City Council Regular Meeting
City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395
Monday, April 24, 2023
5:00 PM

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

Monday, April 24, 2023 5:00 p.m. Meeting Agenda

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR KAINO

COMMUNICATIONS

1. **2023 SPRING TRAINING WRAP UP**
   (Bruce Kessman, Deputy Director Ballpark)

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

2. **APPROVAL OF MINUTES**

   RECOMMENDATION

   Approve the draft minutes from a Regular Meeting held on April 10, 2023. (Darcie McCracken, City Clerk)

3. **APPROVAL OF NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR TACOS BARBON**

   RECOMMENDATION

   Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 236460, a request by Andrea Dahlman Lewkowitz, agent for Tacos Barbon for a new series 12 liquor license. Tacos Barbon is located at 1188 N. Dystart Rd., Goodyear, AZ 85395 (generally located N of McDowell Rd. and E of Dysart Rd.) (Darcie McCracken, City Clerk)

4. **EXPENDITURE APPROVAL FOR JAIL SERVICES FOR THE POLICE DEPARTMENT AND RELATED BUDGET TRANSFER**

   RECOMMENDATION

   Approve the expenditure of an additional $285,000 for jail services for a total of $720,000 in expenditures for FY2023, and approve the transfer of $180,200 from contingencies to pay for jail services through the end of the fiscal year. (Santiago Rodriguez, Chief of Police)

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

5. **USE PERMIT FOR A CONVENIENCE USE (CIRCLE K CONVENIENCE STORE WITH A GAS STATION)**

RECOMMENDATION

Approve a Use Permit request for a Convenience Use (Circle K convenience store with a gas station) on Parcel 4 and portions of Parcel 6 of the final plat of the PV303 East II Phase 1 recorded on February 16, 2018 in the official records of Maricopa County at Book 1370 of Maps Page 10 (Instrument 20180122777) (the “Property”) subject to stipulations. (Guadalupe Ortiz Cortez, Planner)

6. **SPECIAL USE PERMIT FOR AN AIRPORT (BISHOP AIR TRAINING FIELD)**

RECOMMENDATION

Approve a request to amend the Special Use Permit granted in 2008, to allow, as a permitted operation within the property annexed by Ordinance 2008-1138 and rezoned by Ordinance 2008-1139 (the “Property”), free fall parachute trainings in addition to operating the Property as an air training facility subject to stipulations. (Guadalupe Ortiz Cortez, Planner)

7. **REZONE 284.5 ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE, KNOWN AS BALLPARK VILLAGE AND BALLPARK VILLAGE - SOUTH, FROM PLANNED AREA DEVELOPMENT (PAD) TO 3RD AMENDED PAD**

RECOMMENDATION

1. ADOPT RESOLUTION NO. 2023-2280, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1563 RELATED TO THE REZONING OF BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH”

2. ADOPT ORDINANCE NO. 2023-1559, CONDITIONALLY REZONING APPROXIMATELY 284.5 GROSS ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE TO 3RD RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH; TO REZONE APPROXIMATELY 5 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; MODIFYING ALLOWANCES FOR A DRIVE-THROUGH FACILITY ON LOTS 28-30 AND ALLOWING A CONDITIONALLY PERMITTED USE ON LOT 33, AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE,

AND PENALTIES, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. (Christian M. Williams, Principal Planner).

8. **GOODYEAR CELEBRATION PLAZA REZONE**

RECOMMENDATION

1. ADOPT RESOLUTION NO. 2023-2279 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1562 RELATED TO THE REZONING OF THE GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT.

2. ADOPT ORDINANCE NO. 2023-1562 CONDITIONALLY REZONING APPROXIMATELY 66.6 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LITCHFIELD ROAD AND I-10 FROM PRELIMINARY PLANNED AREA DEVELOPMENT AND PLANNED AREA DEVELOPMENT (PAD) TO FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE GOODYEAR CELEBRATION PLAZA 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; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. (Katie Wilken, Deputy Director of Planning)

BUSINESS

9. **CITRUS ROAD VAN BUREN STREET TO HARRISON STREET ANNEXATION**

RECOMMENDATION

Authorize staff to initiate the annexation of approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street. (Christian M. Williams. Principal Planner)

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:

May 8, 2023	Council Meeting	5:00 p.m.

EXECUTIVE SESSION

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

10. Pursuant to A.R.S. 38-431.03(A)(3) & (4) Consultation with the City's Attorney for legal advice and in order to consider its position and instruct its attorneys regarding the public body's position regarding pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation related to potential or pending transaction privilege tax matters.

11. Pursuant to A.R.S. § 38-430.03(A)(1) & (A)(3) for legal advice and for discussion or consideration of employment, assignment, and appointment, of the position of Presiding Judge.

ADJOURNMENT OF EXECUTIVE SESSION

RECONVENING OF REGULAR MEETING

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 posted on 4/19/2023 at 5:00 p.m. by PP.

ITEM #: 1.
DATE: 04/24/2023
AI #:1427

CITY COUNCIL COMMUNICATION

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

SUBJECT:

2023 SPRING TRAINING WRAP UP
(Bruce Kessman, Deputy Director Ballpark)

Attachments

Spring Training 2023

GOODYEAR BALLPARK
SPRING TRAINING 2023

SPRING TRAINING 2023

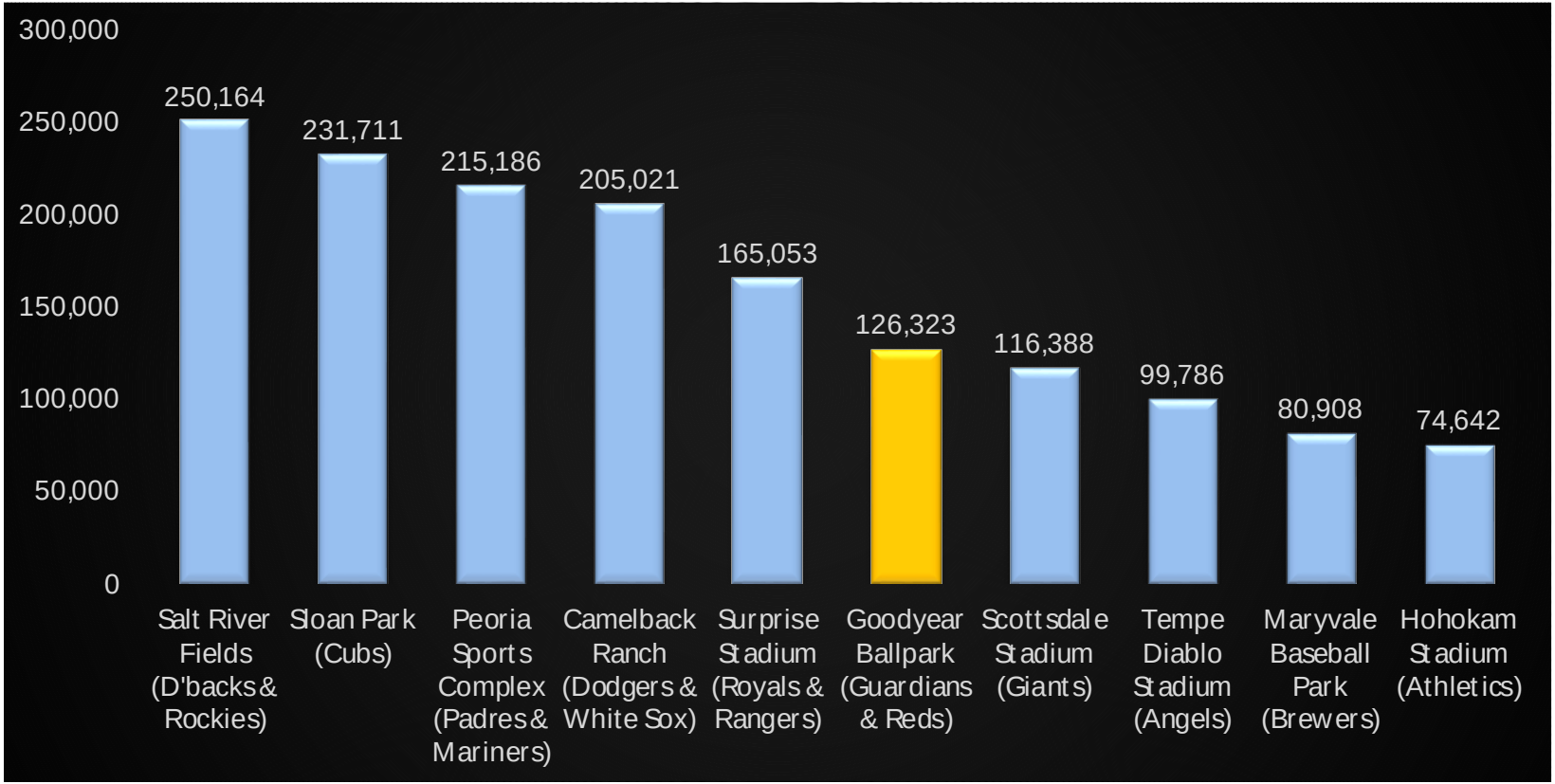
SEASON RECAP

128,962 total fans

30 games in 30 days

20% increase in followers

SPRING TRAINING 2023



SPRING TRAINING 2023

GAME DAY HIGHLIGHTS

SPRING TRAINING 2023

ECONOMIC DEVELOPMENT EVENTS

SPRING TRAINING 2023

ECONOMIC DEVELOPMENT EVENTS

SPRING TRAINING 2023

FAN FEEDBACK

★★★★½

Guest satisfaction 4.7

★★★★½

Friendliness of staff 4.93

Goodyear Ballpark

1933 S Ballpark Way, Goodyear, AZ

4.6 ★★★★½ 2,205 reviews

G R

Local Guide · 154 reviews · 159 photos

★★★★★ 2 weeks ago NEW

Modern yet traditional spring training baseball stadium. A little slice of Ohio, friendly and vibrant atmosphere.not a bad seat in the house. Thoroughly enjoyed visiting for 2023 finale!

Reply 1

SPRING TRAINING 2023

MARKETING REACH

- Cable TV, Connected TV + OTT and YouTube placements
- Cincinnati, Cleveland, Seattle, Chicago, Denver & San Francisco
- 4.3 million impressions

SPRING TRAINING 2023

UPCOMING EVENTS

- Goodyear Little League
- Buckeye Union HS District graduations
- AIA State Baseball Playoffs
- AZBCA All-Star Games
- Perfect Game tournaments

GOODYEAR BALLPARK

ITEM #: 2.
DATE: 04/24/2023
AI #:1165

APPROVAL OF MINUTES

SUBJECT

APPROVAL OF MINUTES

RECOMMENDATION

Approve the draft minutes from a Regular Meeting held on April 10, 2023. (Darcie McCracken, City Clerk)

Attachments

April 10, 2023 Draft Regular Meeting Minutes

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

Monday, April 10, 2023	5:00 p.m.	Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the Regular 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 Wynette Reed; City Attorney Roric Massey; City Clerk Darcie McCracken

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR PIZZILLO

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Goodyear resident and business owner Michael Desi expressed concern about safety in the Rancho Mirage Subdivision and questioned the current staffing levels within the police department.

Mayor Pizzillo informed Mr. Desi of a study underway regarding police officer staffing levels and instructed him to provide his information to Police Chief Rodriguez.

Pro-life Personhood traveling speaker Steven Sidlovsky provided information on the recent Arizona March for Life at the Capitol and requested the Council to consider a Personhood resolution declaring Goodyear a personhood sanctuary.

Goodyear resident Dennis Hudson thanked City Manager Wynette Reed for her follow-up on his previous request to discuss representation and development restrictions in the Mobile area. He requested the City work to preserve the history of Mobile.

Council requested staff include a zoning designation specific to rural areas.

Goodyear resident Anthony DeJesus requested the City reevaluate the Citrus and Indian School Road 4-way stop. City Manager Reed directed Mr. DeJesus to meet with Engineering Director Stephen Scinto for a follow-up.

CONSENT

Council proposed questions on consent item seven regarding the inspection and cleanup of Bullard Wash and item eight regarding the Sarival landscape median installation. Public Works Director Barbara Chappell confirmed that consent item eight is for additional cleanup and City Traffic Engineer Hugh Bigalk provided the location of the median in Curtis Commons.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Brannon Hampton to APPROVE consent agenda items 1 through 8. 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 a Regular Meeting held on March 20, 2023. (Darcie McCracken, City Clerk)

2. **CIP PROJECT #60110 RAINBOW VALLEY WATER RECLAMATION FACILITY (WRF) OPERATIONAL IMPROVEMENTS, EXPENDITURE AUTHORIZATION FOR CONSTRUCTION SERVICES**

RECOMMENDATION
Authorize expenditure of funds up to $755,000 for CIP Project #60110 for construction of operational improvements at the Rainbow Valley Water Reclamation Facility (WRF). (Barbara Chappell, Water Services Director; Lisa Melton, Senior Project Manager)

3. **LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT GRANT - RESOLUTION NO. 2023-2305**

RECOMMENDATION
ADOPT RESOLUTION NO. 2023-2305 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FY 2024-2025 LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT GRANT FUNDS TO DEPARTMENT OF JUSTICE, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATION, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT (IF GRANT FUNDS ARE AWARDED), AND AUTHORIZING THE CITY MANAGER TO APPROVE THE REQUIRED BUDGET TRANSFER (IF GRANT FUNDS ARE AWARDED). (Santiago Rodriguez, Chief of Police)

4. **FINAL PLAT OF CAMELBACK 303**

RECOMMENDATION
Approve the Final Plat of Camelback 303, subdividing approximately 32.4 acres into 1 lot and 0 tracts at the intersection of N. Cotton Lane and W. Camelback Road.
(Stephen Scinto, Director of Engineering)

5. **INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN BUCKEYE VALLEY FIRE DISTRICT AND THE CITY OF GOODYEAR FOR BACKUP AMBULANCE SERVICES**

RECOMMENDATION
Approve and authorize the City Manager or designee to enter into an Intergovernmental Agreement (IGA) between Buckeye Valley Fire District and the City of Goodyear providing backup ambulance transport services to Goodyear residents. (Paul Luizzi, Fire Chief)

6. **FINAL PLAT OF PROLOGIS 303 GOODYEAR**

RECOMMENDATION
Approve the Final Plat for Prologis 303 Goodyear subdividing approximately 114.1 acres into two (2) lots (the "Property"). (Marty Crossland, Interim Deputy Director of Development Engineering)

7. **APPROVE ADDITIONAL EXPENDITURES UP TO $485,300 FOR THE CLEANUP OF BULLARD WASH BETWEEN INTERSTATE 10 AND GILA RIVER (PROJECT #60080)**

RECOMMENDATION
Approve additional expenditure of funds up to $485,300 for Capital Improvement Project (CIP) #60080 to perform the maintenance of Bullard Wash to reestablish channel conditions. (Craig Lynch, Stormwater Superintendent; Todd Carpenter, Interim Deputy Public Works Director)

8. **APPROVE EXPENDITURE OF FUNDS FOR PROJECT #42011 SARIVAL LANDSCAPE MEDIAN INSTALLATION**

RECOMMENDATION
Approve expenditure of funds up to $800,000 for the Sarival landscape median installation. (Hugh Bigalk, City Traffic Engineer)

BUSINESS

9. **FY 2024 ANNUAL PUBLIC ART PLAN**

Arts & Culture Administrator Guylene Ozlanski, with support from Arts & Culture Commission Chairperson Fran Fee and Public Art Committee Chairperson Jennifer Barnes, provided highlights from the Fiscal Year (FY)2023 Annual Public Art Plan, the effects public art can have on a community, the goals for public art, and introduced the FY2024 Annual Public Art Plan.

Ms. Ozlanski provided the recommended list of the FY2024 Art Projects. The projects were:

- Estrella Parkway Bridge
- Fire Station 182 Mosaic Mural
- Pop-Ups in the Park
- Traffic Cabinet Paintings

She added the future forecast for the Arts & Culture Commission includes an art trail at Goodyear Civic Square (GSQ) and the Ballpark Village Corridor.

Council acknowledged and thanked the city staff and committee for their innovation and

enhancement of the Goodyear brand and community and suggested the committee consider extending the art to Mobile to encompass their history and the heart of their community.

MOTION BY Vice Mayor Laura Kaino, **SECONDED BY Councilmember Bill Stipp to APPROVE the FY2024 Annual Public Art Plan as recommended by the Arts & Culture Commission. 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

10. **APPROVE A GRANT PASS-THRU AGREEMENT BETWEEN THE CITY OF PHOENIX AND THE CITY OF GOODYEAR FOR A MICROTRANSIT PILOT PROGRAM**

Project Management Coordinator Christine McMurdy updated the Council regarding the WeRIDE Program and provided information regarding a request for the Council to authorize the City Manager to approve a grant pass-thru agreement between the City of Phoenix and Goodyear for a Microtransit Pilot Program.

Ms. McMurdy noted the successes of marketing and communications and the plans to work with business owners to help continue advertising WeRIDE and how it supports their business. She added the partnership with the City of Surprise, which is also beginning to use the WeRIDE program.

Council praised the program and suggested potential locations and additions to stops offered.

MOTION BY Councilmember Sheri Lauritano, **SECONDED BY Councilmember Brannon Hampton to AUTHORIZE the City Manager to approve a Grant Pass-Thru Agreement between the City of Phoenix and the City of Goodyear for a Microtransit Pilot Program. 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. **AMENDMENTS TO CHAPTER 15 OF THE GOODYEAR CODE OF ORDINANCES (SUBDIVISION REGULATIONS)**

Planning Manager Steve Careccia provided information regarding the history of the Goodyear Code of Ordinances, specific to subdivision regulations, prior amendments, and the current proposed amendment. The proposed amendment allows pre-plat administrative approval with the Development Services Director, saving significant applicants, staff, and Council time.

Council provided positive feedback for changes that helped streamline the process and encouraged staff to continue to work towards a streamlined process.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Vice Mayor Laura Kaino to ADOPT RESOLUTION NO. 2023-2296 DECLARING AS PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "EXHIBIT A - AMENDMENT TO CHAPTER 15 SUBDIVISION REGULATIONS OF THE GOODYEAR CODE OF ORDINANCES. 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 Brannon Hampton to ADOPT ORDINANCE NO. 2023-1572 AMENDING SECTION 15-2-3 (STAGE II – PRELIMINARY PLAT) OF THE GOODYEAR CODE OF ORDINANCES; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, 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. **DEVELOPMENT AGREEMENT FOR FULTON HOMES AT BALLPARK VILLAGE**

Director of Engineering Stephen Scinto provided a history of the ongoing development of Fulton Homes at Ballpark Village. He noted the terms included within Resolution 2023-2303, the most recent Development Reimbursement Agreement.

Chris Webb with Rose Law Group, on behalf of Fulton Homes, provided information regarding the timeline for development, which should begin by the end of the year.

MOTION BY Councilmember Bill Stipp, **SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2023-2302 APPROVING THE DEVELOPMENT AGREEMENT FOR FULTON HOMES AT BALLPARK VILLAGE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAID DEVELOPMENT AGREEMENT; PROVIDING AUTHORIZATION FOR FUTURE ACTIONS; AND PROVIDING FOR 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

13. **INTERGOVERNMENTAL AGREEMENT (IGA) WITH CITY OF GLENDALE FOR WEST VALLEY VETERAN'S COURT**

City Prosecutor Justin Atkinson introduced the Intergovernmental Agreement with the City of Glendale for participation in the West Valley Veteran's Court. Approval of the agreement allows the City to refer veterans' cases to the established veteran's court within the City of Glendale.

MOTION BY Councilmember Sheri Lauritano, **SECONDED BY Councilmember Brannon Hampton to APPROVE the Intergovernmental Agreement (IGA) with the City of Glendale and City of Goodyear, to allow for case referral of veteran defendants in the Goodyear Municipal Court into the Glendale Municipal Court, and for the qualified judicial officers of Judge of the Glendale Municipal Court to have authority to adjudicate cases referred to the West Valley Veterans Court.**

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 noted appreciation for streetlights and sign installation, the well-planned community events, and requested to be notified if there is communication regarding slow services within any department of the City.

Councilmember Stipp requested a work session for a discussion of the housing market and was supported by the Mayor to hold the session prior to the Council break.

City Manager Reed reported the success of the Hops n Hops event, with an estimated 8,000 guests, photo booths, crafts, inflatables, and 80,000 eggs.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

April 17, 2023	Council Meeting	5:00 p.m.

EXECUTIVE SESSION

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

14. 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 a development agreement with Globe Corp. related to a parking agreement/structure for the GSQ project.

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 ambulance service agreements with Maricopa Ambulance.

MOTION BY Vice Mayor Laura Kaino, **SECONDED BY Councilmember Sheri Lauritano** 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 moved into Executive Session at 6:56 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 7:35 p.m.

RECONVENING OF REGULAR MEETING

Mayor Pizzillo reconvened the Regular Meeting at 7:35 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 7:35 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 April 10, 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 #: 3.
DATE: 04/24/2023
AI #:1423

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR TACOS BARBON

STAFF PRESENTER(S): Darcie McCracken, City Clerk

OTHER PRESENTER(S):
Andrea Dahlman Lewkowitz, Agent

SUMMARY

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

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 236460, a request by Andrea Dahlman Lewkowitz, agent for Tacos Barbon for a new series 12 liquor license. Tacos Barbon is located at 1188 N. Dystart Rd., Goodyear, AZ 85395 (generally located N of McDowell Rd. and E of Dysart 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. Lewkowitz has applied for a new Series 12 liquor license for Tacos Barbon which is currently open for business.

The City Clerk's office received the application from the DLLC on March 27, 2023. A Public Notice was posted on the property on March 31, 2023, to comply with Arizona Revised Statues §4-201(b). No petitions or protests from qualified person 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 & 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 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 liquor 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. The registered premise manager has completed the training and other managers and employees will complete their training as well. A manager will be onsite during all business hours, and restaurant workers will ask for identification from 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 03/27/2023 @ 09:52:18 AM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	TACOS BARBON		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	1188 N DYSART ROAD GOODYEAR, AZ 85395 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)228-8070		
Alt. Phone:	(602)200-7222		
Email:	ANDREA@LEWKLAW.COM		

AGENT

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

OWNER

Name:	TACOS BARBON LLC
Contact Name:	ANDREA LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	23038391 State of Incorporation: AZ
Incorporation Date:	11/19/2019
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

Officers / Stockholders

Name:	Title:	% Interest:
ISAI HOYOS MARTINEZ	Member	50.00
CLAUDIA KARINA DOMINQUEZ CANO	Member	50.00

TACOS BARBON LLC - Member

Name:	CLAUDIA KARINA DOMINQUEZ CANO
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)359-3173
Alt. Phone:	
Email:	TACOSBARBON@OUTLOOK.COM

TACOS BARBON LLC - Member

Name:	ISAI HOYOS MARTINEZ
Gender:	Male
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)332-4548
Alt. Phone:	
Email:	TACOSBARBON@OUTLOOK.COM

APPLICATION INFORMATION

Application Number:	236460
Application Type:	New Application
Created Date:	03/09/2023

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?
   TERMINATION AND/OR OTHER MONETARY PENALTIES
4) Is the Business located within the incorporated limits of the city or town of which it is located?
   Yes
5) What is the total money borrowed for the business not including the lease?
   Please list each amount owed to lenders/individuals.
   $35,049.90 | TOYOTA FINANCIAL SERVICES, PO Box 22171 Tempe AZ 85285
   $14,277.00 (LOC) | MOUNTAIN AMERICA CREDIT UNION, 16326 W. Yuma Rd Goodyear, AZ 85338
6) Are there walk-up or drive-through windows on the premises?
   No
7) Does the establishment have a patio? 3/27/23
   ~~Yes~~ No. CA
   Is the patio contiguous or non-contiguous (within 30 feet)?
   ~~CONTIGUOUS~~ No Patio CA 3/27/23
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

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
MISCELLANEOUS	TB_Agt ADL (Ctzn).pdf	03/09/2023
QUESTIONNAIRE	TB_Agt ADL (Q).pdf	03/09/2023
RECORDS REQUIRED FOR AUDIT	TB_Audit.pdf	03/09/2023
INTERIM PERMIT (INP) NOTARY PAGE	TB_IP page (PENDING).pdf	03/09/2023
DIAGRAM/FLOOR PLAN	TB_diagram (PENDING).pdf	03/09/2023
MENU	TB_menus (PENDING Liquor).pdf	03/09/2023
RESTAURANT OPERATION PLAN	TB_ROP (PENDING).pdf	03/09/2023
	TB_IP (executed).pdf	03/24/2023
	TB_ROP.pdf	03/24/2023
	TB_menu.pdf	03/24/2023
	TB_CP Martinez (Q).pdf	03/24/2023
	TB_CP Dominguez (Q).pdf	03/24/2023

State of Arizona
Department of Liquor Licenses and Control

Created 03/27/2023 @ 09:52:27 AM

Local Governing Body Report

LICENSE

Number:	INP070022966	Type:	INP INTERIM PERMIT
Name:	TACOS BARBON		
State:	Active		
Issue Date:	03/27/2023	Expiration Date:	07/10/2023
Original Issue Date:	03/27/2023		
Location:	1188 N DYSART ROAD GOODYEAR, AZ 85395 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)228-8070		
Alt. Phone:	(602)200-7222		
Email:	ANDREA@LEWKLAW.COM		

AGENT

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

OWNER

Name:	TACOS BARBON LLC
Contact Name:	ANDREA LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
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Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

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Name:	Title:	% Interest:
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CLAUDIA KARINA DOMINQUEZ CANO	Member	50.00

TACOS BARBON LLC - Member

Name:	CLAUDIA KARINA DOMINQUEZ CANO
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)359-3173
Alt. Phone:	
Email:	TACOSBARBON@OUTLOOK.COM

TACOS BARBON LLC - Member

Name:	ISAI HOYOS MARTINEZ
Gender:	Male
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)332-4548
Alt. Phone:	
Email:	TACOSBARBON@OUTLOOK.COM

APPLICATION INFORMATION

Application Number: 238881
Application Type: New Application
Created Date: 03/27/2023

QUESTIONS & ANSWERS

INP Interim Permit

1) Enter License Number currently at location
   11077031
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.

'23 MAR 24 Liqr. Lic. PM 4:42

FOR DLLC USE ONLY

INP number:	INP0702966
Date Approved:	3/27/23
Expiration:	7/10/23
CSR:	CK
Fee: $100.00	✓

Interim Permit (INP) Notary Page

SECTION 5 page 2 of the license application

AMENDMENT

For approval of an interim permit:

- There **must** be a valid license of the same series issued to the current location you are applying for, **OR**
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S.§4-203.01(A)

1. Enter license number currently at the location: 11077031

2. Is the license currently in use? ☑ Yes ☐ No If no, how long has it been out of use? _____

I, (Print Full Name) KEVIN W MANSHIP hereby declare that I am the Individual, Owner, Agent, or Controlling Person on the stated license and location.

Signature: _____

State of Indiana

County of Johnson

Signed before me on this 16 day of March, 2023.

Notary Signature _____

My commission expires on 2/27/2028

Susan Elaine Stevenson
Notary Public Seal State of Indiana
Johnson County
Commission Number NP0725497
My Commission Expires 02/27/2028

Notary Seal

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

'23 MAR 13 Liqr. Lic. PM 3:18

Interim Permit (INP) Notary Page

FOR DLLC USE ONLY
INP number:
Date Approved:
Expiration:
CSR:
Fee: $100.00

SECTION 5 page 2 of the license application

For approval of an interim permit:

- There **must** be a valid license of the same series issued to the current location you are applying for, **OR**
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S.§4-203.01(A)

1. Enter license number currently at the location: 11077031

2. Is the license currently in use? ☑ Yes ☐ No If no, how long has it been out of use? _____

I, (Print Full Name) _____ hereby declare that I am the Individual, Owner, Agent, or Controlling Person on the stated license and location.

Signature: _____

State of _____

County of _____

Signed before me on this _____ day of _____, 20____.

Notary Signature _____

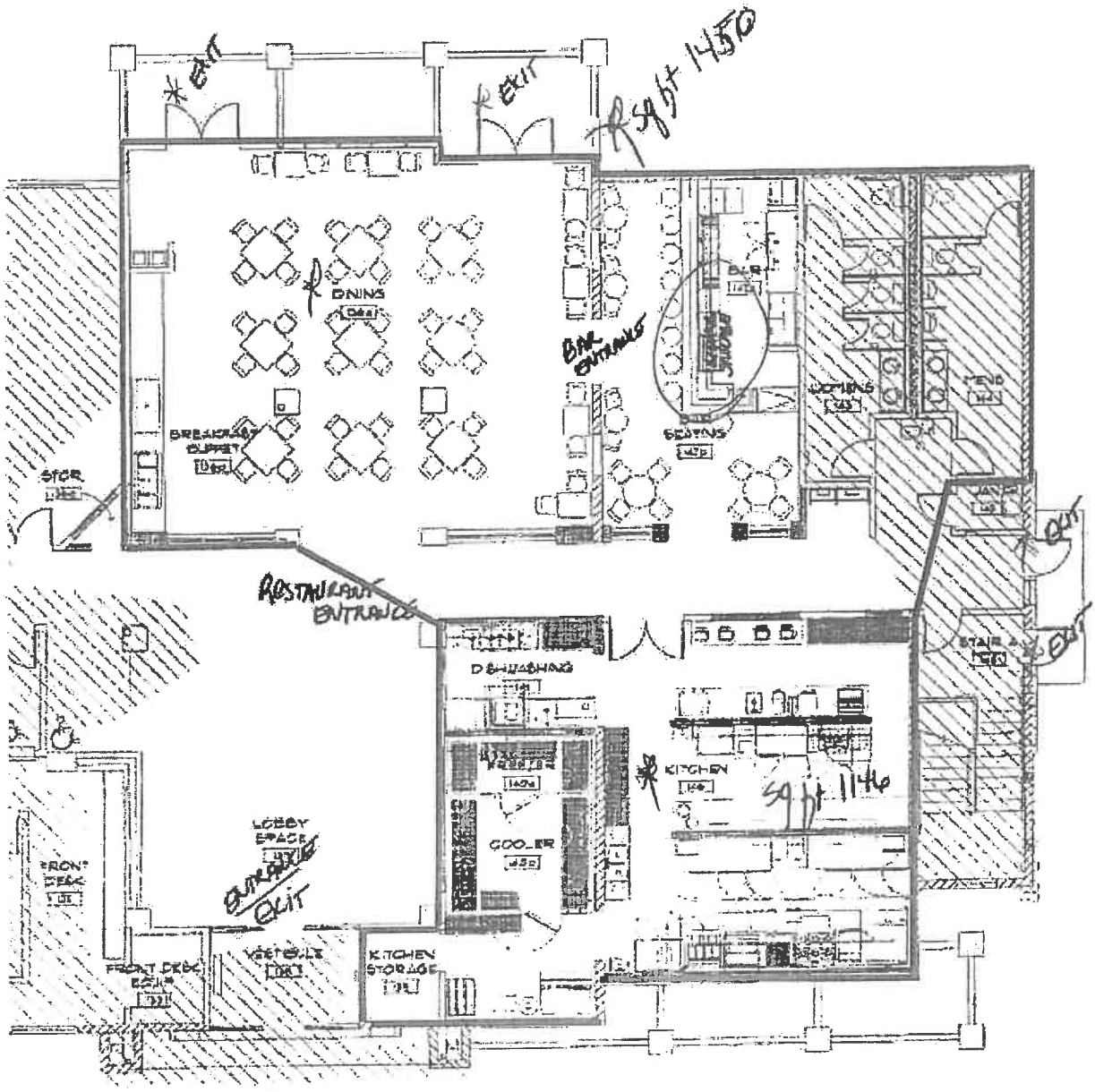
My commission expires on _____ /_____ /_____

Notary Seal

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

'23 MAR 27 Liq. Lic. AM 8:13

Tacos Barbon
1188 N. Dysart Road
Goodyear, AZ 85395
2,596 SF



#

'23 MAR 13 Liq. Lic. PM 3:18

Tacos Barbon
1188 N. Dysart Road
Goodyear, AZ 85395
_____SF
PENDING PREMISES DIAGRAM

'23 MAR 24 Liqr. Lic. PM 4:42

RESTAURANT/HOTEL/MOTEL OPERATION PLAN

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

AMENDMENT

1. Name of restaurant (Please print): TACOS BARBON

2. Must indicate the equipment below by Make, Model, and Capacity:

LIST ONLY THE FOLLOWING - NO ATTACHMENTS

Grill	GAS FRYER (Pitco) | GAS CHARBROILER (Motak) | GAS GRIDDLE (Motak)
Oven	STOVE/OVEN (SouthBend)
Freezer	PREP COOLER (Turbo Air)
Refrigerator	REACH-IN REFRIGERATOR (True)
Sink	HAND SINK
Dish Washing Facilities	N/A
Food Preparation Counter (Dimensions)	SANDWICH/SALAD FOOD PREP TABLES | STEAM TABLE (Duke)
Other	ICE MACHINE (Hoshizaki)

3. Attach a copy of your FULL menu with pricing **INCLUDING ALCOHOLIC BEVERAGES**

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

(Do not include kitchen, bar, hi-top tables, or game area.) 45 %

5. Does your restaurant have a bar area that is distinct and separate from the dining area? [X] YES [ ] No

(If yes, what percentage of the public floor space does this area cover?) 10 %

6. List the seating capacity for:

a) Restaurant dining area of your premises: [70]

(DO NOT INCLUDE PATIO SEATING)

b) Bar area [+ 22]

TOTAL [= 92]

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

'23 MAR 13 Liq. Lic. PM 3:18

RESTAURANT/HOTEL/MOTEL OPERATION PLAN

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

1. Name of restaurant (Please print): TACOS BARBON

2. Must indicate the equipment below by Make, Model, and Capacity:

LIST ONLY THE FOLLOWING - NO ATTACHMENTS

Grill	
Oven	
Freezer	
Refrigerator	
Sink	
Dish Washing Facilities	
Food Preparation Counter (Dimensions)	
Other	

3. Attach a copy of your FULL menu with pricing **INCLUDING ALCOHOLIC BEVERAGES**

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

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

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

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

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

a) Restaurant dining area of your premises: [70]

(DO NOT INCLUDE PATIO SEATING)
b) Bar area [+ 22]

TOTAL [= 92]

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

7. What type of dinnerware is primarily used in your restaurant? ☐ Reusable ☐ Disposable ☒ Both

8. Does your restaurant contain any **games, televisions, or any other entertainment?** ☒ YES ☐ No

If yes, specify what types and how many (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

5 TVs

9. Do you have live entertainment or dancing? ☒ YES ☐ No

If yes, what type and how often (example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

LIVE BAND (1-2x per month)

10. List number of employees for each position:

Position	How many
Cooks	8
Bartenders	3
Hostesses	2
Managers	2
Servers	10
Other (Dishwasher/Busser)	1
Other ( )	
Other ( )	

I, (Print Full Name) ANDREA DAHLMAN LEWKOWITZ, 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.

* Applicant Signature: _____

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

7. What type of dinnerware is primarily used in your restaurant? ☐ Reusable ☐ Disposable ☑ Both

'23 MAR 13 Liqr. Lic. PM 3:10

8. Does your restaurant contain any **games**, **televisions**, or **any other entertainment**? ☑ YES ☐ No

If yes, specify what types and how many (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

5 TVs

9. Do you have live entertainment or dancing? ☑ YES ☐ No

If yes, what type and how often (example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

Live band (1-2x per month)

10. List number of employees for each position:

Position	How many
Cooks	8
Bartenders	3
Hostesses	2
Managers	2
Servers	10
Other (DISHWASHER/BUSSER)	1
Other ( )	
Other ( )	

I, (Print Full Name) ANDREA DAHLMAN LEWKOWITZ **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.**

Applicant Signature: _____

'23 MAR 13 Liqr. Lic. PM 3:18

RECORDS REQUIRED FOR AUDIT

RESTAURANT/HOTEL/MOTEL

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

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

1. Name of restaurant (Please print): TACOS BARBON
2. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
3. A list of ***all*** food and liquor vendors
4. The restaurant menu used during the audit period
5. A price list for alcoholic beverages during the audit period
6. Mark-up figures on food and alcoholic products during the audit period
7. A recent, ***accurate*** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
8. Monthly Inventory Figures - beginning and ending figures for food and liquor
9. Chart of accounts (copy)
10. Financial Statements-Income Statements-Balance Sheets

11. **General Ledger**

A. Sales Journals/Monthly Sales Schedules

1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc with sales for that day)
2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
3) Dated Guest Checks
4) Coupons/Specials/Discounts
5) Any other evidence to support income from food and liquor sales

B. Cash Receipts/Disbursement Journals

1) Daily Bank Deposit Slips
2) Bank Statements and canceled checks

12 **Tax Records**

A. Transaction Privilege Sales, Use and Severance Tax Return (copies)

B. Income Tax Return - city, state and federal (copies)

C Any supporting books, records, schedules or documents used in preparation of tax returns

Individuals requiring ADA accommodations please call (602)542-2993

13. Payroll Records

'23 MAR 13 Liq. Lic. PM 3:18

A. Copies of all reports required by the State and Federal Government

B. Employee Log (A.R.S. §4-119)

C. Employee time cards (actual document used to sign in and out each work day)

D. Payroll records for all employees showing hours worked each week and hourly wages

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

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

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

C. All coupons/specials/discounts

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

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

A.R.S. §4-210(A)7

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

A.R.S. §4-205.02(G)

For the purpose of this section:

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

I, (Print Full Name) ANDREA DAHLMAN LEWKOWITZ 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.

Applicant Signature: _____

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

TACOS BARBON

BREAKFAST

BREAKFAST BURRITOS

EGG, CHEESE & POTATO 8.50
EGG & CHEESE W/ MEAT - *Choose Protein: Chorizo, Bacon or Sausage* 9.50
STEAK, EGG, CHEESE - *Carne asada* 10.50
BARBON BURRITO - *Ribeye Steak & eggs, cheese, pico & Fresh Guac* 14.50

TACOS

RIBEYE STEAK & EGGS 5.00
CARNE ASADA 4.00
BIRRIA 3.25
RED TACO, QUESABIRRIA - *Toasted Taco w/ slow braised Beef Birria & melted cheese* 4.25

DESAYUNOS

PLATO DE BIRRIA - *Bowl of Birria in Consome, served with garnish & tortillas on side* 12.00
CHILAQUILES - *Corn tortilla chips simmered in our house made sauce with melted cheese, 2 over medium eggs, topped with red onion, cilantro & drizzled with sour cream & cotija cheese* 14.00
SONORAN HUEVOS RANCHEROS - *2 over-medium eggs served over a fried tortilla w/ refried beans, & smothered in our house ranchero sauce, topped w/ cilantro, cotija & avocado slices* 10.50
EL CLASICO BREAKFAST - *2 eggs any style, choice of bacon or sausage, potatoes & toast* 11.00
SMASHED AVOCADO TOAST - *Toasted sourdough bread with avocado spread, lightly drizzled with olive oil, crushed red pepper & 1 over medium egg, topped with cotija cheese* 9.50
BARBON STEAK & EGGS - *8 oz sliced ribeye steak w/ chimichurri, 2 over medium eggs, potatos & toast* 28.00
CHORIZO CON HUEVO - *Beef Chorizo & scrambled egg served w/ potatoes, whole beans & tortillas* 12.00
FRENCH TOAST (2) - *Slices topped w/ fresh fruit & powdered sugar* 12.00
BREAKFAST QUESADILLA - *Flour tortilla filled w/ scrambled eggs, cheese & choice of protein: bacon, chorizo or sausage* 11.00
BIRRIA & EGGS BREAKFAST - *Our slow simmered shredded beef birria, eggs any style, ranchero beans & tortillas* 12.00

A LA CARTE

1 EGG - *Choose any style* 2.00
BACON SLICES (2) 4.00
SAUSAGE (2) 4.00
TOAST (2) *Choice of white, wheat, sourdough* 2.00
WHOLE OR REFRIED BEANS 2.25
BREAKFAST POTATOES 4.00
PICO DE GALLO 1.00
FRESH GUAC 6.00

BEBIDAS

FOUNTAIN DRINKS - *Coke Products*

3.00 KIDS' SIZE 2.25

ORANGE JUICE OR APPLE JUICE - 3.75

COFFEE - *Reg. or Decaf* 2.00

AGUAS FRESCAS

HORCHATA
Sweet Rice Milk Beverage

CUCUMBER-LIME REFRESHER
Cucumber Limeade Refresher

PINEAPPLE REFRESHER
Natural Pineapple Pulp

32OZ - 6.15 KIDS' SIZE 16OZ - 3.50

NOTE: 18% GRATUITY IS ADDED TO ALL PARTIES OF 6 OR MORE.

WWW.TACOSBARBON.COM 602.228.8070

TACOS BARBON MENU

PARA LA MESA

CHIPS	3.00
CHIPS & SALSA TATEMADA	6.00
CHIPS & FRESH GUAC	8.50
FRESH GUAC - *Avocado, red onion, tomato, jalapeno, cilantro*	6.00
SALSA TATEMADA - *Fire Roasted Salsa*	3.00
STUFFED JALAPEÑOS - *Roasted jalapenos stuffed with carne asada and cheese, pickled red onion, guac sauce drizzle*	10.00
RIBEYE CHICHARRONES - *Pan fried ribeye bites served over fresh guac*	11.00
BIRRIA NACHOS - *Tortilla chips smothered in nacho cheese, topped w/ our Beef Birria, garnished w/ red onion, cilantro, jalapeno slices, guac sauce & chipotle sauce drizzle*	16.00

A LA CARTE TACOS Y QUESADILLAS

RIBEYE - *Mesquite Grilled Premium Steak • Cooked to Order. Subject to Market Price*	5.25
CARNE ASADA - *Mesquite grilled skirt steak "Arrachera"*	4.00
AL PASTOR - *Marinated Pork, Adobada*	3.00
CHICKEN - *Mesquite Grilled Chicken*	3.00
BIRRIA - *Slow braised Beef birria, traditional style taco*	3.25
MINI-DILLA CHEESE ONLY - *2 Corn Tortillas w/ cheese*	3.75
MINI-DILLA W/ MEAT - *2 Corn Tortillas w/ cheese & choice of protein*	5.00
SONORAN QUESADILLA CHEESE ONLY - *14" Flour Tortilla w/ White Cheese*	8.50
SONORAN QUESADILLA W/ MEAT - *14" Flour Tortilla w/ White Cheese & choice of protein*	11.50

TACOS DE ESPECIALIDAD

RED TACO - *Red Taco, Quesabirria - Toasted Taco w/ slow braised Beef Birria & melted cheese*	4.25
BARBON STYLE - *Medium Ribeye Taco w/ Chimichurri Sauce. Subject to Market Price*	5.50
SONORAN TACO - *Carne Asada on Flour Tortilla w/ Cabbage, Pico, Pickled Red Onion & Guac*	5.25
BARBONCITO - *Our version of the "Vampiro" grilled corn tortilla, refried beans, melted cheese, choice of protein, onion, cilantro, guac. Note: Vegetarian & Vegan option available*	4.25
TA-KETO STYLE - *Go Ta-Keto Style by substituting your tortilla for a toasted cheese shell*	+1.25
TOASTED POTATO TACO - *Potato mash & melted Cheese Topped w/ Pickled Red Onion, Red Cabbage, Cotija Cheese. "Note: Vegan Option Available"*	3.00
RIBEYE CHICHARRON TACO - *Pan fried ribeye bites served on a corn tortilla w/ fresh guac, pickled onion & cotija*	3.00

A LA CARTE

CONSOME - *Slow Braised Beef Broth*	2.00
CONSOME W/ MEAT - *Slow Braised Beef Birria in Consome Broth*	2.75
SPANISH RICE	2.25

RANCHERO BEANS - *Our Signature Whole Beans slow Cooked w/ Sautéed Vegetables & Spices* **2.25**

FRESH CHIMICHURRI - *Mixture of fresh herbs & spices* **1.50**

THE TWIST - *Pickled Red Onion, Habanero* **0.75**

GUAC SUACE - *Our house made Guac sauce* **0.75**

CHILES TOREADOS - *Roasted Yellow Peppers in chili lime soy sauce* **3.25**

PLATOS DE CASA

PLATO DE BIRRIA – *Slow braised beef birria served in a large consome filled bowl, pickled red onion, cilantro & tortillas on the side* **12.00**

RED TACO PLATTER – *3 Quesabirria tacos & consome broth, garnish on side* **14.50**

BARBON PLATTER – *A sampling of our specialty tacos & sauces: Barbon Style, Red Taco, Sonoran Taco, Barboncito, salsa tatemada, the twist "Note: no modifications or substitutions."* **21.00**

PROTEIN BOWL - *Choice of chicken, pastor or birria, rice, beans, pico de gallo, red cabbage, cilantro, fresh guac, side of sour cream* **10.50**

TOMAHAWK PLATTER – *40oz Prime Grade Ribeye steak, ranchero beans, chimichurri, fresh guac, pico de gallo, tortillas (serves 2-3)* **130.00**

CARNE ASADA FRIES – *French Fries smothered in nacho cheese, topped w/ our skirt steak carne asada, garnished w/ onion, cilantro, pico, guac sauce & chipotle sauce drizzle, cotija cheese* **17.00**

EL RIB EYE – *12oz Ribeye steak, ranchero beans, grilled quesadilla, roasted onion & peppers, chimichurri, salsa tatemada, tortillas* **35.00**

LA PARILLADA – *Sliced Ribeye, Skirt steak carne asada, grilled chicken, ranchero beans, grilled quesadilla, roasted onion & peppers, chimichurri, salsa tatemada, tortillas (serves 2-3)* **60.00**

CHILE RELLENO – *Cheese stuffed poblano pepper lightly battered & fried & smothered in our ranchero sauce, Spanish rice, ranchero beans, tortillas* **13.50**

POSTRE

CHURROS - *Served w/ condensed milk (Lechera) or chocolate syrup drizzle* **5.00**

CHURROS & VANILLA ICE CREAM **8.00**

BUÑUELOS – *Lightly fried tortilla dusted w/ cinnamon & sugar, served with our house made piloncillo syrup* **7.00**

BUÑUELOS & VANILLA ICE CREAM **10.00**

VANILLA ICE CREAM **3.00**

BEBIDAS

FOUNTAIN DRINKS - *Coke Products (Coke, Diet Coke, Sprite, Orange Fanta, Dr. Pepper, Lemonade)* — FREE REFILLS **3.00**

KIDS FOUNTAIN DRINK — FREE REFILLS **2.25**

BOTTLED MEXICAN COKE — MEDIO LITRO **3.50**

TOPO CHICO MINERAL WATER — 12FL OZ **3.00**

AGUAS FRESCAS

HORCHATA
Sweet Rice Milk Beverage

CUCUMBER-LIME REFRESHER
Cucumber Limeade Refresher

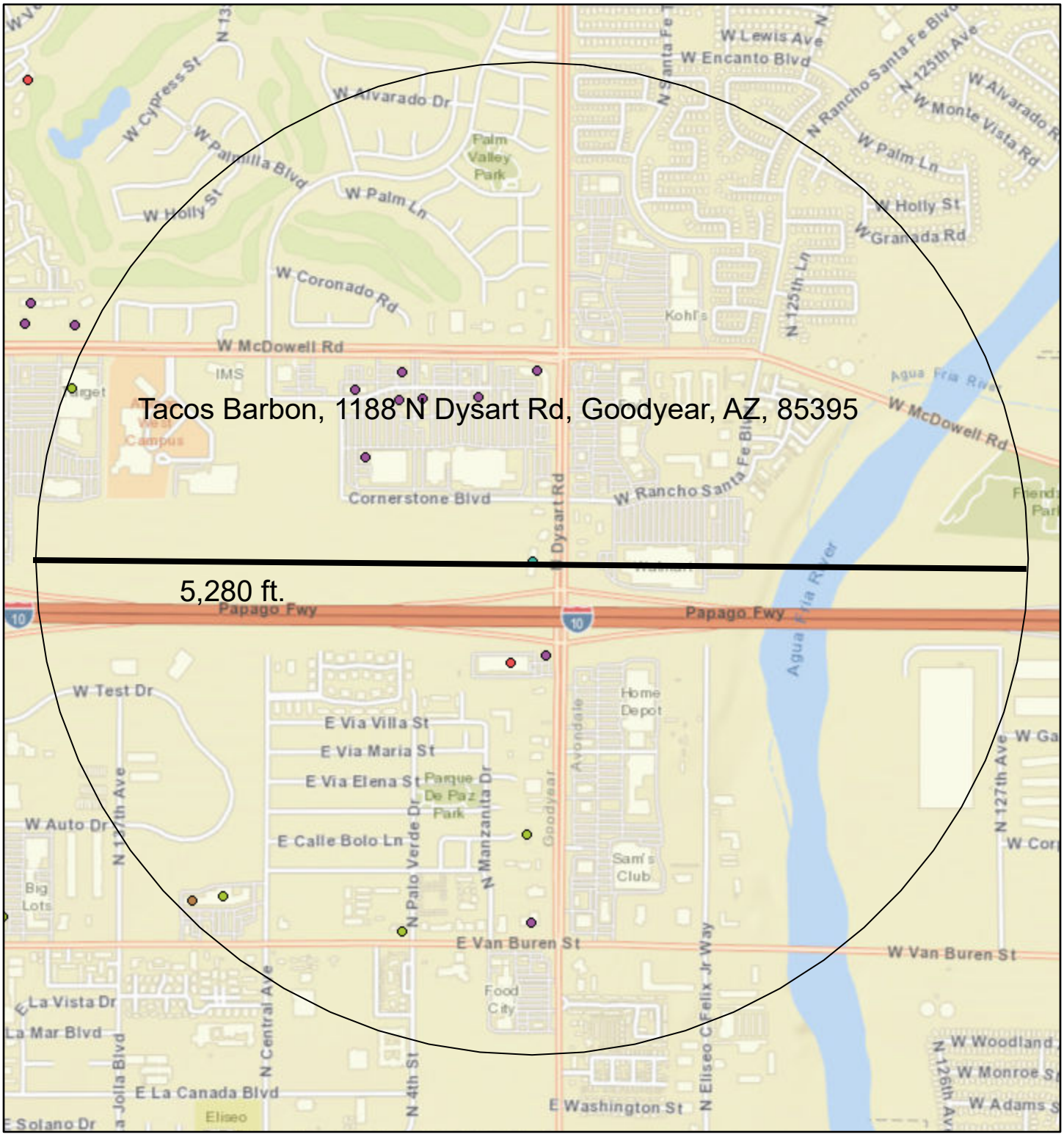
PINEAPPLE REFRESHER
Natural Pineapple Pulp

32OZ - **6.15** KIDS' SIZE 16OZ - **3.50**

NOTE: 18% GRATUITY IS ADDED TO ALL PARTIES OF 6 OR MORE.

WWW.TACOSBARBON.COM **602.228.8070**

Liquor License Evaluation - Tacos Barbon



3/31/2023, 3:26:15 PM

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October 2022 Liquor Licenses

- Bar
- Beer and Wine Store
- Hotel / Motel
- Restaurant
- Unlicensed

PHX GIS, 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 – Tacos Barbon

Applicant Address: 1188 N Dysart Rd, Goodyear AZ 85395

Business Name	Address	Distance from Applicant Address	License Series
Liquor Establishments			
Black Bear Diner	980 Dysart RD	1,001.3 ft	12
CrossRDs Lounge	950 N Dysart RD	1,096.54 ft	6
Nakama Sushi Restaurant & Lounge	13215 W McDowell RD	1,859.87 ft	12
Tomo Japanese Cuisine	1550 N Dysart RD	2,041.35 ft	12
Dino's Greek & Italian Grill	1550 N Dysart RD	2,041.35 ft	12
Ocho Rios Jerk Spot	13291 W McDowell RD	2,107.32 ft	12
Chuck E Cheese #202	13371 W McDowell RD	2,119.13 ft	12
Manuels Mexican Food Restaurant	13319 W McDowell RD	2,245.19 ft	12
Buffalo Wild Wings	13311 W McDowell RD	2,468.61 ft	12
Booty's Wings Burgers & Beer	13375 W McDowell RD	2,639.72 ft	12
QuickTrip	550 N Dysart RD	2,908.29 ft	10
Mariscos Camaron	350 N Dysart RD	3,845.22 ft	12
Goodyear Food Store	13310 W Van Buren ST	4,180.06 ft	10
99 Cents Only Store #231	13540 W Van Buren ST	4,862.15 ft	10
Edge Barber Shop	13560 W Van Buren ST	5,124.8 ft	UNL
Target #1242	1515 N Litchfield RD	5,265.09 ft	10

Schools			
E-Institute at Avondale	1435 N Eliseo Felix Jr Way	5,030.47 ft	

Series Legend:

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

ITEM #: 4.
DATE: 04/24/2023
AI #:1436

CITY COUNCIL ACTION REPORT

SUBJECT: EXPENDITURE APPROVAL FOR JAIL SERVICES FOR THE POLICE DEPARTMENT AND RELATED BUDGET TRANSFER

STAFF PRESENTER(S): Santiago Rodriguez, Chief of Police

SUMMARY

The police department is requesting to increase expenditure approval from $435,000 to $720,000 for fiscal year 2023 due to an increase in Maricopa County jail service fees. The department is also requesting approval for the transfer of $180,200 from the city's contingency fund to cover a portion of the increase.

STRATEGIC PLAN ALIGNMENT

Fiscal Resource Management

RECOMMENDATION

Approve the expenditure of an additional $285,000 for jail services for a total of $720,000 in expenditures for FY2023, and approve the transfer of $180,200 from contingencies to pay for jail services through the end of the fiscal year. (Santiago Rodriguez, Chief of Police)

FISCAL IMPACT

The department was funded for jail services in the FY2023 police operating budget in the amount of $435,000. The current request expands expenditure authorization to $720,000 as a result of the increased cost of jail bookings and housing. The department will absorb $63,000 of the increased costs. The department is requesting a transfer from contingency to cover the remaining $180,200. The FY2024 City Manager's Recommended Budget includes increased allocation of funds to meet this cost on an ongoing basis.

BACKGROUND AND PREVIOUS ACTIONS

On June 6, 2022, Council approved the FY2023 final budget and tax levy, which included expenditure authority within the Police Department operating budget in the amount of $435,000 to pay for jail services. The current request increases the budget and expands expenditure authorization to $720,000 as a result of the increased cost of jail services. This estimate will provide capacity to pay for all jail services through Maricopa County through the end of FY2023 with adjustments having been made in the FY2024 budget to address the increased costs.

STAFF ANALYSIS

The cost for jail services has increased dramatically for all police agencies in Maricopa County due to increased costs for technology infrastructure, new facilities, existing facility maintenance, and staffing. The increase in management and operating costs is combined with the loss of federal CARES Act credits, and increased numbers of arrests across the Maricopa County jail system since the end of the COVID-19 pandemic. These combined increases have impacted the contracted cost we pay for booking and housing fees. The department has reviewed it's remaining operating budget and was able to absorb $63,000 without impacting departmental contracts or planned purchases. The additional $180,200 is needed to adequately fund jail services for the remainder of FY2023.

ITEM #: 5.
DATE: 04/24/2023
AI #:1403

CITY COUNCIL ACTION REPORT

SUBJECT: USE PERMIT FOR A CONVENIENCE USE (CIRCLE K CONVENIENCE STORE WITH A GAS STATION)

STAFF PRESENTER(S): Guadalupe Ortiz Cortez, Planner

OTHER PRESENTER(S):

Jodi Hamill, Land Development Consultants LLC

SUMMARY

A Use Permit request for a Convenience Use (Circle K convenience store with a gas station) proposed on an approximately 4.3-acre parcel located at the southwest corner of West Indian School Road and North 166th Avenue. The property is zoned Planned Area Development with underlying C-2 (General Commercial) designation, within the PV303 Planned Area Developed (PAD).

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

Approve a Use Permit request for a Convenience Use (Circle K convenience store with a gas station) on Parcel 4 and portions of Parcel 6 of the final plat of the PV303 East II Phase 1 recorded on February 16, 2018 in the official records of Maricopa County at Book 1370 of Maps Page 10 (Instrument 20180122777) (the “Property”) subject to stipulations. (Guadalupe Ortiz Cortez, Planner)

STIPULATIONS

1. All future development on Parcel 4 and portions of Parcel 6 of the final plat of the PV303 East II Phase 1 recorded on February 16, 2018 in the official records of Maricopa County at Book 1370 of Maps Page 10 (Instrument 20180122777) (the “Property”) will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;

2. The convenience use permitted herein shall be developed in conformance with the attached Circle K Site Plan, the Circle K Landscape Plans, the Circle K Conceptual Building Elevations – Color, the Circle K Conceptual Fuel Canopy Elevations – Color, and the Circle K Conceptual High Speed Diesel Elevations attached hereto. Any changes to the improvements, as shown on the attached plans, may require an amendment to the use permit as determined by the Development Services Director or designee;

3. No building permits shall be issued for development of the convenience use permitted herein until a replat is recorded that creates one lot for the approximate 4.3 acre parcel upon which the convenience use is to be developed;

4. Signage is not approved with the approval of this Use Permit. All signage on the Property shall comply with Article 7 (Sign Regulations) of the City of Goodyear Zoning Ordinance;

5. The Property shall conform to the standards designated for Lighting Zone 2 as established in Article 10, Outdoor Lighting Standards, of the City of Goodyear Zoning Ordinance; and

6. In addition to compliance with the stipulations and conditions of approval set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the city of Goodyear subdivision regulations, the city of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to 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 subject property is located within the PV303 Planned Area Development and has an underlying C-2 (General Commercial) designation. The PAD zoning was approved by City Council on June 27, 2018 with the adoption of Ordinance 2018-1391.

A Master Site Plan for the Triangle at PV303 was administratively approved by staff on February 24, 2023.

A replat of a portion of the Final Plat of PV303 East II Phase 1 encompassing the Property is in review. The replat will the reconfigure boundaries for Parcels 4, 5, 6, and 7 of the Final Plat of PV303 East II Phase 1 into 5 total lots. The PV303 East II Phase 1 was approved by City Council on November 20, 2017. If the replat is approved, the 4.3-acre subject property will be located wholly on Lot 1 of the newly created plat.

To expedite development requiring a Use Permit or Special Use Permit, staff implemented a process pursuant to which the use permit and site plan submittals are reviewed and completed concurrently. Prior to bringing a Use Permit or Special Use Permit before Council, the site

plan, including the supporting documents are approved pending Council's approval of the Use Permit or Special Use Permit as applicable. In this case, staff has approved, subject to Council's approval of the requested Use Permit, the site plan submittal for the development of the Property, including, but not limited to the Site Plan and the Rendered Exterior Elevations for Circle K, copies of which are attached hereto.
This Planning and Zoning Commission considered this item at their regular meeting held on April 12, 2023. Commissioners voted unanimously (6-0) to forward a recommendation of approval to the City Council.

STAFF ANALYSIS

Current Policy

A Use Permit requires review by the Planning and Zoning Commission and approval by the City Council following required public hearings. The process for the review of a Use Permit is set forth in section 1-3-2 of the Goodyear Zoning Ordinance and in the City of Goodyear Administrative Process Manual.

Details of the Request

The applicant is requesting approval of a Use Permit to facilitate the development of a Circle K convenience store with a gas station on a property within the PV303 PAD with underlying C-2 (General Commercial) zoning. The property is located at the southeast corner of North 166th Avenue and West Indian School Road and is within a commercial center known as The Triangle at PV303.
The Circle K Site Plan includes an approximately 5,200 square-foot convenience store with a 4,608 square-foot fuel canopy area, providing 7 gasoline fueling stations and a 1,680 square-foot diesel canopy area, providing 4 diesel fueling stations. The applicant will be providing a trellis and outdoor patio tables on the northwest side of the proposed building for customers.
The property will be accessible from N 166th Avenue and W Indian School Road. On-site parking, as reflected in the Site Plan, conforms with applicable city standards. The applicant is also providing 7 semi-truck parking spaces for truck drivers who want to fuel their truck and shop at the convenience store.
As shown on the proposed building elevations submitted with the Use Permit, the design for the building will utilize the materials and colors approved for the Triangle at PV303 Master Site Plan.

Evaluation Criteria

Section 1-3-2 (Use Permits) of the Zoning Ordinance requires that the Planning and Zoning Commission and City Council determine that the proposed use meets the following findings prior to granting a Use Permit:

1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare;
As described in the materials provided with the use permit, the proposed use should not generate excessive odors, noise or light to the detriment of the surrounding area. Traffic impacts have been reviewed and determined to be in conformance with the roadway capacity and improvements for this area. The nearest residence is approximately 550 feet east of the subject property. Within those ±550 feet there is RV parking and future pickleball courts for the Pebblecreek community. The location of the diesel fueling stations and semi-truck parking to the nearest residential property line is approximately ±650. Given the large separation, it is anticipated that the operation of the Convenience Use, including the proposed 24-hour operation of the use, will not have any detrimental effect on this residential development.

2. The proposed use is reasonably compatible with uses permitted in the surrounding area;
The proposed use is located within a commercial center intended for similar commercial uses. Furthermore, the proposed use is located within close proximity to the W Indian School Road and Arizona State Route 303 Loop access ramps. As such, the proposed use will be compatible with the existing and planned uses in the surrounding area in terms of hours of operation, traffic generation, and intensity (noise, light, etc.). The nearest residential development to the Property is PebbleCreek, which is to the east of the Circle K Property. The Circle K property line is located ±550 feet to the west of the PebbleCreek community. An existing RV parking lot is located between the Circle K Property and the closest residential lot within PebbleCreek and this area has been approved for the development of pickleball courts. Given the property's proximity to a freeway and the large separations from the residential uses, the proposed Convenience Use is appropriate for the property.

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.
The approximately 4.3-acre parcel is of sufficient size and configuration to accommodate the proposed convenience store and fueling stations. The proposed access and internal traffic circulation pattern have been designed to be consistent with the Master Site Plan.

2. Compatibility of the proposed hours of operation with adjacent residential areas.
Circle K is proposing 24 hours operations, seven days a week. Given the proposed use's location within a proposed commercial center and the large separation (±550 feet) to residential neighborhoods, staff does not recommend any restrictions on hours of operation.

3. Required traffic mitigation measures, if any.
A traffic study was submitted with the application for Use Permit. Ingress/egress will be provided from N 166th Avenue and W Indian School Road. The traffic study for the site has been approved by the Engineering Department.
Off-site street and access improvements adjacent to the commercial center will be completed by the master developer as approved within the Master Site Plan.

4. Other concerns, which may place the advisability of the proposed convenience use in question.
Staff has found no additional concerns with the development of a Convenience Use on the Property.

Luke Air Force Base
The subject property is located within the 65 DNL zone of Luke Air Force Base. Luke Air Force Base was contacted about this project and advised there were no objection to the proposed development as the base operations will not be adversely impacted by this development.

Fire Department:

Emergency response times and distances are provided below:

Nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles
#185	3.01	1.50	3.01	1.50

2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles
#183	7.31	3.66	7.31	3.66

Public Participation:

In accordance with the city's Citizen Review Ordinance, an alternative notification process was used for the use permit request. A formal citizen review meeting was not involved; however, a notice was mailed to all property owners within 500 feet of the Property. From this notification, staff received an email from a resident inquiring about the truck fueling station and expressed concerns that the proposal was for a truck stop. Staff responded to the inquiry and clarified the proposal does not include a truck car wash, showers, a lounge or similar amenities typically provided at a truck stop. The applicant also reached out to the resident. Notice for the public hearings before the Planning and Zoning Commission and City Council on April 12 and April 24, respectively, included the following: a notice mailed to surrounding property owners; a sign posted on the property; and a legal notice published in the Arizona Republic, Southwest Edition on March 24, 2023. The Planning and Zoning Commission considered this item at their regular meeting on April 12, 2023.

After finalization of Planning and Zoning Commission staff report, staff received two emails. The first email was from the executive director of Refinery Christian Church, who expressed concern over the existing truck traffic on 166th Avenue. Semi-trucks have been entering 166th Avenue in error and using the church property to turn around. The executive director of Refinery Christian Church expressed concerned with the proposed use exacerbating the issue. The second email staff received was from a Pebblecreek resident expressing concern with potential noise from semi-trucks traveling into the Pebblecreek neighborhood and requested that a 10-foot tall sound wall be constructed between the Circle K and Pebblecreek property. The e-mails were discussed during staff's presentation.

Upon conclusion of the staff presentation, commissioners asked staff if staff received any concerns on lighting. Staff responded that we did not receive any concerns specific to lighting, however, the applicant is subject to lighting standards established in the Zoning Ordinance and standards require full-cut-off lighting. The commissioners also asked staff about the zoning and future use of the land between the Property and the residential homes. Staff advised that the zoning is PAD and a portion of the property is currently being used for RV Parking and a permit has been approved for the development of pickleball courts within another portion of the property. Following staff's presentation, the applicant's representative addressed the concerns that had been raised by the residents and the Refinery Christian Church director.

Although not a condition created by the proposed Circle K, the applicant noted that trucks turning onto 166th Avenue in error would have the opportunity to turn around within Circle K property before reaching the church, and that the existence of the Circle K could actually mitigate the use of church property when semi-trucks turn onto 166th Avenue in error.

In addressing the concern about an increase in truck traffic onto 166th Avenue, the applicant stated that they expected only 25% of the traffic entering into the Circle K to enter from 166th Avenue and that Circle K would be providing directional signage at all entrances to the Circle K that will guide all traffic north to Indian School Road. The applicant's representative stated that Circle K did not intend to allow overnight parking on the site, and it's not to be developed with the amenities typical of truck stops such as lounges and showers. The limited number of parking spaces provided that could accommodate semi-trucks with trailers (7) are intended to allow semi-truck drivers to park and get a snack or food from Circle K or one of the adjacent

restaurants that will be developed adjacent to the Circle K Property.
The applicant's representative stated that the applicant did not believe a sound wall was necessary because of the distance between the Circle K Property and the nearest residential neighborhood (PebbleCreek).
Following the applicant's presentation, the commission asked the applicant's representative about the noise that occurs after air breaks are released. The applicant's representative indicated that this noise depends on the load that the truck is carrying and that is not consistent.
At the conclusion of staff and applicant presentations, Commissioners unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition to the item voiced at the hearing.

STAFF FINDINGS:
As outlined herein, staff finds the proposed request for Use Permit to not be materially detrimental to persons residing or working in the vicinity adjacent to the Property, to the neighborhood, or to the public welfare and that the proposed use is reasonably compatible with uses permitted in the surrounding area. Staff further finds the request for Use Permit will meet the additional evaluation criteria for convenience uses as established in Section 4-2-2 of the Zoning Ordinance.

Attachments

Aerial Photo
Project Narrative
Site Plan
Landscape Plan
Building Elevations
Emails from residents and church
Applicant memo in response to residents and church concerns
Applicant Presentation
Staff Presentation

Circle K at The Triangle
South of W Indian School Road
East of N 166th Avenue

Circle K at The Triangle - Use Permit 21-300-00011

LAND DEVELOPMENT
CONSULTANTS, LLC

Project Narrative

Circle K Store @ The Triangle at PV303
SEC of 166th Ave and Indian School Road
Goodyear, Arizona

The property for the proposed new construction of a Circle K convenience store is located at the southeast corner of 166th Avenue and W Indian School Road as shown in the aerial photo below and more specifically identified as APN #501-02-929 and a portion of APN 501-02-931. The property is designated for Business & Commerce Land Use and is currently zoned General Commercial (C-2).

Project Description

The proposed Circle K project will consist of approximately 4.3 acres of the 7.9-acre development, The Triangle at PV303. This project will be constructed as a separate phase from other proposed improvements in The Triangle at PV303.

The proposed Circle K project will include the construction of a new 5,200 square foot retail building and a 4,608 square foot canopy providing 7 fuel pumps, plus a separate 1,680 square foot diesel fueling island canopy providing 4 high-speed diesel pumps. This Circle K will be operated 24 hours per day, 7 days a week. The store will be staffed with approximately 3 to 8 employees depending on the shift.

The parking lots will provide ample room for customer parking and vehicle maneuvering and the development will be well landscaped. Access to the Circle K store will be provided by the proposed shared driveway on 166th Avenue, plus additional driveways to the store with one driveway on 166th Avenue and one driveway on Indian School Road, and an additional exit only driveway from the high-speed diesel island area. The

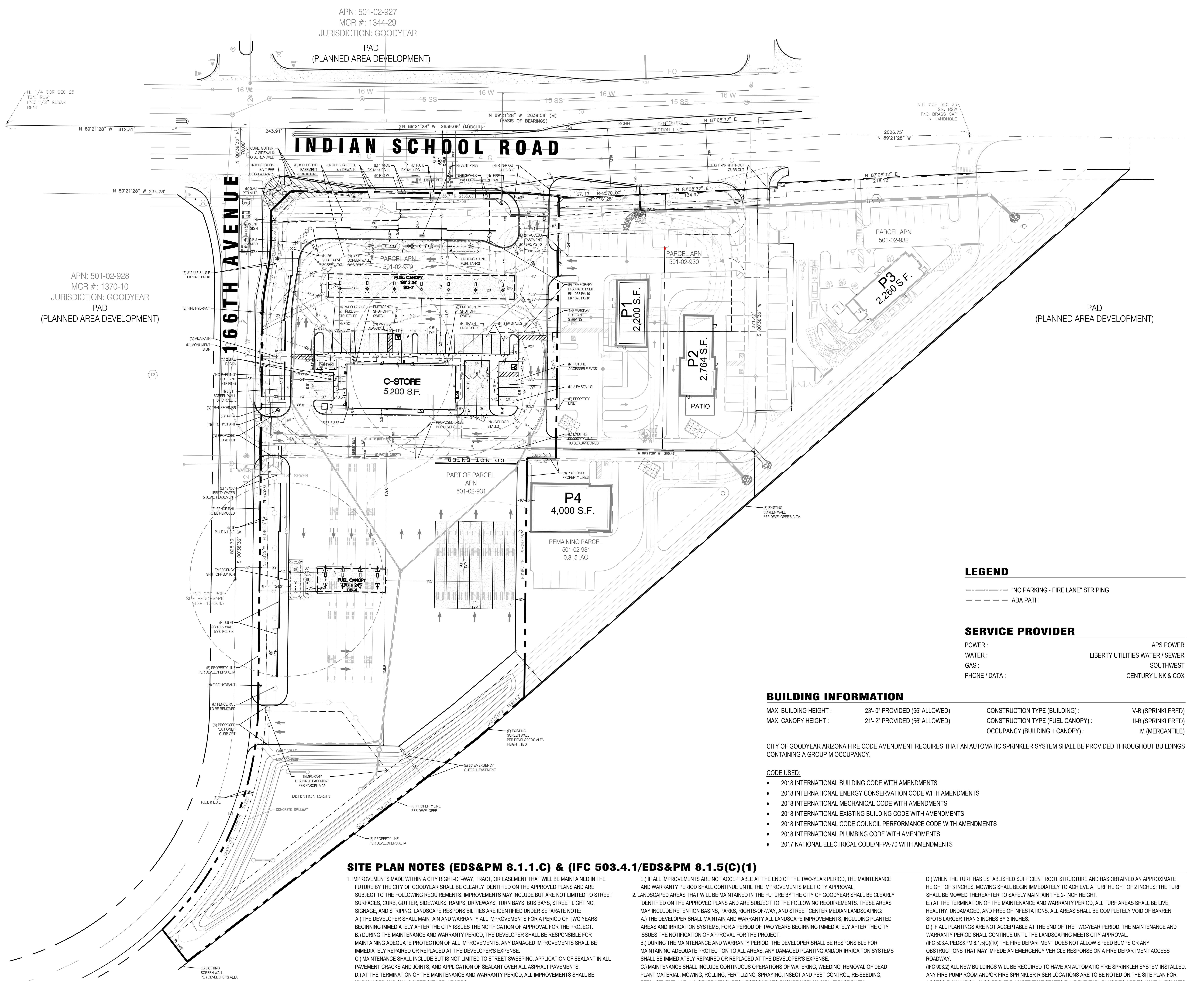
As this well-traveled intersection adjacent to Loop 303 is not currently serviced by similar facilities, the proposed convenience store and fuel facilities will be a commercial/retail use which will provide desirable goods and services to meet the needs of existing Residential and Employment neighborhoods in the area as well as the other travelling public. A site wall will be provided along both the Indian School Road and 166th Avenue frontages to prevent headlight glare from imposing onto adjacent properties. The wall along with abundant landscape plant materials provided will also help to dampen noise.

The architectural design of the building and fuel canopies provide for extensive horizontal and vertical articulation of the wall and roof planes. The architectural design of the structures is consistent with those proposed in the material palette for The Triangle at PV303, featuring industrial grey tones and incorporate a variety of materials, including wall panels, natural stone, and metal window and doors frames. Similarly, the fuel canopies incorporate the same colors and materials to provide a consistent architectural theme throughout the project.

CIRCLE K STORE
SITE PLAN

SEC INDIAN SCHOOL ROAD & 166TH AVENUE, GOODYEAR, AZ

OF PARCEL 4, PV303 EAST II PHASE I, ACCORDING TO BOOK 1370 OF MAPS, PAGE 10, LOCATED IN A PORTION OF THE N.E 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



LEGEND

— · — · —	"NO PARKING - FIRE LANE" STRIPING
— — — —	ADA PATH

SERVICE PROVIDER

POWER :	APS POWER
WATER :	LIBERTY UTILITIES WATER / SEWER
GAS :	SOUTHWEST
PHONE / DATA :	CENTURY LINK & COX

BUILDING INFORMATION

MAX. BUILDING HEIGHT :	23'- 0" PROVIDED (56' ALLOWED)	CONSTRUCTION TYPE (BUILDING) :	V-B (SPRINKLERED)
MAX. CANOPY HEIGHT :	21'- 2" PROVIDED (56' ALLOWED)	CONSTRUCTION TYPE (FUEL CANOPY) :	II-B (SPRINKLERED)
		OCCUPANCY (BUILDING + CANOPY) :	M (MERCANTILE)

CITY OF GOODYEAR ARIZONA FIRE CODE AMENDMENT REQUIRES THAT AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT BUILDINGS CONTAINING A GROUP M OCCUPANCY.

CODE USED:

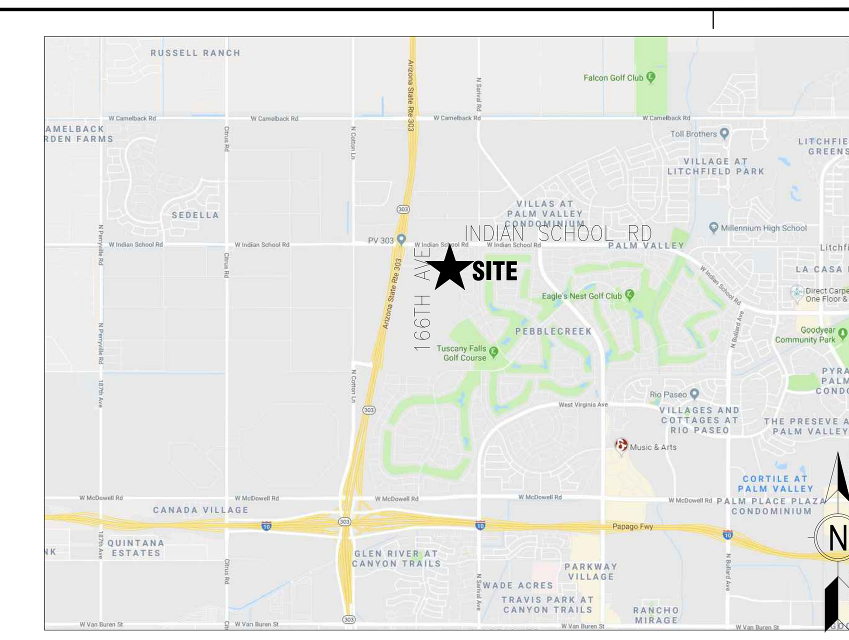
- 2018 INTERNATIONAL BUILDING CODE WITH AMENDMENTS
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH AMENDMENTS
- 2018 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS
- 2018 INTERNATIONAL EXISTING BUILDING CODE WITH AMENDMENTS
- 2018 INTERNATIONAL CODE COUNCIL PERFORMANCE CODE WITH AMENDMENTS
- 2018 INTERNATIONAL PLUMBING CODE WITH AMENDMENTS
- 2017 NATIONAL ELECTRICAL CODE/NFPA-70 WITH AMENDMENTS

SITE PLAN NOTES (EDS&PM 8.1.1.C) & (IFC 503.4.1/EDS&PM 8.1.5(C)(1)

1. 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, CURB, GUTTER, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STRIPING. LANDSCAPE RESPONSIBILITIES ARE IDENTIFIED UNDER SEPARATE NOTE:
   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 OF ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENTS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   C.) MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF SEALANT IN ALL PAVEMENT CRACKS AND JOINTS, AND APPLICATION OF 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 PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
2. 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 LANDSCAPE IMPROVEMENTS, INCLUDING PLANTED AREAS AND 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 NORMAL HEALTHY GROWTH.
   D.) WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES; THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2- INCH HEIGHT.
   E.) AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL TURF AREAS 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.
   D.) 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.

(IFC 503.4.1/EDS&PM 8.1.5(C)(10) THE FIRE DEPARTMENT DOES NOT ALLOW SPEED BUMPS OR ANY OBSTRUCTIONS THAT MAY IMPEDE AN EMERGENCY VEHICLE RESPONSE ON A FIRE DEPARTMENT ACCESS ROADWAY.

(IFC 903.2) ALL NEW BUILDINGS WILL BE REQUIRED TO HAVE AN AUTOMATIC FIRE SPRINKLER SYSTEM INSTALLED. ANY FIRE PUMP ROOM AND/OR FIRE SPRINKLER RISER LOCATIONS ARE TO BE NOTED ON THE SITE PLAN FOR ACCESS EVALUATION. ALSO PROVIDE A NOTE THAT STATES THAT THE FUEL CANOPIES ARE TO HAVE AUTOMATIC FIRE SPRINKLER COVERAGE.



VICINITY MAP

OWNER:

CIRCLE K STORES INC.
1120 WEST WARNER ROAD
TEMPE, ARIZONA 85284

OWNER REPRESENTATIVE:

LAND DEVELOPMENT CONSULTANTS, LLC
11811 N. TATUM BLVD. #1051
PHOENIX, ARIZONA 85028
PHONE: (602) 850-8101
FAX: (602) 997-9807
CONTACT: MIKE SCARBROUGH

ARCHITECT :

GREENBERG FARROW
30 EXECUTIVE PARK, SUITE 100
IRVINE, CA 92614
PHONE: (949) 296-0450
FAX: (949) 296-0479
CONTACT: DOUG COUPER

SURVEYOR:

23025 N. 15TH AVE #208
PHOENIX, ARIZONA 85050
PHONE: (602) 499-4104
CONTACT: JEFFREY BAUER

ENGINEER:

3240 E. UNION HILLS DR. #113
PHOENIX, ARIZONA 85050
PHONE: (602) 757-8016
CONTACT: STEVE BOWSER

PROJECT INFORMATION

PROJECT NAME:	CIRCLE K CONVENIENCE STORE
PROJECT ADDRESS:	SEC INDIAN SCHOOL RD & 166TH AVE, GOODYEAR, AZ
PROJECT DESCRIPTION:	PROPOSAL FOR A NEW CONVENIENCE STORE WITH ASSOCIATED FUEL SALES CONSISTING OF A 5,200 S.F. CONVENIENCE STORE, A FUEL CANOPY WITH 7 FUEL PUMPS, AND A HIGH SPEED DIESEL CANOPY WITH 4 PUMPS.

ZONING INFORMATION

JURISDICTION:	CITY OF GOODYEAR, AZ
EXISTING ZONING:	PAD (PLANNED AREA DEVELOPMENT) UNDERLYING C-2 (GENERAL COMMERCIAL)
PROPOSING ZONING:	PAD (PLANNED AREA DEVELOPMENT) UNDERLYING C-2 (GENERAL COMMERCIAL)
EXISTING LIGHT ZONE:	ZONE 2: MEDIUM AMBIENT LIGHT AREAS URBAN RESIDENTIAL AREAS MIXED WITH LIGHT COMMERCIAL

MAX. BLDG HEIGHT ALLOWED: 56' BLDG HEIGHT PROVIDED: 23'-8"

SETBACKS:

FRONT:	30'	STREET:	30'
SIDE:	0'	REAR:	0'

SITE DATA

PARCEL:	APN: 501-02-929, PART OF APN:501-02-931
CIRCLE K SITE AREA:	±1.823 AC (± 79,426 SF)
ADDITIONAL SITE AREA (PORTION OF 501-02-931):	±2.519 AC (± 109,761 SF)
TOTAL CIRCLE K NET SITE AREA:	±4.342 AC (± 189,187 SF)
REMAINDER PARCEL (APN 501-02-931):	±0.815 AC (± 35,509 SF)
TOTAL GROSS SITE AREA:	±5.157 AC (± 224.696 SF)

BUILDING AREA

CONVENIENCE STORE BLDG AREA	5,200 SF
FUEL CANOPY AREA	4,608 SF
DIESEL CANOPY AREA	1,680 SF
CIRCLE K SITE COVERAGE (BASED ON 5,200 SF BLDG AREA AND ±4.342 AC OF NET SITE AREA)	±2.75% (1,198 SF/AC)

PARKING REQUIREMENTS

CIRCLE K PARKING REQUIRED	
SERVICE STATION: 1 SP/300 SF	17 SP
CIRCLE K PARKING PROVIDED	
STANDARD PARKING SPACES	24 SP
ACCESSIBLE PARKING SPACES	1+2 SP
TOTAL CIRCLE K PARKING PROVIDED	26 SP
FUEL PUMP SPACES	14 SP
TOTAL CIRCLE K PARKING + FUEL PUMP SPACES	40 SP
BICYCLE PARKING PROVIDED	4 SP
VENDOR PARKING PROVIDED	2 SP
SEMI-TRUCK PARKING PROVIDED	7 SP

GENERAL NOTES

1. THIS IS A CONCEPTUAL SITE PLAN AND IS FOR PLANNING PURPOSES ONLY.
2. THIS SITE PLAN IS BASED ON ALTA/NSPS TITLE SURVEY PREPARED BY BAUER LAND SURVEYING, LLC. DATED 12/18/2020, AND AN AERIAL. IN ADDITION, A DEVELOPER CAD RECEIVED VIA CLIENT ON 02/23/2021.
3. ADDITIONAL ACCESSIBILITY REQUIREMENTS TO BE VERIFIED WITH JURISDICTION.

N

SCALE: 1"= 50'

0 25' 50' 100' 150'

GreenbergFarrow

30 Executive Park, Suite 100
Irvine, CA 92614

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ISSUE/REVISION RECORD

DATE	DESCRIPTION
09/16/19	PREP SP-1
09/17/19	PREP SP-2
11/12/19	REV SP-2
08/24/20	PREP SP-3
08/31/20	PREP SP-4
12/31/20	PREP SP-5
01/14/21	PREP SP-6
01/22/21	PREP SP-7
02/02/21	PREP SP-8
02/26/21	PREP SP-9
03/01/21	PREP SP-10
08/03/21	PREP SP-11
02/22/22	PREP SP-12
03/11/22	PREP SP-13
10/31/22	PREP SP-14

PROFESSIONAL IN CHARGE
ARCH PROF IN CHARGE
DOUGLAS S. COUPER

PROJECT MANAGER
DC

QUALITY CONTROL

DRAWN BY
JN / FF

PROJECT NAME

CIRCLE K STORE

GOODYEAR, ARIZONA

SEC INDIAN SCHOOL RD & 166TH AVENUE

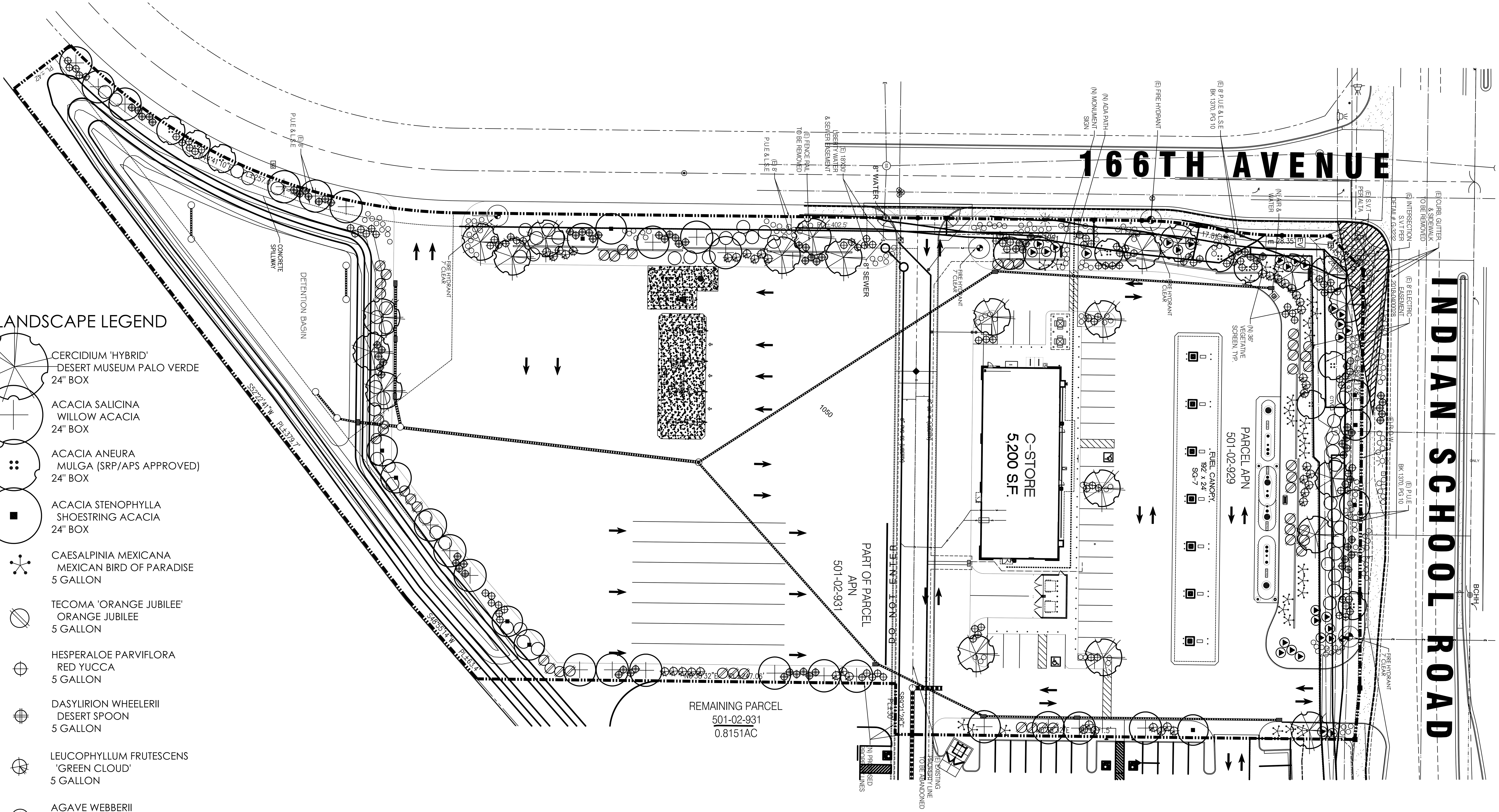
LAND DEVELOPMENT CONSULTANTS, LLC
11811 N. TATUM BLVD. #1051
PHOENIX, AZ 85028

CIRCLE K STORES INC.

PROJECT NUMBER
20191224.0

SHEET TITLE
SITE PLAN

SHEET NUMBER
SHEET 1 OF 1



LANDSCAPE LEGEND

CERCIDIUM 'HYBRID'
DESERT MUSEUM PALO VERDE
24" BOX

ACACIA SALICINA
WILLOW ACACIA
24" BOX

ACACIA ANEURA
MULGA (SRP/APS APPROVED)
24" BOX

ACACIA STENOPHYLLA
SHOESTRING ACACIA
24" BOX

CAESALPINIA MEXICANA
MEXICAN BIRD OF PARADISE
5 GALLON

TECOMA 'ORANGE JUBILEE'
ORANGE JUBILEE
5 GALLON

HESPERALOE PARVIFLORA
RED YUCCA
5 GALLON

DASYLIRION WHEELERII
DESERT SPOON
5 GALLON

LEUCOPHYLLUM FRUTESCENS
'GREEN CLOUD'
5 GALLON

AGAVE WEBBERII
WEBBER'S AGAVE
5 GALLON

LANTANA MONTEVIDENSIS
'GOLD MOUND'
1 GALLON

LANTANA MONTEVIDENSIS
TRAILING PURPLE
1 GALLON

ACACIA REDOLENS
'DESERT CARPET' tm
1 GALLON

3/4" SCREENED SADDLEBACK BROWN
DECOMPOSED GRANITE
2" DEPTH IN ALL LANDSCAPE AREAS

LANDSCAPE DATA:

SITE AREA:	188,842 SQ.FT.
LANDSCAPE AREA:	71,159 SQ.FT. (30%)
PERCENT LANDSCAPE COVERAGE:	37,714 SQ.FT. (53%)

PLANT MATERIAL SHOWN ON THIS PLAN WILL BE INSTALLED BY CIRCLE K

LANDSCAPE PLAN
0 15 30 60
SCALE: 1" = 30'-0"

T.J. McQUEEN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE
URBAN DESIGN
SITE PLANNING
10450 N. 74th Street , Suite 120
Scottsdale, Arizona 85258
P.(602)265-0320
EMAIL: timmcqueen@tjmla.net
TJ&M ASSOCIATES

T.J. McQUEEN & ASSOC., INC. LANDSCAPE ARCHITECTURE (TJMLA) EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT & OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION & CONSENT FROM TJMLA.

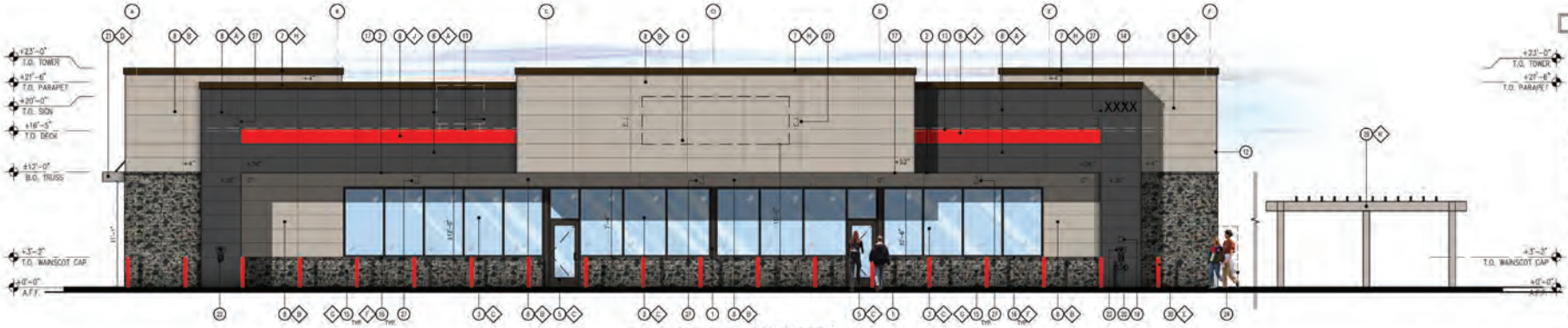
CIRCLE K
GOODYEAR ARIZONA

SEC INDIAN SCHOOL ROAD
AND
166TH AVENUE

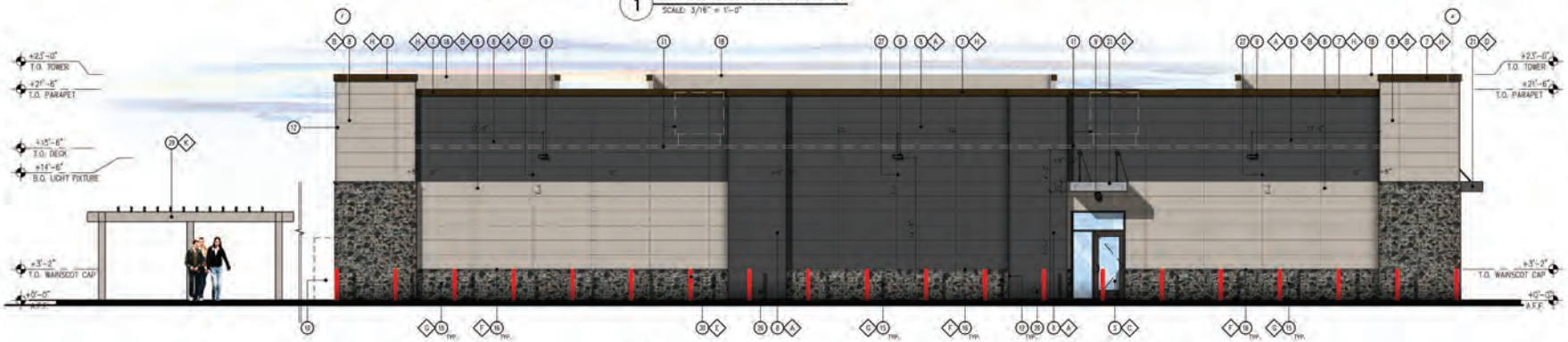
NUMBER	REVISION	DATE

REGISTERED LANDSCAPE ARCHITECT
27166
TIMOTHY J.
McQUEEN
Date Signed 11.21.22
ARIZONA U.S.A.
EXPIRES 06/30/2023

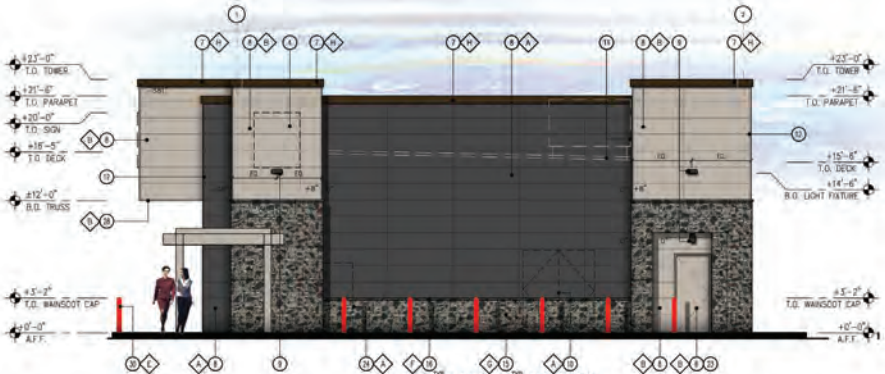
SHEET TITLE:	LANDSCAPE PLAN
ISSUE DATE:	11.21.22
DRAWN BY:	STAFF
CHECKED BY:	TJM
PROJECT No.:	21193
SHEET:	La.01



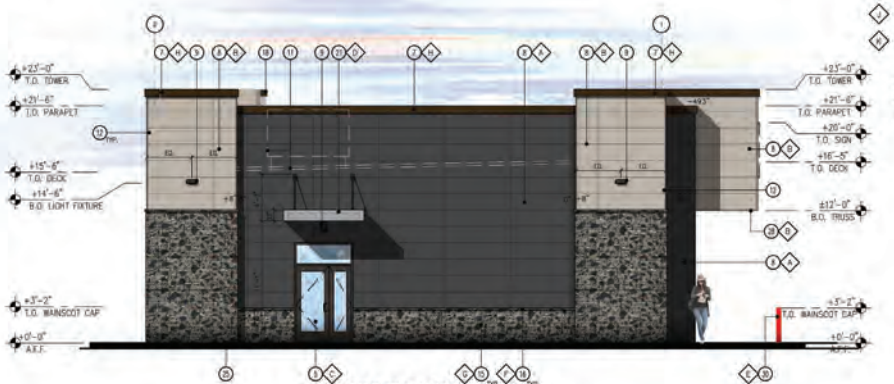
1 **FRONT ELEVATION (NORTH)**
SCALE: 3/16" = 1'-0"



2 **BACK ELEVATION (SOUTH)**
SCALE: 3/16" = 1'-0"



3 **SIDE ELEVATION (WEST)**
SCALE: 3/16" = 1'-0"



4 **SIDE ELEVATION (EAST)**
SCALE: 3/16" = 1'-0"

KEY NOTES

1. STEEL COLUMN WRAP WITH BREAK METAL
2. LINE OF CANOPY / SOFFIT
3. DARK BRONZE ANODIZED WINDOW FRAME W/ 1INM TINTED GLASS PER SOLARBAN SOLARCRAFT SPECS
4. POTENTIAL SIGN LOCATION (UNDER SEPARATE PERMIT)
5. DARK BRONZE ANODIZED DOOR W/ GRAY TINTED GLASS STOREFRONT SYSTEM
6. SERVICE DOOR, PAINT TO MATCH SURROUNDING WALL
7. PRE-FINISHED METAL COPING
8. INDIANA FIBER CEMENT WALL PANEL SYSTEM
9. WALL MOUNTED LIGHT FIXTURE, COLOR: BRONZE
10. ICE PANEL LOCATION
11. ROOF LINE AND PARAPET LIMITS
12. 6-1/2" STAINLESS STEEL CORNER KEY EDGE, TYP. TO ALL CORNERS
13. DOWNSPOUT
14. ADDRESSING LOCATION: 16" TALL x 3" WIDE (STROKES) BLACK NUMBERS.
15. CMU BY ECHELON MASONRY
16. CMU CAP BY ECHELON MASONRY
17. FRP BUCKET DRIP CAP
18. PARAPET WALL BEYOND
19. EXCESS KEY-BOX AT 6'-0" AFF
20. FIRE DEPARTMENT CONNECTOR
21. ALUMINUM AWNING WITH SUPPORT RODS ABOVE THE SIDE ENTRY DOOR BY CIRCLE K VENDOR. PROVIDE BLOCKING IN EXTERIOR WALL FOR AWNING AND SUPPORTS.
22. EMERGENCY FUEL SHUT-OFF SWITCH
23. INSULATED METAL DOOR
24. CO2 TANK WITH METAL ENCLOSURE/ CORRAL
25. EXTERIOR FINISH TO EXTEND ABOVE SIDEWALK/CURB
26. ROOF DRAIN TO OVERFLOW
27. CONTROL/EXPANSION JOINT "E.J." LOCATION
28. HARDIESOFFIT FIBER CEMENT PANELS
29. COVERED SHADE STRUCTURE, SEE SHEET A-4
30. GUARD POST

FINISH SCHEDULE

A – **INDIANA TUFF BLOCK – COLOR TO MATCH BLACK TIC DB3537
B – **INDIANA TUFF BLOCK – COLOR TO MATCH DRIFTING SEC770
C – 1" INSULATED, DOUBLE PANED SOLARBAN GLASS
D – *CASTLEROCK DS3573
E – RED POST GUARD PLASTIC SLEEVE
F – CMU CAP BY ECHELON MASONRY
G – ***LEXINGTON GRAY, TRENDSTONE
H – *METAL BY BERRIDAN WINDOWS – DARK BRONZE(USE FOR PRE-FINISHED METAL COPING)
I – CIRCLE K ORANGE (PMS 144
J – **INDIANA TUFF BLOCK – COLOR TO MATCH IBM 4081
K – COLOR TO MATCH DRIFTING SEC770

* USE SHERWIN WILLIAMS MANUFACTURER ONLY
** COLOR TO BE PRE-CHOSEN TO ENSURE AVAILABILITY AT TIME OF CONSTRUCTION
*** PURCHASED BY CIRCLE K/INSTALLED BY G.C. G.C. TO COORDINATE WITH CK PM AND OWNER'S REP

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30 Executive Park
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f: (602) 307-4850

LAND DEVELOPMENT CONSULTANTS, LLC
11811 N. Tatum Blvd. Ste. 1051
Phoenix, Arizona 85028
t: (602) 850-8101;
f: (602) 997-9807

PROFESSIONAL SEAL

CIRCLE K
SEC INDIAN SCHOOL RD & 166TH AVENUE
GOODYEAR, ARIZONA
20191224.0

CONCEPTUAL BUILDING ELEVATIONS - COLOR
SCALE: AS NOTED

2 of 2

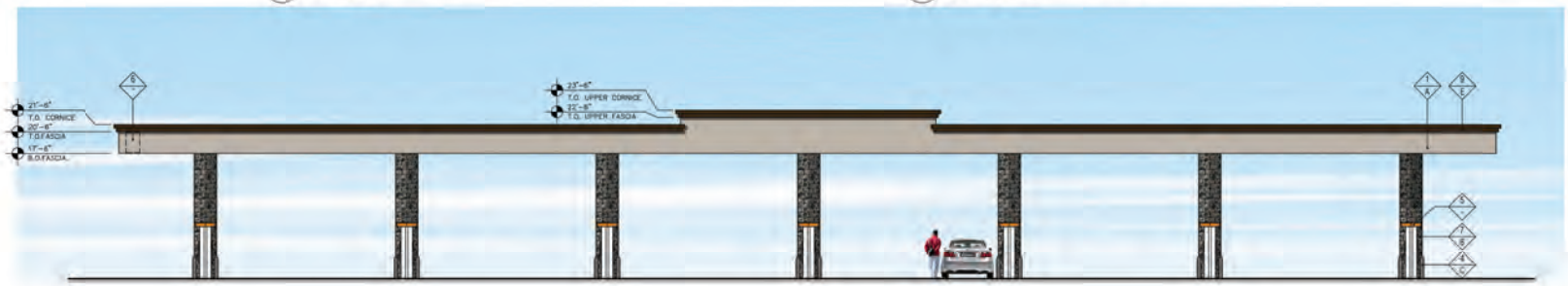
2/22/2022

3 "SIDE" ELEVATION (WEST)
SCALE: 1/8" = 1'-0"

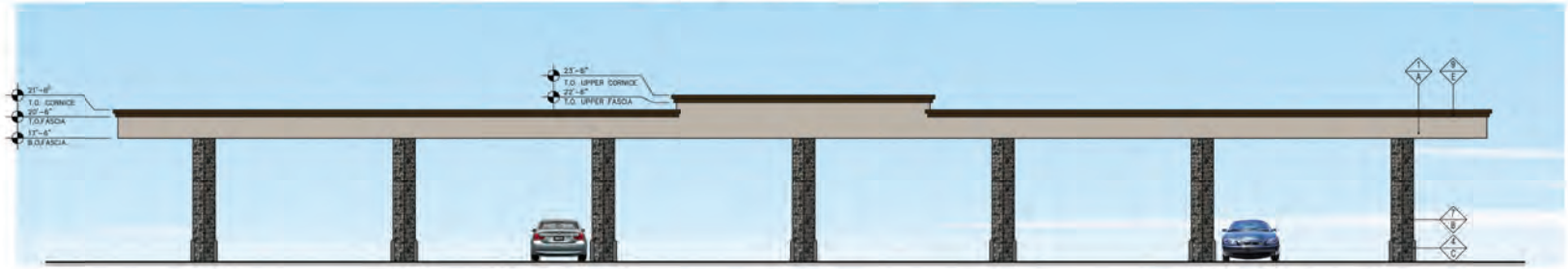
4 "SIDE" ELEVATION (EAST)
SCALE: 1/8" = 1'-0"

FINISH SCHEDULE	
▲	FINISH MATERIAL
1	ACM PANEL
2	NOT USED
3	NOT USED
4	5' Ø BOLLARD, 7.5" HIGH
5	FUEL PUMP
6	POTENTIAL SIGN LOCATION (UNDER SEPARATE PERMIT)
7	4X8X15 CMU VENEER, SPLIT FACE, GROUTED TO MATCH DARK COLOR
8	NOT USED
9	CORNICE MOULDING WITH METAL FLASHING
▼	FINISH COLOR
A	DRIFTING DEC720
B	CMU BY ECHELON MASONRY - HUNTINGTON GRAY TRENDSTONE
C	PVC BOLLARD SLEEVE "DARK GRAY"
D	NOT USED
E	DARK BRONZE

Notes
1. Colors shown on these elevations are for illustrative purposes only. For substantiation, refer to manufacturer's samples.
2. The fascia panels are pre-finished by signage vendor.
3. All signs require a separate submittal.
4. All lighting on canopy to be flush mounted with fascia.
5. Ensure Canopies do not have lighted bands.



2 "FRONT" ELEVATION (NORTH)
SCALE: 1/8" = 1'-0"



1 "REAR" ELEVATION (SOUTH)
SCALE: 1/8" = 1'-0"

GF
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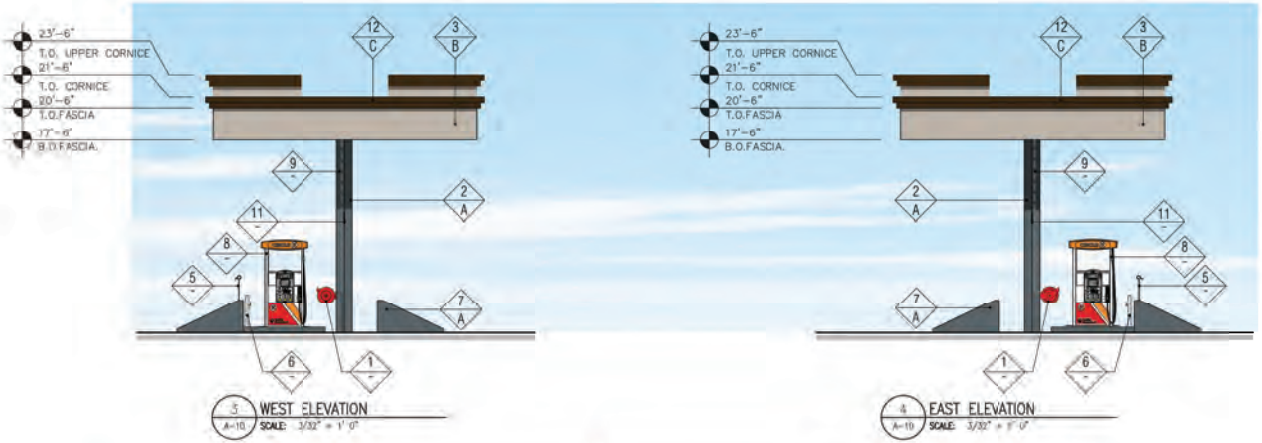
PROFESSIONAL SEAL

CIRCLE K
SEC INDIAN SCHOOL RD & 166TH AVENUE
GOODYEAR, ARIZONA
20191224.0

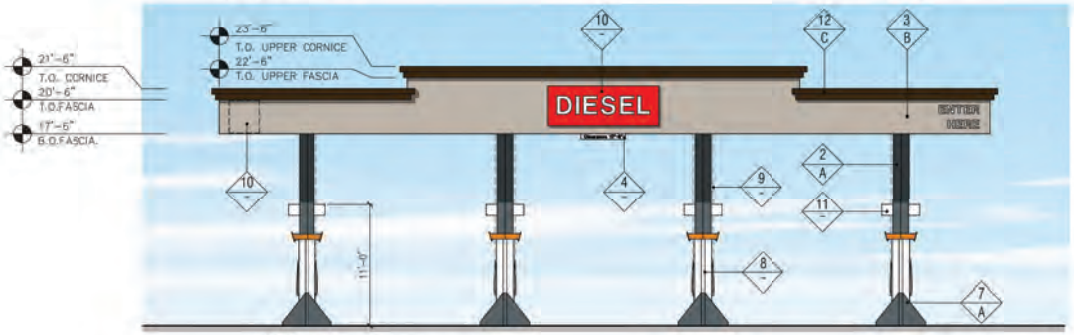
CONCEPTUAL FUEL CANOPY ELEVATIONS - COLOR
SCALE: AS NOTED
2 of 2

2/22/2022

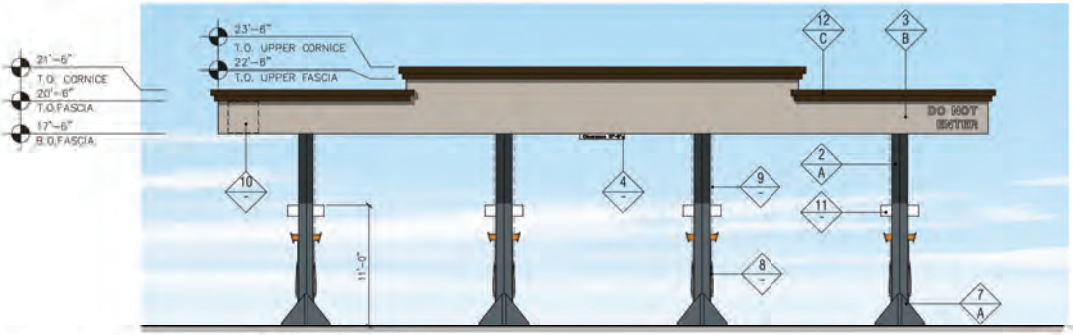


3 A-10 WEST ELEVATION
SCALE: 3/32" = 1'-0"

4 A-10 EAST ELEVATION
SCALE: 3/32" = 1'-0"



2 A-10 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



1 A-10 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

FINISH SCHEDULE

	FINISH MATERIAL
1	AW HOSE REEL (REELCRAFT HDT8100 OLP) 100' RETRACTABLE HOSE REEL BY GC.
2	STEEL COLUMN WITH PAINT FINISH
3	ACM PANEL
4	CLEARANCE SIGN (UNDER SEPARATE PERMIT)
5	YARD HYDRANT - SPEC. BY GC
6	3'-6"W/H STEEL POST ROW (MATER WITH BY GC)
7	CONCRETE TRUCK ISLAND "P"RAMID"
8	MASTER/SATELLITE/DEF DISPENSER
9	1-1/2" CHASE CONDUIT FOR AIR HOSE. BRING AIR IN FIRST COLUMN, THEN RUN AIR LINE UP AND DOWN EACH ADJACENT COLUMN
10	POTENTIAL SIGN LOCATION (UNDER SEPARATE PERMIT)
11	COLUMN FLAGS BY SIGNAGE VENDOR
12	CORNICE MOULDING WITH METAL FLASHING
	FINISH COLOR
A	SHERWIN WILLIAMS - #SW9136 "GRAYS HARBOR"
B	DRIFTING DEC710
C	DARK BRONZE

Notes:
1. Colors shown on these elevations are for illustration purposes only. For actual colors, refer to manufacturer's samples.
2. Tire fascia panels are pre-finished by signage vendor.
3. All signs require a separate submittal.
4. All lighting on canopy to be flush mounted with fascia.
5. Ensure Canopies do not have lighted band.

*Verify size and location of signage with signage package by signage vendor. Separate permit for signage by signage vendor.

GF
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PROFESSIONAL SEAL

CIRCLE K
SEC INDIAN SCHOOL RD & 166TH AVENUE
GOODYEAR, ARIZONA
20191224.0

CONCEPTUAL HIGH SPEED DIESEL ELEVATIONS - COLOR
2 of 2

SCALE: AS NOTED

2/23/2022

From: [redacted]
To: Guadalupe Ortiz Cortez
Subject: Triangle At PV 303
Date: Monday, January 23, 2023 12:28:58 PM

This email arrived from an external source - Please exercise caution when opening any attachments or clicking on links

Hi Guadalupe,
I am reading the project narrative for this property and would like to know about the diesel pumps behind the store. And the truck parking to the west of the pumps.

There is nothing in the project narrative about this being a truck stop, why is the developer hiding this in the narrative?

As you know, the folks to the north of us fought against the Love's truck stop and won. Circle K was smarter and went to the city of Goodyear who does not say no to anything.

Best regards,

Nic

From: Michael Bailey
To: Brannon Hampton
Cc: Guadalupe Ortiz Cortez
Subject: RCC comments - Circle K at The Triangle
Date: Tuesday, April 11, 2023 1:43:11 PM

This email arrived from an external source - Please exercise caution when opening any attachments or clicking on links

Regarding: Circle K at The Triangle

Refinery Christian Church
16721 W Indian School Rd, adjacent to the Circle K

Hello Councilman Hampton and Planner Cortez,

I am Executive Director at The Refinery Christian Church, which is located at the end of the shared driveway of 166th Ave. We welcome and look forward to the incoming users at The Triangle, including the Circle K. However, as the only current user at the parcel, we know we will be directly impacted by the traffic of the incoming Circle K.

The area of Indian School Rd and 166th Ave is already a well-used intersection, and we expect this to increase. However, 166th Ave is the ONLY path of entry or exit for The Refinery Christian Church at this time. Sunday services is our most important time for people to reach us, but we have scheduled meetings and events throughout the week as well. Simply put, I'm deeply concerned for the possibility of the intersection becoming clogged at times as vehicles try to enter or exit Circle K on 166th Ave. An even greater concern is the possibility of diesel trucks waiting to enter / exit, or finding their way on to the Refinery Church's property. This is already an issue we deal with, as we have trucks with loads that enter our property but then damage our parking islands and landscaping with their trailers.

I wanted to be sure that our concerns would be included, as a resident and as a neighboring organization. It would help us to know that Circle K has made ample plans to handle the expected traffic of their customers and diesel trucks. Signage on 166th Ave that indicates "No Outlet" before the turn toward Refinery CC would be helpful as well.

In the future, as the church's facility expands and as other users develop, the proposed 166th Lane will provide another outlet. But there's no certainty to when / if that will come to fruition.

Again, we enjoy and look forward to the continued development of The Triangle at PV303. Thank you for your time.

Sincerely,

Michael Bailey
Executive Director

16721 W Indian School Road | Goodyear, AZ 85395
tel (623) 925-2000

Confidentiality Notice: This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

From: [redacted]
To: Guadalupe Ortiz Cortez
Subject: CircleK item 21-300-00011
Date: Wednesday, April 12, 2023 4:15:57 PM

This email arrived from an external source - Please exercise caution when opening any attachments or clicking on links

Dear Ms. Cortez,

This is very concerning, not about the Circle K Station and gas pumps, but the truck stop they are creating in back with diesel fuel pumps and parking.

This will be very loud and disruptive to residential homes within 550 feet,especially considering how sound carries at night. I am surprised that the report writer from your staff did not consider it.

Circle K is a multi million dollar organization. They should at least put up a sound restricting wall that is at least 10 feet high around the most southern and eastern part of the parcel.

This proposed project is very disturbing to the residents in our immediate area (Pebblecreek).

Please mention this to the commission and the lawyer representing Circle K.

Vic [redacted]
[redacted].
Goodyear

[redacted]

LAND DEVELOPMENT
CONSULTANTS, LLC

April 12, 2023

Planning & Zoning Commission: Neighbor Concerns –Circle K at PV303 – The Triangle

Good Evening: Chariman Kish and Planning & Zoning Commissioners

Jodi Hamill, Land Development Consultants, 11811 N Tatum Blvd, Phoenix on behalf of Circle K.

I would just like to acknowledge and respond to comments received from neighbors.

Neighbor Concern #1:
Two neighbor inquiries were received concerning the diesel pumps and truck parking. The concern is about loud trucks idling for extended periods of time.

- It is not Circle K's intention to provide overnight parking as there will not be any truck-driver facilities such as showers or a truck driver lounge.
- The seven (7) designated parking spaces are provided for drivers who would like to park and make purchases inside the Circle K Store, or walk to another of the quick-serve restaurants that are proposed as a part of the PV303 development.

Neighbor Concern #2:
A neighbor concern was received regarding increased traffic entering in the area of Indian School Rd and 166th Ave. The concern is gridlock at the intersection, stacking of vehicles and diesel trucks waiting on 166th Ave to enter the Circle K and possibly straying south of the Triangle development.

- 166th Avenue is a private drive and consists of one travel lane in both the northbound and southbound directions within the vicinity of the site.
- Based on the forecasted trips generated by the Circle K, it is anticipated that 25% of the traffic will enter/exit the Circle K off of 166th Avenue, while the remaining 75% of vehicles will enter/exit off of Indian School Road.
    - The number of vehicles using 166th Avenue is approximately 22 vehicles (entering/exiting – 44 total) in the Morning peak hour and 25 vehicles (entering/exiting- 50 total) in the Afternoon peak hour.
    - The Triangle development will be accessed by one driveway on 166th Avenue plus on exit only driveway further south.
- Circle K proposes directional signage at each driveway to the site, and will work with City of Goodyear Transportation to ensure any applicable offsite directional signs are installed as needed.
- In the instance of a truck that has perhaps taken a wrong turn, the Circle K diesel fueling area has wide driveways. This can serve as a u-turn bail out for any trucks headed in the

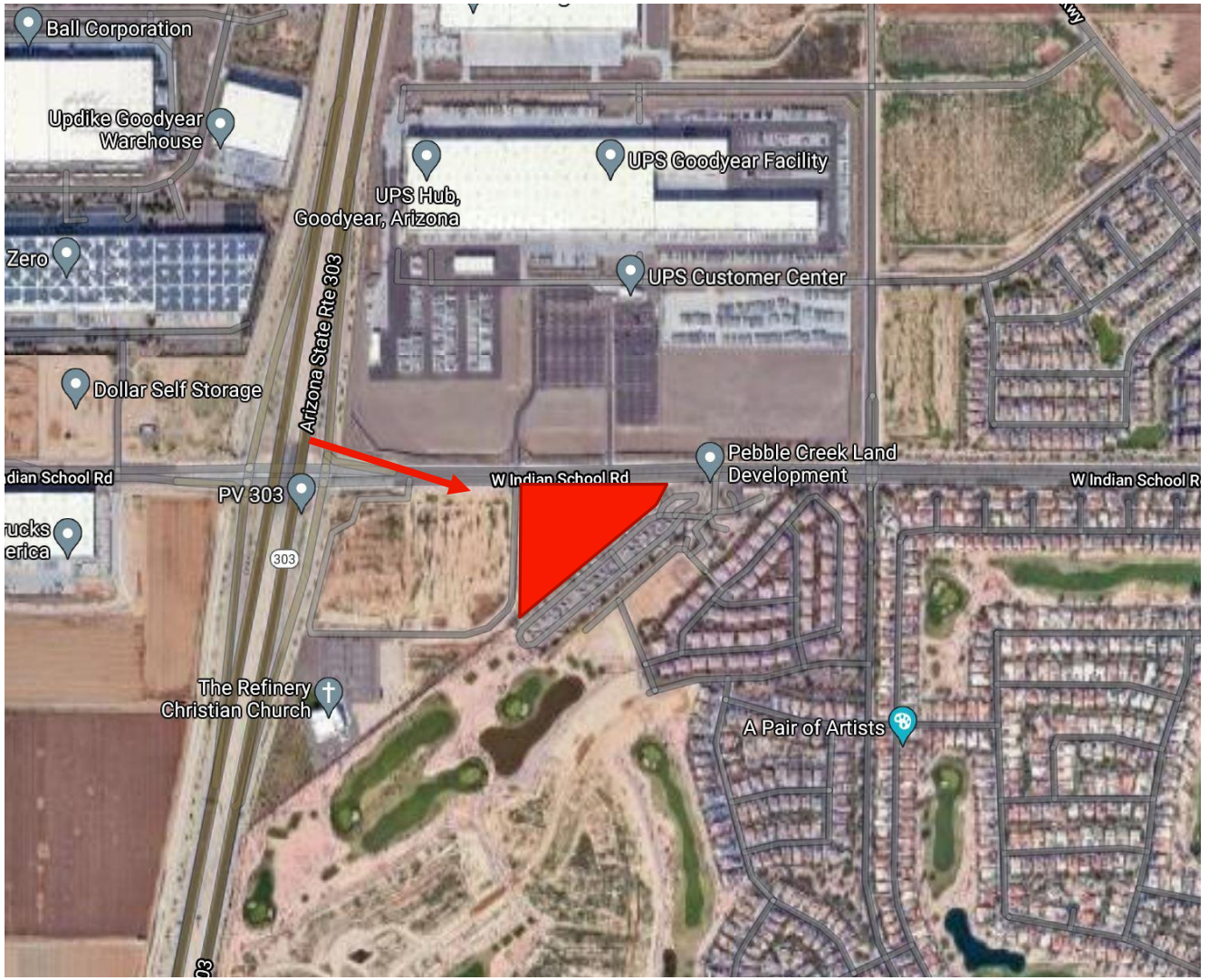
wrong direction and re-direct drivers out the southern driveway and back north to the Indian School Intersection.

We appreciate Staff's recommendations for Approval of Use Permit request for a Convenience Use and look forward to continued collaboration as we finalize the design drawings. Thak you.

Very Respectfully,

Jodi Hamill
Land Development Consultants

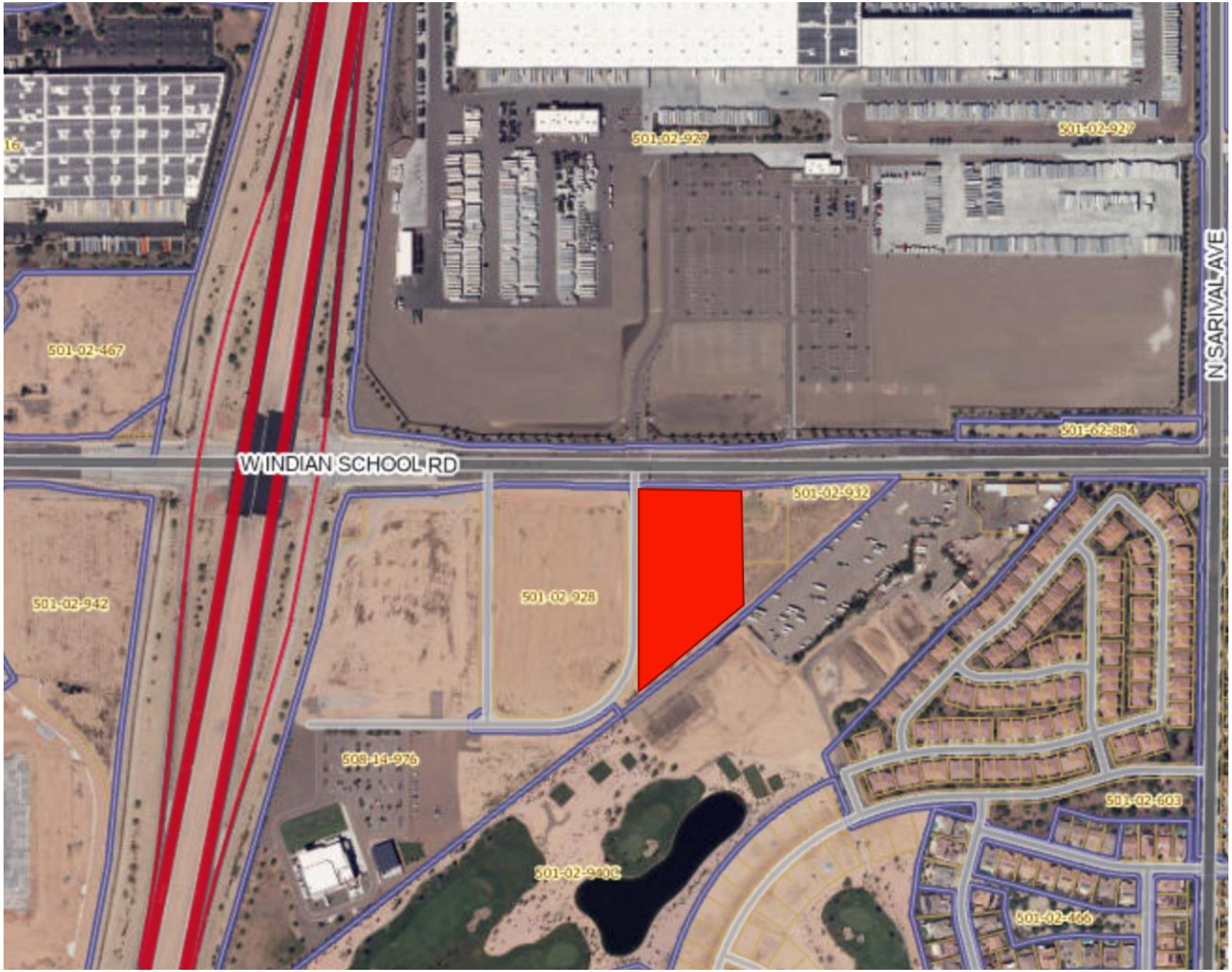
11811 N. Tatum Boulevard, Suite 1051
Phoenix, AZ 85028
Direct: 602.549.9125



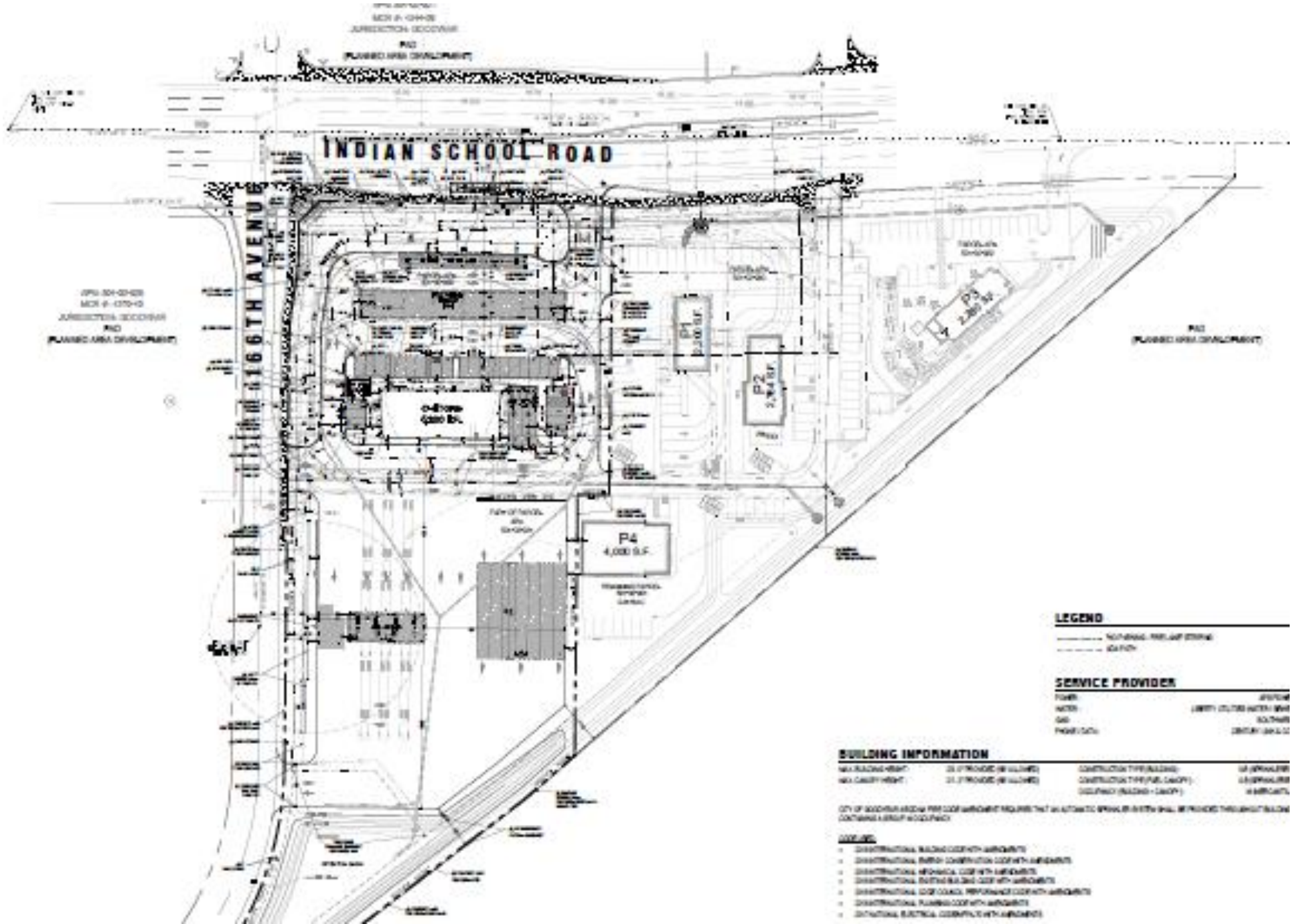
CIRCLE K @ The Triangle at PV303

Convenience Store with Fuel Station

Request for Design Review and Conditional Use Permit

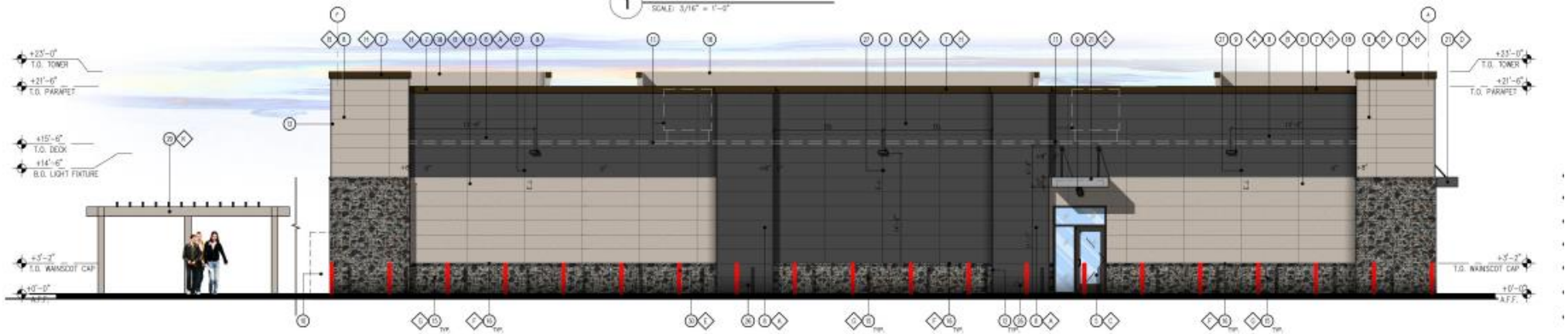


Circle K will be developing a portion of the parcel on the southeast corner of the intersection.

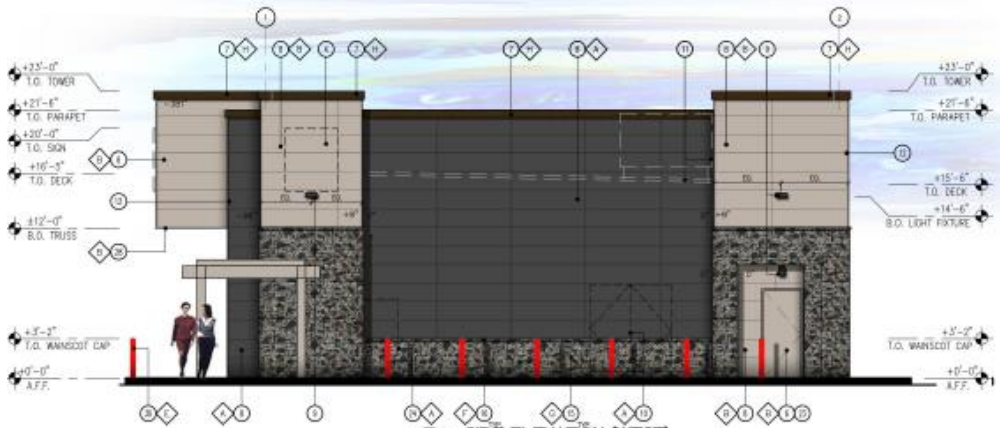

INDIAN SCHOOL ROAD
116TH AVENUE
P1
P2
P3
P4
4,000 S.F.
LEGEND
SERVICE PROVIDER
BUILDING INFORMATION

501-02-927
501-02-927
501-02-467
N SARIVAL AVE
501-62-384
W INDIAN SCHOOL RD
501-02-932
501-02-929
501-02-942
501-02-928
501-02-931
508-14-976
501-02-603
501-02-940C
501-02-466

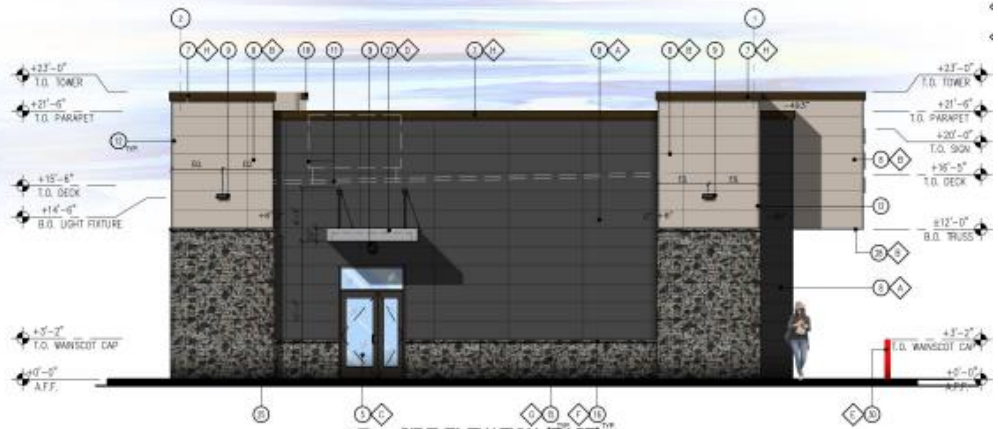
1 **FRONT ELEVATION (NORTH)**
SCALE: 3/16" = 1'-0"



2 **BACK ELEVATION (SOUTH)**
SCALE: 3/16" = 1'-0"



3 **SIDE ELEVATION (WEST)**
SCALE: 3/16" = 1'-0"



4 **SIDE ELEVATION (EAST)**
SCALE: 3/16" = 1'-0"

Circle K at The Triangle

Use Permit

Location

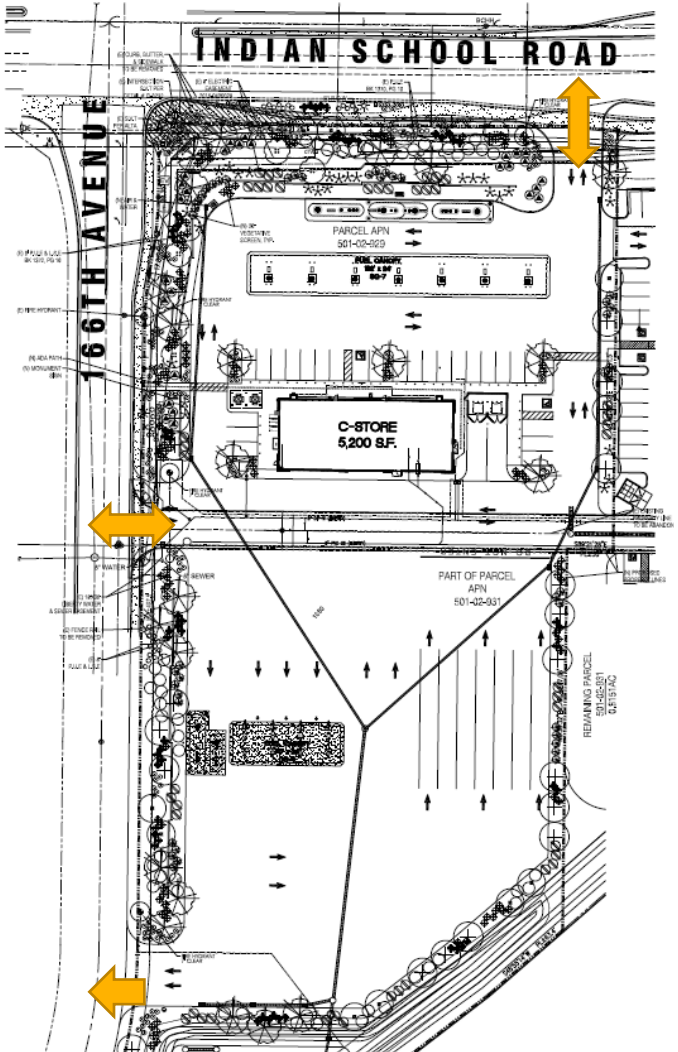
SEC OF W INDIAN SCHOOL ROAD AND N 166TH AVENUE

- Zoned PAD (Planned Area Development), underlying C-2 (General Commercial)

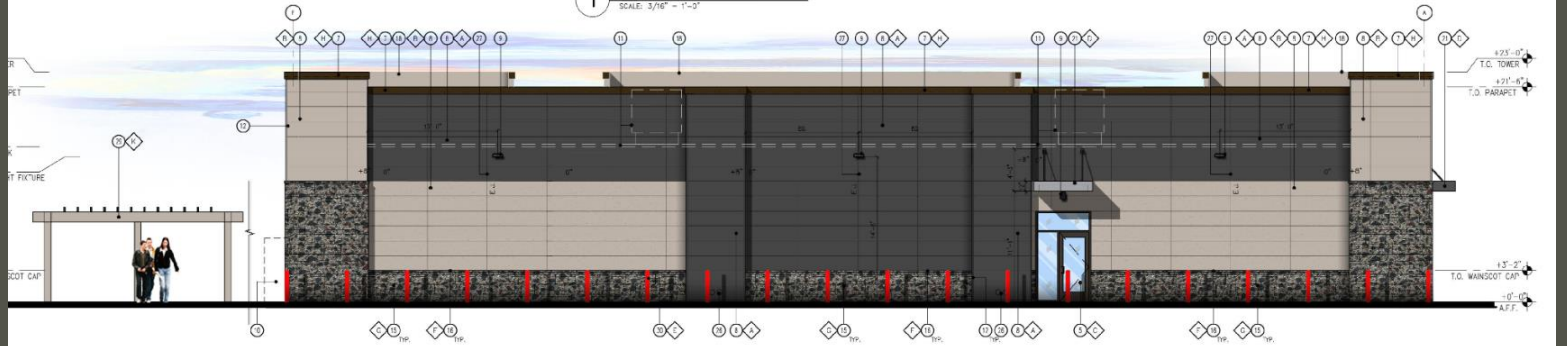
Location

SEC OF W INDIAN SCHOOL ROAD AND N 166TH AVENUE

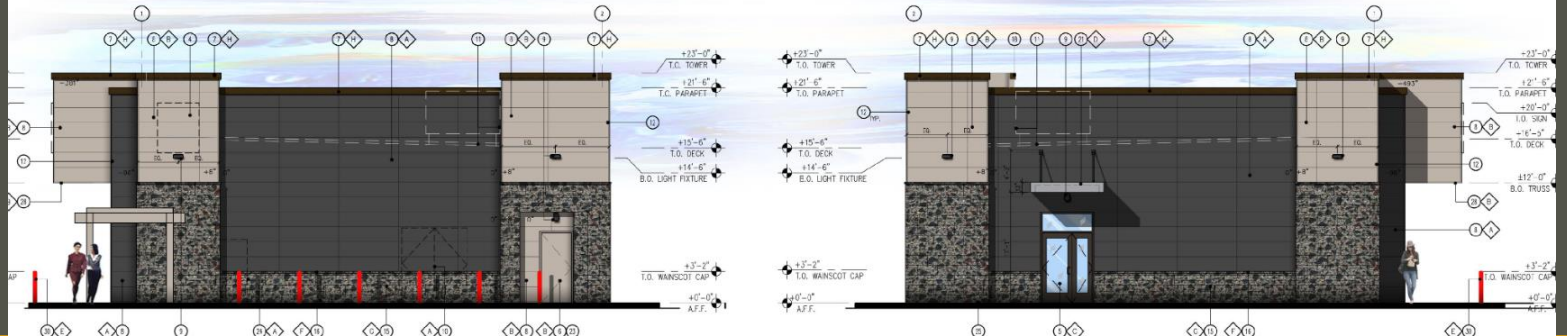
- Appx. 4.3-acre site

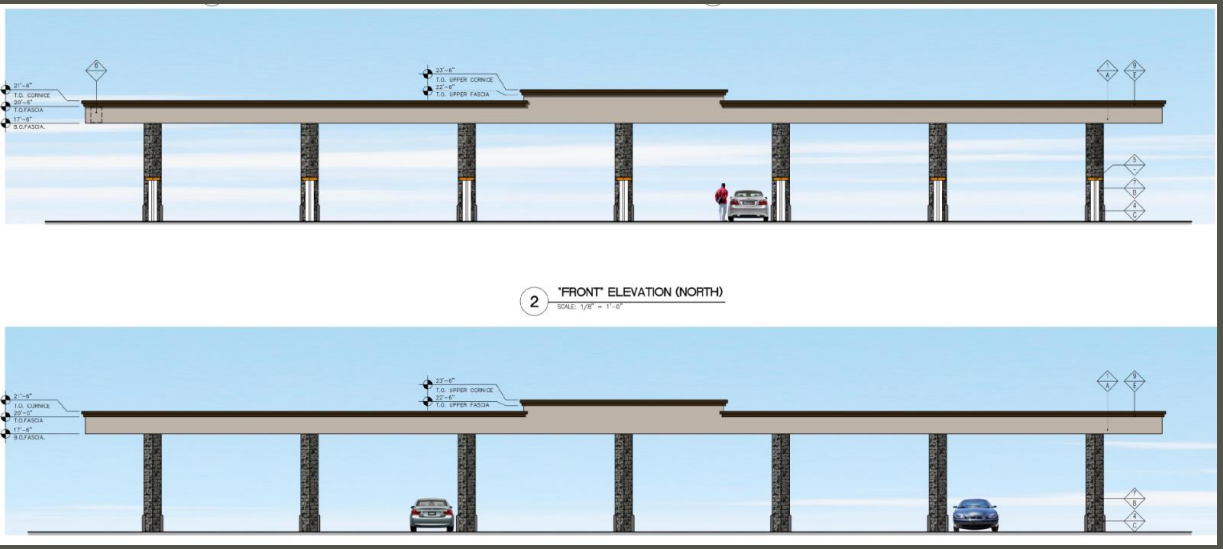

INDIAN SCHOOL ROAD
166TH AVENUE
PARCEL APN
501-02-929
C-STORE
5,200 S.F.
PART OF PARCEL
APN
501-02-931
REMAINING PARCEL
501-02-931
0.815 AC

1 FRONT ELEVATION (NORTH)
SCALE: 3/16" = 1'-0"

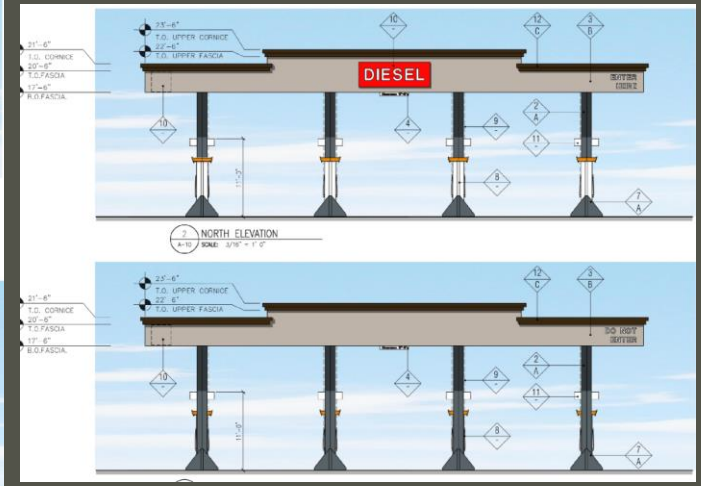


2 BACK ELEVATION (SOUTH)
SCALE: 3/16" = 1'-0"





2 "FRONT" ELEVATION (NORTH)
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"

Use Permit evaluation criteria

ZONING ORDINANCE SECTION 1-3-2

1. The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare
2. The proposed use is reasonably compatible with uses permitted in the surrounding area

Convenience Use evaluation criteria

ZONING ORDINANCE SECTION 4-2-2

1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation
2. Compatibility of proposed hours of operation with adjacent residential areas
3. Required traffic and access mitigation measures
4. Other concerns which may place the advisability of the proposed convenience use in question

Public Participation

CITIZEN REVIEW AND PUBLIC HEARINGS

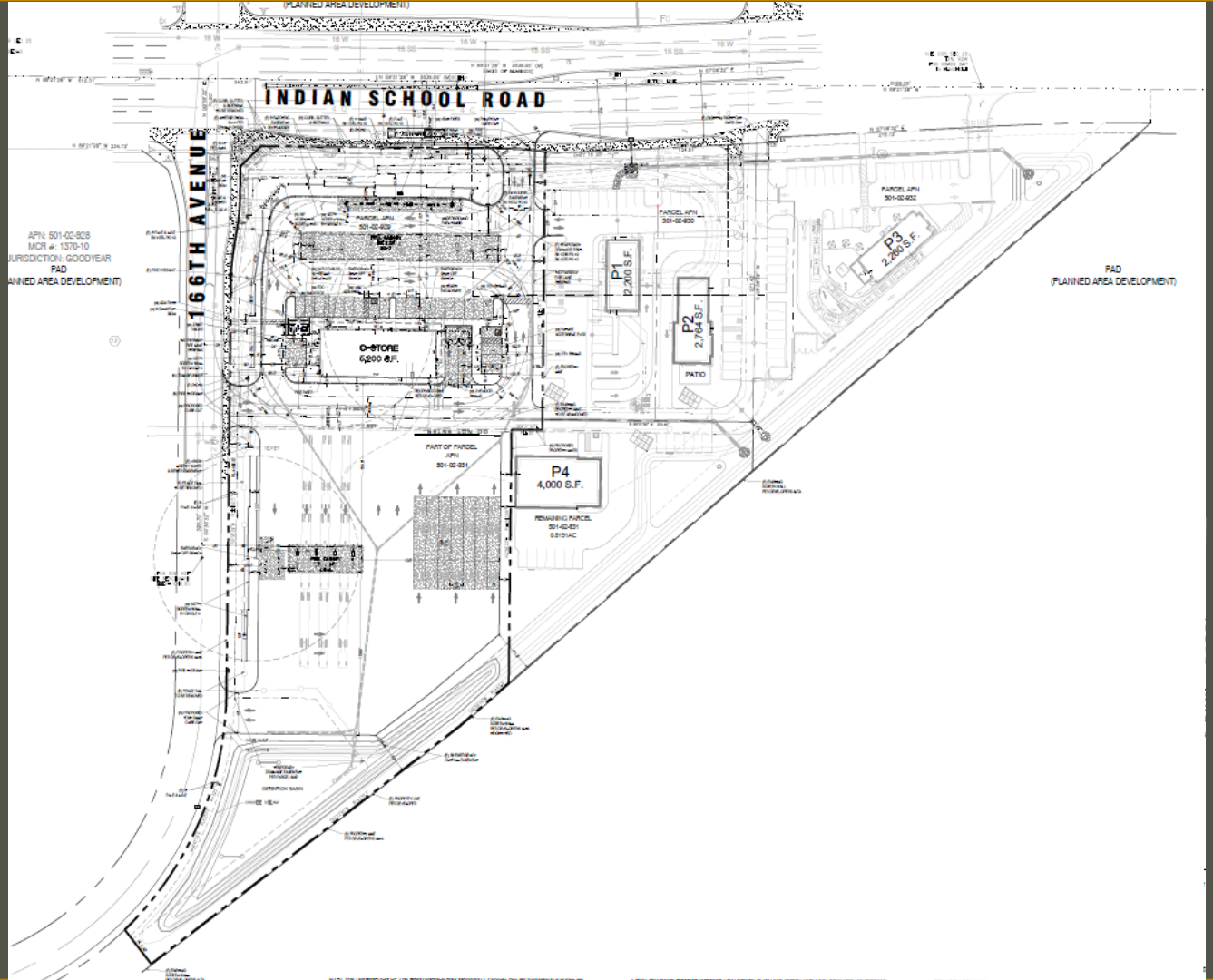
- Citizen Review and Public Hearing processes were followed
- To date, staff has received two email inquiries on the project

Recommendation

RECOMMEND APPROVAL SUBJECT TO STAFF STIPULATIONS

- Application complies with city requirements
- Planning and Zoning Commission recommended approval

CITY OF
Goodyear


INDIAN SCHOOL ROAD
166TH AVENUE
C-STORE
6,200 S.F.
P1
2,200 S.F.
P2
2,760 S.F.
P3
2,260 S.F.
P4
4,000 S.F.
PATIO
APN: 501-02-828
MCR #: 1370-10
JURISDICTION: GOODYEAR
PAD
ANNED AREA DEVELOPMENT)
PAD
(PLANNED AREA DEVELOPMENT)

ITEM #: 6.
DATE: 04/24/2023
AI #:1401

CITY COUNCIL ACTION REPORT

SUBJECT: SPECIAL USE PERMIT FOR AN AIRPORT (BISHOP AIR TRAINING FIELD)

STAFF PRESENTER(S): Guadalupe Ortiz Cortez, Planner

OTHER PRESENTER(S):
Heidi Short, Lewis Roca

SUMMARY

A request to amend a Special Use Permit to allow free fall parachute trainings on an approximately 433-acre parcel zoned I-1 (Light Industrial) located at 9602 W Alabaster Road.

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

Approve a request to amend the Special Use Permit granted in 2008, to allow, as a permitted operation within the property annexed by Ordinance 2008-1138 and rezoned by Ordinance 2008-1139 (the “Property”), free fall parachute trainings in addition to operating the Property as an air training facility subject to stipulations. (Guadalupe Ortiz Cortez, Planner)

STIPULATIONS

1. The development of the Property shall be in substantial conformance with the development site plan for the air training facility submitted with the Special Use application entitled “Air Training Field, Mobile, Arizona, Special Use Permit for Private Airport” and dated December 5, 2005 and the narrative submitted with the Special Use application dated August 4 2008, which is reflected in the updated site plan titled Bishop Air Training Field Site Plan sealed November 7, 2022, a copy of which is attached hereto. Any expansion of the existing air training facility, additional buildings, or substantial changes in the operation of the Property as an air training facility and free fall parachute training facility shall require an amendment to the approved Special Use Permit;

2. All future development on Property is subject to site plan review and approval by city staff,

at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, infrastructure, parking, access and circulation; and,

3. The City of Goodyear reserves the right to initiate revocation of the Special Use Permit in the event that the property is not operating in compliance with the terms of the 2008 Special Use Permit and the stipulations/conditions of approval set forth of the 2008 Special Use Permit as the 2008 Special Use Permit is amended herein, including the stipulations/conditions of approval of such amendment.

FISCAL IMPACT

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

BACKGROUND AND PREVIOUS ACTIONS

The Property is zoned I-1 (Light Industrial). The I-1 zoning was approved by City Council on September 22, 2008 with the adoption of Ordinance No. 2008-1139.
On September 22, 2008, City Council approved a Special Use Permit, Case No. 08-350-00003, for the property to be operated as an air training facility. SUP applied to property then owned by Deutsche Lufthansa AG, which Lufthansa used to train its pilots. Lufthansa improved the Property in accordance with the site plan submitted with the application for the SUP. The 2008 SUP includes a stipulation requiring a SUP amendment for “any expansion of the air training facility, additional buildings, or substantial changes in the operation of the air training facility.”
Lufthansa Airlines is not conducting training operations on the Property, and sold its Property to Bishop Airfield. Bishop Airfield, which acquired the Property, received a notice of violation on May 12, 2022 because free fall parachute trainings were being conducted on the Property by Complete Parachute Solutions, which is outside the scope of the operations permitted under the existing SUP for the Property. In order to correct the code violation, the applicant is requesting an amendment to the 2008 Special Use Permit to allow the additional use of free fall parachute training on the Property.
This Planning and Zoning Commission considered this item at their regular meeting held on April 12, 2023. Commissioners voted unanimously (6-0) to forward a recommendation of approval to the City Council.

STAFF ANALYSIS

Current Policy

Pursuant to Section 4-1-3 of the Zoning Ordinance (Special Uses Considered in Specified Districts), an airport may be considered as a Special Use in industrial zoning districts.
Pursuant to Section 1-3-4 of the Zoning Ordinance (Special Use Permits), a Special Use requires review by the Planning and Zoning Commission and approval from the City Council through the public hearing process.

Details of the Request
The applicant is requesting a Special Use Permit amendment to add free fall parachute training as an allowed use under the 2008 Special Use Permit. The Property is composed of an approximately 433-acre parcel zoned I-1 (Light Industrial), located at 9602 W Alabaster Road.
The proposed Special Use Permit amendment would allow free fall parachute training, which is currently being provided by Complete Parachute Solutions ("CPS"). Currently CPS currently flies 16 aircraft operations a day for training, 3 weeks a month.
Bishop Airfield is also having discussions with Lufthansa Airlines to allow them access to carry out pilot training at the facility. If an agreement is reached, the free fall parachute trainings and the pilot trainings would occur at separate times.

The following evaluation is being provided in conformance with Section 1-3-4 of the Zoning Ordinance:
1. Will be desirable or necessary to the public convenience or welfare:
The proposal provides the existing airport facilities to continue to be used to provide private flight trainings while allowing it to also be used for free fall parachute training.

2. Will be harmonious and compatible with the other uses adjacent to and in the vicinity of the selected site or sites:
The site is currently zoned I-1 (Light Industrial). The zoning surrounding the Property is vacant, zoned AG (Agricultural) and Preliminary PAD within city limits and zoned Rural-190 and Rural-43 within Maricopa County jurisdiction.
The nearest existing residential home is located approximately 1,300 feet from the airport.
The Airport began operations over 32 years. Since being annexed within the City of Goodyear approximately 15 years ago, it has been operated as an air training facility and, although not within the scope of the SUP for the Property, most recently as a free fall parachute training facility. During this time, the Airport has operated with similar training uses without complaint.

3. Is in conformance with the adopted General Plan and any adopted Area Plans:
The Property is located within the Industrial land use as designated by the city's 2025 General Plan. The industrial land use category is intended for more intensive business and employment uses which have greater impact on surrounding land uses. Uses appropriate for the Industrial land use category include office, industrial, and business parks. The existing Industrial General Plan land use designation allows Light Industrial uses. As such, the use of the Property for an airport will be in conformance with the General Plan.

4. Will not be detrimental to surrounding properties in the area due to:
a. Impact on the circulation system of the adjacent neighborhood:
There is existing full access to the facility off of S 99th Avenue onto W Alabaster Road and onto the Property. New access to the property is not proposed at this time.

b. Excessive noise or light generated from within the site:
The narrative indicates no additional site lighting is needed for the additional use. Night trainings are carried out in the dark to train with night vision devises.
Nonetheless, the development is required to comply with the City's Zone 2 lighting standards, which are designed to protect adjacent developments by requiring full cutoff lights and other mitigation measures.

c. Excessive scale or height in relationship to surrounding properties:
There are no new proposed buildings with this application. The current on-site facilities include

a 7,500 square foot aircraft maintenance hangar, a 31-foot-high aircraft control tower, two aircraft shelters designed to accommodate six aircrafts each, and an 8,000-gallon fuel tanker.

d. Hours of operation:
Per the project narrative, the standard training operation currently is for 40 trainees. The most personnel Complete Parachute Solutions can host on the site is 80 trainees. CPS trains 3 weeks per month. The project narrative states that, depending on weather conditions, training operations are held between sunrise to 12:00PM approximately 80% of the time, between 3:00AM and 12:00PM approximately 15% of the time, and between 7:00PM and 12AM approximately 5% of the time.

As noted above, the Property has been used for flight related operations for over 32 years without complaint. Accordingly, staff is not recommending restrictions on the hours of operation.

e. Inadequate parcel size to provide adequate buffers or mitigation to surrounding properties:
The parcel size is appropriate for the additional proposed use. The additional use of free fall parachute training does not generate the need for additional buffers or additional mitigation from those already contemplated in the original Special Use Permit.

f. Inconsistency with the development character or architecture of the adjacent properties:
The additional use of free fall parachute training does not generate the need for changes to the site and does not impact the character or architecture of the site.

Fire Department:
Emergency response times and distances are provided below:

Nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles
# 187	7.65	3.82	7.65	3.82

2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles
City of Maricopa #575	34.46	17.23	34.46	17.23

Public Participation:
In accordance with the city's Citizen Review Ordinance, A Citizen Review Meeting was held on Thursday, November 10, 2022 at 5:30PM at the Mobile Elementary School located at 42798 South 99th Avenue. A sign was posted on the Property as well as at the intersection of S 99th Avenue and State Route 238 leading up to the Property. In addition, a notice was sent to all property owners within 500 feet of the Property. The meeting was attended by the applicant, CPS personnel, and an airport employee. No inquiries or opposition has been received as a result of the citizen review meeting.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a notice mailed to property owners within 500 of the property, a sign posted on the property, and a legal notice published in the Arizona Republic, Southwest Edition. To date, staff has not received any inquiries on the project.

The Planning and Zoning Commission considered this item at their regular meeting on April 12, 2023. Upon conclusion of the staff presentation, the commission asked if the free fall parachute operations have continued outside the scope of the 2008 Special Use Permit and staff confirmed the applicant continued operations while working on the Special Use Permit

amendment with staff. Afterwards, the applicant gave commissioners a presentation about the Bishop Airfield operations and future expansion plans. After staff and applicant presentations, Commissioners unanimously voted (6-0) to forward a recommendation of approval to the City Council. There was no public opposition to the item voiced at the hearing.

STAFF FINDINGS

As outlined herein, staff finds the proposed request for the amendment to the SUP to not be materially detrimental to persons residing or working in the vicinity adjacent to the Property, to the neighborhood, or to the public welfare and that the proposed use is reasonably compatible with uses permitted in the surrounding area. Staff further finds the request for an amendment to the SUP meets the additional evaluation criteria for convenience uses as established in Section 1-3-4 of the Zoning Ordinance.

Attachments

Aerial Photo

Project Narrative

Site Plan submitted with 2008 Special Use Permit

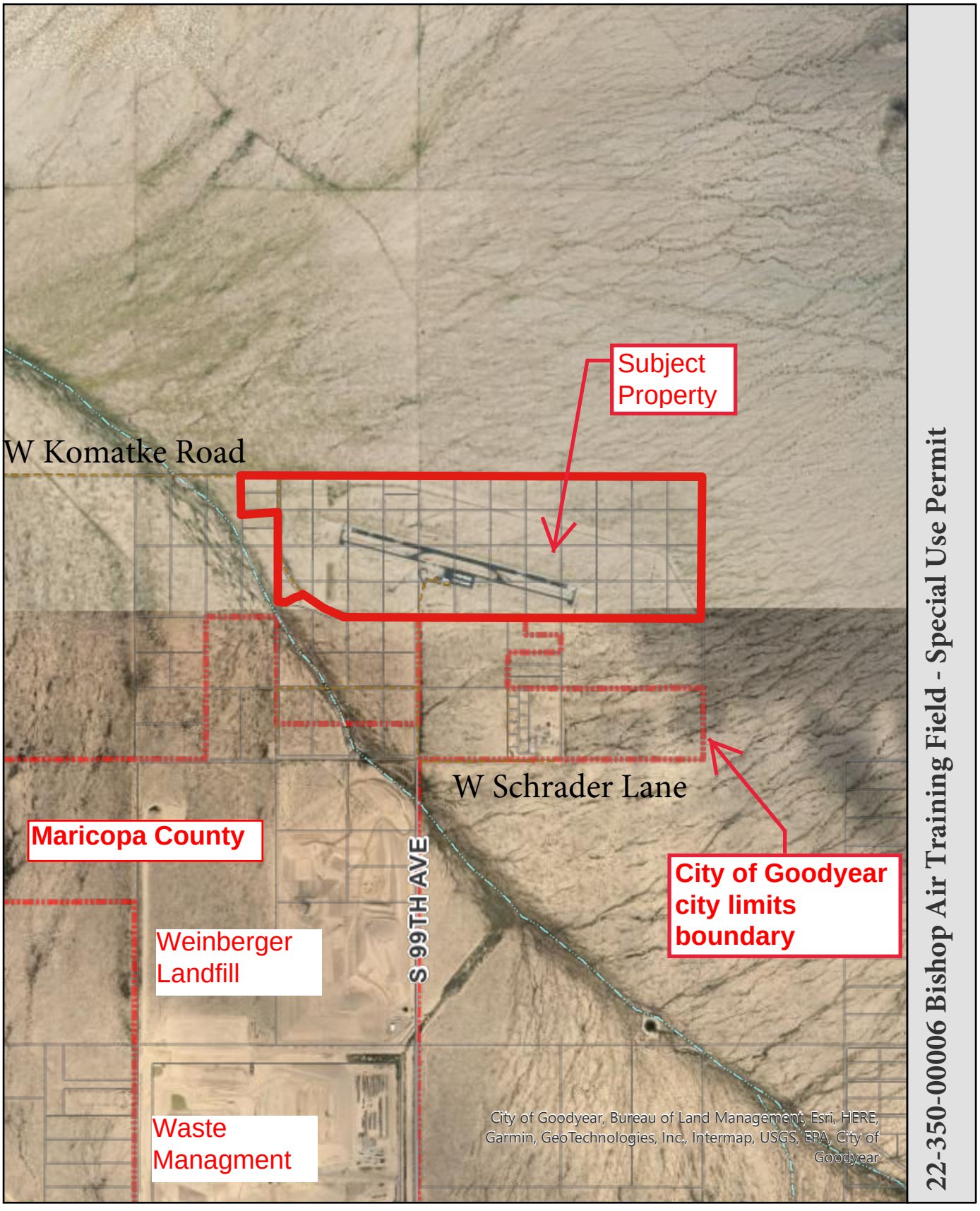
2008 Special Use Permit Approval Letter

Site Plan submitted with 2022 Special Use Permit

Applicant Presentation

Staff Presentation

Special Use Permit for Bishop Air Training field
9602 W Alabaster Road
North of W Komatke Road



Special Use Permit
Narrative
PRJ22-23736

Request: Request to operate an Airport in the L-1 (Light Industrial) zoning District

Location: East and West of the 99th Avenue alignment south of the Algonquin Road alignment

APN: 300-25-009, 010, 013E & F, 028-069, 070A & B, 071A & B, 072-074

Acreage: Approximately 433 acres

Current Use: Bishop Air Training Field

Request Description:
This is a request for an updated Special Use Permit to operate the existing Bishop Air Training Field (Airport) as an airport with parachute operations in the Mobile area within the L-1 (Light Industrial) zoning district. Bishop LLC is a subsidiary of BBDP and Complete Parachute Solutions. BBDP and Complete Parachute Solutions are headquartered in DeLand, Florida. Also, CPS operates a Tactical Training Facility in Coolidge, AZ for the last 15 years. Finally, CPS operates an Arizona Maintenance Facility in Eloy, Arizona. The subject site is currently zoned L-1, Light Industrial and is located within the City of Goodyear.

The property is zoned I-1 (Light Industrial). Zoning was approved on September 22, 2008, with City Council adoption of Ordinance No. 2008-1139. A Special Use for an airport was approved by the City Council on September 22, 2008. (Case No. 08-350-00003). Case No. 08-350-00003 was approved subject to stipulations of approval including the below stipulation:

> Development shall be in substantial conformance with the development site plan for the air training facility submitted with the Special Use application entitled "Air Training Field, Mobile, Arizona, Special Use Permit for Private Airport" and dated December 5, 2005, and the narrative submitted with the Special Use application dated August 4, 2008. Any expansion of the existing air training facility, additional buildings, or substantial changes in the operation of the air training facility shall require an amendment to the approved Special Use.

The property was previously operated by Lufthansa to train pilots. Pursuant to the stipulation, the proposed operation for Complete Parachutes requires an amendment to the approved Special Use.

A notice of violation was issued to the applicant (NOV Case No. 22-00001320) citing the following:

> Goodyear Zoning Article 1-3-5.A. APPLICABILITY. Site Plan approval is required prior to development activities on property located in zoning districts for which site plan review is required as specified in this Ordinance. This includes, by way of example, but not limitation all uses within commercial and industrial zoning districts; all uses I certain residential districts such as multi-family residential district manufactured home subdivision district; mobile home/recreational vehicle district; and uses in residential districts that require a Use Permit. Site Plan review for single-family, two-family uses and model home complexes shall be done concurrently with and an application for a building permit for such uses.

This application is submitted to address the above-referenced notice of violation, in full, to bring the property into compliance with the zoning ordinance and the City Code and to update the Special Use Permit and site plan for the property to reflect the current operations and status of improvements on the property (improving and updating existing infrastructure).

Airport Description and Utilization:

There are no changes to the existing facilities planned. There is the possibility that another hanger, several buildings, and another runway may be requested at a future time. Future expansion will require a Special Use permit request and site plan amendment. Bishop Airfield is a private airport facility, not open to the public. Bishop Airfield receives no funding form the municipalities, Government, nor FAA. The private airport is currently utilized to train Department of Defense, Government Agencies, and Allied Nation Military Forces in Military Free Fall parachuting (for clarification: The "Free Fall" is the skydiving part of training and the length of time that the experience lasts depends on the altitude from which you are jumping. The parachute is deployed roughly at 5000 ft so the "Free Fall" or skydive lasts for the time it takes to fall from the jump height minus the parachute deployment height).

Typical aircraft are single and twin-engine aircraft such as Skyvans, Sherpas, and Caribous. CPS currently has two full-time employees on site. Our standard training operation is 40 personnel on site. The most personnel we can facilitate at Bishop is 80. We train 3 weeks per month, with a week recovery to prepare for our next client. Most of the time (80%), hours of operation are from sunrise to noon. Occasionally (15%), we will operate from early morning (3:00 AM) until noon to conduct night jumps. Rarely (5%), we will operate from 7:00 PM until midnight, again to conduct night jumps. The operating hours are based on Arizona's weather and changing seasons. Typically, we fly 16 aircraft loads a day for training. With the amount of air traffic in vicinity of

Bishop airfield from commercial and private aircraft, we do not expect an increase in noise. We parachute from 12,500 feet above Ground Level (2 miles).

We are in discussions with Lufthansa to allow them access to the runway and taxiways after our clients have finished training. Lufthansa plans to use the airfield to train pilots. Typical aircraft for Lufthansa are single and twin-engine aircraft such as Beechcraft, Piper, Grob, etc. Lufthansa pilot training and CPS Parachute training will not happen at the same time (it would be a safety risk to the parachutist). The pilot training and parachute training could happen in the same day.

The site consists of approximately 433 acres and is accessed by land from 99th Avenue via State Route 238. Authorized vehicles can access the site through a locking gate at the entrance at 99th Avenue and Alabaster Road on a paved roadway that directs traffic to the hangar parking area. The gate is locked when an employee is not present. The site is fenced with a 6-foot-high metal security fencing with barbed wire on top. Only authorized personnel are allowed on the property. The airport is not accessible to the general public and is secured from access by non-authorized personnel.

On-site facilities include an aircraft maintenance hangar, aircraft control tower, aircraft shelters, runway, taxiway and apron, site drainage, water well, septic system and site lighting plus a fuel farm. The on-site facilities are described in detail below.

Instrument/Navigation Aids: Instrument Landing System (ILS) and Non-Directional Beacon (NOB) at outer marker.

Aircraft Maintenance Hanger: 7,500 SQ. FT. pre-engineered building measuring 100' x 75'. A 25' x 10' lean to structure is attached to the south side of the hangar housing all electrical gear and equipment. The interior of the aircraft hangar is divided as follows:

- Aircraft Maintenance 5,000 SQ. FT.
- Storage room 950 SQ. FT.
- Briefing room 744 SQ. FT.
- Restroom 400 SQ. FT.
- Lounge 350 SQ. FT.

This hangar is cooled by both A/C and evaporative cooling and is equipped with a back-up electrical system in the event of power failure.

Aircraft Tower: A structural steel tower 31' high with approximately 144 SQ. FT. of cab area. The control cab is boarded on the exterior with a catwalk platform and handrail. The control cab is accessed via stairway on the exterior. The cab is cooled by A/C. The interior of the control cab houses a control console equipped with all functions necessary to relay appropriate information to incoming and departing aircraft as well as to operate airport lighting.

Aircraft Shelters: Two (2) pre-engineered canopies each measuring 40' wide x 330' long x 12' high. Each shelter is designed to accommodate six (6) aircraft.

Runway: 75' wide x 4,500' long asphalt paved runway with applicable stripping.

Taxiway: 35' wide x 4,500' long asphalt paved taxiway with applicable striping. Taxiway runs parallel to runway.

Apron: 222.5' wide x 570' long asphalt apron with all applicable stripping. The maintenance hangar and aircraft shelters are located on the apron.

Site Drainage: Located north of the runway exists a diversion dike used to divert rain run off around the project. The majority of site run off is captured in a retention area southwest of the site.

Water Well: The potable water well is no longer functioning. We have requested quotes to fix or drill a new well. Currently, potable water is purchased and transported to the site to support staff and clients. Non-potable water is also purchased and transported to the site from the landfill.

Septic System: All sewage generated from the restrooms within the hangar are contained and distributed through a septic system. The septic field is 29 yards due south of the south-east corner of the hangar. When we are training, we rent self-contained restroom trailers that are serviced regularly.

Site Lighting: The site lighting is per FAA Airport Requirements and includes:
- Runway Identifications
- Runway End Identification Lights (R.E.I.L.)
- Precision Approach Path Indicators (P.A.P.I.) Lights
- Taxiway Identification Lights
- Apron Flood Lights
- Fuel Farm Lighting

No lighting has been added to the site. Three large light poles on the apron have been removed (the lights were not working). The Department of Defense trains during the night and prefers to rely on night vision devices. All lights are turned off during night operations.

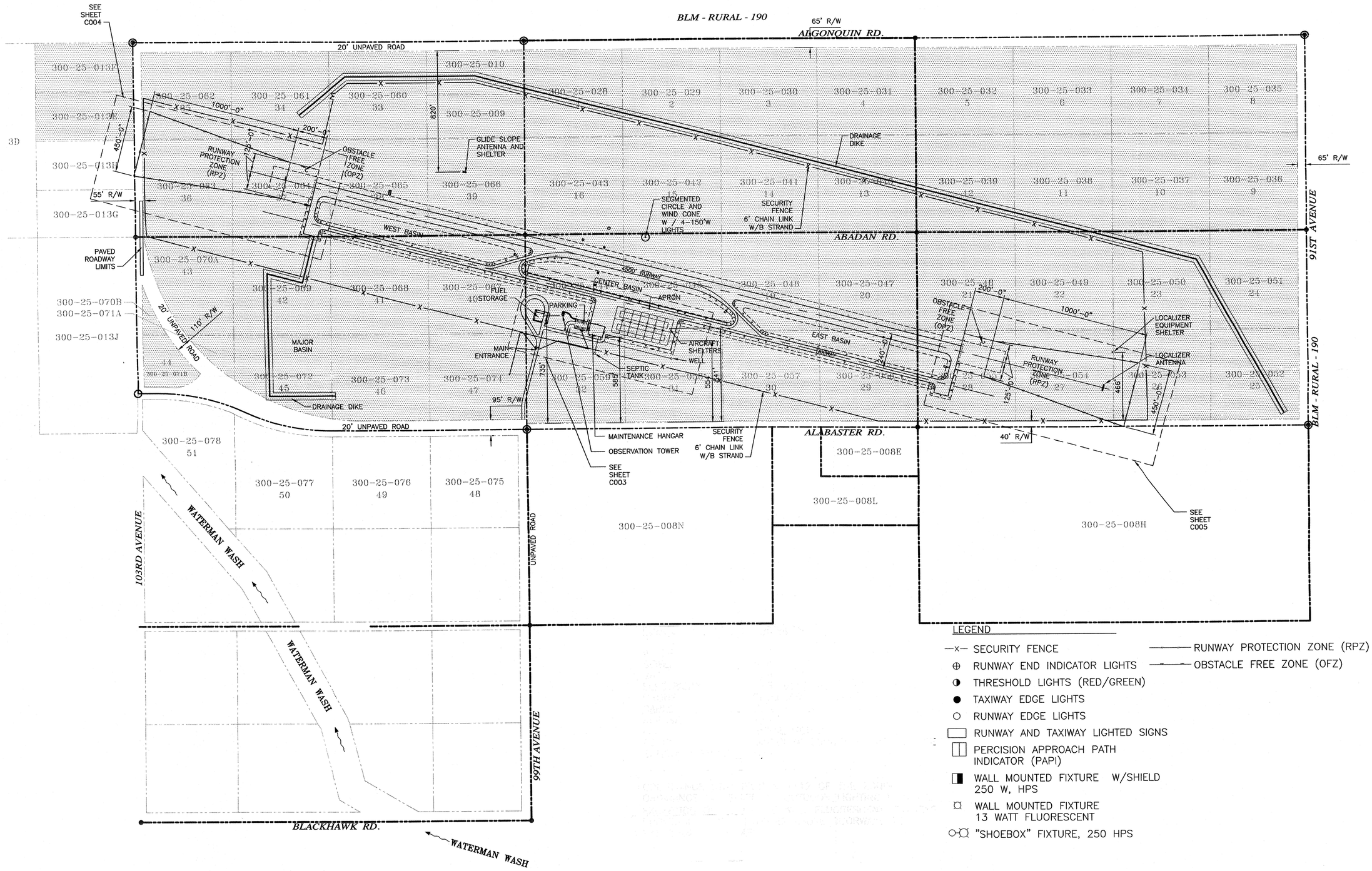
Fuel Farm: The fuel farm consists of one 8,000-gallon fuel tanker above ground, maintained in accordance with the specifications and requirements of the EPA. An aviation mule, with a 4,000-gallon capacity, transports the fuel from the tanker to the aircraft. The mule is also maintained in-accordance with EPA regulations. We contract an aviation fuel company to maintain the tankers and trucks used at the site.

The Obstacle Free Zone (OFZ) is located at each end of the runway. The OFZ extends 200' past the runway and is 125' wide and centered on the runway. The trapezoidal Runway Protection

Zone (RPZ) begins beyond the OFZ and extends 1000' to a width of 450' also centered on the runway. The RPZ extends to the southeast onto parcel 300-25-00SH by approximately 3 feet and to the northwest onto parcel 300-25-013H by approximately 5 feet. The only restriction in the RPZ is the height of a building so that it would not interfere with the takeoff or landing of an airplane. In this case, it would restrict the height of a structure to be no taller than approximately 50 feet where the RPZ extends beyond the property limits.

Conclusion:

The airport has already existed at this location for 32 years. With the anticipated development in the area over the next 10-15 years, the airfield provides an opportunity for growth and expansion in utilization. Of course, any expansion will require an amendment to the Special Use request as well as a site plan amendment.



300 0 300 600
SCALE FEET
1" = 300'

LAYOUT BASED ON ORIGINAL DESIGN PLANS AND FIELD REVIEWS

IF THIS DRAWING IS LESS THAN 24" X 36" IT IS A REDUCED SIZE DRAWING

G:\PW\605004\1\Architectural\C002.dwg, Plotted: Mar 07, 2007 - 11:07am

ENGINEER:
TranSystems
120 NORTH 44TH STREET
SUITE 400
PHOENIX, AZ 85034

23785
JAMES F. SCHUMANN
1-6-07
REGISTERED PROFESSIONAL ENGINEER
ARIZONA U.S.A.

OWNER/APPLICANT:
AIRLINE TRAINING CENTER ARIZONA, INC.
A LUFTHANSA COMPANY
PHOENIX - GOODYEAR MUNICIPAL AIRPORT
1658 SOUTH LITCHFIELD RD.
GOODYEAR, AZ 85338

AIR TRAINING FIELD MOBILE, ARIZONA SPECIAL USE PERMIT FOR PRIVATE AIRPORT

REVISIONS:

MARK	DATE	DESCRIPTION
JFS	1/3/2007	REVISIONS FROM SECOND REVIEW

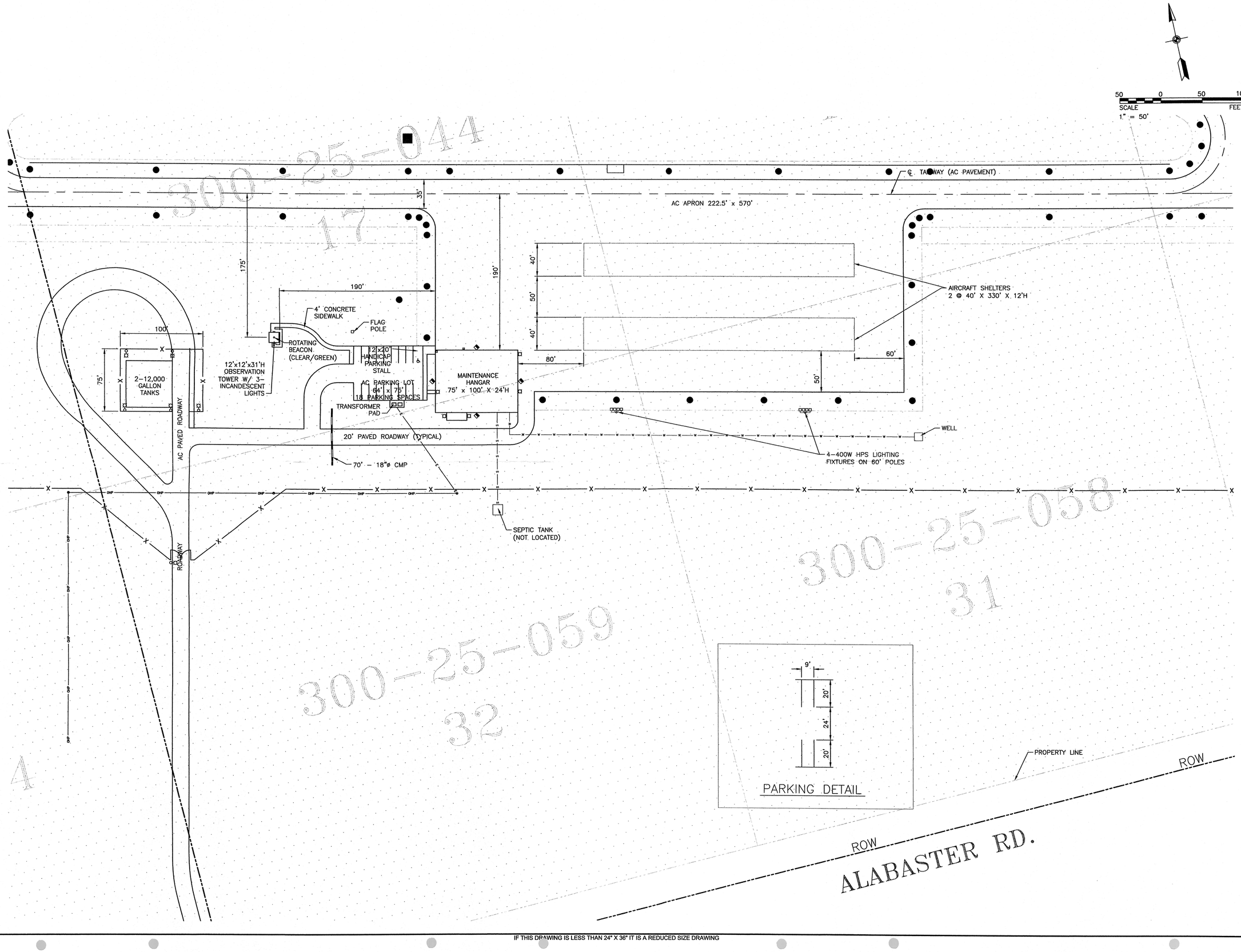
PROJ NO: 604050041
SCALE: 1" = 300'
DATE: 12/05/05
DESIGNED BY: N/A
DRAWN BY: KDB
CHECKED BY: JFS

SHEET TITLE:
SITE PLAN
LUFTHANSA
MOBILE
AIRPARK

SHEET NO.
C002

SUBMITTAL: 1st
DATE: 6/30/08
CASE: 08-35000003

SUP PERMIT FOR PRIVATE AIRPORT - Z200 5099



ENGINEER:
TranSystems
120 NORTH 44TH STREET
SUITE 400
PHOENIX, AZ 85034

23785
JAMES F.
SCHUMANN
Expires 3-4-07
ARIZONA U.S.A.

OWNER/APPLICANT:
AIRLINE TRAINING CENTER
ARIZONA, INC.
A LUFTHANSA COMPANY
PHOENIX - GOODYEAR
MUNICIPAL AIRPORT
1658 SOUTH LITCHFIELD RD.
GOODYEAR, AZ 85338

AIR TRAINING FIELD MOBILE, ARIZONA
SPECIAL USE PERMIT FOR PRIVATE AIRPORT
NEW CASE # Z2005099
PREVIOUSLY APPROVED SUPCASE # Z88-124

REVISIONS:			
MARK	DATE	DESCRIPTION	
JFS	1/3/2007	REVISIONS FROM SECOND REVIEW	

PROJ NO: 604050041
SCALE: 1" = 300'
DATE: 12/05/05
DESIGNED BY: N/A
DRAWN BY: KDB
CHECKED BY: JFS

SHEET TITLE:
ENLARGED PLANS
LUFTHANSA
MOBILE
AIRPARK

SHEET NO.
C003
SHEET 3 OF 5

SPECIAL USE PERMIT FOR PRIVATE AIRPORT - Z200 5099

G:\P\605\0041\Architectural\C003.dwg, Plotted: Mar 07, 2007 - 12:52pm

IF THIS DRAWING IS LESS THAN 24" X 36" IT IS A REDUCED SIZE DRAWING

September 23, 2008

K. Scott McCoy
Earl, Curley & Lagarde, P.C.
3101 N. Central Avenue, Suite 1000
Phoenix, AZ 85012

Re: Approval of a Special Use for the Lufthansa Air Training Facility
Case No. 08-350-00003 COAC No. 08-3920
Generally located at 99th Avenue and the Algonquin Road alignment

Mr. McCoy:

The purpose of this letter is to inform you that the Goodyear City Council, at its regular meeting on September 22, 2008, approved a Special Use to allow the continued operation of the Lufthansa Air Training Facility, generally located at 99th Avenue and the Algonquin Road alignment. The approval was made subject to the following stipulation:

1. Development shall be in substantial conformance with the development site plan for the air training facility submitted with the Special Use application entitled "Air Training Field, Mobile, Arizona, Special Use Permit for Private Airport" and dated December 5, 2005 and the narrative submitted with the Special Use application dated August 4, 2008. Any expansion of the existing air training facility, additional buildings, or substantial changes in the operation of the air training facility shall require an amendment to the approved Special Use.

If you should have any questions regarding this approval letter, please contact me at 623.882.7948 or by email at katie.wilken@goodyearaz.gov.

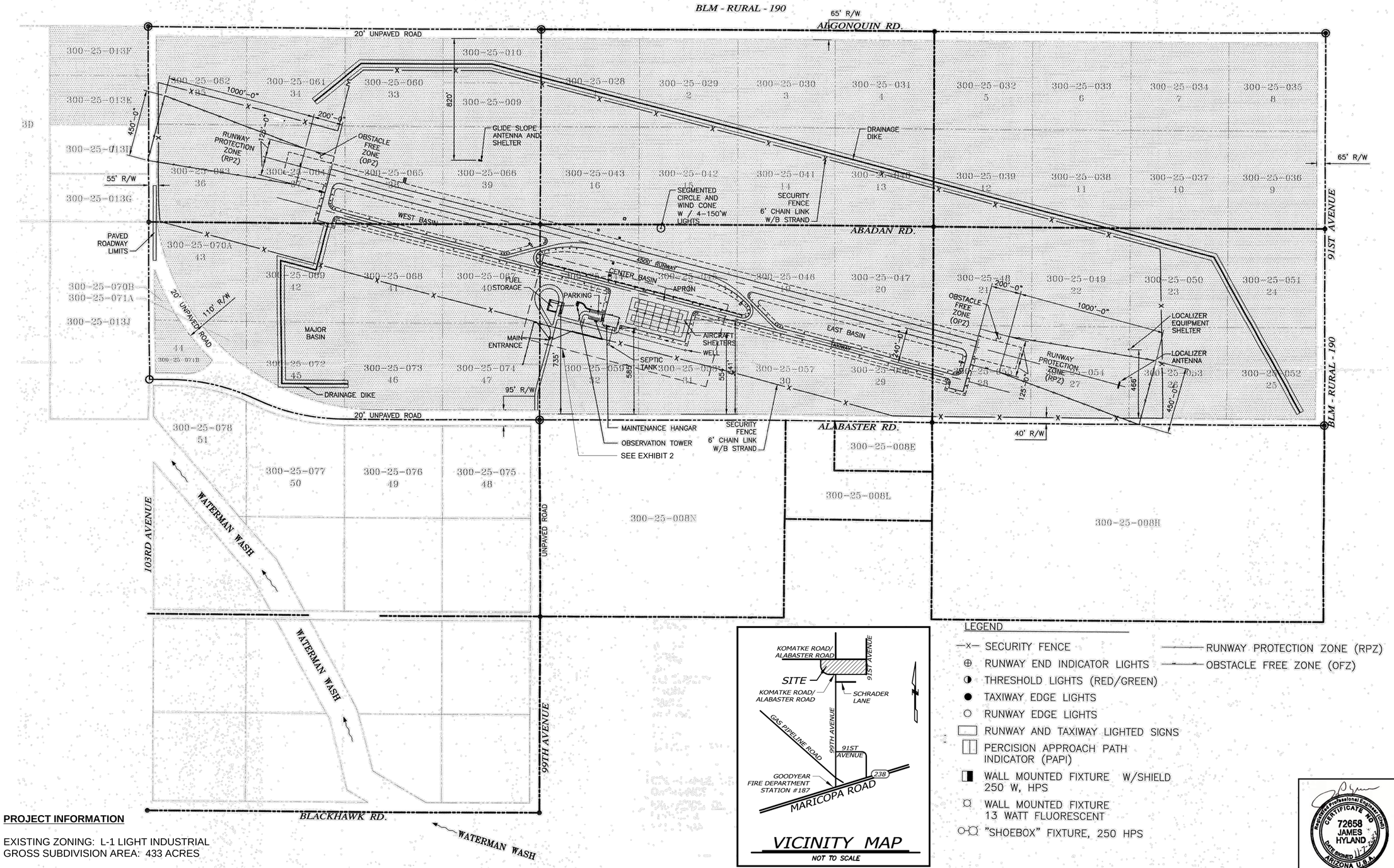
Sincerely,
CITY OF GOODYEAR

Katie Wilken, AICP
Planner II

CC: Development Policy Committee (via e-mail)
File (08-350-00003)

GENERAL INFORMATION

REFERENCE BOUNDARY SURVEY BY DAVID S. KLEIN OF SUPERIOR SURVEYING SERVICES, INC. FOR BOUNDARY LINES OF THE SITE.



LEGEND

- SECURITY FENCE
- RUNWAY END INDICATOR LIGHTS
- THRESHOLD LIGHTS (RED/GREEN)
- TAXIWAY EDGE LIGHTS
- RUNWAY EDGE LIGHTS
- RUNWAY AND TAXIWAY LIGHTED SIGNS
- PERCISION APPROACH PATH INDICATOR (PAPI)
- WALL MOUNTED FIXTURE W/SHIELD 250 W, HPS
- WALL MOUNTED FIXTURE 13 WATT FLUORESCENT
- "SHOEBOX" FIXTURE, 250 HPS
- RUNWAY PROTECTION ZONE (RPZ)
- OBSTACLE FREE ZONE (OFZ)

PROJECT INFORMATION

EXISTING ZONING: L-1 LIGHT INDUSTRIAL
GROSS SUBDIVISION AREA: 433 ACRES

LAYOUT BASED ON ORIGINAL DESIGN PLANS AND PREVIOUS SPECIAL USE PERMIT APPLICATION

IF THIS DRAWING IS LESS THAN 24" X 36" IT IS A REDUCED SIZE DRAWING

300 0 300 600
SCALE FEET
1" = 300'

Tran Systems
2000 CENTER ST
SUITE 303
BERKELEY, CA 94704
PHONE: 510-835-2761

OWNER/APPLICANT:
COMPLETE PARACHUTE SOLUTIONS, INC.
1326 E. INTERNATIONAL SPEEDWAY BLVD, SUITE 7
DELAND, FL 32724

BISHOP AIR TRAINING FIELD
9602 W ALABASTER ROAD, GOODYEAR, ARIZONA

CITY OF GOODYEAR, AZ
SPECIAL USE PERMIT SUBMITTAL
PRE-APPLICATION/PROJECT NO. PRJ22-23736
PROJECT LOCATION: 300-25-045

REVISIONS:

MARK	DATE	DESCRIPTION

PROJ NO:	P501220130
SCALE:	1" = 300'
DATE:	11/7/2022
DESIGNED BY:	N/A
DRAWN BY:	JX
CHECKED BY:	DKL

Registered Professional Engineer (Civil)
CERTIFICATE NO 72858
JAMES HYLAND
DATE SIGNED 11-7-2022
ARIZONA U.S.A.
Expiration Date 3-31-2024

SHEET TITLE:
BISHOP AIR TRAINING FIELD SITE PLAN

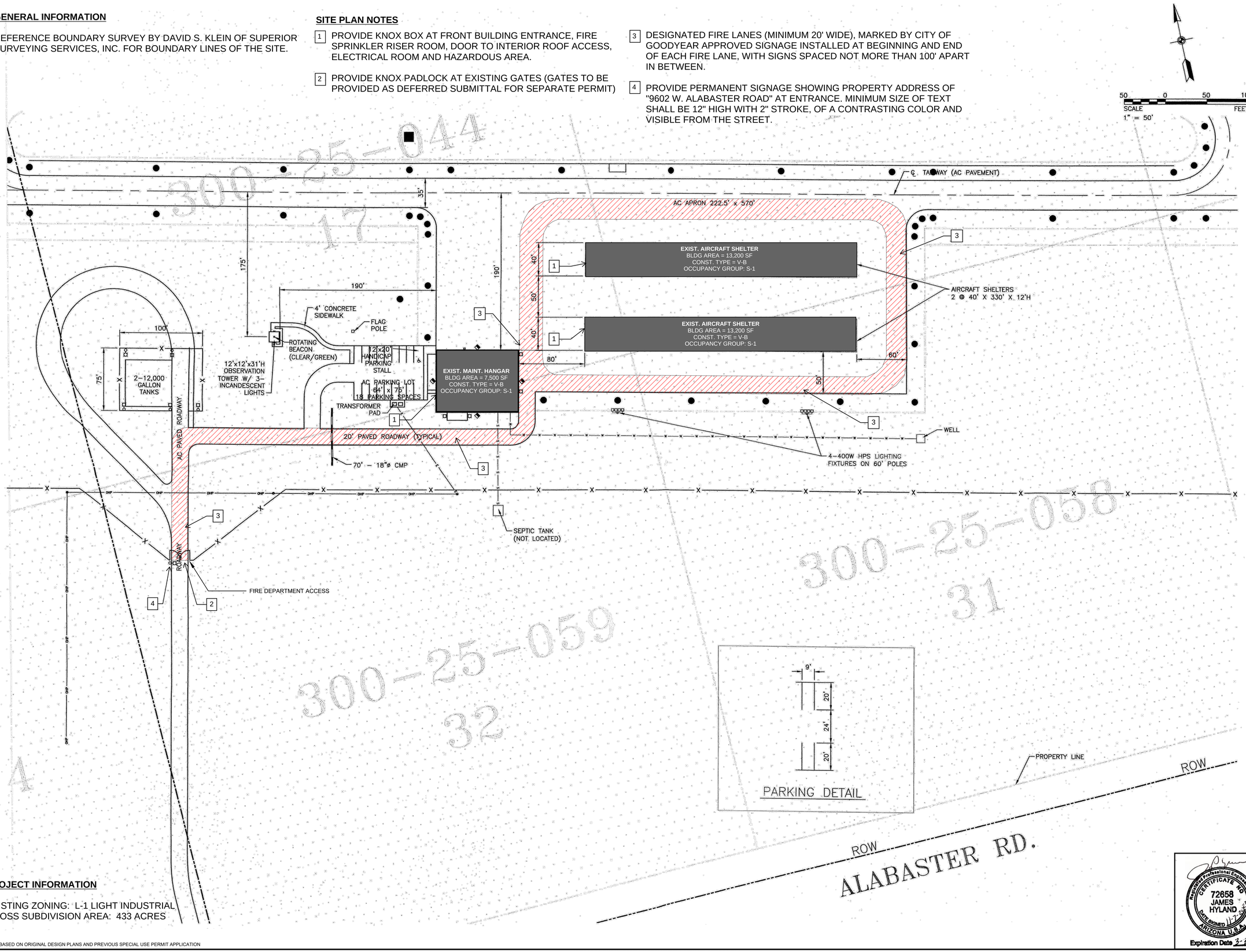
SHEET NO.
SITE EXHIBIT 1

GENERAL INFORMATION

REFERENCE BOUNDARY SURVEY BY DAVID S. KLEIN OF SUPERIOR SURVEYING SERVICES, INC. FOR BOUNDARY LINES OF THE SITE.

SITE PLAN NOTES

1. PROVIDE KNOX BOX AT FRONT BUILDING ENTRANCE, FIRE SPRINKLER RISER ROOM, DOOR TO INTERIOR ROOF ACCESS, ELECTRICAL ROOM AND HAZARDOUS AREA.
2. PROVIDE KNOX PADLOCK AT EXISTING GATES (GATES TO BE PROVIDED AS DEFERRED SUBMITTAL FOR SEPARATE PERMIT)
3. DESIGNATED FIRE LANES (MINIMUM 20' WIDE), MARKED BY CITY OF GOODYEAR APPROVED SIGNAGE INSTALLED AT BEGINNING AND END OF EACH FIRE LANE, WITH SIGNS SPACED NOT MORE THAN 100' APART IN BETWEEN.
4. PROVIDE PERMANENT SIGNAGE SHOWING PROPERTY ADDRESS OF "9602 W. ALABASTER ROAD" AT ENTRANCE. MINIMUM SIZE OF TEXT SHALL BE 12" HIGH WITH 2" STROKE, OF A CONTRASTING COLOR AND VISIBLE FROM THE STREET.



PROJECT INFORMATION

EXISTING ZONING: L-1 LIGHT INDUSTRIAL
GROSS SUBDIVISION AREA: 433 ACRES

LAYOUT BASED ON ORIGINAL DESIGN PLANS AND PREVIOUS SPECIAL USE PERMIT APPLICATION

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TranSystems
2000 CENTER ST
SUITE 303
BERKELEY, CA 94704
PHONE: 510-835-2761

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COMPLETE PARACHUTE SOLUTIONS, INC.
1326 E. INTERNATIONAL SPEEDWAY BLVD, SUITE 7
DELAND, FL 32724

BISHOP AIR TRAINING FIELD
9602 W ALABASTER ROAD, GOODYEAR, ARIZONA

CITY OF GOODYEAR, AZ
SPECIAL USE PERMIT SUBMITTAL
PRE-APPLICATION/PROJECT NO: PRJ22-23736
PROJECT LOCATION: 300-25-045

REVISIONS:

MARK	DATE	DESCRIPTION

PROJ NO:	P501220130
SCALE:	1" = 50'
DATE:	11/7/2022
DESIGNED BY:	N/A
DRAWN BY:	JX
CHECKED BY:	DKL

SHEET TITLE:
BISHOP AIR TRAINING FIELD ENLARGED SITE PLAN

SHEET NO.
SITE EXHIBIT 2

Registered Professional Engineer (Civil)
CERTIFICATE NO
72658
JAMES HYLAND
DATE SIGNED 11-7-22
ARIZONA U.S.A.
Expiration Date 3-31-2024

COMPLETE
PARACHUTE
SOLUTIONS

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

Complete Parachute Solutions is a unified consortium of three leaders in the parachute industry: SunPath Products, United Parachute Technologies and Performance Designs.

CPS is a customizable outfitter of Military parachute solutions. From design to manufacturing to training, we provide the safest, most tactical parachute solutions and programs to National Mission Forces.

Our Mission: We go above and beyond for those who serve by providing Battle Proven parachute equipment and training to help them successfully accomplish the mission!

Responsible for 90% safety innovations in industry

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

BATTLE PROVEN

Our equipment has supported the United States and our Allied Partners for over 20 years

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

SMOKE JUMPERS

The Forest Service and Smoke Jumpers have worked with CPS to develop equipment specific to their needs and have used CPS equipment and Precision Guided Cargo for years fighting fires!

Our clients are the people using the equipment to complete the mission!

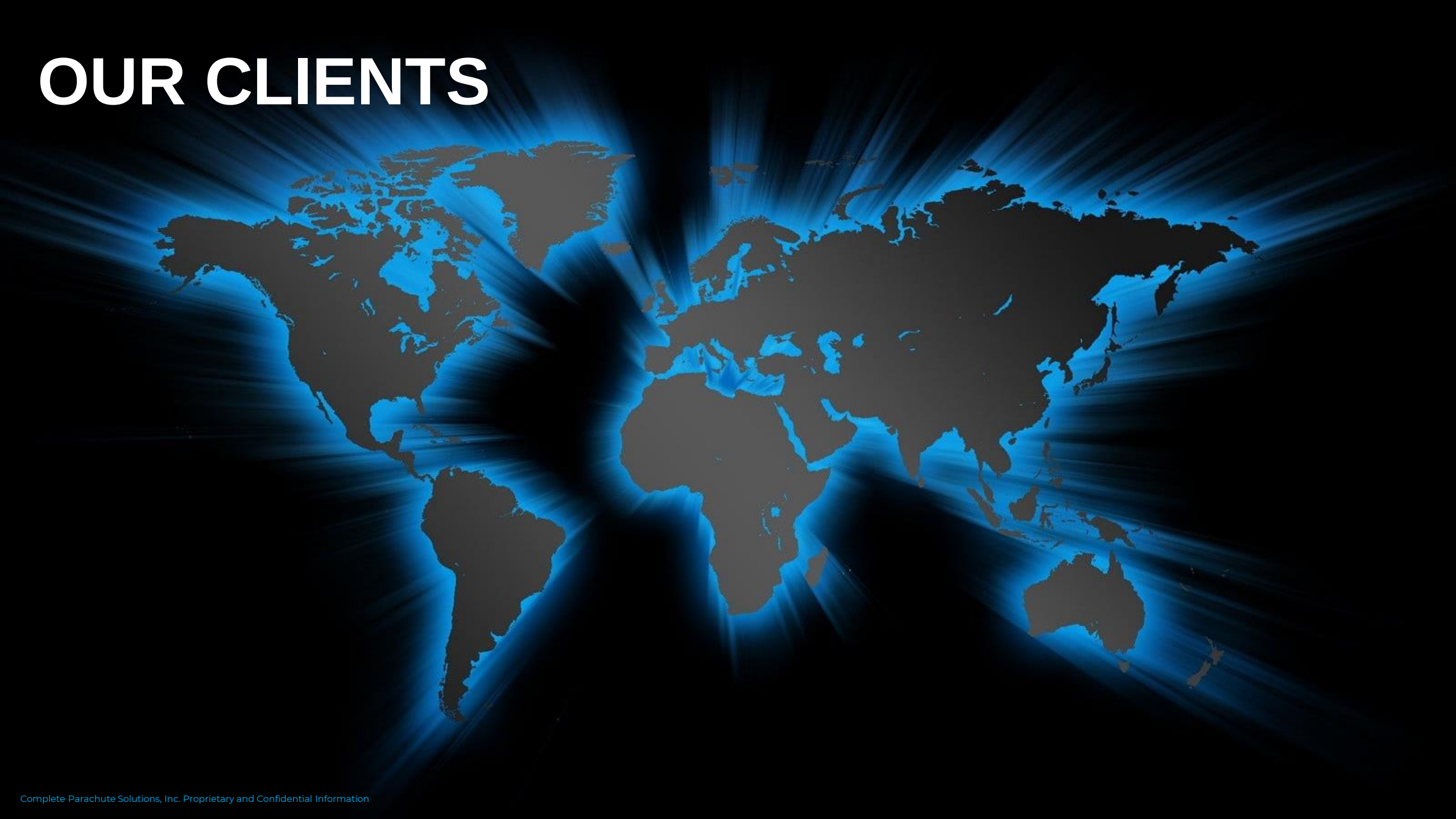
Complete Parachute Solutions, Inc. Proprietary and Confidential Information

MARINE'S MULTI-MISSION PARACHUTE COURSE

CPS trained the Marine Corp for over 12 years. We have the safest training record in the Department of Defense for basic Military Free Fall.

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

OUR CLIENTS

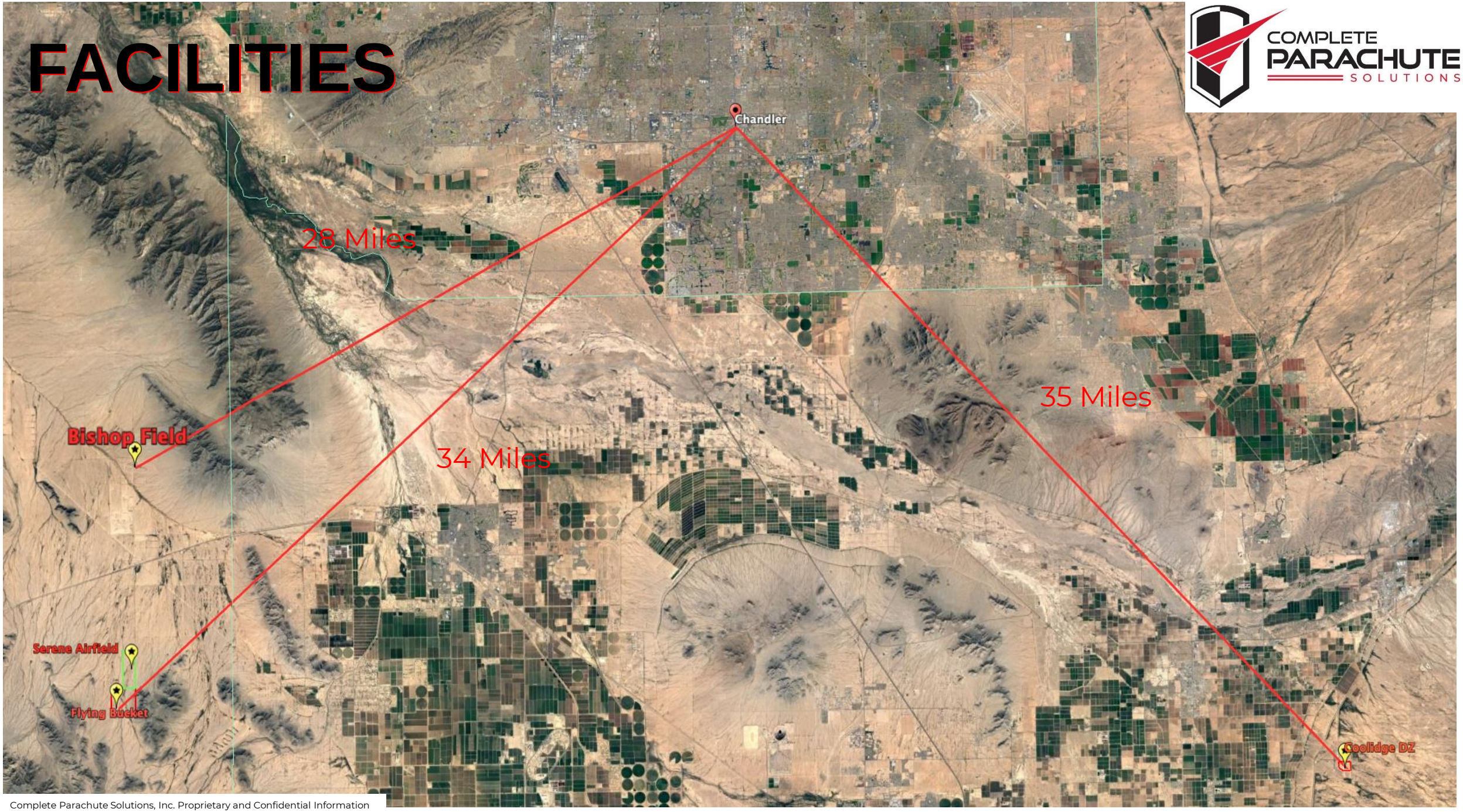


Complete Parachute Solutions, Inc. Proprietary and Confidential Information

EVEREST ALPINE PARACHUTING

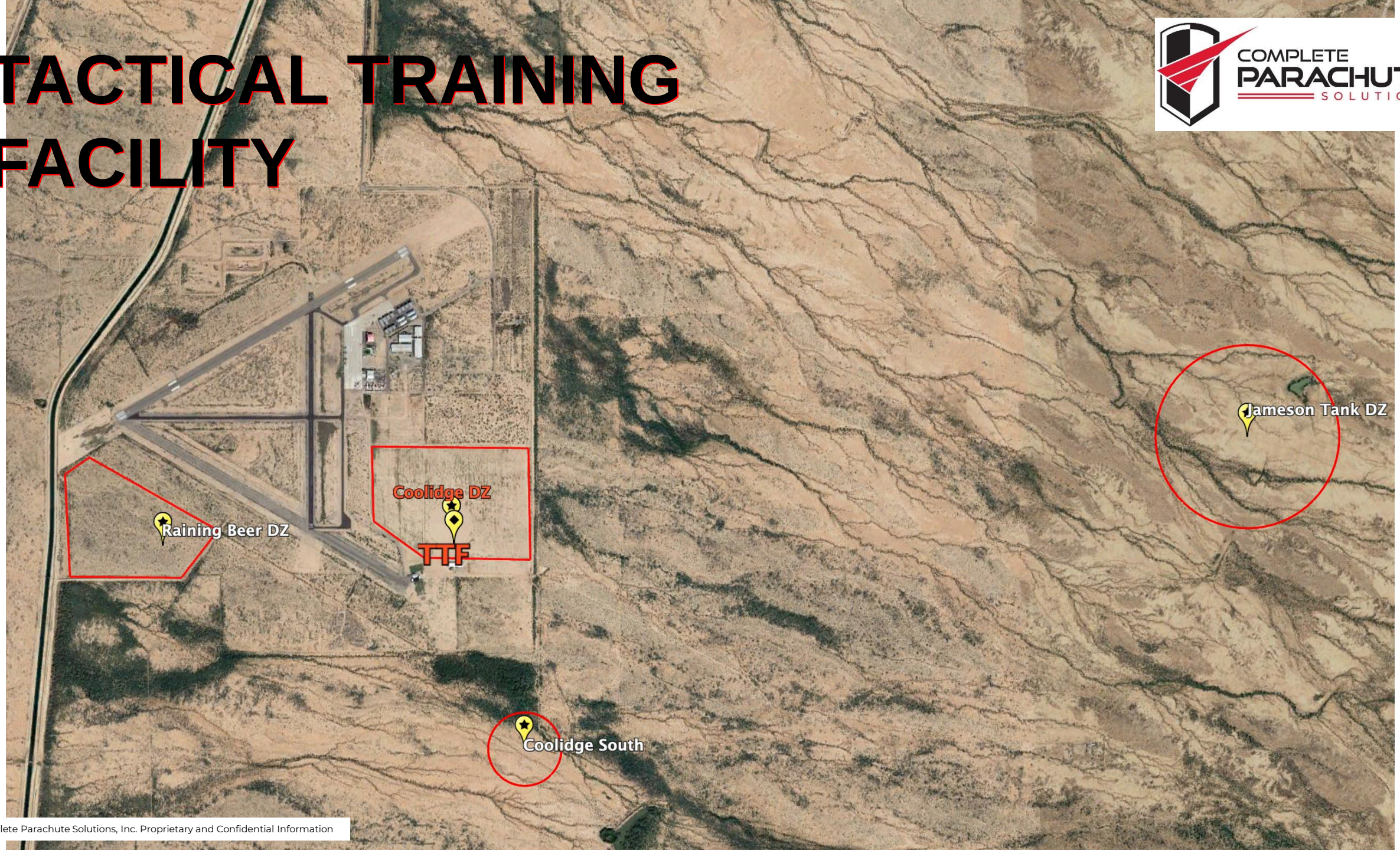
Complete Parachute Solutions, Inc. Proprietary and Confidential Information

FACILITIES



Complete Parachute Solutions, Inc. Proprietary and Confidential Information

TACTICAL TRAINING FACILITY

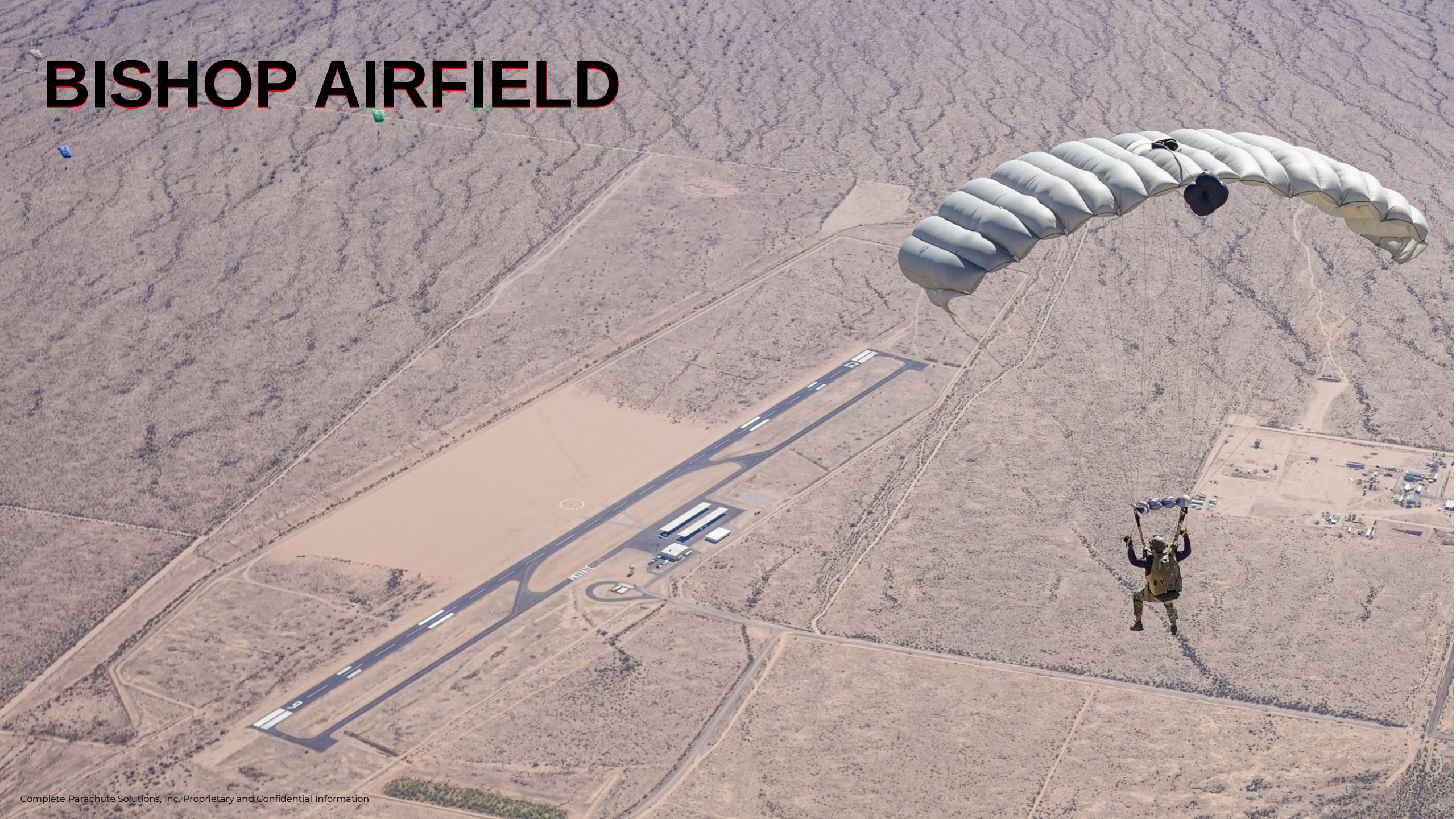


Complete Parachute Solutions, Inc. Proprietary and Confidential Information

TACTICAL TRAINING FACILITY

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

BISHOP AIRFIELD



Complete Parachute Solutions, Inc. Proprietary and Confidential Information

Hanger

Classroom

Aircraft

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

HARDWARE

SPECIAL OPERATIONS VECTOR 3 (SOV3-HH)

MILITARY JAVELIN

MULTI-MISSION PARACHUTE SYSTEM

MILITARY TANDEM VECTOR SIGMA

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

PARTNERS

COMPLETE PARACHUTE SOLUTIONS

Dillon Aero

GENTEX CORPORATION

ops-core®

TOPOUT AERO

COBHAM

PHANTOM

Parachutist Oxygen Systems

PRECISION AIRDROP
WAMORE, INC.

IAI Intelligent Automation a BLUEHALO company

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

WHY CPS

TRACK RECORD

COMPLETE SOLUTION

CUSTOMER SUPPORT

LONG TERM RELATIONSHIP

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

ABOVE AND BEYOND

Complete Parachute Solutions, Inc. Proprietary and Confidential Information

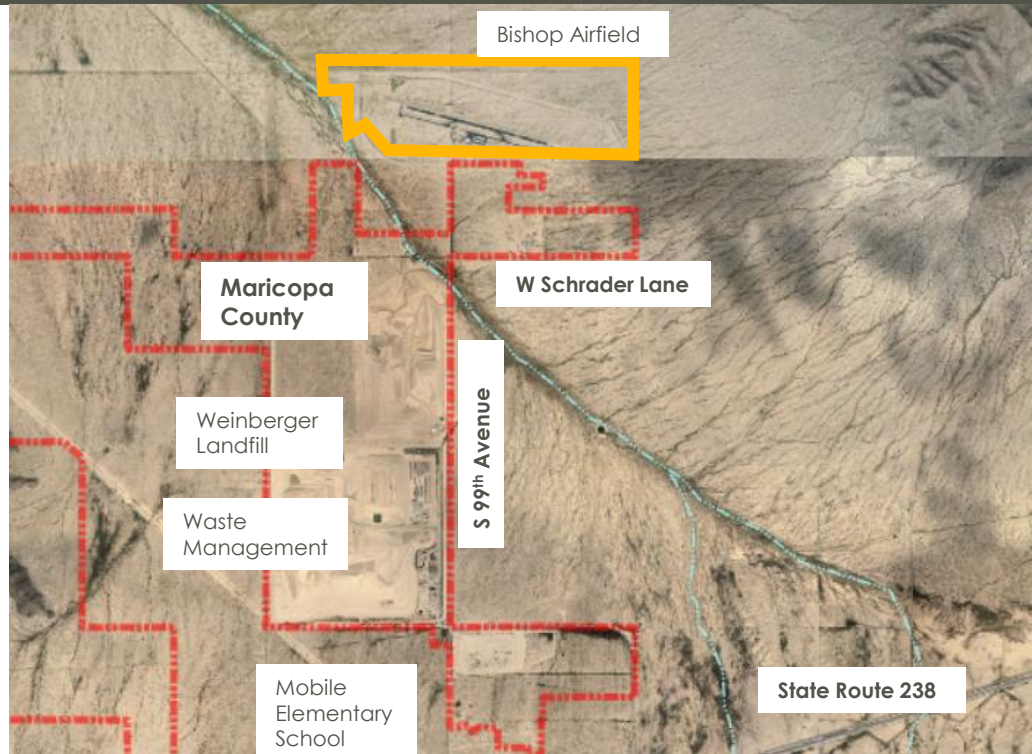
Bishop Air Training Field

Special Use Permit

Location

9602 W ALABASTER ROAD

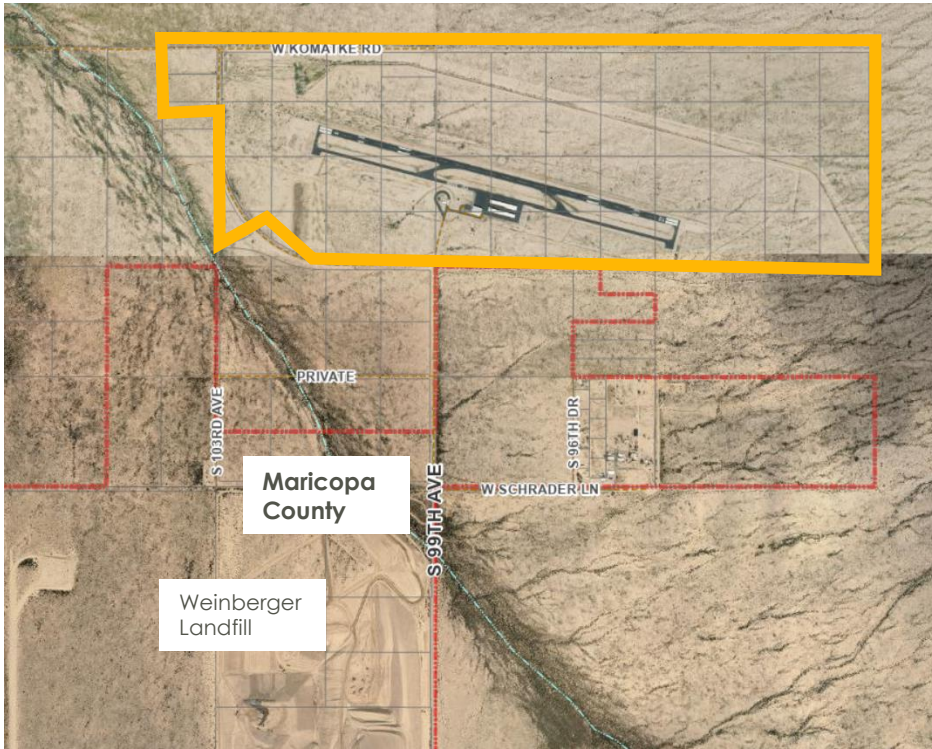
- I-1 Light Industrial



Location

9602 W ALABASTER ROAD

- Appx. 433-acre site
- 2008 Special Use Permit



GENERAL INFORMATION

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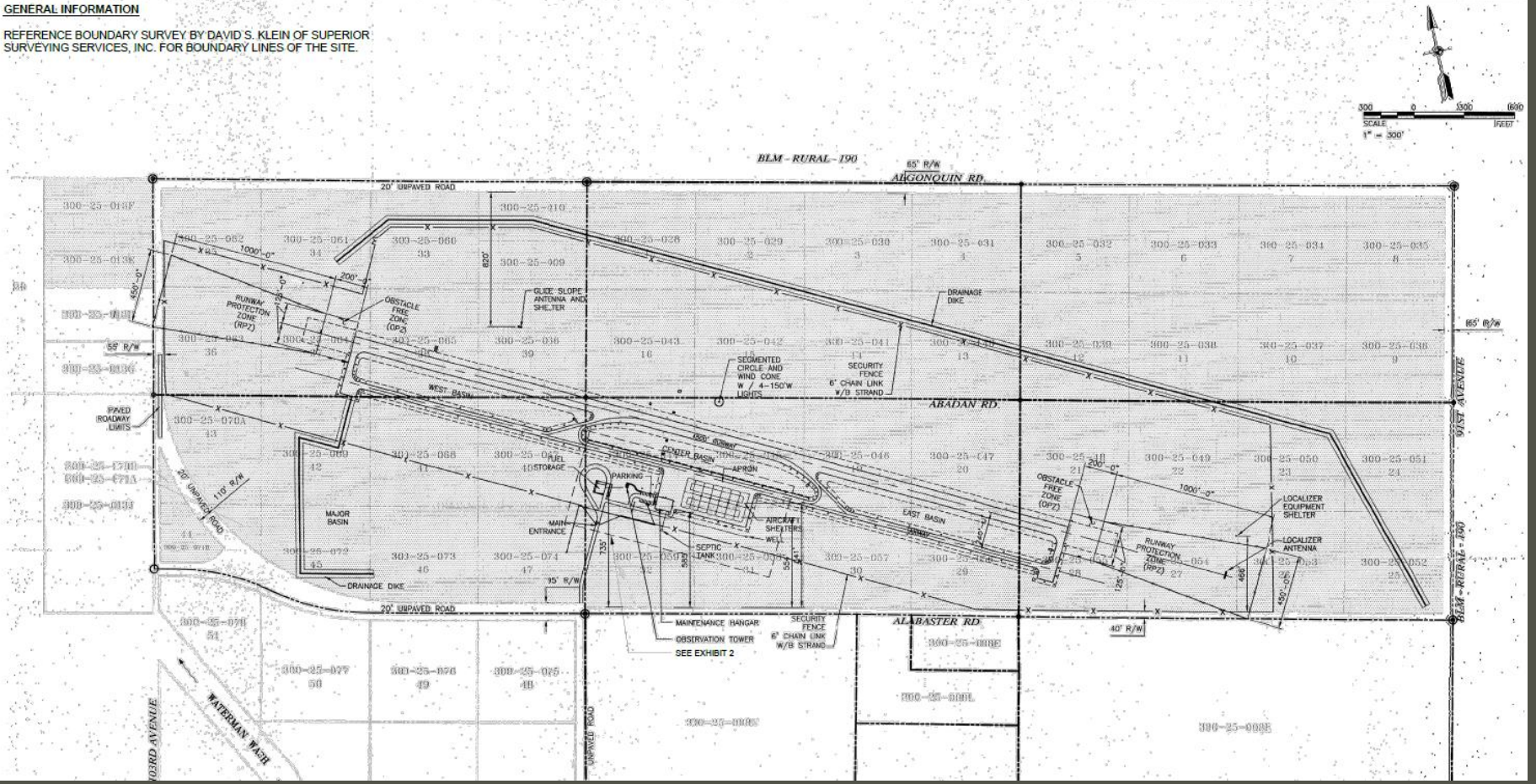


Special Use Permit evaluation criteria

ZONING ORDINANCE SECTION 1-3-4

1. Will be desirable or necessary to the public convenience or welfare;
2. Will be harmonious and compatible with the other uses adjacent to and in the vicinity of the selected site or sites;
3. Is in conformance with the adopted General Plan and any adopted Area Plans;
4. Will not be detrimental to surrounding properties in the area due to;
   a) Impact on the circulation system of the adjacent neighborhood:
   b) Excessive noise or light generated from within the site:
   c) Excessive scale or height in relationship to surrounding properties:
   d) Hours of operation:
   e) Inadequate parcel size to provide adequate buffers or mitigation to surrounding properties:
   f) Inconsistency with the development character or architecture of the adjacent properties:

Public Participation

CITIZEN REVIEW AND PUBLIC HEARINGS

- Citizen Review and Public Hearing processes were followed
- To date, staff has not received inquiries on the project

Recommendation

RECOMMEND APPROVAL SUBJECT TO STAFF STIPULATIONS

- Application complies with city requirements
- Planning and Zoning Commission recommended approval

CITY OF
Goodyear

ITEM #: 7.
DATE: 04/24/2023
AI #:1405

CITY COUNCIL ACTION REPORT

SUBJECT: REZONE 284.5 ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE, KNOWN AS BALLPARK VILLAGE AND BALLPARK VILLAGE - SOUTH, FROM PLANNED AREA DEVELOPMENT (PAD) TO 3RD AMENDED PAD

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

SUMMARY

This is a Public Hearing to consider the rezoning of approximately 284.5 acres located northeast of Estrella Parkway and Bullard Avenue (the Property') from Planned Area Development (PAD) "2nd Restated and Amended Final Planned Area Development for Ballpark Village and Ballpark Village - South" to Planned Area Development (PAD) "3rd Restated and Amended Final Planned Area Development for Ballpark Village and Ballpark Village - South" specifically amending the Land Use Designation/Category and Uses for Lot 33, deleting drive-throughs as a permitted use within the portions of the Property designated as MXD and conditionally permitting a drive-through in the portions of the Property designated as RES/MXD pursuant to zoning stipulations.

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

1. ADOPT RESOLUTION NO. 2023-2280, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1563 RELATED TO THE REZONING OF BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH"

2. ADOPT ORDINANCE NO. 2023-1559, CONDITIONALLY REZONING APPROXIMATELY 284.5 GROSS ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE TO 3RD RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH; TO REZONE APPROXIMATELY 5 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; MODIFYING ALLOWANCES FOR A DRIVE-THROUGH FACILITY ON LOTS

28-30 AND ALLOWING A CONDITIONALLY PERMITTED USE ON LOT 33, AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. (Christian M. Williams, Principal Planner).

STIPULATIONS

Stipulations included in draft Ordinance.

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

In May of 2007, the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines was approved by the City Council, facilitating the development of the Goodyear Ballpark, the Cleveland Indians (now Cleveland Guardians) Development Complex, and the Cincinnati Reds Development Complex.

In December of 2014, Communities Southwest (CSW) purchased all non-City owned property within the PAD, and, in May of 2017, City Council rezoned the property by adopting Ordinance No. 17-1347 approving the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017. The amended PAD changed the approved land use for a portion of the property within Ballpark Village – South from business/office park to a combination of single and multi-family residential uses with a range of densities. The amended PAD also included development standards and design guidelines. CSW subsequently sold the private property located within Ballpark Village – South (the portion of the property located south of Lower Buckeye Parkway).

In March of 2021, El Dorado Ballpark Village LLC, which had purchased approximately 43 acres located within Ballpark Village – South, processed a PAD Amendment to modify the multi-family density ranges and maximum building heights in Ballpark Village – South. The PAD amendment was approved by the City Council on March 1, 2021, with the adoption of Ordinance No. 2021-1494.

After obtaining permission of the property owner, staff initiated a rezoning to amend the Ballpark Village & Ballpark Village – South PAD to incorporate an additional 14 acres of property. This 14-acre parcel separated the property in the PAD north of Lower Buckeye Parkway from the property in the PAD south of Lower Buckeye Parkway.

On July 19, 2021, the City Council of the City of Goodyear, adopted Ordinance No. 2021-1513 conditionally rezoning approximately 268.5 acres of property by incorporating and rezoning approximately 14 acres by adopting the Restated & Amended Final Planned Area

Development for Ballpark Village & Ballpark Village – South dated July 2021, which designated the newly added property as the RES/MXD (Residential/Mixed Use) zoning designation; and modified certain development standards, definitions and the residential permitted use matrix to distinguish product types from categories of residential uses.

After obtaining permission of the property owner, staff initiated a rezoning to amend the Ballpark Village & Ballpark Village – South PAD to incorporate an additional 16 acres of property. This 16-acre parcel is directly east of the property that was added to the PAD in July of 2021 and was designated as I-1 (Light Industrial) in the City Center Airpark Final PAD. Given its location, immediately adjacent to the Development Complex Ballfields staff believed the development of the 16 acres as industrial was not compatible with the Ballpark Village and Ballpark Village – South PAD and that it was more appropriately zoned for uses consistent with the Ballpark Village & Ballpark Village – South PAD.

On October 24, 2022, the Goodyear City Council adopted Ordinance No. 2022-1559 conditionally rezoning 284.5 acres of property by incorporated and rezoning approximately 16 acres by adopting the 2nd Restated and Amended Final Planned Area Development for Ballpark Village and Ballpark Village – South, which designated the newly added property as the RES/MXD (Residential/Mixed Use) zoning designation.

STAFF ANALYSIS

Current Policy:
A request to amend an approved PAD must be processed as a rezoning request, which requires public review by the Planning and Zoning Commission and public review and approval by the City Council. The proposed amendment must be consistent with the General Plan and should not adversely impact the surrounding area.

Details of the Request:
The proposed rezoning is to amend the existing Planned Area Development zoning to modify the zoning designation of Lot 33 (defined below) from the COM zoning to the RES/MXD Residential/Mixed zoning designation, to eliminate the ability to construct drive-through restaurants within the portions of the Property zoned MXD, which are owned by the city of Goodyear, and to conditionally allow a drive-through restaurant to be constructed within Lot 33 pursuant to the stipulations of the zoning ordinance.

The COM land use category only allows for commercial uses including drive-in/drive-through facilities, whereas, the RES/MXD land use category allows for attached single family, multi-family dwellings, residential mixed-uses live/work units, row homes, townhomes, and similar residential uses that meet the intent of the PAD zoning as well as a myriad of retail, commercial entertainment and mixed-uses. The RES/MXD category does not have a density maximum and the building height maximum is 72 feet.

The proposed rezoning would also eliminate drive-through facilities as a permitted use within the portions of the property designated as MXD, all of which is owned by the City, and, it would allow one drive-through facility on Lot 33 subject compliance with specific requirements set forth in condition/stipulation of approval number 5 in Ordinance 2023-1563.

The requirements for a drive-through on Lot 33 include the following:

- The drive-through is limited to a single drive-through; and
- The drive-through is limited to a business that has, coffee, tea or other beverages as its primary product; and

- A patio shall be attached to the drive-through that is scaled to the size of the building must be a prominent feature towards Estrella Parkway or the Ballpark/Player Development Complex Fields and shall be a minimum of 1,000 square foot outdoor patio; and
- The drive-through drive aisle cannot be located between the building and Estrella Parkway, it must be located to the rear of the building; and it must not be substantially visible from Estrella Parkway; and
- Development of the drive-through shall comply with all of the requirements set forth in Section 4-2-18 (Drive Through Restaurants).

The following enhancements are required for development within Lot 33:

- Enhanced architectural design and landscaping which must be provided on the site, as determined by the Zoning Administrator during the Site Plan review; and
- Enhanced pedestrian connections which must be provided to connect the Ballpark site and nearby residential property, as determined by the Zoning Administrator during the Site Plan review; and
- If walls or fencing are constructed, view fencing shall be used between the multi-family and commercial center, except where screening of mechanical equipment and trash enclosures are necessary; and
- Color schemes shall add interest and variation to buildings on the Site. At least two (2) base colors and three (3) accent colors/materials shall be used in a manner which creates a minimum of three (3) unique building schemes through the Site. A variation in roof height is required and a portion of the building's roof shall be pitched or contain a tower structure with an overhang; and
- The color palettes of buildings shall incorporate a minimum of one (1) accent color that is not simply shades of grays and/or browns; and
- Parking requirements for commercial uses shall apply for commercial development within Lot 33 except as provided herein. A minimum of five (5) vehicle parking spaces open to the public and labeled for use as Bullard Wash Trailhead Parking shall be provided. In addition to providing the bicycle parking required in Article 6-6 (Bicycle Parking) of the Goodyear Zoning Ordinance, an additional five (5) bicycle parking spaces open to the public and labeled for use as Bullard Wash Trailhead parking shall be provided. For each Bullard Wash Trailhead Parking Space, which consists of one vehicle parking space labeled for use as Bullard Wash Trailhead Parking and one bicycle parking space labeled for use as Bullard Wash Trailhead Parking, the developer shall be permitted a reduction of two (2) required vehicle parking spaces needed to support restaurants within the property. This reduction does not apply to any other commercial development within Lot 33. Bullard Wash Trailhead Parking Spaces shall not permit a parking reduction of more than 20 vehicle parking spaces or more than 20% of the required parking spaces (whichever is less) (not forgoing the 3rd Party Parking study which may further reduce the parking requirements). The city shall reserve the right to promote the use of the provided Bullard Wash Trailhead Parking Spaces.
- A major plaza (pedestrian plaza/greenspace) shall be constructed within the property adjacent to Estrella Parkway and Bullard Avenue if any portion of Lot 33 is developed with a commercial use. The plaza should be a minimum of 2,500 sq. ft and include a major shade amenity and seating. Up to 50% of the plaza may be designed within the street side landscape setback right-of-way; and The major plaza will be flanked on either side by a large pedestrian path, store fronts, patios and/or have a pedestrian loop surrounding it. The plaza shall connect to pedestrian connections established by a Site Plan or Master Site Plan. The plaza shall be constructed with the first phase of commercial development other than for a drive-through; and

- A Ballpark Village Gateway Monument Sign shall be installed at the northeast corner of Estrella Parkway and Bullard Avenue. The size and scale of this monument shall be similar in nature to (Exhibit to be attached) which will match the character and theme being established in the greater Ballpark Village. The monument shall be constructed with the first phase of development on Lot 33.

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 existing Business & Commerce General Plan designation with a Transit Oriented Development Overlay allows high density residential development in order to support the commercial, entertainment, and public & community facilities within the designation. This proposed PAD amendment is consistent with the designation.

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

The Property is currently undeveloped and with no special natural features. This proposed PAD amendment is consistent with the current suitability of the subject property's physical and natural features for the permitted uses in the PAD.

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

Uses and development surrounding Ballpark Village and Ballpark Village - South include:

· North – Fulton Homes at Ballpark Village, zoned PAD with underlying residential zoning
· South – Imsamet of Arizona, zoned I-2 (General Industrial)
· East – Phoenix-Goodyear Airport, zoned AG (Agricultural)
· West – Vacant VLUX at Ballpark Village, Estrella Vista and Avion at Ballpark Village (residential zoning districts)

The request to modify the 5-acre parcel at the northeast corner of Estrella Parkway and Bullard Avenue is compatible with other surrounding and adjacent uses.

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.

This proposed PAD amendment is consistent with the current land uses within the immediate area, and this PAD amendment does not change the current permitted uses within the PAD. Staff believes the proposed RES/MXD zoning is more suitable for the surrounding residential and Ballpark uses than the current commercial zoning as it allows for a mixed-use development to be contained on the 5-acre site.

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 applicant has indicated an interest to develop the site into a commercial and residential mixed-use development. The additional residential could support housing for the professional baseball team which practices adjacent to the site and also accommodate other residential needs at the Development Complex as well as in the

area.

This PAD amendment does not change the current permitted uses within the PAD.

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		2nd Nearest Goodyear Fire Station	Shortest path	
	Mins	Miles		Mins	Miles
Fire Station #184	4.95	2.47	Fire Station #181	7.31	3.66

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 as proposed. This proposed PAD amendment does not impact the ability of the department to serve the property.

Streets/Transportation:

This PAD amendment does not change the existing, approved, or planned PAD access points on Estrella Parkway and Bullard Avenue. The final location of all access points will be determined during plat and/or site plan review and approval.

The owner will be responsible for completing any additional half-street improvements for Estrella Parkway and Bullard Avenue as will be determined at Site Plan.

Water/Wastewater:

With this PAD amendment the subject property will continue to be served by the city of Goodyear. All infrastructure necessary to serve the subject property will continue to be required to be 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.

This PAD amendment does not change the requirement that the extension of utility lines needed to serve the property will be the responsibility of the property owner and/or developer as part of the development process.

8. General public concerns.

Public Participation and Planning and Zoning Commission Meeting:

In accordance with the city's Citizen Review Process, an alternative notification process was used for this PAD amendment. A formal citizen review meeting was not held, but notice providing information on the amendment was mailed to the owners of property within 500 feet of the subject property and other stakeholders on November 1, 2022.

A public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on April 12, 2023 appeared in the Arizona Republic Southwest Valley Edition March 24, 2023; postcards were mailed to adjoining owners on February 24, 2023; and signs were updated on the site to advertise the public hearing on March 28, 2023.

The Planning and Zoning Commission considered this item at their regular meeting of April 12, 2023. Upon conclusion of the staff presentation, the applicant spoke briefly. At the conclusion of the Public Hearing, Commissioners unanimously voted (6-0) to forward a recommendation of approval to the City Council.

9. Whether the amendment promotes orderly growth and development.

This PAD amendment will promote continued orderly growth and development within the PAD by allowing an increase in the residential density that will in turn serve to attract commercial and entertainment uses to the PAD.

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.

This PAD amendment will not impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.

Attachments

Resolutions and Exhibits

Ordinance

Aerial Exhibit

Narrative

Presentation

RESOLUTION NO. 2023-2280

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1563 RELATED TO THE REZONING OF BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH".

Be it resolved by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 22-20," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Legal Description Ballpark Village PAD -Gross," a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Added Property," a copy of which is attached hereto as Exhibit C is hereby declared a public record.

That certain document titled "Legal Description Lot 33," a copy of which is attached hereto as Exhibit D is hereby declared a public record.

That certain document titled "3rd Restated & Amended Final Planned Area Development for Ballpark Village and Ballpark Village – South (dated January 2023)", a copy of which is attached hereto as Exhibit E, is hereby declared a public record.

That certain document titled "Ballpark Village Gateway Monumentation," a copy of which is attached hereto as Exhibit F is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of Ordinance 2023-1563.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

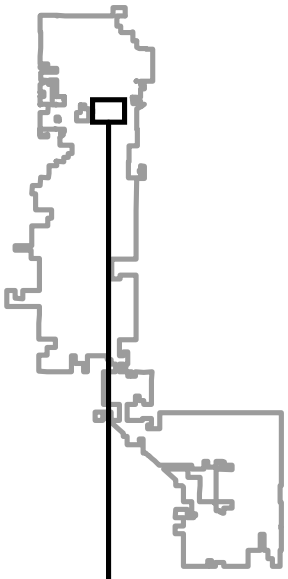
_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 22-20

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2023.

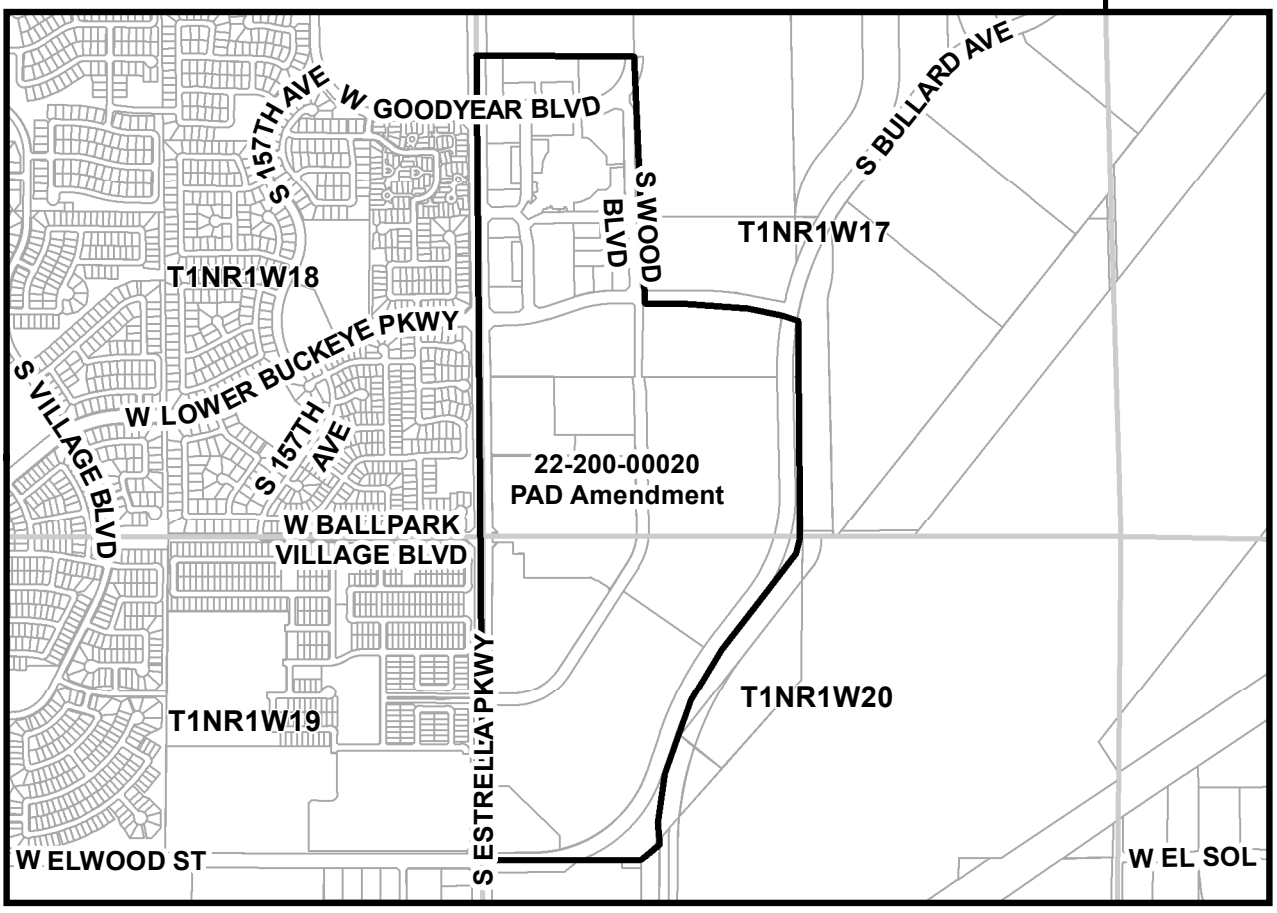


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A portion of the Southwest Quarter of Section 17 and a portion of the Northwest Quarter of Section 20, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	REZONE FROM PAD TO PAD AMENDMENT 22-200-00020	January 2023

Exhibit B:
Legal Description

Ballpark Village
PAD - Gross

Job No. 21-0381 March 31, 2023

Portions of the West Half of Section 17 and the West Half of Section 20, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 17, being marked by a 3" City of Goodyear Brass cap in handhole, from which the West Quarter Corner of said Section 17, being marked by a 3" City of Goodyear brass cap in handhole, bears South 0 degrees 50 minutes 40 seconds East, 2649.74 feet;

thence along the West line of the Northwest Quarter of said Section 17, South 0 degrees 50 minutes 40 seconds East, 1324.87 feet to the **POINT OF BEGINNING**;

thence along the North line of the Southwest Quarter of the Northwest Quarter of said Section 17 and also along the North line, and the Westerly prolongation thereof, of that Final Plat of 'Ballpark Village – Wood Corporate Campus' recorded in Book 996, Page 50 of Maricopa County Records, South 89 degrees 35 minutes 29 seconds East, 1298.85 feet;

thence along the East line of said Final Plat, South 1 degrees 04 minutes 08 seconds East, 1321.62 feet;

thence continuing along the East line of said Final Plat, South 9 degrees 50 minutes 48 seconds East, 144.81 feet;

thence continuing along the East line of said Final Plat, and the Southerly prolongation thereof, South 1 degrees 58 minutes 08 seconds East, 519.17 feet to a point on the centerline of Lower Buckeye Road as dedicated on that Map of Dedication for 'Lower Buckeye Parkway' recorded in Book 332, Page 4 of Maricopa County Records;

thence along said centerline, South 89 degrees 44 minutes 22 seconds East, 492.42 feet to the beginning of a curve, concave Southwest, having a radius of 2000.00 feet;

thence along the centerline of Lower Buckeye Road as dedicated on that Map of Dedication for 'Goodyear Right of Way' recorded in Book 963, Page 22 of Maricopa

County Records, Southeasterly 394.22 feet along the arc of said curve to the right through a central angle of 11 degrees 17 minutes 37 seconds;

thence continuing along said centerline, South 78 degrees 26 minutes 45 seconds East, 347.90 feet to a point on the centerline of Bullard Avenue, as dedicated on said Map of Dedication for 'Goodyear Right of Way', and the beginning of a non-tangent curve, concave Southeast, from which the radius point bears South 78 degrees 31 minutes 16 seconds East a distance of 2450.00 feet;

thence along said centerline of Bullard Avenue, Southwesterly 546.60 feet along the arc of said curve to the left through a central angle of 12 degrees 46 minutes 58 seconds;

thence continuing along said centerline of Bullard Avenue South 1 degrees 18 minutes 14 seconds East, 6.82 feet to a point on the North line of the Southeast Quarter of the Southwest Quarter of said Section 17;

thence along said North line and also along the North line of said Final Plat, South 89 degrees 53 minutes 50 seconds East, 115.03 feet;

thence along the East line of the Southwest Quarter of said Section 17 and also along the East line of said Final Plat, South 1 degrees 18 minutes 14 seconds East, 1318.72 feet to the South Quarter corner of said Section 17;

thence along the South line of the Southwest Quarter of said Section 17 and also along the Southeasterly boundary of said Final Plat, South 89 degrees 56 minutes 47 seconds West, 24.72 feet;

thence continuing along said Southeasterly boundary, South 0 degrees 31 minutes 31 seconds West, 59.21 feet to the beginning of a curve, concave Northwest, having a radius of 125.00 feet;

thence continuing along said Southeasterly boundary, Southwesterly 82.02 feet along the arc of said curve to the right through a central angle of 37 degrees 35 minutes 42 seconds;

thence continuing along said Southeasterly boundary, South 38 degrees 07 minutes 13 seconds West, 915.87 feet to the beginning of a curve, concave Southeast, having a radius of 2750.00 feet;

thence continuing along said Southeasterly boundary, Southwesterly 1787.68 feet along the arc of said curve to the left through a central angle of 37 degrees 14 minutes 46 seconds;

thence continuing along said Southeasterly boundary, on a non-tangent line South 41 degrees 39 minutes 36 seconds West, 195.39 feet to a point on the South line of the Northwest Quarter of said Section 20;

thence along said South line and also along the South line of said Final Plat, South 89 degrees 43 minutes 04 seconds West, 1301.91 feet to the West Quarter Corner of said Section 20;

thence along the West line of the Northwest Quarter of said Section 20, North 0 degrees 07 minutes 05 seconds East, 2661.36 feet to the Northwest Corner of said Section 20;

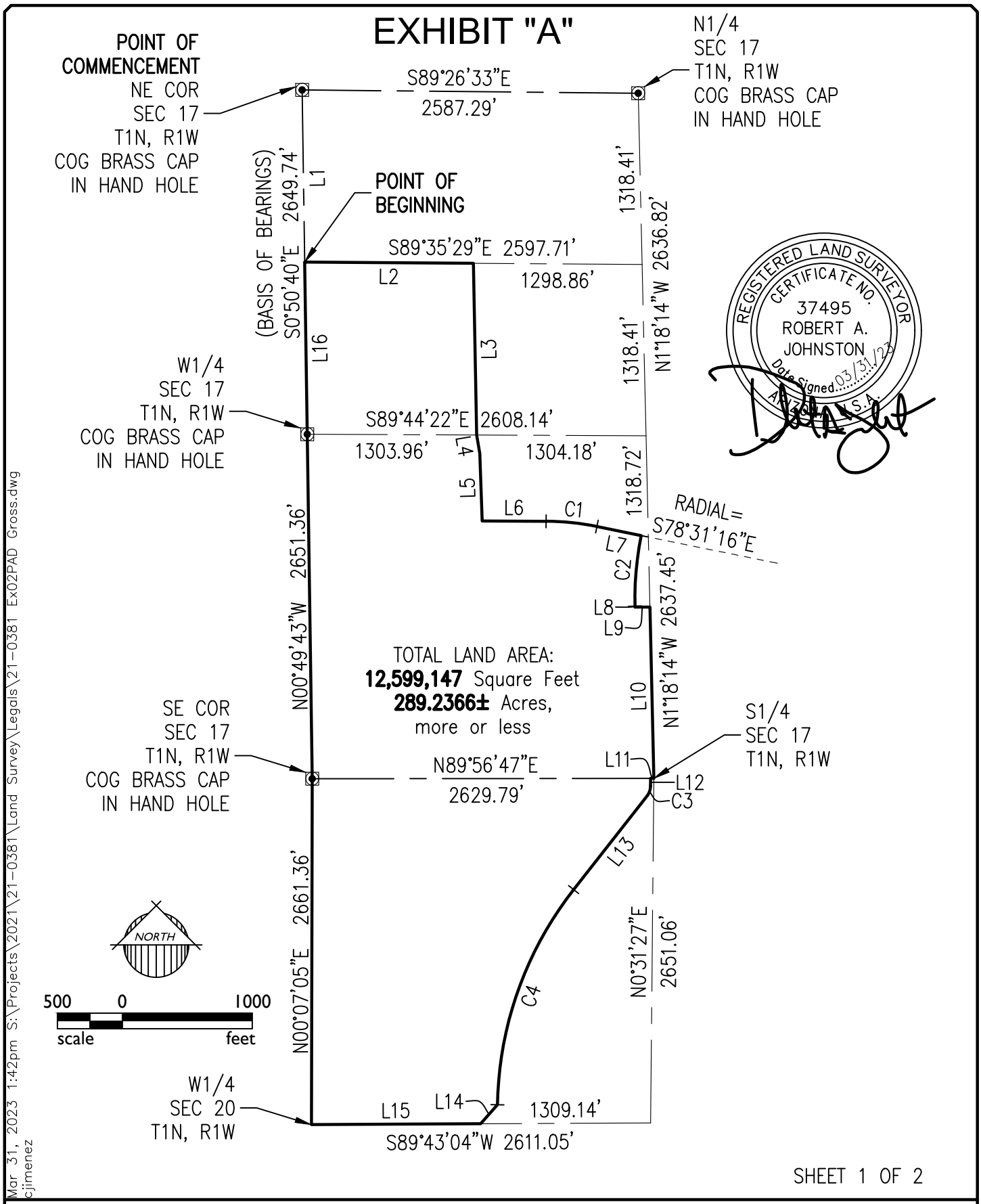
thence along the West line of the Southwest Quarter of said Section 17, North 0 degrees 49 minutes 43 seconds West, 2651.36 feet to the West Quarter Corner of said Section 17;

thence along the West line of the Northwest Quarter of said Section 17, North 0 degrees 50 minutes 40 seconds West, 1324.87 feet to the **POINT OF BEGINNING**.

Said overall portion of land contain a total of 12,599,147 square feet, or 289.2366 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the state, county and/or municipality, or any other land division restrictions.

EXHIBIT "A"



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37495
ROBERT A.
JOHNSTON
Date Signed 03/31/23
ARIZONA U.S.A.

SHEET 1 OF 2

Mar 31, 2023 1:42pm S:\Projects\2021\21-0381\Land Survey\Legals\21-0381 Ex02PAD Gross.dwg
cjimenez

21-0381	BALL PARK VILLAGE EXHIBIT "A"	EPS GROUP 1130 N. Alma School Rd. Ste. 120 Mesa, AZ 85201 T:480.503.2250 | F:480.503.2258 www.epsgroupinc.com
	PAD GROSS	

EXHIBIT "A"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°50'40"E	1324.87'
L2	S89°35'29"E	1298.85'
L3	S01°04'08"E	1321.62'
L4	S09°50'48"E	144.81'
L5	S01°58'08"E	519.17'
L6	S89°44'22"E	492.42'
L7	S78°26'45"E	347.90'
L8	S01°18'14"E	6.82'
L9	S89°53'50"E	115.03'
L10	S01°18'14"E	1318.72'
L11	S89°56'47"W	24.72'
L12	S00°31'31"W	59.21'
L13	S38°07'13"W	915.87'
L14	S41°39'36"W	195.39'
L15	S89°43'04"W	1301.91'
L16	N00°50'40"W	1324.87'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	394.22'	2000.00'	11°17'37"	393.58'	S84°05'34"E
C2	546.60'	2450.00'	12°46'58"	545.47'	S05°05'11"W
C3	82.02'	125.00'	37°35'42"	80.56'	S19°19'22"W
C4	1787.68'	2750.00'	37°14'46"	1756.37'	S19°29'50"W

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cjimenez

21-0381

BALL PARK VILLAGE
EXHIBIT "A"

PAD GROSS

EPS GROUP
1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Exhibit C
Added Property

A Portion of the Southwest Quarter of Section 17, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 17, being marked by a 3" City of Goodyear brass cap in handhole, from which the Southwest corner of said section 17, being marked by a 3" City of Goodyear brass cap in handhole, bears South 0 degrees 49 minutes 43 seconds East, 2651.36 feet;

Thence along the West line of said Southwest Quarter, South 0 degrees 49 minutes 43 seconds East, 1325.68 feet to the Southwest corner of the North half of said Southwest quarter;

Thence along the South line of said North half, South 89 degrees 53 minutes 50 seconds East, 1326.10 feet to a point on the East right-of-way line of Wood Boulevard as described in Document No. 2007-1113993 and Document No. 2008-0278500 of Maricopa County Records;

Thence along said East right-of-way line, North 0 degrees 06 minutes 08 seconds East, 45.00 feet to the Point of Beginning;

Thence continuing along said East right-of-way line, North 0 degrees 06 minutes 08 seconds East, 275.77 feet;

Thence continuing along said East right-of-way line, North 3 degrees 54 minutes 59 seconds East, 120.26 feet;

Thence continuing along said East right-of-way line, North 0 degrees 06 minutes 08 seconds East, 148.67 feet;

Thence continuing along said East right-of-way line, North 45 degrees 10 minutes 53 seconds East, 22.60 feet to a point on the South right-of-way line of Lower Buckeye Parkway as described in Book 332, Page 4 and Book 963, Page 22 of Maricopa County Records;

Thence along said South right-of-way line, South 89 degrees 44 minutes 22 seconds East, 468.37 feet to the beginning of a curve, concave Southwest, having a radius of 1945.00 feet;

Thence continuing along said South right-of-way line, Southeasterly 383.38 feet along the arc of said curve to the right through a central angle of 11 degrees 17 minutes 37 seconds;

Thence continuing along said South right-of-way line, South 78 degrees 26 minutes 45 seconds East, 283.57 feet to a point on the West right-of-way line of Bullard Avenue as described in Book 963, Page 22 of Maricopa County Records and the beginning of a non-tangent curve, concave Easterly, from which the radius point bears South 79 degrees 46 minutes 20 seconds East a distance of 2515.00 feet;

Thence along said West right-of-way line, Southerly 476.13 feet along the arc of said curve to the left through a central angle of 10 degrees 50 minutes 49 seconds to a point on the North line of that parcel described in Document No. 2016-0079842 of Maricopa County Records;

Thence along said North line, on a non-tangent line North 88 degrees 14 minutes 49 seconds West, 86.73 feet;

Thence continuing along said North line, South 0 degrees 06 minutes 11 seconds West, 20.00 feet;

Thence continuing along said North line, North 88 degrees 14 minutes 49 seconds West, 945.82 feet;

thence continuing along said North line, North 89 degrees 53 minutes 50 seconds West, 80.00 feet to the Point of Beginning.

EXHIBIT D

LEGAL DESCRIPTION
Lot 33

LOT 33, BALLPARK VILLAGE-WOOD CORPORATE CAMPUS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 996 OF MAPS, PAGE 50 AND AFFIDAVIT OF CORRECTION RECORDED JANUARY 16, 2015 AT RECORDING NO. 2015 0031953, RECORDS OF MARICOPA COUNTY, ARIZONA.

Exhibit E

3rd Restated and Amended Final Planned Area Development

for

Ballpark Village & Ballpark Village-South

Generally located along the east side of Estrella Pkwy., between Goodyear Blvd South. and Bullard Ave.

Case No: 22-200-00020

January 2023

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TABLE OF EXHIBITS

Exhibit No.	Description
1	Regional Aerial/Vicinity Map
2	Zoning Map (Ballpark Village & Ballpark Village-South)
3	Zoning Map (RES category)
4	Design Guidelines

RESTATED AND AMENDED FINAL PAD

I. INTRODUCTION

The Ballpark Village and Ballpark Village-South PAD zoning represents an innovative multi-use master plan that encompasses 284.5± gross acres (the "Site). "Ballpark Village" encompasses the portion of the Site located north of Lower Buckeye Parkway while "Ballpark Village-South" encompasses the portion of the Site located south of Lower Buckeye Parkway (***See Exhibit 1, Regional Aerial & Vicinity Map***).

PAD zoning for Ballpark Village and Ballpark Village South was first adopted when the Goodyear City Council adopted Ordinance No. 07-1037 adopting the Wood Corporate Campus and Ballpark Village Final Planned Area Development dated May 17, 2007, and the Wood Corporate Campus and Ballpark Village Design Guidelines dated May 17, 2007. Almost ten years later, the Goodyear City Council amended the PAD zoning when it adopted Ordinance No. 17-1347 adopting the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017 (the "2017 PAD"). The 2017 PAD amended the zoning to facilitate development opportunities that would support and complement the approximately 10,300 seat Goodyear Ballpark ("Ballpark") and the Cincinnati Reds and Cleveland Indians Development Complexes ("Complex") by: a) addressing significant challenges associated with certain land use designation; b) implementing updated design guidelines and development standards; and c) providing for additional residential housing opportunities at appropriate densities that will help facilitate mixed-use development around the Ballpark and Complex. The goal of the 2017 PAD was to establish a PAD that promotes the development of various forms of residential, office, retail commercial, entertainment, food and beverage, and hospitality/conference services uses around the Ballpark and Complex. The 2017 PAD was amended on March 1, 2021, when the Goodyear City Council adopted Ordinance 2021-1494 adopting the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020. That amendment made minor amendments to the residential development standards. In July 2021, the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South was amended to incorporate 14 acres into the Ballpark Village & Ballpark Village – South PAD as adopted by Ordinance No. 2021-1513.

The purpose of the 2nd Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated July 2022 was approved by Ordinance No. 2022-1559. The amendment incorporate an additional 16 acres into the Ballpark Village & Ballpark Village – South PAD and to further facilitate the development of the Site consistent with the City's desire to provide density to attract the commercial and entertainment development desired around the City of Goodyear's Spring Training Complex.

The purpose of the 3rd Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated January 2023 is to modify approximately 5 acres of Property (Lot 33 – located at the northeast corner of Estrella Parkway and Bullard Avenue), within the PAD, that is adjacent from the COM land use designation to the RES/MXD land use category. The COM land use category only allows for commercial uses including drive-in/drive-through facilities; the RES/MXD land use category allows for attached single family, multi-family dwellings, residential mixed-uses live/work units, row homes, townhomes, and similar residential uses that meet the intent of the PAD zoning as well as a myriad of retail, commercial entertainment and mixed-uses. The RES/MXD category does not have a density maximum and the building height maximum is 72 feet.

The applicant also seeks to have the allowance for one standalone drive-through facility on the site, as drive-through facilities are currently a Permitted Use within the existing COM. Elsewhere in the PAD, specifically on parcels Lots 28-30, zoned MXD-4, which is city owns and located adjacent to Estrella Parkway and Lower Buckeye Parkway, drive-through facilities are a Use Permit Use via a Stipulation approved in July of 2021. The city seeks to remove drive-through facilities from Lots 28-30, the city owned parcels, and permit a single standalone drive-through as a Conditionally Permitted Use on Lot 33

Notwithstanding any provision to the contrary within any of the prior PAD Amendments, nothing herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated as of May 16, 2011, by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M. and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City.

II. ZONING DESIGNATIONS

A. Zoning Categories

Table A: Zoning Categories, identifies the zoning designations for each area within Ballpark Village & Ballpark Village-South. ***See also Exhibit 2, Zoning Map (Ballpark Village & Ballpark Village-South) and Exhibit 3, Zoning Map (RES category).***

[Table on the Following Page]

Table A: Zoning Categories
Mixed-Use (MXD)* • Located within Ballpark Village • Identified as MXD-1, 2, 3, 4 & 5 within the attached exhibit(s) • This is a standalone zoning district regulated by this PAD **The combination of uses within the MXD category can be either vertical or horizontal in implementation.*
Residential Mixed-Use (RES/MXD)* • Located within Ballpark Village and Ballpark Village-South • Identified as RES/MXD-1, RES/MXD-2 , RES/MXD-3 & RES/MXD-4 within the attached exhibit(s) • This is a standalone zoning district regulated by this PAD **The combination of uses within the RES/MXD category can be either vertical or horizontal in implementation.*
Residential (RES)* • Located within Ballpark Village-South • Identified as RES-1, RES-2 & RES-3 within the attached exhibit(s): o RES-1: Residential. This is a standalone zoning district regulated by this PAD. o RES-2: Residential . This is a standalone zoning district regulated by this PAD. o RES-3: Residential . This is a standalone zoning district regulated by this PAD. **The combined RES-1, RES-2 & RES-3 areas have four (4) flex zones that allow each RES area to "flex" 150'into the adjacent RES area. Please reference* ***Exhibit 3****, Zoning Map (RES category) for a visual representation.*
Commercial (COM) • Identified as COM-1 within the attached exhibit(s) • Adheres to the City of Goodyear C-2 (General Commercial) Zoning District except as modified by this PAD.
Light Industrial (LI) • Located within Ballpark Village-South • Identified as LI-1 within the attached exhibit(s) • Adheres to the City of Goodyear I-1 (Light Industrial) Zoning District except as modified by this PAD.
Public Facilities District (PFD) • Located within Ballpark Village & Ballpark Village-South • Identified as PFD-1, 2 & 3 within the attached exhibit(s) • Adheres to the City of Goodyear PFD (Public Facility District) Zoning District except as modified by this PAD.
Municipal Parking Overlay • Located within Ballpark Village-South • Overlay to RES-3 • Applicable to ±22.2 acres and permits the City to provide municipal parking on property owned or leased by the City. The City presently provides municipal parking on ±7.2 acres located south of the southwest corner of Lower Buckeye Parkway and Wood Boulevard (the "City Parking Parcel"). *Nothing in this PAD shall prohibit the City from exchanging property with CSW or subsequent owners ("CSW") should it become necessary to provide municipal parking in a different configuration than presently exists on the City Parking Parcel.*

B. Permitted Uses

See Appendix A: Permitted Use Matrix for a list of permitted uses within each zoning category.

C. Land Use Summary

See Appendix B: Land Use Summary to identify the approximate gross acreage count for each land use area, allowable Floor Area Ratios (FAR), maximum build-out sizes per use, number of hotel rooms allowed, maximum dwelling unit counts, and the Ballpark's permissible seating count.

III. DESIGN GUIDELINES

The Design Guidelines for the Site are set forth in ***Exhibit 4***. The purpose of the Design Guidelines is to establish the vision and create design related expectations for the future development of the Site.

IV. DEVELOPMENT STANDARDS

A. RES Category

The development standards for uses within the RES category are set forth in ***Table B: RES Category Development Standards.***

[Table on the Following Page]

Table B: RES Category Development Standards (RES category within Ballpark Village-South)			
Detached & Attached Single-Family			
Development Standard	**RES-1**	**RES-2**	**RES-3**
Min. Net Lot Area - Typical (sq. ft.) *(not applicable to condominium product)*	0	0	0
Max. Net Lot Area - Typical (sq. ft.) *(not applicable to condominium product)*	5,500	5,500	4,500
Required Lot Width/Depth Ratio - Typical *(not applicable to condominium product)* ≤4,500 sq. ft.lot ≥4,501 sq. ft.lot	 Not applicable ≥50%	 Not applicable ≥50%	 Not applicable ≥50%
Min. Lot Width - Typical (ft.) *(not applicable to condominium product)*	16	16	16
Min. Lot Depth - Typical (ft.) *(not applicable to condominium product)*	20	20	20
Max. Height (ft.)	42	42	42
Density Range (min.-max.)	5-10	6-15	8-30
Max. Individual Lot or Condominium Site Coverage	100%/100%	100%/100%	100%/100%
Min. Unit/Building Separation (ft.)	0/0	0/0	0/0
Min. Private Open Space (sq. ft.) *(Includes balconies/courtyards)*	0	0	0
Min. Unit/Building Setback[1] (ft.) - Front - Side - Rear - Street side	 5/5 0/0 3/3 5/5	 5/5 0/0 3/3 5/5	 0/0 0/0 0/0 5/5
Min. Open Space Requirement (% of Net Site Area)	15% (Total requirement for all combined single-family detached and/or attached subdivisions within RES-1, RES-2 & RES-3)		
Open space shall include a large central amenity space that will encompass a minimum of 2.5 acres of total area (minimum area to include active & passive space combined), a minimum of two recreation nodes or pocket parks of smaller scale, and other amenities or features that will be determined during the preliminary plat process. Although smaller than the target of five (5) acres for a "Neighborhood Park" as outlined in the City's "Parks, Recreation, Trails and Open Space Master Plan," when combined, the open space areas will total approximately eight (8) acres and will provide amenities that meet the intent and function of the Neighborhood Park concept. The open space areas will generally be separated into smaller open spaces in order to be more accessible, compact, or intimate, consistent with the "urban-like" character envisioned for the community. The open space areas will be designed to accommodate various amenities such as: a) a multi-purpose field; b) a pool (and restroom); c) a spa; d) active sport areas including but not limited to, pickle ball and bocce ball; e) shaded seating; f) ramadas; g) walking paths and; h) a community trail system and/or exercise course.			

[Table Continued on the Following Page]

[1] Setbacks to be measured from the stem wall.

Table B Cont.: RES Category Development Standards (RES category within Ballpark Village-South)			
Multi-Family			
Development Standard	**RES-1**	**RES-2**	**RES-3**
Min. Net Site Area (sq. ft.)	0	0	0
Max. Net Site Area (sq. ft.)	Not applicable	Not applicable	Not applicable
Required Site Width/Depth Ratio	Not applicable	Not applicable	Not applicable
Min. Site Width (ft.)	0	0	0
Min. Site Depth (ft.)	0	0	0
Max. Height (ft.)	46	46	75
Density Range (min.-max.)	5-30	5-30	8-30
Max. MF or Condominium Site Coverage	100%/100%	100%/100%	100%/100%
Min. Unit/Building Separation (ft.)	0/0	0/0	0/0
Min. Private Open Space (sq. ft.) *(Includes balconies/courtyards)*	40	40	40
Min. Unit/Building Setback[1] (ft.) - Front - Side - Rear - Street side	 5/5 0/0 3/3 5/5	 5/5 0/0 3/3 5/5	 0/0 0/0 0/0 5/5
Min. On-Site Landscaping (% of Net Site Area)	15% (Per multi-family community)		
Min. Recreational O/S	Up to 5% of the Min. On-Site Landscaping Area (Per multi-family community)		
Minimum Sidewalk Width (ft.)	4	4	4

Additional Residential Development Standards applicable to the RES-1, RES-2 and RES-3 categories are as follows:

1) Multi-story homes are allowed on corner lots, on more than two (2) consecutive lots, or on lots abutting major or minor arterial and collector streets.

2) The minimum setback for homes abutting major or minor arterial and collector streets shall be five (5) feet.

3) Where a residential use (excluding multi-family housing) is immediately adjacent to a non-residential use (excluding PFD designated property), a buffer setback shall be provided between the residential buildings and the property line of the non-residential use property. The buffer setback shall be: a) a minimum of approximately fifty (50) feet where the buffer is comprised of municipal parking or a roadway or, b) a minimum of thirty (30) feet where the buffer is comprised of landscaping, which can be reduced to twenty (20) feet where a double row of trees, thirty (30) feet on center, are provided. Where multi-family housing is immediately adjacent to a non-residential use (excluding PFD designated property), a buffer setback shall be provided between the residential buildings and the property line of the non-residential use property. The buffer setback shall be: a) a minimum of approximately thirty (30) feet where the buffer is comprised of municipal parking or a roadway or, b) a minimum of twenty (20) feet where the buffer is comprised of landscaping, with such twenty (20) foot landscape buffer containing a row of 15-gallon trees (initial size) planted approximately 30' on center.

[1] Setbacks to be measured from the stem wall.

4) When a residential driveway is provided, the driveway shall not be less than twenty (20) feet in length. Eighteen (18) feet shall be permitted if such depth is supported by an independent 3rd party parking consultant's recommendation of such reduced depth), as measured from the back of sidewalk, back of curb, or alley pavement edge if no sidewalk is provided to the front face of a garage or carport in order to provide an area for parking in front of the garage, carport, or other parking space. If a driveway is not provided, off-street parking will be provided at a minimum rate of one parking stall per residential unit. Where a driveway is not provided, an apron with a minimum length of two (2) feet and a maximum length of five (5) feet must be provided. No parking shall be permitted on driveway aprons.

5) Multi-family buildings two (2) stories in height or greater shall not be placed within twenty-five (25) feet of a single-family residential area or zoning district.

6) In order to satisfy the vision for non-typical/non-traditional residential use within Ballpark Village-South, "Typical" or "traditional" lot dimensions are not permitted. Examples of "typical" or "traditional" dimensions include: 45' x 110', 50' x 110' and 50' x 115'. However, lot dimensions that are similar to 40' x 90', 45' x 95' and 50' x 100' would be acceptable due to their smaller size and increased front width to lot depth ratio. Please see ***Table B: RES Category Development Standards*** for specifics regarding lot size requirements.

7) Residential accessory buildings shall adhere to Article 8 of the City of Goodyear Zoning Ordinance.

8) Streets within Ballpark Village and Ballpark Village-South can be either public or private. Roadway right-of-way and cross sections may be reduced from City standards if agreed to by the City. Alleys and/or shared driveways may be utilized as easements, tracts or a combination of both and when used, streetlights will not be required as long as garage coach lights are utilized. All or a portion of the RES category of Ballpark Village-South may be gated, with such decision being made during the preliminary plat/site plan approval processes by CSW during the preliminary plat/site plan approval process. If the RES category area (or portion thereof) is gated, all streets within the gated community shall be private.

B. Non-RES Category

The development standards applicable to areas outside of the RES category are identified within ***Table C: Non-RES Category Development Standards.***

[Table Continued on the Following Page]

Table C: Non-RES Category Development Standards (Ballpark Village & Ballpark Village-South)[2]					
Development Standard	**MXD**[3,9]	**RES/MXD**[4]	**COM**	**LI**	**PFD**
Min. Lot Area (sq. ft.)	None	10,000	10,000	10,000	N/A
Min. Lot Width (ft.)	None	100	150	None	N/A
Max. Building Height[5] (ft.)					
- Bldgs. immediately adjacent to Estrella Pkwy. s/o Goodyear Blvd. S	62	N/A	56	N/A	N/A
- Bldgs. immediately adjacent to Estrella Pkwy. n/o Goodyear Blvd. S	72	N/A	N/A	N/A	N/A
- Other	105	72	56	50	N/A
Max. Building Coverage	65%	60%	50%	50%	N/A
Min. Building Setback[6] (ft.)	Building/Parking				
- Estrella Pkwy	15/30	10/30	15/30	N/A	N/A
- Bullard Avenue	N/A	10/30	30/30	30/30	30/30
- Lower Buckeye Pkwy/Goodyear Blvd. S	15/15	10/10	N/A	N/A	N/A
- Front (interior street)	0/0	0/0	7.5/7.	20	N/A
- Side	0/0	0/0	5	30/10	30/10
- Rear	0/0	0/0	N/A	20/10	20/10
- Street side	0/0	0/0	N/A 20	30/10	30/10
Min. Open Space[7]	10%	1.9 ac	15%	10%	N/A
Minimum Sidewalk Width (ft.) [8]	4	4	4	4	N/A

[2] **Table C** does not apply to the RES category within Ballpark Village-South.
[3] There is no maximum density for the MXD category
[4] There is no maximum density for the RES/MXD category
[5] Rooftop structures such as elevator and mechanical equipment and enclosures may exceed the height by ten (10) feet provided they are screened by a parapet wall or pitched roof. Roof deck pergolas and gazebos may exceed the height limit by ten (10) feet. No screen walls are required for roof deck pergolas or gazebos.
[6] First number in sequence identifies the building setback; second number in sequence identifies the parking setback.
[7] Retention areas may be utilized for open space if a minimum of 25% of the retention area is ≥1' above bottom.
[8] Maximum sidewalk width shall be ±30'.
[9] The maximum building height allowed is one-hundred and five (105) feet in the MXD District subject to the following conditions: 1) That the proposal would not be detrimental to the City Center Specific Area Plan development objectives and design concepts; 2) That adequate water pressure, capacity, and fire apparatus/facilities are available to provide appropriate emergency response services to all buildings with the requested building height; 3) That the proposed increase in building height is reasonable and appropriate for the property and would not be detrimental to City development objectives for adjoining properties or the operations of the Phoenix–Goodyear Airport; 4) Appropriate FAA review (if applicable) has determined (prior to issuance of a building permit(s)) that such building(s) will not be a hazard to aviation and; 5) That the proposed building height is for a specific development use (e.g., hotel or corporate headquarters) that furthers the City's economic objectives.

V. PARKING

A. RES or RES/MXD Category

Parking within the RES or RES MXD category shall be in accordance with City parking standards. Notwithstanding the foregoing, reduced per dwelling unit parking standards and/or square footage parking requirements shall be adopted if such reduced standards are supported by an independent 3rd party parking consultant's data-based study and letter of recommendation for such lower parking/dwelling unit ratios and parking related design standards. In addition to the aforementioned items, the following parking standards shall apply to the RES and residential uses in the RES MXD category:

1) Covered parking may be located within an enclosed garage, carport, tuck under, or a combination thereof. The minimum dimension of each garaged parking space shall be 10'x20'. The minimum dimension of each non-garaged parking space shall be per the City's Engineering Design Standards.
2) Garaged parking may be configured as side-by-side or as tandem spaces.
3) On-street or off-street parking spaces for guests shall have a minimum dimension of 9'x18'6" with a 1'6" overhang.

B. MXD and RES/MXD Categories

The City has indicated a willingness to enter into future shared parking use agreements with the Site's private owner, subsequent owner(s), or future developers within Ballpark Village. This would include the potential for private development to share in the use of a portion of the City constructed paved parking spaces located within Ballpark Village. This potential is subject to the preparation and completion of a public/private shared parking study that would analyze similar public/private venues and integrated mixed-use developments in the United States and determine for City consideration the amount of the City parking spaces within Ballpark Village that could be used, shared, and credited for private development within Ballpark Village. In any case, the analysis and any agreement must not negatively impact the ongoing parking needs for the Ballpark and public events. Until such time as the public/private shared parking study is completed and specific parking use agreements are approved by the City for the shared use of any City parking spaces within Ballpark Village, all private development within Ballpark Village by the owner, any subsequent owner, or future developer shall be required to provide parking for private development in accordance with the parking requirements of the City's Zoning Ordinance. Parking throughout the MXD and RES/MXD categories can be provided as surface spaces, structured spaces or shared parking spaces through an agreement with another owner, or a combination thereof.

APPENDIX A: PERMITTED USES[9]

Land Uses	MXD[10]	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
RESIDENTIAL [11]								
Ancillary uses that are customarily incidental and subordinate to one of the permitted uses (i.e., park(s), playground(s), pool(s) vending machine(s) & other recreational uses) [12]	A	A		A	A	A		
Attached Single-Family	P	P		P	P	P		
Auto-Court Homes (or similar style)				P	P	P		
Courtyard Homes (or similar style)				P	P	P		
Detached Single-Family				P	P	P		
Duplex/Triplex/Quadraplex				P	P	P		
Green Court/Alley-Load Homes (or similar style)				P	P	P		
Home business [13]	A	A		A	A	A		
Multi-family dwelling/Multiple Dwelling	P	P		P	P	P		
Residential Mixed-Use (includes Live/Work Units)	P	P						
Row Homes (or similar style)	P	P		P	P	P		
Townhomes (or similar style)	P	P		P	P	P		
Similar Residential uses that meet the intent of this PAD zoning as determined by the City's zoning administrator (for Permitted Uses)	P	P		P	P	P		

[9] All terms not defined herein shall have those meanings as defined in the City's Zoning Ordinance as revised December 18, 2013 or the then applicable and comparable definition under a subsequent City of Goodyear Zoning Ordinance ("Ordinance"). CP means Conditionally Permitted by zoning stipulations

[10] Residential uses not permitted on ground floor within this category

[11] Product types defined in ***Appendix C: Housing Definitions***

[12] Inclusive of grounds, eating and drinking establishments and service facilities accessory to residential uses; RES-1, RES-2 & RES-3 area amenities shall be located no closer than fifteen (15) feet to any adjacent residential structure.

[13] As defined and governed under the Ordinance.

PERMITTED USE MATRIX[9]									
	Land Uses								
#	**NON-RESIDENTIAL[14]**	MXD	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
1	Ancillary uses that are customarily incidental and subordinate to one of the permitted uses	A	A	A	A	A	A	A	A
2	Any use permitted under the City's C-2 zoning category (or equivalent)	NA	NA	P	NA	NA	NA	NA	NA
3	Any use permitted under the City's I-1 zoning category (or equivalent)	NA	NA	NA	NA	NA	NA	P	NA
4	Automotive – repair/service station			P				P	
5	Banking & financial institutions	P	P	P					
6	Civic/government, cultural, community and public	P	P	P					P
7	Clothing re-sale			P					
8	Convenience use (Drive-in/drive-through facilities if permitted and subject to restrictions set forth in Line 12 below in this Appendix A)	P	P	P				P	
9	Convention/meeting facilities and exhibition halls	P	P	P					
10	Daycare, pre-school, nursery school (or equivalent) (part of an office building or mixed-use building)	P	P	P					
11	Daycare, pre-school, nursery school (or equivalent) (stand-alone)			P					
12	Drive-in/drive-through facilities		CP[9]	P				P	
13	Food trucks	P	P						
14	Hospitality, hotels or inns	P	P	P					
15	Kiosk businesses	P	P	P					
16	Live music & other forms of live entertainment [15]	P	U	P					
17	Manufacturing, processing, recycling, repair, maintenance or assembly							P	
18	Microbrewery or brewpub	P	P	P					
19	Nightclubs	P	U	P					

[14] Any of the below uses involving the sale of retail goods, food, beverages, or entertainment establishments may include the use of kiosks, outdoor/patio seating, dining, or gathering areas. Special event parking lot and sidewalk seating/social gathering areas encroaching on the public right-of-way shall be permitted with a special event permit if such permit is required by the City.

[15] May be permitted in locations less than the City's typical 300' minimum distance from the property line of residentially zoned or designated property, areas of music and entertainment may be permitted to exceed 5,000 sq. ft. and patron dancing may be permitted to exceed 25% of the total floor area subject to City approval/permitting requirements and private association CC&Rs. Unless associated with a special outdoor event, all noise generated by live music or entertainment activities shall be fully contained within the indoor space of the venue.

PERMITTED USE MATRIX[9]									
	Land Uses								
#	**NON-RESIDENTIAL-CONTINUED[14]**	MXD	RES/MXD	COM	RES-1	RES-2	RES-3	LI	PFD
20	Outdoor retail displays	P	P	P				P	P
21	Outdoor temporary events and uses	P	P	P	P	P	P	P	P
22	Parking (including lots and/or parking structures)	P	P	A	A	A	P	A	P
23	Personal services (including fitness, massage and other)	P	P	P				U	
24	Professional use	P	P	P					
25	Restaurants, taverns, lounges and bars (includes coffee shops and other forms of beverage establishments & eateries)	P	P	P					A
26	Retail	P	P	P				P	A
27	Sports, recreation, amusement & entertainment	P	P	P	A	A	A		P
28	Storage facilities (including large-scale, self/mini, RV/recreation and/or outdoor storage)							P	
29	Temporary construction offices, sheds, facilities and storage areas incidental to a construction project	A	A	A	A	A	A	A	A
30	Universities/colleges	P	U	P					
31	Wireless Communication Facility	P	P	P				P	P
32	Vocational and technical schools	U	U	P				P	
33	Warehousing							P	
34	Similar Non-Residential permitted uses that meet the intent of this PAD zoning as determined by the City's zoning administrator	P	P	P	P	P	P	P	P
35	Similar Non-Residential use permit uses that meet the intent of this PAD zoning as determined by the City's zoning administrator	U	U	U	U	U	U	U	U

APPENDIX B: LAND USE SUMMARY[16]

Land Use	Approximate Gross Acres	FAR	Office (max. sq. ft.)	Retail (max. sq. ft.)	Conference (max. sq. ft.)	Hotel Rooms (max. rooms)	Seats (max.)
MXD & RES/MXD categories of Ballpark Village							
MXD-1	11.93	1.17	607,869				
MXD-2	7.80	N/A		84,000			
MXD-3	10.83	0.6	282,930	67,000			
MXD-4	7.89	N/A		85,000			
MXD-5	9.88	N/A		60,000	70,000	400	
RES/MXD-1	4.65	N/A					
TOTALS	**52.98**		**890,799**	**296,000**	**70,000**	**400**	
RES & RES/MXD categories of Ballpark Village-South							
RES-1	18.97						
RES-2	27.39						
RES-3	22.18						
RES/MXD-2	14.0						
RES/MXD-3	16.0						
RES/MXD-4	6.92						
TOTALS	**105.46**						
COM category of Ballpark Village-South							
C-1	0	0	0				
TOTALS	**0**		**0**				
LI category of Ballpark Village-South							
L-1	5.22	0.48	109,046				
TOTALS	**5.22**		**109,0496**				
PFD categories within Ballpark Village & Ballpark Village-South							
PFD-1	7.42		N/A				10,300
PFD-2	54.07		N/A				
PFD-3	50.07		N/A				
TOTALS	**111.56**						**10,300**
OS-1 (Tracts A/B)	9.25						
TOTALS	**9.25**						
TOTALS	**284.46**		**999,845**	**296,000**	**70,000**	**400**	**10,300**

[16] Acreage counts are approximate. Final acreage counts to be determined through the platting process.

APPENDIX C: HOUSING DEFINITIONS

The following definitions describe the residential housing and ownership types currently envisioned within Ballpark Village and Ballpark Village-South:

Land Use Types

Detached Single-Family: Housing units that: a) are free-standing and do not share a common wall with another dwelling unit: b) are built within a single lot; c) can be either single or multi-story; and d) are typically occupied by one household or family. Residences that are not connected structurally but abut one another are included within this category.

Attached Single-Family: Housing units that: a) share a common structural wall with another residential unit; b) are built within a single lot; c) can be either single or multi-story; and d) are typically occupied by one household or family.

Multi-Family: Buildings or a group of attached units that contain at least three (3) residential housing units. Multi-Family units can: a) be adjacent to one another either vertically or horizontally; b) be single or multi-story; c) share common structural walls; and d) sometimes share access to main heating and cooling systems (but are not required to).

Residential Mixed-Use: The blending of for-rent or for-sale housing with other non-residential uses. The integration of uses can either be vertical or horizontal in nature. This residential product type would generally be multi-story, be considered Apartments, Live/Work Apartments, Condominiums or Live/Work Condominiums and have a Multi-Family building type.

Product Types

Apartments: For-rent housing units within a Multi-Family building type. This product type may be constructed with a significant work-related component, creating a Live/Work Apartment product type.

Condominiums: For-sale housing that is subject to a Declaration of Horizontal Regime (condominium plat). This type of residential housing is typically associated with the Multi-Family building type, but can also be utilized in Attached Single-Family housing building types. Loft style units may be one of many forms of condominium product types utilized within Ballpark Village & Ballpark Village-South. This product type may be constructed with a significant work related component, creating a Live/Work Condominium product type.

Row Homes: For-rent or for-sale housing within either the Detached Single-Family or Attached Single-Family building type. Row Homes typically: a) have a uniform or nearly uniform architectural theme; b) are usually multi-story; c) are built within small lots; d) have a high lot coverage area and shallow or zero setback requirements; and e) promote a reduced amount of visual interaction with garages.

Townhomes: For-rent or for-sale housing within the Attached Single-Family building type. Townhomes: a) are typically less uniform as compared to Row Homes; b) can be either single or multi-story; c) tend to "mimic" Detached Single-Family building types; d) are typically built on small lots; e) are built on a lot with a high coverage area; and f) are built with shallow or zero setback requirements.

Flats/Stacked Flats: For-rent or for-sale housing that falls under the Attached Single-Family or Multi-Family building types. Under a for-sale use, condominium ownership is typical. Flats are single-level units that can be "stacked" on top of one another, with the owner of a non-ground level unit only traversing stairs from the parking level to the dwelling unit. Once inside the unit there are no additional stairways for the owner to be concerned with.

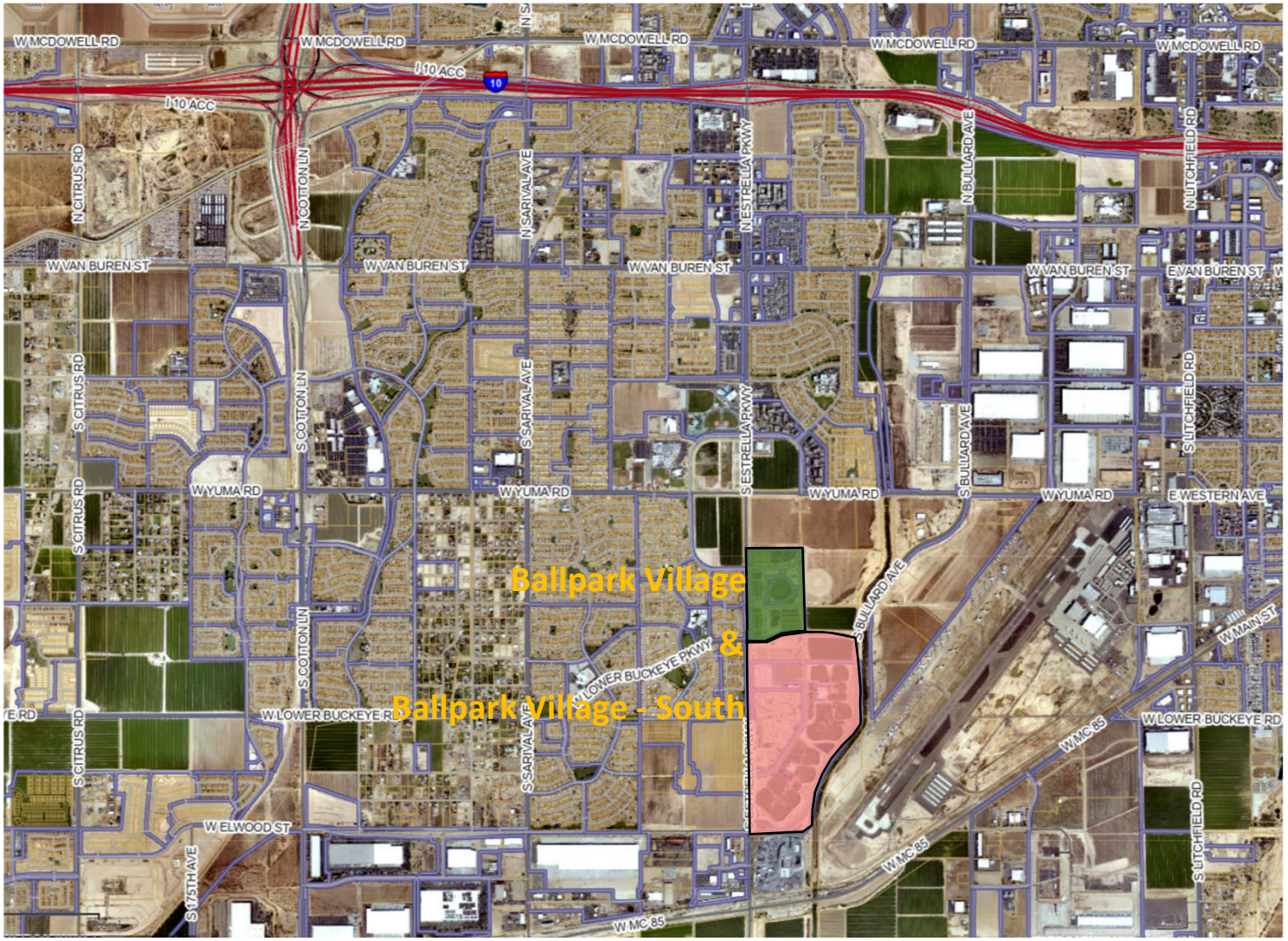
Green Court/Alley-Load Homes: For-rent or for-sale housing that falls under either the Attached Single-Family or the Detached Single-Family building types. Green Court/Alley-Load Homes typically: a) are built within small lots; b) have a high lot coverage area with shallow or no setback requirements; and c) have their primary entrances oriented towards a paseo or "green area."

Auto-Court Homes: For-rent or for-sale housing that falls under the Detached or Attached Single-Family building types. The dwelling units: a) are clustered in a manner that allows for the use of a common driveway to access garages; b) are built within small lots; and c) have a high lot coverage area with shallow or no setback requirements. Auto-Court Homes can be either single or multi-story.

Courtyard Homes: For-rent or for-sale housing that falls under the Detached or Attached Single-Family building types and: a) contain a small, enclosed courtyard at the front or side of the home, or b) are clustered with the entryways of each dwelling unit oriented towards a common courtyard area. The dwelling units are typically built within small lots, have a high lot coverage area, and have shallow or no setback requirements. Courtyard Homes can be either single or multi-story.

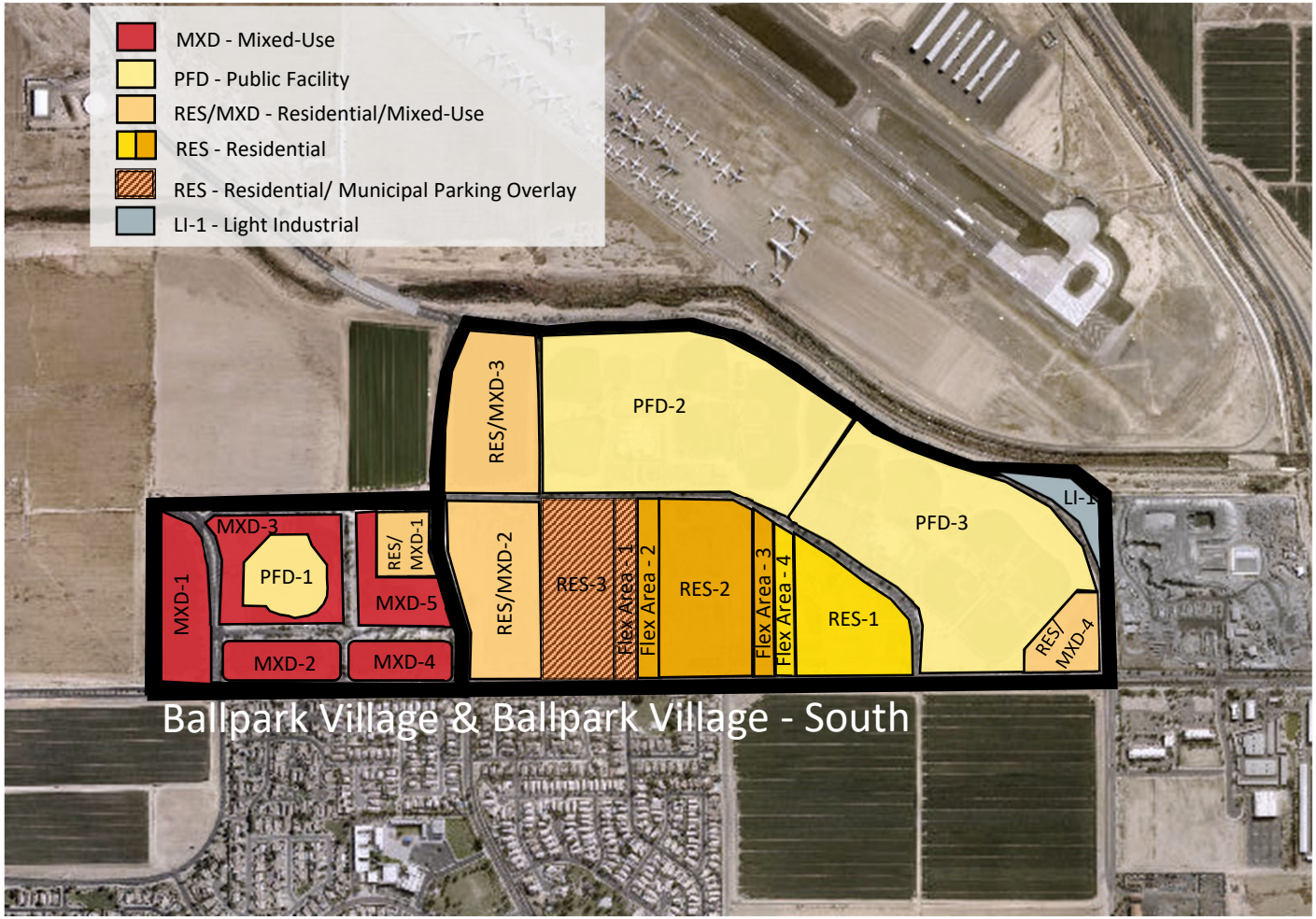
Duplex/Triplex/Quadraplex: For-rent or for-sale housing that falls under the Attached Single-Family building type. A duplex consists of two (2) units per building; a triplex, three (3) units per building; and a quadraplex, four (4) units per building. While the duplex and triplex are generally built side-by-side in a row, the units in a quadraplex are generally constructed back-to-back. Although not a requirement, these product types generally have uniform or semi-uniform architectural themes, are built within small individual lots, have shallow or no setback requirements, have a high lot coverage area, and can be either single or multi-story.

Exhibit 1
Regional Aerial/ Vicinity Map



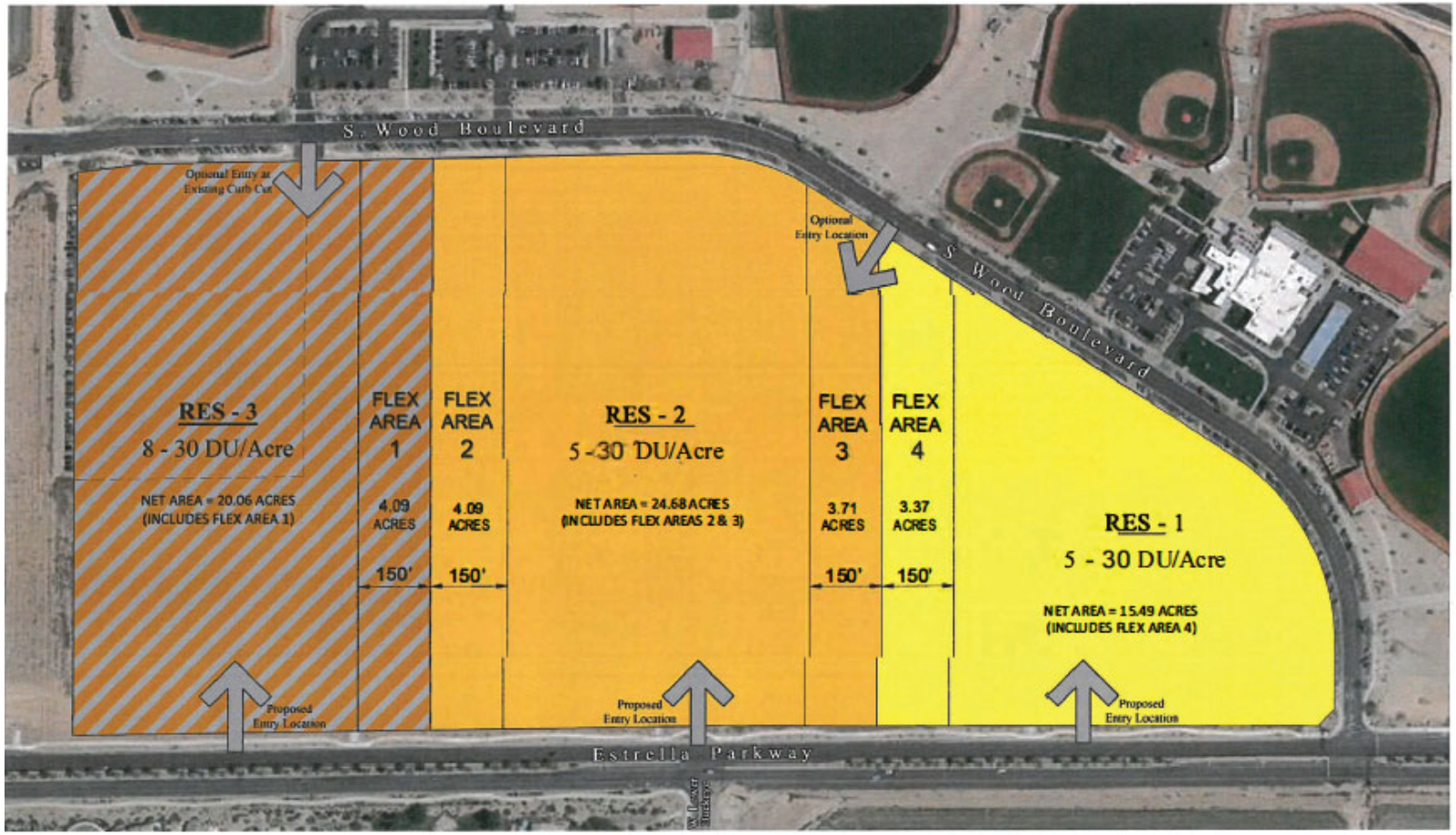
Ballpark Village & Ballpark Village – South
3rd Restated & Amended Final Planned Area Development
January 2023

Exhibit 2
Zoning Map



This land use map is not intended to depict exact boundary lines for the uses described. For illustrative purposes only.

Exhibit 3
Zoning Map (RES Category)



This land use map is not intended to depict exact boundary lines for the uses described. For illustrative purposes only.

EXHIBIT 4
BALLPARK VILLAGE &
BALLPARK VILLAGE - SOUTH DESIGN GUIDELINES

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Section A: Introduction

The purpose and intent of the Ballpark Village & Ballpark Village-South Design Guidelines ("Guidelines") is to ensure that all development within the Ballpark Village & Ballpark Village-South (together "Ballpark Village") PAD conforms to a high-quality standard of design. These guidelines provide future builders with a general set of concepts and requirements that directs all design expectations. They are intended to provide the framework for future development that carries forward the contemporary and urban-like design that supports the overall vision for Ballpark Village, creates a varied and interesting streetscape and provides Ballpark Village with a unique identity and character. The overall design theme is intended to create a strong sense of place through a thoughtful and effective blend of architecture, landscape, and community design elements that complement the existing character of the surrounding Ballpark facilities. These Guidelines shall supersede the standards contained within the City of Goodyear's Design Guidelines Manual ("City Manual"). Where discrepancies exist between the Guidelines and the City Manual, the provisions of these Guidelines shall control.

The Guidelines are organized into the following sections:

SECTION B: *Design Review & Submittal Process*
SECTION C: *Mixed-Use/Residential Mixed-Use Land Use Design Guidelines*
SECTION D: *Residential Land Use Design Guidelines*
SECTION E: *Commercial Land Use Design Guidelines*
SECTION F: *Light Industrial Land Use Design Guidelines*
SECTION G: *Landscaping Guidelines for All Land Uses*
SECTION H: *Signage & Graphics Guidelines for All Land Uses*
SECTION I: *Maintenance for All Land Uses*

Section B: Design Review & Submittal Process

In addition to the Guidelines, CSWR141 Goodyear 17, LLC & CSWR141 Goodyear 53, LLC or its assignee, or designee ("CSW") may, at its sole discretion: a) create additional design standards within or attached to future covenants, conditions and restrictions ("CC&Rs"); and b) appoint a design review committee to perform all design review and approval functions on behalf of CSW. CSW or the design review committee (whichever is applicable; the "Reviewing Party") shall review, approve or disapprove the items contained within the below DESIGN REVIEW SUBMITTAL REQUIREMENTS and/or standards that may be described within CC&Rs. Additionally, the City of Goodyear ("City") conducts its own site plan and design review process, separate from that of the Reviewing Party. In addition to any review processes the City of Goodyear (the "City") shall require, a separate submittal, review, and approval process shall be conducted by the Reviewing Party before any submittal is made to the City.

A design review submittal shall consist of the following:

- DESIGN REVIEW SUBMITTAL REQUIREMENTS
  - Conceptual site plan(s). The locations and dimensions of the following shall be included:
    - Setbacks for buildings, structures, and parking areas.
    - Buildings, structures, storage, trash enclosures, and retention areas.
    - Parking areas, parking structures, parking canopies and total number of parking spaces provided.
    - All means of ingress and egress to and from the site, including driveways and walkways.
  - Typical lot or plot plans. Please provide the following:
    - Overall lot dimensions, building setback lines with dimensions, driveway location(s), and plan/building footprint(s).
  - Floor plans. Please provide the following:
    - All building floor plans proposed, including options.
    - Overall exterior dimensions.
    - Plan number and/or name of the plan and square footage of the structure.
  - Building elevations. Please provide the following:
    - Building elevations for all four (4) sides (in color).
    - Enhanced building elevations, if applicable.
    - All finish grade to ridgeline height dimensions for all non-single-family residential elevations. Finish grade to ridgeline height dimension for single-family residential shall be front elevation only.

- Color schemes, building materials & landscaping. Please provide the following (digital copies accepted):

    - All color schemes being proposed, building materials to be used for construction and planned landscaping design and materials.
    - For single-family residential uses – color & material matrix listing scheme name/number, stucco and/or paint color, roof material, stone, etc. A list of all material manufacturers is also required.

- Proposed signage & graphics designs. Please provide the following (digital copies accepted):

    - The design of the sign or sign program that identifies: a) fabrication method; b) colors; c) graphics; d) materials; e) lighting types, orientation and placement; f) installation location; g) hierarchy of signage type; and h) number of signs (individual vs. within a program).

- Design submittal application. Please provide the following:

    - ALL INFORMATION CONTAINED HEREIN AND THE APPLICATION FEE PAYMENT.
    - THE REVIEWING PARTY MAY REQUIRE ADDITIONAL INFORMATION/PLANS DEPENDING ON THE TYPE OF DEVELOPMENT BEING PROPOSED AND MAY ALSO UPDATE THE DESIGN REVIEW SUBMITTAL REQUIREMENTS PERIODICALLY ON AN AS-NEEDED BASIS.

- One (1) digital copy of the entire application. Each document shall be saved to a CD in .PDF format, with the CD labeled in a manner that identifies each item listed below.

- Two (2) sets of plans and specifications for the proposed improvements. All drawings, design elements, and material representations must be accurate, complete, and sealed for a design submittal to be considered by the Reviewing Party.

- A nonrefundable design review application fee of $1,000.00. The Reviewing Party will not review design submittals made without the application fee.

Send the completed design review submittal to:
Communities Southwest, Inc.
Attn: Mr. Michael Markakis, Vice President
7001 N. Scottsdale Road, Suite 1015
Scottsdale, AZ 85253

Section C: Mixed-Use/Residential Mixed-Use Land Use Design Guidelines

The Mixed-Use/Residential Mixed-Use ("MXD/RES MXD") areas of Ballpark Village shall be designed in a manner that promotes an aesthetically pleasing, highly engaging and vibrant mix of uses as described within the 2017 PAD.

Architectural Style

The architectural style and use of materials can be varied but shall be compatible throughout the MXD/RES MXD areas. Buildings should emphasize human scale design features at the ground floor (sidewalk) level. The overall architectural character of the MXD/RES MXD areas should be of a varied yet compatible overall composition of buildings, streets, and public areas arranged and designed in a harmonious manner. The architecture, landscaping, signage, and lighting design character shall be compatible with the Goodyear Ballpark and create a vibrant, pedestrian-friendly multi-use village that can be enjoyed year-round in the daytime or evening hours.

Building Design

Building design should express a strong architectural theme with substantial and consistent architectural detailing, except that individual storefronts may exhibit different but compatible themes. Buildings should be designed to promote walkability and enhance pedestrian activity. Building elements such as large, blank building walls and loading areas are not permitted along areas that can be viewed by the general public. An emphasis should be placed on promoting a harmonious but unique development that possesses pedestrian-scale architecture and identifies a hierarchical scale of uses (if applicable - anchor store(s) should be emphasized as the more significant structure(s)). Pad sites or independent buildings should have their own unique identity but relate to the larger main structure(s).

To the extent it is practical: a) parking areas, pedestrian walkways, elevators, stairwells and recreation areas should be visible from as many windows and doors as possible; b) buildings should be sited so that the windows and doors of one unit are visible from another; c) all four façades of buildings should have windows; and d) energy efficiency techniques should be incorporated into the design of a building.

Any building situated at the corner of a public street shall provide a prominent corner entrance to retail shops (if applicable) or such other location deemed appropriate by the Reviewing Party.

Where long buildings are unavoidable, their linearity should be mitigated by changes in the building height, wall plane, and spatial volumes and by varied use of window areas, arcades, materials, roof elements or other architectural enhancements acceptable to the Reviewing Party.

When appropriate, tower elements or other vertical architectural features at "ends" of a shopping center may be utilized. If such features are utilized, they should generally not exceed twice the height of the building they are attached to.

LEED Certification

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Building Façades

Building façades greater than fifty feet (50') in length shall meet at least one of the following standards:

- An interruption in the façade a minimum of every fifty feet (50').
- An expression of an architectural or structural bay through a change in plane no less than twelve inches (12”) in depth (i.e., an offset, reveal, or projecting rib that includes a color, texture, or material change).
- An interruption in the verticality of solid walls with horizontal lines, such as an interim cornice, windows, openings, punch-outs, medallions, balconies, columns and/or arches.
- Other enhancements deemed acceptable by the Reviewing Party.

The above standards may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

Landscaping can be used in combination with walls to soften “blank” surfaces. Vines planted on walls are encouraged but not required.

Where appropriate and when practical, deep overhangs should be integrated to create a shadow and add depth to façades.

The main entry into a store should be emphasized at the street to announce a point of arrival in one or more of the following ways:

- Flanked columns, decorative fixtures or other details
- Recessed within a larger arched or cased decorative opening
- Covered by means of a portico (formal porch) projecting from or set into the building face
- Punctuated by means of a change in roofline, a tower, or a break in the surface of the subject wall.
- Any other architectural features deemed appropriate by the Reviewing Party.

Storefront entries should be recessed and/or sheltered by a covered arcade structure, colonnade, canopy, awning or such other architectural feature deemed acceptable by the Reviewing Party.

When needed to support the type(s) of business represented within the development, the incorporation of balconies or tower elements onto or within the building form is encouraged for both practical and aesthetic value. Balconies can be integrated to break up large wall masses, offset floor setbacks, and add human scale to buildings.

Doors should be designed and constructed to be an integral part of the architecture of the building.

All project exterior lighting, with the exception of lighting for public streets, should be consistent with the architectural style of the building(s). All styles, colors and materials of lighting fixtures should be harmonious with each other.

Articulation

All sides of a building shall be articulated. The rear and sides of a building, if not visible from public streets and deemed appropriate by the Reviewing Party, can be less articulated as long as those sides are complementary to the primary customer entrance. Blank/unarticulated building walls shall not be permitted at the primary customer entrance side of the building. Rear and sides of a building shall have the same major exterior materials as the front, along with having the same color scheme and pattern.

Architectural features such as domes, turrets, towers, cupolas, building entry volume or ornamental portions of a parapet wall are allowed. Building entries must be pedestrian in scale and not monumental.

The composition of a building greater than two (2) stories shall present a clearly recognizable base, middle, and top or a clearly defined alternative building composition. A recognizable "base" may consist of (but shall not be limited to), thicker walls, ledges or sills, integrally textured materials such as stone or other masonry, integrally colored and patterned materials such as smooth finished stone or tile, lighter or darker colored materials, mullions, panels, or planters.

Architectural elements, such as, but not necessarily limited to, overhangs, trellises, projections, awnings, insets, material, texture, color, or a combination thereof should be used to create shadow patterns that contribute to the building's character.

Building Massing

Varying building mass is required so as to distinguish various uses, landmark buildings, anchors, retail components, etc. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should be used to add human scale to buildings. When feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide a deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

The use of colonnades (or other appropriate architectural features) along street fronting façades should be considered to reduce the massing of tall buildings and add pedestrian scale and interest.

Non-entry façades that face streets or are visible from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

All buildings on the same site should demonstrate a strong spatial and functional relationship to each other. In addition, buildings should generally demonstrate a variety in size and mass. When feasible and desired, portions of primary buildings and freestanding buildings should be oriented toward the streets.

Building Walls

Expansive lengths of unarticulated building façades are generally not permitted. Blank unarticulated building walls, including end walls exposed to a public street or common area are also not permitted.

Non-Building Walls

Walls and other site elements shall be consistent with the established thematic character of the development through the use of appropriate colors, materials and architectural style.

Walls adjacent to retention areas, trails, parks or other useable open space areas should incorporate regular undulation or a variation of materials. Where appropriate, view fencing is encouraged.

Roof Planes

All roof planes must be compatible with the architecture of the development. Although there are no specific roof types that must be utilized, a roof and its material must be representative of the character of the building(s) and type of business(s) to which they serve. Although full roof treatment is encouraged, the Reviewing Party may approve a flat roof, a flat roof with parapets, or a combination thereof on a case-by-case basis.

Where practical and needed, roof overhangs can be utilized to create useable shade on sidewalk and/or seating areas.

Rooflines should be varied in height, form and materials. Parapet rooflines should be varied by stepping up and down or incorporating pitched roof elements. Rooflines should be broken at intervals no greater than fifty feet (50') long through changes in height or step-backs.

Parapet walls should be designed and constructed in a manner to appear as a solid, three-dimensional form rather than a veneer. Parapets should include one or more of the following detail treatments:

- Pre-cast elements
- Continuous banding or projecting cornices
- Dentils
- Caps
- Variety in pitch (sculpted)
- Clean edges without unfinished flashing; and/or
- Any other treatment deemed acceptable by the Reviewing Party

Color Palette & Materials

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette that includes complementary accent colors shall be developed.

Franchise/Corporate businesses should incorporate the architecture and color theme of the development to form a consistent theme throughout.

All developments should integrate multiple exterior accent materials including, but not limited to: brick, stone, and masonry in appropriate quantities within the proposed elevations. Material changes shall occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect (such as pilaster, projection or fence line). Material and colors should be used to enhance different parts of the building's facade.

If stucco is utilized, a light to smooth finish is desired and shall be blended with other finish materials, such as stone, brick, wood, and/or iron.

Earth tone colors shall generally be used. When and where appropriate, a rich, bold color palette may be employed to create a sense of variety and interest to exterior elevations. Bright primary colors will generally be limited to trim and accent feature areas.

The following is a non-exhaustive list of acceptable materials:

- Architectural metals
- Poured-in-place, tilt-up or pre-cast concrete
- Cast stone

- Integrally colored split-face CMU
- Integrally colored honed-face CMU
- "Dryvit"-type systems
- Natural stone and flat stone veneers
- Decorative steel elements
- Painted surfaces that complement the primary building material
- Backlit decorative steel
- Floating steel trellises
- Concrete siding (such as Hardi-plank) or similar
- Glass block
- Tinted storefront glass (non-reflective)
- Perforated metal panels, welded wire material, standing seam, and corrugated panels are permitted as long as the color and texture is appropriate to the setting in which they are located. Metal panels, including corrugated, are permitted when used in a harmonious and creative way. WWF or "link fencing" as a means of articulating façades, creating brise-soliel's or screening parking structures etc., are permitted when used in a harmonious and creative way.
- Other materials as deemed appropriate by the Reviewing Party on a case-by-case basis.

Windows & Glass

Clear glass and spandrel glass or glass with a colored-ceramic coating adhered to the back by a heat fusion process is permitted. Mirrored or reflective glass shall not be permitted. Storefront glass shall be clear or subtly tinted to promote window-shopping during the day and after dark.

Windows shall employ design details appropriate to the architecture. The following are examples of what can be used, but other options may also be available: a) mullions and or window grids; b) arched windows; c) shutters/faux shutters; d) window surrounds; and e) awnings and canopies to break the scale of the facade into smaller components.

Doors to retail shops should contain a high percentage of glass in order to view the retail contents. Although there is no required minimum, doors should typically provide at least fifty percent (50%) glass area. Each door shall be reviewed, approved or disapproved on a case-by-case basis.

Storefront windows should be as large as possible to maximize the visibility to the storefront displays and retail interior.

Use of clear glass (at least eighty eight (88%) light transmission) on the first floor is recommended and may be required with certain types of uses or if the aesthetics of the development benefits overall from the use of clear glass.

Attention should be paid to materials, placement, depth of recess, and ornamentation, such as window grilles. The intent is to provide a sense of scale by creating shadow lines that result from trim and detailing and by providing details that enhance visual interest.

Refuse & Loading Areas

To the extent possible, refuse enclosures and other accessory features should not create blind spots or hiding areas.

Loading areas shall be screened from public view with any of the following (or combination thereof): a) walls that complement the buildings they serve; b) trellis/green screens; c) berming; d) an appropriate level of landscaping/trees; or e) or other such treatments deemed appropriate by the Reviewing Party.

All trash enclosures should be located outside the minimum setback requirements when they are located adjacent to residential units, active open spaces, schools and any other sensitive uses.

Downspouts

For the elevation(s) considered to be the primary customer entrance(s), all downspouts shall be concealed by an architectural enclosure or behind the building's façade. No exposed downspouts shall be used. Downspouts for non-primary customer entrance elevations may be exposed depending on the amount of visibility those elevations have from public view and whether or not the appearance supports the overall design goals for Ballpark Village (to be determined on a case-by-case basis by the Reviewing Party). If exposed downspouts are permitted, they shall be painted to match the building's façade.

Building Orientation

Hot and dry climates, as experienced within the City, require architects to consider the impact of building orientation when designing site plans so that internal heat gain is minimized and outdoor shading is maximized with a goal of creating the most comfortable environment possible. Although north-south building window orientation is most desirable in the desert southwest, window exposure to the east and west may be unavoidable in many areas of the MXD/RES MXD areas of Ballpark Village. The MXD/RES MXD areas shall have no building height to street width ratio requirements, nor any multi-story building step-back requirements. In the event a development within the MXD/RES MXD areas is proposed with a building height to street width ratio or building step-back, such site plan(s) shall be reviewed on a case-by-case basis to determine whether the proposed building-height to street-width ratio or multi-story step-back is acceptable.

Curb Cuts & Driveways

All new driveway locations must be approved by the Reviewing Party and conform to the curb cut and driveway locations within the 2017 PAD and must provide acceptable ingress/egress necessary for the proposed use(s).

Entryways

The existing entries along Estrella Parkway will continue to provide prominent visibility and define the "gateways" into the Goodyear Ballpark and MXD/RES MXD areas. Corner buildings to these entryways shall feature appropriate architectural design features as determined by the Reviewing Party. South Ballpark Way shall continue to be the "ceremonial entry" to Goodyear Ballpark and the MXD/RES MXD areas.

Parking & Loading

Each use within the MXD/RES MXD areas of Ballpark Village shall provide adequate parking to either satisfy the City's Zoning Code or conform to a shared parking study as described within the 2017 PAD. Shared parking and consolidated common parking solutions are encouraged. Temporary parking and loading requirements shall also satisfy the City's Zoning Code or as otherwise identified by a shared parking study. For parcels that border Estrella Parkway north of Goodyear Boulevard South, parking shall be located in conformance with the Goodyear City Center Gateway Overlay District requirements. Parking structures, if utilized, shall be considered "buildings" within the Guidelines.

Each owner or occupant of a building ("Owner/Occupant") shall identify construction standards and stall sizes for all off-street parking in conformance with the City's Zoning Code relating to parking and loading requirements.

Canopy or shade-type structures may be installed in all off-street parking areas with the approval of the Reviewing Party. Canopy or shade-type structures must be of a material and color that complement the buildings they serve. Although there are no set design requirements for these structures, the overall design, including the roof, must also complement the building(s) they serve. Solar panels may be utilized as accessory features on parking structures and if utilized, they should be designed to accommodate the solar equipment. The solar equipment, to the extent it is practical, should be treated to be as unobtrusive as possible.

No exposed loading areas/docks shall be permitted on any side of a building that faces Estrella Parkway, Goodyear Boulevard South, Lower Buckeye Parkway, or Bullard Avenue. Loading areas must be located towards the rear or sides of all buildings. A minimum eight-foot (8') height wall must be used to screen the loading area from the street, with such wall being appropriately "softened" by the use of landscape material. The design of the wall, along with the color and materials used, must complement the buildings to which they serve.

Parking lots should generally be separated from the sides of buildings by a raised walkway or landscape strip that contains a minimum four-foot (4') width of landscaping. If trees are to be planted, a minimum fifteen-foot (15') width of landscaping area is required.

When practical, parking lots should be divided into a series of connected smaller lots (50 - 75 parking spaces each) utilizing raised landscape strips at least six feet (6') in width and raised walkways.

Interior landscape islands should be provided between parking spaces, at a rate of one (1) per every twelve (12) parking spaces, to avoid long rows of non-shaded parked cars. The planting islands shall be approximately 100 square feet (5' by 20') and be protected by a six-inch (6") high curb on all sides. Each planting island should contain two trees. In some cases, where a planting island is to be located immediately in front of a storefront, and such a tree, when mature, would block views of a wall-mounted sign, the required tree may be located in an alternative location where it will enhance an outdoor use area, such as in a plaza or courtyard.

Continuous landscape planting strips should be provided between every third (3rd) row of parking and trees should be provided within the planting strips for shade. Landscape strips should be a minimum of six feet (6') in width, not including a six-inch (6") wide curb and a twelve-inch (12") wide concrete strip on both sides (the planting strips should be wider if they contain a pedestrian pathway). Walking paths or sidewalks should generally be provided (where necessary) within landscape strips to facilitate pedestrian movement to building entrances.

Planting islands should generally be provided at the ends of parking rows. Such island should be a minimum of two hundred twenty square feet (220 sf), with a six-foot (6') wide minimum planted width. They should be planted with shade trees, low shrubs and/or groundcover. They should also be protected by a six-inch (6") high curb on all sides.

All on-street parking shall comply with the standards identified within the 2017 PAD. On-street parking spaces immediately abutting a lot within the MXD/RES MXD areas may be used to help meet the parking requirement for that same lot or block of lots.

Other than for guest parking, residential parking shall be dedicated and not available for shared use.

If parking structures are utilized, the following guidelines shall guide their design and construction:

- Structures should be designed so that the height and mass is compatible with the surrounding area
- Structures should complement the buildings they serve. All sides of a parking structure that are visible from public street(s) or common area(s) must be faced with a building material similar or complementary to the main building or and/or buildings within the area.
- Structures should use appropriate screening to screen parked vehicles (as much as practical) from active pedestrian areas.
- Pedestrian entrances to structured parking shall be easily recognizable, attractive, clean, and well drained.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Access & Circulation

Sidewalks located within street right-of-ways shall be designed to the standards identified within the 2017 PAD and have a minimum of seven feet (7') of overhang where walkways abut against a parking area.

All walkways that traverse vehicle drive aisles shall be distinguished with either stripping or hardscape materials such as specialty pavers or stamped colored concrete (whichever is deemed more appropriate by the Reviewing Party for the area in which it serves). Stripping or decorative materials should be used to clearly delineate pedestrian travel areas from drive aisles. Specialty paving material for walkways shall be developed in accordance with ADA requirements.

The use of stamped concrete, stone, brick or granite pavers, exposed aggregate, or colored concrete can be utilized (where appropriate) to serve as a traffic calming function to promote pedestrian safety and to minimize the negative impact of large expanses of black asphalt pavement on parking lots. The entry throat into the development can also be distinguished with hardscape materials such as pavers, or patterned, stamped or colored concrete.

Bollards should be considered to separate pedestrians from vehicular traffic areas and to light sidewalk surfaces. If utilized, bollard design should be coordinated with other streetscape furnishings.

Curb ramps are required at all intersections where sidewalks are required. Curb ramps shall meet the standards adopted by the City. Two curb ramps at each street corner are encouraged wherever a sidewalk is located. In-lieu of a double curb ramp per street corner, the sidewalk may slope down to meet the street with bollards installed. If this design is pursued, bollards shall follow the curb radius adjacent to the intersecting streets and shall be placed a minimum of 4 feet (4') on center.

Curb extensions can be utilized to minimize pedestrian crossing exposure by shortening the crossing distance as well as enhancing visibility. Curb extensions shall be constructed in the MXD/RES MXD areas wherever crosswalks are located, including mid-block crossings. Curb extensions shall extend no less than one foot (1') less than the width of the parking lane beyond the sidewalk.

The installation of stop lines or stop bars at crosswalk locations controlled by stop signs and traffic signals is an effective means of reducing vehicle encroachment into a crosswalk. The stop lines should be placed five feet (5') in advance of and parallel to the crosswalk.

Crosswalks should be installed only where needed and should be at least as wide as the sidewalk. Each crosswalk should be sufficiently illuminated for nighttime safety. Crosswalks should be installed at the following locations:

- All signalized intersections.
- At all intersections and mid-block crossings
- At all roundabout locations (if applicable)

- At all intersections where bus stops are proposed

Mid-block crossings are required on all streets within the MXD/RES MXD areas of Ballpark Village. Mid-block crossings should be installed at distances of approximately 400' - 450' from intersections and are encouraged to have advance warnings. All mid-block crossings shall be approved by the City of Goodyear.

A pedestrian connection or passageway from the front of a building to a rear parking area is encouraged at a ratio of at least one alley per block. Single tenant buildings longer than 300 linear feet would not be encouraged to have such a connection. A driveway with adjacent sidewalk(s) may serve as a pedestrian alley. The alley may be covered, open or partly open as in the case of an arbor or landscaped arbor.

Enhanced sidewalk paving treatments may be required in certain areas as determined by the Reviewing Party. All design treatments shall be reviewed, approved or disapproved on a case-by-case basis by the Reviewing Party and shall comply with ADA requirements.

Grading, Drainage & Berms

Improvements must include site grading and drainage solutions in accordance with: a) the City's Engineering Design Standards, and b) Ballpark Village's master drainage plan.

Storm water retention may be designed at a surface level, a below-grade level, or a combination of both. Other than the management and infiltration of storm water runoff, retention basins may provide amenities such as passive recreation opportunities and urban open space. Landscaped areas may be used for storm water retention. For the portion of Ballpark Village located south of Lower Buckeye Parkway, retention basins must be designed to hold and retain the water resulting from a 100-year, 6-hour storm event and must be designed to dissipate as outlined in the "Drainage Report for Wood Corporate Campus PH I" dated April 16, 2008 and prepared by Project Design Consultants. For the portion of the Ballpark Village north of Lower Buckeye Parkway, retention basins must be designed to hold 50% of the volume of storm water resulting from the 100-year, 6-hour storm event. The remaining storm water volume will be designed to outlet into the existing storm drain system, as outlined in the "Drainage Report for Wood Corporate Campus / Ballpark Village PH II" dated October 24, 2007 and prepared by Project Design Consultants. Retention basin design must comply with the City's Engineering Design Standards. Basins must also be designed so that no damage to landscaping and other improvements occurs as a result of the designed-for storm events. In general, retention basins should:

- Vary in size and shape if multiple basins are located close to one another.
- Be divided into multiple smaller basins if a single basin is out of character for the parcel to which it serves.
- Provide a variety of visual sequences when viewed from the basin or from outside the retention area.

Continuous straight-line berms are discouraged. It is encouraged that berms be designed as freeform, curvilinear and undulate in their height. Side slopes shall not exceed a 3:1 gradient. Use of berms to screen parking lots from the street is encouraged, but may not be required unless the Reviewing Party believes such berms are critical to promote the overall vision of Ballpark Village's design theme. When utilizing berms to screen parking lots from the street, the side facing the street shall be a gentler slope of 4:1 or greater. When walls are provided, landscape berms are encouraged to reduce their visual impact, but are not required unless the Reviewing Party deems such landscape berms are critical to promote the overall vision of Ballpark Village's design theme.

Screening

All trash from each lot is to be disposed within an approved "dumpster" that is provided by a licensed refuse collection company. Approval of the dumpster shall be made by the Reviewing Party. All refuse collection areas shall be located in a manner that produces the least amount of visual impact to the public while also allowing for adequate ingress and egress by collection vehicles. Refuse collection areas shall be screened by building walls or screen walls at a minimum of six feet (6') in height and constructed of a material that is complementary to the buildings it serves. The collection area should be accessed through an opaque metal gate, with the gate and screen walls painted to match the buildings they serve. In order to reduce the number of dumpsters and dumpster enclosures, integrated developments are encouraged to share such facilities when and where possible. All refuse enclosures must be in compliance with the City's Engineering Design Standards.

A building parapet shall screen all roof-mounted equipment and ventilators (to the extent such screening is feasible or practical). Mechanical equipment shall not exceed fifteen feet (15') in height and must be adequately screened from view by parapet walls or some other form of architectural screening. Wall-mounted equipment will not be permitted on the front or sides of any building. Ground-mounted electrical and/or mechanical equipment shall be allowed along the rear of buildings, with such equipment being allowed along the sides of buildings on a case-by-case basis via the site plan and design review process. Ground-mounted electrical and/or mechanical equipment shall not be permitted on the front of buildings. Ground-mounted equipment must be screened from view by architecturally compatible (materials and color) walls or adequate landscaping, with the height of the wall or landscaping equal to the height of the equipment. Storage tanks, satellite dishes, cooling towers, communication towers and antennas are considered mechanical equipment and are subject to these screening standards. Solar panels do not need to be screened but shall be integrated into the design of the building. For developments abutting residences, mechanical equipment shall be screened from such residences to the extent feasible or practical. All screening materials should be compatible with the colors, materials, and design of the building.

Except as may be approved by the Reviewing Party, no utility lines, wires, or other devices for the communication or transmission of electric current, power, or signals (including telephone, television, microwave, or radio signals), shall be constructed, placed, or maintained anywhere in or upon any lot other than within buildings or structures, unless the same shall be contained in conduits or cables constructed, placed, or maintained underground or concealed in or under

buildings or other structures in a manner approved by the Reviewing Party. All underground electrical facilities less than 69kV shall be underground.

Electronic surveillance equipment or alarm hardware should be of a color that is consistent or complementary with the building it serves. To the extent practical, any wiring should be concealed or shielded from public view.

When feasible or practical, backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations. If they are, or if they are within public view, they should be screened with shrubs, berming, low-screen walls, a combination thereof, or other screening method deemed acceptable to the Reviewing Party. Cages painted in earth-tone colors shall be permitted.

Lighting

Street lighting shall be provided along all streets. A lighting consultant or electrical engineer shall design street lighting and meet the illumination standards established by the City. Light poles shall be limited to a maximum of twenty-five feet (25') in height within all parking lots, with twenty feet (20') heights preferred. For buildings and the immediate area of each building, the following shall apply:

- Exterior light fixture design shall be compatible with: a) the building's design and b) the principal use of the building.
- Exterior light fixtures shall be incorporated into the building's architectural design and within the site's landscape design. As a general guideline within the MXD/RES MXD areas, there should be a greater number of pedestrian-scale lights as opposed to fewer, taller high-intensity lights. Light sources for and from parking structures (if utilized) should be screened from direct view along adjacent streets and sidewalks.
- Walkways, plazas, and courtyards that are considered interior to the site shall provide exterior lighting under a maximum height of fourteen feet (14'). The Reviewing Party may allow a height greater than fourteen feet (14') on a case-by-case basis depending on the desired use of the site and whether or not the request is consistent with the overall design theme of the MXD/RES MXD areas of Ballpark Village.
- Light fixtures shall be equipped with appropriate reflection and shielded to prevent spillover illumination to adjacent land uses and residences.
- Lighting for pedestrian walkways should be designed for point-to-point illumination, with an emphasis on clearly defining pedestrian walkways and direction of travel.
- Each site shall provide adequate lighting for all walkways coming from building entrances to their respective sidewalks.
- Each site shall provide adequate lighting for all exterior building corners, ends of buildings, and passageways between buildings.
- Recessed entryways must be illuminated.
- The types, styles and colors of lighting that will be permitted shall be evaluated and determined by the Reviewing Party on a case-by-case basis.
- All bulbs and fixtures must be non-glare.

Construction

As soon as earthwork commences, sediment control measures shall be installed in such a way so as to filter all storm water run-off from a site before it enters a public street or public drainage facility. The sediment control system must remain in place and be in good repair until construction is complete and landscaping is installed. Construction activity shall conform to all regulatory agency rules, standards, and criteria governing sediment control.

The use of temporary structures, trailers or portable buildings is permitted. Activities are limited to construction offices, security offices, storage of tools and equipment, and toilets. The Reviewing Party must approve the location, design, and general appearance of all temporary buildings.

Ballpark Village has no temporary dumpsites. All debris shall be removed from the premises during construction and completion of construction. Construction materials shall be kept out of street right-of-ways at all times. All streets are to be kept free of dirt, debris, and spilled concrete. Each builder shall be responsible for street cleaning on a regular basis as determined by the Reviewing Party. "Wash-out" areas for concrete trucks must be provided on all construction sites in locations that are approved by the Reviewing Party. All trash must be kept in enclosed containers and removed frequently so that the site is maintained in a clean and orderly manner.

The Owner/Occupant is responsible for determining the location of existing underground utilities and for the protection of such facilities during the construction process. The Owner/Occupant must consult Arizona Blue Stake, Inc. prior to any excavation.

The Owner/Occupant is responsible for controlling dust and air pollution on the construction site in accordance with the terms and conditions of the Dust Control Prevention Plan, as submitted to the Maricopa County Environmental Services Department under application for an Earthmoving Permit.

Sidewalk Cafes

Outdoor cafes make a significant contribution to the quality of public spaces and street life. The purpose of this section is to provide simple procedures and design guidelines to encourage the establishment of sidewalk cafes when and where feasible and appropriate within the MXD/RES MXD areas. The following standards shall apply:

- Must have an adjacent associated business such as a cafe, coffee shop, delicatessen, restaurant, ice cream or frozen yogurt parlor, or food court.
- Sidewalk cafe furniture shall not block access to pedestrian street crossings, disabled parking spaces, mailboxes, or public telephones (if applicable).
- Outdoor cafes shall provide for a minimum of eight feet (8') of public access across the pedestrian flow of traffic. Conflict between the sidewalk cafe and elements in the street furniture zone is not permitted.

- Outdoor furniture must be of commercial quality to withstand the wear of outdoor commercial use. Plastic tables and chairs are not permitted. Outdoor furniture should be complementary to the adjoining business design and make a positive contribution to the street environment. Only the name and/or logo of the business and/or core product service may be placed on the chairs.
- Umbrellas must be at least seven feet (7') above sidewalk level and shall not interfere with the pedestrian flow. They must be secured from wind gusts but shall not penetrate or damage the sidewalk. Only the name and/or logo of the business and/or core product service may be placed on the umbrella.
- Removable barriers are optional. These barriers may consist of, but are not necessarily limited to: planter boxes, potted plants, and bollards. The Reviewing Party on a case-by-case basis may approve other forms of removable barriers. Chains, ropes, and line markings are not permitted. Removable barriers may not encroach on the pedestrian flow space. Removable barriers will be required when alcohol service is provided.
- Non-removable barriers such as low decorative fences shall be permitted with the design being approved by the Reviewing Party.

Patio and Open Air Service - Alcohol Serving Establishments

The purpose of this section is to provide simple procedures and design guidelines for patio and open air service associated with alcohol serving establishment, when and where such service is feasible and appropriate within the MXD/RES MXD areas. The following standards shall apply:

- Must have an adjacent associated business that serves alcohol, such as a restaurant, entertainment venue, pub or other similar establishments.
- Patio furniture shall not block access to pedestrian street crossings, disabled parking spaces, mailboxes, or public telephones (if applicable).
- The patio or open air service shall provide for a minimum of eight feet (8') of public access across the pedestrian flow of traffic. Conflict between the patio or open air service and elements in the street furniture zone is not permitted.
- Outdoor furniture must be of commercial quality to withstand the wear of outdoor commercial use. Plastic tables and chairs are not permitted. Outdoor furniture should be complementary to the adjoining business design and make a positive contribution to the street environment. Only the name and/or logo of the business and/or core product service may be placed on the chairs.
- Umbrellas must be at least seven feet (7') above sidewalk level and shall not interfere with the pedestrian flow. They must be secured from wind gusts but shall not penetrate or damage the sidewalk. Only the name and/or logo of the business and/or core product service may be placed on the umbrella.
- Removable or non-removable barriers are required. These barriers may consist of, but are not necessarily limited to: planter boxes, potted plants, and bollards. The Reviewing Party on a case-by-case basis may approve other forms of removable barriers. Chains, ropes, and line markings are not permitted. Removable and non-removable barriers may not encroach on the pedestrian flow space. Non-removable barriers such as low decorative fences shall be permitted with the design being approved by the Reviewing Party.

- Other forms of open air service, including special event “beer and alcohol service gardens”, shall be permitted in accordance with all City zoning and use permit requirements.

Open Air Setbacks

Open-air setbacks or jogs in the building façade are permitted. Interior entrances to ground floor retail may be set back to allow for outdoor use such as outdoor dining, outdoor display, or entry forecourts. Elements defining the wall plane at the sidewalk line are encouraged. Open-air setback dimensions will be reviewed and either approved or disapproved by the Reviewing Party on a case-by-case basis.

Street Furniture Zone

Street furniture zones buffer pedestrians from the adjacent roadway(s) and from on-street parking. A street furniture zone is an area where elements such as street trees, signal poles, parking meters, street lights, controller boxes, hydrants, signs, benches, newspaper stands, trash containers and other street furniture can be properly located. If/where utilized, all street furniture shall be located within five feet (5') of the street curb. At the discretion of the Reviewing Party, benches may be required in certain areas, or for all areas, every two hundred fifty linear feet (250lf) or some other distance determined appropriate by the Reviewing Party along front-facing building façades/storefronts. Benches shall be compatible with the surrounding building architecture/design and also complement other street furniture in the area. One trash container shall be provided for every one hundred fifty linear feet (150 lf) of front-facing building façade/storefront or at some other distance deemed appropriate by the Reviewing Party. Trash containers must be compatible with the surrounding building architecture/design and also complement other street furniture in the area.

Awnings

Awnings, canopies, and pergolas (also known as arbors) are strongly encouraged on front-facing building façades/storefronts and may be required if determined by the Reviewing Party. Materials, colors, and forms should be complementary to and derived from the building architecture. Placement of pergolas, canopies, and awnings should be above the display windows and below the storefront cornice or sign panel and should not cover columns, pilasters, clerestory windows or architectural features. Pergolas may run the entire length of a building. Building arcades that are an integral component of the building architecture are permitted in-place of awnings, canopies, and pergolas. Guidelines for awnings are as follows:

- Only traditional sloped fabric awnings are allowed.
- Awnings must complement the architecture of the building.
- When contained within windows, awnings shall fit the frame of the window, door or storefront.
- Awnings should not obscure architectural features.
- Brightly colored plastic or vinyl awnings that are often internally lit or plastic "bubble" awnings are not permitted.

- Barrel shaped awnings should only be used to complement arched windows while rectangular awnings should be used on rectangular windows.
- All awnings and canopies must have a minimum vertical clearance of eight feet (8') above the sidewalk.
- Awnings and canopies must be attached directly to the building without requiring poles, sidewalk support, or visible guy wires from the top.
- On buildings wider than twenty-five feet (25'), awnings and canopies must be segmented to articulate each display window and provide a sense of proportion to the façade.

Site Design Criteria (Specific to the RES MXD Area Only)

Due to the contemporary and urban-like vision of Ballpark Village, there is no required minimum separation between buildings. If parking structures are utilized instead of or in conjunction with surface parking, such structures shall be located behind residential buildings. If utilized, the Reviewing Party shall approve or disapprove the amount of perimeter wall exposed to a public street on a case-by-case basis, but as a general guideline, such structures shall not have more than twenty five percent (25%) of its perimeter walls exposed to a public street. Any portion of a perimeter wall exposed to a public street shall be screened with an appropriate amount of landscaping.

If a balcony is offered for residential units, the size should be a minimum of forty square feet (40sf) each, or such other size deemed appropriate by the Reviewing Party. For the purposes of this section, a patio is considered a ground floor balcony.

Goodyear Ballpark Specific Criteria

The Ballpark shall have a clean, contemporary style appropriately detailed for its regional desert setting and shall provide a pedestrian promenade and/or walkway around the entire field.

Ballpark concessions' buildings along certain surrounding north/south and east/west roads may be 'pods' at the ground level with entry plaza openings into the ballpark concourse between them.

Section D: Residential Land Use Design Guidelines

The Residential ("RES") components of Ballpark Village shall be designed in a manner that is: a) aesthetically pleasing and complementary to the surrounding Ballpark Village development; b) has its own sense of identity; and c) as described within the 2017 PAD, has a unique residential character within a distinct setting. The following sections provide for general guidance as to how the community is to be developed, with the last section identifying certain architectural and exterior design elements that must be incorporated pursuant to a "minimum standards" point accumulation system.

Garage Design

The character of a community is predominantly defined by the street-scene experience. De-emphasizing the visual impact of garages allow the active architecture and style to permeate the street-scene and reinforce the community's identity. Architectural enhancements, such as relief given to front facing garage doors to minimize visual impact are recommended. Projections, pop-outs, cantilevers, recessed garage doors and corbels are just a few examples of design elements that can also be utilized for front facing garage doors if these items are consistent and in harmony with the overall contemporary and urban-like architectural theme of the community.

Front facing residential garages (non-alley loaded homes) should be positioned in a manner that de-emphasizes their visual impact on the street. This will allow the active, visually interesting features of the building to dominate the streetscape.

Garage doors should be compatible with the architectural style of the residence. In order to avoid the impact of garage doors, it is encouraged that they be appropriately treated with one or more of the following:

- Decorative relief cuts
- Panels
- Small decorative windows

Corner Lot Treatment

Homes and/or buildings on street corners have a high degree of visibility and impact on the community's image. Placement of homes and/or buildings on street corners shall be done sensitively, with side elevations designed to have a similar level of detail and articulation as the front elevation. Enhancements may include, but not necessarily limited to, one or more of the following:

- Wrap-around porches or courtyards
- Enhanced window treatments
- Roof plane breaks
- Accent colors, materials and detailing

- Pop-outs

Perimeter Edges & Open Space

Neighborhood identity is closely tied to the community's perceived interaction with neighboring developments, open space networks and edge conditions. Sensitive treatment of these edge conditions can define the community image and enhance the standard of living enjoyed by its residents.

"Community Perimeter Edges" are considered to be South Estrella Parkway and South Wood Boulevard. Perimeter lots are those having a side or rear elevation exposed to a Community Perimeter Edge.

When possible, the design and placement of buildings and/or homes on lots located along a public/private street and that are visible from open space and parks should be designed to avoid a monotonous edge condition. Such homes shall incorporate one or more of the following elements:

- Perimeter Open Space/Retention Tracts – Provide an open space/retention tract along South Estrella Parkway and South Wood Boulevard of a sufficient width to accommodate the permitted amount of retention in these areas. The total amount of surface type retention that can be used in a given tract(s) is sixty five percent (65%). If underground retention is used, up to eighty percent (80%) of a given tract(s) may be utilized, if designed such that the landscaping character is maintained.

- Pedestrian Connectivity – Pedestrian connectivity is an element of design is encouraged to be provided within the RES components of Ballpark Village. A highly connected neighborhood adds to the identity of a community and provides a sense of place. The pedestrian circulation system should connect neighborhoods to adjoining neighborhoods, parks, and amenity open space(s). All pedestrian circulation systems shall contain a minimum four foot (4') wide sidewalk unless adjacent to a public/private street. If adjacent to a public/private street, sidewalks shall be a minimum of five feet (5') wide. The circulation system should connect to the periphery of the RES area and allow access to South Estrella Parkway and South Wood Boulevard, providing access to the ballpark and other adjacent destinations.

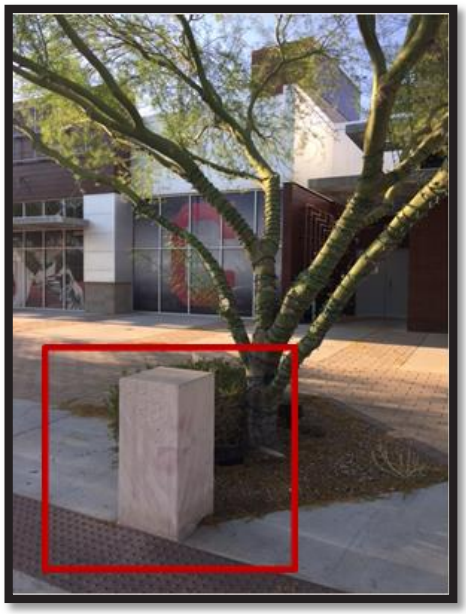
- Enhanced Primary and Secondary Entries – Primary entries from South Estrella Parkway shall be enhanced by providing at least one (1) of the following:

    - Enhanced landscaping
    - Entry monumentation
    - Street art
    - Enhanced paving
    - Water feature
    - Other design elements that complement the project

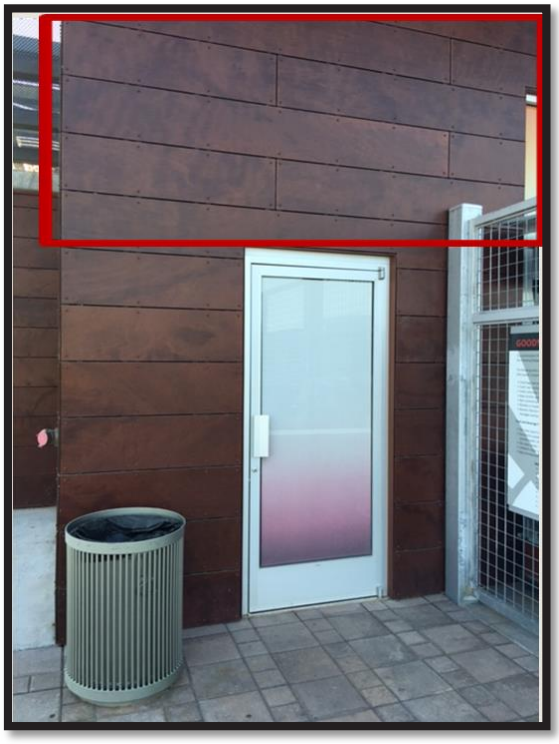
Secondary entries or access points from South Wood Boulevard and an interior loop road may have enhanced paving at the beginning of a public/private street or alley. Enhanced landscape elements may be placed at the entry driveways to establish identity to these areas.

- Required Open Space Materials – To ensure the RES area of Ballpark Village remains compatible with, and complements the Goodyear Ballpark, certain design elements from the Ballpark and its immediately adjacent areas shall be introduced into the open space, amenity feature(s) and/or entryways of the community. The following list of materials (or representative examples) shall be incorporated into the overall design of these areas (exact materials, amounts, colors, form of integration and placement of each to be determined during the site planning process):

Board-formed finished concrete – entry monumentation areas (earth tone or natural grey)



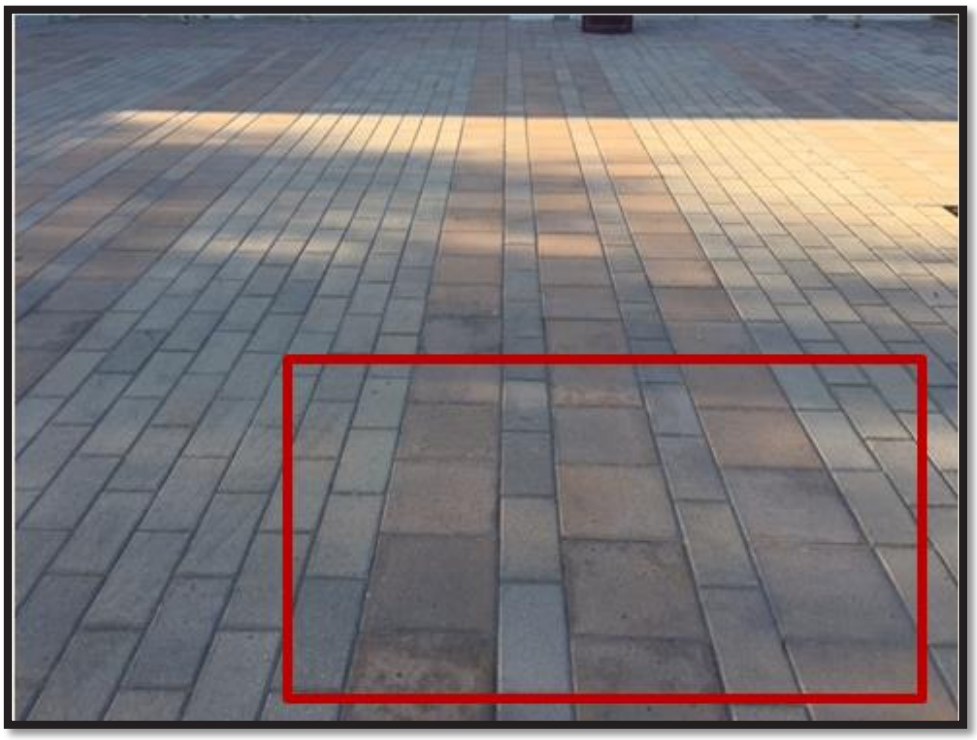
Metal/composite cladding with wood like texture

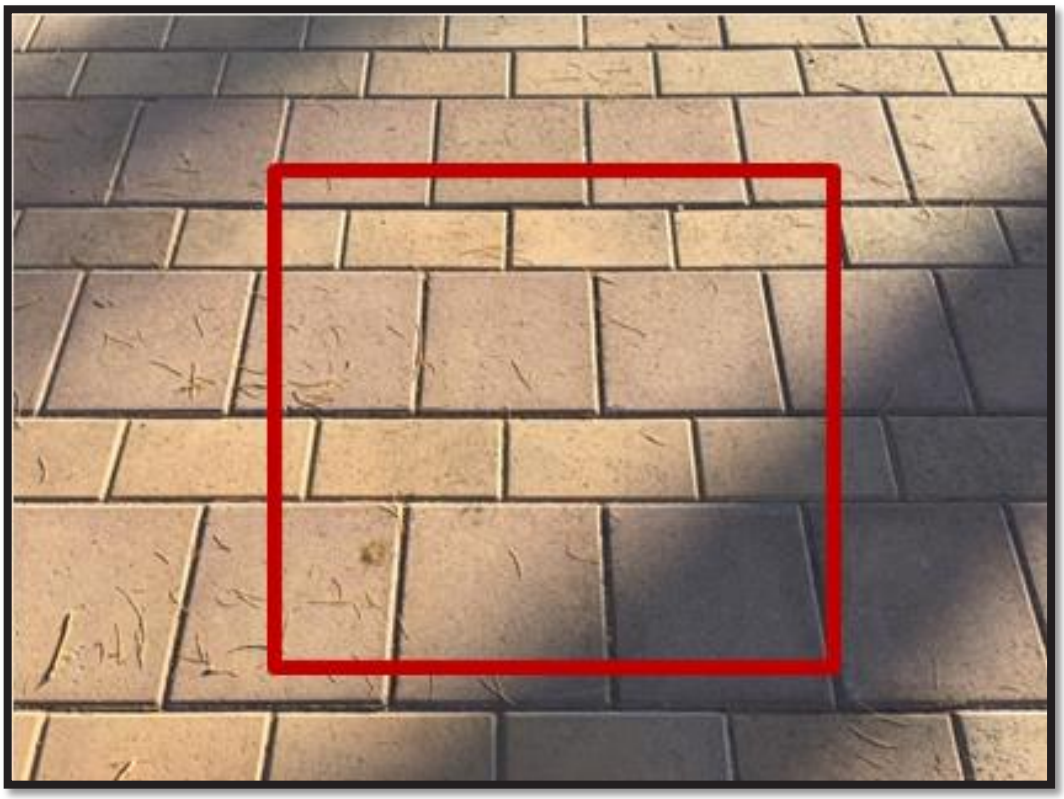


Welded wire fencing – (painted steel or galvanized)

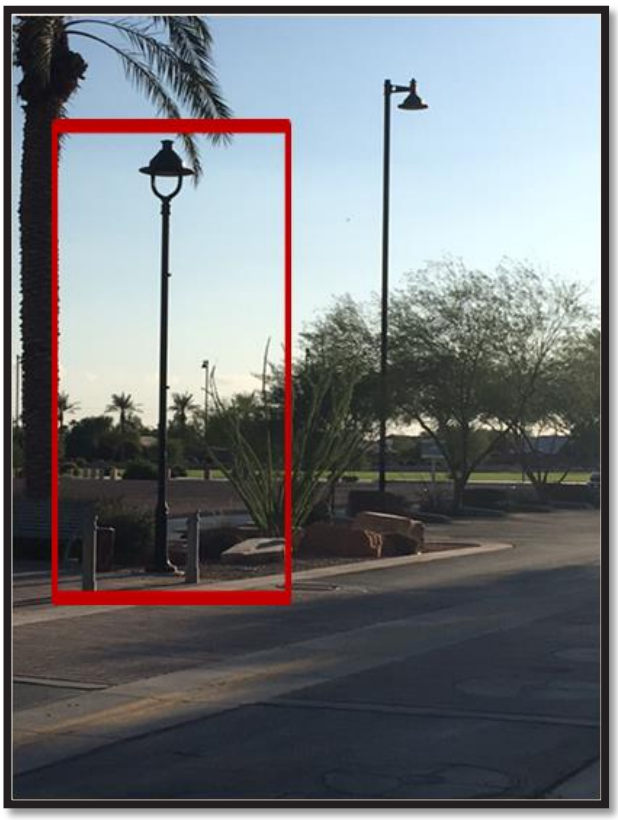
Park style pre-fab bench with horizontal flat slats

Pavers with banding in three patterns – modern accent style





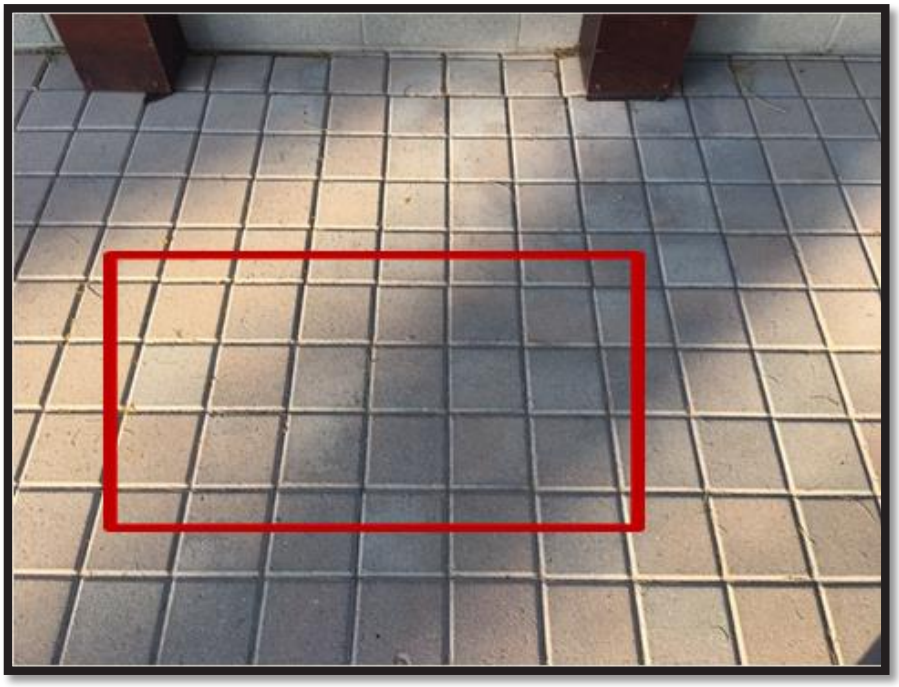
Ornamental community open space (pedestrian) lighting that is complimentary to existing Goodyear Ballpark pedestrian lights



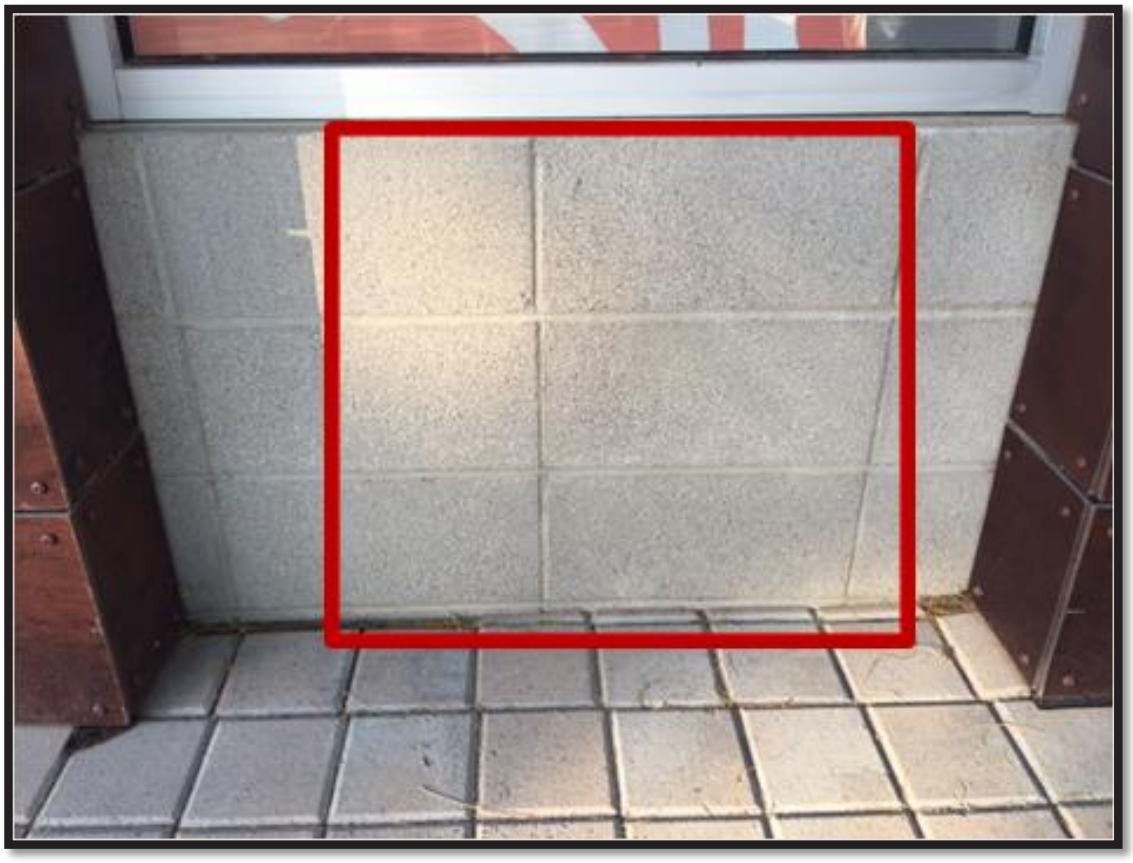
Angular boulders (color to be determined)

Metal awning and horizontal metal cladding

Square concrete pavers



Pre-cast concrete block



"Weathered" corrugated metal cladding

Metal columns/supports with symmetrical metal mesh

Stainless steel/aluminum reverse-pan channel lighting

- Walls in Public View – Subdivision perimeter walls may include columns with caps, and/or decorative stone. Incorporation of decorative wrought iron, trellises, raised planters, or other artistic features in context with the area may also be utilized. Perimeter walls shall incorporate various textures in conjunction with landscaping to provide visual interest and to soften the appearance of perimeter walls. Columns should break up perimeter walls at regular intervals. As an alternative to a perimeter wall, wrought iron fencing may be considered. This will help to provide a sense of connection with the larger neighborhood.

- Variation of Roof Planes – A variety of roof forms will not be required due to Ballpark Village's contemporary and urban-like design theme. In addition, there is no limit on the number of homes that may have similar or identical roof forms facing the Community's Perimeter Edges since the architectural theme requires a more uniform appearance.

- Articulated Building Massing – When feasible, a building's mass should be broken down into smaller elements to provide visual interest and articulation to the neighborhood street-scene.

- Architectural Enhancements – Rear and/or side elevations that abut or are immediately adjacent to a public/private street(s) shall be sufficiently articulated to provide visual interest. Examples of these enhancements shall include, but are not be limited to:

    - Enhanced window treatments (required on all units and front elevations that abut or are immediately adjacent to a public/private street(s))
    - All homes within the community should have at least two (2) of the following:

        - Offset wall planes (minimum offset of 6")
        - Roof plane breaks (not applicable on flat roofs)
        - Window awnings
        - Introduction of accent building materials and colors
        - Introduction of accent elements such as clay vents, out-lookers, and decorative grille work consistent with the front elevation's architectural style.
        - Other similar types of features that provide articulation to the visible side or rear elevation.

- Architectural Criteria – The architecture of a home or building is comprised of three (3) basic components regardless of its architectural style. These architectural components consist of building façades, roofs, and detail elements. When these components are combined and designed appropriately, a cohesive yet diverse environment will be realized; one that is consistent with the goals and objectives for Ballpark Village. The following criteria shall be required:

    - A minimum of three (3) floor plans shall be offered within each subdivision.

- Due to the unique nature of the contemporary and urban-like design: a) there shall be no requirement as to the minimum number of elevations to be offered within each subdivision; b) there shall be no restrictions on the location of plans and elevations in relation to each lot (i.e., Plan 1 Elevation A can be built next door to or across the street from Plan 1 Elevation A); and c) homes with the same plan (i.e., Plan 1 Elevation A and Plan 1 Elevation B or C) that are proposed to be built next door or across the street from one another shall be allowed to use the same roof style.

- Building Form – Although it is important to promote visual interest throughout the community, contemporary and urban-like architecture design utilizes consistent building forms while still providing a visually diverse environment. Due to the unique design theme envisioned for Ballpark Village, a variety of building forms will not be required within the RES community. The following enhancements are encouraged to supplement the contemporary and urban-like architectural theme:

  - Articulation of wall planes
  - Projections and recesses to provide shadow and depth
  - Simple bold forms
  - Although not required, frontal elevation wall planes can be staggered to create additional interest along the street-scene, while articulation and architectural details should be added when visible from public spaces.

Building Materials & Colors

The design of residences should use building materials that are consistent with the proposed architectural style. All surface treatments or materials should be designed to appear as an integrated part of the design, and not merely applied. All materials shall: a) wrap columns, porches, or balconies in their entirety; and b) change to another material at an inside corner. A material that is applied to a "wrapped architectural enhancement elevation" shall turn the outside corner of the building a minimum of two feet (2') before terminating.

A range of color tones, consistent with the proposed architectural style, should be used throughout the neighborhoods of the RES component of Ballpark Village. The extensive use of bright and vibrant colors is not permitted. Contrasting colors (either lighter or darker than the main body color of the residence) are encouraged for trim and accent elements (i.e., fascia, eaves, doors, awnings, window trim, porch railings, garage doors, etc.). Due to the unique contemporary and urban-like design of the community, no minimum number of color schemes or roof color schemes will be required for each subdivision or for each product line within the community.

The following illustrates the range of color tones and form of implementation the Reviewing Party will be looking for in all paint color approval processes. THESE ARE NOT MANDATORY COLORS, NOR COMBINATIONS OF COLORS, BUT RATHER EXAMPLES OF WHAT COULD BE DEEMED ACCEPTABLE BY THE REVIEWING PARTY.

Body of Residence/Residential Building Structure (Primary Base ≥75% of all Exterior Painted Surfaces)

(Maximum of 2 primary base colors plus a minimum of one secondary base colors shall be utilized – all must be complimentary to each other)

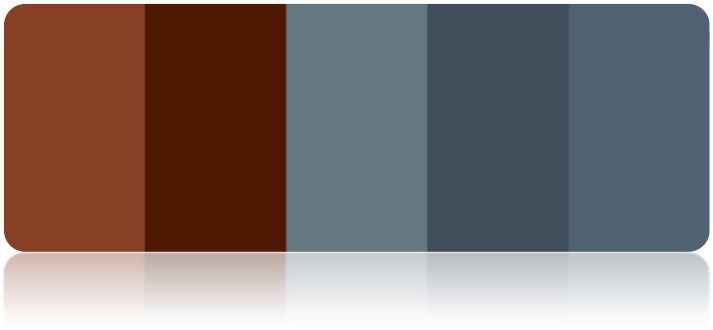
Acceptable: Appropriately muted and non-vibrant variations of white tinted shades, greyish hues/shades, brownish & tan hues/shades and other earth-tone colors complimentary to the overall Ballpark Village theme.

Trim/Accents & Secondary Base (as a Secondary Base ≤25% of all Exterior Painted Surfaces)

(1 color per residence or residential building – must be complimentary to body color)

Acceptable: Appropriately muted and non-vibrant variations of white tinted shades, greyish hues/shades OR reddish hues/shades, brownish & tan hues/shades and other earth-tone colors toned reds and/or blues that complement the base colors and are compatible with the overall Ballpark Village theme.

OR



Entry Doors/Garage Doors

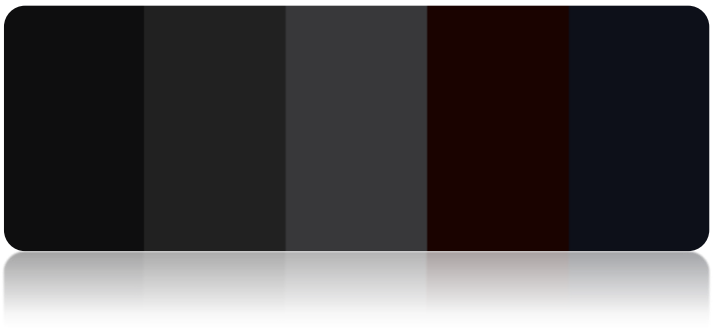
(1 matching color set per residence – must be complimentary to body and trim/accent colors)

Acceptable: Appropriately tinted whites and greys along with correctly toned reds and/or blues and earth tones that complement all other components of the color scheme within the community and compatible with the overall Ballpark Village theme.

Exterior Hardware & Ancillary Materials

(1 theme that is complimentary to the color palate of each residence or residential building)

Acceptable: Stainless steel or brushed nickel appearance hardware and/or appropriately tinted greys, black and correctly toned reds, blues or browns. All exterior hardware & ancillary materials must complement the color schemes to which they serve and be compatible with the overall Ballpark Village theme.



Roof Form & Slope

Roof treatments throughout the community may be consistent and homogeneous in order to promote the contemporary and urban-like design theme of Ballpark Village. Minimum overhangs shall complement the architectural style and will be reviewed on a case-by-case basis during the design review process. Roof slopes shall be consistent with the architectural style of each residence. Broken roof pitches extending over porches, patios or other similar features are encouraged where appropriate and when in harmony with the architectural style. Parapet roof forms may also be utilized to complement the contemporary and urban-like design theme.

Roof Materials

The following roof materials and designs are consistent, or may be considered acceptable with supporting features (i.e., parapet wall), with the contemporary and urban-like design theme of Ballpark Village:

- Concrete barrel
- Engineered composite
- Concrete flat tiles
- Concrete shake
- Standing metal seam roof
- Metal panel slate profile
- Composite shingles
- Solar shingles
- Other appropriate and aesthetically pleasing materials utilized for flat roof construction

Composite shingles are permitted as an architectural accent element, but its use is subject to approval via the design review process. All "S" style tiles shall not be permitted. Skylights are permitted, but should be designed as an integrated part of the roof. White "bubble" skylights shall not be permitted unless completely hidden from public view. Skylight framing material should be bronze anodized or colored to match the adjacent roof. All conduit and electrical panels must be painted to match the color of the residence.

Entries

The entry of a home should be the focal point of the building's front elevation. Roof elements, columns, porticos, recesses or projections, window or other architectural features can be utilized to articulate the entryway.

Courtyards

Courtyards may be utilized as a transition from the street-side public space to the entryway of the home. Courtyard walls shall be finished to match the house and may be embellished with accents that are appropriate to the architectural style of the residence.

Porches, Patios & Balconies

Porches and patios, if or when utilized, should be designed as an integrated component of the building's architecture and have a minimum depth of four feet (4'). Porches should have railings and be fully covered in one of the following ways:

- Roof element that match the residence
- Trellis structure
- Second floor balcony or overhang

Patios, if utilized, shall not be required to be covered due to the style of housing envisioned within the RES component of Ballpark Village.

Although not required, second and third story balconies are encouraged to provide further visual interest to the street-scene while increasing the perceived front setback of the second story. If utilized, balconies shall have a minimum depth of three feet (3') and should be designed as an integrated component of the home's architecture. Columns used in conjunction with balconies should convey a sense of strength and support.

Columns & Archways

The use of columns and archways adds articulation to the character of the residence and is encouraged where appropriate. Columns and archways should be scaled appropriately to provide a sense of strength and support that is compatible with the architectural style of the home.

Trellis & Arbors

If trellis and/or arbors are utilized, they should be designed in a manner that helps maintain their appearance over time.

Window Openings

At least one principal window is required on front elevations. Principal windows are defined as one of the following:

- A prominent window recessed a minimum of two inches (2") or having a minimum two-inch (2") pop out surround.
- A bay window with a minimum two inch (2") projection and detailing appropriate to the architectural style of the residence.
- A minimum two-inch (2") deep pot-shelf with corresponding roof element and corbels.
- An overhead trellis element projecting a minimum of two inches (2").
- Decorative iron window grille that projects forward off the wall plane a minimum of two inches (2").
- A decorative window awning on at least one window.

Rear elevations that abut or are immediately adjacent to a public/private street(s) require the use of at least one principal window as defined above. Side elevations that abut or are immediately adjacent to a public/private street(s) are required to have a principal window treatment.

The style of windows shall be compatible with the architectural style of the home. Aluminum or vinyl extruded frame windows shall be appropriately colored to match or complement the body of the residence or the residence's trim colors. Window glazing may be clear or tinted. Reflective glass shall not be permitted.

Detail Elements

Detail elements such as awnings, overhangs, recessed windows and vertical/horizontal features such as architecturally compatible windows and doors and/or other features are encouraged to provide visual interest to the residential architecture.

Chimneys

Chimneys and particularly chimney caps should be simple in design so as to not distract from the buildings architectural style. The design of chimneys shall be compatible with the architecture style of the residence. The following features are appropriate:

- Tile caps, brick or tile banding
- Elaborate chimney tops/shroud shall be appropriate to the architectural style.
- Decorative metal tops/shroud shall match trim colors.

Exposed flues and extravagant metal fireplace caps are prohibited.

Driveway Criteria

Where provided, the minimum length for a driveway that is designed to accommodate parking shall be eighteen feet (18') from the opening of the garage door to the back of sidewalk. Driveway aprons shall range from a minimum of two feet (2') to a maximum of five feet (5') where parking is prohibited within such apron.

Satellite Dishes

When feasible, satellite dishes one meter (1m) in diameter or smaller shall be sited so they are not visible from public/private streets, community open space/parks, or shared pathway easements. Satellite dishes over one meter (1m) in diameter are prohibited.

Gutters & Downspouts

If utilized, exposed gutters and downspouts shall be color matched or shall complement the surface to which they are attached. Downspouts may be allowed within the interior and/or exterior of residences.

Storage Buildings

Storage buildings must have the same level of architectural detailing as the residential structure(s) it is serving. The maximum height of a storage building must be lower than the perimeter residential wall unless the Reviewing Party approves a height that exceeds the height of the perimeter residential wall.

Solar Panels

Solar panels shall be mounted directly to a roof plane and be integrated into the roof design. Roof mounted solar panel equipment shall be similar to the roof in color and appearance and have a reflectivity value of twenty percent (20%) or less. Non-camouflaged solar panel equipment shall be located behind parapet walls of equal height to the equipment. Solar panels are to be integrated into the roof design, flush with the roof slope, and the frames must be colored to complement the roof. Mill finish aluminum frames are prohibited and support solar equipment shall be enclosed and screened from view.

Mechanical Equipment

No mechanical equipment (i.e., air conditioning/heating units) shall be mounted on, or attached to, any sloped roof. Mechanical equipment, when mounted on flat roofs, must be completely screened by parapet walls that are at least as tall as the equipment. If visible from public/private streets, community open space/parks, or shared pathway easements, ground mounted mechanical equipment must be screened by walls at least six inches (6") higher than the equipment and located away from pedestrian paths and community amenities/services. Such walls shall match the appropriate architectural styles in both color and material. Mechanical devices such as exhaust fans, vents, and pipes shall be painted to match adjacent roof surfaces.

Trash Enclosures

Trash enclosures shall be constructed of concrete masonry units finished in a manner that is similar to homes or buildings they serve. All trash enclosures shall have opaque metal gates that are designed in a manner that is consistent with the overall architectural theme of the community.

Carports

Carports within a multi-family development should be designed and be of a color that complements the architecture of the buildings they serve. Flat metal roofs and metal supports shall be permitted as long as they are in harmony with the design of the community.

If desired, single-family components of Ballpark Village may integrate carports into the overall design of the community, but such carports shall also complement the design and color of the buildings they serve.

Detached Garages

If provided, detached garages shall have the same form of architectural character/treatment as the main homes or buildings they serve. Six (6) car detached garage structures are preferred as a maximum for multi-family developments. All detached garage structures shall have a minimum four-inch (4") garage door recess.

Mailboxes

Grouped or ganged mailboxes shall be located within centrally located areas throughout each component of the RES area of Ballpark Village. If a mailbox enclosure is proposed, it shall complement the architectural character of the community. Grouped or ganged mailboxes shall also meet all federal accessibility standards.

Clubhouse & Recreation Buildings

Clubhouses, recreation buildings, and other support buildings shall complement the architectural style of the community and the overall character of Ballpark Village.

Community/Entry Signage

Community/entry signage shall be tasteful, consistent and complementary to the architectural design theme of the community.

Architectural Design Features & Elements

In order to promote a contemporary and urban-like theme throughout the RES portion of Ballpark Village, the following table shall be utilized by all homebuilders, including multi-family builders, for the design review submittal process. Each submittal shall meet or exceed the accumulated minimum point requirement shown at the bottom of the table. Examples of each feature and element follow the table.

Architectural Design Features & Elements	Allocated Points	If a Feature/Element is Selected, Enter Points Here
Use of the following throughout each subdivision or multi-family site as a standard item on/for all residential units or buildings:		
Flat roof architecture	10	
Partial or complete use of standing seam metal roof	10	
Front elevation balcony (use of balconies by multi-family builder)	9	
Smooth sand finish exterior stucco	7	
Horizontal and/or vertical stucco control joints within exterior design	8	
Partial use of lap siding - complimentary to smooth sand finish stucco exterior	6	
Exterior square corner/straight edge stucco treatment	4	
Flat tile as roofing material	4	
Flush/flat or square/rectangular garage & entry door panels (must have contemporary theme)	5	
Opaque glass within garage door (top row windows only – square or rectangular design)	5	
Clear glass within garage door (top row windows only – square or rectangular design)	2	
Opaque glass within entire garage door (square or rectangular panels)	9	
Opaque glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	5	
Clear glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	3	
Stone/brick veneer or other appropriate style of paneling on front elevation	6	
Stone/brick veneer or other appropriate style paneling on front & rear elevations	8	
Parapet wall(s) at roof line (visual appearance that ≥33% of front facing roof is flat when viewed from the front of the home)	9	
Horizontal window pop-outs (non-full surround pop-outs)	3	
Metal awning over at least one (1) front elevation window	7	
Metal awning over garage	8	
Metal awning over main entry	7	
Metal railing for front elevation balcony	8	
Contemporary styled coach lights and address/unit identification placards	2	

Inclusion of welded-wire paneling into side-entry gates or other design element within front elevation	4	
Full metal side-entry gates	5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting and use of metals or concrete	9	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting - no use of metals or concrete accents	7	
Non-typical, symmetrical square/rectangular driveway patterns (includes use of stone, pavers brick or detached concrete sections)	8	
Non-typical, symmetrical square/rectangular walkway patterns (includes use of stone, pavers brick or detached concrete sections)	6	
Exposed aggregate driveway	3	
Exposed aggregate walkway	2	
For single-family attached & detached housing, if the following choices are provided to home buyers as optional elevation treatments or exterior design elements (on/for all residential units or sections of buildings & not a standard item), the following shall apply:		
Flat roof architecture	5	
Partial or complete use of standing seam metal roof	5	
Front elevation balcony	4.5	
Partial use of lap siding - complimentary to smooth sand finish stucco exterior	3	
Flat tile as roofing material	2	
Opaque glass within garage door (top row windows only – square or rectangular design)	2.5	
Clear glass within garage door (top row windows only – square or rectangular design)	1	
Opaque glass within entire garage door (square or rectangular panels)	4.5	
Opaque glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	2.5	
Clear glass utilized within front entry door (asymmetrical/offset or window area ≥40% of door - square or rectangular panels)	1.5	
Stone/brick veneer or other appropriate style paneling on front elevation	3	
Stone/brick veneer or other appropriate style paneling on front & rear elevations	4	
Parapet wall(s) at roof line (visual appearance that ≥33% of front facing roof is flat when viewed from the front of the home)	4.5	
Metal awning over at least one (1) front elevation window	3.5	
Metal awning over garage	4	

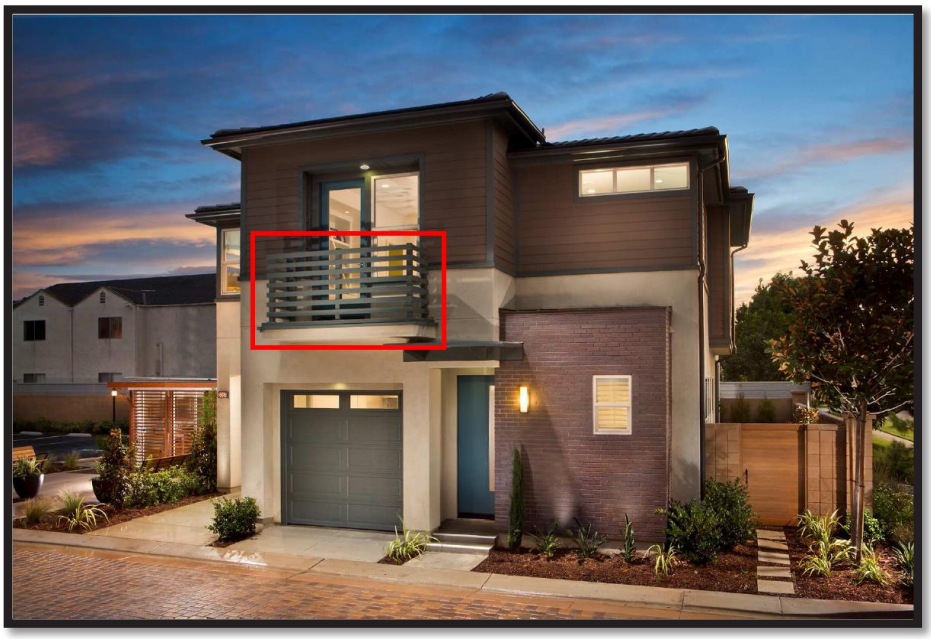
Metal awning over main entry	3.5	
Metal railing for front elevation balcony	4	
Inclusion of welded-wire paneling into side-entry gates or other design element within front elevation	2	
Full metal side-entry gates	2.5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting and use of metals or concrete	4.5	
Clean, symmetrical & hard-edged landscape design with contemporary themed lighting - no use of metals or concrete accents	3.5	
Non-typical, symmetrical square/rectangular driveway patterns (includes use of stone, pavers brick or detached concrete sections)	4	
Non-typical, symmetrical square/rectangular walkway patterns (includes use of stone, pavers brick or detached concrete sections)	3	
Exposed aggregate driveway	1.5	
Exposed aggregate walkway	1	
Total Points Required	**65**	
Total Points Accumulated		

Examples of Architectural Features & Design Elements Considered Acceptable

Flat roof architecture

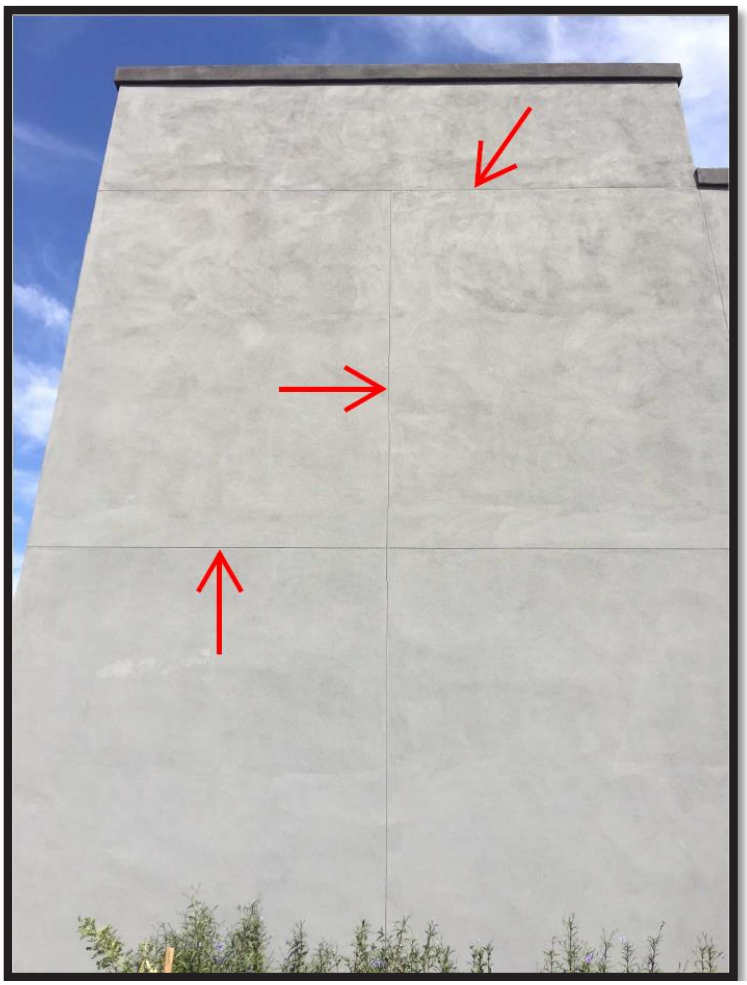
Standing seam metal roof

Front elevation balcony



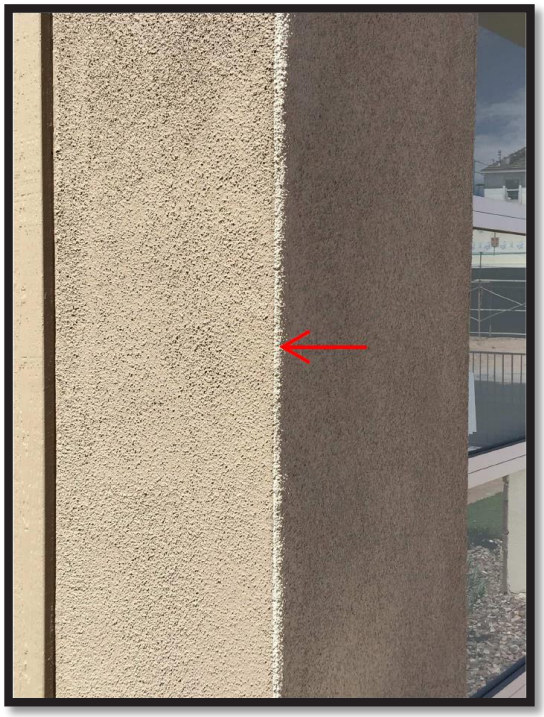
Smooth sand finished exterior stucco

Horizontal and/or vertical stucco control joints



Partial use of lap siding - complimentary to sand finish stucco exterior

Exterior square corner/straight edge stucco treatment



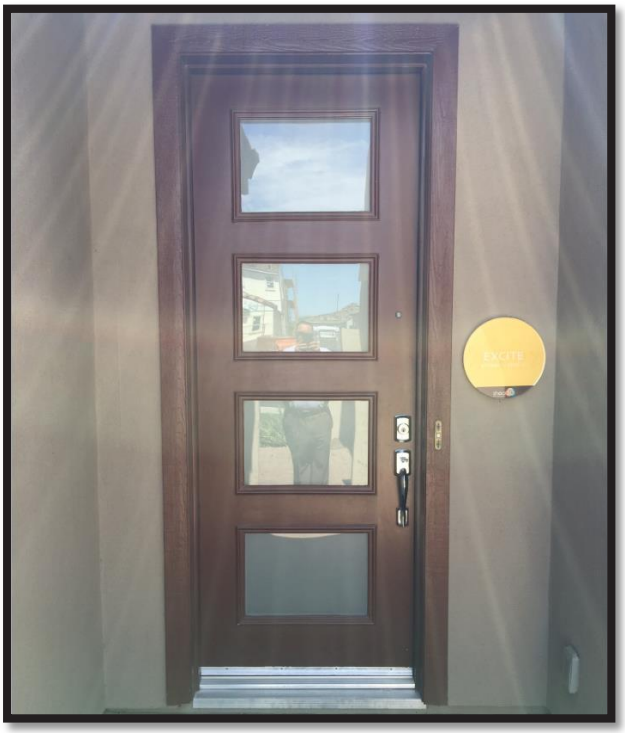
Flat tile roofing material

Flush/flat or square/rectangular garage pattern & example of clear glass along top row

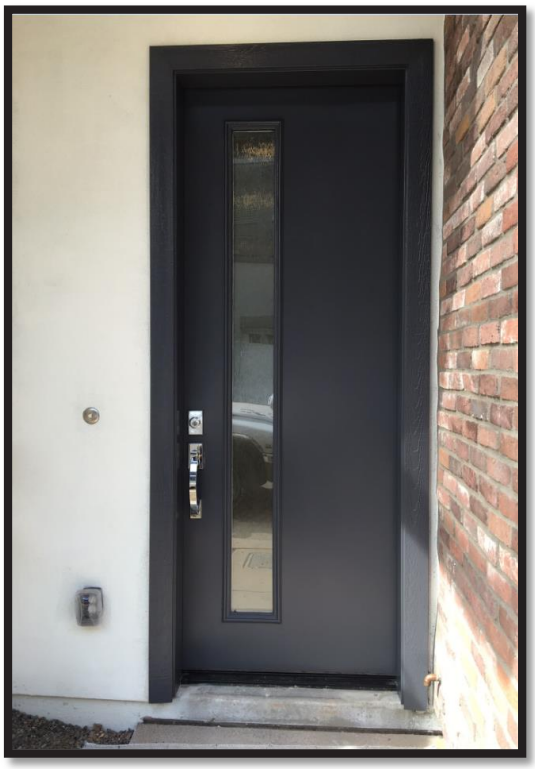
Flush/flat or square/rectangular garage pattern & example of opaque glass along top row

Full opaque glass garage door (square or rectangular design)

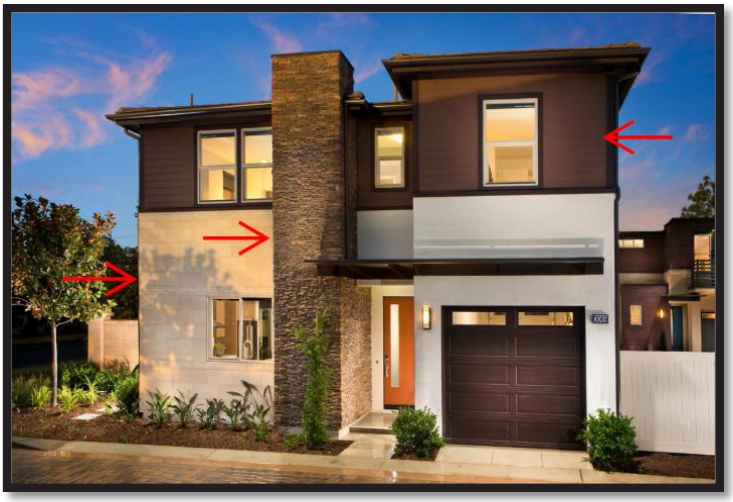
Opaque glass utilized within front entry door (square or rectangular panels)



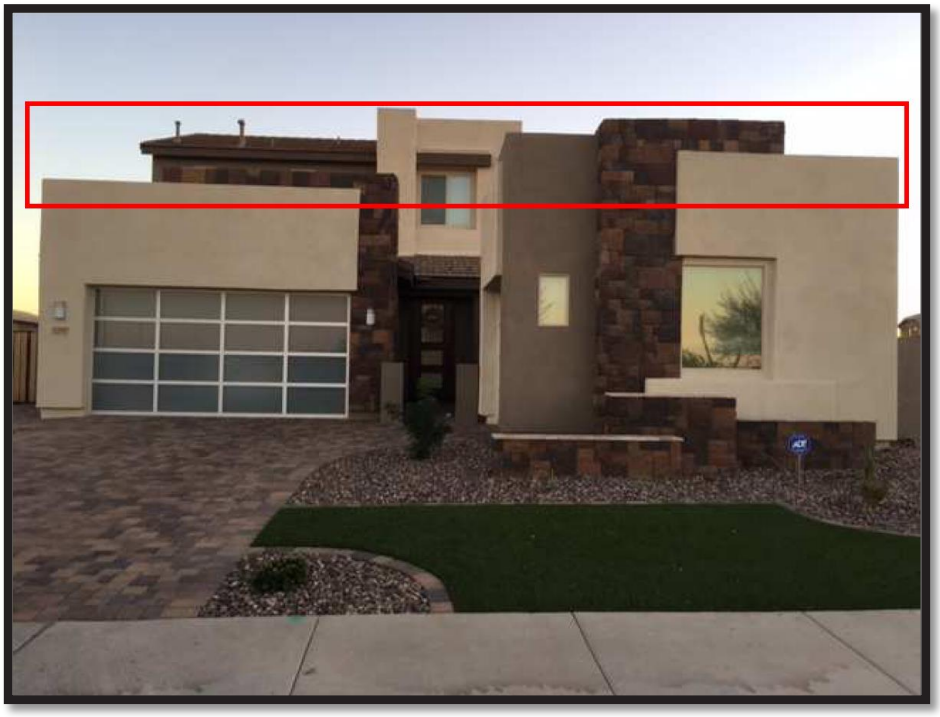
Clear glass utilized within front entry door (square or rectangular panels)



Stone/brick veneer or appropriate style paneling



Parapet wall(s) at roof line



Horizontal window pop-outs

Metal awning over front elevation window(s)

Metal awning over garage

Metal awning over main entry

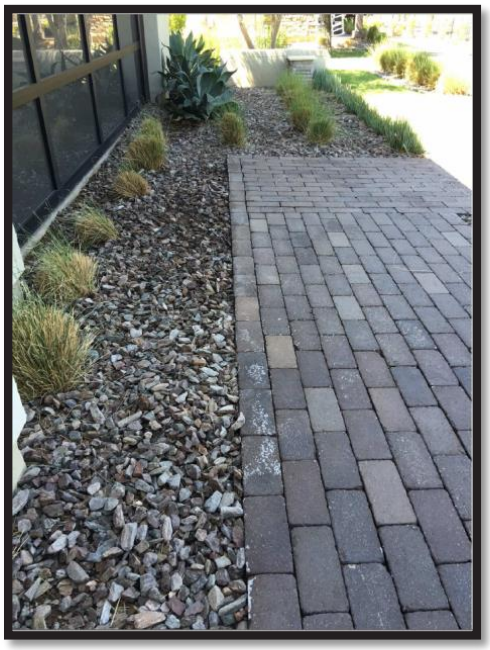
Metal railing for front elevation balcony

Contemporary style coach lights & address identification placard

Welded-wire paneling (galvanized shown/painted version acceptable)

Full metal side-entry gates

Clean, symmetrical & hard-edged landscape design



Non-typical, symmetrically patterned square/rectangular driveway & walkway designs

Exposed aggregate driveway & walkway

Section E: Commercial Land Use Design Guidelines

The Commercial Land Use ("COM") component of Ballpark Village shall be designed in a manner that produces a highly functional and engaging goods/services oriented development that is architecturally compatible with the remainder of Ballpark Village (as intended within the 2017 PAD).

General

A pedestrian connection is required along Estrella Parkway from the Public Facilities area (specifically the PFD-3 land use area) and the COM area at the Northeast corner of Estrella Parkway and Bullard Avenue.

Sidewalks between buildings and parking lots shall be a minimum of five feet (5') and a maximum of twenty feet (20').

All buildings on the same site should demonstrate a strong spatial and functional relationship to each other. In addition, buildings should generally demonstrate a variety in size and mass. When feasible and desired, portions of primary buildings and freestanding buildings should be oriented toward the streets.

Access & Circulation

All walkways that traverse vehicle drive aisles shall be distinguished with either stripping or hardscape materials such as specialty pavers or stamped colored concrete (whichever is deemed more appropriate by the Reviewing Party for the area in which it serves). Stripping or decorative materials should be used to clearly delineate pedestrian travel areas from drive aisles. Specialty paving material for walkways shall be developed in accordance with ADA requirements.

The use of stamped concrete, stone, brick or granite pavers, exposed aggregate, or colored concrete can be utilized (where appropriate) to serve as a traffic calming function to promote pedestrian safety and to minimize the negative impact of large expanses of black asphalt pavement on parking lots. The entry throat into the development can also be distinguished with hardscape materials such as pavers, or patterned, stamped or colored concrete.

Bollards should be considered to separate pedestrians from vehicular traffic areas and to light sidewalk surfaces. If utilized, bollard design should be coordinated with other streetscape furnishings.

Utilities & Mechanical Equipment

Ground mounted equipment should be screened from view by a wall that complements the building in which it serves, a landscape feature that is compatible with the architecture of the

development, placed in underground vaults, a combination thereof, or other screening method deemed acceptable to the Reviewing Party.

Electronic surveillance equipment or alarm hardware should be of a color that is consistent or complementary with the adjacent building. To the extent practical, any wiring should be concealed or shielded from public view.

When feasible or practical, backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations. If they are, or if they are within public view, they should be screened with shrubs, berming, low-screen walls, a combination thereof, or other screening method deemed acceptable to the Reviewing Party. Cages painted in earth-tone colors shall be permitted.

All roof-mounted mechanical equipment shall be screened from street-level public view (to the extent such screening is feasible or practical). For developments abutting residences, mechanical equipment shall be screened from such residences to the extent feasible or practical. All screening materials should be compatible with the colors, materials, and design of the building.

Building Design

Building design should express a single, strong architectural theme with substantial and consistent architectural detailing except that individual storefronts may exhibit different but compatible themes. Buildings should be designed to promote walkability and enhance pedestrian activity. Building elements such as large, blank building walls and loading areas, which disrupt the continuity of shops and businesses are not permitted along pedestrian corridors. An emphasis should be placed on promoting a harmonious development that possesses pedestrian-scale architecture and identifies a hierarchical scale of uses (anchor store(s) should be emphasized as the more significant structure(s)). Pad sites or independent buildings should have their own unique identity but relate to the larger main structure(s).

To the extent it is practical: a) parking areas, pedestrian walkways, elevators, stairwells and recreation areas should be visible from as many windows and doors as possible; b) buildings should be sited so that the windows and doors of one unit are visible from another; c) all four façades of buildings should have windows or simulated windows; and d) energy efficiency techniques should be incorporated into the design of a building.

If a building is situated at the corner of a public street, it should provide a prominent entrance to the retail shop(s) (either at the corner or such other location deemed appropriate by the Reviewing Party).

Where long buildings are unavoidable, their linearity should be mitigated by changes in the building height, wall plane, and spatial volumes and by varied use of window areas, arcades, materials, roof elements or other architectural enhancements acceptable to the Reviewing Party.

When appropriate, tower elements or other vertical architectural features at “ends” of a shopping center may be utilized. If such features are utilized, they should generally not exceed twice the height of the building they are attached to.

COM Specific Landscape, Open Space & Amenities

Outdoor seating with appropriate levels of shade is an important amenity that should be provided if the types of goods and services provided within the development would benefit from such an amenity.

Visual features such as fountains, interactive fountains and or pop up play fountains can be incorporated into commercial developments to attract pedestrians if such features fit within the development’s theme and needs.

Public art can be considered in the design of public spaces, but is not considered a requirement.

A minimum fifteen-foot (15’) landscape buffer shall be provided adjacent to any highway right-of-way. Parking lots or structures may be provided adjacent to, but not within, the landscape buffer area.

Potted plants and other ornamental landscaping should be provided to enhance courtyards, plazas, and other gathering areas if such areas are developed. Trees should drain directly into the subsoil and should be protected by grating in hardscape areas.

Water harvesting systems are encouraged, but are not mandatory.

If retaining walls are necessary in retention basins, they should be terraced and/or landscaped to reduce their visual scale. The maximum height of retaining walls in retention basins shall be four feet (4’).

When and where practical, landscape areas should provide a three-tier system of groundcover, shrubs and trees. The use of landscaped berms and/or low screening walls adjacent to sidewalks is encouraged, but not necessarily required unless specifically called for by the Reviewing Party.

Building Façades

Building façades greater than fifty feet (50') in length shall meet at a minimum one of the following standards:

- The building façade shall incorporate wall plane projections or recesses. No un-interrupted length of a façade shall exceed fifty feet (50').
- An expression of an architectural or structural bay through a change in plane no less than six inches (6”) in depth, such as an offset, reveal, or projecting rib that includes a color, texture, or material change.

- An interruption of the verticality of solid walls with horizontal lines such as interim cornice, windows, openings, punch-outs, medallions, balconies, columns and arches. Builders may not rely solely on storefront signage alone to interrupt façade.
- An interruption of the linearity of the building's façade with gables, tower elements, arches, and roof structures. The overall objective is to create a measured blend of scales and transitions to achieve a character that emphasizes human/pedestrian scale.
- Landscaping can be used in combination with walls to soften "blank" surfaces. Vines planted on walls are encouraged (but not required).
- Other enhancements deemed acceptable by the Reviewing Party.

The above standards may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

Street-facing sides of corner buildings shall be treated in a similar manner as the storefront façade.

All exterior surfaces visible from the public street or parking area must present an attractive appearance and must include architectural components found on the building's façade in order to visually link the building together.

Where appropriate and when practical, deep overhangs should be integrated to create shadow and add depth to façades.

The main entry into a store should be emphasized at the street to announce a point of arrival in one or more of the following ways:

- Flanked columns, decorative fixtures or other details
- Recessed within a larger arched or cased decorative opening
- Covered by means of a portico (formal porch) projecting from or set into the building face
- Punctuated by means of a change in roofline, a tower, or a break in the surface of the subject wall.
- Any other architectural features deemed appropriate by the Reviewing Party.

Commercial storefront entries should be recessed and/or sheltered by a covered arcade structure, colonnade, canopy, awning or such other architectural feature deemed acceptable by the Reviewing Party.

When needed to support the type(s) of business represented within the development, the incorporation of balconies or tower elements onto or within the building form is encouraged for both practical and aesthetic value. Balconies can be integrated to break up large wall masses, offset floor setbacks, and add human scale to buildings.

Doors should be designed and constructed to be an integrated part of the architecture of the building.

All project exterior lighting, with the exception of lighting for public streets, should be consistent with the architectural style of the building(s). All styles, colors and materials of lighting fixtures should be harmonious with each other.

Articulation

All sides of a building shall be articulated. The rear and sides of a building not facing a public street do not have to be as articulated as the front, but blank, unarticulated building walls will not be permitted. The rear and sides of a building shall have the same exterior materials as the front.

All buildings should utilize a form of articulation at the ground floor level where storefronts and/or building bays are at least twenty-five feet (25') in width.

Architectural features such as domes, turrets, towers, cupolas, building entry volume or ornamental portions of a parapet walls shall be encouraged. Building entries must be pedestrian in scale and not monumental. Commercial retail center buildings are encouraged to have a recognizable "base". The “base” may consist of, but not be limited to: thicker walls, ledges or sills, integrally textured materials such as stone or other masonry, integrally colored and patterned materials such as smooth finished stone or tile, lighter or darker colored materials, mullions, panels or planters.

Architectural elements, such as, but not necessarily limited to, overhangs, trellises, projections, awnings, insets, material, texture, color, or a combination thereof should be used to create shadow patterns that contribute to the building’s character.

Roof Planes

All roof planes must be compatible with the architecture of the development. Although there are no specific roof types that must be utilized, a roof and its material must be representative of the character of the building(s). Flat roof designs, including flat roofs with parapets, shall be permitted.

Where practical and needed, roof overhangs can be utilized to create useable shade on sidewalk and/or seating areas.

In-line commercial (“strip retail”) rooflines should be varied in height, form and materials. Parapet rooflines should be varied by stepping up and down or incorporating pitched roof elements. Rooflines should be broken at intervals no greater than fifty feet (50’) long by changes in height or step-backs. This guideline does not apply to pad retail (stand-alone buildings).

Parapet walls should be designed and constructed in a manner to appear as a solid, three-dimensional form rather than a veneer. Parapets should include one or more of the following detail treatments:

- Pre-cast elements
- Continuous banding or projecting cornices

- Dentils
- Caps
- Variety in pitch (sculpted)
- Clean edges without unfinished flashing; and/or
- Any other treatment deemed acceptable by the Reviewing Party

Windows & Glass

Clear glass is generally encouraged, but exceptions for spandrel or glass with a colored-ceramic coating adhered to the back by a heat fusion process may be permitted if deemed acceptable by the Reviewing Party. Mirrored, bronze or reflective glass shall only be permitted by specific approval of the Reviewing Party where appropriate.

Windows shall be encouraged to employ design details appropriate to the architecture. The following are examples of what may be used, but other options may also be approved by the Reviewing Party: a) mullions; b) arched windows; c) shutters/faux shutters; d) window surrounds; and d) awnings and canopies to break the scale of the facade into smaller components.

Doors to retail shops should contain a high percentage of glass in order to view the retail contents. Although there is no required minimum, doors should typically provide at least fifty percent (50%) glass area. Each door shall be reviewed, approved or disapproved on a case-by-case basis.

Storefront windows should be as large as possible to maximize the visibility to the storefront displays and retail interior.

Use of clear glass (at least eighty eight (88%) light transmission) on the first floor is recommended and may be required with certain types of uses or if the aesthetics of the development benefits overall from the use of clear glass.

Attention should be paid to materials, placement, depth of recess, and ornamentation, such as window grilles. The intent is to provide a sense of scale by creating shadow lines that result from trim and detailing and by providing details that enhance visual interest.

Downspouts

For the elevation considered to be the primary customer entrance, downspouts should generally be concealed by an architectural enclosure or behind the building's façade (the Reviewing Party may make exceptions). When exposed downspouts are to be used, they shall compliment the architecture of the building it serves and shall only be permitted upon review and approval by the Reviewing Party.

LEED Certification

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Building Massing

Non-pad constructed buildings (in-line commercial):

- Varying building mass is required so as to distinguish various uses, landmark buildings, anchors, retail components in the office core, and so on. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should be used to add human scale to buildings. When feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

- A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

- The use of colonnades (or other appropriate architectural features) along street fronting façades should be considered to reduce the massing of tall buildings and add pedestrian scale and interest.

- Non-entry façades that face roads or views from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

Pad constructed commercial (stand-alone buildings):

- Varying individual building mass is encouraged. Long unbroken façades are generally not permitted. Stepping, massing, fenestration or similar architectural treatments should

be used to add human scale to individual buildings. When and where feasible, building mass/height should relate to adjacent sites and perceived building mass should be reduced by dividing the building mass into small-scale components by providing a well-defined base, middle and top to the building. When and where appropriate, functional public space and pedestrian oriented areas between buildings should be utilized.

- A solid building base may be achieved by elements that consist of, but are not necessarily limited to: low planters and walls, base planting, a base architectural veneer banding (wainscot), treatments defined by a different material, texture, color, or a combination thereof. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide deep shadow, or other elements the Reviewing Party deems appropriate. A well-defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, distinct parapet designs, cornice treatments, a combination thereof, or other elements deemed acceptable by the Reviewing Party.

- Non-entry façades that face roads or views from public spaces should incorporate architectural treatments such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street, or such other treatments acceptable to the Reviewing Party.

Building Walls

- Expansive lengths of unarticulated building façades are generally not permitted. Blank unarticulated building walls, including end walls exposed to a public street or common area are also generally not permitted.

Non-Building Walls

Walls and other site elements shall be consistent with the established thematic character of the development through the use of appropriate colors, materials and architectural style.

Walls adjacent to retention areas, trails, parks or other useable open space areas should consider incorporating regular undulation or a variation of materials. Where appropriate, view fencing is encouraged.

Approved Materials

- Stucco
- Architectural metals
- Poured-in-place, tilt-up or pre-cast concrete
- Cast stone
- Integrally colored split-face CMU
- Integrally colored honed-face CMU
- "Dryvit"-type systems
- Natural stone and flat stone veneers

- Decorative steel elements
- Painted surfaces that complement the primary building material
- Backlit decorative steel
- Floating steel trellises
- Concrete siding (such as Hardi-plank) or similar
- Glass block
- Tinted storefront glass (non-reflective)
- Perforated metal panels, welded wire material, standing seam, and corrugated panels are permitted as long as the color and texture is appropriate to the setting in which they are located. Metal panels, including corrugated, are permitted when used in a harmonious and creative way. WWF or "link fencing" as a means of articulating façades, creating brise-soliel's or screening parking structures etc., are permitted when used in a harmonious and creative way.
- Other materials as deemed appropriate by the Reviewing Party on a case-by-case basis.

Color Palette & Materials

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette is to be developed with complementary accent colors.

Franchise/Corporate businesses should incorporate the architecture and color theme of the development to form a consistent theme throughout.

All developments should employ the integrative use of multiple exterior accent materials including, but not limited to: brick, stone, and masonry in appropriate quantities within the proposed elevations. Material changes shall occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect (such as pilaster, projection or fence line). Material and colors should generally be used to enhance different parts of the building's facade.

If stucco is utilized, a light to smooth finish is generally desired and shall be blended with other finish materials, such as stone, brick, wood, and/or iron.

Earth tone colors shall generally be used. When and where appropriate, a rich, bold color palette may be employed to create a sense of variety and interest to exterior elevations. Bright primary colors will generally be limited to trim and accent feature areas unless such colors are required for corporate identity and approved by the Reviewing Party.

Refuse & Loading Areas

To the extent possible, refuse enclosures and other accessory features should not create blind spots or hiding areas.

Loading areas shall be screened from public view with any or combination thereof, of the following: a) walls that complement the buildings they serve; b) trellis/green screens; c)

berming; d) an appropriate level of landscaping/trees or other such treatments deemed appropriate by the Reviewing Party.

All trash enclosures should be located outside the minimum setback requirements when they are located adjacent to residential units, active open spaces, schools and any other sensitive uses.

Parking

Each use within the COM component of Ballpark Village shall provide adequate parking to either satisfy the City's Zoning Code or conform to the 2017 PAD. Shared parking and consolidated common parking solutions are encouraged but not required. Temporary parking and loading requirements shall also satisfy the City's Zoning Code or as otherwise identified by a shared parking study.

Each owner or occupant of a building ("Owner/Occupant") shall identify construction standards and stall sizes for all parking in conformance with the City's Zoning Code relating to parking and loading requirements.

Parking lots should generally be separated from the sides of buildings by a raised walkway or landscape strip that contains a minimum four-foot (4') width of landscaping. If trees are to be planted, a minimum fifteen-foot (15') width of landscaping area will be required.

When practical, parking lots should be divided into a series of connected smaller lots (80 - 100 parking spaces each) utilizing raised landscape strips at least six feet (6') in width and raised walkways.

Interior landscape islands should be provided between parking spaces, at a rate of approximately one (1) per every twenty (20) in-line parking spaces (40 spaces total), to avoid long rows of non-shaded parked cars. The planting islands shall be approximately 160 square feet (8' by 20') and be protected by a six-inch (6") high curb on all sides. Each planting island should contain two trees. In some cases, where a planting island is to be located immediately in front of a storefront, and such a tree, when mature, would block views of a wall-mounted sign, the required tree may be located in an alternative location where it will enhance an outdoor use area, such as in a plaza or courtyard.

Continuous landscape planting strips should be provided between every forth (4th) row of parking and trees should be provided within the planting strips for shade. Landscape strips should be a minimum of six feet (6') in width, not including a six-inch (6") wide curb on both sides (the planting strips should be wider if they contain a pedestrian pathway). Walking paths or sidewalks should generally be provided (where necessary) within landscape strips to facilitate pedestrian movement to building entrances. These guidelines are intended to promote shade and pedestrian circulation and may be modified based on the configuration, size and orientation of the parcels as long as the basic goals of these guidelines are met.

Planting islands should generally be provided at the ends of parking rows. Such island should be a minimum of three hundred square feet (300sf), with an eight-foot (8') wide minimum planted

width. They should be planted with shade trees, low shrubs and/or groundcover. They should also be protected by a six-inch (6") high curb on all sides.

Canopy or shade-type structures may be installed in parking areas with the approval of the Reviewing Party. Canopy or shade-type structures must be of a material and color that the Reviewing Party believes complements the buildings they serve. Although there are no set design requirements for these structures, the overall design, including the roof, must also complement the buildings they serve. Solar panels may be utilized as accessory features on parking structures and if utilized, they should be designed to accommodate the solar equipment. The equipment, to the extent it is practical, should be treated to be as unobtrusive as possible.

Loading area/dock locations will be reviewed, approved or disapproved on a case-by-case basis, but should generally be located towards the rear or sides of all buildings. Screen wall requirements and/or dimensions shall also be reviewed, approved or disapproved on a case-by-case basis, but should generally be used to screen the loading area from public street(s) and be appropriately "softened" by the use of landscape material when appropriate. The design of the wall, along with the color and materials used, must complement the buildings to which they serve.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Outdoor Storage

Outdoor storage is prohibited except for propane storage/sales, landscape and garden supply center use or as a component of a larger retail facility. Landscape and garden sections must be enclosed and shall be of a height at least equal to that of the materials or equipment being stored; but, in no event, shall be less than eight feet (8'). The screening shall be made of masonry or concrete and shall complement the architecture of the building it serves. Landscaping should be utilized on any side that is visible to the public. A landscaped berm with masonry, concrete or stucco wall complementing the main building may be used, with the berm and wall totaling eight feet or more (8'+) when combined. Landscape and garden center sections that are a component of the main retail building are encouraged to be located within wrought iron (tubular steel) fencing with a masonry wainscot or some other material acceptable to the Reviewing Party. Horizontal propane tanks are allowed and encouraged to be fully screened to the full height of the equipment with compatible screening material.

Outdoor storage of shopping carts is permitted as long as the carts are located behind masonry walls, adequate landscaping or some other screening deemed acceptable by the Reviewing Party.

Outdoor storage is prohibited in service areas and behind buildings unless adequately screened as determined by the Reviewing Party. Cart corrals within parking areas are permitted within locations deemed appropriate by the Reviewing Party.

Gasoline Fueling Stations/Convenience Stores With Gas Pumps and Car Wash Specific Guidelines

To enhance the presence of gas and auto service stations, care must be given to exterior lighting. Overhead lighting of a station shall be controlled to avoid spillover onto adjacent uses. The lighting within the underside of a weather canopy must be recessed to avoid unnecessary glare and control spillover. A weather canopy shall be designed to be complementary to the adjacent building's architecture.

All accessory buildings, including service station canopies, storage facilities, car washes and restroom facilities shall be designed as an integrated component of the site's development and architecture. Building material colors, rooflines, general form and character should match or be compatible with primary building and/or other buildings on the site. Fabric canopies shall be allowed for car wash related areas or such other areas as the Reviewing Party deems appropriate.

In areas developed with a strong street presence, service stations and car washes shall be oriented adjacent to the sidewalk, placing any service bay door and car wash openings on the rear or side of the building out of public view of the structure.

Service and car wash bays shall not face residential properties unless an arterial road separates the residential area. Bay door and car wash openings may be oriented towards public view if the Reviewing Party approves such orientation.

The roofline and architecture of the pump canopies shall be stylistically compatible with the other buildings on the site. The length of pump canopies shall be minimized as much as possible. If the site allows, pump canopies should be broken into two separate locations (the Reviewing Party shall consider this on a case-by-case basis). This reduces the effect of pump canopies dominating other buildings on the site. Light fixtures should be recessed into the canopy and limited to no glare should be visible from the fixture.

Drive-Through Business Specific Guidelines

Drive-through aisles should provide adequate on-site queuing distance before the first stopping point (i.e., menu board, teller window, and automatic teller machine). Although the minimum on-site queuing distance should be approximately seventy-five feet (75'), the Reviewing Party shall review each site plan on a case-by-case basis and may require a distance greater than the minimum distance listed in this section. The minimum on-site queuing distance can be reduced if multiple drive lanes are utilized.

Drive-through aisles should have a minimum twenty-five foot (25') interior radius for any curve.

Section F: Light Industrial Land Use Design Guidelines

The Light Industrial Land Use ("LI") component of Ballpark Village shall be designed in a manner that produces a highly functional and productive end-use for the site, while also being complementary to surrounding land uses. Due to the location, size and configuration of the LI parcel, along with the surrounding land uses, the Reviewing Party may approve building design(s), site plan(s) and/or landscape design(s) that differ from the guidelines contained within this section (and within Sections G-I) if appropriate screening is implemented (hard and/or landscaping screening). Such allowable variances shall include, but not be limited to, building massing, building articulation, and parking guidelines.

Building Design

Although not a requirement, buildings designed within Ballpark Village are encouraged to integrate LEED Certification guidelines and other "green building" criteria into the design of buildings.

The integration of solar panels on roofs and parking lot shade structures (if utilized) shall be permitted subject to the guidelines outlined within this section of the Guidelines.

Buildings within the same development should be designed to provide a clear, unified, and easily identifiable image. Methods to achieve this include (but shall not be limited to) using similar architectural styles and materials, complementary roof forms, signs, colors, and decorative pavement. Consistent architectural style should be used for a building and the site elements that relate to it (i.e., screen walls, planters, trellises, benches, bollards, garbage containers, street furniture, etc.).

Generally, long, unbroken building façades should not be used. Building façades with varied front setbacks provide visual interest from the public view. As much as practical, façades should be articulated to provide a visual effect that is consistent with the character and scale of the development and immediate area.

Under most scenarios, rear and side wall elevations should provide building offsets and architectural details similar to the front façade. All elevations generally visible from public view should reflect the overall design, colors and textures used on the front facade.

Where the building mass cannot be broken up due to unique use constraints (i.e., manufacturing, warehouse space, mini-storage, etc.) building walls should be articulated through the use of height variations, texture, color, material changes, shadow lines and other facade treatments whenever practical.

Pre-cast walls/tilt-up should typically incorporate any number, or a combination thereof, of the following:

- Reveals

- Recessed panels
- Recessed windows
- Molding
- Other architectural features to articulate the building exterior deemed acceptable to the Reviewing Party

Under most circumstances, concrete pre-cast/tilt-up buildings should be designed to have an exterior appearance of conventional built structures utilizing surface treatments such as stucco, plaster, glass, stone, brick, or decorative masonry.

Internalized roof drain elements or the application of an architectural feature where roof drains are visible from streets and public areas are typically recommended.

Enclosed service/refuse areas and covered parking should be designed to be complementary to the building's architecture to which they serve when such structures are visible to the public. The form, colors, textures and materials do not necessarily need to be identical to the building to which they serve, but they do need to be complementary.

When feasible, ladders for roof access should be mounted on the inside of the building or where they would not be visible from public view.

Doors and windows should appear substantial and should not be flush with the exterior finish (may be flush if they are out of public view and considered service or non-primary entrances). Primary entrance doors and windows visible by the public should be inset at least one inch (1") from the front face of the exterior finish.

The following measures are not requirements, but should be considered to promote environmental sensitivity and potential long-term cost savings to the Owner/Occupant:

- Orient and design new structures and additions for minimum solar gain, reflectivity and glare
- Shelter entries and windows and use architectural shading devices and landscaping to minimize cooling losses
- Use energy efficient materials in doors and windows
- Use energy efficient lighting
- Mitigate urban heat island effects with cool roofing materials, shade trees and cool paving materials
- Reference national programs for environmentally sensitive development methods such as Leadership in Energy & Environmental Design (LEED), International Energy Conservation Code (IECC) and Energy Star Labeled Buildings

Consider the integration of solar panels on roofs and parking lot shade structures

Building Massing & Building Walls

Large un-interrupted expanses of wall or unarticulated building façades should be avoided on elevations visible from the public street. Offsets, projections, overhangs, recesses, and cornice details are examples of devices that may be used to avoid large un-interrupted expanses of blank walls. As seen from the public street, no building shall be longer than two hundred linear feet (200lf) without some modulation to the building's façade. Whenever practical, substantial variations at massing breaks should include changes in height and the horizontal plane. Changes in materials, textures and the utilization of other architectural enhancements can be used at these breaks.

Whenever feasible or practical, the staggering of planes along an exterior wall elevation should be employed to create pockets of light and shadow, and to provide relief from monotonous, interrupted expanses of wall. Below are examples of techniques that can be used:

- Changes in texture, materials or color
- Revealed pilaster and other reveals
- Changes in plane, including building offsets
- Ornamental metal canopies and/or grillwork
- Recessed windows and other recesses or other glazing techniques
- Lattice, accent trees, or equivalent
- Raised landscape planters
- Recessed or projecting vertical column treatments
- Other enhancements deemed appropriate by the Reviewing Party

Façades having a recognizable "base" feature are encouraged. The base feature should be high enough to relate in proportion to the scale of the building. Examples of techniques that can be used are:

- Richly textured materials (i.e., tile or masonry treatments), panels or reveals
- Materials and colors
- Raised planters and other forms of enriched landscaping
- Other features deemed appropriate by the Reviewing Party

Building entries and office areas should typically face and be oriented toward the street, but some uses and building designs may warrant a variance from this standard. Building entries and office areas should normally incorporate window elements as a dominant feature, but the Reviewing Party may determine a specific proposed use does not warrant such a standard.

When practical, main entries should be highlighted through the massing of a building. Entries can be emphasized by providing height differences or variations in the horizontal plane between entry/office elements and the rest of the building facade. Additional highlighting of office entries can also be provided through various architectural enhancements. Architectural enhancements can include, but are not necessarily be limited to, the following:

- Recessed entries
- Windows
- Columns or colonnade
- Arcades
- Bollards and other similar accent details
- Provision of plaza, courts, fountains, seating areas or similar pedestrian oriented detail
- Landscaping design and materials
- Freestanding or attached entry structures provided they are compatible with and related to the building architecture and do not look like add-on afterthoughts
- Changes in materials and textures
- Enhanced pedestrian surfaces
- A combination of any of the above
- Any other enhancements deemed appropriate by the Reviewing Party

Roof Elements

Roofs should be consistent with the architectural theme of a building. When practical and for a particular use, rooflines should include appropriate variations to avoid long continuous planes. Most of the time, a full pitched roof over an entire industrial building is not realistic. However, where practical, feasible and appropriate to the architectural style for the building, a pitched roof element should be provided over the entry and/or office portion(s) of the structure and/or the corners of the structure.

Approved Materials

- Attractive, durable, quality materials should be used. All proposed materials will be considered by the Reviewing Party and approval of material types shall be made on a case-by-case basis.

The use of barbed wire, razor wire or similar fencing/security materials are typically not permitted, but the Reviewing Party may allow such material if deemed acceptable for the proposed use on a case-by-case basis.

Metal buildings should typically be architecturally treated on all four exterior sides of the building, but a reduction of treatments to elevations not within the public view may be permitted on a case-by-case basis. If metal buildings are utilized, they should employ a variety of building forms, colors and/or other architectural treatments to add visual interest when practical.

Color Palette

Harmonious and complementary colors shall be used to visually unify buildings. An overall area-wide color palette is to be developed with complementary accent colors.

Loading & Outdoor Storage

All storage yards shall be screened or partially screened (as determined to be appropriate by the Reviewing Party) from an adjacent public street by either:

- A landscaped berm with masonry, concrete or stucco wall that complements the architecture of the main building. The height of such design shall be a maximum of eight feet (8') from the grade of the adjacent street. As an example, a three foot (3') height berm shall have a five foot (5') height wall (*preferred method*).

  OR

- An eight foot (8') height masonry, concrete or stucco wall with landscaping on the side visible to the public. A screen wall may not be located within a setback line.

Typically and to the extent practical, loading and outdoor storage areas (other than mini-storage or recreational vehicle storage) should be located to the rear or sides of buildings and not be visible from public view. Depending on the use within the development, loading and outdoor storage areas may be permitted at the front or sides of a building on a case-by-case basis. Building mass is the preferred method for screening or partially screening loading areas and outdoor storage areas. Where building mass is not utilized, screen walls, berms, landscaping, elevation changes, other appropriate methods may be utilized, or a combination thereof, to screen or partially screen loading areas and outdoor storage areas from public view.

Unless previously approved by the Reviewing Party, any outdoor storage material height should be limited to fourteen feet (14’) in maximum height, and should be located at least twenty feet (20’) from street rights-of-way.

Sliding gates into loading areas that are visible from the street should be constructed with a durable material satisfactory to the Reviewing Party and shall match or complement adjacent walls.

Silos, tanks, and other ancillary structures that are permitted within the zoning district should complement the primary building(s) on site.

If more than two dock-high loading doors are provided, then trailer storage spaces are to be provided at the rate of one (1) space per four (4) loading doors. Trailer storage spaces shall have minimum dimensions of twelve feet (12’) by forty-five feet (45’) and should be located away from public view unless the storage of such trailers away from public view is not feasible and the Reviewing Party approves the location being proposed.

Recreational vehicle storage, along with mini-storage uses shall be permitted. If the site is used, or partially used for recreational vehicle storage, partial screening of such parking areas will be encouraged.

Access, Parking & Circulation

Pedestrian walkways shall be accessible, safe, visually attractive, and well defined by pavement (decorative or otherwise as determined by the Reviewing Party), landscaping, and low-level lighting.

If utilized, bicycle parking facilities should be dispersed throughout larger sites and located in convenient and visible areas close to primary building entrances.

Developments should be marked by entry features such as monument signs, decorative paving, special lighting, public art, enhanced landscaping and/or other features deemed acceptable by the Reviewing Party.

Depending on the site and if practical, the parking lot should not be the dominant visual element of a development as viewed from the street or other public area. If a parking area directly in front of the building is the most practical solution for a site, paved areas should be broken-up into smaller areas through the use of landscaping, paving (decorative or otherwise as determined by the Reviewing Party), pedestrian walkways, garden walls, elevation changes or design features.

As much as practical, parking adjacent to and visible from public view should be screened from view through the use of earth berms, low screen walls, changes in elevation, landscaping or combinations thereof.

Parking lots should include landscaping that accents the importance of driveways from the street, frames the major circulation aisles, and highlights pedestrian pathways.

Interior planting island fingers between parking spaces, at every twenty (20) parking spaces should typically be provided, to avoid long rows of non-shaded parked cars. The planting islands should typically be approximately one hundred (100) square feet (5’ by 20’) and be protected by a six inch (6”) high curb on all sides.

The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within this section.

Screening & Landscaping

Ground mounted utility cabinets shall be located where they can be screened from major streets and public areas. Cabinets and screen walls shall be compatible with the principal structure. Where visible from a major street and public view, landscaping shall be provided in front of screen walls.

Where service electrical system (SES) panels are visible from public view, panels should be recessed into the building elevations and screened with doors, landscaping, or a solid wall (with landscaping) built in a manner that is compatible with the main development and equal to or exceeding the height of the SES panels.

Perimeter walls should have a minimum five foot (5') landscaped setback as a landscape buffer. When practical and depending on the location and surrounding land uses, perimeter walls should be architecturally enhanced and use materials and colors that complement the project's architecture. Landscaping should be used in combination with all public view walls.

Depending on the site and if practical, perimeter walls should typically incorporate various textures, staggered setbacks, and variations in height in conjunction with landscaping to provide visual interest and to soften the appearance of walls. Perimeter walls should be broken up by pillars or staggered setbacks every fifty feet (50'). Perimeter wall design shall be reviewed, approved or disapproved by the Reviewing Party on a case-by-case basis.

Unless the Reviewing Party deems a greater height to be acceptable, the typical maximum height of any perimeter wall or fence in the rear and side yards should be eight feet (8') measured from the high side elevation. Specialty walls such as screen walls, sound walls and retaining walls may have a greater height depending on the adjacent land uses. Walls over six feet (6') may require additional architectural treatments if visible from public view. When additional height is needed to provide adequate screening, berms within landscaped areas may be required to provide a reduction in the perceived height of the wall from public view. A berm/landscape area in front of a screen wall should typically be landscaped with shrubs and trees that will, at maturity, exceed the height of the wall.

Where screening is needed, the following elements, or a combination thereof, may be used:

- Solid masonry walls
- Berms
- Landscaping
- Other appropriate elements deemed acceptable by the Reviewing Party

The method of screening should be architecturally compatible with the adjacent building in terms of materials, colors, shape, and proportion.

To the extent feasible or practical, service areas, loading and storage areas, and refuse enclosures should be oriented away from public street frontages or screened from public view.

Trash containers should be located within a masonry wall enclosure with gates. The enclosure materials shall be designed to complement the architectural design features of the development. The trash enclosures should also be buffered by landscaping when within public view. Trash containers are not required to be located within a walled enclosure when they are located behind screened areas and are not visible from public view.

Mechanical equipment screening should be integrated as part of a project's site and building design. Ground-mounted equipment should be screened from view of: a) streets, highways and freeways (with potential exceptions for significantly elevated roadways); b) parking lots for customers (and the general public); and c) connecting walkways. The following elements or a combination thereof can be used:

- Concrete or masonry walls
- Berming
- Landscaping
- Other elements deemed acceptable by the Reviewing Party

Cabinets and screen walls should be designed to be compatible with the principal structure and landscaping should typically be provided in front of screening walls.

Roof-mounted equipment shall be screened through the use of parapets, screen walls, mechanical room enclosures and similar features when visible from public view. When screening is required, the tops of screens should be at least as high as the equipment.

The use of picket fencing, chain link fencing with slats and metal boxes as screening materials is generally not acceptable.

To the extent it is practical, solar panels and associated equipment should be screened from public view or enhanced to complement the architecture of the structure that it is attached to.

Landscaping should be provided adjacent to the building walls facing the street or otherwise visible to public view to soften building massing. A minimum four foot (4') wide landscape planter should be provided along such building edges, except at main entries and office areas where a minimum of five feet (5') should be provided. If trees are to be planted, a minimum fifteen foot (15') width of landscaping area will be required at all areas adjacent to building walls. The use of landscape elements adjacent to walls is also encouraged in business park areas to reduce their visual impact and opportunities for graffiti.

Whenever feasible and practical, parking lots adjacent to and visible from public streets should be adequately screened from view through one or more of the following:

- Undulating earth berms (a minimum height of one foot (1'))
- Low screen walls
- Changes in grade elevation when feasible and practical
- Other appropriate screening methods deemed appropriate by the Reviewing Party

Screen walls and wing walls that are greater than eight feet (8') in height should be fronted by a landscape area at least five feet (5') in width in order to soften the mass of the wall and provide adequate space for berming.

Create large planting islands at the ends of parking rows that are approximately two hundred square feet (200sf), with a six foot (6') wide minimum planted width. They should be planted with shade trees, low shrubs and/or groundcover. They should be protected by a six inch (6") high curb on all sides.

Although not required, water features are encouraged when practical and desired for the use(s) intended.

Section G: Landscape Guidelines for All Land Uses

General

Landscape plans must: a) be prepared by a landscape architect who is registered in the State of Arizona; b) comply with these Guidelines and where not addressed herein, the City's design standards; and c) utilize plants, trees, shrubs and grasses listed within the Plant Palette.

All proposed landscaping will be reviewed by the Reviewing Party to ensure quality and consistency. Landscaping should: a) be considered an integral element when site planning; b) enhance the visual character of the component of Ballpark Village it serves; c) be used to define pedestrian circulation ; and d) include accent landscaping elements at strategic intersections and at major entryways.

Drainage basins should be treated as a landscape element and integrated into the overall site and planting design for the area it serves.

Plants installed within rights-of-way may only include plants from the Arizona Department of Water Resources "Low Water Use Drought Tolerant Plan List for the Phoenix AMA".
Backflow preventer cages painted in earth-tone colors shall be permitted.

Arterial Roadways

For landscaping in setback areas adjacent to arterial roadways, the following guidelines shall apply:

- Estrella Parkway – Comply with the guidelines as identified within the City Center Gateway Overlay District.
- Goodyear Boulevard South – Comply with the guidelines as identified in the City Center Gateway Overlay District.
- Bullard Avenue – Shall be similar to the guidelines addressed in the City Center Gateway Overlay District and compatible with the Goodyear-Phoenix Airport.
- Lower Buckeye Parkway – Install canopy trees selected from the Plant Palette spaced thirty five feet (35') to forty five feet (45') apart.

Interior Roadways

For landscaping within the rights-of-way of interior roadways, the following shall be considered:

- Ballpark Way and Festival Way (Urban Street). Install canopy trees selected from the Plant Palette a minimum of 2'-6" from edge of curb and spaced 25' to 35'. Trees shall be located within a sidewalk cutout area or tree grate within the Street Furniture Zone.
- Wood Boulevard (Minor Collector). Install canopy trees selected from the Plant Palette between sidewalk and street curb and spaced 35' to 45'.

- Wood Boulevard – North of Lower Buckeye Parkway, west side (Minor Collector). Install one canopy tree selected from the plant palette a minimum of 2'-6" from the edge of curb and spaced 25' to 45'. Trees shall be located within a sidewalk cutout area or tree grate.
- Wood Boulevard – North of Lower Buckeye Parkway, east side (Minor Collector). Install one canopy tree selected from the plant palette and spaced 35' to 45'.
- Low shrubs and ornamental grasses selected from the Plant Palette are encouraged to be planted within the interior rights-of-way.

Major Project Entries

Accent landscaping and hardscaping should be provided at strategic key intersections and at major project entries, as approved by the Reviewing Party.

Parcel Entries

Accent landscaping and hardscaping should be provided at all COM Land Use and RES Land Use parcel or subdivision entries. The MXD/RES MXD and LI Land Use areas are excluded from this section.

Interior Parking Lot Landscaping

Please refer to each land use's specific requirements. The Reviewing Party shall review each parking plan on a case-by-case basis and may allow standards different than what is listed within those sections.

Perimeter Parking Lot Landscaping

Parking area edges adjacent to public rights-of-way, public open space, and adjacent interior parcels shall be landscaped.

Plant Palette

Botanical Name	Common Name
Trees	
Acacia salicina	Willow Acacia
Alberzzie julibrissin	Mimosa Palo Verde
Cercidium floridum	Blue Palo Verde
Cercidium 'hybrid'	Hybrid Palo Verde
Chamaerops humilis	Mediterranean Fan Palm
Chilopsis linearis	Desert Willow
Dahlbergia sissoo[1]	Sissoo Tree[1]
Eucalyptus microtheca	Flooded Box
Eucalyptus spathulata	Narrow Leaf Gimlet
Geijera parviflora	Australian Willow
Gleditsia tricanthos 'lnermis'	Honey locust
Jacaranda mimosifolia	Desert Fern
Olea sp. 'Swan Hill'	Olive
Olneya tesota	Ironwood
Parkinsonia X 'Desert Museum'	Desert Museum Palo Verde
Phoenix dactylifera	True Date Palm
Pinus brutea	Afghan Pine/Eldarica Pine
Pinus halepensis	Allepo Pine
Pistacia sp.	Pistachio
Pithecellobium sp.	Ebony
Prosopis chilensis Uuliflora)	Thornless Chilean Mesquite
Prosopis velutina	Velvet Mesquite
Quercus virginiana	Live Oak
Sophora secundiflora	Texas Mountain Laurel
Ulmus parvifolia 'sempervirens'	Evergreen Elm
Shrubs & Ornamental Grasses	
Acacia redolens 'D. carpet'	Desert Carpet Acacia
Ambrosia deltoidea	Triangleleaf Bursage
Baccharis hybrid 'Starn'	Thompson Baccharis
Bougainvillea sp.	Bougainvillea
Caesalpinia pulcherrima	Bird of Paradise
Calliandra eriophylla	Fairy Duster
Cassia phyllodinea	Silvery Cassia
Cassia oligophylla	Outback Cassia
Convolvulus cneorum	Bush Morning Glory
Cordia parviofolia	Little leaf Cordia

[1] The use of the Dahlbergia sissoo (Sissoo Tree) shall not be utilized near pavement.

Dalea capitata 'Sierra Gold'	Gold Dalea
Dalea frutescens 'Sierra Negra'	Black Dalea
Dasylirion acrotriche	Green Desert Spoon
Dasylirion longissum	Desert Spoon
Encelia farinosa	Brittle bush
Eremophila sp.	Emu bush
Hesperaloe Funifera	Giant Hesperaloe
Hesperaloe parviflora	Yucca
Lantana sp.	Lantana
Leucophyllum frutenscens 'Green Cloud'	Compact Texas Ranger
Leucophyllum candidum 'Thunder Cloud'	Thundercloud Texas Ranger
Leucophyllum laevigatum	Chihuahuan Sage
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Texas Ranger
Muhlenbergia capillaris 'Regal Mist'	Muhly Grass
Muhlenbergia rigens 'Nashville'	Deer Grass
Myrtus communis	Common or True Myrtle
Nandina Domestica 'Gulfstream'	Gulfstream Nandina (Heavenly Bamboo)
Nerium oleander	Oleander 'petites'
Punica grenatum	Pomegranate
Rosmarinus officinalis 'hybrid'	Rosemary hybrids
Ruellia Brittoniana	Common Ruellia
Ruellia californica	California Ruellia
Ruellia peninsularis	Desert Ruellia
Russelia Equisetiformus	Coral Fountain
Salvia sp.	Sage
Simmondsia chinensis	Jojoba
Tecoma stans 'augustata'	Arizona Yellow Bells/Common Yellow Elder
Tecoma stans 'augustifolia'	Sunrise Tecoma
Tecoma stans 'Gold Star'	Gold Star Tecoma
Tecoma stans 'orange jubilee'	Orange Jubilee Tecoma
Yucca aloifolia	Spanish Bayonet
Groundcover	
Acacia redolens 'New Dwarf'	Desert Carpet
Asparagus densiflorus 'Sprengeri'	Sprenger Asparagus
Carpobrotus edulis	Ice Plant
Centaurea cineraria	Dusty Miller
Convolvulus mauritanicus	Ground Morning Glory
Dalea sp.	Dalea
Gazania sp.	Clumping Gazania
Hymenoxys acaulis 'Angelita Daisy'	Angelita Daisy
Lantana camara	Gold Lantana
Lantana montevidensis	Trailing Lantana

Malephora lutea	Ice Plant
Melampodium lecanthum	Black Foot Daisy
Myoporum parvifolium	Sandalwood
Oenothera sp.	Mexican Evening Primrose
Osteospermum fruticosum	Trailing African Daisy
Rosa banksiae	Lady Bank's Rose
Rosmarinus officinalis	Trailing Rosemary
Rosmarinus prostatus	Dwarf Rosemary
Salvia farinacea	Mealy Cup Sage
Santolina chamaecyparissus	Lavender Cotton
Santolina virens	Green Santolina
Teucrium chamaedrys 'Prostatum'	Prostate Germander
Verbena sp.	Verbena
Wedilia Trilobata	Yellow Dot
Turf	
Cynoden Dactylon	Midiron

Irrigation Standards

All lawns and landscaped areas must be irrigated by underground automatic irrigation systems of design acceptable to the City. Such systems shall have minimal or no overthrow onto paved areas and be designed and installed by licensed contractors doing business or registered in the State of Arizona. Irrigation sleeves must be provided to all parking area islands and parking area medians. Irrigation of all common area landscaping, including street rights-of-way landscaping, is to be installed by the Owner/Occupant.

All exposed mechanical equipment such as automatic controllers, back-flow preventers and vacuum breakers must be screened.

Drip irrigation is required for plants in non-turf areas. Systems must be designed for no or minimal overflow onto walkways and paved surfaces. Hydro-zoned irrigation is required using programming stations for plants with similar water requirements. Moisture sensors, rain gauges, etc. are encouraged to conserve water by not overwatering.

Quality Assurance

All plant material should: a) be sound and healthy specimens typical of their species; b) have well-formed tops and roots; c) be free from all injurious insects, insect eggs/larvae, diseases; d) be free from serious injury to bark, root and foliage; and e) be free of broken branches or any other types of disfigurement.

Plant proportions shall be those recognized as normal for a well-grown plant of that species and size as recommended by the American Standard for Nursery Stock. Installation of all plants

must conform to the standards of the American Association of Nurserymen. All plants that fail to make new growth from a dormant condition, decline or die shall be replaced. A plant is considered dead if at least 50% of the plant is dead. All replacements shall conform to the original intent of the planting design. The Reviewing Party reserves the right to require the Owner/Occupant to replace the plant materials that do not meet these requirements.

Section H: Signage & Graphics Guidelines for All Land Uses

General

A comprehensive sign program ("CSP") shall be developed to serve the identification, informational and way-finding needs for each of the land use areas. Provisions for signage shall be established in response to the defined uses within the area they will serve and will establish standards for design, fabrication, location and installation (including graphics, materials, color, lighting and construction. All tenant/user corporate sign requirements shall be integrated into the CSP and the CSP shall not prohibit a tenant/user from installing signage that is required by the corporation. The process for subsequent review and approval of tenant and user signs shall also be defined. The City's Zoning Code shall provide the basis for the definition and regulation of signs and additional provisions may be approved as part of the CSP.

Additional Control

Additional control of signs may be achieved by standards incorporated into CC&Rs. If utilized, the Reviewing Party would administer the CC&RS.

Provisions

Principles of good signage shall be observed and developed. A hierarchy of entry monuments shall be established to identify areas within Ballpark Village, while directional and informational signs should be located at gateways and decision points so as to generate the fewest number of signs possible. Sign messages shall be short and concise and the character of signs shall be appropriate to the uses to which they serve and refer to. Signs should be designed in a manner that contributes to the unique identity and sense of place that Ballpark Village is to provide. Signs may incorporate imagery, forms, lighting, materials, and colors to impart a fresh and contemporary, urban-like look that is complementary to the architecture of Ballpark Village or specific areas within Ballpark Village. Consistency among sign statements is important and shall present an image of orderliness and refinement.

Typical Sign Types & Treatments

Individual Parcel/Land Use Area Signage – Monument entry signs shall be composed of horizontal forms and may be located at corners and at entries of each component of Ballpark Village (as further defined during the design submittal review process). Signs shall be composed of permanent materials and should have front and limited internal illumination (or some other illumination approved by the Reviewing Party) and display an identity for the area it serves. Informational and directional signs should contemplate the use of plaques and vertical monuments located at gateways, on or adjacent to right-of-ways, and at individual parcel and/or major land use area entries. These signs should display directional and other information required for accessing the various uses within Ballpark Village. A street banner program may be

established to key the various land use areas or to celebrate and inform the public of events. Limited sponsor information may appear as part of an approved banner program.

MXD/RES MXD Land Use Area Specific –The following guidelines are specific to the office component within the MXD/RES MXD areas:

- Office related signage shall be composed of a family of signs with materials, colors and lighting compatible with the building architecture it serves. Monument entry signs may promote building, parcel or area branding and is permitted to display major tenant/user identification. Building top signs shall be composed of illuminated dimensional letters and figures. Building address signs shall be clearly visible on monuments and building façades.

Notices at driveway entrances shall be unified into a single sign statement. Graphic imagery and lettering shall be of high quality.

Ballpark Village and/or components of Ballpark Village identification signs shall be located at major entrances when and where appropriate. Signs may also include more urban forms such as vertical blade signs. Residential signs shall be composed of identity and directional signage to serve the sales and/or leasing process. These signs shall be located at street corners, building entrances and/or driveway entrances. A system of off-site and on-site temporary signs may be developed to serve leasing and/or sales programs. Banner programs may be displayed in parking and drive areas with prior approval from the Reviewing Party.

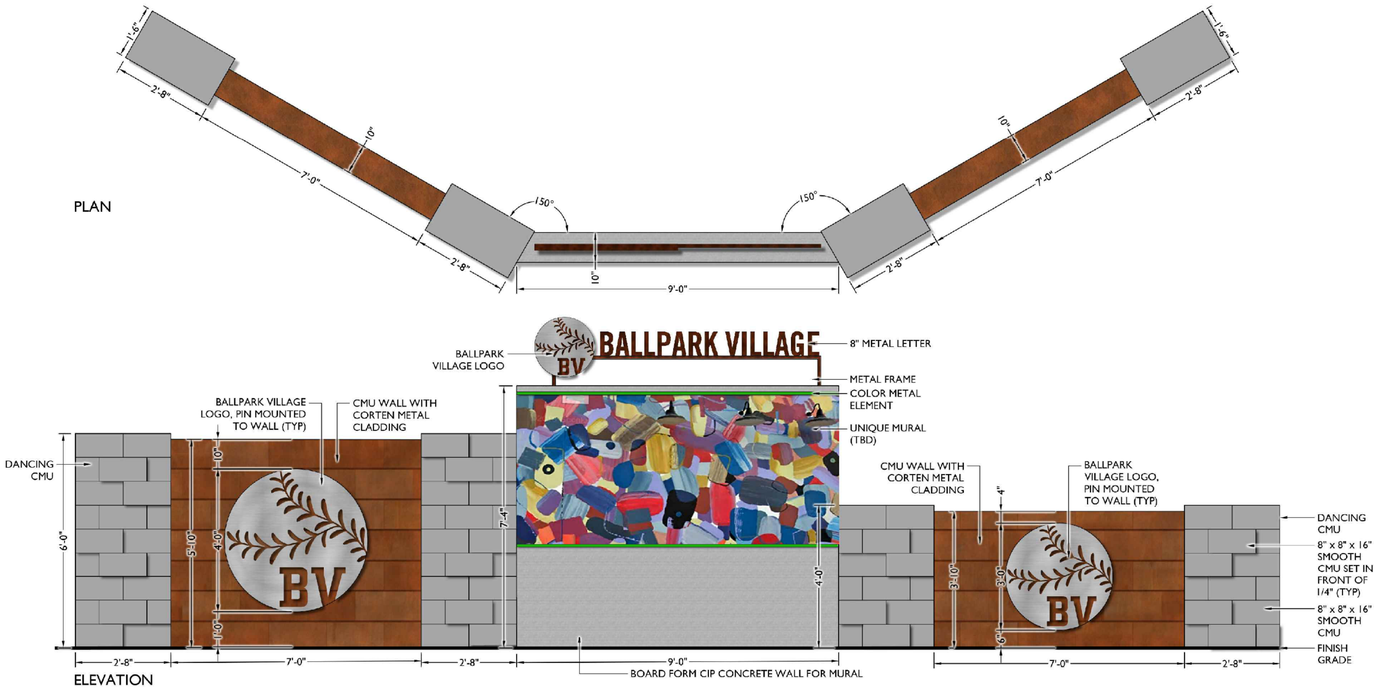
COM Land Use Area Specific – Identification signage shall be composed of a thematic family of signs with consistency in design, type, color, materials, and lighting. Vertical monument signs (or such other signage approved by the Reviewing Party) shall display project and tenant/user identification along Estrella Parkway and Bullard Avenue. Tenant/user wall signs shall utilize a tenant's type, color, and logo graphics. Lighting shall be consistent on project signs and varied on tenant/user wall signs. Pad tenants may utilize low horizontal monument signs in addition to wall signs. Banner programs may be displayed in parking and drive areas with prior approval from the Reviewing Party.

Temporary Signage – A unified system of temporary freestanding signs serving the marketing and sales or leasing needs may be developed for all land use areas, or certain land use areas within Ballpark Village. If a formal program is not established, temporary signs shall meet the provisions of the City's sign regulations.

Truck Route Signage – Ballpark Village shall require the installation of appropriate truck route signage where necessary to denote City's through and bypass routes.

Section I: Maintenance for All Land Uses

At a time in which CSW determines it is appropriate, a master or multiple master community associations shall be created for Ballpark Village to: a) manage all common open space facilities and streets owned by the master association(s); and b) govern the affairs of the master association(s) through a formal governance structure to be established in the association's or associations' bylaws. In addition to common tracts owned by the master association(s), they will assume the maintenance responsibility for median landscaping and landscaping within roadway easements once the association(s) is established.



1 PRIMARY REGIONAL MONUMENT

Scale: 1/2" = 1'-0"

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO. 45568
ALIZA E. SABIN
Date Signed 10-8-21
ARIZONA U.S.A.

EPS GROUP

ORDINANCE NO. 2023-1559

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 284.5 GROSS ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE TO 3RD RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH; TO REZONE APPROXIMATELY 5 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; MODIFYING ALLOWANCES FOR A DRIVE-THROUGH FACILITY ON LOTS 28-30 AND ALLOWING A CONDITIONALLY PERMITTED USE ON LOT 33, AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, on May 8, 2017, the City Council of the City of Goodyear adopted Ordinance No.17-1347 conditionally rezoning approximately 254.5 acres (gross) to amend the zoning categories, permitted uses, development standards, and design guidelines under the existing PAD zoning by adopting the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017; and

WHEREAS, on March 1, 2021, the City Council of the City of Goodyear, adopted Ordinance No. 2021-1494 conditionally rezoning approximately 254.5 acres of property to amend certain of the residential development standards under the existing PAD zoning by adopting the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated November 23, 2020;

WHEREAS, on July 19, 2021, the City Council of the City of Goodyear, adopted Ordinance No. 2021-1513 conditionally rezoning approximately 268.5 acres of property by incorporating and rezoning approximately 14 acres to the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South and designating it as the RES/MXD zoning designation; modifying certain development standards, definitions and the residential permitted use matrix to distinguish product types from categories of residential uses (for instance apartments would be a type of multi-family residential use); and

WHEREAS, on October 24, 2022, the City Council of the City of Goodyear, adopted Ordinance No. 2022-1559 conditionally rezoning approximately 284.5 acres of property by incorporating and rezoning approximately 16 acres to the Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South and designating it as the RES/MXD zoning designation, which allowed the 16 acres being added to the PAD to be developed as the types of permitted residential uses, the types of permitted commercial uses or a combination thereof; and

WHEREAS, the purpose of the proposed rezoning is to amend the existing Planned Area Development zoning to modify the zoning designation of Lot 33 (defined below) from the COM zoning designation to the RES/MXD-4 zoning designation, to eliminate the ability to construct drive-through restaurants within the portions of the Property zoned MXD, which are owned by the City of Goodyear, and to conditionally allow a drive-through restaurant to be constructed within Lot 33 pursuant; and

WHEREAS, the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023, which was declared a public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference, is a restatement

of the 2nd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South dated August 2022 adopted by Ordinance No. 2022-1559 as modified; and

WHEREAS, City staff finds that the proposed amendment will not adversely impact the surrounding area as multi-family and commercial uses are currently allowed within the existing PAD; and

WHEREAS, a request to rezone property requires public review by the Planning and Zoning Commission and public review and approval by the City Council; and

WHEREAS, an alternative notification process was used for this PAD amendment. A formal citizen review meeting was not held, but notice providing information on the amendment was mailed to the owners of property within 500 feet of the subject property and other stakeholders on November 1, 2022; and

WHEREAS, public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on April 24, 2023 appeared in the Arizona Republic Southwest Valley Edition March 24, 2023; postcards were mailed to adjoining owners on February 24, 2023; and signs were updated on the site to advertise the public hearing on March 28, 2023; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on April 12, 2023, and at that meeting the Commission voted (6-0) to recommend approval of the proposed amendment; and

WHEREAS, public notice that an amendment to the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023 is to be considered and reviewed at a public hearing held before the City Council on April 24, 2023 appeared in the Arizona Republic Southwest Valley edition on March 24, 2023; and

WHEREAS, the Mayor and Council of the City of Goodyear find the adoption of this Ordinance to be in the best interests of the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2023-1563 applies to approximately 284.5 acres of land in Goodyear, Maricopa County, Arizona, generally located east of Estrella Parkway between Elwood/S. Bullard Avenue on the south and slightly north of W. Goodyear Blvd on the north as depicted on that certain document titled “Official Supplementary Zoning Map No. 22-20,” and as legally described in that certain document titled “Legal Description Ballpark Village PAD - Gross,” which documents were declared public records by Resolution No. 2023-2280 and which are referred to and incorporated herein by this reference (the “Property”).

SECTION 2. REZONING

The Property is conditionally rezoned from Final Planned Area Development (PAD) District (2nd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village - South, dated August 2022) to Final Planned Area Development (PAD) District by the adoption of the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South dated January 2023, which document was declared a public record by Resolution No. 2023-2280 and which is referred to, adopted and made a part hereof as if fully set forth in this Ordinance.

SECTION 3. STIPULATIONS

That the rezoning provided for herein is subject to all of the following stipulations and conditions of approval:

1. The provisions of the City of Goodyear Zoning Ordinance shall apply except as modified by 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023 declared a public record by Resolution No. 2023-2280, which is adopted herein by these references, and except as otherwise modified by the stipulations herein; and

2. Development of the Property shall be in conformance with the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023, which document was declared a public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference, including the concept plans, development standards and design guidelines contained therein except as otherwise provided by any stipulations herein; and

3. Except for the terms in Section 5.1 of the Amended and Restated Development Agreement Ballpark Village (North Parcel) recorded in the official records of Maricopa County as instrument 2012 0724688 ("Section 5.1"), nothing in the rezoning provided herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated July 6, 2011 and the exhibits thereto by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M. and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City or any terms of any conveyance document or agreement to which the City is a party related to parking to support the Ballpark and the Ballpark Development Complex. Section 5.1 no longer has any effect because the parking requirements for Ballpark Village have been amended by the

3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023; and

4. Notwithstanding anything to the contrary in the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023 or the stipulations herein, City parking standards for residential development shall apply within the RES category unless the Mayor and Council of the City of Goodyear approves a zoning amendment to amend such standards pursuant to a third party parking consultant's data based study and letter of recommendation supporting lower parking/dwelling unit ratios and/or parking related design standards that has been approved by the Zoning Administrator; and

5. Notwithstanding anything to the contrary in the 3rd Restated & Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South, dated January 2023, a drive-through may be a Conditionally Permitted Use within approximately 5 acres of property, as legally described in that certain document titled "Legal Description Lot 33", which document was declared a public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference (the "Lot 33") subject to the following conditions:
    a. The drive-through is limited to a single drive-through; and
    b. The drive-through is limited to a business that has, coffee, tea or other beverages as its primary product; and
    c. A patio shall be attached to the drive-through that is scaled to the size of the building must be a prominent feature towards Estrella Parkway or the Ballpark/Player Development Complex Fields and shall be a minimum of 1,000 square foot outdoor patio; and
    d. The drive-through drive aisle cannot be located between the building and Estrella Parkway, it must be located to the rear of the building; and it must not be substantially visible from Estrella Parkway; and
    e. Development of the drive-through shall comply with all of the requirements set forth in Section 4-2-18 (Drive Through Restaurants).

6. The following stipulations and conditions of approval apply to the development of Lot 33 (defined above):
    a. Lot 33 shall include enhanced architectural design and landscaping as determined and approved by the Zoning Administrator during the Site Plan review; and
    b. Lot 33 shall be developed with enhanced pedestrian connections that connect development within Lot 33 to the Ballpark site and nearby residential property as determined approved by the Zoning Administrator during the Site Plan review; and
    c. If walls or fencing are constructed within around the perimeter of Lot 33, view fencing shall be used between the multi-family and commercial center, except where screening of mechanical equipment and trash enclosures are necessary; and

d. Color schemes shall be used that add interest and variation to buildings within Lot 33. At least two (2) base colors and three (3) accent colors/materials shall be used in a manner which creates a minimum of three (3) unique building schemes through Lot 33. A variation in roof height of buildings within Lot 33 is required and a portion of the roof of each building within Lot 33 shall be pitched or contain a tower structure with an overhang; and
e. The color palettes of buildings within Lot 33 shall incorporate a minimum of one (1) accent color, that is not simply shades of grays and/or browns; and
f. Parking requirements for commercial uses shall apply for commercial development within Lot 33 except as provided herein. A minimum of five (5) vehicle parking spaces open to the public and labeled for use as Bullard Wash Trailhead Parking shall be provided. In addition to providing the bicycle parking required in Article 6-6 (Bicycle Parking) of the Goodyear Zoning Ordinance, an additional five (5) bicycle parking spaces open to the public and labeled for use as Bullard Wash Trailhead parking shall be provided. For each Bullard Wash Trailhead Parking Space, which consists of one vehicle parking space labeled for use as Bullard Wash Trailhead Parking and one bicycle parking space labeled for use as Bullard Wash Trailhead Parking, the developer shall be permitted a reduction of two (2) required vehicle parking spaces needed to support restaurants within the property. This reduction does not apply to any other commercial development within Lot 33. Bullard Wash Trailhead Parking Spaces shall not permit a parking reduction of more than 20 vehicle parking spaces or more than 20% of the required parking spaces (whichever is less) (not forgoing the 3rd Party Parking study which may further reduce the parking requirements). The city shall reserve the right to promote the use of the provided Bullard Wash Trailhead Parking Spaces.
g. If any portion of Lot 33 is developed with a commercial use, a major plaza (pedestrian plaza/greenspace) shall be constructed within the portion of Lot 33 adjacent to Estrella Parkway and Bullard Avenue. The plaza shall be a minimum of 2,500 sq. ft and shall include a major shade amenity and seating. Up to 50% of the plaza may be designed within the street side landscape setback; and The major plaza will be flanked on either side by a large pedestrian path, store fronts, patios and/or have a pedestrian loop surrounding it. The plaza shall connect to pedestrian connections that are to be developed within Lot 33. The plaza shall be constructed prior to the issuance of the first certificate of completion, temporary certificate of occupancy, or certificate of occupancy for any commercial building within Lot 33 other than for a drive-through; and
h. A Ballpark Village Gateway Monument Sign shall be installed at the northeast corner of Estrella Parkway and Bullard Avenue. The size and scale of this monument shall be similar in nature to that reflected in certain document titled “Ballpark Village Gateway Monumentation,” which document was declared a

public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference. The monument sign shall match the character and theme being established in the greater Ballpark Village. The monument shall be constructed prior to the issuance of the first certificate of completion, temporary certificate of occupancy, or certificate of occupancy for any building within Lot 33; and

7. Prior to issuance of any building permit within the Property, Owner/developer shall provide documentation to the City of Goodyear prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date; and

8. The following stipulations apply to the development of the approximately 16 acres of property legally described in that certain document titled "Added Property," which document was declared a public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference (the "Added Property"):

    a. Except as provided below, Owner shall complete the construction of any improvements needed for the full half-street improvements for the south-half of W. Lower Buckeye Parkway required for a Minor Arterial as set forth in the Engineering Design Standards in effect at the time of construction for the section of W. Lower Parkway along the northern boundary of the Property, including by way of example, but not limitation, pavement, bike lane, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Lower Buckeye Improvements"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the Lower Buckeye Improvements shall be completed prior to the issuance of any certificate of occupancy within the Added Property; and

    b. Owner shall either fully construct the full median or 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. Lower Buckeye Parkway along or adjacent to the frontage of the Added Property as directed by the City Engineer at the time of development. 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. If Owner constructs the full median and full median landscaping, Owner shall be reimbursed the in-lieu payment the city received from

the property owner to the north for one-half (1/2) the cost of a full median and full median landscaping. The in-lieu payments referred to herein shall be made prior to or concurrent with recordation of the first final plat subdividing all or part of the Property or prior to the issuance of any permits for construction work within the Added Property, whichever is earlier; and

c. Owner shall complete the construction of any improvements needed for full west half-street improvements for S. Bullard Avenue required for a modified Minor Arterial as set forth in the Engineering Design Standards in effect at the time of construction for the section of S. Bullard Avenue along the eastern boundary of the Added Property, including, by way of example but not limitation, a bus bay, sidewalk, street frontage landscape and landscape irrigation, and street lighting (the "Bullard Avenue Improvements"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the Bullard Avenue Improvements shall be completed prior to the issuance of any certificate of occupancy within the Added Property; and

d. Owner shall complete the construction of any improvements needed for the full half-street improvements for the east half of S. Wood Boulevard required for a modified Minor Collector as set forth in the Engineering Design Standards in effect at the time of construction for the section of S. Wood Boulevard along the western boundary of the Property, including by way of example, but not limitation, bike lane, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Wood Boulevard Improvements"). Except as otherwise provided in a written development agreement approved by Council or a written phasing plan approved by the City Engineer or his designee, the Wood Boulevard Improvements shall be completed prior to the issuance of any certificate of occupancy within the Added Property; and

e. Owner is responsible for a proportionate share of the costs of full traffic signals at the intersections identified below. Owner shall make an in-lieu payment for the cost of traffic signal infrastructure at intersections adjacent to the Added Property. Unless modified by a written phasing plan approved by the City Engineer or his/her designee or by a development agreement approved by the City Council, the in-lieu payment shall be made prior to the recordation of the first final plat subdividing all or part of the Added Property or prior to the issuance of any construction permits for work within the Added Property, whichever is earlier. The in-lieu payment shall be based on the actual cost of the traffic signal if it has been constructed or if the payment is required before the signal is constructed it shall be based on the estimated cost of the traffic signal as determined

by the City Engineer or designee. The traffic signal obligations for the Added Property include, but may not be limited to:

i. One-third (1/3) of the cost of the full traffic signal (three legs) at W. Lower Buckeye Parkway and South Bullard Avenue; and

ii. Twenty-five percent (25%) of a full traffic signal (four legs) at W. Lower Buckeye Parkway and South Wood Boulevard

In addition to being responsible for a proportionate share of the cost of full traffic signals (all four legs) identified herein, Owner is also responsible for a proportionate share of the costs of additional traffic signals identified in an approved Traffic Impact Analysis/Study as being needed. If an updated Traffic Impact Analysis/Study reflects the need for any additional traffic signal at any intersection adjacent to the Added 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 Added 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 Added Property. For example, if a traffic signal is required at an intersection were 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. 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, Minor Land Division ("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; and

f. In addition to constructing the infrastructure improvements specifically identified herein, Owner shall construct, at no cost to the City, all infrastructure improvements required by the City of Goodyear subdivision regulations, all Building Codes and Regulations adopted by city, and Engineering Design Standards and Policy Manual in effect at the time of construction; and

g. Owner shall dedicate, at no cost to the city, all rights-of-way and/or easements within the boundaries of the Added Property that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Added Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Added Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Added Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Added Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this ordinance, the terms of a written development agreement approved by the Council or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made prior to or concurrent with recordation of a final plat or approval of a site plan that includes the area in which the dedicated property is located or when requested by the City Engineer or his/her designee, whichever is earlier; and

h. Notwithstanding anything to the contrary in this Ordinance, Owner shall convey the right-of-way and/or easements that are to be conveyed pursuant to the terms of this Ordinance prior to the deadlines for conveyance set forth herein or in a written phasing plan or development upon the written request by the City Engineer or his/her designee if such right-of-way and/or easement(s) are required for the construction of public infrastructure improvements by the city or others; and

i. If any of the infrastructure improvements Owner is required to design and construct pursuant to the terms of this Ordinance have been constructed or is to be constructed by others, Owner shall remit a payment to the city in the amount of the actual costs incurred in the design and construction such infrastructure improvements if completed or, if not completed, the payment shall

be in the amount of an engineer's estimate of the costs as approved by the Goodyear City Engineer or his/her designee. The payment requirement herein shall be paid prior to or concurrent with the recordation of a final plat triggering Owner's obligation to design and construct the infrastructure improvements; and

j. Owner shall submit to the City for review and approval and subsequently to FEMA for review and approval, a Conditional Letter of Map Revision (CLOMR) study prior to issuance of the first construction permit for the development of any part of the Added Property within the Flood Plain. A CLOMR shall be submitted to and approved by the City Engineer or his/her designee prior to issuance of any construction permits within the floodplain, unless a CLOMR is not required as determined by the City Engineer or his/her designee.

SECTION 4. AMENDMENT TO ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning set forth in Section 2 of this Ordinance by the adoption of that certain document titled "Official Supplementary Zoning Map 22-20," which document was declared a public record by Resolution No. 2023-2280 and which is referred to and incorporated herein by this reference, and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

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

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, **building**, **structure,** sign, landscaped area, **parking lot** or fence, or to permit the use of any **lot** or land contrary to, or in violation of any provisions of this **Ordinance**, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land **use** that is specifically prohibited by this **Ordinance** or is unspecified and not classified by the **Zoning Administrator** is prohibited in any **district**.

B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (**Person**). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any **Person** who violates any of the provisions of this **Ordinance** and any **amendment**s there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or
2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

Aerial Exhibit
Ballpark Village and Ballpark Village South 3rd Amended PAD
(The Diamond)
22-200-00020

The Diamond at Ballpark Village

PAD Amendment & Site Plan

Narrative & Justification Statement

Approximately 5 Acres

at the Northeast Corner of Estrella Parkway and Bullard Avenue

Goodyear, Arizona

Submitted October 5, 2022

Rezone Case No. _____

Prepared by:
Burch & Cracchiolo, P.A.
1850 N Central Ave #17000
Phoenix, Arizona 85004
602-274-7611

Development Team

Developer	**Boyd Communities** Jonathan Boyd 688 W. 1st St, STE 2 Tempe, Arizona 85281
Architect	**Design Cell** Kastytis Cechavicius 1785 Village Center Circle #100 Las Vegas, Nevada 89134
Landscape Architect	**Hunter Engineering, Inc** Audie Hennington 10450 North 74th Street, #200 Scottsdale, Arizona 85258
Civil Engineer	**Hunter Engineering, Inc** **Larry Talbott** 10450 North 74th Street, #200 Scottsdale, Arizona 85258
Zoning/Entitlements	**Burch & Cracchiolo, P.A.** Brennan Ray 1850 N Central Ave #1700 Phoenix, AZ 85004 Phone: (602) 234-8794 Email: bray@bcattorneys.com

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I. INTRODUCTION

Boyd Communities ("Boyd") requests the rezoning of approximately 5 acres located at the northeast corner of Estrella Parkway and Bullard Avenue (the "Site") for "The Diamond at Ballpark Village." The Site is part of Ballpark Village & Ballpark Village-South PAD and is currently zoned COM-1. Boyd seeks to amend the PAD change the zoning designation on the Site from COM-1 to RES/MXD on the Site in order to allow for the development of a professional housing facility for the Cincinnati Reds and additional commercial uses. Phase 1 of the development will be the housing facility and Phase 2 will include the retail and restaurants situated along Estrella Parkway. This proposal is an exciting opportunity for Goodyear to house a professional baseball team and positively contribute to the City's economy.

II. SITE AND SURROUNDING AREA

The Site is undeveloped. To the north of the Site is the Reds Minor League Baseball Complex. South of the Site is International Mill Service and east of the Site is the Phoenix-Goodyear Airport. With the shift in the market away from commercial uses, there is no expectation of enough commercial users to fill this entire site. Therefore, a mixed-use development with professional housing and commercial uses is an appropriate use and is also compatible with the surrounding land use patterns.

III. DEVELOPMENT PROPOSAL

Boyd seeks to develop this Site with 42 living units, 9,000 square feet of retail and 9,000 square feet of restaurant. The 42-unit Professional Housing complex will have common areas of the building which contain recreational and educational areas for players and staff. The exterior recreational areas include a patio with a pool, putting green and a grill for players and coaches. The housing facility will be the third of its kind providing services and amenities to allow the players and coaches to train at higher level.

IV. DEVELOPMENT STANDARDS

The development standards for the Residential Mixed-Use Zoning District shall apply.

V. DESIGN GUIDELINES

The design shall conform to the City of Goodyear Design Guidelines and Ballpark Village PAD Guidelines.

VI. INFRASTRUCTURE

Off-Site Improvements

Improvements to half-streets and improvements pertaining to Interconnect Fiber Optic System will be made. Other offsite improvements have been previously completed.

Grading and Drainage

The Site is designed to comply with City's grading and drainage design criteria and other required drainage guidelines. The Preliminary Water, Sewer, and Drainage Reports have been prepared and submitted with this Rezoning application. The Reports confirm there is adequate public infrastructure to support the proposed development.

Water and Sewer

There is existing water and sewer infrastructure that the Site will tie into.

VII. GENERAL PLAN CONFORMANCE

The Diamond at Ballpark Village is supported by the City of Goodyear's General Plan goals, objectives, and policies as follows:

Physical Growth & Development

- Goal GD-1. A compatible mix of land uses and diverse destinations that foster a high quality of life with livable and safe neighborhoods with a strong economy that fosters a healthy and sustainable environment.
- Objective CC-5-1. Establish a land use hierarchy and community form that maintains a broad variety of land uses and responds to the community's vision and needs.
- Objective CC-5-1, Policy b. Encourage a wide variety of housing products to suit the needs of existing and future residents.
- Goal GD-2. Effectively managed and well-distributed growth that meets or exceeds the quality of existing development and addresses the needs of existing and future residents and businesses.
- Goal GD-7. A community that provides for the health and safety of residents and visitors and protects them from the hazards of the natural and man-made environments.

Community & Cultural Development

- Objective CC-2-1. Provide diverse and quality housing products.
- Objective CC-2-1, Policy a. Encourage a mix of quality and compatible housing types consistent with market trends and demand that adequately meets the needs of current and prospective residents and workers.

VIII. CITY'S GUIDING CONSIDERATIONS FOR ZONING AMENDMENTS

a. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted.

The proposal is supported by the above goals of the City's General Plan. This Professional Housing Development for the Cincinnati Reds will complement and support existing businesses in the area by bringing in additional residents and represents an exciting opportunity for the City. Commercial demand has decreased after covid; this proposal to add a residential use while maintaining commercial uses strikes an appropriate balance considering the decline in commercial demand.

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

The underutilized, vacant Site is adequately sized (approximately 5 acres) and relatively flat, which makes it suitable for a multi-family development. Adjacent streets (Estrella Parkway and Bullard Avenue) are appropriate transportation corridors to serve residents and guests. No washes, floodway or floodplain designations, hillside slopes over 20%, irrigation district canals,

natural features that may be worthy of preservation, existing protected wildlife, high voltage power lines, or other utilities are within this development.

c. Compatibility of all potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values.

The proposed PAD amendment to add housing for the Cincinnati Reds while maintaining commercial uses in the second phase is consistent with the land use patterns of the commercial and residential uses in the surrounding area. The Diamond at Ballpark Village will not have negative environmental impacts, inappropriate traffic impacts, or other negative impacts on the surrounding area. Luke Air Force Base and ADOT will be contacted directly. The proposed development is not adjacent to the Gila River, hillside area, regional parks and open spaces, any wash, or historic areas.

d. 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 current zoning.

The proposed PAD amendment to allow RES/MXD on this Site is consistent with other land uses within the immediate area. The proposed zoning will be compatible with the existing single-family community located further northeast of the Site and provide an appropriate transition from the other surrounding commercial uses and airport. The proposed rezoning and development is better suited for the Site than the uses allowed under the current zoning—which provides too much commercial for market demands. Additionally, the proposed development is not adjacent to any single-family residential uses.

e. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

There is demand for quality commercial and multi-family housing near freeways and other transportation corridors. The Site's location proximate to the I-10 Freeway provides excellent access to/from the Site and provides easy and convenient access to downtown Phoenix and other areas of the Valley. Importantly, the Minor League Baseball Complex is located directly north of the Site.

f. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment.

The Preliminary Water, Sewer, and Drainage Reports have been prepared and submitted with this Rezoning application. The Reports confirm there is adequate public infrastructure to support the proposed development.

1. Schools

This is a proposal is professional athletic housing and as such do not anticipate an impact on schools.

School Type	No. Res. Units	Student Ratio	No. of Students
Centerra Mirage	42	0.30 Students/Unit	12.6
Desert Edge High School	42	0.19 Students/Unit	7.98
Total	42		20.58

2. Water and Wastewater

Water and wastewater are provided by the City of Goodyear.

3. Parks and Open Space

The overall site (both phases) will include 25.68% landscape area.

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

The Site is located near existing public services. Roadway infrastructure is already in place. There is adequate existing water and sewer infrastructure to serve the development.

h. General public's concerns.

There are no known concerns from the general public.

i. Whether the amendment promotes orderly growth and development.

This zoning amendment request is consistent with the City's General Plan, compatible with the surrounding area, and promotes orderly growth and development. The development will be a positive addition to the City and the area.

j. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

The Diamond at Ballpark Village will have a positive impact to the general health, safety, and welfare of the citizens of the City and the general public. The proposed professional community will deliver additional shoppers for businesses in the area, provide housing for the Cincinnati Reds, and implement the development of underutilized, vacant property. This proposal to house a professional sports team is exciting and will be welcomed by the public.

IX. CONCLUSION

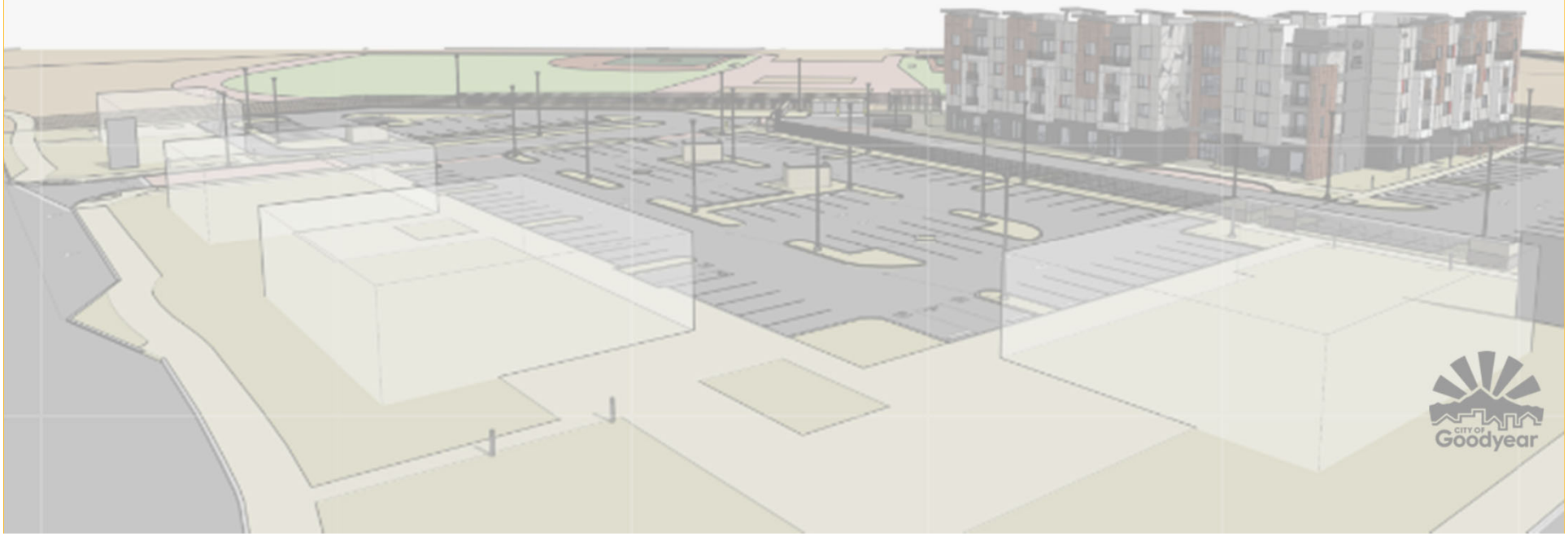
The Diamond at Ballpark Village is an ideal use of this currently vacant property and is compatible with the surrounding area. The development conforms to the City's General Plan goals and policies and furthers the City's objectives for Physical Growth & Development and Community & Cultural Development. The proposed PAD amendment to allow for Cincinnati Reds housing will facilitate the development of this underutilized vacant Site for a high-quality development that will enhance the area and bring opportunities to the City.

3rd Restated and Amended Final PAD for

Ballpark Village

and Ballpark Village - South

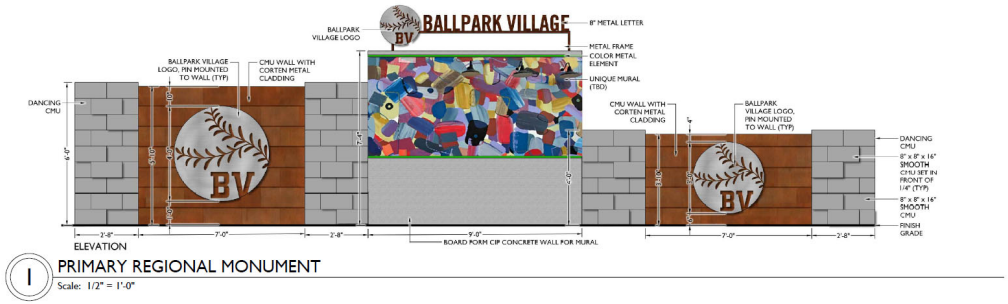
City Council Meeting
April 24, 2023

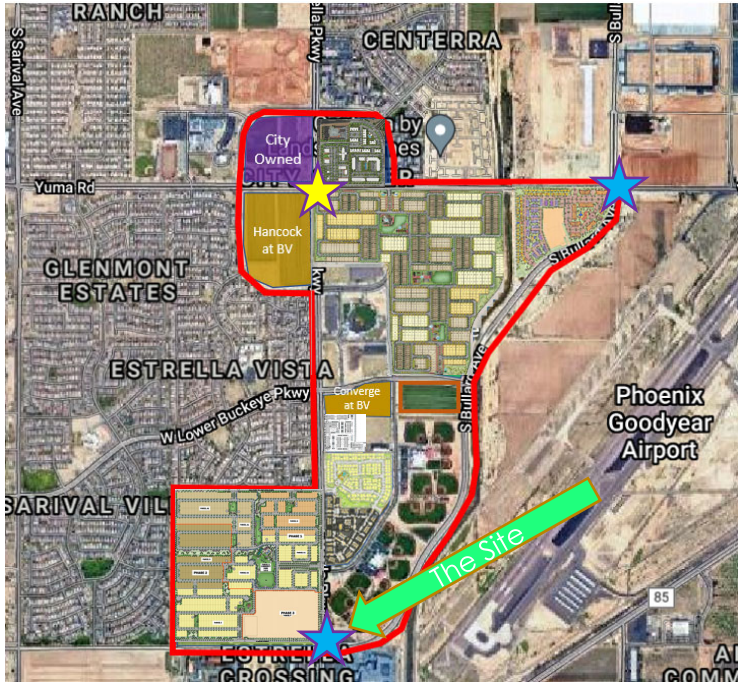


Ballpark Village

A UNIQUE DESTINATION AND VILLAGE CENTER FOR THE CITY

- From City Center
- To Village Center
  - Home of the Goodyear Ballpark

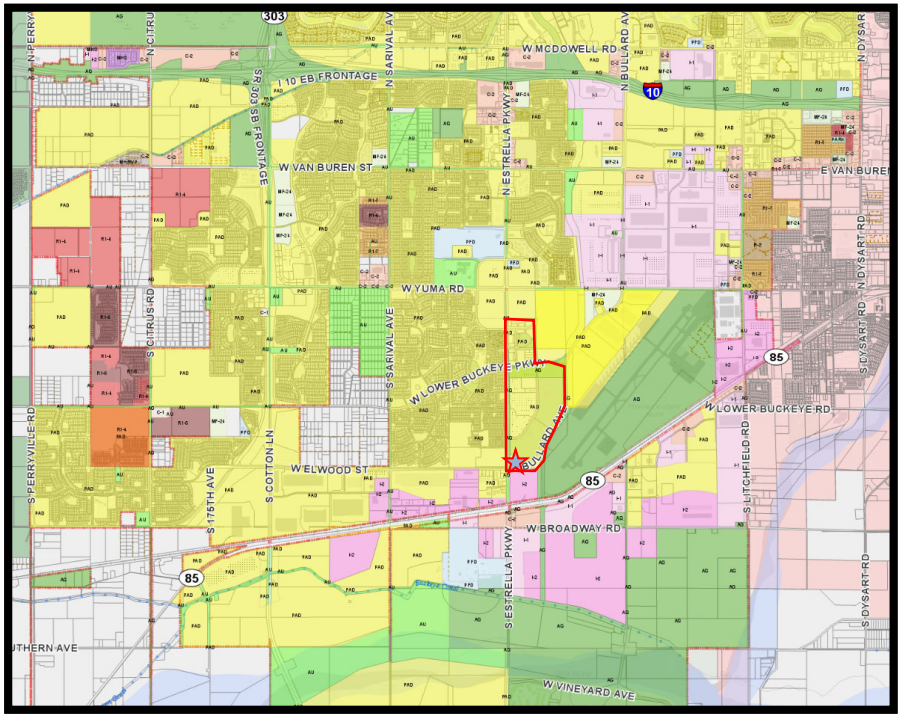




Location

BALLPARK VILLAGE

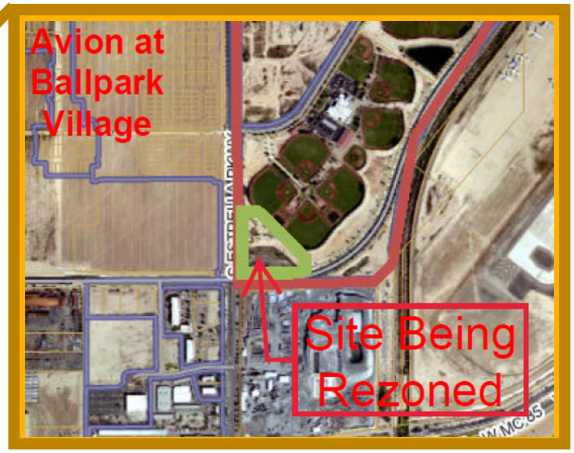
- Central Goodyear
  - Northeast corner of Estrella Pkwy and Bullard Avenue
  - PAD is approximately 284.5 Acres
  - Lot 33 Approximately 5 Acres
    - Underlying Commercial



Specific Location

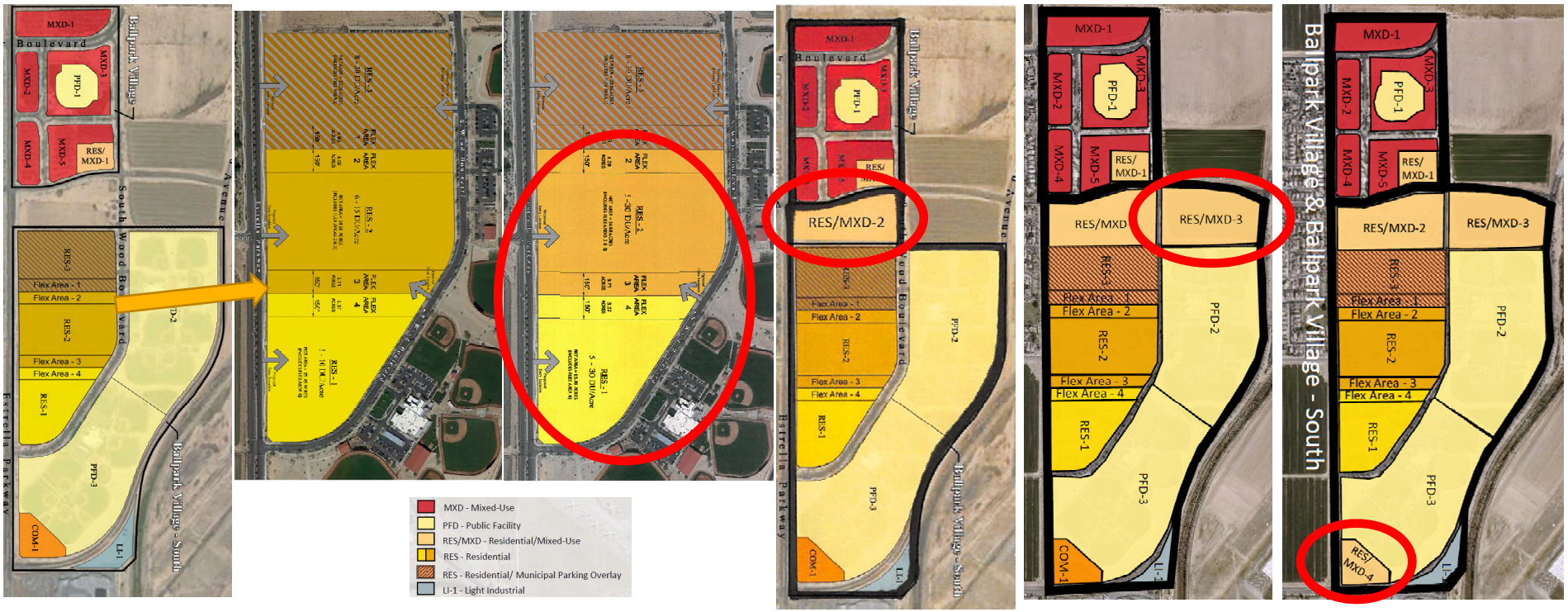
ZOOMED IN

- NEC of Estrella Pkwy and Bullard Ave
  - North
    - Fulton Homes at BV
  - South
    - Imsamet of Arizona
  - East
    - Phoenix Goodyear Airport
  - West
    - VLUX at BV, Avion at BV, Estrella Vista



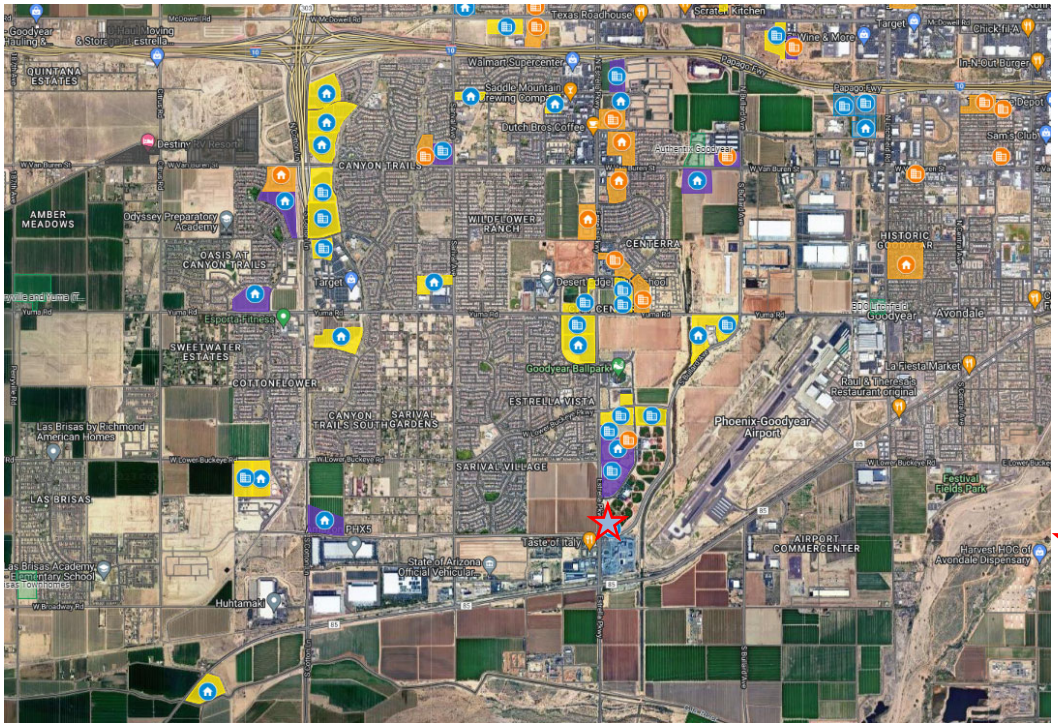
Zoning History

2017 | MARCH 2021 | JULY 2021 | OCT 2022 | TODAY



Area Multi-Family

I-10 TO FUTURE SR 30 – PERRYVILLE TO DYSART



=Established Multi-Family

=Under Construction or Recently Completed Multi-Family

=Zoned for Multi-Family

=Developer Interest in Multi-Family (Application Submitted)

= Ballpark Village (The Diamond)

Proposal

BALLPARK VILLAGE 3RD RESTATED AND AMENDED

- Lot 33 – RES/MXD
  - Conditionally permit single drive-thru
  - Bullard Wash Trail Parking
  - Art
  - Enhanced Development Standards
- Lot 28-30 – Remove Drive-Thru (Now City Owned)

Recommendation

APPROVE SUBJECT TO STIPULATIONS

- Approve Rezone:
  - From Planned Area Development (PAD)
    - Underlying COM on Lot 33
  - To From Planned Area Development (PAD)
    - Underlying RES/MXD on Lot 33
    - Modifications to city owned parcels
    - Subject to Stipulations

CITY OF
Goodyear

ITEM #: 8.
DATE: 04/24/2023
AI #:1428

CITY COUNCIL ACTION REPORT

SUBJECT: **GOODYEAR CELEBRATION PLAZA REZONE**

STAFF PRESENTER(S): Katie Wilken, Deputy Director of Planning

---

OTHER PRESENTER(S):

Jeff Blilie, Beus Gilbert McGroder PLLC
Mark Reddie, RVI Planning

SUMMARY

This is a public hearing to consider a rezone of approximately 66.6 acres of land generally located at the southwest corner of Litchfield Road and I-10 to a Final Planned Area Development to be known as the Goodyear Celebration Plaza Planned Area Development (PAD) allowing for a mixed-use development under the MF-12 (Multi-Family), MF-24 (Multi-Family), C-O (Commercial Office), and C-2 (General Commercial) zoning districts, as modified in the Goodyear Celebration Plaza Planned Area Development (PAD) and as modified by Ordinance 2023-1562.

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

1. ADOPT RESOLUTION NO. 2023-2279 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1562 RELATED TO THE REZONING OF THE GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT.

2. ADOPT ORDINANCE NO. 2023-1562 CONDITIONALLY REZONING APPROXIMATELY 66.6 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LITCHFIELD ROAD AND I-10 FROM PRELIMINARY PLANNED AREA DEVELOPMENT AND PLANNED AREA DEVELOPMENT (PAD) TO FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE GOODYEAR CELEBRATION PLAZA 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; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. (Katie Wilken, Deputy Director of Planning)

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 General Plan Land Use Plan designates the subject property as 'Business & Commerce'. The 'Business & Commerce' land use category provides areas for the growth and development of Goodyear's economic base including large areas for shopping and entertainment. High density residential development is permitted in the Business & Commerce category when located adjacent to a community or regional park, open space area, single family residential, commercial area, or used as a buffer between the Neighborhoods category and Business & Commerce category.

Approximately 25.3 acres of the property subject to the proposed rezoning identified as C and D in Exhibit 1 (Underlying Zoning Districts) of the Celebration Plaza PAD is currently zoned PAD under Ordinance No. 07-1091, adopted on October 9, 2007, which conditionally rezoning 187 acres from Preliminary PAD to Preliminary PAD for a mixed use commercial and industrial development to be known as Airport Gateway at Goodyear PAD, and conditionally rezoning 25 acres from Preliminary PAD to Final PAD for the development of CTCA (now known as City of Hope). Under the Airport Gateway at Goodyear PAD, the 25.3 acres is to be developed as Business Park.

Approximately 41.3 acres of the property subject to the proposed rezoning identified as A, B, and E in Exhibit 1 (Underlying Zoning Districts) of the Celebration Plaza PAD is currently zoned PAD under Ordinance No. 08-1153 adopted on December 15, 2008, which conditionally rezoned the property to Final PAD for a development to be known as Goodyear Palms Plaza. Under the Goodyear Palms Plaza PAD, the 41.3 acres is to be developed as a mixed-use commercial development allowing the uses allowed under C-2 General Commercial zoning district.

DISCUSSION OF THE REZONING

As proposed within the Celebration Plaza PAD, the zoning classifications under the existing zoning would be modified as follows:

Areas Identified in Exhibit 1 (Underlying Zoning District in Celebration Plaza PAD) Current Classifications Classifications Under Celebration Plaza PAD

Areas Identified in Exhibit 1 (Underlying Zoning District in Celebration Plaza PAD)	**Current Classifications**	**Classifications Under Celebration Plaza PAD**
A (16.6 acres net)	Mixed-Use Commercial (C-2)	Multi-Family 12 (15 du/a)
B (13.67 acres net)	Mixed-Use Commercial (C-2)	Multi-Family 24 (30 du/a)
C (15.46 acres net)	Business Park	Commercial Office
D (9.87 acres net)	Business Park	Commercial Office 1
E (11.03 acres net)	Mixed-Used Commercial (C-2)	General Commercial

The applicant has proposed that this area be allowed to be developed as either Commercial Office or Multi-Family 24 (the Hybrid zoning district) subject to the caveat that for a twenty-four month period after the zoning, the area could only be developed as Commercial Office.

The portion of the Property to be developed as multi-family residential is intended to provide for high densities and to that end the proposed Celebration Plaza PAD includes modifications to the development standards that would otherwise to apply to MF-12 (Multi-Family) and MF-24 (Multi-Family) developments. These modifications include, among others:

- An increase in the density allowed in the portions of the Property to be developed as MF-12 (Multi-Family) from 12 du/ac to 15 du/ac;
- An increase in the density allowed in the portions of the Property to be developed as MF-24 (Multi-Family) from 24 du/ac to 30 du/ac;
- A minimum overall density for all multi-family residential development within the Property of 18 du/ac;
- A requirement that all residential structures within the portion of the Property to be developed as MF-12 (Multi-Family) shall be at least two-stories.
- Increase in the maximum height allowed for structures within the portion of the Property to be developed as MF-12 (Multi-Family from 25 feet to 30 feet
- Increase in the maximum height allowed for structures within the portion of the Property to be developed as

MF-24 Multi-Family from 40 feet to 56 feet.

(A more comprehensive itemization of modifications to the standards that apply to MF-12 Multi-Family and MF-24 Multi-Family developments is set forth below.)

The proposed rezoning will permit the development of a commercial center along Litchfield Road, but the Celebration Plaza PAD prohibits various uses that would otherwise be allowed in the C-2 (General Commercial) zoning district. It also allows for the development of uses permitted under the C-O (Commercial Office) zoning district.

This item was previously heard by the Planning and Zoning Commission on January 11, 2023. At that hearing, the Commission voted (6-0) to forward a recommendation of approval to the City Council. During the January 23, 2023 public hearing before the City Council, concerns were expressed regarding the proposed multi-family residential zoning classifications and design elements. As such, the Council voted (7-0) to table this item. The item was reheard by the Planning and Zoning Commission at a public hearing held on March 8, 2023. The Commission voted (5-0) to forward a modified staff recommendation to the City Council.
This item was previously heard by the Planning and Zoning Commission on January 11, 2023. At that hearing, the Commission voted (6-0) to forward a recommendation of approval to the City Council. During the January 23, 2023 public hearing before the City Council, concerns were expressed regarding the proposed multi-family residential zoning classifications and design elements. As such, the Council voted (7-0) to table this item. The item was reheard by the Planning and Zoning Commission at a public hearing held on March 8, 2023. The Commission voted (5-0) to forward a modified staff recommendation to the City Council.

STAFF ANALYSIS

Current Policy:

A rezoning request requires public review by the Planning and Zoning Commission and approval from the City Council. The proposed amendment must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance.

Details of the Request:

The request is to rezone the subject property from Preliminary PAD and PAD to PAD. The new PAD will be known as the Celebration Plaza. The PAD originally heard by the Planning and Zoning Commission was dated January 9, 2023. A revised PAD, resulting from the January 23 Council meeting, is dated February 7, 2023. Although the minor differences between the Celebration Plaza PAD presented in January and the Celebration Plaza PAD presented herein are discussed below, copies of both documents are attached.
The PAD will include the following zoning districts: approximately 11 acres of General Commercial (C-2); approximately 15.5 acres of Commercial Office (C-O); approximately 13.7 acres of Multi-Family (MF-24); approximately 9.9 acres of MF-24/C-O hybrid; and, approximately 16.6 acres of Multi-family (MF-12) with a PAD Overlay to modify the development standards as outlined below:
C-O District Modifications:

- Increase maximum building height from 30 feet to 56 feet
- This modification will allow for taller office buildings, providing for consistency between the existing 54-foot tall City of Hope building and future general commercial buildings along the I-10.

MF-24 District Modifications:

- Increase maximum density from 24 dwelling units per acre to 30 dwelling units per acre.
- The increase in density will provide an overall increase of residential density within the subject property in order to meet the requirements of the General Plan.
- Increase maximum building height from 40 feet to 56 feet.
- The increase in maximum height will enable the similar height and scale of buildings along the I-10.

MF-12 District Modifications:

- Update density from a maximum of 12 dwelling units per acre to 15 dwelling units per acre and impose a minimum density of 10 dwelling units per acre
- Reduce the minimum lot with from 200 feet to 22 feet to allow for subdivided lots.
- Increase the maximum height from 25 feet to 30 feet.
- Require a minimum of two stories for all units.
- Increase maximum building coverage from 50% to 75%.

- Reduce the rear setback (north side) from 30 feet to 20 feet.
- Reduce the side setbacks (east and west sides) from 20 feet to 10 feet.
- Includes interior building setbacks, applicable to subdivided lots only. These standards are not currently contemplated in the MF-12 district.

Collectively, these requested modifications provide for a more urban environment within this large development. The applicant has agreed to a minimum of two stories so that the typical single-story, multi-family development type does not occur. There are built-in development standards to allow for these units to be subdivided, which provides the opportunity for individual ownership of the units.

MF-24/C-O Hybrid:

- The owner wanted the Area D to have an underlying zoning designation of MF-24. Staff was not supportive of this, but initially worked with the property owner to establish a hybrid zoning area that could be developed as either MF-24 (Multi-Family) or C-O (Commercial Office). The original proposal heard by the Commission included a stipulation that for the 18 months following City Council adoption of Ordinance 2023-1562, the hybrid zoning area identified in the PAD Overlay would be developed as C-O (Commercial Office). If the Hybrid Zoning area was not developed within 18 months of adoption of the Ordinance, then it could be developed as either MF-24 Multi-Family Residential or CO Commercial Office.

Following the January 23, 2023 hearing, during which there was some discussion that the 18 months was too short of a period to secure a medical office user for the hybrid zoning area, the applicant revised the PAD Overlay increasing the period during which Area D (the hybrid area) could only be developed as C-O (Commercial Office) from 18 months to 24 months.
However, as discussed below, staff's recommendation at the subsequent Planning and Zoning Commission meeting, and to Council, is that the zoning designation for Area D (designated as a hybrid zoning area in the PAD) be designated as C-O (Commercial Office).

The PAD Overlay also prohibits specific uses within the C-2 district and restricts that no more than one drive-through restaurant and one gas station are allowed with the approval of a use permit. The list of prohibited uses, specified in the PAD Overlay, are intended to ensure the commercial development includes a mix of retail, office, and hotel, similar to what was originally approved in the Goodyear Palms Plaza PAD.
Finally, the PAD Overlay requires a public trail system and centralized 1.5-acre public park as well as an architectural character guide providing for a cohesive and connected development.

All other development standards not included in the PAD Overlay, will be regulated in accordance with the standards of the City of Goodyear Zoning Ordinance, Design Guidelines, Subdivision Regulations and other regulatory documents. Although a conceptual site plan has been provided for review, no development plans will be approved with the rezone application. Public Trails and Private Trails of the level and intensity reflected in the Pedestrian Circulation & Open Space Plan, attached as Exhibit 3 of Celebration Plaza PAD, are required to be constructed within the Property as it develops.

Evaluation Criteria:

1. Consistency with the General Plan.

As mentioned in the Backgrounds and Previous Actions section, the General Plan designates this area as Business & Commerce. Business & Commerce provides for areas for growth and development of Goodyear's economic base including, but not limited to, community level retail, service-oriented businesses, business parks, offices, regional hospitals, and high density residential that supports the area.

General Plan Standard 36: Commercial and office uses are appropriate throughout the Business & Commerce category; **General Plan Standard 39**: Businesses with high employment density are encouraged to locate adjacent to high capacity roadway corridors and transit corridors to leverage high visibility and vehicular/pedestrian access.

Depending upon Council's decision regarding the underlying zoning classification for Area D Identified in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD as the Hybrid Zoning District that could be developed as either MF-24 or Commercial Office, the rezone includes approximately 11 acres of General Commercial and either approximately 30 or 40 acres of Multi-Family and either approximately 15 or 25 acres of Commercial Office. The property is located directly south of I-10 and between Litchfield Road and Bullard Avenue, both highly

trafficked arterial streets.

General Plan Standard 41: High density residential development is permitted in the Business & Commerce district category when located adjacent to a community or regional park, open space area, single family residential, commercial area or used as a buffer between the Neighborhoods category and Business & Commerce category. Circulation and access to necessary amenities such as schools and grocery stores, and compatibility with surrounding existing and planned uses shall be taken into account when considering this type of use in the Business & Commerce category.

The rezone as originally presented during the January 23, 2023 public hearing proposed approximately 40 acres of multi-family, which includes both MF-12 and MF-24 zoning districts. Following the Council hearing on January 23, 2023, changes were made to the PAD and the rezoning ordinance. Under the rezoning ordinance being presented, approximately 10 of those 40 acres would be designated as a hybrid parcel that could only develop as Commercial Office for the first 24 months following Council approval.

The proposed modifications to the development standards enable the MF-24 area to be developed with a maximum density of 30 dwelling units per acre and the MF-12 area to range between 10-15 dwelling units per acre. The PAD Overlay also requires that the minimum combined net density for both districts shall be 18 dwelling units per acre. This ensures that the intent of the General Plan's density standards are being met. Additionally, the PAD Overlay incorporates a 1.5-acre park and trail system, available to the public, adjacent to the multi-family and connecting all uses within the subject property. The multi-family included with this rezone will support the proposed office and retail uses as well as the existing retail uses along Litchfield Road.

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

The Property is currently used for farming activities. The property's physical and natural features are suitable for the proposed commercial and residential uses as the property will be required to be graded and developed in accordance with all applicable engineering design guidelines and standards.

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

Uses and development surrounding the subject property include:

North – I-10 freeway
East – Palm Valley AutoPlex (including Yates, Amazon, Rudy's BBQ, Starbucks)
South – City of Hope facility (fka Cancer Treatment Center of America); TownePlace Suites by Marriott; Goodyear Village Center
West – City of Hope; vacant land currently designated as Preliminary Planned Area Development (proposed for light industrial)

The mix of commercial and high-density residential uses will support the surrounding businesses and provide for additional employment opportunities within the community.

4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning.

Luke Air Force Base:
The subject property is located within the vicinity of a military airport. Notice was provided to Luke AFB and they have indicated that given the location of the subject property, base operations will not be adversely impacted by the proposed uses within this rezone request. Stipulations have been included to require proper disclosures for future owners/tenants.

Phoenix-Goodyear Airport:
The subject property is located within the Phoenix-Goodyear Traffic Pattern Airspace. Notice was provided to Phoenix-Goodyear Airport and they have indicated that the site is within the airport's traffic pattern airspace. However, they do not have any concerns and stipulations have been included to require proper disclosures for future owners/tenants.

5. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

As discussed in the Backgrounds & Previous Actions section above, there are substantial changes in the uses that could be developed on the subject property. The existing zoning does not allow for any residential development. Under the proposed development, depending upon whether the area that is identified in the Celebration Plaza PAD is developed as Commercial or Residential, either approximately 46% or 62% of the property subject to the rezoning would be developed as high density residential with reduced development standards. The property owner has represented that there is a need for multi-family residential development in this area and the proposed multi-family residential development would provide a mix of housing options with walkable employment opportunities, amenities, and retail options.

6. Demands for public services that will be generated by the uses permitted in the proposed zoning district. Below is a summary of impact to public services.

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	
#181	Mins	Miles	Mins	Miles	#181	Mins	Miles	Mins	Miles
	2.75	0.87	2.75	.087		5.12	2.06	5.12	2.06

Police Response:
The subdivision is located within an existing Police patrol beat and the current level of service within the beat can accommodate the development of the property.

School Districts:
The subject property is located within the Avondale Elementary School District and the Agua Fria Union High School District. The application was sent to the school districts for comment and no objection was received.

Streets/Transportation:
At this time, the development would be accessible from Litchfield Road via the signalized intersections at Test Drive and Celebrate Life Way. Along Celebrate Life Way, 143rd Avenue would provide access to all uses within the subject property. At the time of preliminary plat/site plan reviews, further traffic impact studies will be required and the necessary connections to public streets will be reviewed for compliance with City engineering and public safety standards, including additional pavement for a bike lane along Litchfield Road.

Water/Wastewater:
The subject property is located within the City of Goodyear water and wastewater service area.

Solid Waste/Recycling:
Solid waste and recycling services for the property will be contracted through a private commercial provider.

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

The subject property is in proximity to where existing public services are provided.

8. General public's concerns.
Public Participation:
Citizen Review Process
Pursuant to the Citizen Review process, a neighborhood meeting was held on October 18, 2022. The applicant was prepared with a presentation for any and all attendees and staff and the applicant were available for questions. Four people from the public attended this meeting. Three people were employees of

the adjacent hotel and were interested in the proposed development. One resident also attended to hear about the proposal and did not state any objections. To date, staff has not received any objection to the proposed rezone. Staff recently received a letter from the President of City of Hope Phoenix dated February 7, 2023 supporting the proposed rezoning, a copy of which is attached hereto.

January 11, 2023 Planning and Zoning Hearing
Notice for the January 11, 2023 public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice and display ad published in the Arizona Republic on December 23, 2022; and a notice of public hearings sign posted on the property.
The Planning and Zoning Commission heard this item at a public hearing held on January 11, 2023. At that hearing, the Commission was supportive of the request and voted (6-0) to forward a recommendation of approval to the City Council.

January 23, 2023 City Council Hearing
The City Council heard this item at a public hearing held on January 23, 2023. Some of the Councilmembers expressed concerns with the proposal, including: the large amount of multi-family zoning proposed along the freeway; whether the hybrid term of 18 months was adequate to secure a desired medical office user on the site; potential effects the development could have on the City of Hope facility; and, the need for additional design enhancements for the multi-family buildings. Given these concerns, the Council voted to table the item.

Revisions to Rezoning Request Following January 23, 2023 City Council Hearing

After Council tabled its consideration of the rezoning request, the property owner amended the Celebration Plaza PAD as follows:

- A color palette with additional colors was incorporated into the PAD and language was included discouraging the use of other colors. Specifically, gray and white will be only permitted as accents, with the use of more vibrant colors required for the predominance of the buildings.
- The MF-12 zoning designation allows for the subdividing of attached units into individual lots. The Celebration Plaza PAD includes separate development standards in the event of subdivision. The lot coverage for subdivided attached residences has been increased from 75% to 85%, as requested by staff, given attached buildings generally need a greater lot coverage.
- In addition, the period during which the portion of the property identified as the “Hybrid” zoning district could be developed only as C-O (Commercial Office) was increased from 18 months to 24 months. Although the PAD was amended to delay the development of this area as MF-24 from 18 months to 24 months, so city staff can pursue developers that might be willing to develop this area as a medical complex, there is nothing that would require the property owner to sell the property to a potential developer for such medical complex.

Staff Recommended Revisions to Rezoning

Based on concerns expressed previously about the development of Area D (the hybrid zoning area) as MF-24, staff was not supportive of Area D being designated as a hybrid zoning area that could be developed as MF-24 or C-O (Commercial Office). Instead, staff supported the development of the portion of Area D Identified in Exhibit 1 (Underlying Zoning Districts) in Celebration Plaza PAD as the Hybrid Zoning District be developed solely as Commercial Office. Accordingly, staff included a stipulation (Stipulation No. 2 of Ordinance No. 2023-1562) that modified the zoning district for Area D from the Hybrid Zoning District to the Commercial Office Zoning District to address the concerns expressed by Council regarding the development of this area as MF-24 and the desire of city staff to see this area developed as a medical office complex.

Stipulation 2 reads as follows:
The portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD that has been designated as a Hybrid Zoning District that can be developed as either Commercial Office or MF-24 shall be solely developed as C-O (Commercial Office). No multi-family uses shall be developed on the portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD;

March 8, 2023 Planning and Zoning Hearing

Because of the above-mentioned changes, this rezoning required rehearing by the Planning and Zoning Commission and City Council. Notice for the March 8, 2023 public hearings before the Planning and Zoning Commission and the March 20, 2023 hearing before City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice and display ad published in the Arizona Republic on February 17, 2023; and a notice of public hearings sign posted on the property. Staff did not receive any public inquiries on the request.

At the March 8, 2023, public hearing before the Planning and Zoning Commission, the Commission heard a presentation from staff, including the proposed changes to the request since the item was tabled. During the hearing, Commissioners asked the following:

- What is the occupancy rate for office in the city?

Staff did not have this information at the time of the hearing but has since learned that the occupancy rate for existing offices within the city is at 91%;
If the hybrid parcel is zoned solely for commercial office, would a rezoning be required in the future if multi-family development is desired?

Staff responded in the affirmative.

- Is there concern from the City of Hope on the proposed request?

Staff advised that a letter of support had been provided by the City of Hope based on the positive impacts of the development and need for affordable housing for its staff. It is not clear whether the representatives of the City of Hope were aware of the additional multi-family opportunities in the same vicinity, including the approximate 635 residential units that could be developed under the proposed rezoning, even assuming Area D was not developed as multi-family residential. Staff has received nothing to suggest that the multi-family residential units that are to be developed are being developed as “affordable housing.”

- Are additional multi-family opportunities are being provided in city?

Staff advised there were approximately 10,000 multi-family units currently in some stage of the entitlement/development process within the city.

Other than the support of the applicant/owner for the proposed rezoning, no one spoke in support or opposition to the proposed rezoning during the public hear. Upon close of the public hearing, the Commission amended the staff recommendation to remove Stipulation No. 2 from Ordinance No. 2023-1562, which would have required Area D to be developed as commercial office use. The Commission then voted 5-0 to forward this amended recommendation to the City Council.

April 24, 2023 City Council Hearing
As originally scheduled, this item was to be heard by the City Council on March 20, 2023. However, at the request of Council, the item has since been scheduled for consideration by the City Council at a public hearing to be held on April 24, 2023. Notice for the April 24 public hearing was conducted in accordance with all applicable City and State regulations concerning such notice. To date, staff has not received anything in opposition to or in support of the request in response to the revised notice of public hearing.

In accordance with the above Commission recommendation, Ordinance No. 2023-1562, as attached hereto, reflects the removal of former Stipulation No. 2 regarding the Hybrid parcel. Should Council desire to limit said parcel exclusively to office development, then the language of former Stipulation No. 2 will need to be added to the Ordinance via a Council motion made during the April 24 public hearing.

9. Whether the amendment promotes orderly growth and development;
The subject property is an infill site and located adjacent to existing infrastructure and developed areas. The amendment will allow development of the subject property and promotes the orderly growth and development of the City.

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.
The development will be required to adhere to all applicable building, and engineering standards of the City of Goodyear. Adherence to these standards will be evaluated during the preliminary plat/site plan, civil

engineering, and building plan review processes.

Staff Recommendations and Findings:
Ordinance 2023-1562 is being presented in the form recommended for approval by the Planning and Zoning Commission, that is with the stipulation that required the Hybrid Parcel (Area D) to be developed as Commercial Office. Nonetheless, staff recommends that Council amend Ordinance No. 2023-1562 to add the following stipulation:

The portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD that has been designated as a Hybrid Zoning District that can be developed as either Commercial Office or MF-24 shall be designated as the C-O (Commercial Office) underlying zoning district. No multi-family uses shall be developed on the portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD;

Staff's recommendation is based on the following:

- There is a lack of commercial office space in the City. As noted above, the occupancy rate of the available office space is at 91%.
- When the Cancer Treatment Center ("CTCA") was developed, the vision was that it would drive the development of medical office complexes around CTCA, similar to what has been occurring around the Abrazo West Campus. City of Hope's acquisition of CTCA has renewed the staff's support for this vision, again, because of what has occurred around the Abrazo West Campus.
- There is an influx of multi-family residential units planned in Goodyear, much of which is located within a two to five-mile radius from the property being rezoned. Currently, more than 10,000 multi-family residential units are in some stage of the entitlement/development process, and the proposed rezoning, even without Area D being developed as multi-family residential, will allow the development of more than 635 multi-family residential units.

Staff finds that the proposed rezone and requested PAD Overlay as amended by the stipulations/conditions of approval in Ordinance 2023-1562, with or without the additional stipulation proposed by staff, is consistent with the subject property's Business & Commerce land use designation in the Goodyear 2025 General Plan.

Attachments

1. Resolution
1a. Supplementary Zoning Map
1b. Legal Description
1c. Celebration Plaza PAD
2. Ordinance
3. Aerial Photo
4. Project Narrative
5. City of Hope Letter of Support
6. Celebration Plaza PAD January 9, 2023
Staff Presentation

RESOLUTION NO. 2023-2279

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1562 RELATED TO THE REZONING OF THE GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT.

Be it resolved by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 22-14," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled "Legal Description," a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled "Goodyear Celebration Plaza PAD Standards & Guidelines February 7, 2023," a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of Ordinance 2023-1562.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

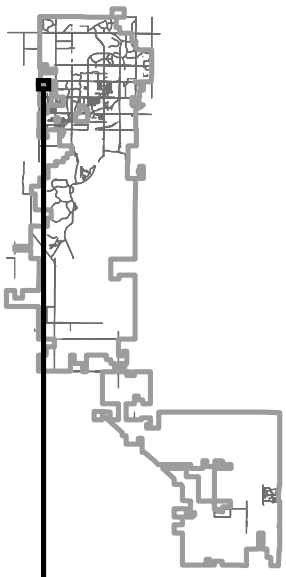
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

Roric Massey, City Attorney

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 22-14

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2023.

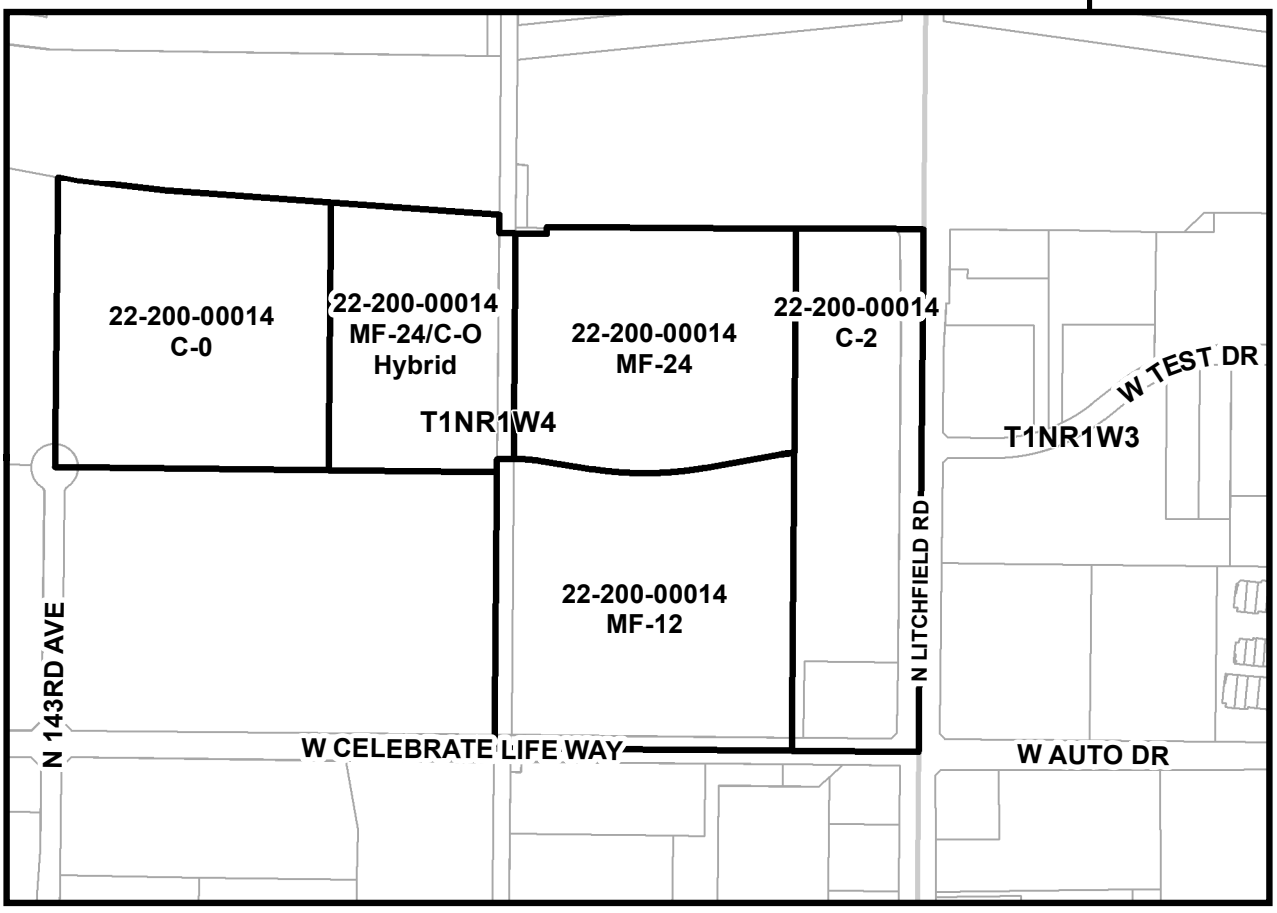


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT			DATE:
A	Rezone from Preliminary PAD to C-2, C-O, MF-24, MF-24/C-O Hybrid, and MF-12 with PAD Overlay	22-200-00014	January 2023

Exhibit B
LEGAL DESCRIPTION

C-2 GENERAL COMMERCIAL ZONING DISTRICT
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found brass cap in handhole for the Southeast corner of said Section 4;

THENCE North 00 deg. 18 min. 47 sec. East along the East line of said Section 4, same being the monument line of Litchfield Road, at 1,074.32 feet pass a found City of Goodyear bras cap flush at the intersection of said Litchfield Road and Celebrate Life Way, continue a total distance of 1,130.32 feet;

THENCE North 89 deg. 41 min. 13 sec. West departing said East line, a distance of 65.00 feet to the West right-of-way line of said Litchfield Road and being the beginning of a corner clip at the before mentioned intersections, said point being the **TRUE POINT OF BEGINNING**;

THENCE South 45 deg. 18 min. 47 sec. West along said corner clip, a distance of 22.63 feet to the end of said corner clip and being in the North right-of-way line of said Celebrate Life Way;

THENCE North 89 deg. 41 min. 13 sec. West along said North right-of-way line, a distance of 299.58 feet;

THENCE North 00 deg. 18 min. 47 sec. East departing said North right-of-way line, a distance of 1,524.42 feet to the South right-of-way line of Interstate Highway No. 10;

THENCE South 89 deg. 54 min. 00 sec. East along said South right-of-way line, a distance of 300.04 feet to the beginning of a corner clip at the intersection of said Interstate Highway No. 10 and Litchfield Road;

THENCE South 25 deg. 48 min. 12 sec. East along said corner clip, a distance of 24.86 feet to the end of said corner clip and being in the West right-of-way line of said Litchfield Road;

THENCE South 00 deg. 42 min. 38 sec. East along said West right-of-way line, a distance of 257.58 feet;

THENCE South 00 deg. 18 min. 47 sec. West along said West right-of-way line and being 65.00 feet West of and parallel with the East line of said Section 4, a distance of 1,229.67 feet to the **POINT OF BEGINNING**, containing 480,321 square feet or 11.027 acres of land, more or less.

CO COMMERCIAL OFFICE ZONING DISTRICT
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found brass cap in handhole for the Southeast corner of said Section 4;

THENCE North 00 deg. 18 min. 47 sec. East along the East line of said Section 4, same being the monument line of Litchfield Road, at 1,074.32 feet pass a found City of Goodyear bras cap flush at the intersection of said Litchfield Road and Celebrate Life Way, continue a total distance of 1,903.19 feet;

THENCE North 89 deg. 41 min. 13 sec. West departing said East line, a distance of 1,775.27 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 89 deg. 30 min. 13 sec. West, a distance of 748.89 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 70.00 feet, a central angle of 90 deg. 03 min. 17 sec., and being subtended by a chord which bears North 44 deg. 31 min. 49 sec. West - 99.04 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 110.02 feet;

THENCE North 00 deg. 26 min. 32 sec. East, a distance of 798.36 feet to the South right-of-way line of Interstate Highway No. 10;

THENCE South 79 deg. 20 min. 21 sec. East along said South right-of-way line, a distance of 58.61 feet;

THENCE South 83 deg. 26 min. 32 sec. East along said South right-of-way line, a distance of 263.88 feet;

THENCE South 86 deg. 02 min. 14 sec. East along said South right-of-way line, a distance of 498.45 feet;

THENCE South 00 deg. 20 min. 51 sec. West departing said South right-of-way line, a distance of 800.01 feet to the **POINT OF BEGINNING**, containing 673,450 square feet or 15.460 acres of land, more or less.

MF-12 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found brass cap in handhole for the Southeast corner of said Section 4;

THENCE North 00 deg. 18 min. 47 sec. East along the East line of said Section 4, same being the monument line of Litchfield Road, at 1,074.32 feet pass a found City of Goodyear bras cap flush at the intersection of said Litchfield Road and Celebrate Life Way, continue a total distance of 1,114.32 feet;

THENCE North 89 deg. 41 min. 13 sec. West departing said East line, a distance of 380.58 feet to the North right-of-way line of said Celebrate Life Way, said point being the **TRUE POINT OF BEGINNING**;

THENCE North 89 deg. 41 min. 13 sec. West along said North right-of-way line, a distance of 890.15 feet;

THENCE North 00 deg. 20 min. 50 sec. East departing said North right-of-way line, a distance of 827.25 feet;

THENCE South 89 deg. 30 min. 13 sec. East, a distance of 61.49 feet to a Point of Curvature of a circular curve to the right, having a radius of 500.00 feet, a central angle of 08 deg. 11 min. 45 sec., and being subtended by a chord which bears South 85 deg. 24 min. 21 sec. East - 71.46 feet;

THENCE in an easterly direction along said curve to the right, a distance of 71.52 feet;

THENCE South 81 deg. 18 min. 28 sec. East tangent to said curve, a distance of 157.17 feet to a Point of Curvature of a circular curve to the left, having a radius of 1,000.00 feet, a central angle of 19 deg. 04 min. 21 sec., and being subtended by a chord which bears North 89 deg. 09 min. 22 sec. East - 331.34 feet;

THENCE in an easterly direction along said curve to the left, a distance of 332.88 feet;

THENCE North 79 deg. 37 min. 11 sec. East tangent to said curve, a distance of 228.12 feet to a Point of Curvature of a circular curve to the right, having a radius of 500.00 feet, a central angle of 05 deg. 19 min. 24 sec., and being subtended by a chord which bears North 82 deg. 16 min. 53 sec. East - 46.44 feet;

THENCE in an easterly direction along said curve to the right, a distance of 46.45 feet;

THENCE South 00 deg. 18 min. 47 sec. West non-tangent to said curve, a distance of 854.33 feet to the **POINT OF BEGINNING**, containing 722,996 square feet or 16.598 acres of land, more or less.

MF-24 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found brass cap in handhole for the Southeast corner of said Section 4;

THENCE North 00 deg. 18 min. 47 sec. East along the East line of said Section 4, same being the monument line of Litchfield Road, at 1,074.32 feet pass a found City of Goodyear brass cap flush at the intersection of said Litchfield Road and Celebrate Life Way, continue a total distance of 2,638.74 feet;

THENCE North 89 deg. 41 min. 13 sec. West departing said East line, a distance of 380.58 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 00 deg. 18 min. 47 sec. West, a distance of 670.09 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 500.00 feet, a central angle of 05 deg. 19 min. 24 sec., and being subtended by a chord which bears South 82 deg. 16 min. 53 sec. West - 46.44 feet;

THENCE in a westerly direction along said curve to the left, a distance of 46.45 feet;

THENCE South 79 deg. 37 min. 11 sec. West tangent to said curve, a distance of 228.12 feet to a Point of Curvature of a circular curve to the right, having a radius of 1,000.00 feet, a central angle of 19 deg. 04 min. 21 sec., and being subtended by a chord which bears South 89 deg. 09 min. 22 sec. West - 331.34 feet;

THENCE in a westerly direction along said curve to the right, a distance of 332.88 feet;

THENCE North 81 deg. 18 min. 28 sec. West tangent to said curve, a distance of 157.17 feet to a Point of Curvature of a circular curve to the left, having a radius of 500.00 feet, a central angle of 08 deg. 11 min. 45 sec., and being subtended by a chord which bears North 85 deg. 24 min. 21 sec. West - 71.46 feet;

THENCE in a westerly direction along said curve to the left, a distance of 71.52 feet;

THENCE North 89 deg. 30 min. 13 sec. West tangent to said curve, a distance of 11.62 feet;

THENCE North 00 deg. 20 min. 37 sec. East, a distance of 674.20 feet;

THENCE South 89 deg. 54 min. 00 sec. East, a distance of 92.50 feet;

THENCE North 00 deg. 06 min. 00 sec. East, a distance of 20.00 feet;

THENCE South 89 deg. 54 min. 00 sec. East, a distance of 747.01 feet to the **POINT OF BEGINNING**, containing 595,348 square feet or 13.667 acres of land, more or less.

MF-24/CO COMMERCIAL OFFICE HYBRID ZONING DISTRICT
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the East Half of Section 4, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found brass cap in handhole for the Southeast corner of said Section 4;

THENCE North 00 deg. 18 min. 47 sec. East along the East line of said Section 4, same being the monument line of Litchfield Road, at 1,074.32 feet pass a found City of Goodyear brass cap flush at the intersection of said Litchfield Road and Celebrate Life Way, continue a total distance of 1,903.19 feet;

THENCE North 89 deg. 41 min. 13 sec. West departing said East line, a distance of 1,775.27 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 00 deg. 20 min. 51 sec. East, a distance of 800.01 feet;

THENCE South 86 deg. 02 min. 14 sec. East, a distance of 506.01 feet;

THENCE South 00 deg. 20 min. 50 sec. West, a distance of 55.56 feet;

THENCE South 89 deg. 54 min. 00 sec. East, a distance of 49.83 feet;

THENCE South 00 deg. 20 min. 37 sec. West, a distance of 674.20 feet;

THENCE North 89 deg. 30 min. 13 sec. West, a distance of 49.87 feet;

THENCE South 00 deg. 20 min. 50 sec. West, a distance of 40.00 feet;

THENCE North 89 deg. 30 min. 13 sec. West, a distance of 505.01 feet to the **POINT OF BEGINNING**, containing 429,885 square feet or 9.869 acres of land, more or less.

GOODYEAR CELEBRATION PLAZA

PAD STANDARDS & GUIDELINES

FEBRUARY 7, 2023

PRESENTED BY:

RVi Planning + Landscape Architecture

Goodwin and Marshall Inc.

BGM

Stanley Consultants Inc.

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Exhibits

Exhibit 1 – Underlying Zoning Districts

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1. Introduction

This rezoning to a PAD to be named Goodyear Celebration Plaza rezones approximately 66.6 acres legally described in that certain document titled Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2022-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the "Property") from the existing PAD zoning providing for a Mixed-Use Commercial development to a PAD the provides for a combination of retail/commercial uses, medical office uses, and multi-family residential uses.

2. Property Description

The Property is approximately 66.6 acres in size

1. The uses surrounding the Property include the following:

- North: The Property is bounded by Interstate-10 freeway on the north. The usesnorth of the freeway include large-scale retail and restaurant uses, vacant land and warehouse/distribution uses.
- East: The Property is bounded by Litchfield Road on the east, which is a major arterial road. The uses east of Litchfield road include retail and restaurant uses, auto dealership, and office uses.
- South: A portion of the Property is bounded by CTCA on the south and another portion of the Property is bounded by Celebrate Life Way on the south, which is a collector road. The uses south of Celebrate Life Way include large-scale retail and restaurant uses, a hotel, self-storage facility, vacant land, some back office and an AZDOT testing center.
- West: A portion of the Property is bounded by CTCA on the west and another portion of the Property is bounded by vacant land included within the Airport Gateway PAD.

3. Land Use Plan/Underlying Zoning

There are four distinct zoning districts created in this PAD, which include C-2 General Commercial, CO Commercial Office, MF-24 Multi-Family and MF-12 Multi- Family and one hybrid district that will permit the development of either MF-24 Multi-Family or CO Commercial Office, with a restriction that for the first 24 months after City Council approves the zoning, the property must be developed using the CO district. After 24 months, either district can be used by right for all or any portion of the parcel. See **Exhibit 1** *Underlying Zoning Districts*.

C-2 General Commercial

The C-2 commercial uses are proposed along Litchfield Road where the highest level of access and visibility are provided. This zoning district will support various retail, hotel, and service-based uses to complement all the adjacent retail uses in the area, support the proposed residential and office uses on the subject site and the continued growth in the vicinity. There are no deviations to the C-2 General Commercial development standards.

CO Commercial Office

Further west and immediately north of the Cancer Treatment Centers of America's Goodyear Hospital, is a 15.5-acre medical office campus with an underlying zoning district of CO Commercial Office. This is planned as an integrated medical office campus with a walkable and connected complex of office buildings focused on support uses for the hospital and other office needs in the area.

MF-24 & MF-12 Multi-Family
Immediately west of the commercial uses along Litchfield Road are multi-family residential parcels with a proposed density range of approximately 10-30 du/ac with a minimum overall average density of 18 net du/ac for all residential parcels. The residential development parcels will provide needed housing options for the growing population in Goodyear and will provide opportunities for residents to live near where they work as there are significant employment opportunities within the immediate vicinity of the site.

Unless otherwise specified herein, all applicable standards or regulations identified within the City of Goodyear Zoning Ordinance or other applicable regulatory documents shall apply to development within the Property.

4. Zoning Districts

A. C-2 General Commercial Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as C-2 General Commercial Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the C-2 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the C-2 General Commercial Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

Except as modified below, the uses allowed to be developed in the C-2 Property are those uses, principal and special uses, permitted within property zoned C-2 General Commercial Zoning District as set forth in the City of Goodyear Zoning Ordinance.

1. Prohibited Principal Uses. The following uses identified in Section 3-3-3(A) of the Goodyear Zoning Ordinance as Principal Permitted Uses are expressly prohibited:

    - Adult bookstore, adult novelty store and adult theater
    - Automotive repair and upholstering.
    - Bus terminals.
    - Cleaning and dying plants.
    - Express office, including railway.
    - Frozen food lockers
    - Funeral home.
    - Fur cleaning and storage.
    - Mobile Home Storage.
    - Parking lots.
    - Pawn shop.
    - Public utility facilities and offices including facilities to serve the immediate area, but not including outside storage or maintenance yards for public utility use.
    - Seed and feed, retail and sales office.
    - Sign painting shop.
    - Smoke and vape shop
    - Taxidermist.

- Window glass installation shop.
- Non-Chartered financial institutions.

2. Prohibited Use Permit Uses. The following uses identified in Section 3-3-3(C) of the Goodyear Zoning Ordinance as Use Permit Uses are expressly prohibited:

- Automobile service stations.
- Car wash (hand or automatic).
- Storage buildings consisting of individually rented storage rooms which are independently accessed and locked and are used for dead storage purposes.
- Mobile home sales.

3. Restricted Use Permit Uses. The following use identified in Section 3-3-3(C) of the Goodyear Zoning Ordinance as a Use Permit Use is restricted as follows:

- Convenience Uses - No more than one (1) drive through restaurant is allowed through the Use Permit process and no more than one (1) convenience market/gas station is allowed through the Use Permit process.

B. CO Commercial Office Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as CO Commercial Office Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the CO Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the CO – Commercial Office Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

C. MF-24 Multi-Family Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-24 Multi-Family Residential Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the MF-24 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the CO – Commercial Office Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

D. MF-12 Multi-Family Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-12 Multi-Family Residential Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the MF-12 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the CO – Commercial Office Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

E. MF-24/CO Commercial Office Hybrid Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-24/CO Commercial Office Hybrid Zoning District in that certain document Legal description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the Hybrid Property), shall be developed either as MF-24 Multi-Family Residential or CO Commercial Office If the Hybrid Property is developed as MF-24 Multi-Family Residential, the development of the Hybrid Property shall comply with the requirements for the development of the MF-24 Property set forth herein and if the Hybrid Property is developed as CO-Commercial Office, the development of the Hybrid Property shall comply with the requirements for the CO Property set forth herein.

5. Development Standards

The development standards applicable to each of the Property zoning districts shall be those established in the City of Goodyear Zoning Ordinance for that respective zoning district, except as modified herein by this PAD Overlay. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

Development standards applicable to each zoning district are provided in the following sections, with modified standards designated by **bold** text:

A. C-2 General Commercial and CO Commercial Office Zoning Districts

Except as expressly modified in this document, all development within the CO Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the CO-Commercial Office Zoning District, including but not limited to, the requirements in in Section 3-3-6 (Commercial District Standards), and all development within the C-2 Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the C-2-General Commercial Zoning District, including but not limited to, the requirements in in Section 3-3-6 (Commercial District Standards).

Development Standard	CO	C-2
Minimum Net Site Area[3]	6,000	10,000
Minimum Lot Width[3]	60 ft	150 ft
Maximum Height[2]	**56 ft**	56 ft
Maximum Building Coverage	50%	50%
Minimum Setbacks		
Front	30 ft	30 ft [2 4]
Side	20ft[1]	N/A[1]
Rear	20 ft[1]	N/A[1]
Street Side	30 ft	30 ft[2]

1. Buildings adjacent to any residential use or district are subject to the requirements in Section 3-3-6(B) of the Goodyear Zoning Ordinance, including the minimum building setbacks set forth in Section 3-3-6 (B)(6)(c).

2. Buildings with heights in excess of 30 ft. shall provide 1 foot of additional setback for each foot of building height over 30 ft.

3. Except as provided herein, minimum net site area and lot width requirements do not apply for lots within a unified commercial development, which is a development intended for three or more businesses, so long as the development has permanent cross-access, shared parking and access easements, in a form approved by the City Attorney or his/her designee, necessary to meet minimum parking and maneuvering requirements and any other applicable requirements. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum net site area or minimum lot width requirements, this exception shall not apply.

4. Except as provided herein, the setback for lots within a unified commercial development, which is intended for three or more businesses with permanent cross access and shared parking easements, shall be measured from the nearest public streets. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum setbacks, this exception shall not apply.

B. MF-24 Multi-Family Residential District

Except as expressly modified in this document, all development within the MF-24 Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the MF-24 Multi-Family Residential Zoning District, including but not limited to, the requirements in in Section 3-2-5 (Development Standards for the Multi-Family District).

Districts	MF-24
Maximum Density in Du/Ac	**30**
Minimum lot Width	100
Minimum lot depth	N/A
Maximum Height (ft.)	**56**
Accessory building (ft.)	12
Maximum Building coverage	50%
Minimum Perimeter Setbacks	
Front (ft.)	30
Street Side (ft.)	30
Side except for Street Side (ft.)	20
Total Both Sides (ft.)	40
Rear (ft.)	30
Minimum Setback from single-family residential zoning	
Building Height 20 feet or less (ft.)	30
Building Height between 20 and 30 feet (ft.)	50
Building Height greater than 30 feet (ft.)	50 feet +5 feet for every foot over 30’
Recreational Open Space (sq. ft./d.u.)	400
Private Outdoor Open Space (sq. ft./d.u.)	60

C. MF-12 Multi-Family Residential District

Except as expressly modified in this document, all development within the MF-12 Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the MF-12 Multi-Family Residential Zoning District, including but not limited to, the requirements in in Section 3-2-5 (Development Standards for the Multi-Family District).

The following table replaces Table 3-2-5 in Section 3-2-5 (Development Standards for Multi-Family District) and provides development standards for the MF-12 Property. This table provides for two sets of development standards, one for a single-lot unsubdivided development such as an apartment complex or condo-type development, and a subdivided option for developments that include individual lots, such as townhomes or small-lot development.

District	MF-12 Unsubdivided	MF-12 Subdivided
Minimum/Maximum Net Density in Du/Ac[1]	**10/15**	**10/15**
Minimum lot Width	200'	**22'**
Minimum Lot Depth	N/A	**50'**
Maximum Height (ft.)[7]	**30**	**30**
Minimum # of Stories (no single-story permitted)	2	**2**
Accessory building Max. Height (ft.)	12	**12**
Maximum Building coverage[8]	**75%**	**75% / 85%**
Perimeter Setbacks (Perimeter of MF-12 District)		
Front (Southern Boundary) (ft.)	30	**30**
Side (Eastern and Western Boundaries) (ft.)	10	**10**
Rear (Northern Boundary) (ft.)	20	**20**
Interior Setbacks (for Subdivided Product Only)		
Front (ft.)[2]	N/A	**3**
Front facing garage (ft.)	N/A[3]	**20[3]**
Side (ft.) (to allow for zero lot line development)	N/A	**0**
Total both sides (ft.)[4]	N/A	**6**
Street Side (ft.)[5]	N/A	**10**
Rear (ft.)	N/A	**3**
Minimum Setback from single-family residential zoning		
Building Height 20 feet or less (ft.)	30	**30**
Building Height between 20 and 30 feet (ft.)	50	**50**
Building Height greater than 30 feet (ft.)	50 feet +5 feet for every foot over 30'	**50 feet +5 feet for every foot over 30'**
Recreational Open Space (sq. ft./d.u.)[6]	400	**400**
Private Outdoor Open Space (sq. ft./d.u.)	200	**200**

(1) Net density shall exclude the designated park parcel because this parcel will be available for use by all development parcels.

(2) Front setback shall be measured to patios, livable space, and side entry garages.

(3) If garages with driveways are provided, driveways must be less than 5' deep or a minimum of 20' deep to avoid cars overhanging into the street, sidewalk or drive aisle.

(4) For attached product, there is no side setback between attached units, but a minimum building separation of 6 feet is required.

(5) Where a minimum 10-foot-wide landscape tract is provided, the typical side setbacks, rather than Street Side setback applies.

(6) Recreational open space for the MF-12 Property shall be calculated using all of the MF-12-PAD Property, including the park parcel in accordance with 3-2-5 (B) of the Goodyear Zoning Ordinance.

(7) All residential structures within the MF-12 Property shall be a minimum of two stories.

(8) For detached units, lot coverage is 75%. For attached units, lot coverage is 85%.

D. General Development Standards

1. Unless otherwise modified herein and as referenced below, all other applicable development standards shall comply with the City of Goodyear Zoning Ordinance. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

2. Minimum Densities In addition to the individual minimum / maximum densities applied to the portions of the Property developed as MF-12 and MF-24, a combined minimum net density for all of the Property developed as MF-12 and MF-24 shall be no less than 18.0 net du/ac.

6. Site Plan

The Conceptual Site Plan attached hereto as **Exhibit 2** conveys a potential development plan for the Property but is illustrative only.

7. Pedestrian Circulation and Open Space Plan

Public Trails and Private Trails shall be constructed through-out the Property to provide connectivity throughout the entire Property at the level and intensity generally reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3.**

Specific trail locations and details will be determined during the site plan review process, in conformance with the following:

a. Public trails shall consist of concrete or other hard surface material with a minimum width of eight feet for trails around the perimeter of the Property and a minimum width of five feet for trails within the Property.

b. Private Trails shall consist of concrete or other hard surface material with a minimum width of five feet.
c. Public trails shall be accessible and open to all residents, employees, and visitors of any of the developments within the Property, Cancer Treatment Center of America hospital and adjacent developments.
d. A Public Trail shall be provided around the perimeter of the Subject Site;
e. Trail connections shall be provided between the various developments within the Property either by open connections and/or gated connections;
f. Where trail connections cross a private road or drive aisle, an enhanced, decorative surface shall be provided for the crossing;
g. Shading shall be provided along the trails by trees, buildings and/or shade structures.

h. Public Trails along the perimeter of the Property shall be constructed outside of any perimeter walls installed along the boundaries of the Property so they are accessible and open to all residents, employees, and visitors of any of the developments within the Property, Cancer Treatment Center of America hospital and adjacent developments.

A park that is at least 1.5 acres in size containing the following minimum amenities: landscaping including shade trees, turf (live or artificial), shaded play areas, gazebo with picnic tables, seating, and connections to the overall pedestrian circulation system shall be developed at the north west corner of the MF-12 Property, as generally reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3**. The park shall be available for use by residents, employees, and visitors of any of the developments within the Property and for use by employees and visitors from Cancer Treatment Center of America hospital. If the MF-12 Property is subdivided, the park shall be maintained by a Homeowner's Association or Property Owner's Association. If the MF-12 Property is not subdivided, the park shall be maintained by the property owner. The park shall be completed with the first phase of development within the Property.

8. Design Guidelines

Except as otherwise provided herein, the Property shall be developed in conformance with the City of Goodyear Design Guides Manual.

Buildings and other structures constructed on the Property shall also be in conformance with the character elements as shown on the Architectural Character Imagery, attached hereto as **Exhibit 4**, and the following additional standards:

Architectural and Building Standards

1. Color schemes for development within the MF-12 Property, the MF-24 Property and the Hybrid Property if developed as MF-24 shall add interest and variation to buildings on the site. Base colors of white and grey tones are discouraged and should only be used as accent colors to complement the primary colors.

2. A color palette has been provided as **Exhibit 5**, which provides a general guide to various color options to be considered for the residential development. While these colors provide a guide for developers, other similar or accent color options can be provided as reviewed and approved through the formal site plan/design review process.

- If the MF-12 Property, or the MF-24 Property or the Hybrid Property are developed as one large multi-family development, at least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of colors and accent colors/materials shall be used in a manner which creates a minimum of four (4) unique building schemes throughout the site. A variation in rooflines is encouraged.
    i. A minimum of two (2) distinctive roof styles/elevations and heights shall be utilized across the site.

- If the MF-12 Property, or the MF-24 Property, or the Hybrid Property are developed as two or more separate multi-family developments, at least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of base colors and accent colors/materials shall be used in a manner which creates a minimum of two (2) unique building schemes throughout the site. A variation of roof lines is encouraged.
    i. A minimum of two (2) distinctive roof styles/elevations and heights shall be utilized across the site.

3. All multi-family residential buildings shall incorporate 4-sided architecture.
4. Ground floor residential facades facing Celebrate Life Way or adjacent to the commercial center shall not extend more than thirty (30) feet without being interrupted by a change in color, material, texture, or an architectural feature such as, but not limited to, a window, shade awning, or pop-out.
5. As multi-family residential parcels interface with the commercial center, it should not be fronted with "back of house" type features such as carriage garages or largely non-articulated walled off patios. It should be pedestrian oriented or fronted by the narrowest section of the apartment buildings or ground level pedestrian accessible patios thus providing gaps in which residents of the multi-family development can traverse between the two parcels at keyed and gates access points.
6. At least one (1) of the multi-family residential buildings developed in the MF-24 Property AND one (1) multi-family residential building developed in the MF-12 Property shall front or side the eastern perimeter of the development located adjacent to the C-2 Property to provide visual and pedestrian connectivity to the commercial center.
7. Architectural elements on all multi-family residential buildings shall include at least six (6) of the following features, or other similar enhancement features:
    - Articulated parapet line including variation in height;
    - Expressed window heads and/or sills;
    - Variation of stucco patterning (horizontal and vertical);
    - Shading elements and/or awnings;
    - Variety of window articulation;
    - Stepped cornice detailing;
    - Celebrated entries;
    - Complimentary color palette;
    - Decorative accent detailing where appropriate.
8. The same level of detail and articulation for the front elevations of buildings in the C-2 Property that are closest to I-10, shall apply to the rear of the buildings facing I-10.

<u>Perimeter/Security Fencing & Walls</u>

9. Except as provided herein, no perimeter screening, fencing or walls are required.
    - If parking is provided adjacent to Litchfield Road, Celebrate Life Way or Interstate 10, parking areas shall be screened with a minimum of 36-inch decorative screen wall.
    - If perimeter fencing or walls are to be constructing such walls and fencing shall be open view fencing except solid fences/walls may be used for appropriate screening, privacy, safety, noise and security reasons.
10. If walls or fencing is constructed between the residential and commercial development parcels, view fencing is encouraged in areas where residential privacy or required

screening of equipment such as trash enclosures or mechanical equipment is not impacted. A combination of view fencing and solid walls is encouraged in these areas as appropriate.

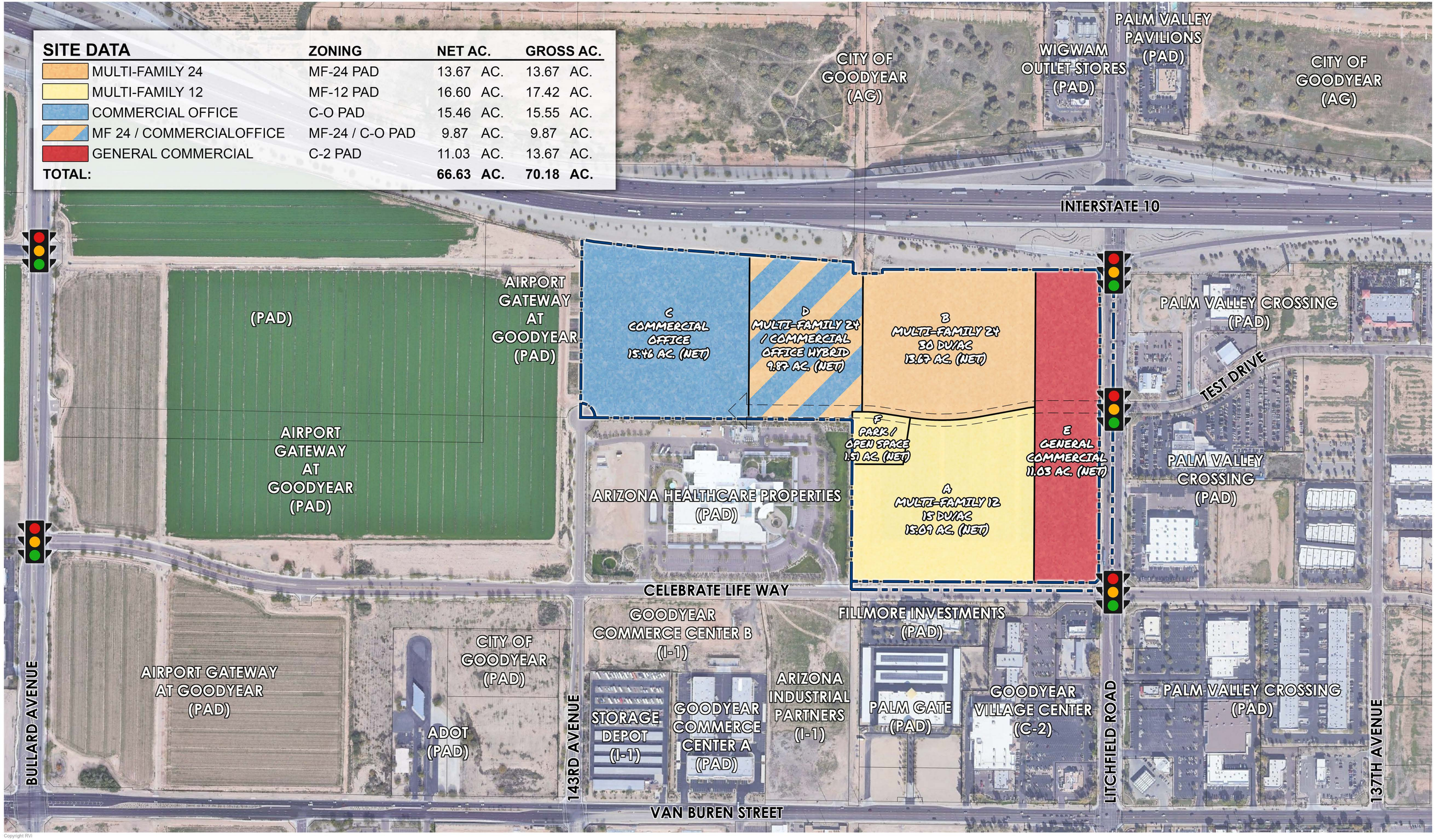
11. Ground floor patios of units that are located adjacent to and facing Celebrate Life Way shall have gates and sidewalks/paths to provide direct access to the sidewalk along Celebrate Life Way.
12. Pedestrian gate connections and sidewalk paths shall be provided as needed to provide at least two (2) points of access to the sidewalk along Celebrate Life Way one of which is generally located in the location of the Private Trail between the northern and southern boundaries of the MF-12 Property as reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3** and the other of which is generally located between the boundary between the MF-12 Property and the C-2 Property as reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3**.
13. Walls and fencing installed within the Property shall complement existing walls and materials used within the Celebration Plaza area.
14. Trash enclosures shall be fully screened from the perimeter of the development and from individual units with a fully enclosed screen wall and opaque gates, and shall not be located immediately adjacent to the front door of a residential unit.

Pedestrian Connectivity and Site Design

15. Pedestrian connectivity through parking areas and drive aisles shall be clearly marked with enhanced paving such as pavers, colored concrete or other approved materials.
16. Each multi-family residential building shall provide a minimum of one (1) pedestrian connection from the building to an adjacent sidewalk or major pedestrian connection.
17. Site lighting, pavers, landscaping, signage design, and other community features shall complement the existing improvements and themes established within the Celebration Plaza area.
18. Signage for the property shall be coordinated through the approval of a Comprehensive Sign Package.

Exhibit 1

Underlying Zoning Districts



SITE DATA	ZONING	NET AC.	GROSS AC.
MULTI-FAMILY 24	MF-24 PAD	13.67 AC.	13.67 AC.
MULTI-FAMILY 12	MF-12 PAD	16.60 AC.	17.42 AC.
COMMERCIAL OFFICE	C-O PAD	15.46 AC.	15.55 AC.
MF 24 / COMMERCIALOFFICE	MF-24 / C-O PAD	9.87 AC.	9.87 AC.
GENERAL COMMERCIAL	C-2 PAD	11.03 AC.	13.67 AC.
TOTAL:		**66.63 AC.**	**70.18 AC.**

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CELEBRATION PLAZA • UNDERLYING ZONING DISTRICTS

GOODYEAR, AZ
2023-01-09
210002020

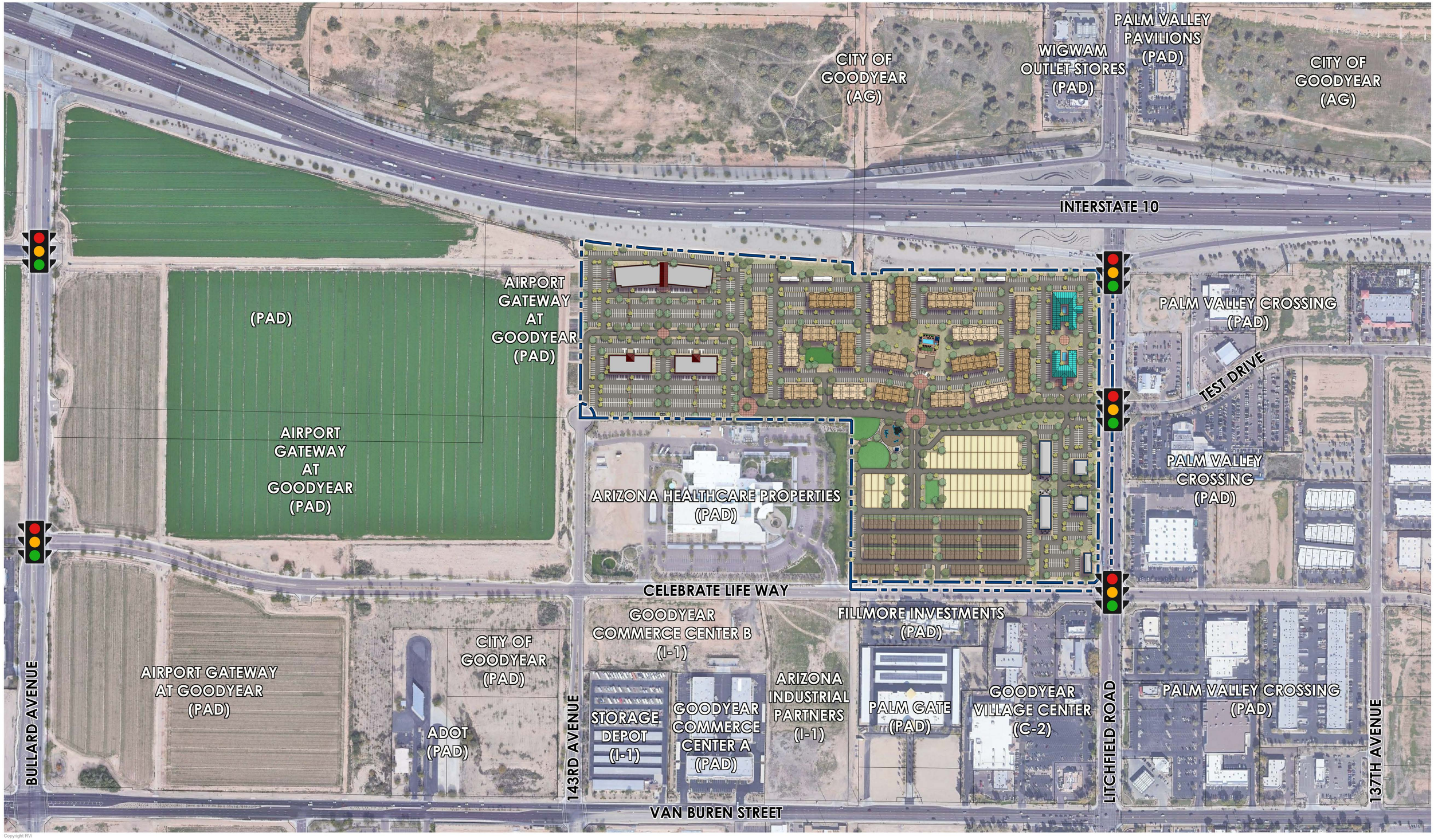
Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit 2

Conceptual Site Plan



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CELEBRATION PLAZA • **CONCEPTUAL SITE PLAN**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

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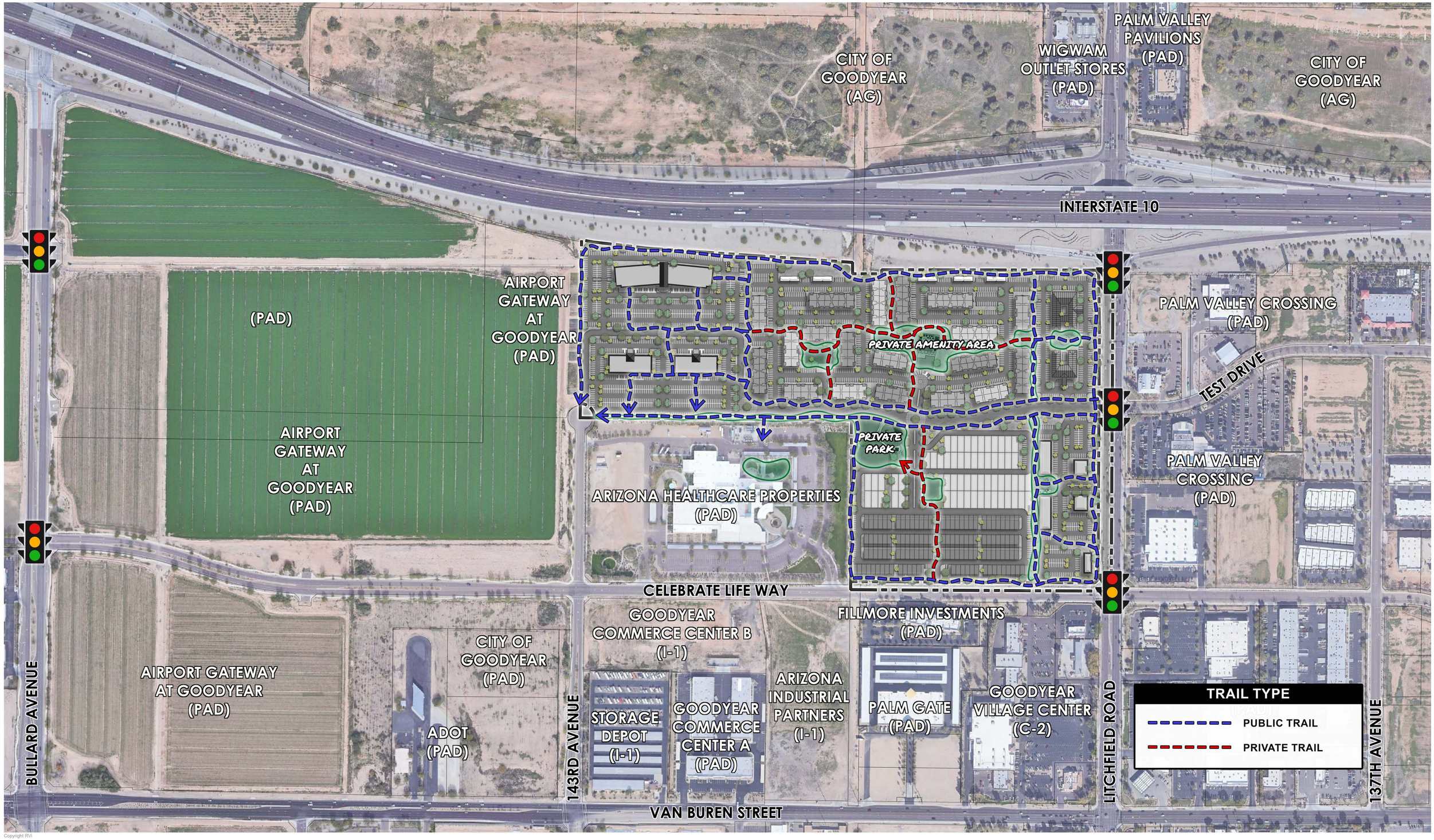
Exhibit 3

Conceptual Pedestrian Circulation & Open Space Plan



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CELEBRATION PLAZA • **PEDESTRIAN CIRCULATION AND OPEN SPACE PLAN**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit 4

Architectural Character Imagery

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: COMMERCIAL CHARACTER**

GOODYEAR, AZ
2022-08-25
210002020

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MEDICAL OFFICE CHARACTER**

GOODYEAR, AZ

2022-08-25

210002020

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MULTI-FAMILY 24**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

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CONCEPTUAL 5 UNIT BUILDING - FRONT

CONCEPTUAL 5 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

CONCEPTUAL 6 UNIT BUILDING - FRONT

CONCEPTUAL 6 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

CONCEPTUAL 6 UNIT BUILDING - FRONT

CONCEPTUAL 6 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

NEW VILLAGE HOMES

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MULTI-FAMILY 12**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit 5

Multi-Family Color Palette

Drawing1.dwg

COLOR PALETTE:

To bring the community to life, a variety of colors and materials are encouraged throughout Celebration Plaza. The color palette shown below represent a selection of appropriate colors inspired by the natural context of the land and the nearby mountains. The use of gray and white tones are strongly discouraged as the primary and dominant color of buildings and shall be limited to accent elements only.

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CELEBRATION PLAZA • **MULTI-FAMILY COLOR PALETTE**

GOODYEAR, AZ
2023-02-16
21002020

ORDINANCE NO. 2023-1562

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 66.6 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LITCHFIELD ROAD AND I-10 FROM PRELIMINARY PLANNED AREA DEVELOPMENT AND PLANNED AREA DEVELOPMENT (PAD) TO FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE GOODYEAR CELEBRATION PLAZA 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; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, the subject property consists of approximately 66.6 acres generally located at the southwest corner of Litchfield Road and I-10, legally described in those certain documents titled Celebration Plaza Legal Descriptions, which documents were declared a public record by Resolution No. 2023-2279, and which are referred to and made a part hereof as if fully set forth in this Ordinance (collectively the “Property”); 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, approximately 26 acres of the Property are currently zoned Preliminary Planned Area Development (PAD). That PAD is known as the Airport Gateway at Goodyear PAD, and was approved by Council on October 9, 2007 with the adoption of Ordinance No. 07-1091; and

WHEREAS, the Property within the Airport Gateway PAD is designated as ‘Business Park’ which allows uses such as professional and medical office buildings, commercial trade schools and business colleges, light manufacturing, restaurants and retail; and

WHEREAS, the remaining approximate 40 acres of the Property are zoned Planned Area Development (PAD). That PAD is known as the Goodyear Palms Plaza PAD, and was approved by Council on December 14, 2008 with the adoption of Ordinance No. 08-1153; and

WHEREAS, the Property within the Goodyear Palms Plaza PAD is designated as mixed-use commercial allowing uses such as retail, office, and hotels; and

WHEREAS, the request is to rezone the approximately 66.6-acre Property to Final PAD as set forth in the Goodyear Celebration Plaza Planned Area Development Standards and Guidelines Book dated February 7, 2023, which document was declared a public record by Resolution No. 2023-2279 and which is hereby adopted, referred to and made a part hereof as if fully set forth in this Ordinance (the “Celebration Plaza PAD”)

WHEREAS, as proposed by the Celebration Plaza PAD, approximately 15 acres (net) of the Property will be developed as MF-12 (Multi-Family), as modified by the Celebration Plaza PAD; approximately 13.67 acres (net) of the Property will be developed as MF-24 (Multi-Family), as modified by the Celebration Plaza PAD; approximately 9.87 acres (net) of the Property will be developed as either MF-24 (Multi-Family) or C-O (Commercial Office), as modified by the Celebration Plaza PAD (the “Hybrid District”); approximately 15.46 acres (net) of the Property will

be developed as C-O (Commercial Office) as modified by the Celebration Plaza PAD; and, approximately 11.03 acres (net) of the Property will be developed as C-2 (General Commercial) as modified by the Celebration Plaza PAD; and

WHEREAS, as set forth in the Celebration Plaza PAD, the portion of the Property identified as a Hybrid District that can be developed either as MF-24 (Multi-Family) or C-O (Commercial Office), but for the first 24 months upon adoption, this portion of the Property must be developed in accordance with the C-O (Commercial Office) zoning district standards and uses; and

WHEREAS, the portion of the Property to be developed as multi-family residential is intended to provide for high densities, and to that end, the proposed Celebration Plaza PAD includes: (i) an increase in the density allowed in the portions of the Property to be developed as MF-12 (Multi-Family) from 12 du/ac to 15 du/ac; (ii) an increase in the density allowed in the portions of the Property to be developed as MF-24 (Multi-Family) from 24 du/ac to 30 du/ac; a minimum overall density for all multi-family residential development within the Property of 18 du/ac; and a requirement that all residential structures within the portion of the Property to be developed as MF-12 (Multi-Family Residential) shall be at least two-stories; and

WHEREAS, to accommodate the increase in densities, the maximum height allowed for structures within the portion of the Property to be developed as MF-12 (Multi-Family) is increased from 25 feet to 30 feet and the maximum height allowed for structures within the portion of the Property to be developed as MF-24 (Multi-Family) is increased from 40 feet to 56 feet; and

WHEREAS, the proposed rezoning will permit the development of a commercial center along Litchfield Road that permits uses within the C-2 (General Commercial) zoning district, but eliminates specific uses in keeping with the intent of the current PAD and it allows for the development of an office complex within the C-O (Commercial Office) zoning district; and

WHEREAS, in accordance with the city's Citizen Review Process, a citizen review was held on October 18, 2022. Notice providing information on the request and meeting details was mailed to surrounding property owners within 500 feet of the subject property. There was no opposition to the request received at the citizen review meeting; 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, staff has determined that the proposed rezoning is in conformance with the General Plan and will not adversely impact the surrounding area; and

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on January 11, 2023, appeared in the Arizona Republic Southwest Valley edition on December 23, 2022; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on January 11, 2023, to consider this rezoning, and the Commission voted (6-0) to recommend approval of the rezoning subject to the stipulations that had been presented; and

WHEREAS, public notice that this PAD rezoning is to be considered and reviewed at a public hearing held before the City Council on January 23, 2023 appeared in the Arizona Republic Southwest Valley edition on December 23, 2022; and

WHEREAS, at the January 23, 2023 public hearing, some Councilmembers expressed concerns with the proposal, including: the large amount of multi-family zoning proposed along the freeway; whether the hybrid term of 18 months was adequate to secure a desired medical office user on the site; potential effects the development could have on the City of Hope facility; and, the need for additional design enhancements for the multi-family buildings. Given these concerns, the Council voted to table the item; and

WHEREAS, after Council tabled its consideration of the rezoning request, the property owner amended the Celebration Plaza PAD to add a revised color palette, increased the lot coverage for the MF-12 zoning designation, and increased the period during which the portion of the property identified as the “Hybrid” zoning district could be developed only as C-O (Commercial Office) was increased from 18 months to 24 months; and

WHEREAS, staff had recommended that Area D Identified in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD as the Hybrid Zoning District, be developed solely as Commercial Office. A stipulation (Stipulation No. 2 of draft Ordinance 2023-1562 presented to the Commission on March 8, 2023) to make the adjustment. The modification was based on concerns expressed by Council on the development of this area as MF-24 and the desire of city staff to see this area developed as a medical office complex; and

WHEREAS, due to the changes as noted herein, this rezoning had to be brought back to Planning and Zoning Commission and City Council for consideration. Notice for the March public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice and display ad published in the Arizona Republic on February 17, 2023; and a notice of public hearings sign posted on the property; and

WHEREAS, at the March 8, 2023, public hearing before the Planning and Zoning Commission, the Commission heard a presentation from staff, including the proposed changes to the request since the item was tabled. During the hearing, Commissioners asked the following: the occupancy rate for office in the city, which staff has since found to be approximately 91%; if the hybrid parcel is zoned solely for commercial office, would a rezoning be required in the future if multi-family development is desired, which staff responded in the affirmative; is there concern from the City of Hope on the proposed request, which staff responded a letter of support had been provided; and if additional multi-family opportunities are being provided in city, which staff responded that several thousand additional units are currently in development review. Upon close of the public hearing, the Commission amended the staff recommendation to remove Stipulation No. 2 from Ordinance No. 2023-1562, which limited the hybrid parcel to commercial office use, and then unanimously voted (5-0) to forward this amended recommendation to the City Council; and

WHEREAS, as originally scheduled, this item was to be heard by the City Council on March 20, 2023. However, the item has since been scheduled for consideration by the City Council at a public hearing to be held on April 24, 2023. Notice for the April 24 public hearing was conducted in accordance with all applicable City and State regulations concerning such notice, including a display ad published in the Arizona Republic Southwest Valley edition on April 7, 2023; and

WHEREAS, based on the foregoing Recitals and the other information presented, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this ordinance to be in the best interests of the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2023-1562 applies to approximately 66.6 acres generally located southwest of Litchfield Road and I-10 as legally described in those certain documents titled: Area A MF-12 Multi-Family Residential Zoning District Legal Description; Area B MF-24 Multi-Family Residential Zoning District Legal Description; Area C CO Commercial Office Zoning District Legal Description; Area D MF-24/CO Commercial Office Hybrid Zoning District Legal Description; and Area E C-2 General Commercial Zoning District Legal Description, which documents were declared public records by Resolution No. 2023-2279 and which are referred to and made a part hereof as if fully set forth in this Ordinance (collectively the "Property").

SECTION 2. ADOPTION OF FINDINGS

The clauses set forth above are hereby adopted and incorporated herein by this reference as if fully set forth herein.

SECTION 3. REZONING

The Property is conditionally rezoned from Preliminary Planned Area Development (PAD) and Planned Area Development (PAD) to Planned Area Development (PAD) Zoning District by the adoption herein of the certain document titled Goodyear Celebration Plaza Planned Area Development Standards and Guidelines dated February 7, 2023, which document was declared a public record by Resolution 2023-2279 and which is hereby adopted, referred to and made a part hereof as if fully set forth in this Ordinance

SECTION 4. STIPULATIONS

The rezoning of this Property is subject to the following stipulations and conditions of approval:

1. Except as modified by the following stipulations and conditions of approval set forth herein, all development of the Property shall be in compliance with the Goodyear Celebration Plaza Planned Area Development Standards and Guidelines Book dated February 7, 2023, which document was declared a public record by Resolution No. 2023-2279 and which is hereby adopted, referred to and made a part hereof as if fully set forth in this Ordinance (the "Celebration Plaza PAD"); and
2. All Public Sales Reports for the Property, all final plats and minor land divisions subdividing all or part of the Property, and all rental agreements for the rental of any residential unit within the Property shall include the

following disclosures: The Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at or taking off from the Phoenix-Goodyear Airport. All final plats and minor land divisions subdividing all or part of the Property shall include notes setting forth the foregoing requirements including the requirements that such disclosures be included within all rental agreements for the rental of any residential units within the Property; and

3. Signage shall be posted within all sales and rental offices selling or renting residential units that identifies the location of the Phoenix Goodyear Airport: 65 Ldn and higher noise contours, departure corridors, and vicinity boundary. This display shall include a 24-inch x 36-inch map at the main entrance of such sales and rental offices and shall include the approximate locations of the Phoenix Goodyear Airport: 65 Ldn and higher noise contours, departure corridors, and vicinity boundary and all of the buildings on the Property; and

4. Owner shall comply with the requirements in Article 9-1 and all sections therein. A sound attenuation plan that complies with the requirements of Sections 9-1-3 and 9-1-4 of the City of Goodyear Zoning Ordinance, shall be submitted with all site plans that include multi-family residential structures located completely or partially within 500 feet of the exterior edge of the I-10 right-of-way boundary. The development of the Property subject to the sound attenuation plan shall incorporate all sound attenuation measures included in sound attenuation plans as approved by the City; and

5. The Conceptual Site Plan, attached as Exhibit 2 to the Celebration Plaza PAD, and the Pedestrian Circulation and Open Space Plan, attached as Exhibit 3 to the Celebration PAD, are not approved. All future development within the Property will be subject to site plan and design review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation; and

6. The supporting documents submitted with the application and proposed PAD seeking to rezone the Property included site plan level of detail, including, but not limited to traffic impact analysis, preliminary sewer, water, and drainage designs, representations regarding water and sewer lines that will serve the Property, representations regarding the existence of water and sewer capacity, utility layouts, phasing plans, grading and drainage plans, and circulation plans. None of the supporting documents, plans, reports, designs, utility layouts, analysis, representations regarding location of water and sewer lines that will serve the property or the existence of water and sewer capacity sufficient to serve the Property are approved. Owner shall be required to submit current reports, studies, plans, designs as required in all applicable development regulations, including the City of Goodyear Engineering

Design Standards and Policies Manual at the time of site plan or preliminary plat submittal, including, but not limited to the following:

a. The Traffic Impact Analysis submitted with the application for rezoning is not approved. An updated Traffic Impact Analysis that complies with all of the requirements in the Engineering Design Standards and Policies Manual shall be submitted with the first preliminary plat and/or site plan submitted for development of the Property for review and approval of both the City Engineer or his/her designee and ADOT. The Traffic Impact Analysis shall identify all infrastructure required to accommodate the additional trips generated by the development of Property as rezoned, and the location of all access points from the public right-of-way to the Property, all of which shall comply with all applicable regulations including the requirements in the Engineering Design Standards and Policies Manual and requirements imposed by ADOT because of the Property's proximity to I-10; and

b. The Preliminary Sewer Report submitted with the application for rezoning is not approved. An updated Preliminary Sewer Report that complies with all of the requirements in the Engineering Design Standards and Policies Manual shall be submitted with the first preliminary plat and/or site plan submitted for the development of the Property and approved by the City Engineer or his/her designee. The Preliminary Sewer Report shall include an analysis of the existing (current conditions) of the Palm Valley Crossing Lift Station verifying that it can adequately convey the additional proposed flows generated by the development of Property as rezoned consistent with all applicable Development Regulations, including requirements in the Engineering Design Standards and Policies Manual; and

7. No signage is approved for the Property. A Comprehensive Sign Package shall be submitted for this property in compliance with the City of Goodyear Zoning Ordinance Article 7 (Sign Regulations). Any requests for deviation from Article 7 will require the Comprehensive Sign Package to be approved by City Council; and

8. Owner shall construct, at Owner's sole cost and expense, all infrastructure improvements determined by the City as being necessary to provide water service and wastewater service to the Property, including by way of example but not limitation, upgrades to the Palm Valley Crossing Lift Station if needed to accommodate the additional flows generated by the development of the Property as rezoned; and

9. Owner shall design and construct, at no cost to the City, all improvements needed for the completion of the full half-street improvements for the west half of the section of N. Litchfield Road along the frontage of the Property required for a Major Arterial as set forth in the Engineering Design Standards in effect at the time of construction, which improvements shall be determined during the site plan or platting process, but which includes, at a minimum the installation of a bike lane (the "N. Litchfield Road Improvements"). If the installation of a median is

required, Owner shall construct the full median and full median landscaping. The N. Litchfield Road 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

10. The Owner shall provide for the preservation and maintenance of the existing row of mature palm trees located along the Litchfield Road frontage of the property in the preparation of site improvements. All palm trees that are removed for the purpose of locating a drive must be relocated on the site, unless the Development Services Director, or his/her designee, determines that the extended life or existing condition of the palm trees does not warrant preservation. Any palm trees that do not warrant preservation shall be replaced with new palm trees; and

11. Owner shall design and construct, at no cost to the City, all improvements needed for the completion of full half street improvements for the north half of the section of the W. Celebrate Life Way along the frontage of the property required for a Major Collector as set forth in the Engineering Design Standards and Policies Manual in effect at the time of construction, which improvements shall be determined during the site plan or platting process (the "Celebrate Life Way Improvements"). If the installation of a median is required, Owner shall construct the full median and full median landscaping. The Celebrate Life Way Improvements shall be completed and accepted by the City Engineer or his designee, subject to completion of the warranty period, prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property; and

12. Owner shall construct all improvements needed for the completion of full half-street improvements for the east half of the section of N. 143rd Ave. along the frontage of or within the Property required for a Minor Collector Rd. as set forth in the Engineering Design Standards in effect at the time of construction, which shall be determined during the site plan process (the "N. 143rd Ave. Improvements"). The N. 143rd Ave. Improvements shall be completed and accepted by the City Engineer or his designee subject to completion of the warranty period prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property; and

13. Owner, at Owner's sole cost and expense, shall relocate or replace existing traffic signal improvements, as may be needed to the accommodate access to the Property or the completion of the N. Litchfield Road Improvements. If existing traffic signal improvements have to be relocated, Owner shall, at no cost to the City, convey to the City, lien free and free of all encumbrances unless expressly agreed to by the City, the property where the relocated traffic signals are located; and

14. Owner is responsible for a proportionate share of the costs of any new traffic signals identified in an approved Traffic Impact Analysis/Study as being needed. If an updated Traffic Impact Analysis/Study reflects the need for any additional 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 were 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. 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, Minor Land Division ("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; and

15. 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 the approval of any Site Plan, recordation of the first final plat subdividing all or part of the Property, or the issuance of any construction permits for work within the Property, whichever is earlier; and

16. 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

17. Owner shall design and construct, at no cost to the City, all infrastructure improvements required by the City of Goodyear subdivision regulations and Engineering Design Standards and Policy Manual in effect at the time of development; and

18. No final plat shall be recorded, no site plans approved, and/or no construction permits issued until Owner has provided the City with all approvals and/or easements from jurisdictions or parties whose property interests will be impacted by the development contemplated by such final plat, site plan, and/or construction permit. All required approvals and easements shall be in a form acceptable to the City Engineer or his/her designee; and

19. Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The rights-of-way for 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 written development agreement approved by the Council or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made prior to or concurrent with recordation of the recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permit for work within the Property, whichever is earlier; and

20. In addition to compliance with the stipulations and conditions of approval set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear subdivision regulations, the city of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property; and

21. If any of the infrastructure improvements required by Owner to design and construct pursuant to the terms of this Ordinance have been constructed or are to be constructed by others, then Owner shall remit an in-lieu payment to the city in the amount of the actual costs incurred in the design and construction such infrastructure improvements if completed or, if not completed, the payment shall be in the amount of an engineer's estimate of the costs as approved by the Goodyear City Engineer or his/her designee. The payment requirement herein shall be paid to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property.

SECTION 5. AMENDMENT OF ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning set forth in Section 3 of this Ordinance by the adoption of that certain document titled, “Official Supplementary Zoning Map No. 22-10A, declared a public record by Resolution 2023-2279 and which is hereby adopted, referred to and made a part hereof as if fully set forth in this ordinance; and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the city of Goodyear.

SECTION 6. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder’s Office.

SECTION 7. 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 8. 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 9. 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 10. 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 11. 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.

SECTION 12. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

_____
Darcie McCracken, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

Name of Map: Goodyear Celebration Plaza Rezone

Description: 22-200-00014

GOODYEAR CELEBRATION PLAZA

PAD NARRATIVE

FEBRUARY 7, 2023

PRESENTED BY:

RVi Planning + Landscape Architecture

Goodwin and Marshall Inc.

BGM

Stanley Consultants Inc.

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1. PROJECT INTRODUCTION

RVi Planning + Landscape Architecture, on behalf of ICIC Property Investments 5, LLC, is pleased to submit this PAD application for Goodyear Celebration Plaza ("Subject Site") to change the existing zoning from Mixed-Use Commercial PAD to a combination of retail/commercial uses, medical office uses and multi-family residential uses with a PAD overlay on approximately 70 gross acres, located on multiple parcels generally bound by Interstate-10 to the north, Litchfield Road to the east, Celebrate Life Way to the south, and the 143rd Avenue cul-de-sac to the west. The Arizona Healthcare Properties is not a part of this request, nor are the properties at the northwest portion of this general area. **See Exhibit 1: Vicinity Map.**

The APN#s for the subject site include the following:

- APN# 500-10-712A
- APN# 500-04-990A
- APN# 500-04-003H
- APN# 500-04-003Y

This request is to create a new stand-alone PAD for the subject site, removing the property entirely from the two existing PADs (Goodyear Palm Plaza PAD and Airport Gateway PAD). A detailed market analysis, including an evaluation of highest and best uses was prepared for the property to assist with the overall land use and development plan, and a more detailed summary of this market study is provided later in this narrative.

This PAD narrative will provide the framework for future development of the Subject Site. In the following sections, additional information will be provided as it relates to the following items:

- Site Analysis
- Proposed PAD Zoning Map
- Conceptual Site Plan
- Regulatory Development Standards
- Design Guidelines

The proposed development plan will be compatible and complimentary to the surrounding uses within the immediate vicinity of the property. This includes a greater mix of uses such as multi-family residential, which will support and ensure higher demand for the existing and proposed retail and office uses proposed in the area.

2. SITE ANALYSIS

The property is currently part of two separate Planned Area Developments (PADs), the Goodyear Palm Plaza PAD and the Airport Gateway PAD. The Goodyear Palm Plaza PAD, approved in 2008, includes the easternmost 44 +/- acres of the Celebration Plaza property. The current zoning designation for this property is PAD Mixed-Use Commercial with a proposed a mix of hotels, retail shops, offices, and retail pad sites.

The western portion of the property is part of the Airport Gateway PAD that was approved in 2007. This approval was for a Preliminary PAD which "*does not confer any right to develop the property*" as codified within the Goodyear Zoning Ordinance. The subject property includes approximately 26 +/- acres of the 212-acre Airport Gateway PAD. The anchor for this PAD was the Cancer Treatment Centers of America's Goodyear Hospital, which is built and in full operation, and is not a part of the Subject Site. The land use master plan for the Airport Gateway PAD includes a mix of retail, regional commercial, business park and the hospital site. Permitted uses include medical and hospital-related uses, business park, office, retail, and wholesale/warehouse use among other compatible uses. To date the entire Subject Site remains undeveloped.

Table 1 (next page) provides a breakdown of the existing and surrounding land uses.

All surrounding developments within the area are zoned PAD allowing primarily for commercial, industrial and office uses. The nature of the surrounding area is reserved for Business and Commerce uses as defined by the General Plan which are consistent with the proposed rezoning for the Subject Site. See **Exhibit 2: 2025 General Plan Land Use Map** and **Exhibit 3: Existing Zoning Map.**

TABLE 1: EXISTING AND SURROUNDING LAND USES			
Location	General Plan Land Use Designation	Existing Zoning	Existing Land Use
Site	Business & Commerce	Goodyear Palms Plaza PAD, Airport Gateway PAD	Vacant
North	Business & Commerce	Interstate 10 Freeway, PAD	Large-scale retail and restaurant uses, vacant land, and warehouse/distribution uses
South	Business & Commerce	Palm Gate PAD, Goodyear Village Center PAD	Large-scale retail and restaurant uses, a hotel, self-storage facility
West	Business & Commerce	Airport Gateway PAD	Cancer Treatment Centers of America's Goodyear Hospital, Vacant
East	Business & Commerce	Palm Valley Crossing PAD	Retail, restaurant, auto dealership

Existing General Plan Analysis

The property is entirely within the Business and Commerce category of the City's General Plan. The Business and Commerce category is defined in the General Plan as follows:

"The Business & Commerce category provides areas for the growth and development of Goodyear's economic base including large areas for shopping and entertainment. This category includes uses such as ***community level retail, entertainment, service-oriented businesses*** *that are typically regionally significant (typically serving a trade area of 5-10 miles or larger). Business & Commerce includes such uses as, but not limited to,* ***business parks, offices,*** *warehouses, regional hospitals,* ***high density residential*** *that supports the area, and other light industrial uses that are also appropriate in certain areas. This category may also include* ***public and community facilities****."*

The proposed Celebration Plaza development provides for a wide variety of uses all of which are identified as appropriate and compatible within the Business and Commerce Category (see bolded uses above), including community retail, service-oriented business, and multi-family residential with a minimum average overall density of 18 du/ac to support the area, thus not triggering an amendment to the General Plan. It should be noted that while some individual residential parcels may be less than 18 du/ac to allow for a variety and diversity of residential product types to meet the needs in the area, the residential uses collectively will include a minimum 18 net du/ac as required per the General Plan. The PAD addresses Standards 36-42 as outlined in the Business & Commerce category within the General Plan throughout the remainder of this document. The goal with Celebration Plaza is to not only provide a dynamic mix of compatible uses, but to also connect the parcels together creatively in an integrated way and meet the primary principles of a successful mixed-use project as defined further below.

General Plan Mixed Use Principles

In accordance with the City's 2025 General Plan and principles of successful mixed-use developments, Celebration Plaza will incorporate several key ingredients to support a successful mixed-use project, including:

- **Right Sizing the Blocks:** Each development parcel (block) is appropriately sized to support the mix of uses, and is designed to provide appropriate scale, connectivity and integration with open spaces, trails, and circulation routes.

- **Creative Mix of Land Uses:** The proposed plan includes a creative and compatible mix of uses, including retail/commercial, medical office, multi-family residential, and public open spaces.
- **Roadway Hierarchy:** The internal and perimeter roadways proposed include a hierarchy of roadways, including arterial roads along the east and west perimeter, a major collector road as an internal specialty collector road connecting the various parcels and facilitating additional pedestrian connectivity through the site.
- **Great-Streets:** The internal roadway will be designed as a Great-Street, with a mix of vehicle circulation, pedestrian and bicycle circulation, and traffic-calming measures to ensure safe and efficient circulation opportunities for all travel modes.
- **Key Open Space:** The proposed development includes several key open space components, including a primary public open space element, and various additional open spaces internal to the individual parcels.
- **Convenient Walkability:** The overall premise of this master plan is walkability and connectivity between and among parcels, so that the overall development is connected and integrates for pedestrians, bicyclists, and vehicles. A Pedestrian Circulation and Open Space Plan is included with this application highlights the proposed connectivity. As stated above, pedestrian linkages are a critical component of this plan, and will be provided.
- **Convenient Parking:** Each development parcel will provide for its own convenient parking, and all are connected via the internal and perimeter roadway system.
- **Easy Site Access:** There are several access points into the site, along with dedicated signalized turning movements into and out of the property. The project in bound by two arterial roads with direct access to Interstate-10, with several access points into the property along Litchfield Road, Bullard Avenue, and Celebrate Life Way.

Existing Pre-Development Conditions

The Subject Site slopes generally toward the south and has relatively flat topography. Due to the property's former agricultural use, some site grading has occurred, but the land remains vacant. The following sections provide additional information related to the existing conditions of the site. The site is surrounding by existing City infrastructure and will construct all necessary water and sewer services to the individual sites in accordance with the City of Goodyear's standards. Additional information and details are provided in separate Drainage, Water and Sewer Preliminary reports.

Other Providers

School Districts: Avondale Elementary School District #44 and Agua Fria High School District

Electricity: APS

Refuse: City of Goodyear

Fire and Law: City of Goodyear

Water: City of Goodyear

Sewer: City of Goodyear

Market Study Evaluation

A Highest and Best Use Analysis study was prepared for the property by Elliott D. Pollack & Company. The purpose of this study is to evaluate the real estate market surrounding the subject property and identify potential uses that would be appropriate for the site, considering the City land use plans for the area, current zoning, and real estate market activity. The outcome of this study indicates the following as recommended highest and best uses for the property:

- **Retail Development:** The maturity of the retail market in Goodyear suggests that retail demand on the property will likely be limited; however, retail pads on the frontage of Litchfield Road and potentially a small strip center may be viable. Large regional or big-box retail may not be supported on this site due to the abundance of such uses and land still available in the immediate vicinity.
- **Multi-Family Development:** Goodyear is forecasted to grow by 48,000 persons over the next 10 years. This translates to approximately 18,000 new housing units during this 10-year period. It is expected that approximately 30% of these will be multi-family units, or 5,400 units. Even with the large growth in multi-family over the past several years, vacancy rates are very low, and demand continues to grow in this area and through Goodyear.

- **Office Development:** While Goodyear has a modest inventory of office development, there is continued risk associated with office construction due to the fallout from the pandemic. Vacancy rates have risen, and an abundance of sub-lease space is on the market. Based on current trends, caution should be exercised for office development on the subject site. However, some office may be viable at a modest pace, including some medical office, and is proposed for the project.
- **Hotel Development:** There are three primary hotel categories that will likely be in demand within this sub-market area, including business and corporate clients, hospital clients, and leisure clients. The study recommends up to two hotel sites on the subject property, including an extended stay hotel and a business-oriented hotel that could occur within the commercial parcel.

The applicant believes this is an appropriate mix of uses, is thoughtfully designed and is compatible with the City's goals of attracting a large-scale mixed-use development in this area. We believe this mix of uses will meet the market demand for this area and can be successful in today's economic climate.

Regional Commercial Analysis

In addition to the market analysis that was provided for the property, the project team evaluated the surrounding land uses within a mile from the Subject Site. The purpose of this exercise was to understand the current commercial and industrial environment of the surrounding area to help inform the land uses within the PAD. The analysis showed that within a mile of the Site there is approximately 197 acres of undeveloped commercial and approximately 252 acres of developed commercial land and approximately 351 acres of undeveloped Industrial/Office and 411 acres of developed Industrial/Office.

This finding shows that in combination with the market analysis for the site, existing area is supportive of multi-family development and that there is an opportunity to provide additional housing to support the growth of the surrounding commercial and industrial areas. Currently entitled commercial and industrial properties have adequate capacity to support the growing Goodyear Industry. See **Exhibit 4: Regional Commercial Analysis.**

3. PROPOSED PAD ZONING AND CONCEPTUAL LAND USE PLAN

The PAD will provide five underlying zoning districts for the property which include MF-12, MF-24, C-O, a hybrid MF-24 / C-O parcel, and C-2 further described in the following sections and as defined by the associated PAD Zoning Map. See **Exhibit 5: Proposed PAD Zoning Map**. Additionally, a conceptual site plan has been provided showing greater detail of the proposed layout of the uses

TABLE 2: LAND USE PLAN DISTRIBUTION SUMMARY

PARCEL	LAND USE DESIGNATION	ZONING DISTRICT	GROSS AC.
A	Multi-Family 12	MF-12-PAD	15.91
B	Multi-Family 24	MF-24-PAD	13.67
C	Medical/Office	CO-PAD	15.55
D	Multi-Family 24 / Medical Office Hybrid	MF-24 / CO-PAD	9.87
E	Commercial	C-2-PAD	13.67
F	Park	MF-12-PAD	1.51
TOTAL	-		70.18

*Note: Provided acreages and lot counts are approximate and may be subject to change throughout the development process.

identified by the PAD Zoning Map. See **Exhibit 6: Conceptual Site Plan.** (Note - this site plan is conceptual and reflects the hybrid parcel as MF-24.) Table 2 below provides a breakdown of the PAD Zoning Map designations.

Provided that the proposed development of a parcel is in general conformance with this PAD, final approval of each site plan shall be processed through City staff administratively prior to development of a parcel. Unless expressly modified in the associated PAD Narrative and PAD Development Standards Book, all development within the Property shall comply with the requirements of the City of Goodyear Zoning Ordinance and Design Guidelines.

Conceptual Site Plan

For each respective land use designation, an overall conceptual site plan has been provided for the entire PAD showing how the development will be horizontally integrated and may develop in the future. The following sections describe the various land use designations in greater detail, identifying the type of character that should be incorporated into the overall PAD.

Multi-Family 12

Immediately west of the commercial uses along Litchfield Road is a multi-family parcel with a proposed density range of between 10 du/ac to 15 du/ac on approximately 15 net acres. This parcel will provide two types of highly in demand housing product to support the employment opportunities within the immediate vicinity of the site in a unique layout.

The parcel illustrates approximately 181 homes and is designed to accommodate both for rent and for sale parcels. The parcel may include two different types of residential product; approximately 120 units of attached townhome product as 3 bedroom-2 bath homes with a 2-car garage (ranging from 1,250-1,350 sf) and approximately 61 detached townhomes with customizable home designs ranging from 2,008-2,410 square feet. The detached townhome product features two-car garages with a covered drive and second floor patio. Additional options for this type of product may include both an extended courtyard and a detached approximately 200 sq. ft. bonus room for residents. The provided open space for this parcel will be on the western side of the parcel shared between the two residential product types.

The proposed underlying zoning for this parcel is MF-12 PAD and will include modified standards to accommodate many different styles of residential development. The proposed PAD seeks to modify the existing MF-12 development standards by providing a minimum net density of 10 du/ac, increasing the maximum net density to 15 du/ac, requiring a minimum of 2-stories (No single-story units permitted) and adding an additional subdivided development option which provides the ability to accommodate the detached home product on individual lots, among others. The 2-story minimum will ensure a higher intensity development and avoid the single-story horizontal apartments that are so abundant in Goodyear. As shown by the conceptual site plan, the layout of the detached for sale home product would be designed and built on approximately 33' x 81' lots as a possible development style which is unique to the underlying MF-12 district. All permitted uses and site development standards shall follow Article 3-2 in the Goodyear Zoning ordinance as codified.

Multi-Family 24

A second multi-family parcel is planned to the north of the Multi-Family 12 parcel between the proposed commercial and medical office parcel, and north of the proposed internal collector roadway. This parcel will utilize the MF-24 zoning district incorporating three-story or four-story residential buildings with up to 30 dwelling units per acre including approximately 12 and 36 units per building dispersed throughout the site on a single lot. The parcel may also include 2-story carriage house buildings with tuck under garage units, as shown by the provided conceptual site plan.

The community design of the multi-family parcels should incorporate a modern, boutique gated community focused on a high quality, amenities, and lifestyle. The primary theme is meant to capture a contemporary look and feel with clean lines while providing seamless transitions to an indoor-outdoor residential environment as demonstrated in the architectural renderings

submitted as part of the PAD. The proposed design utilizes a blend of modern materials to create a common design aesthetic, while providing for individuality to create emphasis on key site features. Landscaping should be designed to complement the modern-transitional character of the community and landscape materials should be organized in patterns to bring emphasis to key arrival areas, pedestrian nodes, and recreational areas. A variety of recreation amenities are encouraged to provide residents of all ages with ample outdoor activities supporting daily lifestyle needs.

The overall design of the Multi-Family 24 parcel is to encourage a sense of community with multiple amenity areas that incorporate social elements, fitness elements and work elements including but not limited to the following:

- Clubhouse that will include a leasing center, workspaces, clubhouse entertaining area, fitness center and outdoor gaming areas.
- Resort style pool which will include cabanas and a spa.
- Outdoor entertainment areas including outdoor kitchen areas, outdoor gaming lawns and firepits. The design will allow for social gathering areas to be scattered across the property rather than in just one area.
- Children's tot lot
- Fenced in dog park with a washing station.
- Connected walking paths and open lawn spaces to create fitness options within the community.
- Electric vehicle stations along with mobile food delivery and transportation locations to allow for an integrated nature between mobile services and the community.
- Package lockers allowing for delivery services for the residents.

Medical Office

Further west and immediately north of the Cancer Treatment Centers of America's Goodyear Hospital, is proposed as a 15.5-acre medical office campus with a projection of approximately 250,000 square feet of office space. This PAD outlines how this area may be planned as an integrated office campus, including a likely medical office component, with a walkable and connected complex of office buildings focused on support uses for the hospital and other office needs in the area. As shown by the conceptual site plan, this parcel will provide opportunities for additional offices to support for the adjacent hospital, as well as other office opportunities for existing and future businesses in the area. This includes two separate medical office buildings (MOB's) around 54,000 sq.ft. and one larger 3-story office building of approximately 140,000 sq. ft.

The medical office designated parcel will use the underlying CO Commercial Office District which includes professional and administrative services established at a residential scale, providing for transition between retail commercial areas and residential uses. All uses permitted in this PAD shall follow all applicable development standards outlined in Article 3-3 as provided in the Goodyear Zoning Ordinance. No deviations to any applicable development standards within the underlying CO district are proposed per this PAD.

Multi-Family 24 / Medical Office Hybrid

Between the Multi-family 24 parcel and the Medical Office parcel is a hybrid parcel that will allow for either use by right. The intent is this parcel can be combined with either the Medical Office parcel to provide additional medical office uses, or it can be combined with the Multi-Family 24 parcel to provide additional multi-family residential uses. Additionally, it can be split to include any portion of the parcel for each use as appropriate. However, for the first 18 months following adoption of the Ordinance approving the zoning, this hybrid parcel can only be developed using the Medical Office zoning district to encourage additional office uses based on potential demand over the first 18 months of zoning approval. After 18 months, this restriction is removed and the parcel can develop using either zoning district by right for all or any portion of the parcel. All uses and development standards or each zoning district are consistent with the applicable district standards as defined within the PAD Booklet included as a separate attachment with this PAD Narrative.

Commercial

The Commercial land use designation will utilize the underlying C-2 Zoning District which provides for general retail, service, and office use, as well as the encouragement of medical offices, hotels, and master planned retail shopping centers that respond to community and regional area demand for goods and services. The C-2 commercial uses are proposed along Litchfield Road where the highest level of access and visibility is provided. The conceptual layout of the commercial area should include opportunities for shared access, parking, unique design themes and open space areas that encourage a more integrated commercial center. Pedestrian connections will be provided to the commercial center allowing easy walkable access from the remainder of the PAD.

The PAD will provide a selected list of principally permitted uses that mirror the intent of the previous PADs and the appropriateness for the immediate area, which includes limiting the number of permitted convenience users to one. No deviations to the underlying zoning districts development standards are proposed

Private Park

Immediately adjacent to the two residential parcels is a proposed 1.5-acre park that will be a shared private park amenity for all development as part of this PAD. The park/open space parcel will be zoning MF-12-PAD similar to the adjacent parcel and will be included in the adjacent MF-12 parcel for purposes of required open space, but not included in the net density since it will be shared with all development parcels within the overall project. This amenity space will include active and passive amenities for all residents and visitors using the park, and may include a playground, shaded seating areas, informal turf play areas, landscaping, picnic areas, and trails connecting to the overall PAD's trail system. This will provide opportunities for residents, employees, patients of the hospital, and visitors to enjoy outdoor active and passive recreational activities within a central location of the overall development. This park is centrally located and will be designed with the first phase of development.

Pedestrian Circulation and Open Space Plan

Pedestrian connections shall be provided throughout the PAD and provide connections to each of the proposed land uses as well as open space areas that are evenly distributed throughout the PAD and located in areas that are easily accessible and emphasized through building and site design. Pedestrian pathways are provided to promote easy walkability throughout the PAD making this a horizontally integrated PAD. Open spaces are provided at natural terminus areas creating a sense of arrival and inviting spaces. Additional details are provided and shown on **Exhibit 7: Pedestrian Circulation and Open Space Plan.**

Circulation

The main entrance to the Site is proposed to be from a singular two-way driveway into the Subject Site from Litchfield Road to the 143rd Avenue cul-de-sac to the east. The main access point off Litchfield Road is located to correspond with the existing median break in Litchfield Road, at the approximate mid- point of the Site, to allow for full traffic movement and access to and from the Site. This main driveway immediately off Litchfield Road will be flanked by two of the small retail/restaurant development pads adjacent to Litchfield Road, and the in/out lanes will be separated by a landscaped median. As the main accessway continues into the Site, it will connect with secondary interior accessways extending to parking areas and development parcels to the north and south of the main accessway.

The main entry and each secondary interior accessway will be improved with decorative pavers to help define and enhance the design features of the Site, to help unify the Site design, to promote connectivity and to clearly mark and identify the main entry and secondary interior accessway points. Additionally, a central roundabout is proposed on the primary collector through the site which helps with traffic calming and creates a sense of character to the overall PAD.

Traffic Impact Analysis

Additional street and or driveways will be installed at the time of site plan review and approval to ensure appropriate site circulation in accordance with the Traffic Impact Analysis (TIA) provided by Stanley Group as a separate document. Appropriate street dedications shall be required at the time of site plan approval or final plat approvals as applicable in accordance with all applicable City of Goodyear standards.

PAD Section 1-3-1 D Compliance Statement

The Zoning Ordinance identifies specific criteria in Section 1-3-1 D that staff and the Planning Commission is to use to evaluate rezoning applications. The following section provides an overview of how the proposed development meets the intent of the Zoning Ordinance.

a. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted;

Response: The proposed Celebration Plaza development provides for a wide variety of uses all of which are identified as appropriate and compatible within the Business and Commerce Category including community retail, medical office, service-oriented business, and multi-family residential to support the area, thus not triggering an amendment to the General Plan.

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

Response: While the subject property is irregular-shaped, great care has been taken in the initial design process to integrate the uses together with a series of connected vehicular and pedestrian circulation routes as well as interconnected open spaces to create a dynamic, mixed-use master plan. Additionally, connectivity to adjacent parcels will be integrated into the master plan so that as these adjacent parcels are developed, they can seamlessly connect to the multi-layered vehicular and pedestrian circulation network.

c. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values;

Response: All surrounding developments within the area are zoned PAD allowing primarily for commercial, industrial, and office uses. The nature of the surrounding area is reserved for Business and Commerce uses as defined by the General Plan which is consistent with the proposed PAD for the Subject Site. The proposed development plan will be compatible and complimentary to the surrounding uses within the immediate vicinity of the property, but with a greater mix of uses to include multi-family residential, which will support and ensure higher demand for the existing and proposed retail and office uses proposed in the area.

d. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning;

Response: The analysis showed that within a half mile of the site that within a mile of the Site there is approximately 197 acres of undeveloped commercial and approximately 252 acres of developed commercial land and approximately 351 acres of undeveloped Industrial/Office and 411 acres of developed Industrial/Office. The applicant believes this is an appropriate mix of uses, is thoughtfully designed and is compatible with the City's goals of attracting a large-scale mixed-use development in this area. We believe this mix of uses will meet the market demand for this area and can be successful in today's economic climate.

e. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand;

Response: The property is currently part of two separate Planned Area Developments (PAD's), including the Goodyear Palm Plaza PAD and the Airport Gateway PAD. The Goodyear Palms Plaza PAD, approved in 2008, includes the easternmost 44 +/- acres of the Celebration Plaza property. The current zoning designation for this property is PAD Mixed-Use Commercial. The PAD proposed a mix of hotels, retail shops, offices, and retail pad sites, though nothing has developed on the property to date based on the existing PAD. The Airport Gateway PAD is a preliminary PAD encompassing a 212-acre area that was intended to be developed as a mixed-use center for employment and commercial uses.

The proposed PAD seeks to simplify the entitlements on this property consistent with past approvals and surrounding development context. The principally permitted are consistent with those uses surrounding the site.

f. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;

Response: To support the PAD as required by the City of Goodyear, a preliminary water report, sewer report, Traffic Impact Analysis (TIA) and drainage report have been provided which outline the feasibility of the proposed PAD. These reports include but are not limited to the following information:

- The existing water infrastructure within the project vicinity and available to serve the proposed development.
- Identify projected demands for Average Day, Maximum Day, Peak Hour, and Maximum Day Plus Fire Flow demand conditions.
- Identify required infrastructure, including water line sizes, locations, and alignments, necessary to serve the proposed demands.
- Presentation of the results of the hydraulic model of the proposed infrastructure.
- Preliminary drainage analysis.
- Existing sewer system, projected wastewater flows, and proposed improvements.
- Assessment of the adequacy of the surrounding roadway conditions and their ability to properly serve the proposed land uses.

As required by the City of Goodyear, a school impact analysis is also provided below. The school district boundaries include Avondale Elementary School District #44 and Agua Fria High School District. Calculations for the anticipated impact on the school districts are shown below.

SCHOOL DISTRICT	MAX # OF RESIDENTIAL UNITS	STUDENT RATIO	MAX # OF STUDENTS
Avondale Elementary School District #44	886	0.30 Students/Unit	266
Agua Fria High School District	886	0.19 Students/Unit	169
Total	886		435

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

Response: None. The Subject Site is within close proximity of all required infrastructure, as provided by the associated engineering reports. Additional review and approval will be required through the City's site plan approval process as development occurs.

h. General public's concerns;

Response: As required by the PAD rezoning process, the project team will conduct a neighborhood outreach process to discuss the specifics of the proposed project. Additional details relating to the public involvement process will be documented within the Citizen Participation report as required by the PAD rezoning requirements.

i. Whether the amendment promotes orderly growth and development; and,

Response: The proposed PAD amendment seeks to simplify complicated existing entitlements as the Subject Site exists in multiple PADs that have different standards. This PAD narrative provides assurance that the entire approximately 70-acre site is developed under consistent development standards and design guidelines to promote orderly growth and development. The provisions provided within the PAD are consistent with the City's General Plan and Zoning Ordinance.

j. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

Response: The project team has taken great care in evaluating the need for this amendment and ensuring some consistency with the approved PAD is achieved. The creation of the new PAD does not significantly impact the existing PAD's and provides additional acreage for housing, commercial, and medical office services to support the future growth in this area.

4. PAD DEVIATIONS TO DEVELOPMENT STANDARDS

MF-24 District Deviations:

1. Increase Density from 24 du/ac to 30 du/ac

Justification: This increase in density will allow more flexibility on residential product types suitable for the property while supporting the City's goal of higher density within this area.

2. Increase maximum building height from 40' to 56'

Justification: The increase height will allow up to 4-story building which will provide more options for higher density product, meeting the City's goal of high density within this area and maintaining compatibility with the surrounding uses.

MF-12 District Deviations:

1. Minimum and Maximum Density from N/A to 10 du/ac and from 12 to 15 du/ac

Justification: Minimum density will ensure the project does not permit lower density residential product within the development, and maximum density will allow a slightly higher density that MF-12 currently permits to provide more flexibility and diversity in product types.

2. Minimum Lot Width from 200' to 22' for subdivided product.

Justification: This will allow for higher density subdivided lots as a development option to provide variety and diversity within the residential uses.

3. Maximum Height from 25' to 30'

Justification: This will allow a slightly higher 2-story unit as may be needed for the proposed product type while maintaining compatibility with surrounding uses.

4. Minimum Stories from N/A to 2-story

Justification: This will ensure no single-story horizontal apartments, or other single-story residential is permitted where higher density uses are desired.

5. Maximum Building Coverage from 50% to 75%

Justification: This will allow smaller lots for the subdivided option while ensuring density remains high. Further, since there is a private park adjacent, additional common open space is provided to mitigate the increased lot coverage.

6. Perimeter Setbacks: From 30' to 20' for the north perimeter, and from 20' to 10' for east and west perimeter.

Justification: While the southern (front) setback is maintained at 30', interior to the project, reduced setbacks are justified as this is an integrated master-planned development and based on the immediately adjacent uses, the reduced setbacks will allow for additional density and is compatible with surrounding uses.

7. Interior Setbacks (for subdivided product only): Front - 3' and 20' for garage Side - 0 and 6' for both sides; Street Side - 10; Rear - 3'.

Justification: These standards are additional setback standards for subdivided product within the MF-12 district and are appropriate for the proposed product type.

5. ARCHITECTURAL DESIGN EXPECTATIONS

The PAD proposes four differing architectural character areas with a unifying theme across the PAD including:

- Multi-Family 24
- Multi-Family 12
- Commercial
- Medical Office

Development within the PAD shall include a wide variety of materials with contrasting textures, and colors that complement the surrounding area and overall intent of the PAD, while providing flexibility to that provides an opportunity for multiple architectural design styles to be realized within context of the overall PAD. Individual building elevations as part of the PAD shall be coordinated regarding color, texture, materials, finishes, and form as described by the Goodyear Design Guidelines and as provided within this section. The design principles described below and shown by the provided imagery are meant to convey the development team's overall vision for the intended character of the PAD. They are not intended to be prescriptive or fully comprehensive in nature.

Building architecture shall be designed with consideration to the following characteristics that contribute to a quality development further supported by the City of Goodyear Design Guidelines:

- A variety of natural hues with various accent colors that promote a cohesive overall development character are encouraged.
- Prominent entries, windows, color and material are factors in the visual impression of a building.
- Multiple buildings in a single project should employ variety in size and mass to provide visual interest.
- All commercial buildings shall have clearly defined customer entrance(s) incorporating elements which may include:
  - Canopies or porticos
  - Overhangs
  - Recesses/projections
  - Arcades
  - Raised parapets
  - Peaked roof forms
  - Entrance framed by outdoor pedestrian features or enhanced landscaping.
- The reduction of building mass may be achieved by using a combination of the following techniques:

- Variation in the roof lines and form
- Use of ground level arcades and covered areas
- Use of protected and recessed entries
- Use of vertical elements on or in front of expansive blank walls
- Use of pronounced wall plane off sets and projections
- Use of focal points and vertical accents
- Inclusion of windows on elevations facing streets and pedestrian areas
- Distinction between roof, body and base of a building.

- All restaurants are encouraged to have an outdoor dining patio or convertible indoor/ outdoor space.
- Mechanical equipment, whether ground-level or roof mounted, and other fixtures shall be screened from public view and be perceived as an integral part of the building.

Architectural Character Imagery

The imagery provided within this section is meant to provide the development teams vision for the overall PAD, establishing a consistent theme and character throughout. The provided imagery is exemplary and not prescriptive for each of the land use category provided as part of the PAD. See **Exhibit 8: Architectural Character Imagery.**

Additional regulatory design guidelines are provided in the Planned Area Development Standards and Guidelines booklet,

6. INFRASTRUCTURE / UTILITIES

Water & Wastewater Infrastructure: Systems and connections will meet applicable City requirements at the time of development. Water and wastewater infrastructure will be designed to be in compliance with the City of Goodyear Engineering Standards Manual, Codes and Ordinances, and will be served from the City of Goodyear water system. The project will be responsible for constructing an onsite water distribution system consisting of 8" and 12" water lines that will provide fire, domestic, and irrigation demands. Connections will be made to the existing water lines in Litchfield Avenue, Celebrate Life Way and 143rd Avenue.

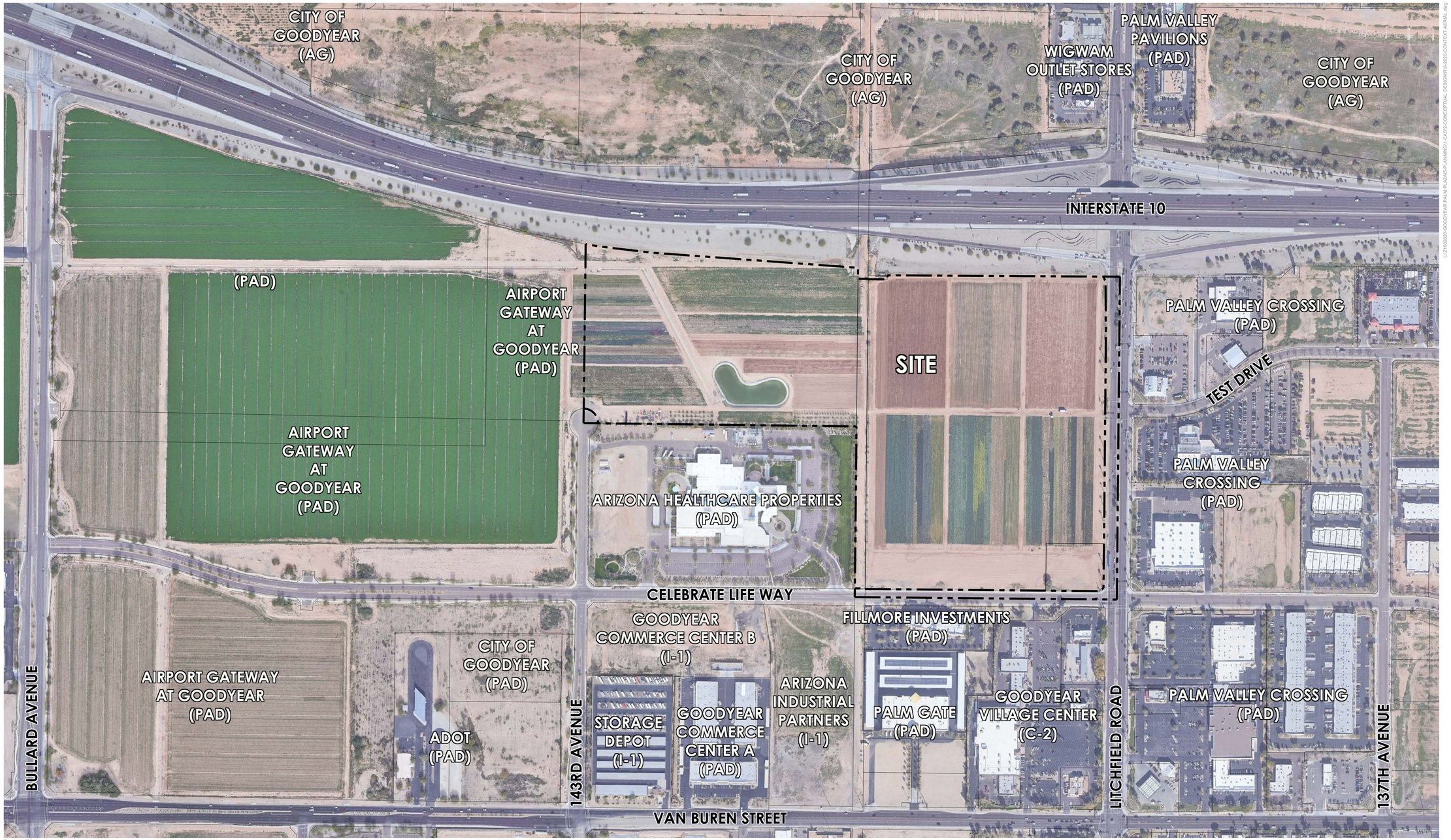
Drainage: The project will be designed to be in compliance with City of Goodyear Engineering Standards Manual and other required drainage guidelines. The site will be responsible for storing the 100 year 6 hour retention volume and have adequate percolation/discharge capacity to drain the volume within a 36-hour time period. Adjoining half street drainage from Celebrate Life Way and Litchfield Avenue will be accommodated on-site as necessary.

Sewer: The development will be served by the City of Goodyear sewer system. The project will be served by various 8" sewer line stubs located towards the south and west portions of the site. These 8" stubs will be extended throughout the site and connect to a 12" sewer line in 143rd Avenue and 12" sewer line in Celebrate Life Way.

Roadway: As part of the initial review of the project TIA, the city commented that a bike lane should be constructed along the western ½ street for Litchfield Road adjoining the site. The project team is currently working with the city to request a waiver to construct the bike lane utilizing an off-street path rather than the bike lane location per Goodyear's typical section in order to avoid widening Litchfield Road, which would require the relocation of the traffic signals at Test Drive and Celebration Plaza Way , as well as potential removal and reconstruction of curb and gutter, landscaping and other roadway improvements currently in place. This approach will be similar to how the bike traffic was accommodated along the east side of Litchfield Road, minimizes traffic disruption for Litchfield Road during construction, and maximizes safety for cyclist at both the north and south end of the project limits where on-street bike lanes do not exist. The project will dedicate right-of-way and construct roadway improvements in compliance with City of Goodyear Engineering Standards, Manual, Codes and Ordinances based on the outcome of this waiver request. Roadway access shall be determined by City approved Traffic Study/Analysis at the time of development.

7. CONCLUSION

While the subject property is irregular-shaped, great care will be taken in the design process to integrate the uses with a series of connected vehicular and pedestrian circulation routes as well as interconnected open spaces resulting in a dynamic, mixed-use master plan. Additionally, connectivity to adjacent parcels will be integrated into the master plan so that as these adjacent parcels are developed they can seamlessly connect to the multi-layered vehicular and pedestrian circulation network. Finally, integrated connectivity will be provided to the existing hospital to ensure pedestrian connections between the hospital site and the proposed uses. The overall proposed master plan will provide significant opportunities for the City and residents of Goodyear to provide a true integrated horizontal mixed-use master plan on a high-profile site within the City of Goodyear.



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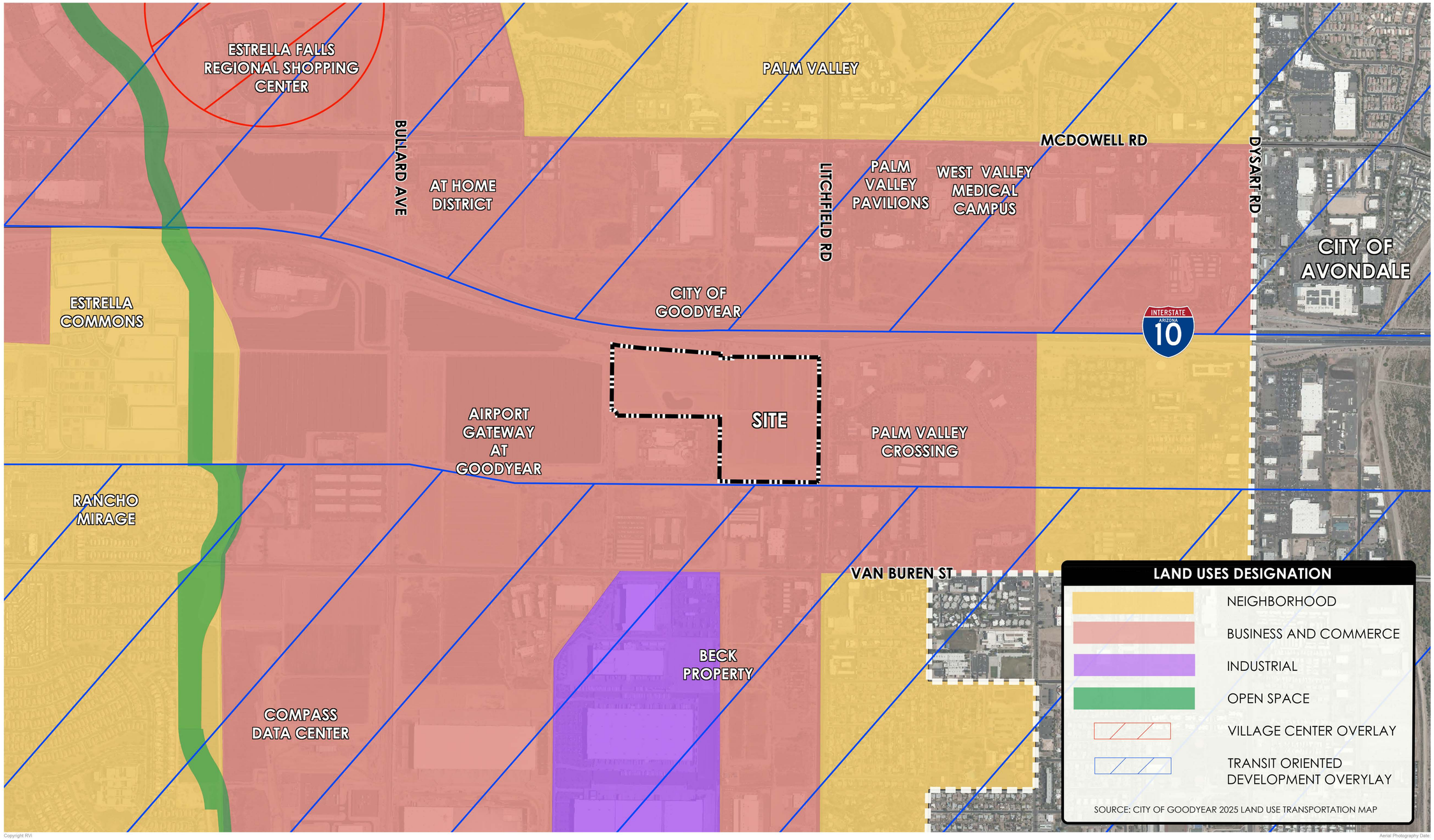

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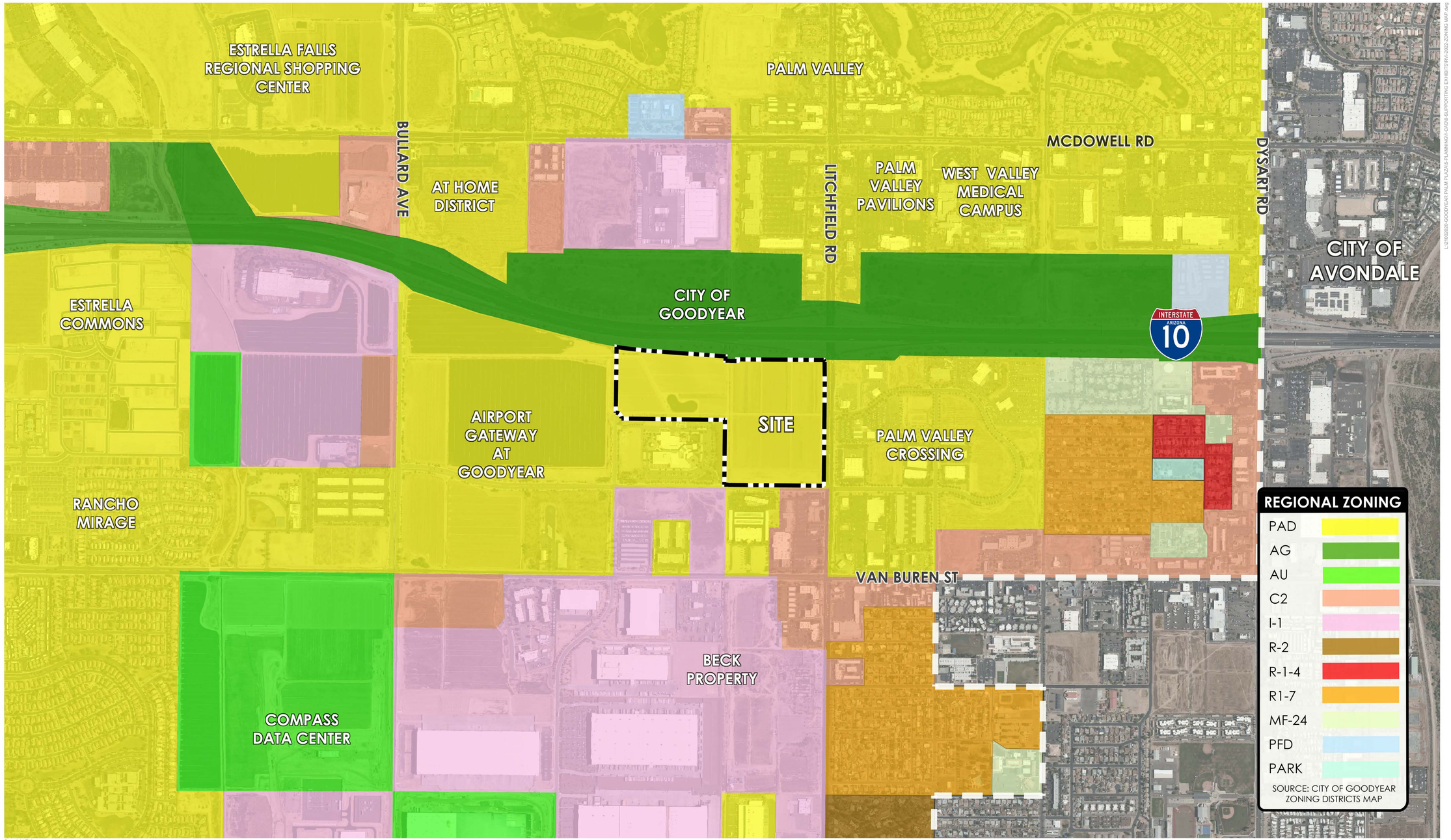

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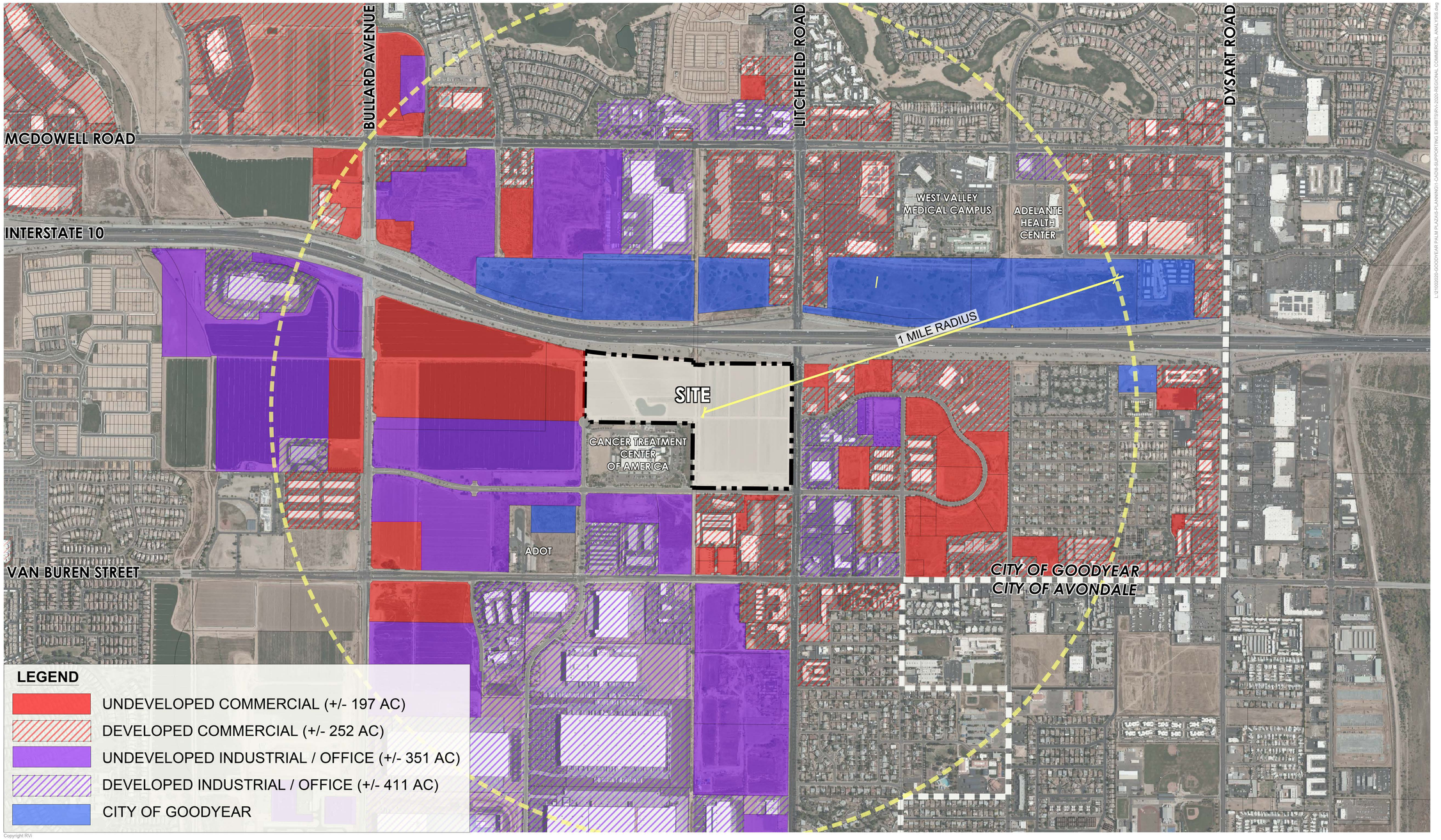

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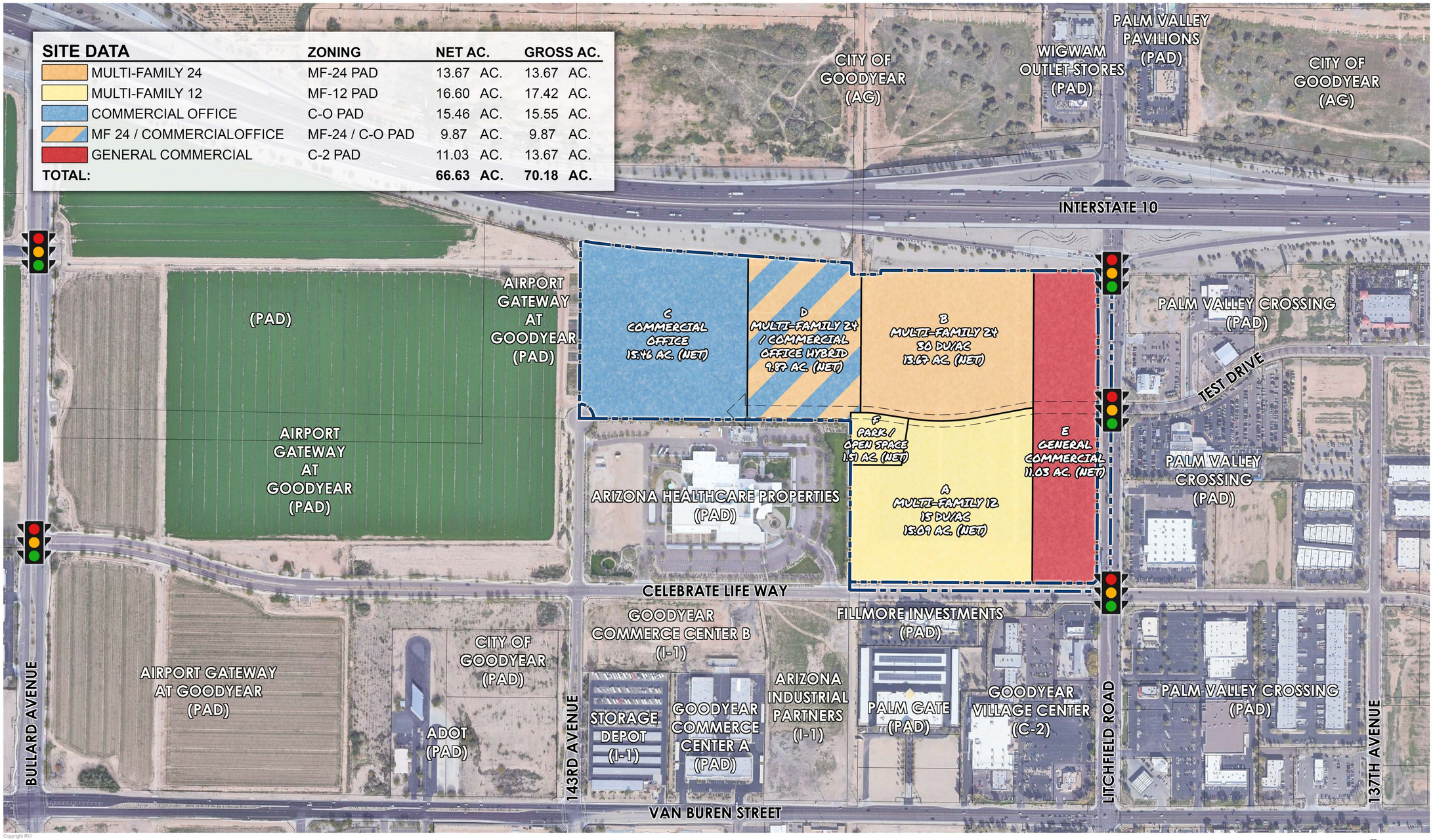
SITE DATA	ZONING	NET AC.	GROSS AC.
MULTI-FAMILY 24	MF-24 PAD	13.67 AC.	13.67 AC.
MULTI-FAMILY 12	MF-12 PAD	16.60 AC.	17.42 AC.
COMMERCIAL OFFICE	C-O PAD	15.46 AC.	15.55 AC.
MF 24 / COMMERCIALOFFICE	MF-24 / C-O PAD	9.87 AC.	9.87 AC.
GENERAL COMMERCIAL	C-2 PAD	11.03 AC.	13.67 AC.
TOTAL:		**66.63 AC.**	**70.18 AC.**



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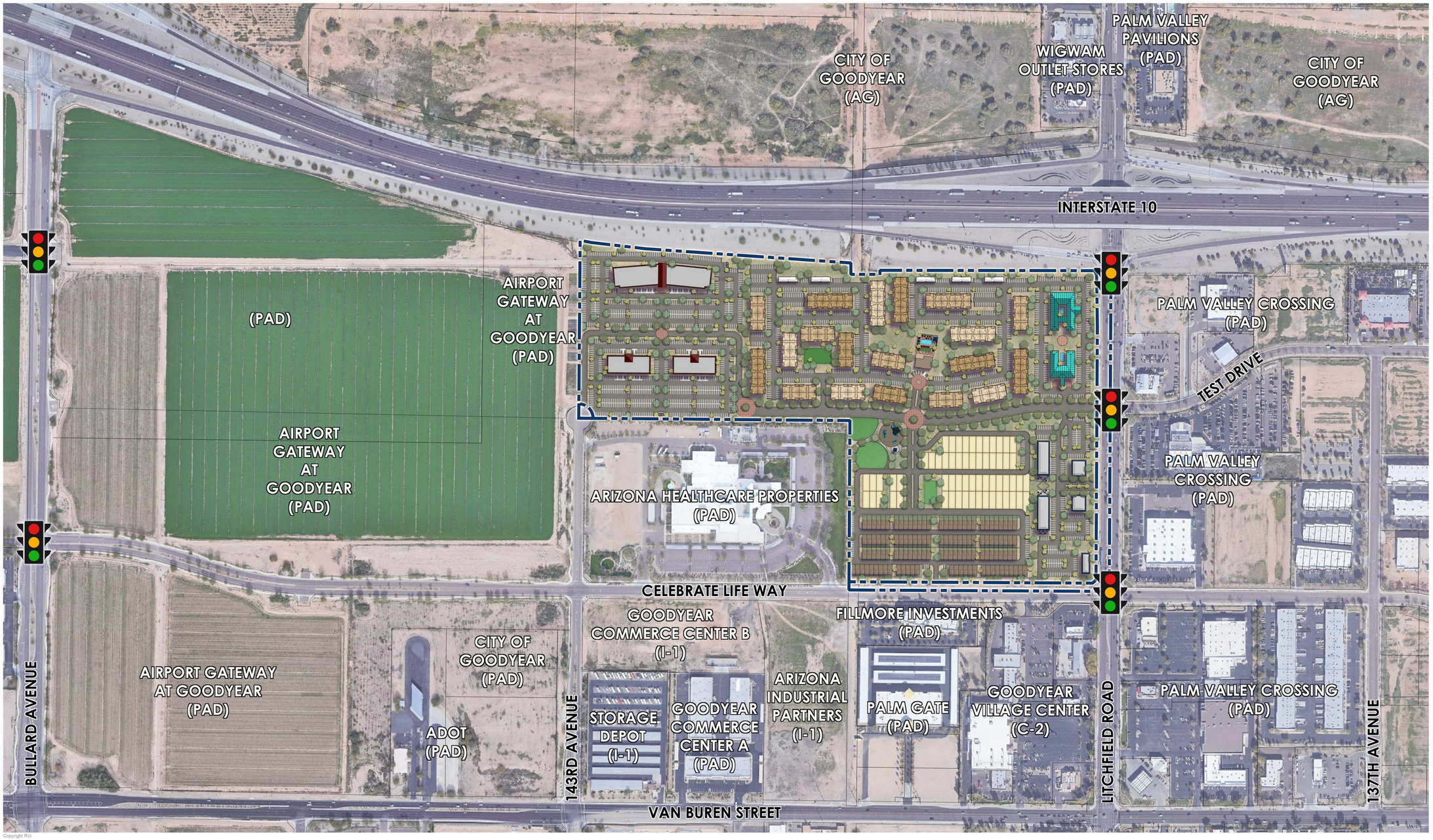

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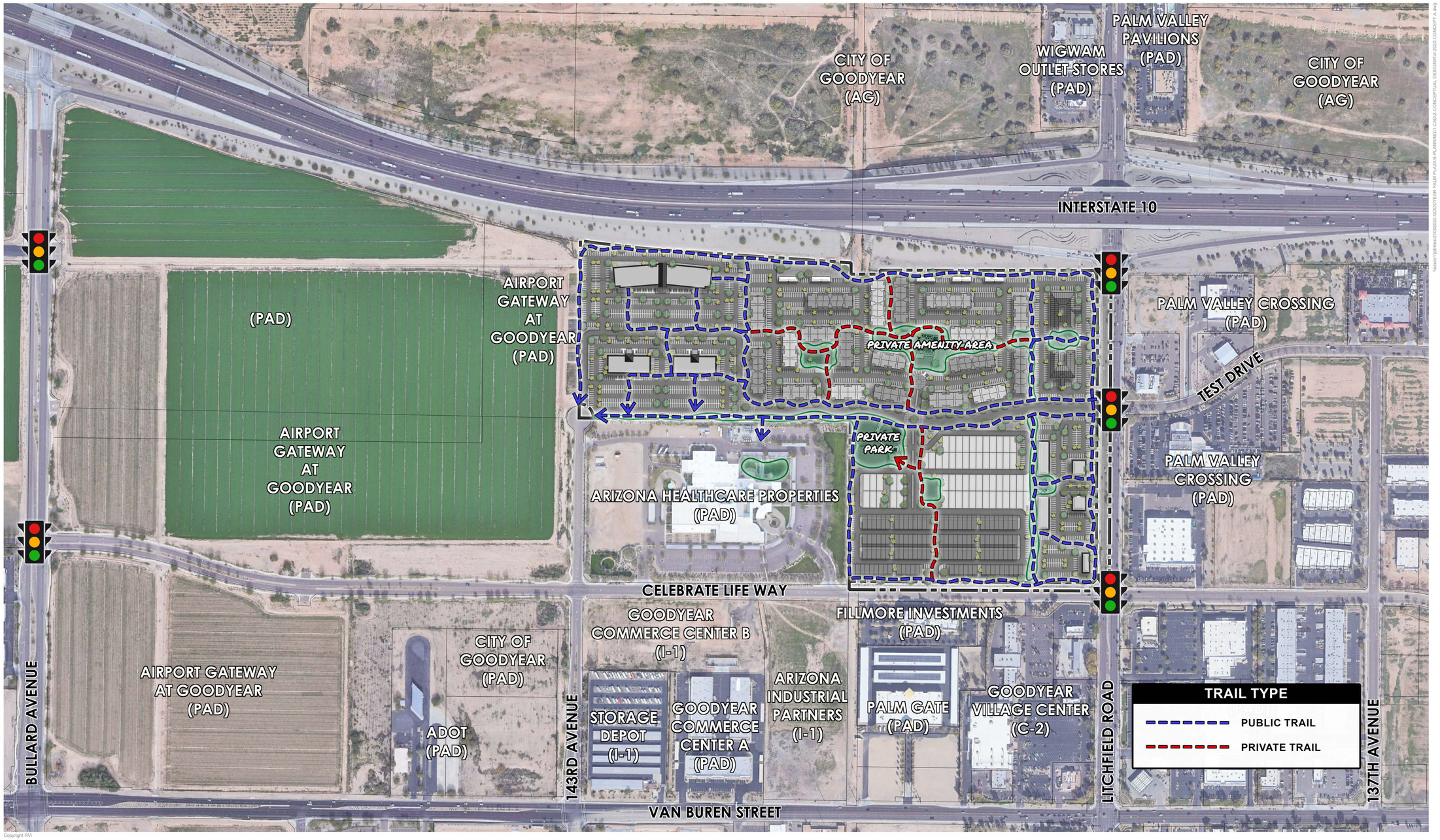

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COMMERCIAL CHARACTER

MEDICAL OFFICE CHARACTER

connect

MULTI-FAMILY 12 CHARACTER

CONCEPTUAL 5 UNIT BUILDING - FRONT

CONCEPTUAL 5 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

CONCEPTUAL 6 UNIT BUILDING - FRONT

CONCEPTUAL 6 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

CONCEPTUAL 6 UNIT BUILDING - FRONT

CONCEPTUAL 6 UNIT BUILDING - REAR

CONCEPTUAL STREET SIDE

CONCEPTUAL COURTYARD SIDE

NEW VILLAGE HOMES

MULTI-FAMILY COLOR PALETTE

To bring the community to life, a variety of colors and materials are encouraged throughout Celebration Plaza. The color palette shown below represent a selection of appropriate colors inspired by the natural context of the land and the nearby mountains. The use of gray and white tones are strongly discouraged as the primary and dominant color of buildings and shall be limited to accent elements only.

INSPIRATIONAL

14200 W. Celebrate Life Way
Goodyear, AZ, 85338
Phone 602-831-1272
cancercenter.com

February 7, 2023

Council Member Bill Stipp,

I became aware of the results of a recent council meeting addressing zoning changes around the former CTCA, now City of Hope facility in Goodyear. I understand that approval was granted for the area immediately to the west of our campus, but concerns remain regarding the proposed development to the east and north.

After speaking directly with the developers and reviewing the plans proposed, I have no hesitation about the development, including multi-family units. The presence of new housing, shops, and parks will enhance our stature and bring life to our campus. The developers have considered the impact on our operations. They have been thoughtful enough to include a series of paths and parks and reserve space for future medical office building development to our immediate north.

A leading concern of new employees relocating to the area surrounds affordable, quality housing. This concern explicitly impacts nursing and support staff who struggle to find residential locations close to both work and school. Having multi-family homes in proximity to our campus will further create an environment of community, giving our employees a place to work, recreate, shop, and rest.

I am confident in the future of Goodyear and our growing campus and look forward to having life injected into the areas surrounding our hospital.

Please do not hesitate to reach out directly with any questions or concerns.

Sincerely,

Kevin F. Tulipana, DO, FHM
President
City of Hope Phoenix

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EXHIBIT "C"

Goodyear Celebration Plaza
Planned Area Development
Standards and Guidelines

(January 9, 2023)

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Exhibits

Exhibit 1 – Underlying Zoning Districts

Exhibit 2 – Conceptual Site Plan

Exhibit 3 - Pedestrian Circulation and Open Space Plan

Exhibit 4 - Architectural Character Imagery

1. Introduction

This rezoning to a PAD to be named Goodyear Celebration Plaza rezones approximately 66.6 acres legally described in that certain document titled Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2022-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the "Property") from the existing PAD zoning providing for a Mixed-Use Commercial development to a PAD the provides for a combination of retail/commercial uses, medical office uses, and multi-family residential uses

2. Property Description

The Property is approximately 66.6 acres in size

1. The uses surrounding the Property include the following:

- North: The Property is bounded by Interstate-10 freeway on the north. The usesnorth of the freeway include large-scale retail and restaurant uses, vacant land and warehouse/distribution uses.
- East: The Property is bounded by Litchfield Road on the east, which is a major arterial road. The uses east of Litchfield road include retail and restaurant uses, auto dealership, and office uses.
- South: A portion of the Property is bounded by CTCA on the south and another portion of the Property is bounded by Celebrate Life Way on the south, which is a collector road. The uses south of Celebrate Life Way include large-scale retail and restaurant uses, a hotel, self-storage facility, vacant land, some back office and an AZDOT testing center.
- West: A portion of the Property is bounded by CTCA on the west and another portion of the Property is bounded by vacant land included within the Airport Gateway PAD.

3. Land Use Plan/Underlying Zoning

There are four distinct zoning districts created in this PAD, which include C-2 General Commercial, CO Commercial Office, MF-24 Multi-Family and MF-12 Multi- Family and one hybrid district that will permit the development of either MF-24 Multi-Family or CO Commercial Office, with a restriction that for the first 18 months after City Council approves the zoning, the property must be developed using the CO district. After 18 months, either district can be used by right for all or any portion of the parcel. See **Exhibit 1** *Underlying Zoning Districts*.

C-2 General Commercial

The C-2 commercial uses are proposed along Litchfield Road where the highest level of access and visibility are provided. This zoning district will support various retail, hotel, and service-based uses to complement all the adjacent retail uses in the area, support the proposed residential and office uses on the subject site and the continued growth in the vicinity. There are no deviations to the C-2 General Commercial development standards.

CO Commercial Office

Further west and immediately north of the Cancer Treatment Centers of America's Goodyear Hospital, is a 15.5-acre medical office campus with an underlying zoning district of CO Commercial Office. This is planned as an integrated medical office campus with a walkable and connected complex of office buildings focused on support uses for the hospital and other office needs in the area.

MF-24 & MF-12 Multi-Family
Immediately west of the commercial uses along Litchfield Road are multi-family residential parcels with a proposed density range of approximately 10-30 du/ac with a minimum overall average density of 18 net du/ac for all residential parcels. The residential development parcels will provide needed housing options for the growing population in Goodyear and will provide opportunities for residents to live near where they work as there are significant employment opportunities within the immediate vicinity of the site.

Unless otherwise specified herein, all applicable standards or regulations identified within the City of Goodyear Zoning Ordinance or other applicable regulatory documents shall apply to development within the Property.

4. Zoning Districts

A. C-2 General Commercial Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as C-2 General Commercial Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the C-2 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the C-2 General Commercial Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

Except as modified below, the uses allowed to be developed in the C-2 Property are those uses, principal and special uses, permitted within property zoned C-2 General Commercial Zoning District as set forth in the City of Goodyear Zoning Ordinance.

1. Prohibited Principal Uses. The following uses identified in Section 3-3-3(A) of the Goodyear Zoning Ordinance as Principal Permitted Uses are expressly prohibited:

    - Adult bookstore, adult novelty store and adult theater
    - Automotive repair and upholstering.
    - Bus terminals.
    - Cleaning and dying plants.
    - Express office, including railway.
    - Frozen food lockers
    - Funeral home.
    - Fur cleaning and storage.
    - Mobile Home Storage.
    - Parking lots.
    - Pawn shop.
    - Public utility facilities and offices including facilities to serve the immediate area, but not including outside storage or maintenance yards for public utility use.

- Seed and feed, retail and sales office.
- Sign painting shop.
- Smoke and vape shop
- Taxidermist.
- Window glass installation shop.
- Non-Chartered financial institutions.

2. Prohibited Use Permit Uses. The following uses identified in Section 3-3-3(C) of the Goodyear Zoning Ordinance as Use Permit Uses are expressly prohibited:

- Automobile service stations.
- Car wash (hand or automatic).
- Storage buildings consisting of individually rented storage rooms which are independently accessed and locked and are used for dead storage purposes.
- Mobile home sales.

3. Restricted Use Permit Uses. The following use identified in Section 3-3-3(C) of the Goodyear Zoning Ordinance as a Use Permit Use is restricted as follows:

- Convenience Uses - No more than one (1) drive through restaurant is allowed through the Use Permit process and no more than one (1) convenience market/gas station is allowed through the Use Permit process.

B. CO Commercial Office Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as CO Commercial Office Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the CO Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the CO – Commercial Office Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

C. MF-24 Multi-Family Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-24 Multi-Family Residential Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the MF-24 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the CO – Commercial Office Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking

requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10..

D. MF-12 Multi-Family Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-12 Multi-Family Residential Zoning District in that certain document Legal Description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the MF-12 Property), shall comply with the requirements in the City of Goodyear Zoning Ordinance, applicable to development in the MF-12 Multi-Family Zoning District. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

E. MF-24/CO Commercial Office Hybrid Zoning District

Except as expressly modified in this document, all development within the portion of the Property legally described and identified as MF-24/CO Commercial Office Hybrid Zoning District in that certain document Legal description Goodyear Celebration Plaza PAD, which document was declared a public record by Resolution 2023-2279 and which is referred to, adopted and made a part hereof as if fully set forth herein (the Hybrid Property), shall be developed either as MF-24 Multi-Family Residential or CO Commercial Office If the Hybrid Property is developed as MF-24 Multi-Family Residential, the development of the Hybrid Property shall comply with the requirements for the development of the MF-24 Property set forth herein and if the Hybrid Property is developed as CO-Commercial Office, the development of the Hybrid Property shall comply with the requirements for the CO Property set forth herein.

5. Development Standards

The development standards applicable to each of the Property zoning districts shall be those established in the City of Goodyear Zoning Ordinance for that respective zoning district, except as modified herein by this PAD Overlay. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

Development standards applicable to each zoning district are provided in the following sections, with modified standards designated by **bold** text:

A. C-2 General Commercial and CO Commercial Office Zoning Districts

Except as expressly modified in this document, all development within the CO Property shall

comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the CO-Commercial Office Zoning District, including but not limited to, the requirements in in Section 3-3-6 (Commercial District Standards), and all development within the C-2 Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the C-2-General Commercial Zoning District, including but not limited to, the requirements in in Section 3-3-6 (Commercial District Standards).

Development Standard	CO	C-2
Minimum Net Site Area[3]	6,000	10,000
Minimum Lot Width[3]	60 ft	150 ft
Maximum Height[2]	**56 ft**	56 ft
Maximum Building Coverage	50%	50%
Minimum Setbacks		
Front	30 ft	30 ft [2 4]
Side	20ft[1]	N/A[1]
Rear	20 ft[1]	N/A[1]
Street Side	30 ft	30 ft[2]

1. Buildings adjacent to any residential use or district are subject to the requirements in Section 3-3-6(B) of the Goodyear Zoning Ordinance, including the minimum building setbacks set forth in Section 3-3-6 (B)(6)(c).

2. Buildings with heights in excess of 30 ft. shall provide 1 foot of additional setback for each foot of building height over 30 ft.

3. Except as provided herein, minimum net site area and lot width requirements do not apply for lots within a unified commercial development, which is a development intended for three or more businesses, so long as the development has permanent cross-access, shared parking and access easements, in a form approved by the City Attorney or his/her designee, necessary to meet minimum parking and maneuvering requirements and any other applicable requirements. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum net site area or minimum lot width requirements, this exception shall not apply.

4. Except as provided herein, the setback for lots within a unified commercial development, which is intended for three or more businesses with permanent cross access and shared parking easements, shall be measured from the nearest public streets. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum setbacks, this exception shall not apply.

B. MF-24 Multi-Family Residential District

Except as expressly modified in this document, all development within the MF-24 Property

shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the MF-24 Multi-Family Residential Zoning District, including but not limited to, the requirements in in Section 3-2-5 (Development Standards for the Multi-Family District).

Districts	MF-24
Maximum Density in Du/Ac	**30**
Minimum lot Width	100
Minimum lot depth	N/A
Maximum Height (ft.)	**56**
Accessory building (ft.)	12
Maximum Building coverage	50%
Minimum Perimeter Setbacks	
Front (ft.)	30
Street Side (ft.)	30
Side except for Street Side (ft.)	20
Total Both Sides (ft.)	40
Rear (ft.)	30
Minimum Setback from single-family residential zoning	
Building Height 20 feet or less (ft.)	30
Building Height between 20 and 30 feet (ft.)	50
Building Height greater than 30 feet (ft.)	50 feet +5 feet for every foot over 30’
Recreational Open Space (sq. ft./d.u.)	400
Private Outdoor Open Space (sq. ft./d.u.)	60

C. MF-12 Multi-Family Residential District

Except as expressly modified in this document, all development within the MF-12 Property shall comply with the requirements in the City of Goodyear Zoning Ordinance applicable to development within the MF-12 Multi-Family Residential Zoning District, including but not limited to, the requirements in in Section 3-2-5 (Development Standards for the Multi-Family District).

The following table replaces Table 3-2-5 in Section 3-2-5 (Development Standards for Multi-Family District) and provides development standards for the MF-12 Property. This table provides for two sets of development standards, one for a single-lot unsubdivided development such as an apartment complex or condo-type development, and a subdivided option for developments that include individual lots, such as townhomes or small-lot development.

District	MF-12 Unsubdivided	MF-12 Subdivided
Minimum/Maximum Net Density in Du/Ac[1]	**10/15**	**10/15**
Minimum lot Width	200'	**22'**
Minimum Lot Depth	N/A	**50'**
Maximum Height (ft.)[7]	**30**	**30**
Minimum # of Stories (no single-story permitted)	2	**2**
Accessory building Max. Height (ft.)	12	**12**
Maximum Building coverage	**75%**	**75%**
Perimeter Setbacks (Perimeter of MF-12 District)		
Front (Southern Boundary) (ft.)	30	**30**
Side (Eastern and Western Boundaries) (ft.)	10	**10**
Rear (Northern Boundary) (ft.)	20	**20**
Interior Setbacks (for Subdivided Product Only)		
Front (ft.)[2]	N/A	**3**
Front facing garage (ft.)	N/A[3]	**20[3]**
Side (ft.) (to allow for zero lot line development)	N/A	**0**
Total both sides (ft.)[4]	N/A	**6**
Street Side (ft.)[5]	N/A	**10**
Rear (ft.)	N/A	**3**
Minimum Setback from single-family residential zoning		
Building Height 20 feet or less (ft.)	30	**30**
Building Height between 20 and 30 feet (ft.)	50	**50**
Building Height greater than 30 feet (ft.)	50 feet +5 feet for every foot over 30'	**50 feet +5 feet for every foot over 30'**
Recreational Open Space (sq. ft./d.u.)[6](6)	400	**400**
Private Outdoor Open Space (sq. ft./d.u.)	200	**200**

(1) Net density shall exclude the designated park parcel because this parcel will be available for use by all development parcels.

(2) Front setback shall be measured to patios, livable space, and side entry garages.

(3) If garages with driveways are provided, driveways must be less than 5' deep or a minimum of 20' deep to avoid cars overhanging into the street, sidewalk or drive aisle.

(4) For attached product, there is no side setback between attached units, but a minimum building separation of 6 feet is required.

(5) Where a minimum 10-foot-wide landscape tract is provided, the typical side setbacks, rather than Street Side setback applies.

(6) Recreational open space for the MF-12 Property shall be calculated using all of the MF-12-PAD Property, including the park parcel in accordance with 3-2-5 (B) of the Goodyear Zoning Ordinance.

(7) All residential structures within the MF-12 Property shall be a minimum of two stories.

D. General Development Standards

1. Unless otherwise modified herein and as referenced below, all other applicable development standards shall comply with the City of Goodyear Zoning Ordinance. This includes, by way of example, but not limitation, administrative processes and procedures set forth in Articles 1-2 and 1-3 , the Design Guidelines Manual and Design Review Process set forth in Article 1-4; the procedures for evaluations of permitted use permit uses in Article 4-1; the standards in Article 5; the parking requirements in Article 6, the sign regulations in Article 7, the provisions regarding hazardous materials in Article 8-4; and the outdoor lighting standards in Article 10.

2. Minimum Densities In addition to the individual minimum / maximum densities applied to the portions of the Property developed as MF-12 and MF-24, a combined minimum net density for all of the Property developed as MF-12 and MF-24 shall be no less than 18.0 net du/ac.

6. Site Plan

The Conceptual Site Plan attached hereto as **Exhibit 2** conveys a potential development plan for the Property but is illustrative only.

7. Pedestrian Circulation and Open Space Plan

Public Trails and Private Trails shall be constructed through-out the Property to provide connectivity throughout the entire Property at the level and intensity generally reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3.**

Specific trail locations and details will be determined during the site plan review process, in conformance with the following:

a. Public trails shall consist of concrete or other hard surface material with a minimum width of eight feet for trails around the perimeter of the Property and a minimum width of five feet for trails within the Property.

b. Private Trails shall consist of concrete or other hard surface material with a minimum width of five feet.
c. Public trails shall be accessible and open to all residents, employees, and visitors of any of the developments within the Property, Cancer Treatment Center of America hospital and adjacent developments.
d. A Public Trail shall be provided around the perimeter of the Subject Site;
e. Trail connections shall be provided between the various developments within the Property either by open connections and/or gated connections;
f. Where trail connections cross a private road or drive aisle, an enhanced, decorative surface shall be provided for the crossing;
g. Shading shall be provided along the trails by trees, buildings and/or shade structures.
h. Public Trails along the perimeter of the Property shall be constructed

outside of any perimeter walls installed along the boundaries of the Property so they are accessible and open to all residents, employees, and visitors of any of the developments within the Property, Cancer Treatment Center of America hospital and adjacent developments.

A park that is at least 1.5 acres in size containing the following minimum amenities: landscaping including shade trees, turf (live or artificial), shaded play areas, gazebo with picnic tables, seating, and connections to the overall pedestrian circulation system shall be developed at the north west corner of the MF-12 Property, as generally reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3**. The park shall be available for use by residents, employees, and visitors of any of the developments within the Property and for use by employees and visitors from Cancer Treatment Center of America hospital. If the MF-12 Property is subdivided, the park shall be maintained by a Homeowner's Association or Property Owner's Association. If the MF-12 Property is not subdivided, the park shall be maintained by the property owner. The park shall be completed with the first phase of development within the Property.

8. Design Guidelines

Except as otherwise provided herein, the Property shall be developed in conformance with the City of Goodyear Design Guides Manual.

Buildings and other structures constructed on the Property shall also be in conformance with the character elements as shown on the Architectural Character Imagery, attached hereto as **Exhibit 4**, and the following additional standards:

Architectural and Building Standards

1. Color schemes for development within the MF-12 Property, the MF-24 Property and the Hybrid Property if developed as MF-24 shall add interest and variation to buildings on the site.
    - If the MF-12 Property, or the MF-24 Property or the Hybrid Property are developed as one large multi-family development, at least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of colors and accent colors/materials shall be used in a manner which creates a minimum of four (4) unique building schemes throughout the site. A variation in rooflines is encouraged.
        i. A minimum of two (2) distinctive roof styles/elevations and heights shall be utilized across the site.
    - If the MF-12 Property, or the MF-24 Property, or the Hybrid Property are developed as two or more separate multi-family developments, at least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of base colors and accent colors/materials shall be used in a manner which creates a minimum of two (2) unique building schemes throughout the site. A variation of roof lines is encouraged.
        i. A minimum of two (2) distinctive roof styles/elevations and heights shall be utilized across the site.
2. All multi-family residential buildings shall incorporate 4-sided architecture.

3. Ground floor residential facades facing Celebrate Life Way or adjacent to the commercial center shall not extend more than thirty (30) feet without being interrupted by a change in color, material, texture, or an architectural feature such as, but not limited to, a window, shade awning, or pop-out.
4. As multi-family residential parcels interface with the commercial center, it should not be fronted with “back of house” type features such as carriage garages or largely non-articulated walled off patios. It should be pedestrian oriented or fronted by the narrowest section of the apartment buildings or ground level pedestrian accessible patios thus providing gaps in which residents of the multi-family development can traverse between the two parcels at keyed and gates access points.
5. At least one (1) of the multi-family residential buildings developed in the MF-24 Property AND one (1) multi-family residential building developed in the MF-12 Property shall front or side the eastern perimeter of the development located adjacent to the C-2 Property to provide visual and pedestrian connectivity to the commercial center.
6. Architectural elements on all multi-family residential buildings shall include at least six (6) of the following features, or other similar enhancement features:
    - Articulated parapet line including variation in height;
    - Expressed window heads and/or sills;
    - Variation of stucco patterning (horizontal and vertical);
    - Shading elements and/or awnings;
    - Variety of window articulation;
    - Stepped cornice detailing;
    - Celebrated entries;
    - Complimentary color palette;
    - Decorative accent detailing where appropriate.
7. The same level of detail and articulation for the front elevations of buildings in the C-2 Property that are closest to I-10, shall apply to the rear of the buildings facing I-10.

<u>Perimeter/Security Fencing & Walls</u>

8. Except as provided herein, no perimeter screening, fencing or walls are required.
    - If parking is provided adjacent to Litchfield Road, Celebrate Life Way or Interstate 10, parking areas shall be screened with a minimum of 36-inch decorative screen wall.
    - If perimeter fencing or walls are to be constructing such walls and fencing shall be open view fencing except solid fences/walls may be used for appropriate screening, privacy, safety, noise and security reasons.
9. If walls or fencing is constructed between the residential and commercial development parcels, view fencing is encouraged in areas where residential privacy or required screening of equipment such as trash enclosures or mechanical equipment is not impacted. A combination of view fencing and solid walls is encouraged in these areas as appropriate.
10. Ground floor patios of units that are located adjacent to and facing Celebrate Life Way shall have gates and sidewalks/paths to provide direct access to the sidewalk along Celebrate Life Way.
11. Pedestrian gate connections and sidewalk paths shall be provided as needed to provide at least two (2) points of access to the sidewalk along Celebrate Life Way one of which is generally located in the location of the Private Trail between the northern

and southern boundaries of the MF-12 Property as reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3** and the other of which is generally located between the boundary between the MF-12 Property and the C-2 Property as reflected in the Conceptual Pedestrian Circulation and Open Space Plan, attached hereto as **Exhibit 3**.

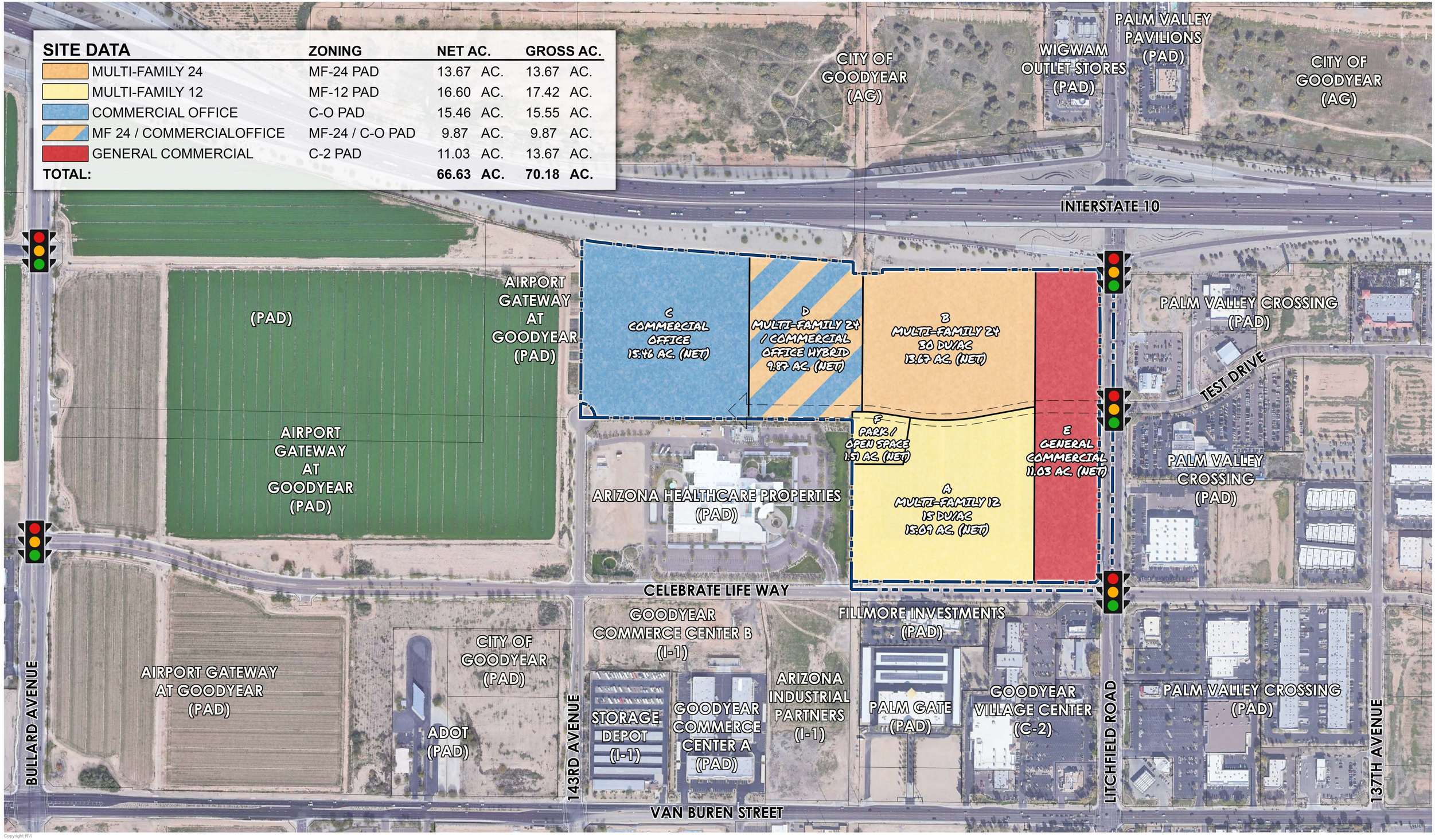
12. Walls and fencing installed within the Property shall complement existing walls and materials used within the Celebration Plaza area.
13. Trash enclosures shall be fully screened from the perimeter of the development and from individual units with a fully enclosed screen wall and opaque gates, and shall not be located immediately adjacent to the front door of a residential unit.

Pedestrian Connectivity and Site Design

14. Pedestrian connectivity through parking areas and drive aisles shall be clearly marked with enhanced paving such as pavers, colored concrete or other approved materials.
15. Each multi-family residential building shall provide a minimum of one (1) pedestrian connection from the building to an adjacent sidewalk or major pedestrian connection.
16. Site lighting, pavers, landscaping, signage design, and other community features shall complement the existing improvements and themes established within the Celebration Plaza area.
17. Signage for the property shall be coordinated through the approval of a Comprehensive Sign Package.

Exhibit 1

Underlying Zoning Districts



SITE DATA	ZONING	NET AC.	GROSS AC.
MULTI-FAMILY 24	MF-24 PAD	13.67 AC.	13.67 AC.
MULTI-FAMILY 12	MF-12 PAD	16.60 AC.	17.42 AC.
COMMERCIAL OFFICE	C-O PAD	15.46 AC.	15.55 AC.
MF 24 / COMMERCIALOFFICE	MF-24 / C-O PAD	9.87 AC.	9.87 AC.
GENERAL COMMERCIAL	C-2 PAD	11.03 AC.	13.67 AC.
TOTAL:		**66.63 AC.**	**70.18 AC.**

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CELEBRATION PLAZA • UNDERLYING ZONING DISTRICTS

GOODYEAR, AZ
2023-01-09
210002020

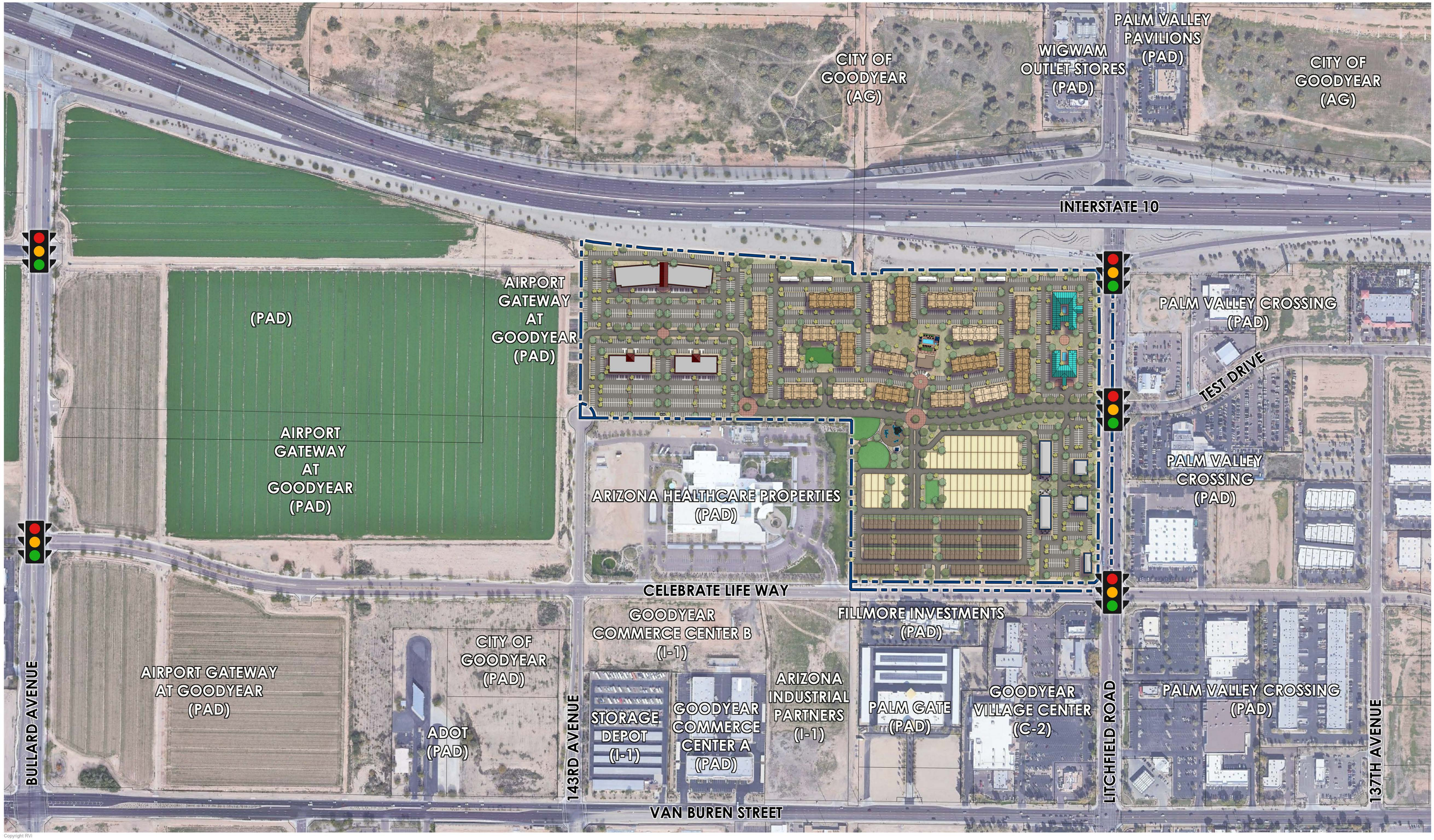
Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit 2

Conceptual Site Plan



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CELEBRATION PLAZA • **CONCEPTUAL SITE PLAN**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

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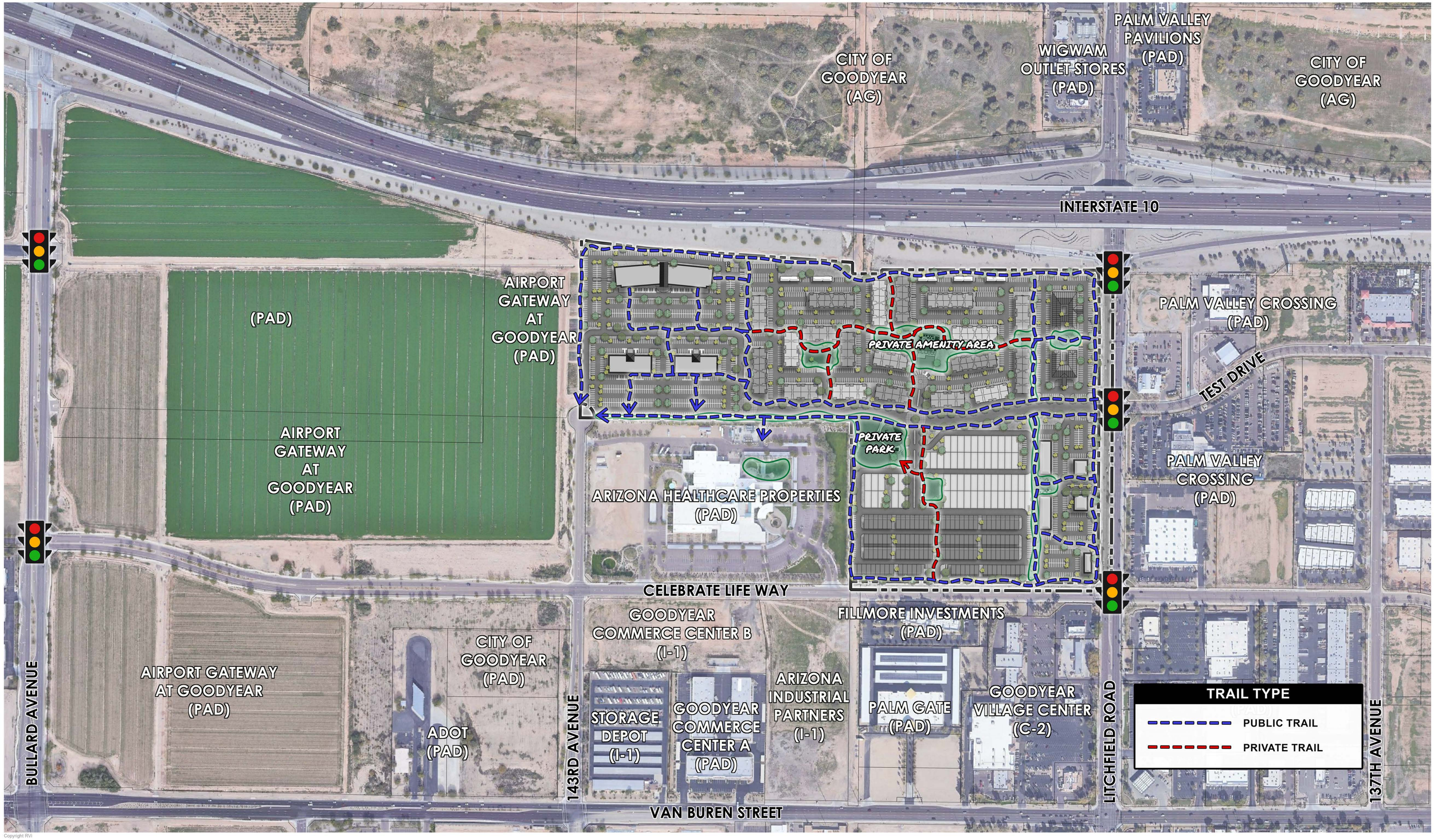
Exhibit 3

Conceptual Pedestrian Circulation & Open Space Plan



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CELEBRATION PLAZA • **PEDESTRIAN CIRCULATION AND OPEN SPACE PLAN**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

0 100' 200' 400'
SCALE: 1" = 200'-0"

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Exhibit 4

Architectural Character Imagery

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: COMMERCIAL CHARACTER**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MEDICAL OFFICE CHARACTER**

GOODYEAR, AZ

2022-08-25

210002020

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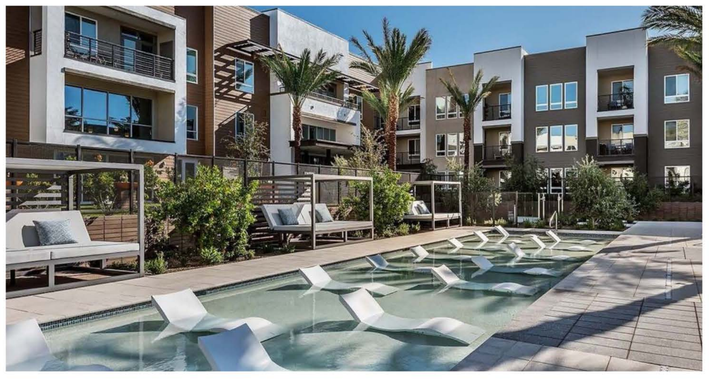

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MULTI-FAMILY 24**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MULTI-FAMILY 12 - DETACHED TOWNHOME**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

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CELEBRATION PLAZA • **ARCHITECTURAL CHARACTER IMAGERY: MULTI-FAMILY 12 - ATTACHED TOWNHOME**

GOODYEAR, AZ
2022-08-25
210002020

Beus Gilbert McGroder PLLC

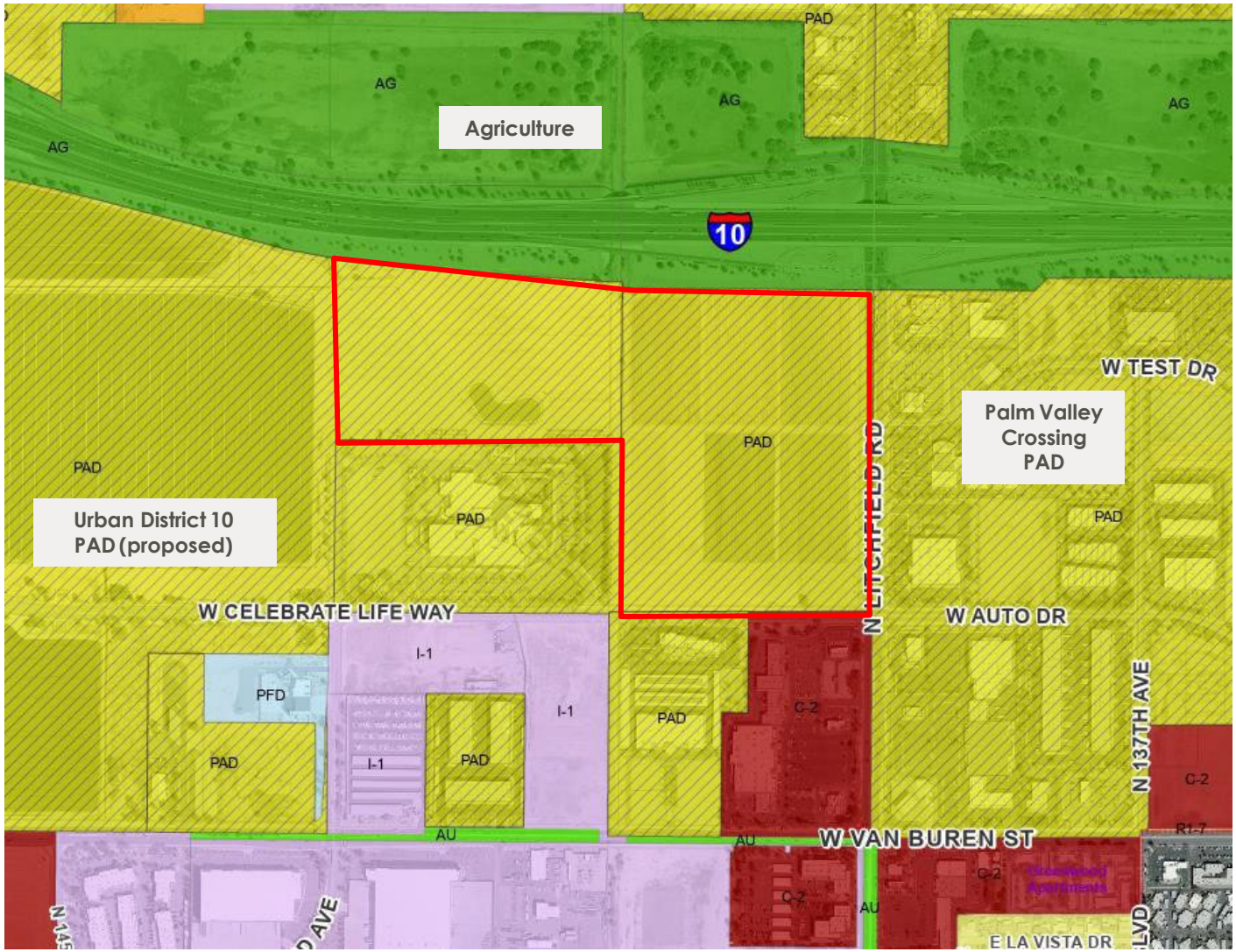
Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

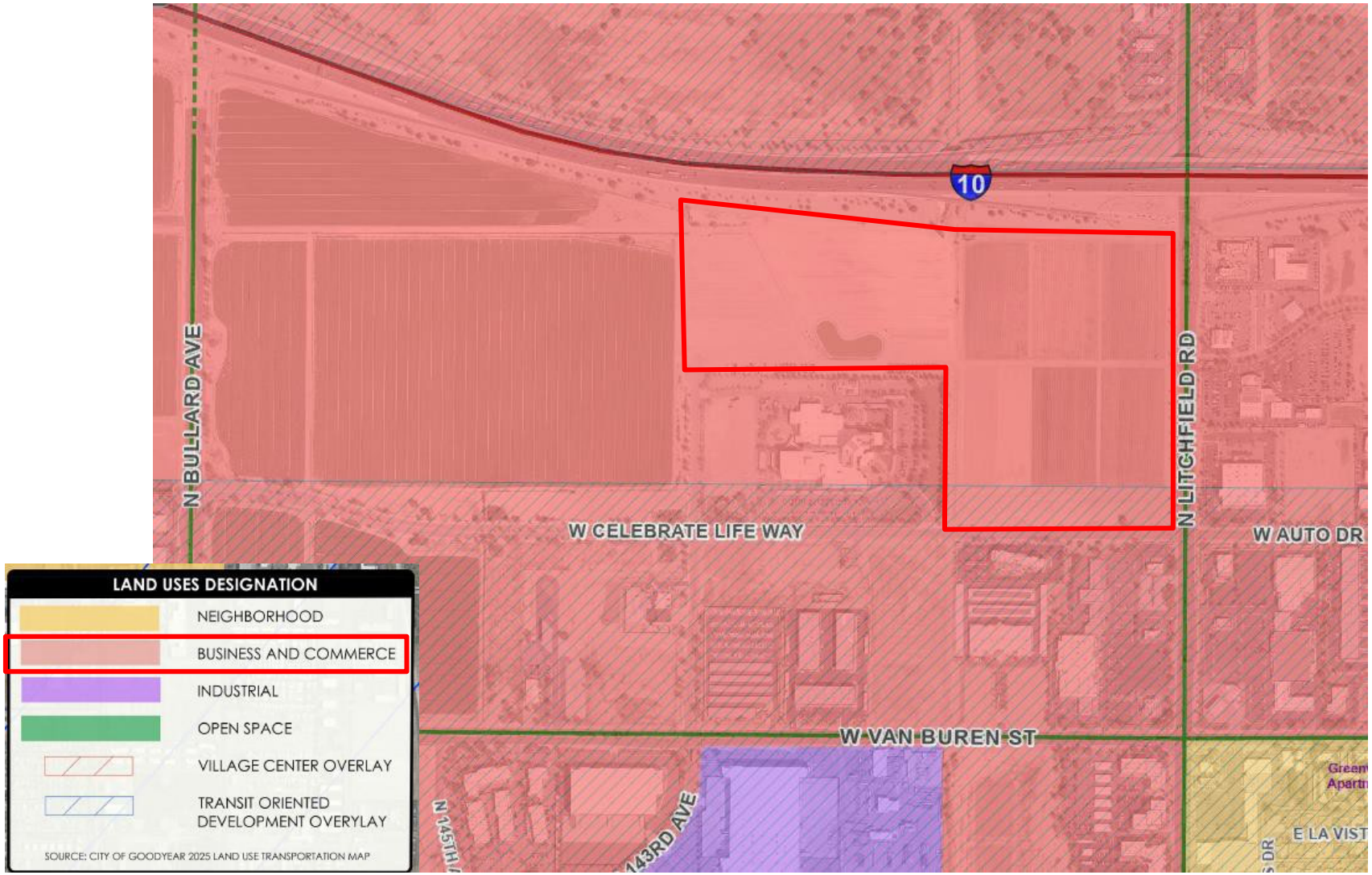
Goodyear Celebration Plaza Rezone

City Council

April 24, 2023

Palm Valley Pavilions
10
Subject Property
~66 acres
N BULLARD AVE
N LITCHFIELD RD
W TEST DR
N 137TH AVE
Yates
Urban District 10 PAD (proposed)
City of Hope
Amazon
W CELEBRATE LIFE WAY
W AUTO DR
FS 181
Goodyear Village Center
W VAN BUREN ST
Goodyear Municipal Complex
Greenwood Apartments
E LA VISTA DR

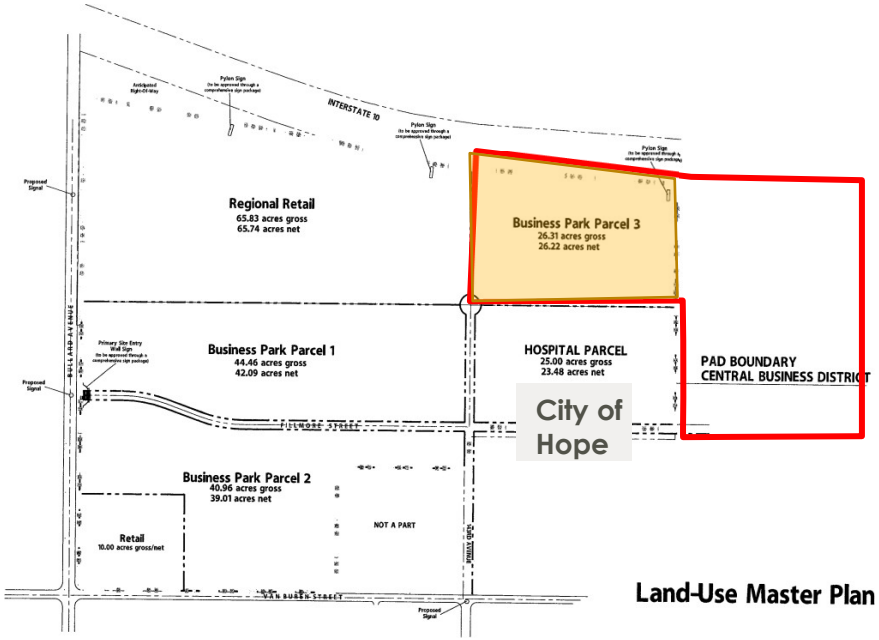

Agriculture
Urban District 10
PAD (proposed)
Palm Valley
Crossing
PAD
AG
PAD
I-10
W TEST DR
N LITCHFIELD RD
W CELEBRATE LIFE WAY
W AUTO DR
N 137TH AVE
W VAN BUREN ST
E LA VISTA DR
I-1
PFD
C-2
R1-7
AU


10
N BULLARD AVE
N LITCHFIELD RD
W CELEBRATE LIFE WAY
W AUTO DR
W VAN BUREN ST
N 143RD AVE
E LA VIST
LAND USES DESIGNATION
NEIGHBORHOOD
BUSINESS AND COMMERCE
INDUSTRIAL
OPEN SPACE
VILLAGE CENTER OVERLAY
TRANSIT ORIENTED DEVELOPMENT OVERYLAY
SOURCE: CITY OF GOODYEAR 2025 LAND USE TRANSPORTATION MAP

Celebration Plaza

BACKGROUND

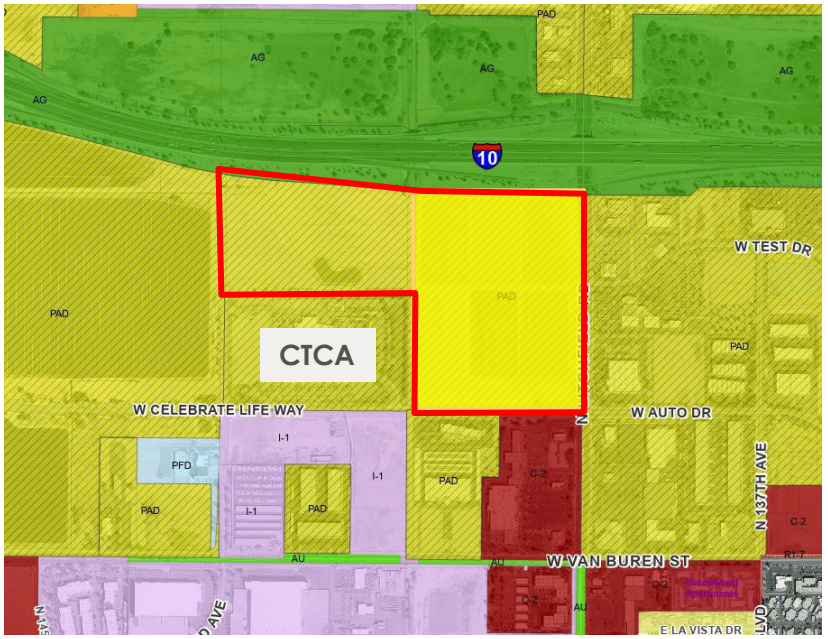
- West half – The Airport Gateway at Goodyear PAD
  - ~25 acres
  - Designated Business Park (restricted uses, similar to C-O and C-1 districts)
  - Ord. 07-1091
  - Applied the C-2 development standards



Celebration Plaza

BACKGROUND

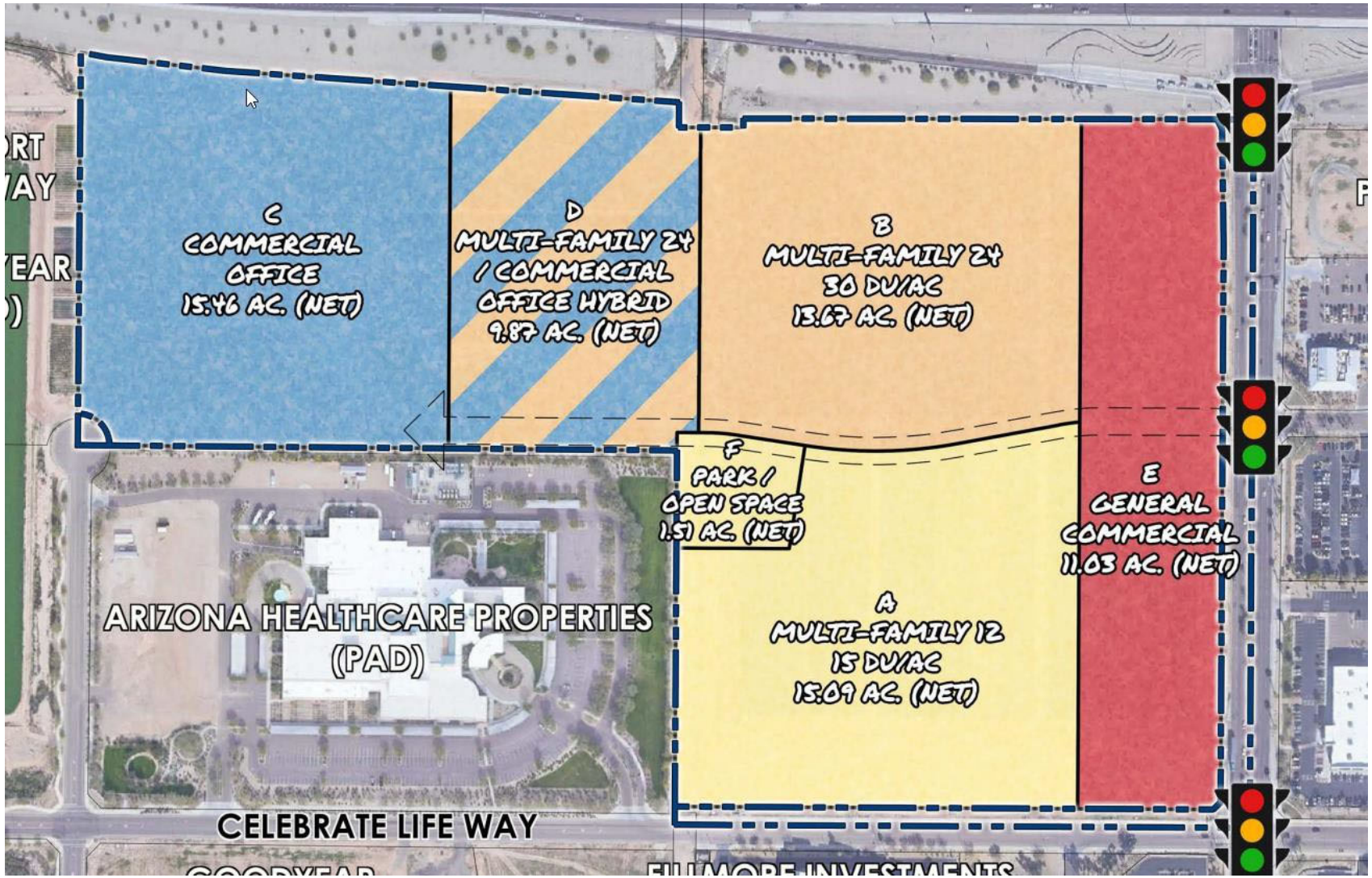
- East half – Goodyear Palms Plaza PAD
  - ~41 acres
  - Designated for C-2 uses and development standards
  - Ord. 08-1153



Celebration Plaza

REQUEST

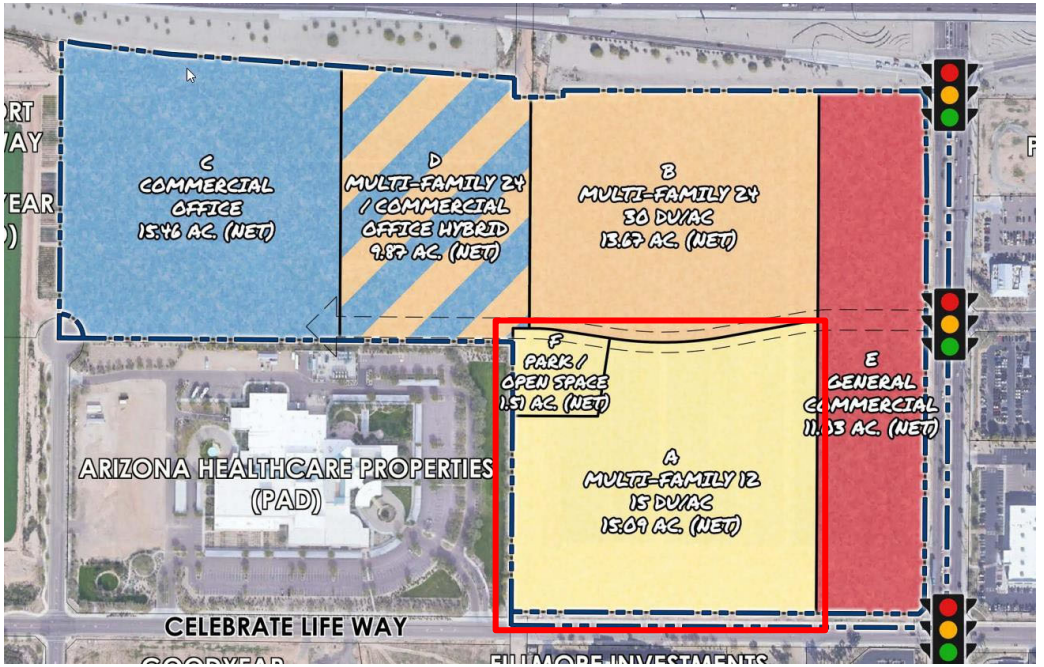
- Rezone to a mix of uses with a PAD Overlay
  - 13.7 acres MF-24
  - 16.6 acres MF-12
  - 15.5 acres C-O
  - 11 acres C-2
  - 10 acres C-O/MF-24 hybrid (with 24-month restriction)
- Modified development standards and design guidelines included in PAD


C
COMMERCIAL
OFFICE
15.46 AC. (NET)
D
MULTI-FAMILY 24
/ COMMERCIAL
OFFICE HYBRID
9.87 AC. (NET)
B
MULTI-FAMILY 24
30 DU/AC
13.67 AC. (NET)
F
PARK /
OPEN SPACE
1.51 AC. (NET)
E
GENERAL
COMMERCIAL
11.03 AC. (NET)
A
MULTI-FAMILY 12
15 DU/AC
15.09 AC. (NET)
ARIZONA HEALTHCARE PROPERTIES
(PAD)
CELEBRATE LIFE WAY

Celebration Plaza

REQUEST – MF-12 STANDARDS

- Density: 10-15 du/ac
- Allows area to be subdivided
- Increase max. height to 30’
- Require min. 2 stories per unit
- Increase lot coverage
- Reduce setbacks

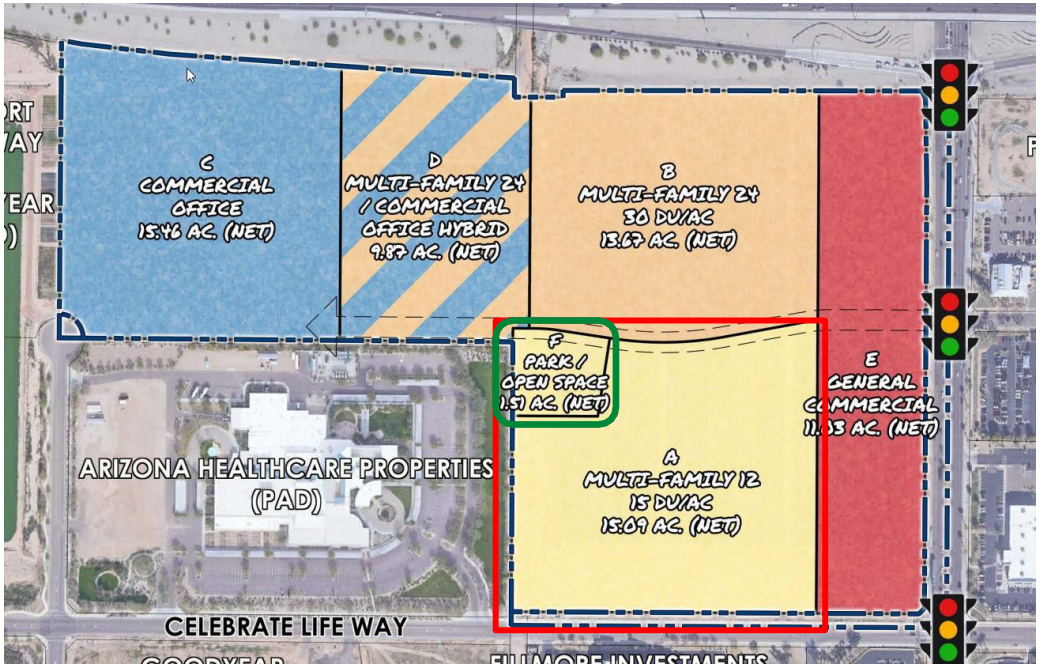


**Overall PAD density shall not be less than 18 du/ac*

Celebration Plaza

JUSTIFICATION

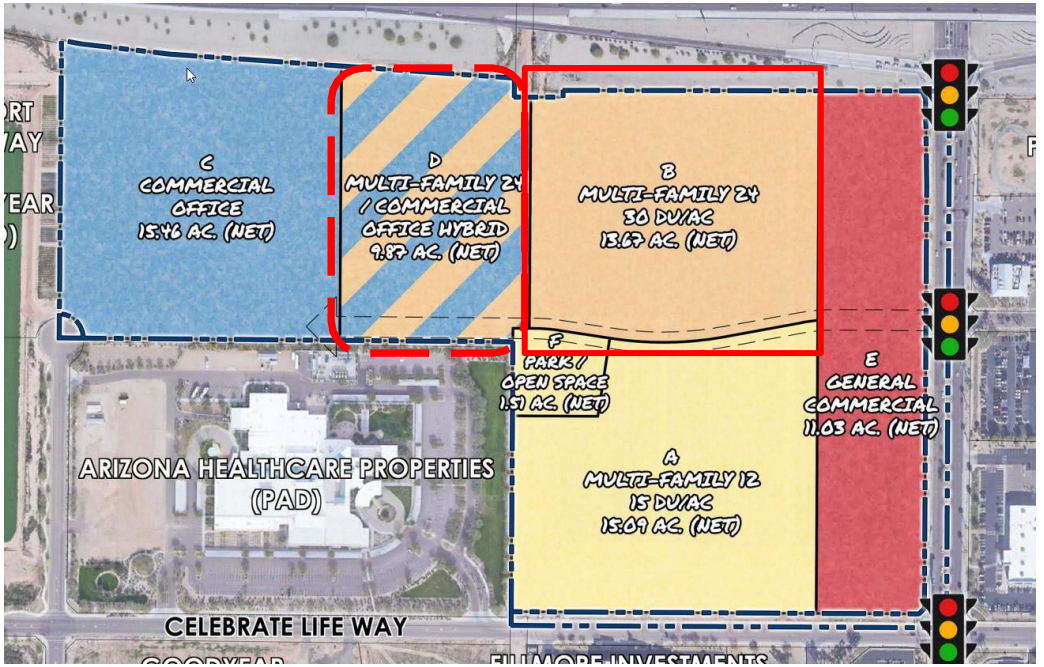
- Higher intensity of typical MF-12 development
  - Min. 2 story buildings
  - Opportunity for individual ownership
  - Enhanced architectural design guidelines
- 1.5-acre **public park** (privately maintained)



Celebration Plaza

REQUEST – MF-24 STANDARDS

- Increase density from 24 du/ac to 30 du/ac
- Increase building height from 40’ to 56’

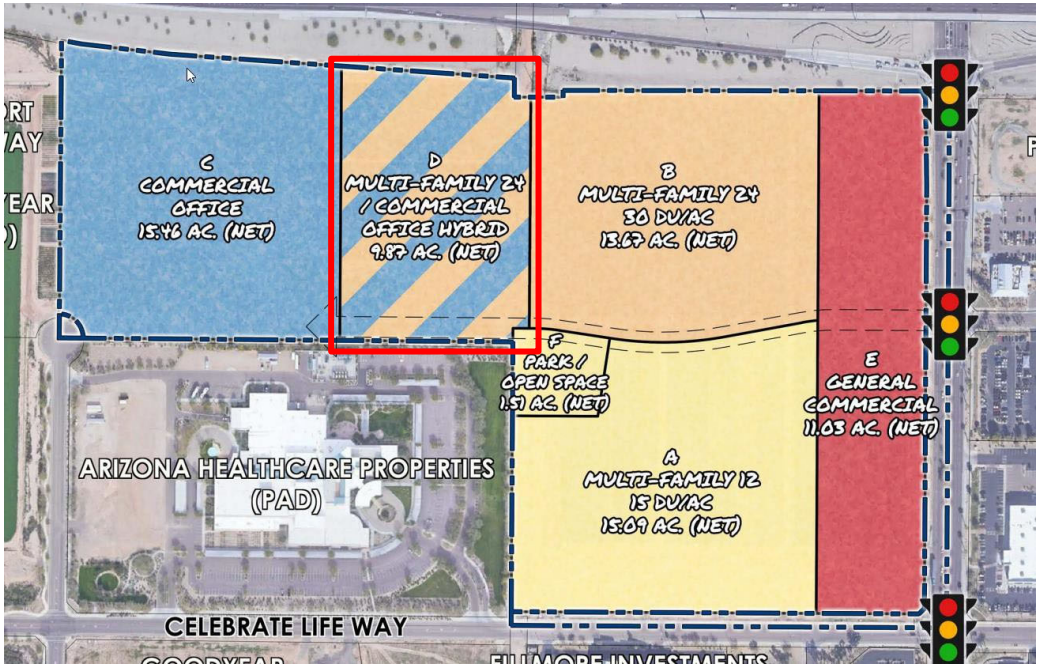


**Overall PAD density shall not be less than 18 du/ac*

Celebration Plaza

REQUEST – HYBRID DISTRICT

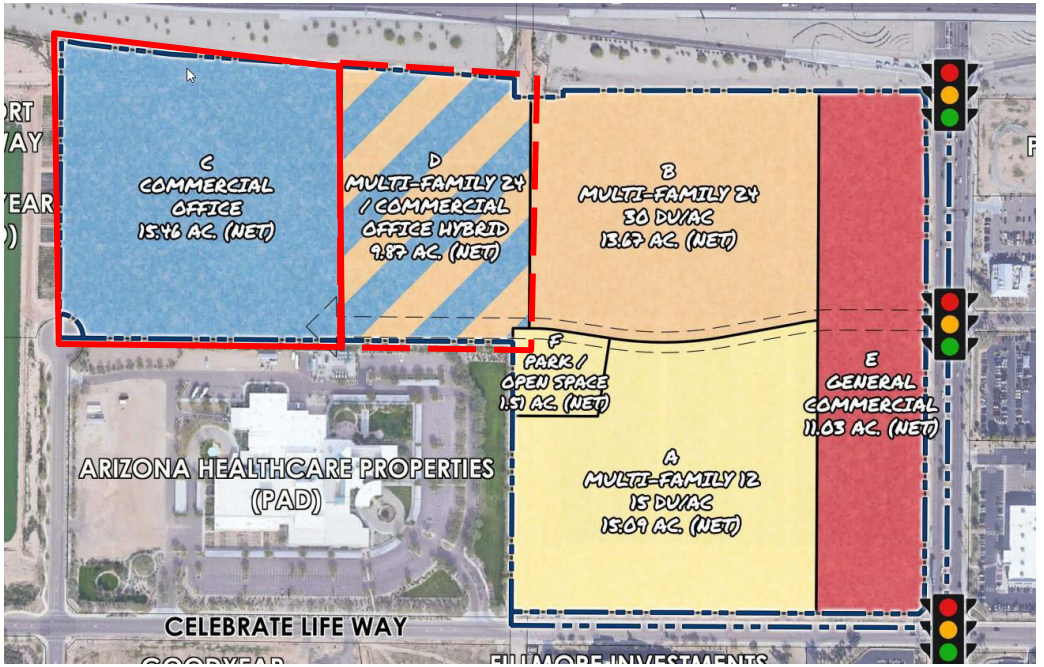
- ~10 acres C-O/MF-24 hybrid (with restrictions)
  - First 24 months after zoning approval = C-O
  - Then, can develop as either C-O or MF-24 with PAD standards



Celebration Plaza

REQUEST – C-O STANDARDS

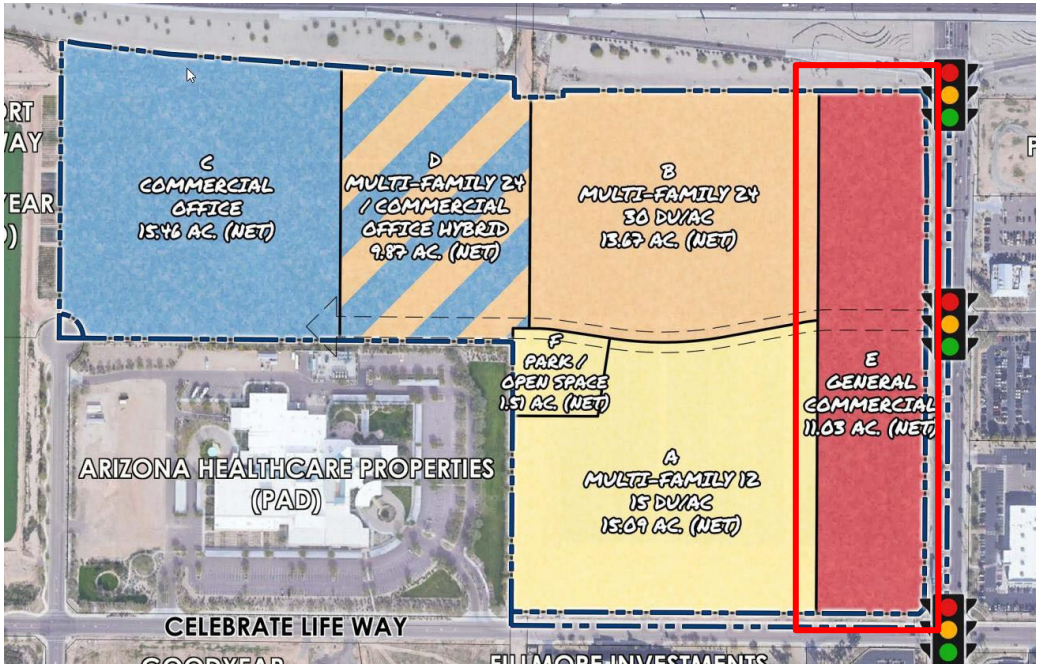
- C-O: increase height from 30’ to 56’
- C-2: no changes to standards requested
  - Uses restricted

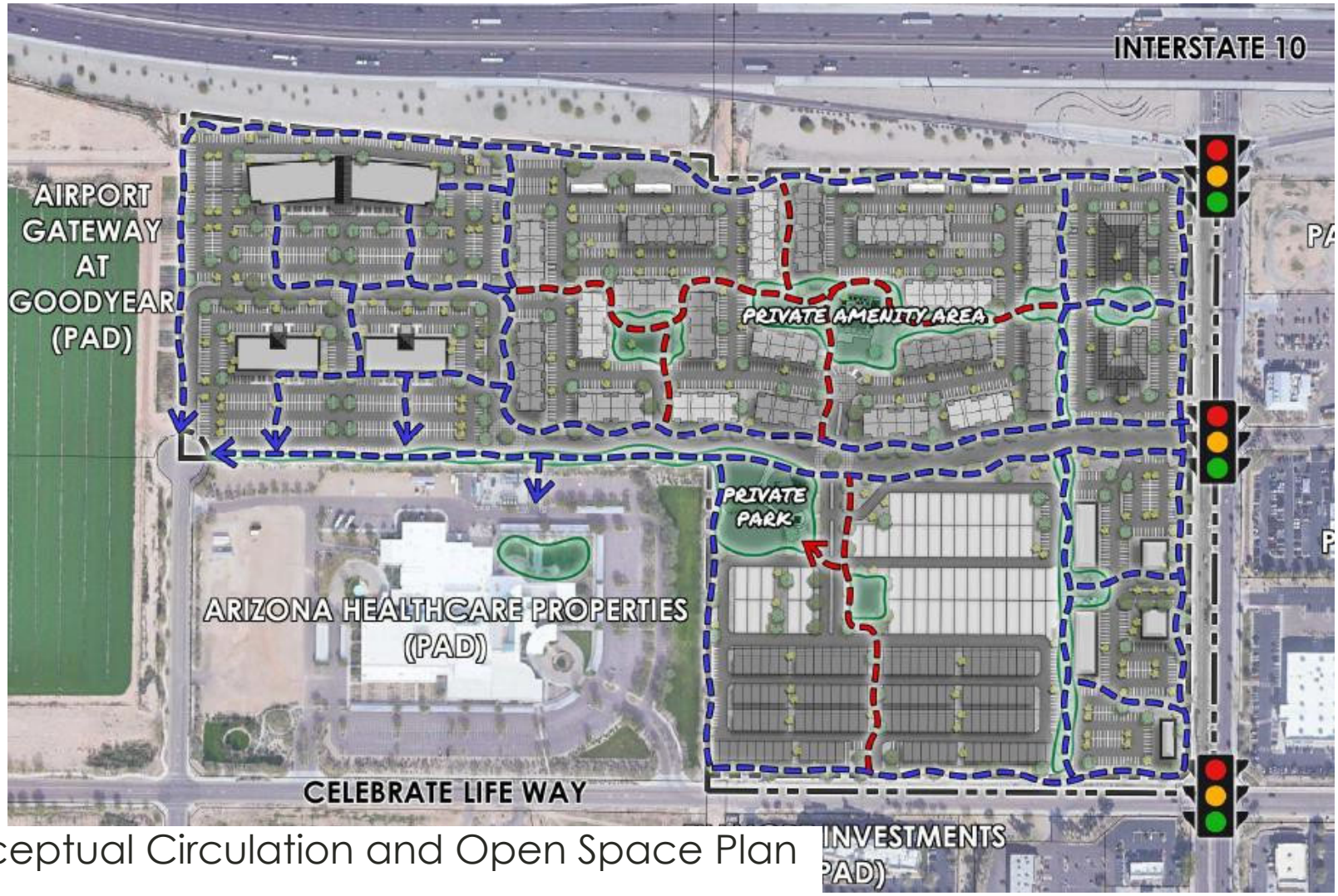


Celebration Plaza

REQUEST – C-2 STANDARDS

- No changes to standards requested
- Uses restricted
  - Prohibited uses included in PAD
  - Use Permit uses:
    - Max. 1 drive-through restaurant
    - Max. 1 gas station





Conceptual Circulation and Open Space Plan

Celebration Plaza

REZONE EVALUATION CRITERIA

1. *Consistency with General Plan.*
2. *Suitability of the subject property's physical and natural features* for the uses permitted under the proposed zoning district.
3. *Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning*.
4. Proposed zoning district's *consistency with other land uses within the immediate area* and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning.
5. *Demand for the types of uses permitted* in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

Celebration Plaza

REZONE EVALUATION CRITERIA

6. *Demands for public services* that will be generated by the uses permitted in the proposed zoning district.
7. *Potential adverse fiscal impacts* that will result from providing services to areas not in proximity to where existing public services are provided.
8. *General publics concern.*
9. Whether the amendment *promotes orderly growth and development*.
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

Celebration Plaza

PUBLIC PARTICIPATION

- Neighborhood Meeting held October 18, 2022
  - 4 attendees
- Notice provided for public hearings:
  - Property posted
  - Legal advertisement
  - Mailing to surrounding property owners & stakeholders
- No objections received
- Commission public hearing held January 11, 2023
- Voted 6-0 to forward recommendation of approval

Celebration Plaza

CITY COUNCIL HEARING JANUARY 23, 2023

- City Council public hearing January 23
- Expressed concerns:
  - Large amount of MF
  - Length of hybrid term
  - Effect on City of Hope
  - Need for additional MF design elements
- Voted to table item

Celebration Plaza

CITY COUNCIL HEARING JANUARY 23, 2023

- In response, applicant revised PAD to include:
  - Color palette
  - Increased lot coverage for MF-12 (subdivided) to 85%
  - Increased restriction for hybrid period from 18 to 24 months
- Staff recommended hybrid parcel develop solely as C-O
- Rehearing by Commission & Council required
- All public notice for these hearings completed by staff
- April 24 City Council hearing
- Letter of support from City of Hope

Celebration Plaza

PLANNING & ZONING COMMISSION

- March 8, 2023
- Recommended approval
- Removed Stipulation No. 2

The portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD that has been designated as a Hybrid Zoning District that can be developed as either Commercial Office or MF-24 shall be solely developed as C-O (Commercial Office). No multi-family uses shall be developed on the portion of the Property identified as D in Exhibit 1 (Underlying Zoning Districts) in the Celebration Plaza PAD;

Celebration Plaza

RECOMMENDATION

- Proposal complies with all evaluation criteria
- Staff & PZC recommend approval subject to stipulations included in draft ordinance
- Adopt Ordinance as is
- Or, include former Stipulation No. 2
    - Limit Hybrid parcel to commercial office

CITY OF
Goodyear

ITEM #: 9.
DATE: 04/24/2023
AI #:1407

CITY COUNCIL ACTION REPORT

SUBJECT: CITRUS ROAD VAN BUREN STREET TO HARRISON STREET ANNEXATION

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

SUMMARY

Authorization to initiate the annexation of approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street.

STRATEGIC PLAN ALIGNMENT

RECOMMENDATION

Authorize staff to initiate the annexation of approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street. (Christian M. Williams. Principal Planner)

FISCAL IMPACT

Annexation of land has a fiscal impact. A brief overview of anticipated public infrastructure and services impacts is included in the staff analysis section of this CAR. A detailed fiscal impact will be included in future City Council reports. There is no fiscal impact associated with authorizing the staff to proceed with the state statutory requirements for annexation. Authorizing the process to move forward does not commit the City Council to approve the annexation.

BACKGROUND AND PREVIOUS ACTIONS

This item has not been previously presented to Council. The abutting property to the northeast of the Citrus Road alignment is the Meritage Homes' Silva Trails at West Goodyear residential master planned community (zoned R1-4 with a PAD Overlay) and the abutting property to the southeast is the City of Goodyear's proposed Fire Station 188 site (zoned PAD with an underlying zoning of PFD). The abutting property to the west of Citrus Road is zoned Rural-43 (RU-43) within Maricopa County.

STAFF ANALYSIS

Current Policy:

The city of Goodyear has an annexation policy adopted by Resolution 2001-768. In addition, Arizona State Statue regulates annexation. Below is a brief summary of the annexation process:

- Staff determines whether the proposed annexation area meets the state legal requirements for annexation as set forth in A.R.S. § 9-471.
- Staff has determined that the annexation area meets the state legal requirements for annexation pursuant to the provisions of A.R.S. § 9-471 (K).
- Assuming the proposed annexation area meets the state legal requirements for annexation, staff conducts a review of the annexation proposal to determine the desirability of the annexation.
- (Tonight's meeting) Staff provides an impact analysis of the annexation proposal to City Council. The City Council will consider the proposal and make a determination on whether to authorize staff to proceed with the annexation.
- If authorization is not provided, then no further action on the annexation will be taken.
- If authorization is provided, staff will move forward with the state statutory requirements for annexation.
- After further staff review of the proposal, a blank petition containing the legal description and an accurate map of the annexation territory is filed with the County Recorder and notice and a copy of the filing shall be given to the clerk of the board of supervisors and to the county assessor. The description shall identify the entity, if any, that will be responsible for maintaining the existing rights-of-way and roadways that are within or contiguous to the exterior boundaries of the area of the proposed annexation.
- After the blank petition is filed, there is a 30-day waiting period before signatures can be obtained.
- A public hearing must be held within the last 10 days of this 30-day waiting period to receive public input on the annexation.
- As an owner of a section of property adjacent to the Fire Station Site, the Council must also authorize the Mayor to sign the annexation petition, as the owner of that section of property.
- Once the 30-day waiting period is over, the blank petitions may be signed and collected.
- Once all petitions have been collected, the annexation may be scheduled for a City Council meeting for consideration.

Details of the Request:

There is one annexation application request for your consideration:

- Annex approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street.

  The property is generally located along the east half of the future Citrus Road right-of-way between Van Buren Street and Harrison Street and have an underlying ownership by Meritage Homes and the City of Goodyear ("the underlying owners"). The underlying owners, respectively, also own two properties immediately adjacent to the annexation areas.

  If the annexation is ultimately approved by Council and the underlying owners, the owners would then seek to make improvements to Citrus Road and build the eastern half street improvements to Goodyear city standards.

  The City's General Plan designates this area as Neighborhood. The existing County

zoning for this property is Rural-43 (RU-43). Upon annexation, the property would be designated the equivalent zoning district which is Agricultural/Urban (AU).

The property is located within the city's municipal planning area and meets state statutory requirements for annexation.

The City's Annexation Policy, adopted in 2001, provides that staff evaluate annexation requests on the following criteria:

A. The City's ability to provide basic services in a timely manner
B. Long-term desirability for community development and economic growth
C. Likelihood of the area being developed in Maricopa County or being annexed by another city or town
D. Ability to control the quality of land uses and infrastructure standards
E. Compatibility with General Plan, infrastructure needs, and timing of development

As discussed above, the approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street is immediately adjacent to two properties being development by Meritage Homes and the city of Goodyear. The property sits along the eastern portion of Citrus Road and will be needed for future roadway improvements. Without the annexation, roadway improvements to Citrus Road would not be made within the city. The current owners would like to develop the half-street roadway improvements and have the roadway built to city of Goodyear standards.

Streets: the property is intended to be constructed into the half-street improvements of Citrus Road which will ultimately serve the adjacent developments and residents.

Public Safety: 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. Fire services will be provided by Station 188, which is immediately adjacent to the roadway.

Water/Wastewater: Upon annexation, the property would be served by the City of Goodyear. The property is already included in the city's Integrated Water Master Plan (IWMP).

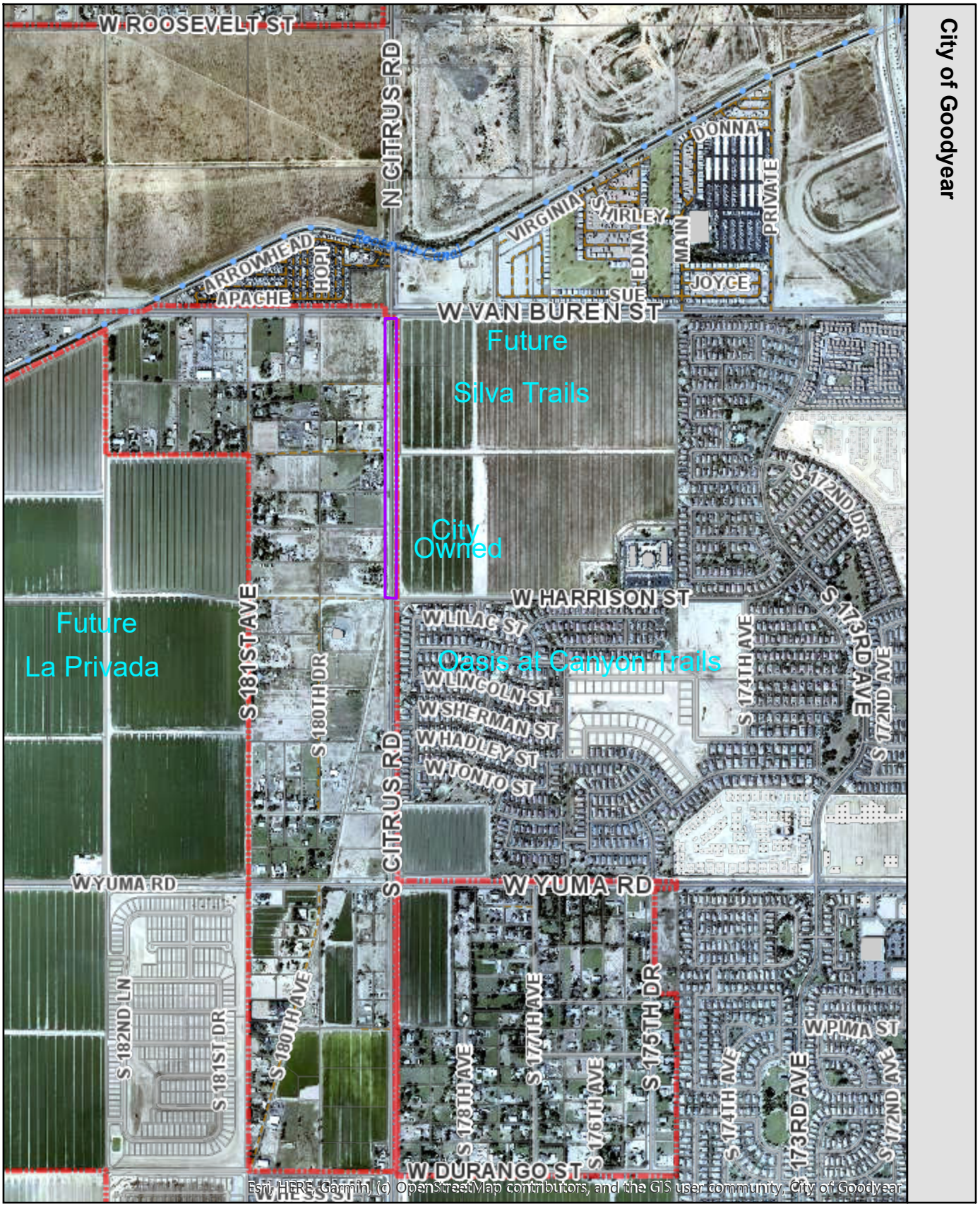
Attachments

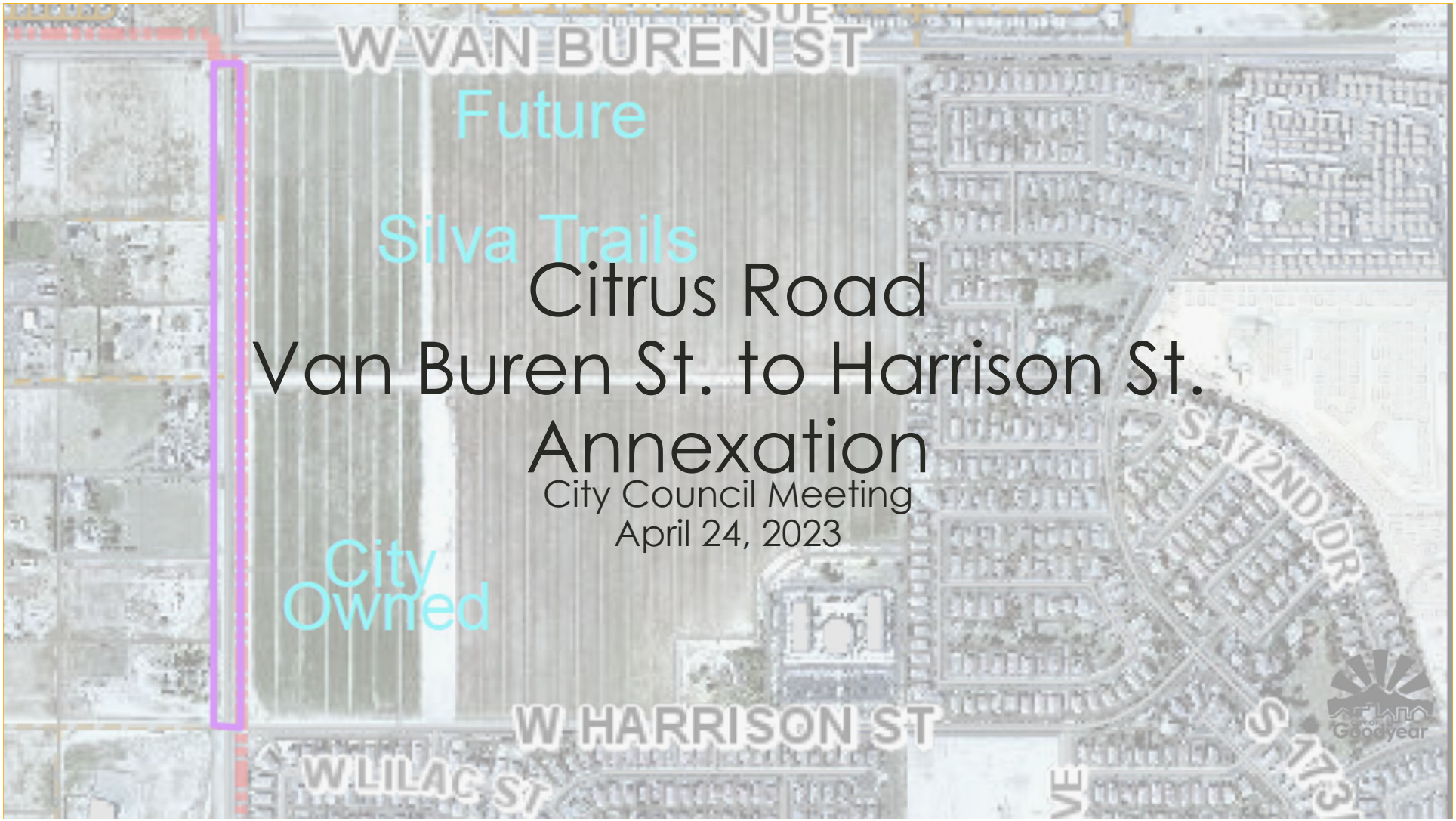
Aerial Exhibit

Presentation

Name of Map: Aerial Exhibit

Description: Citrus Road Annexation





Citrus Road
Van Buren St. to Harrison St.
Annexation

City Council Meeting
April 24, 2023

Annexation Process

1ST STEP – COUNCIL AUTHORIZATION

- Council authorizes staff to move forward with annexation process
- Opportunity for Council identify questions & concerns

Specific Location

ZOOMED IN

Council Annexation Policy

EVALUATION CRITERIA

- Ability of the City to provide basic services in a timely manner and with an acceptable revenue to cost ratio.
- Long term desirability for community development and economic growth.
- Likelihood of area proposed to be annexed being developed in the County and never wishing to be annexed by any other city.
- Ability to control the quality of land use types, appearance, and standards for constructing infrastructure.
- Compatibility with the General Plan, infrastructure needs, and timing of development.

Council Annexation Policy

EVALUATION CRITERIA

- Ability of the City to provide basic services in a timely manner and with an acceptable revenue to cost ratio.
  - Streets and transportation
  - Emergency services
  - Water and wastewater

Additional Evaluation

- Streets and Transportation
- Emergency Services
- Water and Wastewater

Recommendation

- Authorize staff to move forward with annexation process
- Council Identify any questions that staff should work to address during the process

CITY OF
Goodyear