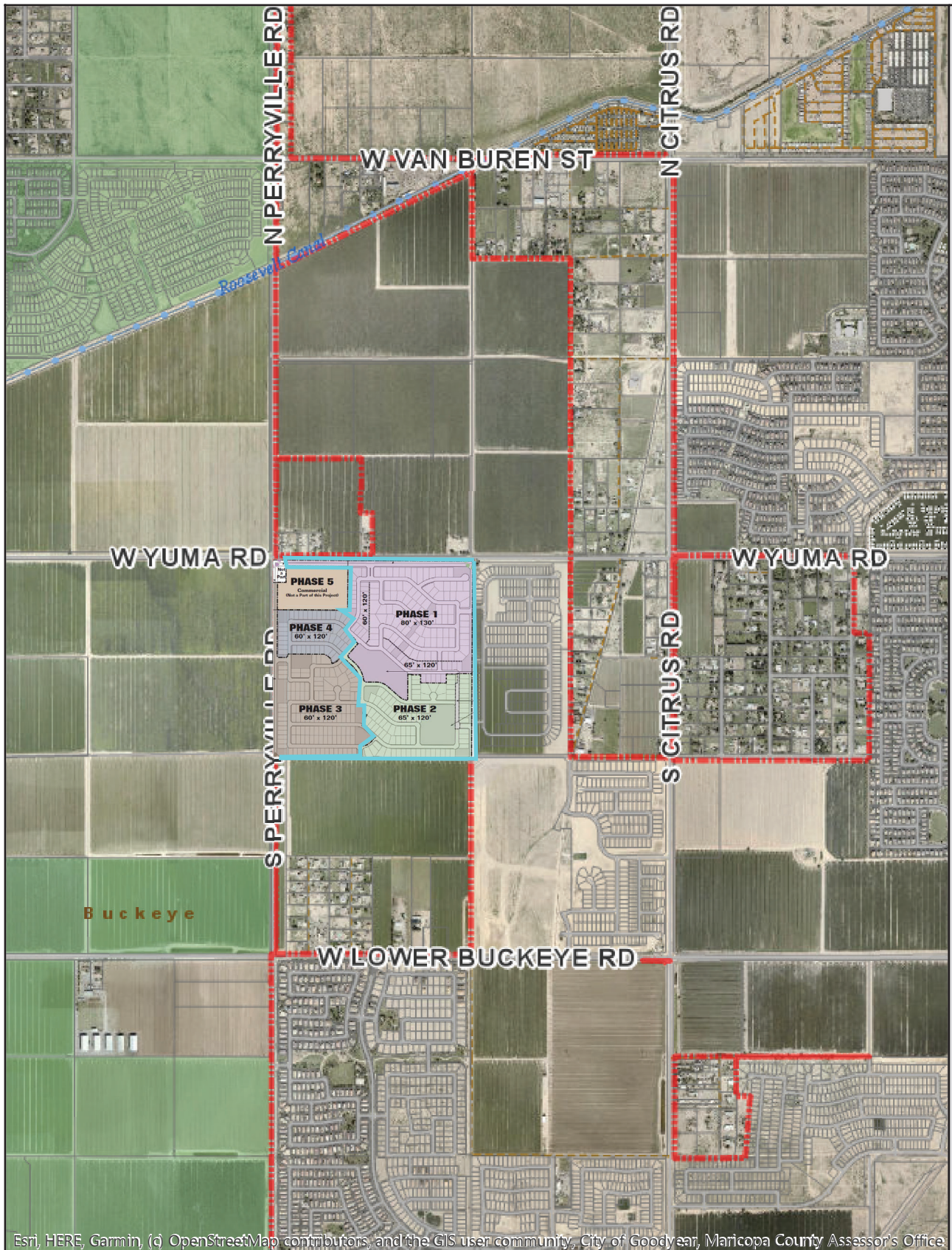
CVL Contact: H. TILSON
CVL Project #: 01-0116204
© 2018 Coe & Van Loo Consultants, Inc.
All rights reserved to reproduction in any format

Name of Map: City of Goodyear

Description: Las Ventanas



City of Goodyear



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Goodyear, Maricopa County Assessor's Office

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: Las Ventanas Preliminary Plat	STAFF PRESENTER: Karen Craver, AICP Planner III CASE NUMBER: 17-500-00011 OTHER PRESENTER: David Coble, Coe and Van Loo, representing Tait Development
---	---

PROPOSED ACTION:

Approve the preliminary plat for Las Ventanas subdividing 159.31 acres into 412 single family lots and one 13.21-acre commercial parcel, located at the southeast corner of Perryville Road and Yuma Road, subject to the following stipulations:

- 1) Compliance with the stipulations contained in Ordinance No. 2006-1001 conditionally approving the rezoning of approximately 159.31 acres of property for the purpose of establishing the Las Ventanas Final Planned Area Development (PAD) and adopted by City Council on May 8, 2006;
- 2) Compliance with the stipulations contained in Ordinance No. 17-1364 conditionally amending the Las Ventanas Final Planned Area Development (PAD) and adopted by City Council on September 25, 2017;
- 3) The following right-of-way dedications shall be included on the final plat:
 - a) East half of Perryville Road right-of-way, 65 feet from centerline
 - b) South half of Yuma Road right-of-way, 75 feet from centerline
 - c) North half of Durango Street right-of-way, 30 feet from centerline
 - d) West half of 183rd Avenue right-of-way, 30 feet from centerline;
- 4) The final plat shall include a statement that Las Ventanas is within the vicinity of a proposed 230 kV overhead electric line planned along the west side of Perryville Road.
- 5) The developer is responsible for the half street and half median improvements along those portions of Perryville Road and Yuma Road adjacent to Las Ventanas, and provided the city obtains an easement for such right-of-way, the half street and half median improvements to Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas) at the immediate southeast corner of Perryville Road and Yuma Road. An Engineer's estimate that meets city of Goodyear requirements shall be provided to determine the costs for the street improvements along the north and west perimeters of the corner parcel (outside the boundaries of Las Ventanas). All half streets shall be constructed with the following minimum improvements: three 12-foot travel lanes, one four-foot shoulder opposite of the development for a total of 44 feet of pavement.

- 6) Provided the city obtains an easement for the right-of-way for those portions of Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas) at the immediate southeast corner of Perryville Road and Yuma Road, the developer shall construct the half street and half median improvements to Perryville Road and Yuma Road adjacent to the corner parcel (outside the boundaries of Las Ventanas), with the costs for said improvements being eligible for cost recovery, when the corner parcel is developed by others, subject to each developers compliance with the city's cost recovery ordinance.
- 7) If W. Durango Street between S. Citrus Road and S. 183rd Avenue is not constructed by others prior to the construction of Phase 2 of Las Ventanas, then W. Durango Street between S. 183rd Avenue and S. Perryville Road shall be constructed by Las Ventanas as part of Phase 2;
- 8) An in lieu payment for the following traffic signals shall be required of the developer:
 - a) 25% of the cost of a traffic signal at the intersection of Perryville Road and Yuma Road to be paid to the city prior to recordation of the first final plat within Las Ventanas.
 - b) 25% of the cost of a traffic signal at the intersection of Yuma Road and 183rd Avenue to be paid to the city prior to recordation of any final plat that includes any of the property included within the area identified as Phase 2 of Las Ventanas.
 - c) 25% of the cost of a traffic signal at the intersection of Perryville Road and Durango Street to be paid to the City prior to recordation of any final plat that includes any of the property included within the area identified as Phase 3 of Las Ventanas.
- 9) Prior to final plat recordation, the existing water rights, irrigation rights, and assured water credits associated with such final plat shall be extinguished and conveyed to the city.
- 10) Unless otherwise modified by an amendment to the Second Amended and Restated Development Agreement for Las Ventanas, or by an amendment to the Development Agreement for West Goodyear Sewer and Water Infrastructure, or by an amendment to any currently existing cost recovery resolution applicable to the water and wastewater lines addressed in the approved cost recovery resolutions, owner shall, prior to recordation of the first final plat subdividing all or part of the property subject to the preliminary plat being approved herein, remit all cost recovery payments owed pursuant to: CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747 and the Second Amended & Restated Development Agreement for Las Ventanas. As of the date this preliminary plat is approved the cost recovery payments are:

Wastewater Line B	\$286,035.00
Wastewater Line E	\$110,941.00
Water Line C	\$ 98,139.71
Water line D	\$178,655.35
<u>Water Line F</u>	<u>\$181,115.32</u>
Total	\$854,886.38

If CRO 06-1065 as amended by Resolution 14-1622 and Resolution 16-1748; CRO 06-1064 as amended by Resolution 14-1621 and Resolution 16-1747; the Second Amended & Restated Development Agreement for Las Ventanas; and/or the Development Agreement for West Goodyear Sewer and Water Infrastructure are amended and such amendment(s) impact the amount of the cost recovery payments required for the foregoing lines, owner shall be responsible only for paying the amounts that would be owed under the amended agreement(s) and/or cost recovery resolution(s).

- 11) The submittal for the final plat for Phase 1, shall be revised to reflect that the median, identified as Tract B is to be owned by the City but maintained by the HOA.
- 12) Developer shall commence construction of external and internal infrastructure (except Regional Water Delivery Lines and Trunk Lines) within 180 days of final plat recordation in accordance with the phasing plan approved by the Director of Engineering.
- 13) The Las Ventanas drainage report states that offsite flows from the north are being mitigated by Amber Meadows and La Privada. Based on this assumption, construction permits for the Las Ventanas project cannot be pulled until both Amber Meadows and La Privada have pulled construction permits. If Amber Meadows and La Privada do not develop prior to Las Ventanas, then the Las Ventanas drainage design shall be updated to account for the additional offsite flows that were to be mitigated with the construction of Amber Meadows and La Privada and may require a modification to the Preliminary Plat. .
- 14) The underground placement of all permanent utilities, excluding power lines 69 kV or larger, within the proposed development and abutting the development's portion of perimeter arterial streets is required per phase prior to issuance of the first certificate of occupancy for each phase of the development.
- 15) The final plat that includes Tract B (i.e. the final plat that includes Phase 1) shall:
 - a) reflect the City's ownership of Tract B and the HOA's maintenance responsibility for Tract B in the Tract Table
 - b) include the following language for the dedication of public streets

_____(*INSERT DEVELOPER'S CORPORATE NAME*)_____, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DEDICATES, GRANTS, AND CONVEYS TO THE CITY OF GOODYEAR THE PUBLIC STREETS AND TRACT B, IN FEE, SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

- b)
 - c) include the following language for the declaration of purpose and dedication of Tracts

_____(*INSERT OWNER'S CORPORATE NAME*)_____, INCLUDING ITS HEIRS, SUCCESSORS, AND ASSIGNS, AS OWNER, HEREBY DECLARES ALL TRACTS

WITHIN THE FINAL PLAT, EXCEPT FOR TRACT B, AS COMMON AREAS FOR THE USE AND ENJOYMENT OF THE OWNERS WITHIN _____ (CORPORATE NAME OF HOA) _____ AND SUBJECT TO THE COVENANTS AND EASEMENTS HEREIN, DEDICATES TO _____ (INSERT CORPORATE NAME OF HOA) ALL TRACTS WITHIN THE SUBDIVISION, EXCEPT FOR TRACT B, FOR THE PURPOSES INDICATED HEREIN AND AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

- d) Include the following language regarding the HOA's maintenance of the landscaping in the median

IN CONSIDERATION OF THE CITY'S AGREEMENT TO ALLOW THE CONSTRUCTION OF A MEDIAN AND INSTALLATION OF LANDSCAPING WITHIN TRACT B, _____ (INSERT CORPORATE NAME OF HOA) _____ HEREBY EXPRESSLY AGREES THAT IT SHALL, AT ITS SOLE COST, , MAINTAIN AND REPLACE LANDSCAPING WITHIN THE TRACT B, INCLUDING PROVIDING ALL WATER NEEDED FOR THE MAINTENANCE OF SUCH LANDSCAPING. _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL OBTAIN ALL PERMITS AS MAY BE REQUIRED BY THE CITY FOR UNDERTAKING WORK WITHIN CITY RIGHT-OF-WAY. _____ (INSERT CORPORATE NAME OF HOA) _____ EXPRESSLY AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS OFFICERS, ELECTED OFFICIALS, EMPLOYEES AND AGENTS FOR ALL CLAIMS ARISING FROM OR ALLEGED TO HAVE ARISEN FROM THE LANDSCAPING, INCLUDING THE FAILURE TO MAINTAIN SUCH LANDSCAPING, WITHIN THE MEDIAN. EXCEPT AS PROVIDED HEREIN, _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL BE RESPONSIBLE FOR TAKING ACTION TO REMEDY ANY UNSAFE CONDITION IDENTIFIED BY THE CITY WITHIN THREE (3) BUSINESS DAYS AFTER BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE LANDSCAPING WITHIN THE MEDIAN IF THE CITY ENGINEER OR HIS/HER DESIGNEE IN HIS/HER REASONABLE DISCRETION DETERMINES THAT THE SAFETY OF THE PUBLIC REQUIRES THAT THE UNSAFE CONDITION BE REMEDIATED BEFORE THREE (3) BUSINESS DAYS OF ITS DISCOVERY; AND THE CITY SHALL BE ENTITLED TO REMEDY ANY UNSAFE CONDITION RESULTING FROM THE FAILURE OF _____ (INSERT CORPORATE NAME OF HOA) _____ TO REMEDY THE UNSAFE CONDITION WITHIN THREE (3) BUSINESS DAYS OF BEING NOTIFIED OF SUCH UNSAFE CONDITION BY THE CITY. IN THE EVENT THE CITY EXERCISES ITS RIGHT TO REMEDY UNSAFE CONDITIONS AS PROVIDED HEREIN, _____ (INSERT CORPORATE NAME OF HOA) _____ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN DOING SO. SHOULD

THE HOA FAIL TO MAINTAIN THE LANDSCAPING WITHIN TRACT B AS PROVIDED HEREIN, THE CITY SHALL BE ENTITLED TO REMOVE THE LANDSCAPING AND OR REMOVE THE LANDSCAPING AND MEDIAN, AND _____(INSERT CORPORATE NAME OF HOA)_____ SHALL REIMBURSE THE CITY FOR THE COSTS INCURRED IN SUCH REMOVAL. IN ANY DISPUTE UNDER THIS AGREEMENT, THE SUCCESSFUL PARTY SHALL BE ENTITLED TO COLLECT ITS REASONABLE ATTORNEYS' FEES, AND OTHER COSTS AS DETERMINED BY A COURT OF COMPETENT JURISDICTION.

BACKGROUND AND PREVIOUS ACTIONS:

On May 8, 2006, the City Council approved the Las Ventanas PAD with the adoption of Ordinance No. 2006-1001, conditionally rezoning the subject property from the Agricultural Urban (AU) zoning district to the Final Planned Area Development (PAD) zoning district. The Planning and Zoning Commission had recommended approval of the rezoning on March 1, 2006.

On September 25, 2017, the City Council adopted Ordinance No. 17-1364, conditionally amending the stipulations of approval for the Las Ventanas PAD. The Planning and Zoning Commission had recommended approval of the stipulation modifications on September 13, 2017. To date, no development has occurred at Las Ventanas.

This preliminary plat for Las Ventanas has not previously been presented to the City Council.

STAFF ANALYSIS:

Current Policy:

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The preliminary plat also must be accompanied by information demonstrating the adequacy of utilities and other public facilities necessary to serve the subdivision. An approved preliminary plat expires 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.

Surrounding Area:

North: Agricultural land, partially in unincorporated Maricopa County zoned RU-43 and in Goodyear zoned R1-6

South: Agricultural land in unincorporated Maricopa County zoned RU-43

East: Agricultural land in Goodyear zoned R1-6

West: Agricultural land in unincorporated Maricopa County Zoned RU-43

Details of the Request:

The Las Ventanas preliminary plat proposes:

- The subdivision of 159.31 acres into 412 single family lots (to be developed in four phases) and one 13.21-acre commercial parcel (5th phase)

- Phase 1 will consist of a mix of 60' x 120', 65' x 120', and 80' x 130' lots
- Phase 2 will be developed with 65' x 120' lots
- Phase 3 will be developed with 60' x 120' lots
- Phase 4 will be developed with 60' x 120' lots
- 23.78 acres of useable open space tracts
- Access from four perimeter roadways
 - Yuma Road
 - Perryville Road
 - Durango Street
 - 183rd Avenue

Impact to City Services

Fire Response:

The subject property will be served by Fire Station #184/181 located at 16161 W. Yuma Road, and by Fire Station #185 located at 15875 W. Clubhouse Drive. Emergency response times and distances are below.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	5.92	2.96	7.65	3.82	#185	14.87	7.43	16.60	8.30

Police Services:

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

Water & Wastewater:

Water and wastewater services will be provided by the city of Goodyear pursuant to the West Goodyear Cost Recovery Resolution. As such, the developer will construct the Las Ventanas on-site utility lines and then extend lines off-site to connect with the regional utility lines being constructed pursuant to the Cost Recovery Resolution. The developer will then pay their proportionate share of the cost of the regional lines pursuant to the Cost Recovery Resolution.

Stormwater:

A stormwater management system and a storm water pollution prevention plan will be developed in accordance with city of Goodyear Engineering Design Standards.

Streets/Access:

Las Ventanas will be accessed from Yuma Road on the north, Durango Street on the south, 183rd Avenue on the east, and Perryville Road on the west. The intersections of Perryville & Yuma, Perryville & Durango, and Yuma & 183rd will be signalized.

Solid Waste/Recycling:

Solid waste and recycling services for the residential development will be provided by the city of Goodyear. Services for the commercial parcel will be contracted through a commercial provider.

Luke Air Force Base

Luke AFB has reviewed the preliminary plat request and determined that it will not have a negative impact on the flying operations at Luke AFB. The base did note that the site is inside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461. Luke also determined that the preliminary plat meets the guidelines of the Graduated Density Concept.

Public Participation

A Citizen Review Meeting and advertised public hearings before the Planning and Zoning Commission or City Council are not required as part of the preliminary plat approval process.

Planning and Zoning Commission Meeting

At its January 10, 2018 regular meeting, following a presentation by staff, the Commission voted 4 to 0 to recommend approval of the preliminary plat subject to the stipulations of approval that had been provided in the Commission staff report.

FISCAL ANALYSIS:

This development will consist of 412 new single family detached homes that will require public services such as water/wastewater, sanitation, police, and fire. The streets will be public and maintained by the city; the open space will be private and maintained by the homeowner's association.

There is no immediate impact to the current fiscal year budget associated with the approval of the preliminary plat. The following future fiscal impacts are anticipated:

- Before recordation of the first final plat within Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Perryville and Yuma.
- Before recordation of any final plat within the area designated as Phase 2 of Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Yuma and 183rd Avenue.
- Before recordation of any final plat within the area designated as Phase 3 of Las Ventanas, the developer shall pay to the city an in lieu payment for 25% of the cost of a traffic signal at Perryville and Durango.

The city separately accounts for and holds in lieu payments until the traffic signal is installed.

RECOMMENDATION:

The Las Ventanas preliminary plat:

- Is consistent with the land use and development standards of the Las Ventanas PAD; and,
- Is consistent with the technical requirements of the City's Subdivision Regulations.

Therefore, staff and the Planning and Zoning Commission recommend approval of the preliminary plat, subject to stipulations.

ATTACHMENTS:

1. Aerial Photo
2. Narrative
3. Preliminary Plat

ITEM #: 8.
DATE: 02/06/2023
AI #:1299



CITY COUNCIL ACTION REPORT

**SUBJECT: RECOMMEND APPROVAL OF A NEW SERIES 4
(WHOLESALE) LIQUOR LICENSE FOR BLUE CLOUD
DISTRIBUTION OF ARIZONA, INC.**

STAFF PRESENTER(S): Darcie McCracken, City Clerk

OTHER PRESENTER(S):

Camila Alarcon, owner of Blue Cloud Distribution of Arizona, Inc.

SUMMARY

The applicant is requesting a recommendation of approval for a new Series 4 (Wholesaler) liquor license.

Recommendation

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 219076, a request made by Camila Alarcon, Agent of Blue Cloud Distribution of Arizona, Inc., for a new Series 4 liquor license. Blue Cloud Distribution of Arizona, Inc. is located at 3105 N. Cotton Ln., Goodyear, AZ 85395, (Generally located North of Thomas and East of Cotton Rd.). (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 continue to contribute to the tax base of the community.

BACKGROUND AND PREVIOUS ACTIONS

Ms. Alarcon applied for a new Series 4 liquor license for Blue Cloud Distribution of Arizona, Inc., which is currently not open for business.

The City Clerk's Office received the application from the DLLC on December 23, 2022. A Public notice was posted on the property on December 28, 2022, to comply with Arizona Revised Statutes §4-201(b). No petitions or protests from qualified persons were received during the comment period.

The application was routed to the Police Department and 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 4 liquor license is for a wholesaler and is non-transferrable. This type of liquor license allows a wholesaler to warehouse, sell and distribute all types of spirituous liquor (beer, wine, and distilled spirits) to Arizona-licensed retailers. A wholesaler may not have a financial interest in a retail spirituous liquor business. A wholesaler may not offer illegal inducements to a retailer nor engage in commercial coercion/bribery or other unlawful trade practices. An employee log must be kept by the licensee of all persons employed at the premises including the employee's name, date and place of birth, address and responsibilities.

The DLLC requires license owners, agents, and managers actively involved in the day-to-day operation of the business to complete a state approved management training course prior to the issuance of a liquor license. The Vice-President, Joshua Crosman has completed the state training. Ms. Alarcon, the agent for Blue Cloud Distribution of Arizona, Inc, has provided the following information:

- Blue Cloud Distribution of Arizona, Inc. is not a franchise.
- Blue Cloud Distribution of Arizona, Inc., being a wholesaler, they will not have to screen customers to prevent the sales of alcohol to minors or have to ID for alcohol purchases.

There are no licensed childcare facilities or K-12 schools within 300 feet of the location. The City Council's recommendation of "Approval", "Disapproval" or "No Recommendation" will be forwarded to the DLLC for consideration at a public hearing of the State Liquor Board (Board).

Attachments

DLLC Local Governing Body Report
Liquor License Evaluation Map
Liquor License within One Mile Report

State of Arizona
Department of Liquor Licenses and Control

Created 12/21/2022 @ 02:51:33 PM

Local Governing Body Report

LICENSE

Number:	Type:	004 WHOLESALER
Name:	BLUE CLOUD DISTRIBUTION OF ARIZONA INC	
State:	Pending	
Issue Date:	Expiration Date:	
Original Issue Date:		
Location:	3105 N COTTON LANE GOODYEAR, AZ 85395 USA	
Mailing Address:	700 ANDERSON HILL ROAD PURCHASE, NY 10577 USA	
Phone:	(720)984-8248	
Alt. Phone:	(602)256-4417	
Email:	CALARCON@GBLAW.COM	

AGENT

Name:	CAMILA ALARCON
Gender:	Female
Correspondence Address:	40 N CENTRAL AVENUE 20TH FLOOR PHOENIX, AZ 85004 USA
Phone:	(602)256-4417
Alt. Phone:	
Email:	CALARCON@GBLAW.COM

OWNER

Name:	BLUE CLOUD DISTRIBUTION OF ARIZONA, INC.	
Contact Name:	CAMILA ALARCON	
Type:	CORPORATION	
AZ CC File Number:	23255391	State of Incorporation: AZ
Incorporation Date:	08/03/2021	
Correspondence Address:	700 ANDERSON HILL ROAD PURCHASE, NY 10577 USA	
Phone:	(602)256-4417	
Alt. Phone:		
Email:	CALARCON@GBLAW.COM	

Officers / Stockholders

Name:
BLUE CLOUD DISTRIBUTION INC
JOSHUA LEE CROSMAN

Title:
Shareholder
Vice-President

% Interest:
100.00

WOODGLEN HOLDINGS INC - Shareholder

Name: PEPSICO INC
Contact Name: CAMILA ALACRON
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 700 ANDERSON HILL ROAD
PURCHASE, NY 10577
USA
Phone: (602)256-4417
Alt. Phone:
Email: BLUECLOUDDISTRBUTION@GMAIL.COM

**BLUE CLOUD DISTRIBUTION OF ARIZONA, INC.
- Vice-President**

Name: JOSHUA LEE CROSMAN
Gender: Male
Correspondence Address: 700 ANDERSON HILL ROAD
PURCHASE, NY 10577
USA
Phone: (801)703-4410
Alt. Phone:
Email: JOSHUA.CROSMAN@PEPSICO.COM

**BLUE CLOUD DISTRIBUTION OF ARIZONA, INC.
- Shareholder**

Name: BLUE CLOUD DISTRIBUTION INC
Contact Name: CAMILA ALACRON
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 700 ANDERSON HILL ROAD
PURCHASE, NY 10577
USA
Phone: (602)256-4417
Alt. Phone:
Email: BLUECLOUDDISTRBUTION@GMAIL.COM

BLUE CLOUD DISTRIBUTION INC - Shareholder

Name: WOODGLEN HOLDINGS INC
Contact Name: CAMILA ALACRON
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 700 ANDERSON HILL ROAD
PURCHASE, NY 10577
USA
Phone: (602)256-4417
Alt. Phone:
Email: BLUECLOUDDISTRBUTION@GMAIL.COM

APPLICATION INFORMATION

Application Number: 219076
Application Type: New Application
Created Date: 11/29/2022

Chayn

QUESTIONS & ANSWERS

004 Wholesaler

- 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
Subtenant
Bottling Group, Inc.
700 Anderson Hill Road, Purchase, NY 10577
- 3) Is there a penalty if lease is not fulfilled?
No
- 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.
None
- 6) Are there walk-up or drive-through windows on the premises?
No
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
QUESTIONNAIRE	2022.11.28 Crosman Questionnaire.pdf	12/06/2022
QUESTIONNAIRE	2022.12.06 Agent Questionnaire - CA.pdf	12/06/2022
ALIEN STATUS	Alien Status - CA.pdf	12/06/2022
ORGANIZATIONAL DOCUMENTS	Organizational Chart - Blue Cloud Distribution of Arizona, Inc.pdf	12/06/2022
MISCELLANEOUS	CA Passport_Black & White.pdf	12/06/2022
DIAGRAM/FLOOR PLAN	Diagram -- Goodyear Location.pdf	12/06/2022

BLUE CLOUD DISTRIBUTION OF
ARIZONA, INC.

ENTITY ORGANIZATIONAL CHART

Privileged and Confidential

Blue Cloud Distribution of Arizona, Inc.
License Entity

Officer: Joshua Crozman (Vice-President)
*No other entity or individual owns more than
10% of license entity.*

Blue Cloud Distribution, Inc.
100% Shareholder

*No other entity or individual owns more than 10%.

Woodglen Holdings, Inc.
100% Shareholder

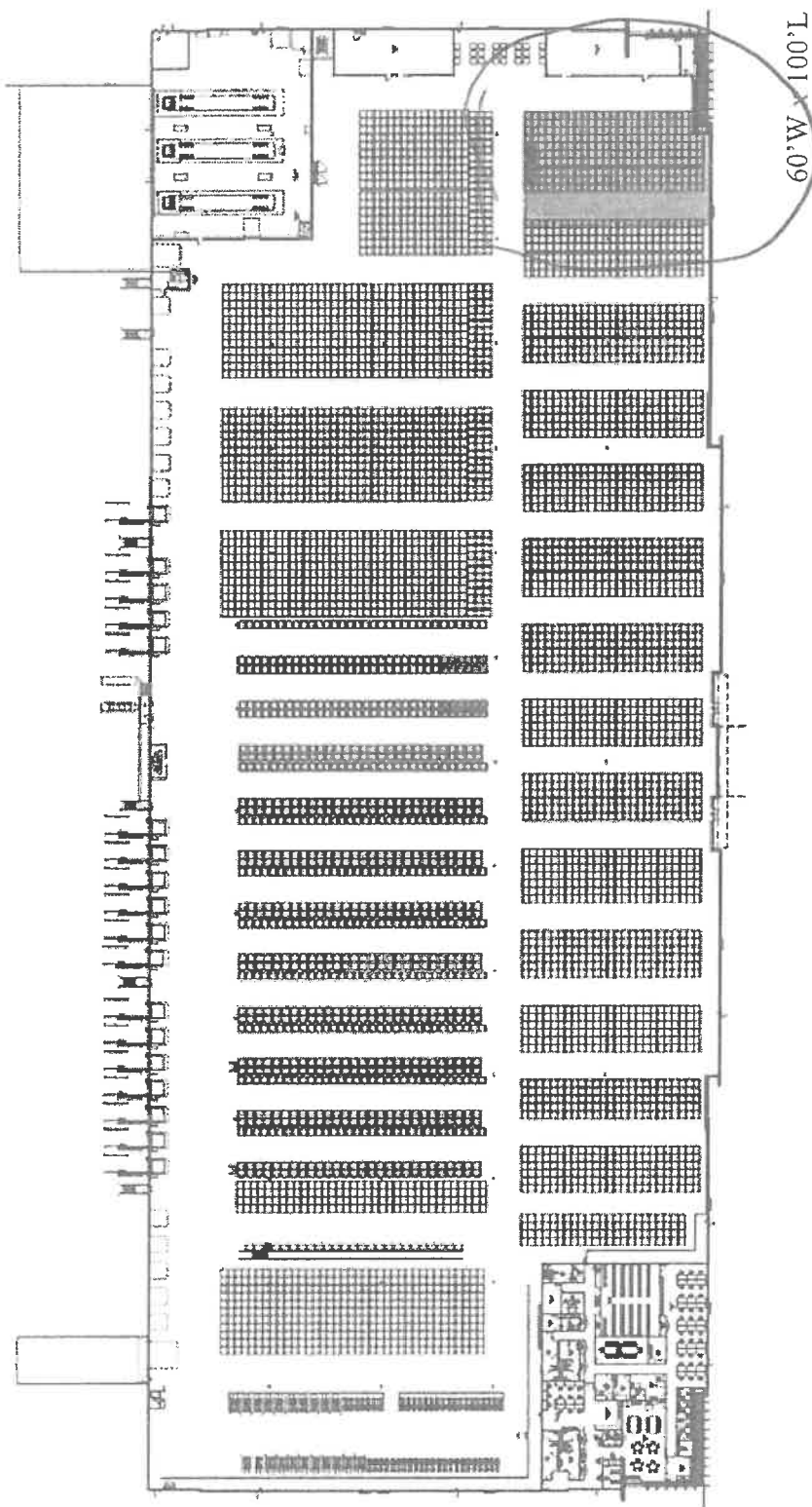
*No other entity or individual owns more than 10%.

PepsiCo, Inc.
100% Shareholder

*No other entity or individual owns more than 10%.
Publicly-traded entity

Liquor
Storage

'22 DEC 8 Lig. Lic. PM 4:50



CSR:

Amount:

22 DEC 8 11:41 AM '14



AGENT/CONTROLLING PERSON QUESTIONNAIRE

Arizona Dept. of Liquor Licenses and Control
800 W. Washington St. 5th Floor Phoenix, AZ 85007
(602) 542-5141

Type or Print with Black Ink

DLLC USE ONLY

Job #: 219076

Date Accepted:

CSR:

License Number:

FP Current
6-17-2022

ATTENTION APPLICANT: This is a legally binding document. 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 will be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED ACCORDINGLY AND SUBMITTED TO THE DEPARTMENT WITH A BLUE OR BLACK LINED FINGERPRINT CARD AND \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE.

1. Check the
Appropriate
Box →



Agent



Controlling Person

2. Name: Alarcon Camila Birth Date: [REDACTED] (NOT a public record)

3. Social Security #: [REDACTED] Drivers License #: [REDACTED] State Issued: Arizona

4. Place of birth: Santiago Chile Height: 5'4" Weight: 120 Eyes: Brown Hair: Brown

5. Name of current/most recent spouse: Garrow Philip Daniel Birth Date: [REDACTED] (NOT a public record)

6. Are you a bonafide resident of Arizona? Yes ☒ No ☐ If yes, what is your date of residency? 05/20/2003

7. Daytime telephone number: (602) 256-4417 Email address: calarcon@gblaw.com

8. Premises Name: Blue Cloud Distribution of Arizona Inc Business Phone: 720 984 8248

9. Premises Address: 3105 N Cotton Lane, Goodyear, AZ Maricopa 85395

Street (do not use PO Box)

City

State

County

Zip

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

22 DEC 8 11:17 AM 4:50

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
12/2014	CURRENT	Attorney	Gammage & Burnham, PLC, 40 N Central Ave, 20th Fl, Phoenix, AZ 85004

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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

FROM Month/Year	To Month/Year	Street	City	State	Zip
04/2014	CURRENT	507 E Belmont Ave	Phoenix	AZ	85020

(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 and Management Liquor Law Training Course within the past 3 years? If yes, attach certificate(s) 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 summons 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

I, (Print Full Name) Camila Alarcon hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

DocuSigned by:

Signature:

Camila Alarcon

7714D4894D7E401...

Date: 12/6/2022

'22 DEC 8 Lig. Lic. PM 4 50



ALIEN STATUS

Arizona Dept. of Liquor Licenses and Control
800 W. Washington St. 5th Floor Phoenix, AZ 85007
(602) 542-5141

Type or Print with Black Ink

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

APPLICANT NAME (Print or type) Camila Alarcon

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? ☒ Yes ☐ No - If **yes**, indicate place of birth:

City **Santiago** State _____ COUNTRY **Chile**

If you answered **Yes**, 1) Attach a legible copy of a document from the list below.

2) Name of document: Passport

If you answered **No**, you must complete Sections III.

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

22 DEC 8 11:14 PM 450

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after Jan. 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

22 DEC 8 11:14 AM 4:50

SECTION III – QUALIFIED ALIEN DECLARATION

Applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C. §§ 1621(a)(1), -1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non-immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C))

11. A nonimmigrant whose visa for entry is related to employment in the United States, or
12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 et seq.];
13. A foreign national not physically present in the United States.
14. **Otherwise Lawfully Present**
15. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. §

Camila Alarcon

Print Name

DocuSigned by:

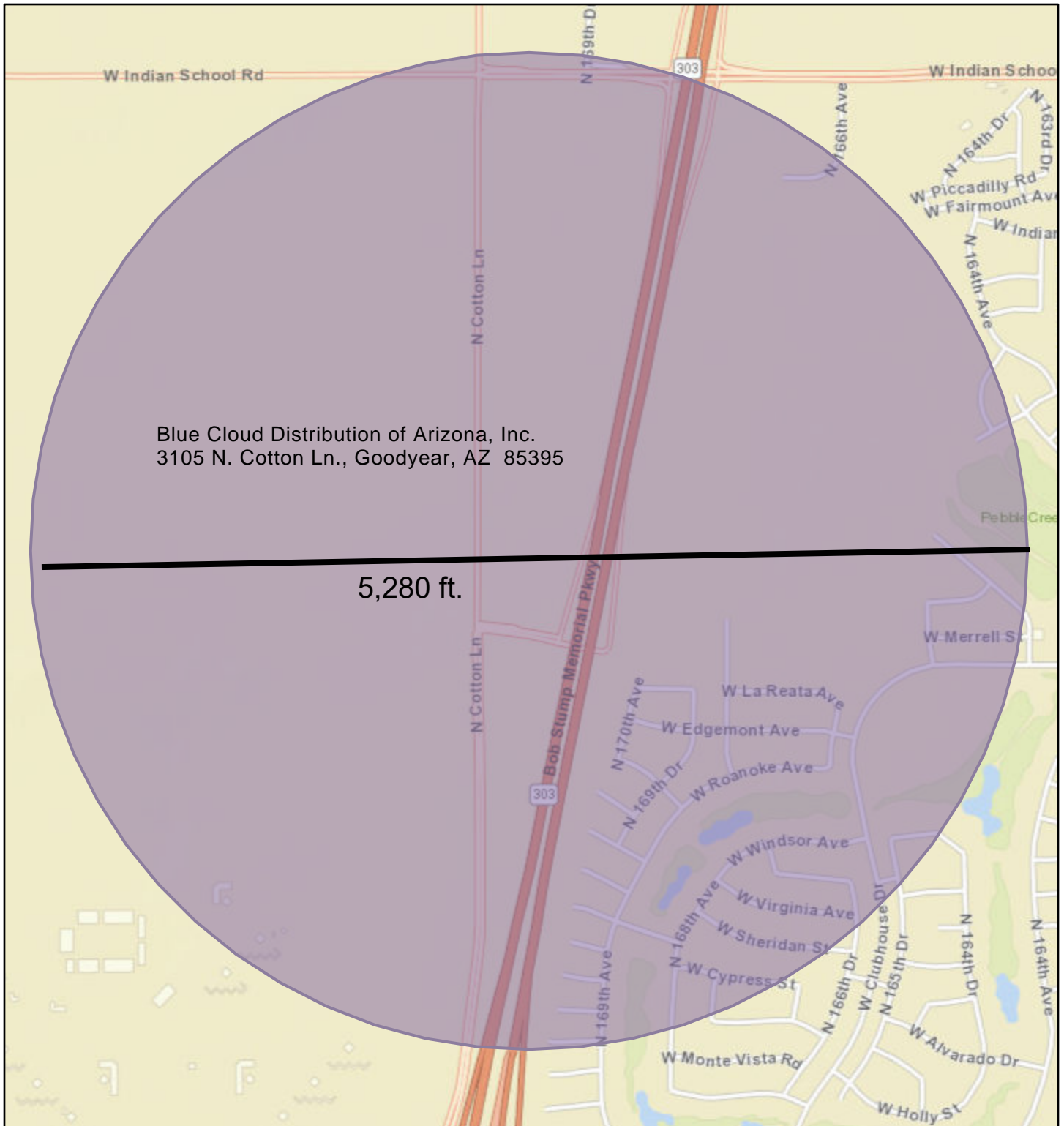
Camila Alarcon

Signature

12/6/2022

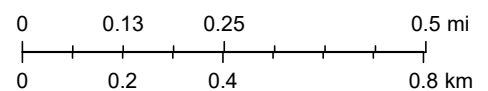
Date

Liquor License Evaluation-Blue Cloud Distribution of Arizona, Inc.



1/30/2023, 2:10:55 PM

1:18,056



City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, City of Goodyear

Clerk and Recorder
City of Goodyear

Liquor Licenses within One Mile – Blue Cloud Distribution of Arizona, Inc.

Applicant Address: 3105 N. Cotton Ln., Goodyear, AZ 85395

Business Name	Address	Distance from Applicant Address	License Series
Liquor Establishments			
None			

Business Name	Address	Distance from Applicant Address	License Series
K-12 Schools			
None			

Series Legend:

Alternating Proprietorship (20)
Bar (6)
Beer & Wine Bar (7)
Beer & Wine Store (10)
Beer & Wine Store (10) with Sampling Privileges
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 Privileges
Microbrewery (3)
Restaurant (12)
Restaurant (12) with Growler Privileges
Special Event Contractor (SEC)
Wholesaler (4)
Winery (13)
Tasting Room (19)

ITEM #: 9.
DATE: 02/06/2023
AI #:1302



CITY COUNCIL ACTION REPORT

**SUBJECT: RECOMMEND APPROVAL OF A NEW SERIES 12
(RESTAURANT) LIQUOR LICENSE FOR GUS'S NEW YORK
PIZZA & BAR**

STAFF PRESENTER(S): Darcie McCracken, City Clerk

OTHER PRESENTER(S):

Manal Almasri, owner/applicant

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. 220527, a request by Manal Almasri, owner/applicant for Gus's New York Pizza & Bar, for a new Series 12 liquor license. Gus's New York Pizza & Bar is located at 13824 W. McDowell Rd. #A100, Goodyear, AZ 85395 (generally located N of McDowell Rd and E of Litchfield Rd). (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 also contribute to the tax base of the community.

BACKGROUND AND PREVIOUS ACTIONS

Ms. Almasri has applied for a new Series 12 liquor license for Gus's New York Pizza & Bar, which is currently open for business.

The City Clerk's office received the application from the DLLC on December 9, 2022. A Public Notice was posted on the property on December 13, 2022, to comply with Arizona Revised Statutes §4-201(b). 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 & Zoning, 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 liquor 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 that 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. Almasri has completed the training and any other managers will be required to complete it as well. A manager will be present onsite during all business hours, and restaurant workers will card anyone ordering alcohol.

There are no licensed childcare facilities or K-12 schools within 300 feet of the location. The City Council's recommendation of "Approval", "Disapproval" or "No Recommendation" will be forwarded to the DLLC for consideration during their licensing review process.

Attachments

DLLC Local Governing Body Report
Liquor License Evaluation Map
Liquor License within One Mile Report

**State of Arizona
Department of Liquor Licenses and Control**

Created 12/06/2022 @ 08:51:44 AM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	GUS'S NEW YORK PIZZA		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA		
Mailing Address:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA		
Phone:	(623)935-4488		
Alt. Phone:	(602)706-8846		
Email:	MANALALMASRI89@YAHOO.COM		

AGENT

Name:	MANAL KHALED ALMASRI
Gender:	Female
Correspondence Address:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA
Phone:	(602)706-8846
Alt. Phone:	
Email:	MANALALMASRI89@YAHOO.COM

OWNER

Name: ZACK INVESTMENTS LLC
Contact Name: MANAL ALMASRI
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23402682 State of Incorporation: AZ
Incorporation Date: 07/26/2022
Correspondence Address: 13824 W MCDOWELL ROAD
#A100
GOODYEAR, AZ 85395
USA
Phone: (602)706-8846
Alt. Phone:
Email: MANALALMASRI89@YAHOO.COM

Officers / Stockholders

Name:	Title:	% Interest:
MANAL KHALED ALMASRI	Member	100.00

ZACK INVESTMENTS LLC - Member

Name: MANAL KHALED ALMASRI
Gender: Female
Correspondence Address: 13824 W MCDOWELL ROAD
#A100
GOODYEAR, AZ 85395
USA
Phone: (602)706-8846
Alt. Phone:
Email: MANALALMASRI89@YAHOO.COM

APPLICATION INFORMATION

Application Number: 220527
Application Type: New Application
Created Date: 12/05/2022

QUESTIONS & ANSWERS

012 Restaurant

- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
- 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?
BALANCE DUE IN FULL
- 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 .
- 6) Are there walk-up or drive-through windows on the premises?
No
- 7) Does the establishment have a patio?
Yes
Is the patio contiguous or non-contiguous (within 30 feet)?
CONTIGUOUS PATIO
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 9) What type of business will this license be used for?
RESTAURANT/BAR

State of Arizona
Department of Liquor Licenses and Control

Created 12/06/2022 @ 08:51:47 AM

Local Governing Body Report

LICENSE

Number:	INP070021276	Type:	INP INTERIM PERMIT
Name:	GUS'S NEW YORK PIZZA		
State:	Active		
Issue Date:	12/06/2022	Expiration Date:	03/21/2023
Original Issue Date:	12/06/2022		
Location:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA		
Mailing Address:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA		
Phone:	(623)935-4488		
Alt. Phone:	(602)706-8846		
Email:	MANALALMASRI89@YAHOO.COM		

AGENT

Name:	MANAL KHALED ALMASRI
Gender:	Female
Correspondence Address:	13824 W MCDOWELL ROAD #A100 GOODYEAR, AZ 85395 USA
Phone:	(602)706-8846
Alt. Phone:	
Email:	MANALALMASRI89@YAHOO.COM

OWNER

Name: ZACK INVESTMENTS LLC
Contact Name: MANAL ALMASRI
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23402682 State of Incorporation: AZ
Incorporation Date: 07/26/2022
Correspondence Address: 13824 W MCDOWELL ROAD
#A100
GOODYEAR, AZ 85395
USA
Phone: (602)706-8846
Alt. Phone:
Email: MANALALMASRI89@YAHOO.COM

Officers / Stockholders

Name:	Title:	% Interest:
MANAL KHALED ALMASRI	Member	100.00

ZACK INVESTMENTS LLC - Member

Name: MANAL KHALED ALMASRI
Gender: Female
Correspondence Address: 13824 W MCDOWELL ROAD
#A100
GOODYEAR, AZ 85395
USA
Phone: (602)706-8846
Alt. Phone:
Email: MANALALMASRI89@YAHOO.COM

APPLICATION INFORMATION

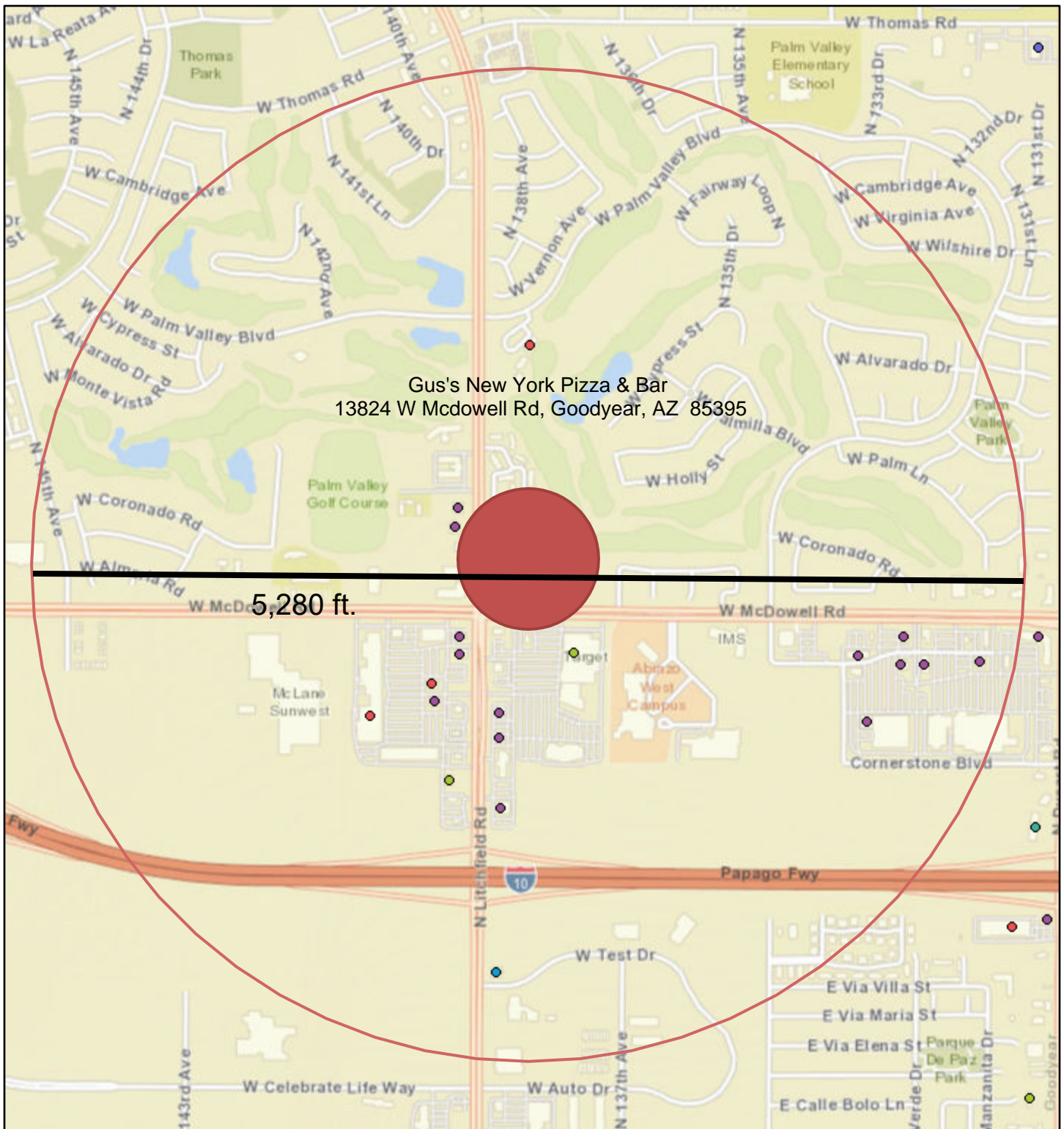
Application Number: 220528
Application Type: New Application
Created Date: 12/05/2022

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location
12078932
- 2) Is the license currently in use?
Yes
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
Yes
A Document of type INTERIM NOTARY PAGE is required.

Liquor License Evaluation -Gus's New York Pizza & Bar

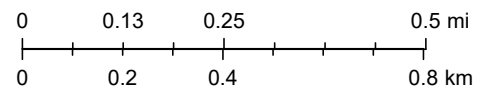


1/31/2023, 9:50:48 AM

1:18,056

October 2022 Liquor Licenses

- Bar
- Beer and Wine Bar
- Beer and Wine Store
- Hotel / Motel
- Liquor Store
- Liquor Store Sampling Beer and Wine Store
- Restaurant



PHX GIS, City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, City of Goodyear

Liquor Licenses within One Mile – Gus's New York Pizza & Bar

Applicant Address: 13824 W McDowell Rd., Goodyear, AZ 85395

Business Name	Address	Distance from Applicant Address	License Series
Liquor Establishments			
Chef Ben Sushi & Asian Express	13824 W McDowell Rd	50 ft.	12
Applebee's Neighborhood Grill & Bar	13832 W McDowell Rd	217.5 ft.	12
Black Angus Steakhouse	13766 W McDowell Rd	513.54 ft.	12
Haymaker Goodyear	1800 N Litchfield	953.08 ft.	12
Target #1242	1515 N Litchfield Rd	1,006.17 ft.	10
Old Chicago Pizza and Taproom	1828 N Litchfield Rd	1,038.83 ft.	12
Chipotle Mexican Grill #542	1560 N Litchfield Rd	1,069 ft.	12
Hayashi Hibachi	1480 N Litchfield Rd	1,208.79 ft.	12
Chili's Grill & Bar #608	1371 N Litchfield Rd	1,590.5 ft.	12
Macayo's	1474 N Litchfield Rd	1,644.29 ft.	6
Mod Pizza	1380 N Litchfield Rd	1,766.87 ft.	12
Raul & Theresa's	1363 N Litchfield Rd	1,850.78 ft.	12
Total Wine & More #1008	1416 N Litchfield Rd	2,346.59 ft.	9/09S
Palm Valley Golf Club	2211 N Litchfield Rd	2,388.17 ft.	6
Circle K Store #9177	1264 N Litchfield Rd	2,432.52 ft.	10
Cracker Barrell #277	1209 N Litchfield Rd	2,581.18 ft.	12
Booty's Wings Burgers & Beer	13375 W McDowell Rd	3,589.27 ft.	12
Chuck E Cheese #202	13371 W McDowell Rd	3,926.36 ft.	12
Buffalo Wild Wings	13311 W McDowell Rd	4,030.58 ft.	12
Manuel's Mexican Food Restaurant	13319 W McDowell Rd	4,066.11	12
Ocho Rios Jerk Spot	13291 W McDowell Rd	4,300.6 ft.	12
Rudy's Country Store & Bar-B-Que	845 N Litchfield Rd	4,337.26 ft.	7
Nakama Sushi Restaurant & Lounge	13215 W McDowell Rd	4,882.14 ft.	12

Schools			
Montessori in the Park	1832 N Litchfield Rd	1,477.8 ft.	P
Archway Trivium East	14130 W McDowell Rd	2,378.09 ft.	CH

Series Legend:

Alternating Proprietorship (20)
Bar (6)
Beer & Wine Bar (7)
Beer & Wine Store (10)
Beer & Wine Store (10) with Sampling Privileges
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 Privileges
Microbrewery (3)
Restaurant (12)
Restaurant (12) with Growler Privileges
Special Event Contractor (SEC)
Wholesaler (4)
Winery (13)
Tasting Room (19)

ITEM #: 10.
DATE: 02/06/2023
AI #:1287



CITY COUNCIL ACTION REPORT

SUBJECT: RECOMMEND APPROVAL FOR A NEW CLASS A BINGO LICENSE

STAFF PRESENTER(S): Corinne Ferguson, Deputy City Clerk

OTHER PRESENTER(S):

Laura Szakacs, President of the Pebble Creek Association.

SUMMARY

The applicant is requesting a recommendation of approval for a Class A bingo license.

Recommendation

Recommend approval to the Arizona Department of Revenue (ADOR) for a Class A bingo license, submitted by Laura Szakacs, President of Pebble Creek Association (Association), for bingo games to be held at 3657 Club House Drive, Goodyear, AZ 85395. (Corinne Ferguson, Deputy City Clerk)

FISCAL IMPACT

The applicant paid a \$5 fee to the City of Goodyear per the ADOR Bingo License Packet.

BACKGROUND AND PREVIOUS ACTIONS

Laura Szakacs, President for the Association, has applied for a new Class A business license to be located at 3657 Club House Drive, Goodyear, AZ 85395. The Association plans to host bingo games every third, fourth and fifth Tuesday of the month at 6:30 PM.

The City Clerk's Office received the completed application on January 18, 2023. The application has been routed to the Police Department and the Development Services Department (Planning & Zoning, Code Compliance and Building Safety), any comments are listed below.

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

Per A.R.S. § 5-404, this application must be approved by the local governing body prior to being submitted to the Arizona Department of Revenue (ADOR), which is the licensing authority for bingo licenses.

STAFF ANALYSIS

Class A bingo licenses are generally obtained for recreational and social purposes, returning all gross receipts to the players in prizes/money. The Association offers bingo to residents every third, fourth and fifth Tuesday of the month at 6:30 p.m. The Association will charge \$12 per person for 12 games. The winners are paid out with the money collected. The bingo license will be valid for a year from the date issued and allows the holder to conduct bingo for which gross receipts do not exceed \$75,000 per year.

Attachments

Pebblecreek Bingo Application

FOR OFFICIAL USE ONLY PURSUANT TO A.R.S. § 5-404.A

- **License Applicants:** Complete lines 2, 3, and 4. Submit with entire license package to local governing body.
- **Local Governing Body:** Complete and return with license package to the Department of Revenue Bingo Section. A.R.S. §§ 5-409 and 5-410

<input checked="" type="checkbox"/> New Application <input type="checkbox"/> Change of Location		Date <u>1/10/23</u>	License Number _____
From (Name of local governing body) <u>Pebble Creek Tuesday Bingo</u>			
Address (number and street, PO Box) <u>3657 Club House Dr.</u>			
City <u>Goodyear</u>	State <u>AZ</u>	ZIP Code <u>85395</u>	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. <div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 5px;">88</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 5px;">81</div> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 5px;">80</div> </div>
Phone No. (with area code) <u>623-935-6181</u>			

- 1 This is to certify that on _____ a hearing was conducted pursuant to Arizona Revised Statute, Title 5, Chapter 4, in the matter of:
- ☐ Application for a bingo license by the following applicant.
- ☐ Application for a bingo license location transfer.

2 Applicant's Name Laura Szakacs

3 Location/Address where live bingo will be conducted: _____

City <u>Goodyear</u>	State <u>AZ</u>	ZIP Code <u>85395</u>
-------------------------	--------------------	--------------------------

- 4 Fill in the time on the days live bingo will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.
<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input checked="" type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.

630 3rd, 4th & 5th Tuesday of the Month

- 5 Who is your live bingo supplier?
Wholesale Bingo

- 6 Recommendation for the application: ☐ Approved ☐ Disapproved

- 7 Specific reasons for disapproval are hereby listed pursuant to A.R.S. § 5-404.1:

This endorsement must be signed by a delegated authority of the local governing body.

PRINTED NAME _____

SIGNATURE _____

DATE _____

TITLE _____

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007
 ☎ (602) 716-7801

- Type or print in black ink and complete all information requested on this form. If you do not, your application will be returned. All information is subject to verification. If you need more space, attach additional sheets.
- All bingo licenses expire one year from the date of issue.** To continue conducting live bingo games, you must renew your license prior to the expiration date pursuant to A.R.S. §§ 5-403(C) and 5-410.

1 Applicant's Name Laura Szakacs		Falsification of information contained in this application constitutes a Class 6 felony. REVENUE USE ONLY. DO NOT MARK IN THIS AREA. <div style="border: 1px solid black; padding: 2px; display: inline-block;">88</div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px; display: inline-block;">81</div> PM </div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">80</div> RCVD
2a Mailing Address		
2b City State ZIP Code		
3a Administrative Office Location 3657 Club House Drive		
3b City State ZIP Code Goodyear AZ 85395		
4a Name of Contact Person Laura Szakacs/Bill Board	4b Telephone No. (708) 224-1330	
4c E-mail Address		4c Fax No. 623 935-6781

5 Class B and Class C license applicants only: If applying as a qualified organization, *check one box* to indicate the type of organization:

- | | | | |
|-------------------------------------|--|---|--|
| <input type="checkbox"/> Charitable | <input type="checkbox"/> Social | <input type="checkbox"/> Religious | <input type="checkbox"/> Veterans |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Volunteer Fire Department | <input type="checkbox"/> Homeowners Association | <input type="checkbox"/> Nonprofit Ambulance Service |

6 Class B and Class C license applicants only applying as a qualified organization, ***provide parent or auxiliary information:***

6a Parent Name	6b Auxiliary Name
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

7 Class B and Class C license applicants only applying as a qualified organization, ***list the current officers or Board of Directors of the organization:***

7a Name	7b Name
Title	Title
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code
7c Name	7d Name
Title	Title
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

8 Class B and Class C license applicants only: Bingo checking account information:

Checking Account Number	Bank Name	Bank Branch
-------------------------	-----------	-------------

Continued on page 2 →

Applicant's Name (as shown on page 1)

Laura Szakacs

APPLICATION FOR BINGO LICENSE

9 Class B and Class C license applicants only: Bingo interest-bearing account information:

Account Number	Bank Name	Bank Branch
----------------	-----------	-------------

10 Class B and Class C license applicants only: List all officers and/or supervisors authorized to sign checks from the accounts listed above. If applying as a qualified organization, all supervisors must be members of the applicant:

10a Name	10b Name
Title	Title

11 List the name(s) of the one or two persons who will serve as managers. If applying as a qualified organization, these persons must be members of the applicant. Each person must submit an affidavit.

11a Name Laura Szakacs	11b Name Rose Johnson
Title President	Title (231)350-8042

12 List the name of the one person designated as proceeds coordinator. If applying as a qualified organization, this person must be an officer or director and a member of the applicant. Each person must submit an affidavit.

Name	Title
------	-------

13 List the name(s) of the person(s) who will serve as supervisor. If applying as a qualified organization, each person must be a member of the applicant. Each person must submit an affidavit. If additional names are required, please attach affidavits.

13a Name Laura Szakacs	13b Name Rose Johnson
Title President	Title Vice President

14 List the name(s) of the person(s) who will serve as assistants. If applying as a qualified organization, each person must be a member or new member of the applicant. Except for "Class A" licensees, each person must submit an affidavit.

14a Name	14b Name
14c Name	14d Name

15 Street address of the PHYSICAL location where live bingo will be played:

3645 CLUB House Drive Ballroom

16 Games of Bingo must not exceed 5 days a week. Indicate the time on each respective day that live bingo will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.	<input type="checkbox"/> a.m.
<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input checked="" type="checkbox"/> 6:30 p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.	<input type="checkbox"/> p.m.

3rd 4th
& 5th
(Tuesday
of Each
Month)

Continued on page 3 →

Larra Szakacs

17 Indicate the type of premises where bingo will be played. Check one box:

a ☒ Neither rent nor mortgage will be paid from bingo funds.

b ☐ Rented or leased. Attach rental affidavit and copy of rental agreement.

Landlord's Name	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

c ☐ Owned solely by the organization. Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document:

Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

d ☐ Owned jointly with other organization. Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document:

1) Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
2) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
3) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

18 List bingo licensees who are or will be conducting bingo in the same premises as you and those licensees located within 1,000 feet of your premises:

18a Name	18b Name
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

Continued on page 4 →

Applicant's Name (as shown on page 1)

Laura Szakacs

APPLICATION FOR BINGO LICENSE

19 Expected bingo expenses:

a Mortgage: \$_____ per month

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

b Rent: \$_____ per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

c Janitorial Services: \$_____ per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

d Accounting Services: \$_____ per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

e Security Services: \$_____ per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

f Bingo Supplies: \$_____ per _____

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

20 Who is your live bingo supplier? (For all bingo supplies). Do you foresee purchasing/renting machines as "technological aids for your live bingo games?

No

Continued on page 5 ➔

Applicant's Name (as shown on page 1)

Laura Szakacs

APPLICATION FOR BINGO LICENSE

I, Laura Szakacs, under penalty of perjury and upon oath, declare that I am duly authorized to sign and file this application. I hereby swear or confirm that I have read the foregoing application and know the contents thereof and that all information provided has been fully, accurately, and truthfully completed to the best of my knowledge.

Laura Szakacs
APPLICANT'S SIGNATURE

1/10/23
DATE

President
TITLE

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007
☎ (602) 716-7801

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

☐ Approved

☐ Disapproved

☐ Class A License

☐ Class B License

☐ Class C License

Reviewer's Name (please print)

Date

License Number

Effective Date

Expiration Date

**Arizona Form
830**
Affidavit
Bingo

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name Pebble Creek Tuesday Bingo		License Number	
Position (check the appropriate boxes): <input checked="" type="checkbox"/> Manager <input type="checkbox"/> Supervisor <input type="checkbox"/> Proceed Coordinator <input type="checkbox"/> Assistant		REVENUE USE ONLY. DO NOT MARK IN THIS AREA.	
Affiant's Name Laura Szakacs		88	
Social Security Number	Date of Birth		
Address			
City	State	ZIP Code	
Home Phone No. (with area code)	Work Phone No. (with area code)		
	(708) 224-4330	81 PM	80 RCVD

If licensee is a qualified organization, complete the following section:

Member? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Joined Organization
Officers? <input type="checkbox"/> Yes <input type="checkbox"/> No	Officer Title
Do you have an affidavit on file for any other licensee? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", list license number(s):	

I, **Laura Szakacs**, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Laura Szakacs
Signature of Affiant

1/10/23
Date

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007

☎ (602) 716-7801

ITEM #: 11.
DATE: 02/06/2023
AI #:1274



CITY COUNCIL ACTION REPORT

**SUBJECT: EXTENSION OF REZONING APPROVAL FOR THE INNOVATION CENTRE
PLANNED AREA DEVELOPMENT**

STAFF PRESENTER(S): Steve Careccia, Planning Manager

OTHER PRESENTER(S):

Wendy Riddell, Berry Riddell LLC

SUMMARY

The Innovation Centre Planned Area Development (PAD), located at the southwest corner of the Loop 303 and I-10 Interstates, was approved contingent upon the start of vertical construction within two years of the effective date of the adopting ordinance. With the two-year period having ended on January 14, 2023, and with no vertical construction occurring within the PAD, an extension of the approval is being requested by the applicant.

Recommendation

Approve the request for an extension of the Innovation Centre PAD zoning approval for a period of two years. (Steve Careccia, Planning Manager; Wendy Riddell, Berry Riddell LLC)

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.

BACKGROUND AND PREVIOUS ACTIONS

The Innovation Centre PAD (19-210-00011) was approved by the City Council on December 14, 2020 with the adoption of Ordinance No. 2020-1472. The PAD consists of approximately 224 acres intended for Commerce Park, Commercial/Retail and Entertainment, and Office/Employment land uses.

A special use permit for land reclamation, to establish the framework for the safe reclaiming and filling of the borrow pit on the property, was approved by the City Council on December 13, 2021.

A master site plan (21-600-00042) for a portion of the Innovation Centre PAD was approved on March 4, 2022. A subsequent master site plan for the property, to allow additional flexibility within the PAD, was approved on May 25, 2022.

STAFF ANALYSIS

The Innovation Centre PAD was approved contingent upon the start of vertical construction within two years of the effective date of the approving ordinance (January 14, 2023). Specifically, Stipulation No. 37 of Ordinance No. 2020-1472 established the following:

37. This rezoning is contingent upon vertical construction, in conformance with this Ordinance, the Innovation Centre PAD, and the stipulations contained herein commencing within two years of the effective date this Ordinance or a demonstration that substantial work and expenses have been incurred in the pursuit and execution of the Property pursuant to the SUP discussed above within two years of the effective date this Ordinance. The failure to commence vertical construction within two years of the effective date of this Ordinance shall be cause for the City Council to rescind the zoning, unless an extension of time is granted by the City Council. The commencement of vertical construction shall be defined as the active construction of a permanent commercial or light industrial building foundation in conformance with an approved building permit issued by the City of Goodyear.

As vertical construction has not commenced within the PAD in accordance with the above stipulation, the applicant is requesting an extension of approval. In the request, the applicant provides an explanation for the lack of construction activity, including issues with the COVID-19 pandemic, city review times and other governmental coordination. The narrative also states changing market conditions have limited prospects for future development. As such, to provide adequate time to ensure construction, the applicant is proposing an indefinite extension of zoning approval.

For the reasons set forth in City Council Action Report 2020-6986, a copy of which is attached hereto, staff recommended denial of the rezoning request when this case was presented to the Planning Commission and then to the City Council. The Planning Commission also recommended denial of the proposed rezoning. The applicant made its case that market conditions did not support the types of uses staff believed were consistent with the General Plan, and they could immediately develop the Property with the proposed uses. Ultimately, on December 14, 2020, City Council approved the rezoning with the aforementioned stipulation.

A complete submittal for a master site plan for the portion of the Property zoned for industrial development (10 Goodyear Master Site Plan) was received on August 24, 2021, and assigned for review. Staff spent a total of 84 business days reviewing the initial submittal, and the 10 Goodyear Master Site Plan was approved on March 4, 2022. To provide the owner flexibility in the development of the site, staff agreed to process an alternative site plan as well. A complete submittal for an alternative master plan (10 Goodyear MSP Alternative) was received on December 16, 2021, and the 10 Goodyear MSP Alternative was approved on May 25, 2022. On May 18, 2022, construction plans for the development of the property within the 10 Goodyear Master Site Plan, including required off-site infrastructure improvements were submitted to the city. First review comments were sent to the applicant on July 8, 2022. The applicant recently submitted revised construction plans addressing the first review comments on January 6, 2022. (Had they not submitted revised construction plans January 8, 2022, the applicant would have been advised by staff that the submittal was being terminated for non-activity and the applicant would have had to reinitiate the process.)

Although the applicant requested an indefinite extension, staff is supporting a two-year extension, which addresses the delays caused by the pandemic and the purported delays in review times. However, if the City Council directs staff to rescind the zoning, then an item will need to be brought before the Council, through the public hearing process, to formally revert the Innovation Centre property's zoning to its previous zoning classification.

Attachments

1. Aerial Photo
 2. Extension Narrative
 3. City Council Action Report 2020-6986
 4. Ordinance No. 2020-1472
- Staff Presentation

AERIAL PHOTO
INNOVATION CENTRE PAD



City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, City of Goodyear

January 19, 2023

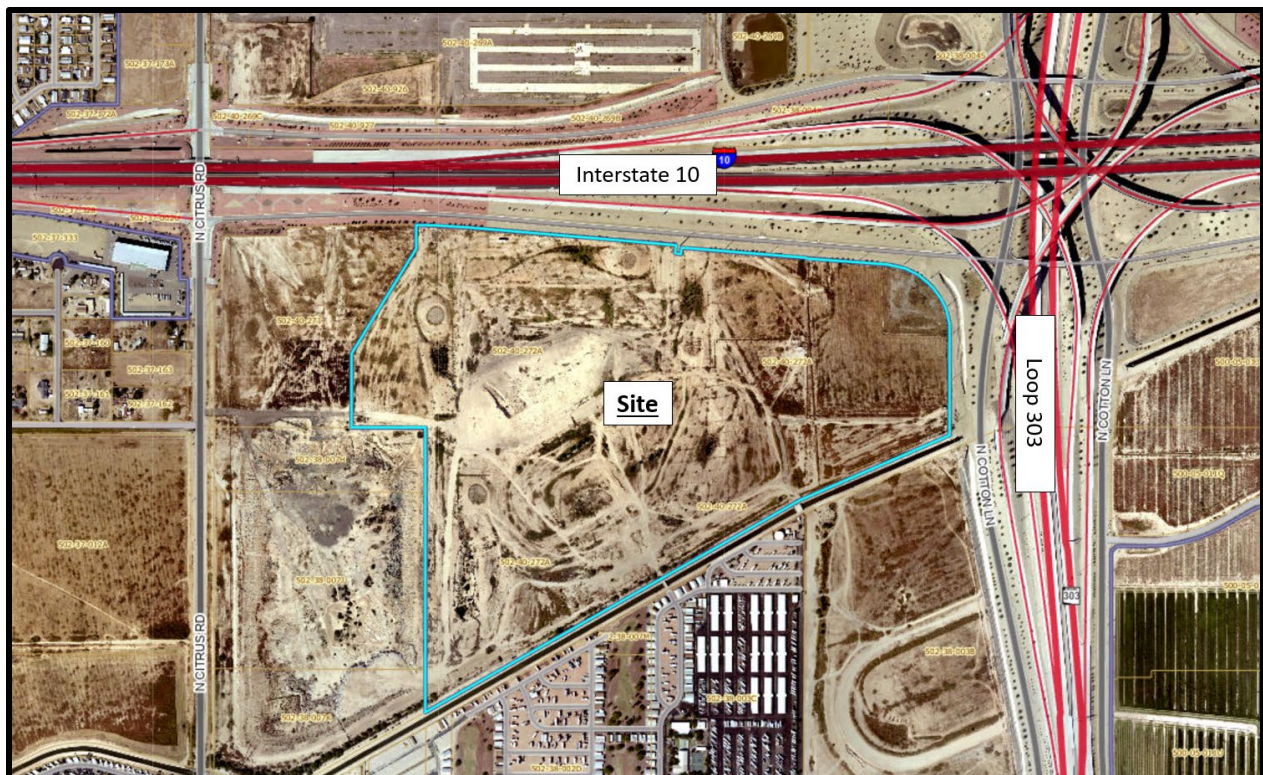
Via FedEx to:

City of Goodyear
Attn: Christopher Baker
1900 North Civic Square
Goodyear, Arizona 85395

Re: Time Extension – Crow Industrial

Dear Christopher:

This is a request for a time extension for an approximate 138.2-net-acre property located at the southwest corner of the Interstate 10 and Loop 303 interchange (the “Site”), as shown on the aerial map below. The Site consists of one parcel designated as Maricopa County Assessor Parcel Number 502-40-272A. The Site is zoned as part of the Innovation Centre Planned Area Development (“PAD”) and is currently undeveloped.



The Site has previously undergone the entitlement process to allow for a mixed-use development with commerce park, commercial, office, and light industrial uses to be developed on the Site. Pursuant to Ordinance Number 2020-1472, on December 14, 2020, the Goodyear City Council voted to approve Case No. 19-210-00011 which rezoned the Site from PAD and

[illegible]

“37. This rezoning is contingent upon vertical construction, in conformance with this Ordinance, the Innovation Centre PAD, and the stipulations contained herein commencing within two years of the effective date of this Ordinance or a demonstration that substantial work and expenses have been incurred in the pursuit and execution of the Property pursuant to the SUP discussed above within the two years of the effective date of this Ordinance. The failure to commence vertical construction within two years of the effective date of this Ordinance shall be cause for the City Council to rescind the zoning, unless an extension of time is

January 19, 2023

Page 3

granted by the City Council. The commencement of vertical construction shall be defined as the active construction of a permanent commercial or light industrial building foundation in conformance with an approved building permit issued by the City of Goodyear."

Ordinance No. 2020-1472.

At this time, we respectfully request an indefinite time extension regarding commencing vertical construction on the Site. As a result of the COVID-19 pandemic, city staff review times and cross-jurisdictional reviews including with Federal Emergency Management Agency ("FEMA"), this project has been delayed. Further, since the zoning approval in December 2020, there have been significant market changes that have resulted in the increase of infrastructure costs. It is also worth noting that it is not customary for staff to set time stipulations on zoning approvals in light of Proposition 207. For these reasons, we feel the request for an indefinite time extension is warranted.

The COVID-19 pandemic and its impact on the current market conditions have remained uncertain and are limiting prospects for future development, including the Innovation Centre site. Regardless, we are continuing to pursue all options and we look forward to our joint efforts to create a great result for Goodyear on the Innovation Centre site.

Again, we respectfully request an indefinite time extension to commence vertical construction on the Innovation Centre PAD site. The request is justified by market conditions, high off-site infrastructure costs, and delays in the project review process. These requested adjustments to the timeline will create efficiencies in development and allow the applicant to be good stewards of their funds in the interest of their partners.

I would appreciate your review of this correspondence, and confirmation that an indefinite time extension has been granted during this challenging time. We greatly appreciate your time and attention to this matter.

Please do not hesitate to contact me directly with any questions.

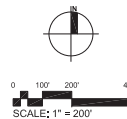
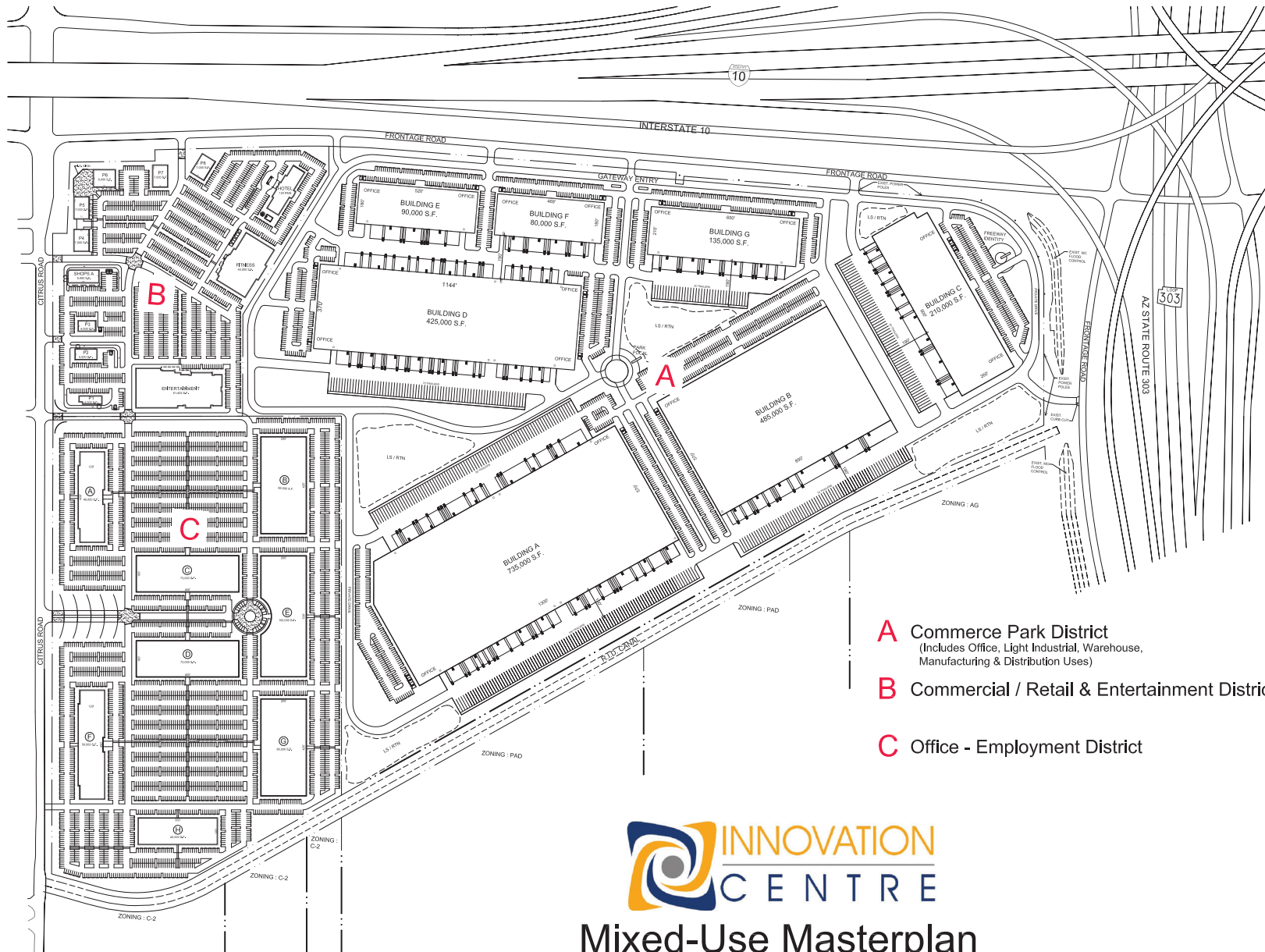
Very truly yours,



Wendy Riddell

EXHIBIT A

Approved Site Plan for Innovation Centre



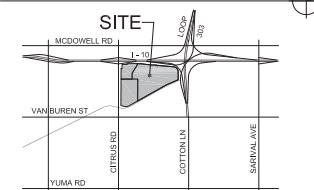
PROJECT DATA - OVERALL

Existing Zoning:	PAD
APN#(s):	502-40-272, 502-40-273, 502-40-274, 502-38-002B, 502-38-007L, 502-38-003D
Net Site Area:	6,019,898 S.F. (138.2 AC.)
Building Area:	2,160,000 S.F.
Coverage (50% max):	2,160,000 S.F. / 6,019,898 S.F. = 35.9%
Proposed Building Height:	70 ft
Parking Data	
Parking Required (2,160,000 S.F. / 2,000 S.F.):	1,080 Spaces
Parking Provided:	1,875 Spaces
ADA Parking Required:	29 Spaces
ADA Parking Provided:	30 Spaces

PROJECT TEAM

Developer/Owner	Architect
Citrus Commerce Centre LLC, P.O. Box 74767 Phoenix, Arizona 85087 Contact: Chaz Smith chaz.smith@colliers.com Ph: (602) 989-0186	Butler Design Group 5017 E. Washington St, Ste 107 Phoenix, Arizona 85034 Contact: Rick Butler rbutler@butlerdesigngroup.com Ph: (602) 957-1800

VICINITY MAP



- A** Commerce Park District
(Includes Office, Light Industrial, Warehouse,
Manufacturing & Distribution Uses)
- B** Commercial / Retail & Entertainment District
- C** Office - Employment District

INNOVATION CENTRE

Mixed-Use Masterplan

I-10 & Loop 303
Goodyear, Arizona

01-16-19
18099-ST04

Butler Design Group, Inc.
architects & planners

EXHIBIT B

Approved Development Standards for Innovation Centre

EXHIBIT C
Innovation Centre – PAD Overlay

The Innovation Centre Planned Area Development overlay is based on the development of three distinct Districts to create a compatible masterplan that accomplishes the objectives of the General Plan. The following development standards shall apply to the Innovation Centre Planned Area Development. Where this section is silent on a standard or requirement, the applicable section of the City of Goodyear Zoning Ordinance shall apply.

A. Development Standards

i. General Development Standards.

- a. Development in District A – Commerce Park District shall comply with Article 3-4-3 of the Zoning Ordinance for the Light Industrial (“I-1”) District, except as modified below.
- b. Development in District B – Commercial/Retail and Entertainment District shall comply with Article 3-3-6 of the Zoning Ordinance for the General Commercial (“C-2”) District, except as modified below.
- c. Development in District C – Office/Employment District shall comply with Article 3-3-6 of the Zoning Ordinance for the General Commercial (“C-2”) District, except as modified below.

Standard	District A	District B	District C
Maximum Height	40/60/70/150 feet ^[1]	56 feet	56 feet
Minimum Lot Area	1 acre	10,000 sf	10,000 sf
Minimum Lot Width	150 feet	150 feet	150 feet
Max. Lot Coverage	50%	50%	50%
Minimum Setbacks			
Street Side	30 feet	30 feet	30 feet
Property Line	30 feet	0 feet	0 feet
South (Canal)	100 feet	N/A	30 feet

[1] Within District A the maximum building height shall be limited to 40 feet within 100 feet of the southern property line, 60 feet within 175 feet of the southern property line, 70 feet within 250 feet of the southern property line, and 150 feet within the area depicted on Exhibit C – Building Height Exhibit.

- ii. Landscaping Standards. Landscaping in all Districts shall comply with Article 5-1 of the Zoning Ordinance, except as modified below.
 - a. Within District A, there shall be a minimum 50-foot landscaping setback along the southern property line, adjacent to the canal.
 - b. Within District A, as shown on page 32 of the design guidelines, a driveway may be located within the total required 30’ front landscaping setback.

- iii. Parking Standards. Off-street parking and loading requirements for each District shall comply with Article 6 of the Zoning Ordinance, except as modified by the additional requirements in the Design Standards section of this PAD.
- iv. Walls and Fence Standards. Walls and fences within each District shall comply with Article 5-2 of the Zoning Ordinance, except as modified by the additional requirements in the Design Standards section of this PAD.
- v. Signage Standards. Signs in all Districts shall comply with Article 7 of the Zoning Ordinance.
- vi. Lighting Standards. Landscaping in all Districts shall comply with Article 5-1 of the Zoning Ordinance, except as modified by the additional requirements in the Design Standards section of this PAD.
- vii. Loading Standards. Loading docks, truck parking, and roll-up doors shall be screened from view by a minimum 8-foot wall.

B. Permitted Land Uses

The permitted land uses within all Districts of the Innovation Centre Planned Area Development are based upon the Commercial Office (“C-O”), Neighborhood Commercial (“C-1”), C-2, CBD, and I-1 zoning districts. Permitted principal, accessory, use permit and temporary land uses are permitted as follows.

P = Permitted as a Principal Use

A = Permitted as an Accessory Use

U = Permitted only upon securing a Use Permit

S = Permitted only upon securing a Special Use Permit

C = Permitted with Conditions

X = Not Permitted

Land Use	District A	District B	District C
Adult Bookstore/Novelty Store/Theatre/Live Entertainment	X	X	X
Ancillary uses intended to serve employees or visitors of the principal use such as, restaurants, snack bars, cafeterias, gift shops, or similar retail uses	P	P	P
Automobile sales, leasing	P	P	X
Automobile service stations	A	P	X
Automotive Repair and Upholstering	X	X	X
Banks and financial institutions	P	P	P
Bar/cocktail lounge	C ^[1]	P	P
Brewpub	P	P	P
Bus terminals	X	X	X

Land Use	District A	District B	District C
Business and professional offices	P	P	P
Car wash and minor automotive repair for vehicles	A	U	X
Carpet and rug cleaning services	X	X	X
Churches	P	P	P
Cleaning and dying plants	X	X	X
Convenience use	U	U	X
Costume rentals	X	X	X
Crematory	X	X	X
Cultural facilities for the arts, such as dance, theater, art, music	P	P	P
Day care (elderly or youth)	X	P	X
Drive-in and drive-through facilities	P	P	X
Dwelling for a watchman or caretaker employee on the premises	U	X	X
Employment agency	P	P	P
Entertainment establishments, general	P	P	P
Equipment rental	P	X	X
Exhibition hall and convention facilities	P	P	P
Express office, including railway	X	X	X
Facilities and storage areas incidental to a construction project	A	A	A
Fine arts studios	P	P	P
Food Bank	X	X	X
Frozen food lockers	X	X	X
Funeral home	X	X	X
Fur cleaning and storage	X	X	X
Governmental offices, libraries, auditoriums, museums, and amphitheaters	P	P	P
Health club	P	P	P
Hospitals and health care facilities which may include assisted living facilities	U	U	U
Hotels and motels	X	P	P
Institutions of a religious, educational or philanthropic nature; private clubs, lodges, or fraternal organizations	U	U	U
Key and lock service	X	X	X
Land Reclamation	X	X	S
Large Retail User	P	P	X
Manufacturing, assembling, and processing	P	X	X
Massage Establishment, Tattoo Studio and Body Piercing Studio	X	X	X

Land Use	District A	District B	District C
Medical laboratories, excluding animal research	P	X	P
Medical Marijuana Cultivation Location	X	X	X
Medical Marijuana Dispensary	X	X	X
Medical offices or clinics	P	P	P
Microbrewery	P	P	X
Mobile Home and RV Sales	X	X	X
Non-Chartered Financial Institution	P	P	P
Offices	P	P	P
Outdoor seating for food and drinking establishments	P	P	P
Outdoor storage	C ^[2]	X	X
Parking lot, structure or garage	P	P	P
Pawn Shop	X	X	X
Personal and household services such as barber, hair stylist, beauty salon, clothing alterations, dry cleaners, furniture and appliance repair, copy shops, self-service laundry, shoe repair shops, without drive-through facilities	P	P	X
Professional services, such as bonding company, brokerage firm, credit bureau, messenger service, public relations consultant, real estate office, title insurance company or travel bureau	P	P	P
Plumbing shop	P	X	X
Portable Storage Containers	A	A	A
Private business, professional and trade schools	P	X	P
Public utility facilities	P	P	P
Restaurants	C ^[1]	P	P
Retail stores	P	P	X
Scientific or research laboratories	P	P	P
Second hand stores	X	X	X
Seed and feed, retail and sales office	X	X	X
Sign painting shop	X	X	X
Storage buildings consisting of individually rented storage rooms which are independently accessed and locked and are used for dead storage purposes	P	X	X
Taxidermist	X	X	X
Temporary construction offices	A	A	A
Typewriter and business machine sales and repair	X	X	X
Veterinary Hospitals and animal boarding facilities	C ^[3]	C ^[3]	C ^[3]
Veterinary Offices	P	P	P
Warehouse, wholesale, or distribution facility	P	X	X
Window glass installation shops	P	X	X

Conditions of specific land uses:

[1] Restaurants, bars and cocktail lounges – permitted as a primary use except that live music or entertainment shall only be allowed as an accessory use if the facility is located a minimum of 300' from the property line of any residentially zoned or designated property. All noise generated by live music or entertainment shall be fully contained within the indoor space occupied by the bar or cocktail lounge.

[2] Outdoor storage – permitted as an accessory use provided that it is conducted within an area enclosed or screened from view by a solid masonry wall on all sides and the height of the storage materials does not exceed the height of the wall.

[3] Veterinary hospitals – permitted as a primary use except that activities as such facilities are conducted entirely indoors, except for supervised and controlled outdoor exercise areas; the facilities are constructed to prevent objectionable noises and odors outside the walls of the office; there shall be no outdoor kennels; and there shall be no direct outside exit from any room containing kennels.

Note:

The Zoning Administrator or their designee may determine similar land uses to those listed in this section. In all Districts, accessory uses of land or structures customarily incidental to one of the permitted principal land uses shall be permitted.

BERRY RIDDELL LLC

January 19, 2023

Page 6

EXHIBIT B

Approval Letter for Innovation Centre



December 18, 2020

Wendy Riddell, Esq.
Berry Riddell LLC
6750 East Camelback Road, #100
Scottsdale, Arizona 85251

RE: Cotton Commerce Center/Innovation Centre Rezoning
Case No. 19-210-00011

Dear Ms. Riddell:

This letter serves to inform you that on December 14, 2020, the City Council approved the rezoning of property from the PAD (Planned Area Development) and AG (Agricultural) zoning districts to the PAD (Planned Area Development) zoning district with the adoption of Ordinance No. 2020-1472, subject to the following stipulations:

1. Except as otherwise modified by the stipulations herein, the Property shall be developed in conformance with the Innovation Centre PAD Overlay;
2. The portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description shall be subject to the requirements of Section 3-4-1 of the Goodyear Zoning Ordinance for the Light Industrial ("I-1") Zoning District and the Industrial District Standards set forth in Section 3-4-3 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;
3. No building larger than 250,000 square feet shall be permitted within 300 feet of the northern boundary of the Property unless the primary use of the building is office, retail, entertainment, or similar uses as determined by the Zoning Administrator and/or a combination of the foregoing uses;
4. The portion of the Property described as Commercial/Retail & Entertainment District (B) in the Innovation Centre – Legal Description shall be subject to the

requirements of Section 3-3-3 of the Goodyear Zoning Ordinance for the General Commercial ("C-2") Zoning District and the Commercial District Standards set forth in Section 3-3-6 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;

5. The portion of the Property described as Office-Employment District (C) in the Innovation Centre – Legal Description shall be subject to the requirements of Section 3-3-3 of the Goodyear Zoning Ordinance for the General Commercial ("C-2") Zoning District and the Commercial District Standards set forth in Section 3-3-6 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;
6. The Design Standards submitted to the City with the rezoning application are not being approved or adopted and any references to the Design Standards in the Innovation Centre PAD Overlay have no effect or application. The development of the Property shall comply with the City of Goodyear Design Guidelines Manual in effect at the time of development except as modified by the stipulations herein;
7. All buildings within 300 feet of the northern boundary of the Property shall be similar in design and quality, which includes but is not limited to, such architectural and design features such as articulations, massing, and materials, as depicted in that document titled Enhanced Design Examples, which document having been declared public record by Resolution No. 2020-2073 is referred to and made a part hereof as if fully set forth in this Ordinance;
8. The 150-foot height limitation for buildings within the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description is limited solely to buildings that are at least three (3) stories and designed and intended primarily for use as office, retail, including large retail, hotels, entertainment uses, restaurants and bars, convention centers or mixed uses consisting of a combination of the foregoing. Except as provided herein, the maximum height for all other buildings within the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description is limited to 70 feet. This provision does not modify the graduated height requirements applicable to the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description set forth in the Innovation Centre PAD Overlay as modified by stipulation 27 below;

9. The development of the Property shall comply with the City of Goodyear Engineering Design Standards and Policies and the City of Goodyear Subdivision regulations in effect at the time the Property is developed;
10. If the Property is located within the City of Goodyear's water service area, Owner shall, prior to the earlier of the following (i) recordation of the first final plat or minor land division subdividing all or part of the Property or (ii) the approval of the first site plan for development within the Property, extinguish all grandfathered irrigation rights attached to the Property and convey, at no cost to the City, any assured water supply credits issued by ADWR as a result of the extinguishment of such rights;
11. If the Property is located within the City of Goodyear's water service area and if the water demands for development within the Property exceed the amounts reflected in the City of Goodyear Integrated Water Master Plan ("IWMP") in effect at the time of such development for the proposed land uses, Owner shall, unless otherwise provided in a Development Agreement approved by the Goodyear City Council, provide the City, at Owner's sole cost, with a physically and legally available water supply sufficient to provide the water service needed to serve the Property water in excess of the amounts reflected in the IWMP. The physically and legally available water supply to be provided shall satisfy the Arizona Department of Water Resources' ("ADWR") standards for modifications of Designations of Assured Water Supply, to increase the Designation water portfolio by an amount equivalent to the amount of the additional water needed to serve the Property and that provides for sufficient extinguishment credits or renewable supplies to offset the additional water demands;
12. If the Property is located within the City of Goodyear's water service area, the City shall have the right, but not the obligation, to purchase, at fair market value, the site, including the improvements thereon, where a well exists (the "Well Site"). The size of the Well Site shall be 100 feet by 100 feet. If the City acquires the site, but decides not to rehabilitate the well on the Well Site, the City will abandon the well in accordance with the requirements of the Arizona Department of Water Resources. The City shall notify Owner of its intent to acquire the Well Site within one year of the effective date of this Ordinance and will make a written offer to purchase the Well Site for the fair market value established in an appraisal obtained by the City within two years of the effective date of this Ordinance;
13. Prior to the approval of any preliminary plat or site plan for the Property, Owner shall submit a wastewater study consistent with the requirements of the City of

Goodyear Engineering Design Standards and Policies Manual that identifies the specific wastewater system needs and requirements to provide sewer service to the Property. Capacity shall be studied to the nearest 15-inch or larger sewer main. If capacity in existing infrastructure does not exist to support the increased uses proposed for this development, the wastewater study shall identify all of the infrastructure needed to provide sewer service to the Property. Any study that proposes the use of any infrastructure subject to Cost Recovery Resolution 2006-1065 as modified by Cost Recovery Resolution 2014-1622 shall demonstrate the reliance on such infrastructure provides sufficient capacity to serve the needs of the properties identified in the cost recovery resolutions as being benefitted by such infrastructure;

14. Except as otherwise provided in a development agreement or a cost recovery ordinance adopted by Council, Owner shall, at its sole cost, design, install, and/or construct, all infrastructure, on-site and/or off-site, convey all land necessary for such infrastructure, and acquire all capital equipment necessary to allow the City to provide wastewater service to the Property at build out and to provide water service to the Property at build out if the Property is located within the City of Goodyear's water service area;
15. Notwithstanding stipulation 14 above, Owner shall not be entitled to any reimbursement under Cost Recovery Resolution 2006-1065 as modified by Cost Recovery Resolution 2014-1622 for the construction of any of the infrastructure identified in the cost recovery resolutions unless Owner, at Owner's sole cost and expense, modifies the cost recovery resolutions to include the Property as a benefitted property and to allocate to the Property a proportionate share of the costs of the infrastructure that will benefit the Property;
16. Notwithstanding stipulation 14 above, Owner shall not be entitled to any reimbursement under Cost Recovery Resolution 2006-1064 as modified by Cost Recovery Resolution 2014-1621 for the construction of any of the infrastructure identified in the cost recovery resolutions unless Owner, at Owner's sole cost and expense, modifies the cost recovery resolutions to include the Property as a benefitted property and to allocate to the Property a proportionate share of the costs of the infrastructure that will benefit the Property;
17. The Owner shall provide two separate points of waterline connection for system looping purposes. If the looped water system involves the construction of water lines through private property, Owner, at Owner's sole cost and expense, provide the City with a permanent water line easement. The easement area shall be lien

free and free of all other easements or other encumbrances unless otherwise agreed to by the City, and the easement shall be in a form acceptable to the City Attorney or his/her designee;

18. 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 wastewater services to the Property and to provide water services to the Property if the Property is within the City of Goodyear's water service area; (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 with the City regarding the development of the Property, all dedications shall be made prior to or concurrent with the earlier of the following (i) recordation of a final plat or minor land division that includes the area in which the dedicated property is located; (ii) the issuance of any permits for work on within the Property. The rights-of-way and easements to be dedicated include, but are not limited to the following:

- a. additional right-of-way for the east half of N. Citrus Road so the City has 55 feet of right-of-way from the centerline of N. Citrus Road.
- b. a 10-foot public utility easement (PUE) along the east boundary of N. Citrus Road right-of-way.

19. Owner shall, at no cost to the City, construct half-street improvements for the roadways set forth below. 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. Unless modified by a written

phasing plan approved by the City Engineer or his/her designee, the half-street improvements Owner is required to construct shall be completed prior to issuance of the first certificate of occupancy within the Property.

a. Half-street improvements to the eastern half of N. Citrus Road.

b. Notwithstanding the foregoing, at the request of the City Engineer or designee, rather than constructing the median and installing the median landscaping, Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and full-median landscaping, for the median within N. Citrus Road. The in-lieu payment for the median shall be based on the estimated cost of the improvements as determined by the City Engineer or designee and the in-lieu payments for the medians and median landscaping shall be paid prior to or concurrent with the earlier of the following (i) recordation of a final plat or minor land division that includes the area in which the dedicated property is located; (ii) the issuance of any permits for work on within the Property.

20. Owner shall, at Owner's sole cost and expense, be responsible for the construction of all transportation-related infrastructure needed to support the development and occupancy use of the Property, which includes the transportation-related infrastructure improvements specifically identified in this Ordinance, the infrastructure improvements required to be constructed pursuant to applicable Development Regulations, and any additional on-site or off-site infrastructure identified in any Traffic Impact Analysis/Study provided in connection with the development of the Property. Prior to the approval of each site plan for development within the Property, Owner shall provide an updated Traffic Impact Analysis/Study which shall be subject to review and approval by the City Engineer of his/her designee. Owner shall, at Owner's sole cost and expense, be responsible for the acquisition of right(s)-of-way and the construction of all transportation related infrastructure identified in the approve Traffic Impact Analysis/Study as being necessary to provide for safe and adequate circulation within the Property, connectivity to neighboring adjacent properties, and connectivity to existing regional transportation routes, this includes the acquisition of rights-of-way needed for the construction of infrastructure that is not within or adjacent to the Property and the construction of such infrastructure. Unless otherwise provided in this Ordinance or in a development agreement approved by Council, transportation-related infrastructure required to be constructed pursuant to this stipulation shall be constructed prior to the issuance of any certificate of occupancy for any structure reflected in the site plan that supported the need for such infrastructure;

21. Prior to the approval of each site plan for development within the Property, Owner shall provide an updated Traffic Impact Analysis/Study which shall be subject to review and approval by the City Engineer of his/her designee. If such study reflects the eventual need for any traffic signal at any intersection adjacent to the Property, Owner shall, at no cost to the City, convey in fee, lien free, and free of any easements or encumbrances unless specifically agreed to by the City, any additional right-of-way needed for the construction of the portion of the traffic signal that will be located on the Property. In addition, Owner shall make an in-lieu payment to the City towards the cost of the signal. Except as provided herein, the in-lieu payment will be 25% of the cost of a full traffic signal for each corner of the intersection adjacent to the Property. For example, if a traffic signal is required at an intersection where two of the four corners of the intersection are adjacent to the Property, Owner would be responsible for 50% of the cost of a full traffic signal. If a three-way traffic signal is required because of the demands of the Property and the intersection does not connect into any other property, Owner shall be responsible for 100% of the cost of the signal. The in-lieu payment shall be calculated based on the actual cost of the traffic signal if it has been constructed or, if the payment is made before the traffic signal has been completed, upon an engineer's estimate of the probable cost of the signal approved by the City Engineer or his designee traffic signal. The dedication(s) and in-lieu payment(s) required herein shall be made at the earlier of the following: (i) before the issuance of any engineering permit for any of the work reflected in a site plan, MLD or final plat that includes, is adjacent to, or requires connection to the intersection where the traffic signal is needed; or (ii) before the recordation of any final plat or MLD that includes, is adjacent, or requires connection to the intersection where the traffic signal is needed;
22. Owner shall pay the City an In-Lieu Payment for twenty-five percent (25%) of the cost of a four (4) lane bridge with a median on Citrus Road over the RID Canal ("RID Canal Bridge") when owner is required to construct the Citrus Road half-street improvements to the eastern half of N. Citrus Road (the "Citrus Road Expansion"). The in-lieu payment shall be based on the actual cost of the RID Canal Bridge if it has been constructed or, if the payment is required before the RID Canal Bridge has been constructed, it shall be based on the City's estimated cost of the RID Canal Bridge if the City has such an estimate or, if the City has not obtained an estimate, the estimated cost of the RID Canal Bridge prepared by a registered engineer retained by Owner subject to review and approval of the City Engineer or his designee. Unless otherwise provided in a development agreement approved by Council, the in-lieu payment shall be paid prior to the issuance of any construction

permits (civil or building) for development within the Property that triggers the Citrus Road expansion;

23. The Owner shall acknowledge and disclose to any subsequent purchaser or tenant that the subject property is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport;
24. All site plan applications shall demonstrate that open spaces, amenities and pedestrian connections have been provided in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
25. All convenience uses, including restaurants, and other retail/service establishments with drive-through facilities shall require review and approval of a Use Permit if located within 500 feet of residentially zoned property. Financial institutions with drive-through facilities and/or outdoor teller facilities shall be considered permitted uses by-right;
26. Loading, delivery, dock and roll-up doors and service and wash bays may not front or face a public street, frontage road or freeway right-of-way;
27. Within PAD District A (Commerce Park), the maximum building height shall be 50 feet within 300 feet of the south property line. Parapet walls may extend an additional five feet above the maximum building height;
28. Within PAD District A (Commerce Park), loading, delivery, dock and roll-up doors, service and wash bays, and storage and loading areas may not front and/or back onto the south property line unless a landscape buffer with a minimum width of 100 feet is provided along the south property line. This buffer shall contain a double row of 24-inch box trees, and include a decorative eight-foot masonry wall, which shall be constructed in a location within or along the boundaries of the buffer to provide the most effective buffer as determined by the Zoning Administrator during the site plan process;
29. Within PAD District A (Commerce Park), outdoor land uses and operational activities, such as truck idling, trailer maneuvering and the loading/unloading of materials, shall be prohibited between the hours of 10 PM and 6 AM when occurring within 300 feet of the south Property line within the portion of the Property identified as A in that document titled Areas With Operational Limitations, which document having been declared a public record by Resolution No. 2020-

2073 is referred to and made a part hereof as if fully set forth in this Ordinance (the "Areas With Operational Limitations"), for as long as any portion of the property adjacent to the south Property line of the RID canal opposite of portion of the Property identified as A in the Areas With Operational Limitations is zoned for any residential use;

30. Within PAD District A (Commerce Park), outdoor land uses and operational activities, such as truck idling, trailer maneuvering and the loading/unloading of materials, shall be prohibited between the hours of 10 PM and 6 AM when occurring within 220 feet of the south Property line within the portion of the Property identified as B in that document titled Areas With Operational Limitations, which document having been declared a public record by Resolution No. 2020-2073 is referred to and made a part hereof as if fully set forth in this Ordinance (the "Areas With Operational Limitations"), for as long as any portion of the property adjacent to the south Property line of the RID canal opposite of portion of the Property identified as B in the Areas of Operational Limitations is zoned for any residential use;
31. Within all PAD Districts, outdoor ground-mounted equipment and other machinery and all roof-mounted equipment shall be fully screened from public view, including view from adjacent properties and the Loop 303 and I-10 freeways, in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
32. Parking lots adjacent to a public street or private internal loop road shall be screened from view by a 36-inch masonry wall constructed of materials and colors that complement the onsite buildings and designed in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
33. A landscape buffer with a minimum width of 30 feet shall be placed along all freeway rights-of-way and shall be planted with at least one 24-inch box tree per 30 feet of linear buffer, along with shrubs and ground cover. Earthen berms, with a minimum height of 24 inches, shall also be incorporated into the buffer;
34. A building setback, with a minimum width of 30 feet, shall be observed from all public streets. This setback shall be entirely landscaped, except for necessary walkways and driveways needing to cross through the setback area. No more than 50% of this setback area may be used for retention purposes;

35. All trees planted within parking lot islands, adjacent to a pedestrian way or internal roadway, or within any rights-of-way shall be single trunk;
36. To facilitate the filling of the borrow pit, an application for a Special Use Permit (SUP) for Land Reclamation shall be submitted and processed with reasonable diligence within 18 months of the effective date of Ordinance No. 2020-1472. The SUP will establish the framework for the safe reclaiming and filling of the borrow pit over time. If the SUP is not submitted within the 18-month period specified herein, the City shall at the end of the 18 month period be entitled without liability to withhold civil engineering, permits, and/ or Temporary Certificates of Occupancy, and/or Certificates of Occupancy for development within the Property until the SUP is submitted. The terms of the SUP shall provide for the automatic termination of the SUP if the zoning is rescinded; and,
37. This rezoning is contingent upon vertical construction, in conformance with this Ordinance, the Innovation Centre PAD, and the stipulations contained herein commencing within two years of the effective date this Ordinance or a demonstration that substantial work and expenses have been incurred in the pursuit and execution of the Property pursuant to the SUP discussed above within two years of the effective date this Ordinance. The failure to commence vertical construction within two years of the effective date of this Ordinance shall be cause for the City Council to rescind the zoning, unless an extension of time is granted by the City Council. The commencement of vertical construction shall be defined as the active construction of a permanent commercial or light industrial building foundation in conformance with an approved building permit issued by the City of Goodyear.

If you have any questions, please contact me at 623.882.7963 or steve.careccia@goodyearaz.gov.

Sincerely,

THE CITY OF GOODYEAR



Steve Careccia, AICP
Principal Planner

AGENDA ITEM #: _____
DATE: December 14, 2020
CAR #: 2020-6986



CITY COUNCIL ACTION REPORT

SUBJECT: Rezoning from PAD (Planned Area Development) and AG (Agricultural) to PAD (Planned Area Development) for the Innovation Centre

STAFF PRESENTER(S): Steve Careccia, Principal Planner

OTHER PRESENTER(S): Wendy Riddell, Berry Riddell LLC

Summary: Rezoning of property from the PAD (Planned Area Development) and AG (Agricultural) zoning districts to the PAD (Planned Area Development) zoning district to facilitate the development of light industrial and commercial uses for a project to be called the Innovation Centre. The subject property is located south of Interstate 10, between the Loop 303 and Citrus Road.

Recommendation:

1. Conduct a public hearing to consider a rezoning from PAD (Planned Area Development) and AG (Agricultural) to PAD (Planned Area Development).
 - a. Open the Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation
 - d. Receive Public Comment
 - e. Close the Public Hearing
2. Alternative Actions
 - a. Deny the request to rezone property from the PAD (Planned Area Development) and AG (Agricultural) zoning districts to the PAD (Planned Area Development) zoning district; or,
 - b. ADOPT RESOLUTION NO. 2020-2073 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 19-11A”; “INNOVATION CENTRE LEGAL DESCRIPTION”; “INNOVATION CENTRE - PAD OVERLAY”; “ENHANCED DESIGN EXAMPLES”; AND “AREAS WITH OPERATIONAL LIMITATIONS.”

and

ADOPT ORDINANCE NO. 2020-1472 CONDITIONALLY REZONING APPROXIMATELY 224 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) AND AG (AGRICULTURAL) TO PLANNED

AREA DEVELOPMENT (PAD) FOR A NEW DEVELOPMENT TO BE KNOWN AS THE INNOVATION CENTRE PLANNED AREA DEVELOPMENT; 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.

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

Background and Previous Actions

The subject property consists of approximately 224 acres generally located south of Interstate 10 between the Loop 303 and Citrus Road.

The General Plan Land Use Plan designates the subject property as 'Business and Commerce'. The 'Business and Commerce' land use category provides for the growth and development of shopping, office and entertainment areas along with high-density residential and public and community facilities. Light industrial uses may also be appropriate in this land use category under certain conditions.

In accordance with the General Plan, Chapter 5 – Physical Growth and Development, the subject property is located within a designated growth area identified as the Interstate 10 Corridor. This growth area is intended to promote the development of office, entertainment, and hospitality uses that can maximize and leverage the access and visibility inherent in a transit corridor.

The subject property is zoned PAD and AG (Agricultural). The portion of the property zoned PAD is part of the Cotton Lane RV/Mobile Home & Golf Resort PAD, which was initially approved on May 28, 1996, with the adoption of Ordinance No. 96-551. The PAD provides for the development of 1,500 residential sites along with complementary commercial uses. Portions of the PAD north of Van Buren Street have been developed with residential and commercial uses in accordance with the PAD development plan. Other portions of the subject property had been developed as a trotter park, but those facilities have since been demolished. No residential development has occurred on the subject property.

The City of Goodyear Zoning Ordinance defines residential uses as: Single, two and multiple family dwelling units, hotels, motels, dormitories, mobile homes, and residential facilities.

The Planning and Zoning Commission considered this item at a public hearing held on November 18, 2020. The Commission voted 5-1 to forward a recommendation of denial to the City Council.

Staff Analysis

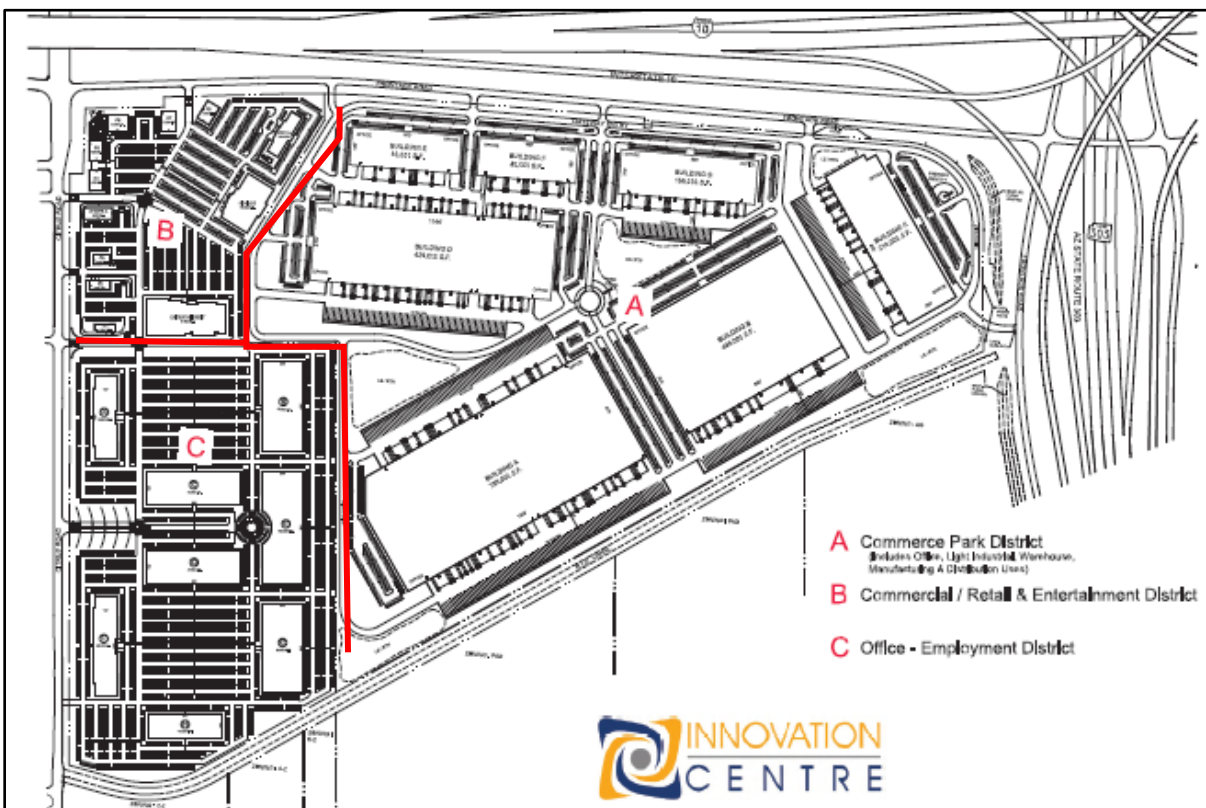
Current Policy:

A request to amend the boundaries of a zoning district requires review by the Planning and Zoning Commission and final decision by the City Council through the public hearing process. To be approved, the rezoning amendment must be found in conformance with the General Plan and to not adversely impact the surrounding area as outlined in the Zoning Ordinance. If the rezoning amendment is denied by the City Council, then the Planning and Zoning Commission may not consider an application for the same rezoning amendment within one year from the date of the original hearing.

Details of the Request:

The request is to rezone the approximate 224-acre subject property from PAD and AG to PAD. The rezoning will create a new PAD to be known as the 'Innovation Centre'. The PAD will permit the development of commercial and light industrial uses upon the subject property.

The PAD proposes to establish three land use districts, with each district having established uses and development standards. The three districts include:



1. District A – Commerce Park District

This district encompasses approximately 139 of the 224 acres (62% of total acreage) comprising the rezoning area, and is the predominant district proposed in the PAD. It is intended for the development of light industrial uses, including warehousing and large distribution facilities with dock doors and trailer storage. Uses and development standards will be based on the city's I-1 (Light Industrial) zoning district, as modified by the PAD. Building heights within this district are intended from 40 feet up to a maximum of 150 feet.

2. District B – Commercial/Retail and Entertainment District

This district encompasses approximately 26 acres (12% of total acreage) located in the northwest portion of the property. It is intended for the development of commercial uses, including retail, service and entertainment uses. Uses and development standards will be based on the city's C-2 (General Commercial) zoning district, as modified by the PAD. Building in this district will observe a maximum height of 56 feet.

3. District C – Office/Employment District

This district encompasses approximately 59 acres (26% of total acreage) located in the southwest portion of the property. It is intended for the development of office and employment uses, but would also permit entertainment, restaurant and other services. Uses and development standards will be based on the C-2 (General Commercial) zoning district, as modified by the PAD. Building in this district will observe a maximum height of 56 feet.

With the rezoning request, the PAD is proposing deviations from city standards. The following is a list of the requested deviations:

1. Building Height – The maximum building height in the city's I-1 (Light Industrial) zoning district is 50 feet while the PAD is proposing a maximum building height up to 150 feet within District A (Commerce Park). It should be noted that while the PAD is requesting this deviation for additional height, Stipulation Nos. 8 and 27 from draft Ordinance No. 2020-1472 state only those buildings used for such uses as office and retail, may observe the maximum height of 150 feet. All other uses will be limited to 70 feet in height, and those uses within 300 feet of the south property line will be limited to a maximum height of 50 feet.
2. Landscape Setback from Freeway – The city's design guidelines require a 30-foot wide landscape buffer adjacent to freeway rights-of-way while the PAD is proposing a 20-foot wide buffer. It should be noted that while the PAD is requesting this deviation to the freeway buffer, Stipulation No. 33 from draft Ordinance No. 2020-1472 maintains the 30-foot landscape buffer as required.

A set of design guidelines have been included within the PAD and provide general direction on the development of the property. Given that the ultimate end users of the property have yet to be determined, specific design details have not been provided at this time. However, as noted in Stipulation No. 7 from draft Ordinance No. 2020-1472, buildings within 300 feet of the north property line will need to be architecturally consistent with the elevations as presented in the Enhanced Design Examples, as attached hereto.

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 Zoning Ordinance, Section 1-3-1-D requires "consistency with the goals, objectives, policies and future land use map of the city's General Plan;" As previously stated herein, the subject property has a General Plan land use designation of 'Business and Commerce'. Commercial uses are appropriate in this land use, and the General Plan states light industrial uses may also be appropriate under certain conditions. As such, an amendment to the General Plan is not required to accommodate the rezoning request.

However, the rezoning request has been found to be inconsistent with several of the goals, objectives, and policies of the General Plan. These provisions of the General Plan that are applicable to this request are stated below along with an accompanying staff analysis:

Objective CC-5-1 Policies A & B

- A. Allow flexibility and creativity in the development process while still protecting existing residents and businesses from incompatible land uses and preserving and enhancing Goodyear's existing character;
- B. Provide for and encourage a wide variety of housing products to suit the needs of existing and future residents.

Staff Analysis: Development that furthers the goals of the city, as established by the General Plan, is encouraged. Such encouraged development includes new development that is compatible with and enhances the existing development in the area. This is especially applicable to any new proposal for non-residential development adjacent to an existing residential development. The proposed non-residential development needs to be developed with sensitivity to the surrounding residential area and incorporate buffers and land use controls as needed to promote such sensitivity. The city also understands that a variety of housing options are needed for residents in order to create a vibrant, diverse community. This includes residential development of varying densities, housing types, and for-sale and rent. Further discussion on these and other General Plan Policies and recommended measures to achieve consistency with said policies are provided herein.

Objective CC-5-1 Policy D

Development in transit corridors:

- Allow and encourage taller buildings to support higher densities and employment uses in appropriate existing locations,
- Provide places to park near transit stations,
- Include a mix of uses such as commercial, residential, recreation, and arts,
- Include destinations uses,

- Include pedestrian and bicycle access and connectivity, and
- Integrate bicycling and walking.

Staff Analysis: The property, as it fronts I-10, is located within a transit corridor. The General Plan states development in transit corridors may include taller buildings to support higher residential densities and employment uses in appropriate locations; include a mix of uses such as commercial, residential, recreation and arts; include destination uses; include pedestrian and bicycle access and connectivity; and integrate bicycling and walking. As currently proposed, staff finds the application does not provide sufficient information nor a development plan that demonstrates conformance with the General Plan's intent for mixed-use, transit-oriented development within a transit corridor. Instead, the application predominately focuses on single-use industrial facilities dependent on heavy truck traffic and, as noted previously, such uses comprise the majority (62%) of the entire project. Increased building height for light industrial uses does not meet the intent of this objective.

General Plan Objective GD-2-1

Ensure that new development pays its fair share toward the cost of additional public service needs generated by that new development.

Staff Analysis: Development of the subject property will need to occur in conformance with all applicable engineering, public works and public safety standards for infrastructure improvements and provision of city services. Such development will require the dedication of all necessary easements, substantial improvements to adjacent infrastructure and the extension of off-site utility lines to serve the property. And in accordance with the General Plan, all such costs will need to be borne by the property owner and/or developer, and not shifted to existing city residents. Stipulations of approval, as noted in the draft Ordinance No. 2020-1472, attached hereto, will require the property owner and/or developer to bear all applicable costs for additional public infrastructure and services needed to serve the development.

General Plan Objective GD-2-2

Focus new growth in the city's designated growth areas to effectively utilize resources, minimize operation and maintenance costs, and attract and efficiently provide new serves such as transit and entertainment opportunities.

Staff Analysis: The General Plan promotes the I-10 Corridor as a designated growth area intended for office, entertainment, and hospitality uses, as these uses can maximize the visibility and access provided by the interstate. The application's predominant focus on industrial uses is not in conformance with the intent of the General Plan for this portion of the I-10 Corridor.

General Plan Objective ED-1-2-b

Designate lands near important assets (Loop 303, I-10, fiber optic, Phoenix-Goodyear Airport) for employment uses.

Staff Analysis: High employment uses consistent with the general plan objective ED-1-2-b are permitted uses within District A (Commerce Park) of the PAD. However, the PAD does not limit development to the high employment uses contemplated by this objective, and instead focuses on warehousing and distribution as the predominant land use. Given this focus, the application does not demonstrate how the proposed warehousing/distribution will qualify as high employment uses nor why such a highly visible location is necessary for these proposed industrial uses. As such, the rezoning request cannot be considered as consistent with this provision of the General Plan.

General Plan Objective ED-1-3-a

Work in partnership with landowners, developers, prospective businesses, and other stakeholders to create a visually diverse and captivating architectural environment.

Staff Analysis: As noted above, the intent of the General Plan is to help create a “captivating architectural environment”. This is especially important for such a highly visible location as the subject property. The design guidelines provided with the PAD include several pictures of high-quality development. However, the language in the design guidelines is discretionary, and it would be difficult for staff to enforce such guidelines with future development. A PAD should provide for unique and innovative development, and the design guidelines should be one of the primary mechanisms to achieve such enhanced development. Further, the PAD design guidelines should provide additional design enhancements above and beyond what the city’s design guidelines would require and should be more prescriptive in nature. Since the provided design guidelines do not achieve the enhanced level of design needed for this property, staff finds the rezoning request is inconsistent with this objective. Although the PAD did not include design guidelines consistent with General Plan Objective ED-1-3-2, staff, in an effort to ensure a minimum level of quality, included Stipulation No. 6 in draft Ordinance No. 2020-1472, which requires the development of the Property to comply with the City of Goodyear Design Guidelines Manual and Stipulation No. 7 from draft Ordinance No. 2020-1472, which requires buildings within 300 feet of the north property line to be architecturally consistent with the elevations as presented in the Enhanced Design Examples, as attached hereto.

Development Standard 37

Light industrial uses such as warehousing or distribution centers are appropriate throughout the Business & Commerce category but should be buffered from residential uses.

Staff Analysis: As noted above, the General Plan states that light industrial uses may be appropriate in the Business & Commerce category but should be buffered from residential uses. This is because some light industrial uses have the potential

to adversely impact residential areas, given the large bulk and height that can be associated with large warehouse/distribution buildings and the noise and light trespass that can be associated with outdoor activities such as cross dock loading/unloading and heavy truck traffic, unless such adverse impacts are mitigated through development controls and buffers.

Within the city of Goodyear, there are several examples of developments that incorporated significant measures to promote compatibility between residential and non-residential uses. Given the PAD did not provide such similar measures, staff has worked to address the issue of compatibility through stipulations, and it should be specifically noted that Stipulation Nos. 27, 28, 29 and 30 from draft Ordinance No. 2020-1472 are being proposed to help mitigate any adverse impacts the proposed industrial uses may have on the existing residential to the south. These stipulations propose reduced building heights, increased landscape buffers and aesthetics, and operational limitations intended to reduce noise trespass.

Development Standard 39

Businesses with high employment density are encouraged to locate adjacent to high capacity roadway corridors (freeways, parkways, arterials) and transit corridors (light rail and arterials with bus service) to leverage high visibility and vehicular/pedestrian access.

Staff Analysis: The General Plan generally considers distribution and warehousing facilities as uses with low employment populations, as described in General Plan Objective GD-2-2 and the Luke Compatible Land Use Area Overlay. Accordingly, such uses are encouraged within the Luke Compatible Land Use Overlay and Loop 303 Corridor, so as to protect both Luke Air Force Base and to limit the number of people working and congregating in the area. On the other hand, the General Plan promotes the I-10 Corridor as a designated growth area intended for uses that can maximize the visibility and access provided by the interstate. As such, the PAD's predominant focus on light industrial uses, which comprise 62% of the entire PAD, and on warehousing and distribution, which could be built without limitation, are not in conformance with the intent of the General Plan for this portion of the I-10 Corridor.

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

The subject property was developed in the 1960s as a trotting park. However, the facility was shortly thereafter abandoned and then ultimately demolished in 2017. Other portions of the property include undeveloped land and a borrow pit. While the majority of the property appears suitable for the uses permitted under the proposed PAD zoning district, the borrow pit and adjacent surrounding area are currently unsuitable for development. As such, the filling of the borrow pit area must occur so as to provide for the safety and welfare of the general public and those working, visiting and residing in the area. As noted in Stipulation No. 36 from draft Ordinance No. 2020-1472, the submittal of a Special Use Permit (SUP) for Land Reclamation will be required within 18 months of zoning approval,

with the SUP establishing the framework for the safe reclamation of the borrow pit over time. However, with this rezoning, no benchmarks for the filling of the borrow pit have been established nor is there any commitment that the pit will be filled within any specific time period.

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

Uses and development surrounding the subject property include:

- North – Interstate 10.
- South – Roosevelt Irrigation District canal and existing residential development within the Cotton Lane RV PAD. The property is designated as Neighborhoods in the General Plan.
- East – Loop 303.
- West – Citrus Road and existing/proposed residential development zoned PAD (Planned Area Development) and RU-43 (Maricopa County). The property is designated as Neighborhoods in the General Plan.

Properties to the south of the subject property are designated as Neighborhoods in the General Plan and zoned for residential use. While the RID canal does provide some separation between the two uses (± 80 feet), by itself, the canal is not considered an adequate buffer since there can be no vertical structures, such as walls, nor landscaping placed within the RID property. As such, any proposal for light industrial development on the subject property must be accompanied by adequate buffers and development controls so as to not adversely impact this existing residential development, or any other future residential development that should occur in this area.

Other light industrial projects within the city, such as the Compass Data Centers and PV303, have made provision for and included substantial buffers and development controls to provide for increased compatibility with nearby residential development. For example, the Compass Data Center property is separated from the adjacent Centerra neighborhood by at least 400 feet of open space (300 feet for Bullard Wash along with an additional 100-foot landscape buffer). The PV303 industrial property, north of Charles Boulevard and the Palm Valley Phase V neighborhood, limits buildings to a maximum height of 40 feet within 300 feet of Charles Boulevard. Land uses are also limited to professional office and other less intensive type uses within the areas north of the neighborhood.

Without the provision of similar buffers and land use controls, as noted above, the proposed rezoning and resultant light industrial uses cannot be considered compatible with the surrounding area. Therefore, to try and mitigate some of these concerns, staff is recommending several stipulations of approval that will address limitations on building heights and hours of operation, location of dock doors, and provision of landscape buffers for those portions of District A (Commerce Park) adjacent to the existing residential area. Regarding operational limitations, as noted in Stipulation Nos. 29 and 30 of draft Ordinance No. 2020-1472, certain outdoor activities will be prohibited between the hours

of 10 PM and 6 AM for those areas within 300 feet of the south property line (Area A) and 220 feet of the south property line (Area B), as described on the attached Areas with Operational Limitations exhibit.

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.*

Interstate 10:

The subject property is located adjacent to Interstate 10. The vision for this area is for office and employment uses. The proposed zoning allows for warehouse and other low employment uses.

Luke Air Force Base:

The subject property is located within the vicinity of a military airport. The non-residential nature of the project should not have an adverse impact on base operations. If approved, a stipulation of approval should be included to require the property owner and/or developer to provide notice of base operations to future tenants and/or purchasers of property.

Phoenix-Goodyear Airport:

The subject property is located within the Traffic Pattern area of the Phoenix-Goodyear Airport. The non-residential nature of the project should not have an adverse impact on airport operations. If approved, a stipulation of approval should be included to require the property owner and/or developer to provide notice of airport operations to future tenants and/or purchasers of property.

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.*

The city has conducted a market analysis indicating that there is an abundant supply of existing industrially zoned land within the city. As such, the rezoning of the subject property is not considered essential in order to accommodate the demand for industrial property within the city. It should be noted that the market analysis has previously been shared with the applicant's team, and that they disagree with its findings.

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
#184/181	7.42	3.71	9.57	4.79	#185	11.04	5.52	11.58	5.79

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 subject property will have access to Citrus Road and the I-10 frontage roads, subject to ADOT review and approval. All adjacent half-street improvements will need to be completed with development of the subject property.

Water/Wastewater:

The subject property will be served by the city of Goodyear. All easements and infrastructure necessary to serve the subject property will be required to be dedicated and/or installed by the property owner and/or developer.

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

Development of the subject property will require the extension of utility lines needed to serve the property. All such costs will need to be the responsibility of the property owner and/or developer as part of the development process.

8. *General public concerns.*

Public Participation:

In accordance with the city's Citizen Review Process and to accommodate State and local provisions for social distancing as a result of COVID-19, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing information on the request was mailed to surrounding property owners within 500 feet of the subject property and other stakeholders. Staff did not receive any public inquiries as a result of this notice.

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 published in the Arizona Republic on August 28, 2020; and a notice of public hearing sign posted on the property. Information on the rezoning request and these public hearings was also posted on the city's website. To date, staff has not received any public inquiries as a result of this notice.

The Planning and Zoning Commission considered this item at a public hearing held on September 16, 2020. The Commissioners heard presentations from the staff and applicant, and then discussed the proposed rezoning. Commissioners had concerns with the development of warehousing and distribution on the subject property and recommended that staff and the applicant try to find additional areas of agreement. As such, the Commission continued the item to their November 4, 2020, public hearing. A letter of support from a city resident was read into the record.

At the November 4th hearing, the applicant requested a continuance so that they could continue working with staff. The Commission then voted to continue the item to a special public hearing to be held on November 18, 2020.

At the November 18th public hearing, the Commission received presentations from staff and the applicant. It was indicated that while staff and the applicant still disagreed on the recommendation, there was general agreement on the stipulations as presented in the draft ordinance. After closing the public hearing, the Commission voted 5-1 to forward a recommendation for denial to the City Council. The resident who had their letter of support read into the record of the September 16, 2020 public hearing was in attendance at this hearing and spoke in favor of the rezoning request.

9. *Whether the amendment promotes orderly growth and development.*

The uses permitted in each district are set forth in the PAD. With the intent of the PAD to create three distinct land use districts (commerce, commercial/entertainment & employment), staff finds the use list is generally acceptable as proposed but needs further refinement for clarification purposes concerning drive-through uses. The C-2 (General Commercial) zoning district requires a Use Permit for convenience uses, including restaurants, and other retail/service uses with drive-throughs, but not for financial institutions with drive-throughs or outdoor teller facilities. As such, staff is recommending a stipulation of approval to clarify these uses within the PAD and permit administrative approval of convenience uses if not located within 500 feet of residentially zoned property, as noted in Stipulation No. 25 of draft Ordinance No. 2020-1472, attached hereto.

While an infill property, the subject property will require substantial improvements to adjacent infrastructure and the extension of utility lines to serve the property. Such improvements will need to be completed as part of the development of the property, in accordance with city standards, codes and ordinances.

The development of the subject 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.

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.*

Regarding the requested deviations to city standards, staff recommends the following:

- Building Height – The request for additional height can be supported by the General Plan, but only for those areas adjacent to I-10 and for the purpose of increasing employment and residential uses. Areas along the southern property line are not suitable for additional building height given the existing residential development in that area. As such, in the draft stipulations of approval, staff recommends that the maximum 150-foot building height requested for District A (Commerce Park) be

limited to only those uses supported by the General Plan, such as office, retail, and entertainment uses while the requested light industrial uses be limited to a maximum building height of 70 feet. Furthermore, to promote greater land use compatibility, staff recommends that building heights be limited to 50 feet for that portion of the district within 300 feet of the south property line. This provision is similar to the height restriction placed on the PV303 development north of Charles Boulevard and the Palm Valley Phase V neighborhood and is recommended for the subject PAD for purposes of land use consistency and neighborhood protection. These provisions are addressed in Stipulation Nos. 8 and 27 of draft Ordinance No. 2020-1472, attached hereto.

- Freeway Landscape Buffer – The request to reduce the freeway landscape buffer from 30 feet to 20 feet is not supported. The 30-foot buffer provides softening and beautification of the intended freeway right-of-way, and the reduction of this area will reduce the number of trees and amount of landscaping that can be provided. Additionally, the city’s design guidelines require earthen berms within the buffer, and the reduced width will preclude the provision of any significant berms. As such, in the draft stipulations of approval, staff recommends that the freeway landscape buffer remain at 30 feet. This provision is addressed in Stipulation No. 33 of draft Ordinance No. 2020-1472, attached hereto

Recommendation:

The staff and Planning and Zoning Commission recommendation is for denial of this rezoning request for the reasons as stated herein.

Should the Council choose to recommend approval of this request, then staff has proposed several stipulations of approval, as discussed previously herein and as provided within draft Ordinance No. 2020-1472. It should be noted that the applicant has reviewed the stipulations as presented within the draft ordinance and finds them acceptable.

In regard to Stipulation No. 37 as proposed in the draft ordinance, Section 1-3-1 of the Zoning Ordinance states that vertical construction within a rezoned area must occur within two years, or the City Council may act to rescind the zoning. The intent of this provision is to reduce speculative zoning requests, and to promote rezoning actions in conformance with the General Plan.

Attachments

1. Resolution No. 2020-2073
 - a. Exhibit A – Supplementary Zoning Map No. 19-11A
 - b. Exhibit B – Legal Description
 - c. Exhibit C – PAD Overlay
 - d. Exhibit D – Enhanced Design Examples
 - e. Exhibit E – Areas with Operational Limitations
2. Ordinance No. 2020-1472
3. Project Narrative
4. Aerial Photo

20206986A-15-1-1--
jonesk

When recorded mail to:

City of Goodyear
City Clerk's Office
190 N. Litchfield Road
Goodyear AZ 85338

REZONING OF THE INNOVATION CENTRE

ORDINANCE NO. 2020-1472

CONDITIONALLY REZONING APPROXIMATELY 224 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) FOR A NEW DEVELOPMENT TO BE KNOWN AS THE INNOVATION CENTRE PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDED FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

DO NOT REMOVE

This is part of the official document

ORDINANCE NO. 2020-1472

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 224 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) AND AG (AGRICULTURAL) TO PLANNED AREA DEVELOPMENT (PAD) FOR A NEW DEVELOPMENT TO BE KNOWN AS THE INNOVATION CENTRE PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, the subject property (the "Property") consists of approximately 224 acres generally located south of I-10, between the Loop 303 and Citrus Road, legally described in that certain document titled "Innovation Centre – Legal Description," which document was declared a public record by Resolution No. 2020-2073 and which is referred to and made a part hereof as if fully set forth in this Ordinance; and

WHEREAS, the Property is designated as "Business and Commerce" on the General Plan Land Use and Transportation Plan. This land use category provides for the growth and development of shopping, office and entertainment areas along with high-density residential and public and community facilities; and

WHEREAS, the Property is zoned Planned Area Development (PAD) and AG (Agricultural); and

WHEREAS, the portion of the property zoned PAD is part of the Cotton Lane RV/Mobile Home & Golf Resort PAD, which was initially approved on May 28, 1996, with the adoption of Ordinance No. 96-551. The PAD provides for the development of 1,500 residential sites along with complementary commercial uses; and

WHEREAS, the request is to rezone the approximately 224-acre Property from Planned Area Development (PAD) and AG (Agricultural) to Planned Area Development (PAD) to create a new PAD known as the Innovation Centre Planned Area Development. The PAD will permit the development of commercial and light industrial uses upon the subject property; and

WHEREAS, the PAD proposes to establish three land use districts, with each District having established uses and development standards. The three Districts include: District A (Commerce Park), District B (Commercial/Retail and Entertainment) and District C (Office/Employment); and

WHEREAS, the PAD requests deviations to maximum building height for District A (Commerce Park) without any corresponding increase in the size of the set back as required in Section 3-4-3 of the Goodyear Zoning Ordinance and the minimum width of the freeway landscape buffer; and

WHEREAS, in accordance with the City's Citizen Review Process, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing information on the request was mailed to surrounding property owners within 500 feet of the subject property; and

WHEREAS, a request to rezone property requires public review and approval by the Planning and Zoning Commission and the City Council through the public hearing process. The rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance; and

WHEREAS, the City Council has determined that the proposed PAD rezoning request is in conformance with the General Plan and will not adversely impact the surrounding area; and

WHEREAS, public notice that this PAD rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on September 16, 2020 appeared in the Arizona Republic Southwest Valley edition on August 28, 2020; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 16, 2020 and the Commission, at the request of the applicant, voted to continue the matter until November 4, 2020; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on November 4, 2020 and the Commission, at the request of the applicant, voted to continue the matter until November 18, 2020; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on November 18, 2020 to consider the PAD rezoning; and

WHEREAS, following the public hearing on November 18, 2020, the Planning and Zoning Commission, by a vote of 5-1, voted to forward a recommendation of denial to the City Council; and

WHEREAS, public notice that this PAD rezoning was to be considered and reviewed at a public hearing held before the City Council on December 14, 2020, appeared in the Arizona Republic Southwest Valley edition on November 27, 2020; and

WHEREAS, based on the foregoing Recitals and the other information presented, the Mayor and Council of the City of Goodyear, Arizona find the rezoning of the Property subject to the conditions and stipulations reflected in 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. 2020-1472 applies to that parcel of land in Goodyear, Maricopa County, Arizona, generally located south of I-10, between the Loop 303 and Citrus Road, as shown on "Official Supplementary Zoning Map No. 19-11A," and as legally described in that certain document titled "Innovation Centre – Legal Description," both documents having been declared public records by

Resolution No. 2020-2073 and which documents are referred to and made a part hereof as if fully set forth in this Ordinance (the “Property”).

SECTION 2. PLANNED AREA DEVELOPMENT REZONING

The Property is conditionally rezoned to Planned Area Development (“PAD”) with the adoption of the Innovation Centre PAD Overlay, which document was declared a public record by Resolution No. 2020-2073 and which is referred to and made a part hereof as if fully set forth in this Ordinance (hereinafter referred to as the (Innovation Centre PAD Overlay”).

SECTION 3. STIPULATIONS

The development of the Property shall be subject to the following stipulations:

1. Except as otherwise modified by the stipulations herein, the Property shall be developed in conformance with the Innovation Centre PAD Overlay;
2. The portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description shall be subject to the requirements of Section 3-4-1 of the Goodyear Zoning Ordinance for the Light Industrial (“I-1”) Zoning District and the Industrial District Standards set forth in Section 3-4-3 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;
3. No building larger than 250,000 square feet shall be permitted within 300 feet of the northern boundary of the Property unless the primary use of the building is office, retail, entertainment, or similar uses as determined by the Zoning Administrator and/or a combination of the foregoing uses;
4. The portion of the Property described as Commercial/Retail & Entertainment District (B) in the Innovation Centre – Legal Description shall be subject to the requirements of Section 3-3-3 of the Goodyear Zoning Ordinance for the General Commercial (“C-2”) Zoning District and the Commercial District Standards set forth in Section 3-3-6 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;
5. The portion of the Property described as Office-Employment District (C) in the Innovation Centre – Legal Description shall be subject to the requirements of Section 3-3-3 of the Goodyear Zoning Ordinance for the General Commercial (“C-2”) Zoning District and the Commercial District Standards set forth in Section 3-3-6 of the Goodyear Zoning Ordinance except as modified by the Innovation Centre PAD Overlay as modified by the stipulations herein;

6. The Design Standards submitted to the City with the rezoning application are not being approved or adopted and any references to the Design Standards in the Innovation Centre PAD Overlay have no effect or application. The development of the Property shall comply with the City of Goodyear Design Guidelines Manual in effect at the time of development except as modified by the stipulations herein;
7. All buildings within 300 feet of the northern boundary of the Property shall be similar in design and quality, which includes but is not limited to, such architectural and design features such as articulations, massing, and materials, as depicted in that document titled Enhanced Design Examples, which document having been declared public record by Resolution No. 2020-2073 is referred to and made a part hereof as if fully set forth in this Ordinance;
8. The 150-foot height limitation for buildings within the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description is limited solely to buildings that are at least three (3) stories and designed and intended primarily for use as office, retail, including large retail, hotels, entertainment uses, restaurants and bars, convention centers or mixed uses consisting of a combination of the foregoing. Except as provided herein, the maximum height for all other buildings within the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description is limited to 70 feet. This provision does not modify the graduated height requirements applicable to the portion of the Property described as Commerce Park District (A) in the Innovation Center – Legal Description set forth in the Innovation Centre PAD Overlay as modified by stipulation 27 below;
9. The development of the Property shall comply with the City of Goodyear Engineering Design Standards and Policies and the City of Goodyear Subdivision regulations in effect at the time the Property is developed;
10. If the Property is located within the City of Goodyear's water service area, Owner shall, prior to the earlier of the following (i) recordation of the first final plat or minor land division subdividing all or part of the Property or (ii) the approval of the first site plan for development within the Property, extinguish all grandfathered irrigation rights attached to the Property and convey, at no cost to the City, any assured water supply credits issued by ADWR as a result of the extinguishment of such rights;
11. If the Property is located within the City of Goodyear's water service area and if the water demands for development within the Property exceed the amounts reflected in the City of Goodyear Integrated Water Master Plan ("IWMP") in effect at the time of such development for the proposed land uses, Owner shall, unless otherwise provided in a Development Agreement approved by the Goodyear City Council, provide the City, at Owner's sole cost, with a

physically and legally available water supply sufficient to provide the water service needed to serve the Property water in excess of the amounts reflected in the IWMP. The physically and legally available water supply to be provided shall satisfy the Arizona Department of Water Resources' ("ADWR") standards for modifications of Designations of Assured Water Supply, to increase the Designation water portfolio by an amount equivalent to the amount of the additional water needed to serve the Property and that provides for sufficient extinguishment credits or renewable supplies to offset the additional water demands;

12. If the Property is located within the City of Goodyear's water service area, the City shall have the right, but not the obligation, to purchase, at fair market value, the site, including the improvements thereon, where a well exists (the "Well Site"). The size of the Well Site shall be 100 feet by 100 feet. If the City acquires the site, but decides not to rehabilitate the well on the Well Site, the City will abandon the well in accordance with the requirements of the Arizona Department of Water Resources. The City shall notify Owner of its intent to acquire the Well Site within one year of the effective date of this Ordinance and will make a written offer to purchase the Well Site for the fair market value established in an appraisal obtained by the City within two years of the effective date of this Ordinance;
13. Prior to the approval of any preliminary plat or site plan for the Property, Owner shall submit a wastewater study consistent with the requirements of the City of Goodyear Engineering Design Standards and Policies Manual that identifies the specific wastewater system needs and requirements to provide sewer service to the Property. Capacity shall be studied to the nearest 15-inch or larger sewer main. If capacity in existing infrastructure does not exist to support the increased uses proposed for this development, the wastewater study shall identify all of the infrastructure needed to provide sewer service to the Property. Any study that proposes the use of any infrastructure subject to Cost Recovery Resolution 2006-1065 as modified by Cost Recovery Resolution 2014-1622 shall demonstrate the reliance on such infrastructure provides sufficient capacity to serve the needs of the properties identified in the cost recovery resolutions as being benefitted by such infrastructure;
14. Except as otherwise provided in a development agreement or a cost recovery ordinance adopted by Council, Owner shall, at its sole cost, design, install, and/or construct, all infrastructure, on-site and/or off-site, convey all land necessary for such infrastructure, and acquire all capital equipment necessary to allow the City to provide wastewater service to the Property at build out and to provide water service to the Property at build out if the Property is located within the City of Goodyear's water service area;
15. Notwithstanding stipulation 14 above, Owner shall not be entitled to any reimbursement under Cost Recovery Resolution 2006-1065 as modified by

Cost Recovery Resolution 2014-1622 for the construction of any of the infrastructure identified in the cost recovery resolutions unless Owner, at Owner's sole cost and expense, modifies the cost recovery resolutions to include the Property as a benefitted property and to allocate to the Property a proportionate share of the costs of the infrastructure that will benefit the Property;

16. Notwithstanding stipulation 14 above, Owner shall not be entitled to any reimbursement under Cost Recovery Resolution 2006-1064 as modified by Cost Recovery Resolution 2014-1621 for the construction of any of the infrastructure identified in the cost recovery resolutions unless Owner, at Owner's sole cost and expense, modifies the cost recovery resolutions to include the Property as a benefitted property and to allocate to the Property a proportionate share of the costs of the infrastructure that will benefit the Property;
17. The Owner shall provide two separate points of waterline connection for system looping purposes. If the looped water system involves the construction of water lines through private property, Owner, at Owner's sole cost and expense, provide the City with a permanent water line easement. The easement area shall be lien free and free of all other easements or other encumbrances unless otherwise agreed to by the City, and the easement shall be in a form acceptable to the City Attorney or his/her designee;
18. 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 wastewater services to the Property and to provide water services to the Property if the Property is within the City of Goodyear's water service area; (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 with the City regarding the development of the Property, all dedications shall be made prior to or concurrent with the earlier of the following (i) recordation of a final plat or minor land division that includes the area in which the dedicated property is located; (ii) the issuance of any

permits for work on within the Property. The rights-of-way and easements to be dedicated include, but are not limited to the following:

- a. additional right-of-way for the east half of N. Citrus Road so the City has 55 feet of right-of-way from the centerline of N. Citrus Road
 - b. a 10-foot public utility easement (PUE) along the east boundary of N. Citrus Road right-of-way;
19. Owner shall, at no cost to the City, construct half-street improvements for the roadways set forth below. 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. Unless modified by a written phasing plan approved by the City Engineer or his/her designee, the half-street improvements Owner is required to construct shall be completed prior to issuance of the first certificate of occupancy within the Property.
- a. Half-street improvements to the eastern half of N. Citrus Road.
 - b. Notwithstanding the foregoing, at the request of the City Engineer or designee, rather than constructing the median and installing the median landscaping, Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and full-median landscaping, for the median within N. Citrus Road. The in-lieu payment for the median shall be based on the estimated cost of the improvements as determined by the City Engineer or designee and the in-lieu payments for the medians and median landscaping shall be paid prior to or concurrent with the earlier of the following (i) recordation of a final plat or minor land division that includes the area in which the dedicated property is located; (ii) the issuance of any permits for work on within the Property.
20. Owner shall, at Owner's sole cost and expense, be responsible for the construction of all transportation-related infrastructure needed to support the development and occupancy use of the Property, which includes the transportation-related infrastructure improvements specifically identified in this Ordinance, the infrastructure improvements required to be constructed pursuant to applicable Development Regulations, and any additional on-site or off-site infrastructure identified in any Traffic Impact Analysis/Study provided in connection with the development of the Property. Prior to the approval of each site plan for development within the Property, Owner shall provide an updated Traffic Impact Analysis/Study which shall be subject to

review and approval by the City Engineer of his/her designee. Owner shall, at Owner's sole cost and expense, be responsible for the acquisition of right(s)-of-way and the construction of all transportation related infrastructure identified in the approve Traffic Impact Analysis/Study as being necessary to provide for safe and adequate circulation within the Property, connectivity to neighboring adjacent properties, and connectivity to existing regional transportation routes, this includes the acquisition of rights-of-way needed for the construction of infrastructure that is not within or adjacent to the Property and the construction of such infrastructure. Unless otherwise provided in this Ordinance or in a development agreement approved by Council, transportation-related infrastructure required to be constructed pursuant to this stipulation shall be constructed prior to the issuance of any certificate of occupancy for any structure reflected in the site plan that supported the need for such infrastructure;

21. Prior to the approval of each site plan for development within the Property, Owner shall provide an updated Traffic Impact Analysis/Study which shall be subject to review and approval by the City Engineer of his/her designee. If such study reflects the eventual need for any traffic signal at any intersection adjacent to the Property, Owner shall, at no cost to the City, convey in fee, lien free, and free of any easements or encumbrances unless specifically agreed to by the City, any additional right-of-way needed for the construction of the portion of the traffic signal that will be located on the Property. In addition, Owner shall make an in-lieu payment to the City towards the cost of the signal. Except as provided herein, the in-lieu payment will be 25% of the cost of a full traffic signal for each corner of the intersection adjacent to the Property. For example, if a traffic signal is required at an intersection where two of the four corners of the intersection are adjacent to the Property, Owner would be responsible for 50% of the cost of a full traffic signal. If a three-way traffic signal is required because of the demands of the Property and the intersection does not connect into any other property, Owner shall be responsible for 100% of the cost of the signal. The in-lieu payment shall be calculated based on the actual cost of the traffic signal if it has been constructed or, if the payment is made before the traffic signal has been completed, upon an engineer's estimate of the probable cost of the signal approved by the City Engineer or his designee traffic signal. The dedication(s) and in-lieu payment(s) required herein shall be made at the earlier of the following: (i) before the issuance of any engineering permit for any of the work reflected in a site plan, MLD or final plat that includes, is adjacent to, or requires connection to the intersection where the traffic signal is needed; or (ii) before the recordation of any final plat or MLD that includes, is adjacent, or requires connection to the intersection where the traffic signal is needed;
22. Owner shall pay the City an In-Lieu Payment for twenty-five percent (25%) of the cost of a four (4) lane bridge with a median on Citrus Road over the

RID Canal ("RID Canal Bridge") when owner is required to construct the Citrus Road half-street improvements to the eastern half of N. Citrus Road (the "Citrus Road Expansion"). The in-lieu payment shall be based on the actual cost of the RID Canal Bridge if it has been constructed or, if the payment is required before the RID Canal Bridge has been constructed, it shall be based on the City's estimated cost of the RID Canal Bridge if the City has such an estimate or, if the City has not obtained an estimate, the estimated cost of the RID Canal Bridge prepared by a registered engineer retained by Owner subject to review and approval of the City Engineer or his designee. Unless otherwise provided in a development agreement approved by Council, the in-lieu payment shall be paid prior to the issuance of any construction permits (civil or building) for development within the Property that triggers the Citrus Road expansion;

23. The Owner shall acknowledge and disclose to any subsequent purchaser or tenant that the subject property is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport;
24. All site plan applications shall demonstrate that open spaces, amenities and pedestrian connections have been provided in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
25. All convenience uses, including restaurants, and other retail/service establishments with drive-through facilities shall require review and approval of a Use Permit if located within 500 feet of residentially zoned property. Financial institutions with drive-through facilities and/or outdoor teller facilities shall be considered permitted uses by-right;
26. Loading, delivery, dock and roll-up doors and service and wash bays may not front or face a public street, frontage road or freeway right-of-way;
27. Within PAD District A (Commerce Park), the maximum building height shall be 50 feet within 300 feet of the south property line. Parapet walls may extend an additional five feet above the maximum building height;
28. Within PAD District A (Commerce Park), loading, delivery, dock and roll-up doors, service and wash bays, and storage and loading areas may not front and/or back onto the south property line unless a landscape buffer with a minimum width of 100 feet is provided along the south property line. This buffer shall contain a double row of 24-inch box trees, and include a decorative eight-foot masonry wall, which shall be constructed in a location within or along the boundaries of the buffer to provide the most effective

buffer as determined by the Zoning Administrator during the site plan process;

29. Within PAD District A (Commerce Park), outdoor land uses and operational activities, such as truck idling, trailer maneuvering and the loading/unloading of materials, shall be prohibited between the hours of 10 PM and 6 AM when occurring within 300 feet of the south Property line within the portion of the Property identified as A in that document titled Areas With Operational Limitations, which document having been declared a public record by Resolution No. 2020-2073 is referred to and made a part hereof as if fully set forth in this Ordinance (the "Areas With Operational Limitations"), for as long as any portion of the property adjacent to the south Property line of the RID canal opposite of portion of the Property identified as A in the Areas With Operational Limitations is zoned for any residential use;
30. Within PAD District A (Commerce Park), outdoor land uses and operational activities, such as truck idling, trailer maneuvering and the loading/unloading of materials, shall be prohibited between the hours of 10 PM and 6 AM when occurring within 220 feet of the south Property line within the portion of the Property identified as B in that document titled Areas With Operational Limitations, which document having been declared a public record by Resolution No. 2020-2073 is referred to and made a part hereof as if fully set forth in this Ordinance (the "Areas With Operational Limitations"), for as long as any portion of the property adjacent to the south Property line of the RID canal opposite of portion of the Property identified as B in the Areas of Operational Limitations is zoned for any residential use;
31. Within all PAD Districts, outdoor ground-mounted equipment and other machinery and all roof-mounted equipment shall be fully screened from public view, including view from adjacent properties and the Loop 303 and I-10 freeways, in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
32. Parking lots adjacent to a public street or private internal loop road shall be screened from view by a 36-inch masonry wall constructed of materials and colors that complement the onsite buildings and designed in conformance with the City of Goodyear Design Guidelines Manual in effect at the time the Property is developed;
33. A landscape buffer with a minimum width of 30 feet shall be placed along all freeway rights-of-way and shall be planted with at least one 24-inch box tree per 30 feet of linear buffer, along with shrubs and ground cover. Earthen berms, with a minimum height of 24 inches, shall also be incorporated into the buffer;

34. A building setback, with a minimum width of 30 feet, shall be observed from all public streets. This setback shall be entirely landscaped, except for necessary walkways and driveways needing to cross through the setback area. No more than 50% of this setback area may be used for retention purposes;
35. All trees planted within parking lot islands, adjacent to a pedestrian way or internal roadway, or within any rights-of-way shall be single trunk;
36. To facilitate the filling of the borrow pit, an application for a Special Use Permit (SUP) for Land Reclamation shall be submitted and processed with reasonable diligence within 18 months of the effective date of Ordinance No. 2020-1472. The SUP will establish the framework for the safe reclaiming and filling of the borrow pit over time. If the SUP is not submitted within the 18-month period specified herein, the City shall at the end of the 18 month period be entitled without liability to withhold civil engineering, permits, and/ or Temporary Certificates of Occupancy, and/or Certificates of Occupancy for development within the Property until the SUP is submitted. The terms of the SUP shall provide for the automatic termination of the SUP if the zoning is rescinded; and,
37. This rezoning is contingent upon vertical construction, in conformance with this Ordinance, the Innovation Centre PAD, and the stipulations contained herein commencing within two years of the effective date this Ordinance or a demonstration that substantial work and expenses have been incurred in the pursuit and execution of the Property pursuant to the SUP discussed above within two years of the effective date this Ordinance. The failure to commence vertical construction within two years of the effective date of this Ordinance shall be cause for the City Council to rescind the zoning, unless an extension of time is granted by the City Council. The commencement of vertical construction shall be defined as the active construction of a permanent commercial or light industrial building foundation in conformance with an approved building permit issued by the City of Goodyear.

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. 19-11A" declared a public record by Resolution No. 2020-2073, which is referred to and made a part hereof as if fully set forth in this Ordinance and such "Official Supplementary Zoning Map No. 19-11A" shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

SECTION 5. ABRIDGMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the City of Goodyear.

SECTION 6. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 7. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the City of Goodyear Zoning Ordinance being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

SECTION 9. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the City of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.
- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or

real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
 1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
 2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this 14th day of December, 2020.

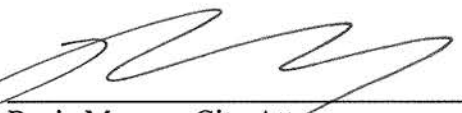

Georgia Lord, Mayor

Date: 12-14-2020

ATTEST:


Darcie McCracken, City Clerk

APPROVED AS TO FORM:


Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA

)

) ss.

County of Maricopa

)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2020-1472 is a true, correct and accurate copy of Ordinance No. 2020-1472, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the 14th day of December 2020, at which a quorum was present and, by a 7-0 vote, 7 voted in favor of said ordinance.

Given under my hand and sealed this 14th day of December, 2020.

seal



Darcie McCracken
City Clerk



Extension of Zoning Approval Innovation Centre PAD

City Council
2.6.23

- Innovation Centre PAD – December 14, 2020
- 224 acres – Commerce Park, Commercial/Retail & Entertainment, and Office/Employment
- Master site plan approvals – March 4, 2022 & May 25, 2022
- SUP for land reclamation – December 13, 2021



Approval Extension



STIPULATION

- Stipulation of approval required vertical construction within 2 years of ordinance effective date (Stip No. 37)
- January 14, 2023
- No vertical construction to date
- Ability to request extension

Approval Extension



REVIEW & RECOMMENDATION

- Delays from COVID-19, City review times and other governmental coordination
- Changing market conditions
- Applicant requesting an indefinite extension
- Staff supports a two-year extension
- Vertical construction by January 14, 2025