



City Council Regular Meeting

City Hall - Council Chambers

1900 N. Civic Square

Goodyear, AZ 85395

Monday, October 28, 2024

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>

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR PIZZILLO

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

**1. APPROVAL OF MINUTES
RECOMMENDATION**

Approve the October 7, 2024, Regular Meeting draft minutes. (Darcie McCracken, City Clerk)

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

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

**3. AUTHORIZATION OF THE EXPENDITURE OF CONSTRUCTION FUNDS FOR APPROVED
CIP PROJECT #42061 – TRAFFIC SIGNAL 152ND AVENUE AND VAN BUREN STREET
RECOMMENDATION**

Authorize the expenditure of construction funds up to \$1,396,700 for Capital Improvement Program (CIP) Project #42061 – Traffic Signal 152nd Avenue and Van Buren Street. (Steve Scinto, Director of Engineering)

**4. VACATE A PORTION OF EL CIELO ROAD AND TERMINATE ADJACENT PUBLIC
UTILITY EASEMENTS
RECOMMENDATION**

ADOPT RESOLUTION NO. 2024-2428 DECLARING SECTIONS OF EL CIELO UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF EL CIELO, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF EL CIELO BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION. (Colton Blyle, Real Estate Specialist)

5. **VACATE A PORTION OF S. 143RD AVENUE AND TERMINATE ADJACENT PUBLIC UTILITY EASEMENTS**

RECOMMENDATION

ADOPT RESOLUTION NO. 2024-2429 DECLARING SECTIONS OF S. 143RD AVENUE UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF S. 143RD AVENUE, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF S. 143RD AVENUE BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION (Colton Blyle, Real Estate Specialist)

6. **FINAL PLAT OF ASCENT AT CANYON TRAILS**

RECOMMENDATION

Conditionally approve the Final Plat of Ascent at Canyon Trails, subdividing approximately 7.84 acres into 113 lots and 7 tracts, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

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

7. **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (PANDA EXPRESS)**

RECOMMENDATION

Approve the request for a Use Permit for a convenience use (drive-through restaurant) within five hundred (500) feet of a residential zoning district, on an approximately 1.2-acre parcel located at the southwest corner of Yuma Road and Cotton Lane (proposed Loop 303) zoned Planned Area Development (PAD), subject to stipulations. (Ann Dolmage, Principal Planner)

BUSINESS

8. **ADOPTION OF TRAFFIC SIGNAL CAMERA OPERATION AND RECORDING POLICY**
RECOMMENDATION

Adopt the proposed Traffic Signal Camera Operation and Recording Policy. (Steve Scinto, Director of Engineering)

9. **COMBINE CIP PROJECTS RELATED TO ROADWAY, INTERSECTION AND TRAFFIC SIGNAL IMPROVEMENTS ALONG YUMA ROAD AND ASSOCIATED BUDGET AMENDMENT**

RECOMMENDATION

Authorize combining CIP Project #42037 Yuma Road Canyon Trails to Sarival and CIP Project #42062 Traffic Signal 165th Avenue and Yuma into one project (CIP #42037), and to approve a budget amendment of \$3,000,000 and the expenditure of construction funds up to \$9,213,800 for the combined CIP Project #42037 – Yuma Road, Canyon Trails to Sarival. (Steve Scinto, Director of Engineering)

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:

November 4, 2024	Council Meeting	5:00 p.m.
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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 10/23/2024 at 5:28 p.m. by VM.

ITEM #: 1.
DATE: 10/28/2024
AI #:2303



APPROVAL OF MINUTES

SUBJECT

APPROVAL OF MINUTES

RECOMMENDATION

Approve the October 7, 2024, Regular Meeting draft minutes. (Darcie McCracken, City Clerk)

Attachments

October 7, 2024 Draft Regular Meeting Minutes

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



Monday, October 7, 2024

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 City Manager Wynette Reed; City Attorney Roric Massey; City Clerk Darcie
Present: McCracken

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER HAMPTON

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

There were no speakers.

CONSENT

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to APPROVE Consent Agenda Items 1 through 10. 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

Approve the September 23, 2024, Regular Meeting draft minutes. (Darcie McCracken, City Clerk)

2. **2025 COUNCIL MEETING CALENDAR**

RECOMMENDATION

Approve the 2025 Council Meeting Calendar. (Darcie McCracken, City Clerk)

3. **MODIFY THE CITY COUNCIL MEETING RULES OF PROCEDURE**

RECOMMENDATION

Modify the City of Goodyear, Arizona City Council Meeting Rules of Procedure. (Darcie McCracken, City Clerk)

4. **MAP OF DEDICATION FOR FULTON HOMES BALLPARK VILLAGE PHASE 1A**

RECOMMENDATION

Conditionally approve the Map of Dedication for Ballpark Village – Phase 1A, subject to stipulations. (Marty Crossland, Deputy Director of Engineering Development)

5. **FINAL PLAT FOR GSQ REGIONAL CENTER- PHASE 1 WEST GOODYEAR WAY**

RECOMMENDATION

Conditionally approve the Final Plat for Goodyear Regional Center, to replat six lots, a portion of a seventh lot, and one tract into nine lots and one tract comprising a total of 122.024 acres, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering).

6. **FINAL PLAT OF FULTON HOMES BALLPARK VILLAGE PHASE 1A**

RECOMMENDATION

Approve the Final Plat of Ballpark Village – Phase 1A subdividing approximately 14.58 acres into 30 lots and 7 tracts, subject to stipulations. (Marty Crossland, Deputy Director of Engineering Development)

7. **EDUCATIONAL SERVICES AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT**

RECOMMENDATION

Approve and authorize the City Manager to execute the Educational Services Agreement with Maricopa County Community College District for the provision of certain educational services. (Brian Issitt, Chief of Police)

8. **APPROVE BUDGET AMENDMENT OF CITY MANAGER'S CONTINGENCY**

RECOMMENDATION

Approve the budget amendment of the City Manager's Contingency Fund. (Jared Askelson, Finance Director)

Council requested that an explanation be provided to Council if a consultant's recommendations are not followed.

9. **AUTHORIZATION OF THE EXPENDITURE OF CONSTRUCTION FUNDS FOR APPROVED CIP PROJECT #60034 – BRINE DISPOSAL IMPROVEMENT PIPELINE PROJECT**

RECOMMENDATION

Authorize the expenditure of funds up to \$12,245,000 for Capital Improvement Program (CIP) Project #60034 – Brine Disposal Improvement Pipeline Project. (Anthony Dudley, Acting Water Services Director)

10. **AUTHORIZATION OF THE EXPENDITURE OF CONSTRUCTION FUNDS FOR APPROVED CIP PROJECT #60077 – RAINBOW VALLEY WRF EXPANSION**

RECOMMENDATION

Authorize the expenditure of funds for Guaranteed Maximum Price (GMP)-3 up to \$17,400,000 for Capital Improvement Program (CIP) Project #60077 - Rainbow Valley Water Reclamation Facility Expansion. (Anthony Dudley, Acting Water Services Director)

BUSINESS

11. **GOODYEAR BALLPARK TICKET PRICING STRUCTURE**

Deputy Director of Parks and Recreation Bruce Kessman presented the request to update the Goodyear Ballpark ticket pricing structure. He provided a historical overview of the pricing model and shared staff's analysis in comparison to other Cactus League facilities. Mr. Kessman noted that Goodyear Ballpark will continue offering exclusive promotions for residents and will remain in the lower pricing tier for comparable seating categories across the league.

Council expressed support for maintaining resident discounts and acknowledged the affordability of the updated ticket pricing, along with the addition of home plate box options. Council also requested that staff explore adding more shade options to the Goodyear Ballpark in the future.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Vice Mayor Laura Kaino to APPROVE the Spring Training ticket pricing structure. 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

12. **PENSKE TRUCK LEASING ANNEXATION**

Planning Manager Christian Williams presented the request from Penske Truck Leasing to annex approximately 4.92 acres located on the south side of West McDowell Road, just west of the 183rd Drive alignment. Mr. Williams explained that this is the first step in the annexation process. He noted that if the property is annexed into the City, the applicant plans to apply for permits to expand their existing Penske Truck Rental facility, which borders the property to the east which is already located in the city.

In response to Council inquiry, Mr. Williams explained that the property to the west of the parcel would remain in Maricopa County's jurisdiction.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Vicki Gillis to AUTHORIZE staff to initiate the annexation of Assessor's Parcel Number 502-37-064M approximately 4.92 acres of property, generally located on the south side of West McDowell Road, just west of the 183rd Drive alignment. 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

13. **AMENDMENTS TO CHAPTER 15 OF GOODYEAR CODE OF ORDINANCES (SUBDIVISION REGULATIONS)**

Planning Manager Christian Williams presented the request to amend city code to allow for administrative approval of final plats. He highlighted changes to statute due to the passing of Senate Bill 1103, which allows city staff to review and approve final plats and amendments without requiring City Council approval. He also noted that the Council had previously authorized administrative approval of preliminary plats in April 2023. Mr. Williams explained that the proposed ordinance would grant the Development Services Director the authority to approve final plats, approve them with conditions, or deny them. He added that any denials could be appealed to the City Council.

Council noted that final plats are typically on the consent agenda with minimal to no discussion.

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Bill Stipp to ADOPT ORDINANCE NO. 2024-1615, AMENDING GOODYEAR CITY CODE AMENDING SECTIONS 15-2-3 (STAGE II – PRELIMINARY PLAT) AND 15-2-5 (STAGE III – FINAL PLAT) OF ARTICLE 15-2 (PLATTING PROCEDURES AND REQUIREMENTS) AND SECTION 15-3-6 (CONDOMINIUM DEVELOPMENTS AIRSPACE PLANNING) OF ARTICLE 15-3 (SUBDIVISION DESIGN PRINCIPLES AND STANDARDS) OF CHAPTER 15 (SUBDIVISION REGULATIONS) RELATED TO ADMINISTRATIVE REVIEW AND APPROVAL OF PLATS AND AMENDED PLATS AND MINOR SCRIVENER'S ERROR; PROVIDING FOR CORRECTIONS, SEVERABILITY. 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

14. **DELEGATION OF AUTHORITY TO THE CITY MANAGER OR DESIGNEE TO AUTHORIZE TERMINATIONS OF EASEMENTS**

Planning Manager Christian Williams explained that the Resolution is a companion item to Item 13 and no additional presentation was provided.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2024-2433 AUTHORIZING THE CITY MANAGER TO APPROVE AND EXECUTE DOCUMENTS TERMINATING CERTAIN EASEMENTS PREVIOUSLY CONVEYED OR ACQUIRED BY THE CITY AND PROVIDING AN EFFECTIVE DATE. 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

INFORMATION ITEMS

Council reflected on the Council Retreat held on October 2, 2024, and recognized the Fire Chief for the success of the Dinner with the Fire Chief event on October 3, 2024. Additionally, the Council acknowledged the attack on Israel, commemorating the events of October 7, and noted the impact of the hurricanes currently affecting the East Coast.

City Manager Wynette Reed reported on the Movie in the Park event held at the Goodyear Recreation Campus on October 5, 2024, which attracted over 700 attendees who enjoyed watching Jurassic World.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

October 21, 2024

Council Meeting

5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 5:35 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 October 7, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2024.

SEAL:

Darcie McCracken, City Clerk

ITEM #: 2.
DATE: 10/28/2024
AI #:2267



CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY

STAFF PRESENTER(S): Ryan Bittle, Finance Manager

SUMMARY

APPROVE BUDGET AMENDMENTS

STRATEGIC PLAN ALIGNMENT



Fiscal Resource
Management

RECOMMENDATION

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

FISCAL IMPACT

Fiscal impacts are outlined in the attached report. The citywide budget total remains unchanged within the Adopted State Expenditure Limitation.

BACKGROUND AND PREVIOUS ACTIONS

Budget amendments requiring City Council approval are presented as necessary throughout the year. The FY2025 expenditure limitation budget was adopted on June 12, 2024.

STAFF ANALYSIS

Budget transfers are permitted by Arizona Revised Statute 42-17106(B), which provides authorization for cities and towns to exceed expenditures in a budget item after final adoption of a city/town budget by transferring appropriations between budget items.

All budget transfers are completed within city policy established by Resolution 2022-2256.

Review of budget transfers keeps the Council and public informed about the city's current fiscal year revenues and expenditures.

Attachments

Budget Amendment Report

City Council - Budget Amendments Report - FY2025

Council Agenda Date: 10/28/2024

Date	Transfer Journal No.	Reason Needed	Amount	Funding From	Funding To
9/9/2024	2025-03-267	Two Real-Estate positions are being reclassified to the Engineering department. This budget amendment is needed to move the remaining budget for these positions to Engineering.	\$199,800	General Fund Legal Services	General Fund Engineering

ITEM #: 3.
DATE: 10/28/2024
AI #:2239



CITY COUNCIL ACTION REPORT

SUBJECT: AUTHORIZATION OF THE EXPENDITURE OF CONSTRUCTION FUNDS FOR APPROVED CIP PROJECT #42061 – TRAFFIC SIGNAL 152ND AVENUE AND VAN BUREN STREET

STAFF PRESENTER(S): Steve Scinto, Director of Engineering

OTHER PRESENTER(S):

David Jossund, Sr. Project Manager

SUMMARY

A request to authorize the expenditure of construction funds up to \$1,396,700 for Capital Improvement Program (CIP) Project #42061 – Traffic Signal 152nd Avenue and Van Buren Street.

STRATEGIC PLAN ALIGNMENT



Fiscal Resource
Management



INFRASTRUCTURE

RECOMMENDATION

Authorize the expenditure of construction funds up to \$1,396,700 for Capital Improvement Program (CIP) Project #42061 – Traffic Signal 152nd Avenue and Van Buren Street. (Steve Scinto, Director of Engineering)

FISCAL IMPACT

CIP Project #42061 – Traffic Signal-152nd Avenue and Van Buren Street is currently programmed in the FY2025-FY2029 CIP with a total project budget of \$1,425,000 with an estimated completion date of June 2025.

BACKGROUND AND PREVIOUS ACTIONS

Per City of Goodyear Resolution 08-1255, all expenditures of budgeted funds in excess of \$500,000 must obtain Council approval.

On June 6, 2022 (AI-806), Council approved CIP #42061 – Traffic Signal-152nd and Van Buren in the adoption of Resolution No. 2022-2253 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the city of Goodyear for FY2023.

On June 12, 2023 (AI-1537), Council approved the carryover of CIP #42061 – Traffic Signal-152nd and Van Buren in the adoption of Resolution No. 2023-2318 Determining and Adopting the Final Estimates

of Proposed Revenues and Expenditures for the city of Goodyear for FY2024.

On June 10, 2024 (AI-1797), Council approved the carryover of CIP #42061 – Traffic Signal-152nd and Van Buren in the adoption of Resolution No. 2024-2381 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the city of Goodyear for FY2025.

In October 2022, Goodyear selected Dibble from the on call list to complete design activities for CIP Project #42061 – Traffic Signal-152nd and Van Buren with a contract not to exceed \$53,814.00.

In July 2024, Goodyear selected Talis from a cooperative Job Order Contract (JOC) list to complete construction activities for CIP Project #42061 – Traffic Signal-152nd and Van Buren with a contract not to exceed \$565,737.63.

STAFF ANALYSIS

CIP Project #42061 – Traffic Signal-152nd and Van Buren will provide final construction services. In general, the proposed improvements include updated ADA ramps, intersection pathways and installation of traffic signals.

This Council Action Request is to obtain authorization for the expenditure of the construction of CIP Project #42061 – Traffic Signal-152nd and Van Buren.

ITEM #: 4.
DATE: 10/28/2024
AI #:2290



CITY COUNCIL ACTION REPORT

SUBJECT: VACATE A PORTION OF EL CIELO ROAD AND TERMINATE ADJACENT PUBLIC UTILITY EASEMENTS

STAFF PRESENTER(S): Colton Blyle, Real Estate Services Specialist

SUMMARY

Current landowner has asked the City to vacate and abandon a section of El Cielo Road located within its property and to terminate the public utility easements adjacent to the section of El Cielo being vacated.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

ADOPT RESOLUTION NO. 2024-2428 DECLARING SECTIONS OF EL CIELO UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF EL CIELO, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF EL CIELO BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION.
(Colton Blyle, Real Estate Specialist)

FISCAL IMPACT

There is no direct fiscal impact from vacating and abandoning the requested section of El Cielo or from the termination of the public utility easement adjacent to section of El Cielo being vacated. There are, however, indirect fiscal impacts that benefit the city in the form of the elimination of responsibility for the section of El Cielo being vacated, and tax revenues gained by the continued development of the adjacent property, which is being facilitated by the abandonment of the right-of-way and termination of the adjacent public utility easement.

BACKGROUND AND PREVIOUS ACTIONS

On December 8, 1983, Broadway Investments, LTD., a California partnership conveyed to the city of Goodyear by Final Plat for the Airport Commercecenter Subdivision No. 2 recorded in the official records of the Maricopa County, Arizona Recorder as Instrument No. 1983 0492562 (the "Commercecenter Plat") right-of-way for the development of a public roadway to be known as titled El Cielo, which was to provide access to a number of lots created by the Commercecenter Plat, and public utility easements adjacent to the such right-of-way. Microsoft Corporation, a Washington corporation ("Microsoft") acquired all of the property within the Commercecenter Plat, which it subsequently re-platted by the Final Plat for PHX 10-11 Phase 1 recorded in the official records of the Maricopa County, Arizona Recorder at Book 1481 page 17 (Instrument 20190682117) (the "PHX 10-11 Plat"). The PHX 10-11 Plat consolidated a number of lots, including lots which required access from El Cielo. Microsoft has asked the City to vacate and abandon a portion of the El Cielo right-of-way located within its property (the "ROW Abandonment Area") and to terminate the public utility easements adjacent to the section of El Cielo being vacated (the "PUE Termination Area").

STAFF ANALYSIS

The ROW Abandonment Area has not been used as a public right-of-way, and no street improvements have been constructed within the ROW Abandonment Area. City engineering staff have confirmed the ROW Abandonment Area is not needed for public right-of-way and the city-owned public utility improvements that are located within the ROW Abandonment Area are no longer needed and have been capped and abandoned in place. City real-estate staff confirmed that none of the utility and telecommunication providers who are authorized to install facilities within city right-of-way do not have any infrastructure within the ROW Abandonment Area or the PUE Termination Area. Accordingly, staff is recommending that Council approve Resolution 2024-2428, which finds the ROW Abandonment Area as being unnecessary for public roadway purposes and vacates the ROW Abandonment Area, finds the public utility easement located within the PUE Termination Area is no longer needed and authorizes the city manager to execute a document in a form approved by the city attorney or his designee terminating the public utility easement over the PUE Termination Area once the city receives a public utility easement for the area adjacent to the new boundaries of El Cielo.

Attachments

Resolution with Exhibits

RESOLUTION NO. 2024-2428

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING SECTIONS OF EL CIELO UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF EL CIELO, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF EL CIELO BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION.

WHEREAS, on December 8, 1983 Broadway Investments, LTD., a California partnership conveyed to the City of Goodyear by Final Plat for the Airport Commercecenter Subdivision No. 2 recorded in the official records of the Maricopa County, Arizona Recorder as Instrument No. 1983 0492562 (the "Commercecenter Plat") right-of-way for the development of a public roadway to be known as titled El Cielo, which was to provide access to a number of lots created by the Commercecenter Plat, and public utility easements adjacent to the such right-of-way; and

WHEREAS, Microsoft Corporation, a Washington corporation ("Microsoft") acquired approximately 279 acres of real property within the City of Goodyear generally located between the north side of Broadway and the south side of MC-85 extending from east of Bullard Avenue to west of Litchfield Road (the "Microsoft Property"), which included all of the property within the Commercecenter Plat; and

WHEREAS, Microsoft re-platted the Microsoft Property by Final Plat for PHX 10-11 Phase 1 recorded in the official records of the Maricopa County, Arizona Recorder at Book 1481 page 17 (Instrument 20190682117) (the "PHX 10-11 Plat"), which consolidated a number of lots, including lots which required access from El Cielo; and

WHEREAS, the city received an application from Microsoft to abandon a portion of the property conveyed for right-of-way for the development of El Cielo as more particularly described in Exhibit "A" attached hereto and incorporated herein (the "ROW Abandonment Area") and to terminate the portion of the Public Utility Easement adjacent to the right-of-way to be abandoned as more particularly described in Exhibit "B" attached hereto and incorporated herein (the "PUE Termination Area"); and

WHEREAS, the ROW Abandonment Area has not been used as a public right-of-way, and no street improvements have been constructed within the ROW Abandonment Area; and

WHEREAS, the ROW Abandonment Area is no longer needed for access and its development as a public road is inconsistent with Microsoft's development plans for the Microsoft Property; and

WHEREAS, City engineering staff have confirmed that the ROW Abandonment Area is not needed for public right-of-way and the city owned public utility improvements that are located in the ROW Abandonment Area are no longer needed and have been capped and abandoned in place; and

WHEREAS, City engineering staff have confirmed that the PUE Termination Area adjacent to the ROW Abandonment Area is no longer needed.

WHEREAS, City real-estate staff confirmed that none of the utility and telecommunication providers who are authorized to install facilities within city right-of-way do not have any infrastructure within the ROW Abandonment Area or the PUE Termination Area; and

WHEREAS, pursuant to A.R.S. § 28-7202, the Mayor and Council of the City of Goodyear are vested with the power to determine and find that a public roadway or portion thereof is unnecessary for public use as a roadway and dispose of the such roadway; and

WHEREAS, pursuant to A.R.S. § 9-402, the city has the power to dispose of easements conveyed to the city that are no longer needed; and

WHEREAS, the City of Goodyear Engineering and Design Standards require the dedication of public utility easements adjacent to public right-of-way, and City engineering staff have determined that once the ROW Abandonment Area is vacated and abandoned, the public utility easement adjacent to the ROW Abandonment Area is no longer needed.

WHEREAS, a new public utility easement will be required in the area adjacent to the new boundaries of El Cielo that will be result after the ROW Abandonment Area is vacated and abandoned as more particularly described Exhibit "C" attached hereto and incorporated herein by reference.

WHEREAS, the Mayor and Council of the City of Goodyear find and determine that the portion of El Cielo described in Exhibit "A" is unnecessary for public roadway purposes; and

WHEREAS, the market value of the City's interest in the property legally described and depicted in Exhibit A is nominal and the City will receive consideration for the abandonment of such interests in the form of tax revenues gained by Microsoft's further development of the Microsoft Property, the elimination of the City's responsibility for such rights-of-ways, and the relief from potential liability for property damages, injury or death that may occur in the Abandonment Area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that the portion of El Cielo, as more particularly described Exhibit "A" attached hereto and incorporated herein by reference is unnecessary for public roadway purposes and should be vacated and that the portion of the Public Utility Easement adjacent to the portion of El Cielo being vacated and abandoned as more particularly described Exhibit "B" attached hereto and incorporated herein by reference is no longer needed; and

SECTION 2. The portion of El Cielo, as more particularly described Exhibit "A" attached hereto and incorporated herein by reference is hereby vacated, which vacation shall become effective upon the recordation of this Resolution 2024-2428 and the exhibits attached hereto with the office of the County Recorder for Maricopa County, Arizona.

SECTION 3. Pursuant to A.R.S. § 28-7205, title to the property being vacated and abandoned herein shall vest, subject to all existing encumbrances, liens, limitations, restrictions and estates, to the owners of record of the land abutting the portion of El Cielo being vacated and abandoned as of the date this Resolution is recorded.

SECTION 4 Upon the city's receipt of a public utility easement for the area adjacent to the new boundaries of El Cielo that will result upon the recordation of this Resolution as more particularly described Exhibit "C" attached hereto and incorporated herein by reference, which shall be in a form provided by the City Attorney or his designee, the Mayor and Council of the City of Goodyear authorize the City Manager to execute a document in a form approved by the City Attorney or his designee terminating the portion of the existing public utility easement adjacent to the portion of El Cielo that is being vacated and abandoned as more particularly described in Exhibit "B" attached hereto and incorporated herein.

SECTION 5. The City Clerk shall record this Resolution 2024-2428 and Exhibit A attached hereto with the office of the County Recorder for Maricopa County, Arizona within ten (10) days of the effective date of this Resolution.

SECTION 6. Resolution 2024-2428 shall be effective upon the date of its adoption by the Mayor and Council of the City of Goodyear.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 2024.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT 'A'

PARTIAL RIGHT OF WAY ABANDONMENT OF EL CIELO

THAT PORTION OF EL CIELO, A PUBLIC RIGHT OF WAY, AS SHOWN ON THE FINAL PLAT OF "PHX 10-11 PHASE 1", ACCORDING TO BOOK 1481 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, ALSO LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 21 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 21 BEARS SOUTH 89°10'28" EAST, 2630.09 FEET;

THENCE SOUTH 89°10'28" EAST, 1315.04 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 00°52'11" EAST, 1025.10 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 00°52'11" EAST, 439.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE CENTER RADIUS BEARS NORTH 00°52'11" WEST, 60.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 138°11'23", AN LENGTH OF 144.71 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 48°11'23", AN ARC LENGTH OF 25.23 FEET;

THENCE NORTH 00°52'11" WEST, 335.45 FEET;

THENCE NORTH 89°07'49" EAST, 20.93 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, WHOSE CENTER RADIUS BEARS NORTH 79°01'03" EAST, 60.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°26'58", AN LENGTH 24.56 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED CONTAINS 15,916 SQUARE FEET MORE OR LESS.

SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

RYAN D. GILBERT, RLS
GILBERT LAND SURVEYING
4361 S SQUIRES LANE
GILBERT, AZ 85297
480-275-8020
PROJECT NO. 24-0302-ROW



EXHIBIT 'A'

PARTIAL RIGHT OF WAY ABANDONMENT OF EL CIELO

N 1/4 CORNER
SECTION 21,
T1N, R1W
**POINT OF
COMMENCEMENT**

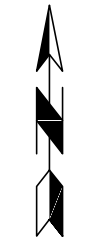
NE CORNER
SECTION 21,
T1N, R1W

W. LOWER
BUCKEYE RD

S89°10'28"E 2630.09'

1315.04'

1315.05'



N.T.S.

30' RIGHT OF WAY
BK 259, PG 44, MCR
TO REMAIN

LOT 6
BK 1481,
PG 17, MCR

60' RIGHT OF WAY
ABANDONMENT

EL CIELO

S0°52'11"E
992.47'

L1

C3

POINT OF
BEGINNING

N0°52'11"W 335.45'

S0°52'11"E 439.90'

C2

C1

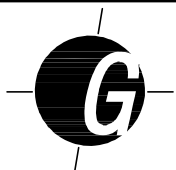
LINE TABLE

LINE	LENGTH	BEARING
L1	20.93'	N89° 07' 49"E

Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD	C.L.
C1	144.71'	60.00'	138°11'23"	S21° 46' 29"E	112.10'
C2	25.23'	30.00'	48°11'23"	N23° 13' 31"E	24.49'
C3	24.56'	60.00'	23°26'58"	S22° 42' 26"E	24.39'

NOTE: THIS EXHIBIT IS MEANT SOLELY AS A
REFERENCE TO THE LEGAL DESCRIPTION
TO WHICH IT IS ATTACHED.



GILBERT LAND SURVEYING, PLC
4361 S. Squires Lane, Gilbert, Arizona 85297
Phone: (480) 275-8020 - info@gilbertsurvey.com

PROJ. NO.: 24-0302-ROW
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DATE: 03/04/24

EXHIBIT 'B'

PUBLIC UTILITY EASEMENT ABANDONMENT

A PORTION OF LOT 6 OF THE FINAL PLAT OF "PHX 10-11 PHASE 1", ACCORDING TO BOOK 1481 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, ALSO LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 21 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 21 BEARS SOUTH 89°10'28" EAST, 2630.09 FEET;

THENCE SOUTH 89°10'28" EAST, 1315.04 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 00°52'11" EAST, 1465.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 00°52'11" EAST, 10.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, WHOSE CENTER RADIUS BEARS NORTH 00°52'11" WEST, 70.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 138°11'23", AN ARC LENGTH OF 168.83 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE A CENTRAL ANGLE OF 48°11'23", AN ARC LENGTH OF 16.82 FEET;

THENCE NORTH 00°52'11" WEST, 335.45 FEET;

THENCE NORTH 89°07'49" EAST, 10.00 FEET;

THENCE SOUTH 00°52'11" EAST, 335.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 48°11'23", 25.23 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 138°11'23", AN ARC LENGTH OF 144.71 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED CONTAINS 5,132 SQUARE FEET MORE OR LESS.

SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

RYAN D. GILBERT, RLS
GILBERT LAND SURVEYING
4361 S SQUIRES LANE
GILBERT, AZ 85297
480-275-8020
PROJECT NO. 24-0302-PUE



EXHIBIT 'B'
PUBLIC UTILITY EASEMENT
ABANDONMENT

N 1/4 CORNER
SECTION 21,
T1N, R1W
**POINT OF
COMMENCEMENT**

NE CORNER
SECTION 21,
T1N, R1W

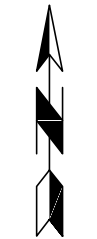
**W. LOWER
BUCKEYE RD**

S89°10'28"E 2630.09'

1315.04'

1315.05'

30' RIGHT OF WAY
BK 259, PG 44, MCR
TO REMAIN



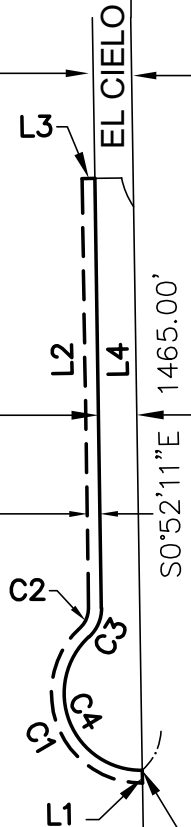
N.T.S.

RIGHT OF WAY TO BE
ABANDONED BY SEPARATE
INSTRUMENT

**10' PUBLIC UTILITY
EASEMENT
ABANDONMENT**

LOT 6
BK 1481, PG 17,
MCR

LOT 1
BK 1481, PG 17,
MCR



**POINT OF
BEGINNING**



NOTE: THIS EXHIBIT IS MEANT
SOLELY AS A REFERENCE TO
THE LEGAL DESCRIPTION TO
WHICH IT IS ATTACHED.



GILBERT LAND SURVEYING, PLC
4361 S. Squires Lane, Gilbert, Arizona 85297
Phone: (480) 275-8020 - info@gilbertsurvey.com

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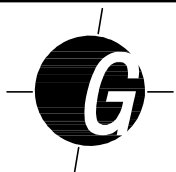
EXHIBIT 'B'

PUBLIC UTILITY EASEMENT ABANDONMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00'	S0° 52' 11"E
L2	335.45'	N0° 52' 11"W
L3	10.00'	N89° 07' 49"E
L4	335.45'	S0° 52' 11"E



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD LENGTH
C1	168.83'	70.00'	138°11'23"	S21° 46' 30"E	130.78'
C2	16.82'	20.00'	48°11'23"	S23° 13' 31"W	16.33'
C3	25.23'	30.00'	48°11'23"	S23° 13' 31"W	24.49'
C4	144.71'	60.00'	138°11'23"	S21° 46' 30"E	112.10'



GILBERT LAND SURVEYING, PLC
 4361 S. Squires Lane, Gilbert, Arizona 85297
 Phone: (480) 275-8020 - info@gilbertsurvey.com

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EXHIBIT 'C'
PUBLIC UTILITY EASEMENT

AN EASEMENT LOCATED WITHIN EL CIELO, A PUBLIC RIGHT-OF-WAY, AS SHOWN ON THE FINAL PLAT OF "PHX 10-11 PHASE 1", ACCORDING TO BOOK 1481 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, ALSO LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 21 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 21 BEARS SOUTH 89°10'28" EAST, 2630.09 FEET;

THENCE SOUTH 89°10'28" EAST, 1315.04 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 00°52'11" EAST, 992.47 FEET TO A POINT LOCATED ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID EL CIELO, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 00°52'11" EAST, 32.64 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, WHOSE CENTER RADIUS BEARS NORTH 55°34'05" EAST, 60.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°26'58", AN ARC LENGTH OF 24.56 FEET;

THENCE SOUTH 89°07'49" WEST, 20.93 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAIS EL CIELO;

THENCE NORTH 00°52'11" WEST, 10.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE;

THENCE NORTH 89°07'49" EAST, 30.00 FEET, DEPARTING FROM SAID WESTERLY RIGHT-OF-WAY LINE TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED CONTAINS 423 SQUARE FEET MORE OR LESS.

SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

RYAN D. GILBERT, RLS
GILBERT LAND SURVEYING
4361 S SQUIRES LANE
GILBERT, AZ 85297
480-275-8020
PROJECT NO. 24-0302-U



EXHIBIT 'C' FOR PUBLIC UTILITY EASEMENT

N 1/4 CORNER
SECTION 21,
T1N, R1W

POINT OF
COMMENCEMENT

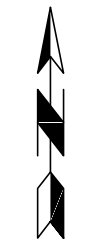
NE CORNER
SECTION 21,
T1N, R1W

W. LOWER
BUCKEYE RD

S89°10'28"E 2630.09'

1315.04'

1315.05'



N.T.S.

LOT 6
BK 1481, PG
17, MCR

30' R/W
BK 259, PG
44, MCR

EL CIELO

S0°52'11"E 992.47'

POINT OF
BEGINNING

L4

L3

L2

L1

PUBLIC
UTILITY
EASEMENT
DEDICATED
HEREON

30' R/W
TO BE
ABANDONED
BY SEPARATE
INSTRUMENT

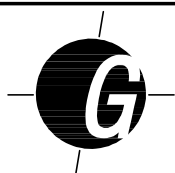
LINE TABLE

LINE	LENGTH	BEARING
L1	32.64'	S0° 52' 11"E
L2	20.93'	S89° 07' 49"W
L3	10.00'	N0° 52' 11"W
L4	30.00'	N89° 07' 49"E

Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD LENGTH
C1	24.56'	60.00'	23°26'58"	S22° 42' 26"E	24.39'

NOTE: THIS EXHIBIT IS MEANT SOLELY AS A
REFERENCE TO THE LEGAL DESCRIPTION
TO WHICH IT IS ATTACHED.



GILBERT LAND SURVEYING, PLC
4361 S. Squires Lane, Gilbert, Arizona 85297
Phone: (480) 275-8020 - info@gilbertsurvey.com

PROJ. NO.: 24-0302-U
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DATE: 03/05/24

ITEM #: 5.
DATE: 10/28/2024
AI #:2318



CITY COUNCIL ACTION REPORT

SUBJECT: VACATE A PORTION OF S. 143RD AVENUE AND TERMINATE ADJACENT PUBLIC UTILITY EASEMENTS

STAFF PRESENTER(S): Colton Blyle, Real Estate Specialist

SUMMARY

Current landowner has asked the City to vacate and abandon a section of 143rd Avenue located within its property and to terminate the public utility easements adjacent to the section of 143rd Avenue being vacated.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

ADOPT RESOLUTION NO. 2024-2429 DECLARING SECTIONS OF S. 143RD AVENUE UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF S. 143RD AVENUE, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF S. 143RD AVENUE BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION (Colton Blyle, Real Estate Specialist)

FISCAL IMPACT

There is no direct fiscal impact from vacating and abandoning the requested section of 143rd Avenue or from the termination of the public utility easement adjacent to the section of 143rd Avenue being vacated. There are, however, indirect fiscal impacts that benefit the city in the form of the elimination of responsibility for the section of 143rd Avenue being vacated, and tax revenues gained by the continued development of the adjacent property, which is being facilitated by the abandonment of the right-of-way and termination of the adjacent public utility easement.

BACKGROUND AND PREVIOUS ACTIONS

On December 8, 1983 Broadway Investments, LTD., a California partnership conveyed to the City of Goodyear by Final Plat for the Airport Commercenter Subdivision No. 2 recorded in the official records of the Maricopa County, Arizona Recorder as Instrument No. 1983 0492562 (the "Commercenter Plat") right-of-way for the development of a public roadway to be known at that time as Airport Way but that is now known as 143rd Avenue, which was to provide access to a number of lots created by the Commercenter Plat, and public utility easements adjacent to the such right-of-way. Microsoft Corporation, a Washington corporation ("Microsoft") acquired all of the property within the Commercenter Plat, which it subsequently re-platted by the Final Plat for PHX 10-11 Phase 1 recorded in the official records of the Maricopa County, Arizona Recorder at Book 1481 page 17 (Instrument 20190682117) (the "PHX 10-11 Plat"). The PHX 10-11 Plat consolidated a number of lots, including lots which required access from 143rd Avenue. Microsoft has asked the City to vacate and abandon a portion of the 143rd Avenue right-of-way located within its property (the "ROW Abandonment Area") and to terminate the public utility easements adjacent to the section of 143rd Avenue being vacated (the "PUE Termination Area").

STAFF ANALYSIS

The ROW Abandonment Area has not been used as a public right-of-way, and no street improvements have been constructed within the ROW Abandonment Area. City engineering staff have confirmed the ROW Abandonment Area is not needed for public right-of-way and that the public utility easement located within the PUE Termination Area is no longer needed. City real-estate staff confirmed that except for utility improvements installed pursuant to a separate easement granted to a private utility company, none of the utility and telecommunication providers who are authorized to install facilities within city right-of-way have any infrastructure within the ROW Abandonment Area or the PUE Termination Area. Accordingly, staff is recommending that Council approve Resolution 2024-2429, which finds the ROW Abandonment Area as being unnecessary for public roadway purposes and vacates the ROW Abandonment Area, finds the public utility easement located within the PUE Termination Area is no longer needed and authorizes the city manager to execute a document in a form approved by the city attorney or his designee terminating the public utility easement over the PUE Termination Area.

Attachments

Resolution 2024-2429 with Exhibits

RESOLUTION NO. 2024-2429

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING SECTIONS OF S. 143RD AVENUE UNNECESSARY FOR PUBLIC ROADWAY, VACATING SUCH SECTIONS OF S. 143RD AVENUE, AUTHORIZING THE TERMINATION OF PUBLIC UTILITY EASEMENTS ADJACENT TO THE SECTION OF S. 143RD AVENUE BEING VACATED, PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION.

WHEREAS, on December 8, 1983 Broadway Investments, LTD., a California partnership conveyed to the City of Goodyear by Final Plat for the Airport Commercecenter Subdivision No. 2 recorded in the official records of the Maricopa County, Arizona Recorder as Instrument No. 1983 0492562 (the "Commercecenter Plat") right-of-way for the development of a public roadway to be known at that time as Airport Way but that is now known as 143rd Avenue), which was to provide access to a number of lots created by the Commercecenter Plat, and public utility easements adjacent to the such right-of-way; and

WHEREAS, Microsoft Corporation, a Washington corporation ("Microsoft") acquired approximately 279 acres of real property within the City of Goodyear generally located between the north side of Broadway and the south side of MC-85 extending from east of Bullard Avenue to west of Litchfield Road (the "Microsoft Property"), which included all of the property within the Commercecenter Plat; and

WHEREAS, Microsoft re-platted the Microsoft Property by Final Plat for PHX 10-11 Phase 1 recorded in the official records of the Maricopa County, Arizona Recorder at Book 1481 page 17 (Instrument 2019 0682117) (the "PHX 10-11 Plat"), which consolidated a number of lots, including lots which required access from S. 143rd Avenue; and

WHEREAS, the city received an application from Microsoft to abandon a portion of the property conveyed for right-of-way for the development of S. 143rd Avenue as more particularly described in Exhibit "A" attached hereto and incorporated herein (the "ROW Abandonment Area") and to terminate the portion of the Public Utility Easement adjacent to the right-of-way to be abandoned as more particularly described in Exhibit "B" attached hereto and incorporated herein (the "PUE Termination Area"); and

WHEREAS, the ROW Abandonment Area has not been used as a public right-of-way, and no street improvements have been constructed within the ROW Abandonment Area; and

WHEREAS, the ROW Abandonment Area is no longer needed for access and its development as a public road is inconsistent with Microsoft's development plans for the Microsoft Property; and

WHEREAS, City engineering staff have confirmed that the ROW Abandonment Area is not needed for public right-of-way; and

WHEREAS, City engineering staff have confirmed that the public utility easement adjacent to the ROW Abandonment Area is no longer needed.

WHEREAS, City real-estate staff confirmed that the city has no utility facilities within the ROW Abandonment Area; and

WHEREAS, City real estate staff confirmed that except for utility improvements installed pursuant to a separate easement granted to a private utility company, none of the utility and telecommunication providers who are authorized to install facilities within city right-of-way or public utility easements have any infrastructure within the ROW Abandonment Area or the PUE Termination Area; and

WHEREAS, pursuant to A.R.S. § 28-7202, the Mayor and Council of the City of Goodyear are vested with the power to determine and find that a public roadway or portion thereof is unnecessary for public use as a roadway and dispose of the such roadway; and

WHEREAS, pursuant to A.R.S. § 9-402, the city has the power to dispose of easements conveyed to the city that are no longer needed; and

WHEREAS, the City of Goodyear Engineering and Design Standards require the dedication of public utility easements adjacent to public right-of-way, and City engineering staff have determined that once the ROW Abandonment Area is vacated and abandoned, the public utility easement adjacent to the ROW Abandonment Area is no longer needed.

WHEREAS, the Mayor and Council of the City of Goodyear find and determine that the portion of S. 143rd Avenue described in Exhibit "A" is unnecessary for public roadway purposes; and

WHEREAS, the market value of the City's interest in the property legally described and depicted in Exhibit A is nominal and the City will receive consideration for the abandonment of such interests in the form of tax revenues gained by Microsoft's further development of the Microsoft Property, the elimination of the City's responsibility for such rights-of-ways, and the relief from potential liability for property damages, injury or death that may occur in the Abandonment Area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that the portion of S. 143rd Avenue, as more particularly described Exhibit "A" attached hereto and incorporated herein by reference is unnecessary for public roadway purposes and should be vacated and that the portion of the Public Utility Easement adjacent to the portion of S. 143rd Avenue being vacated and abandoned as more particularly described Exhibit "B" attached hereto and incorporated herein by reference is no longer needed; and

SECTION 2. The portion of S. 143rd Avenue, as more particularly described Exhibit "A" attached hereto and incorporated herein by reference is hereby vacated, which vacation shall become effective upon the recordation of this Resolution 2024-2429 and the exhibits attached hereto with the office of the County Recorder for Maricopa County, Arizona.

SECTION 3. Pursuant to A.R.S. § 28-7205, title to the property being vacated and abandoned herein shall vest, subject to all existing encumbrances, liens, limitations, restrictions and estates, to the owners of record of the land abutting the portion of S. 143rd Avenue being vacated and abandoned as of the date this Resolution is recorded.

SECTION 4. The City Clerk shall record this Resolution 2024-2429 and Exhibit A attached hereto with the office of the County Recorder for Maricopa County, Arizona within ten (10) days of the effective date of this Resolution.

SECTION 5. The City Manager is hereby authorized and directed to execute a document approved by the City Attorney or his designee terminating the public utility easement adjacent to the portion of S. 143rd Avenue being vacated and abandoned as more particularly described Exhibit "B" attached hereto (the "Easement Termination") and to have the executed Easement Termination recorded in the official records of Maricopa County, Arizona.

SECTION 6. Resolution 2024-2429 shall be effective upon the date of its adoption by the Mayor and Council of the City of Goodyear.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 2024.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT 'A'
PARTIAL RIGHT OF WAY ABANDONMENT
OF 143RD AVENUE

THAT PORTION OF 143RD AVENUE, A PUBLIC RIGHT OF WAY, AS SHOWN ON THE FINAL PLAT OF "PHX 10-11 PHASE 1", ACCORDING TO BOOK 1481 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, ALSO LOCATED IN THE NORTH HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION BEARS SOUTH 89°10'28" EAST, 2630.09 FEET;

THENCE SOUTH 01°42'11" EAST, 1854.23 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°28'01" EAST, 488.49 FEET;

THENCE NORTH 89°20'02" WEST, 80.02 FEET;

THENCE NORTH 00°28'01" WEST, 486.34 FEET;

THENCE NORTH 89°07'49" EAST, 80.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED CONTAINS 38,993 SQUARE FEET MORE OR LESS.

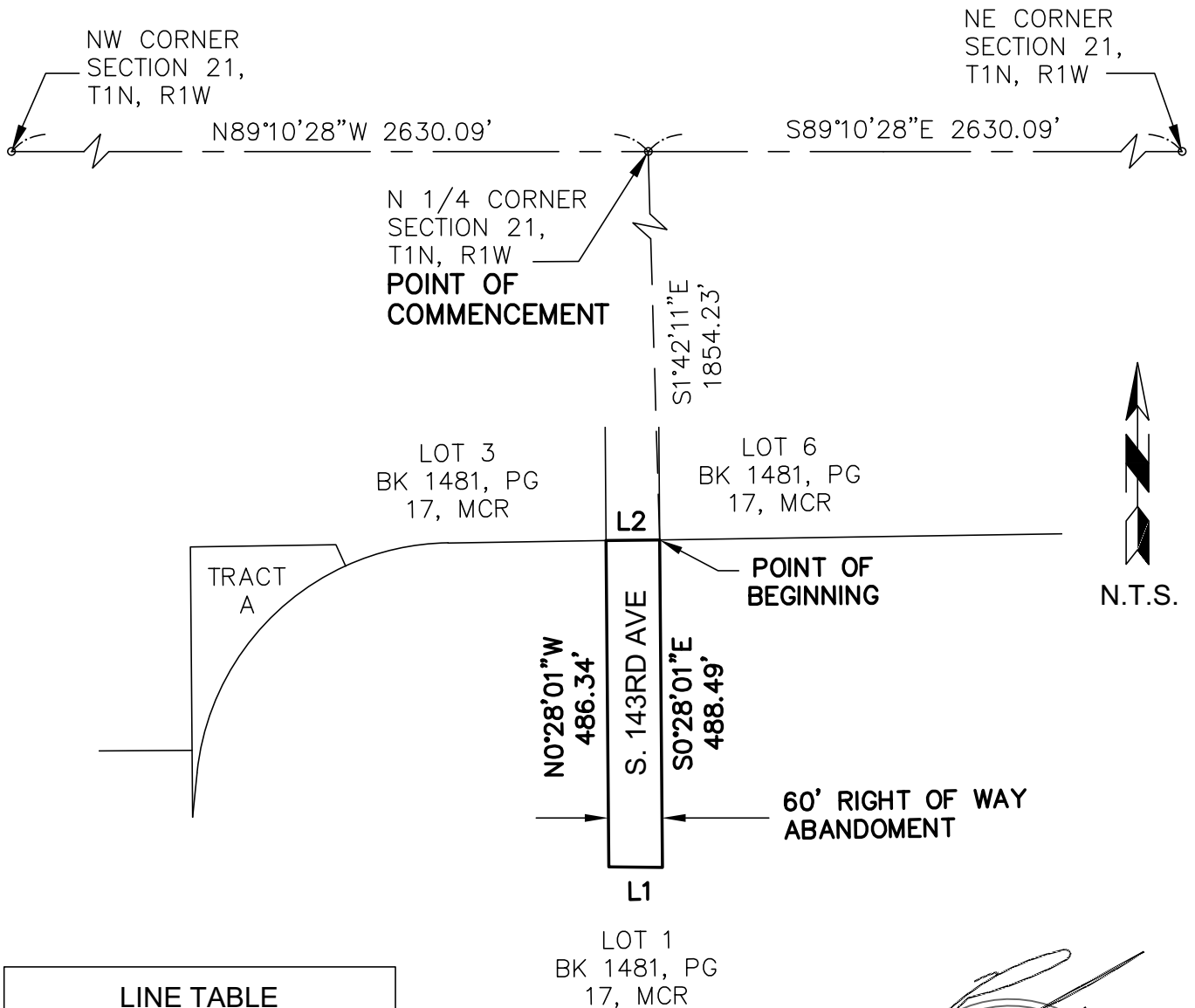
SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

RYAN D. GILBERT, RLS
GILBERT LAND SURVEYING
4361 S SQUIRES LANE
GILBERT, AZ 85297
480-275-8020
PROJECT NO. 240106-A



EXHIBIT 'A'

PARTIAL RIGHT OF WAY ABANDONMENT OF 143RD AVENUE



LINE TABLE

LINE	LENGTH	BEARING
L1	80.02'	N89° 20' 02"W
L2	80.00'	N89° 07' 49"E

NOTE: THIS EXHIBIT IS MEANT SOLELY AS A
REFERENCE TO THE LEGAL DESCRIPTION
TO WHICH IT IS ATTACHED.



GILBERT LAND SURVEYING, PLC
4361 S. Squires Lane, Gilbert, Arizona 85297
Phone: (480) 275-8020 - info@gilbertsurvey.com

PROJ. NO.: 24-0106-A
PAGE: 2 OF 2 PAGES
DATE: 02/12/24

EXHIBIT 'B'

LEGAL DESCRIPTION FOR PUBLIC UTILITY EASEMENT ABANDONMENT

A PORTION OF LOT 1 OF THE FINAL PLAT OF "PHX 10-11 PHASE 1", ACCORDING TO BOOK 1481 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 21, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION BEARS NORTH 89°13'00" WEST, 2627.31 FEET;

THENCE SOUTH 02°15'32" EAST, 1854.58 FEET TO A POINT LOCATED ON THE NORTH LINE OF SAID LOT 1, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE SOUTH 00°28'01" EAST, 157.83 FEET;

THENCE SOUTH 44°19'54" WEST, 11.35 FEET;

THENCE SOUTH 00°28'01" EAST, 322.73 FEET TO THE BEGINNING OF A CURVE TO LEFT, HAVING A RADIUS OF 15.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°55'35", AN ARC LENGTH OF 7.83 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 239°51'10", AN ARC LENGTH OF 251.17 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°55'35", AN ARC LENGTH OF 7.83 FEET;

THENCE NORTH 00°28'01" WEST, 322.02 FEET;

THENCE NORTH 45°40'06" WEST, 11.27 FEET;

THENCE NORTH 00°28'01" WEST, 157.83 FEET TO THE NORTH LINE OF SAID LOT 1;

THENCE NORTH 89°07'47" EAST, 116.00 FEET ALONG THE SAID NORTH LINE TO THE **POINT OF BEGINNING**;

EXCEPT FOR THAT PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS 143RD AVENUE AS SOWN
ON SAID PLAT LYING WITHIN THE AREA DESCRIBED ABOVE.

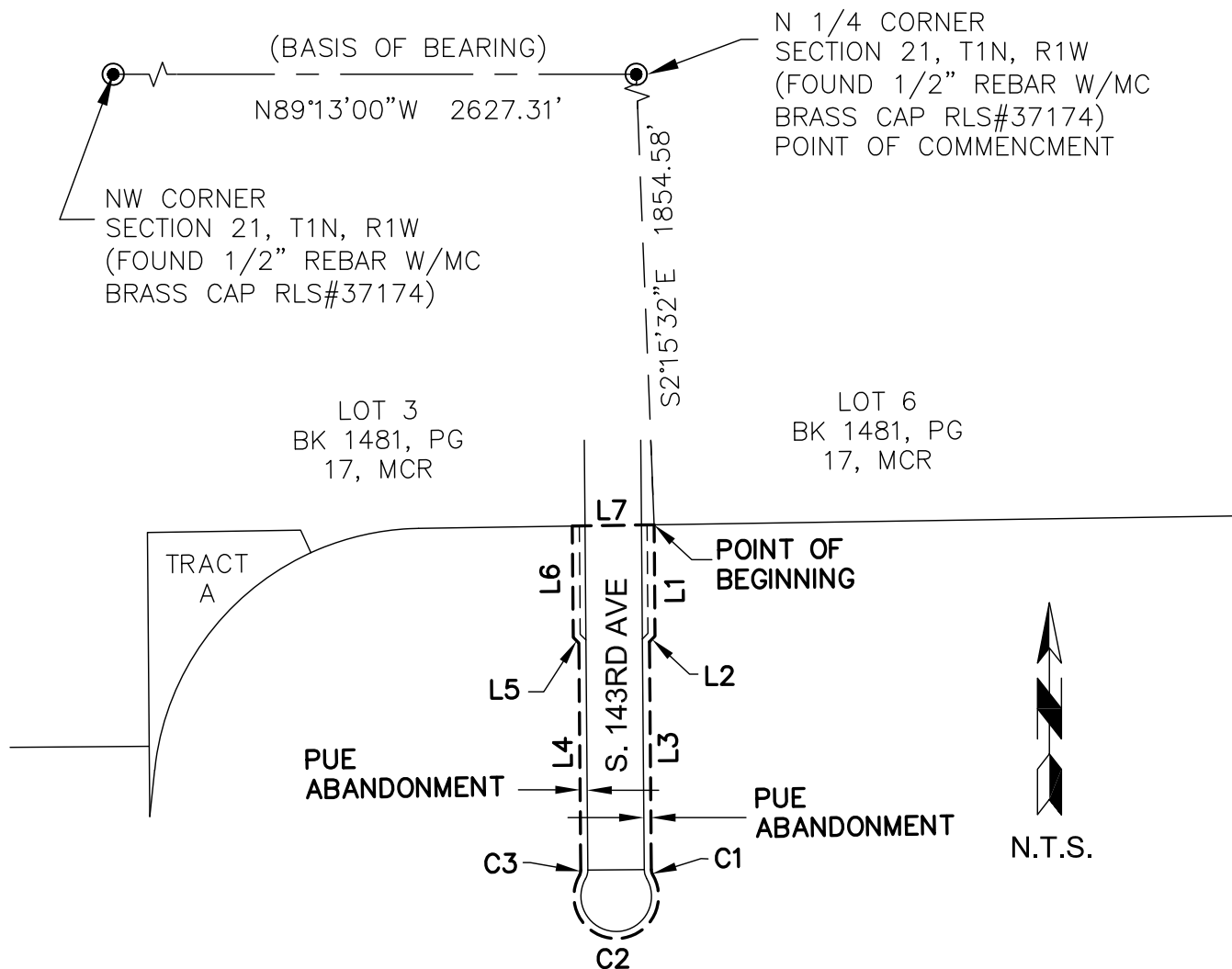
SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

RYAN D. GILBERT, RLS
GILBERT LAND SURVEYING
4361 S SQUIRES LANE
GILBERT, AZ 85297
480-275-8020
PROJECT NO. 24-0105

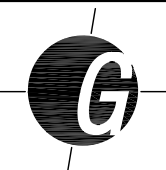


EXHIBIT 'B'

PUBLIC UTILITY EASEMENT (PUE) ABANDONMENT



NOTE: THIS EXHIBIT IS MEANT SOLELY AS A
REFERENCE TO THE LEGAL DESCRIPTION
TO WHICH IT IS ATTACHED.



GILBERT LAND SURVEYING, PLC
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PROJ. NO.: 24-0105
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EXHIBIT 'B'

PUBLIC UTILITY EASEMENT (PUE)

ABANDONMENT

LINE TABLE		
LINE	LENGTH	BEARING
L184	157.83'	S0° 28' 01"E
L185	11.35'	S44° 19' 54"W
L186	322.73'	S0° 28' 01"E
L187	322.02'	N0° 28' 01"W
L188	11.27'	N45° 40' 06"W
L189	157.83'	N0° 28' 01"W
L190	116.00'	N89° 07' 47"E



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD LENGTH
C134	7.83'	15.00'	29°55'35"	S15° 25' 49"E	7.75'
C135	251.17'	60.00'	239°51'10"	N89° 31' 59"E	104.00'
C136	7.83'	15.00'	29°55'35"	N14° 29' 47"E	7.75'



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PROJ. NO.: 24-0106
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ITEM #: 6.
DATE: 10/28/2024
AI #:2260



CITY COUNCIL ACTION REPORT

SUBJECT: FINAL PLAT OF ASCENT AT CANYON TRAILS

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

OTHER PRESENTER(S):

Robert A. Johnston, EPS Group, Inc.

SUMMARY

A Final Plat of Ascent at Canyon Trails subdividing approximately 7.84 acres into 113 lots and 7 tracts at the southeast corner of the intersection of W. Roosevelt Street and N. 158th Avenue.

STRATEGIC PLAN ALIGNMENT



Fiscal Resource
Management



Economic
Vitality



SAFE &
VIBRANT
COMMUNITY



INNOVATIVE & HIGH
PERFORMING
ORGANIZATION



INFRASTRUCTURE

RECOMMENDATION

Conditionally approve the Final Plat of Ascent at Canyon Trails, subdividing approximately 7.84 acres into 113 lots and 7 tracts, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

STIPULATIONS

1. All technical corrections to this final plat required by the City Engineer or designee shall be made prior to the recordation of the Final Plat of Ascent at Canyon Trails;
2. Prior to recordation of the Final Plat, the property owner shall submit an updated title report for the property included within the Final Plat and shall modify the Final Plat to reflect the current ownership and current lender, including on the final plat a Lender Consent and Subordination in a form approved by the City Attorney or his/her designee for all lenders with a security interest in the property being platted herein. Owner shall provide documentation acceptable to the City Attorney or his/her designee demonstrating that the party executing this final plat is authorized to do so;
3. The owner shall disclose to all future purchasers and tenants that 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, Luke Air Force Base and/or the Phoenix-Goodyear Airport. Such disclosure statement shall also be included in the Public Sales Report.

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 site was part of the original Planned Area Development (PAD) for Canyon Trails Phase 1, which was approved in preliminary form by City Council on September 14, 1998, and in final form on July 26, 1999. Per this original PAD, the site was designated for townhomes. The PAD was later amended on March 28, 2011, to switch the designated use to commercial.

On January 23, 2023, City Council approved a Rezone of the site from PAD allowing neighborhood commercial uses, to Single Family Attached (R1-A) with a PAD Overlay, per Ordinance 2023-1566. On September 22, 2023, a preliminary plat was approved by the Development Services Director for a development of 113 townhomes on the site, to be known as Ascent at Canyon Trails.

STAFF ANALYSIS

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

Attachments

Aerial Map
Preliminary Plat
Final Plat



Aerial Exhibit
Ascent at Canyon Trails
Final Plat



A PORTION OF SECTION 6, TOWNSHIP 1 NORTH, RANGE
1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

Lot Table		Lot Table		Lot Table		Lot Table		Lot Table		Lot Table	
Lot #	Area (SF)	Lot #	Area (SF)	Lot #	Area (SF)	Lot #	Area (SF)	Lot #	Area (SF)	Lot #	Area (SF)
1	2281.959	21	2575.687	41	1774.857	61	1600.000	81	1898.667	101	1600.000
2	1599.998	22	1599.998	42	1600.000	62	1600.000	82	1898.667	102	1600.000
3	1599.998	23	1599.998	43	1600.000	63	2740.905	83	3219.327	103	2712.982
4	2514.219	24	2328.612	44	2708.727	64	2732.790	84	2712.982	104	2712.982
5	2955.553	25	2945.000	45	2841.049	65	1600.000	85	1600.000	105	1600.000
6	1599.745	26	1599.998	46	1678.161	66	1600.000	86	1600.000	106	1600.000
7	1599.745	27	1599.997	47	1678.161	67	1600.000	87	1600.000	107	1600.000
8	2103.122	28	2303.979	48	1681.559	68	2712.175	88	2003.247	108	1972.934
9	2753.990	29	2483.650	49	3299.977	69	2712.175	89	1995.669	109	1965.355
10	1599.997	30	1706.665	50	1600.000	70	1600.000	90	1600.000	110	1600.000
11	1599.998	31	1706.665	51	1600.000	71	1600.000	91	1600.000	111	1600.000
12	2705.349	32	2898.161	52	1600.000	72	1600.000	92	1600.000	112	1600.000
13	2745.858	33	2906.584	53	2757.136	73	2724.674	93	2712.982	113	2712.982
14	1728.973	34	1706.573	54	2749.021	74	2716.559	94	2712.982	TOTAL: 231.827 SQ. FT.	
15	1784.098	35	1706.573	55	1600.000	75	1600.000	95	1600.000		
16	3147.423	36	2889.229	56	1600.000	76	1600.000	96	1600.000		
17	3107.460	37	2708.727	57	1600.000	77	1600.000	97	1600.000		
18	1782.863	38	1600.000	58	2690.865	78	2712.175	98	1988.090		
19	1729.563	39	1600.000	59	2712.175	79	2387.023	99	1980.512		
20	2556.109	40	1774.857	60	1600.000	80	1898.667	100	1600.000		

TRACT USE TABLE				
TRACT	USE	AREA (SF)	AREA (AC)	OWNERSHIP / MAINTENANCE
TRACT A	OPEN SPACE / LANDSCAPE	16490.79	0.379	ASCENT AT CANYON TRAILS HOA
TRACT B	OPEN SPACE / LANDSCAPE	4384.51	0.101	ASCENT AT CANYON TRAILS HOA
TRACT C	OPEN SPACE / LANDSCAPE	2371.77	0.054	ASCENT AT CANYON TRAILS HOA
TRACT D	OPEN SPACE / LANDSCAPE	10022.33	0.230	ASCENT AT CANYON TRAILS HOA
TRACT E	OPEN SPACE / LANDSCAPE	2958.67	0.068	ASCENT AT CANYON TRAILS HOA
TRACT F	OPEN SPACE / LANDSCAPE / AMENITY	15841.78	0.364	ASCENT AT CANYON TRAILS HOA
TRACT G	OPEN SPACE / LANDSCAPE	6516.37	0.150	ASCENT AT CANYON TRAILS HOA
	TOTAL OPEN SPACE / LANDSCAPE AREA	58586.25	1.346	ASCENT AT CANYON TRAILS HOA
TRACT G	PRIVATE STREET / PARKING	56409.01	1.294	ASCENT AT CANYON TRAILS HOA
	TOTAL TRACT AREA	114995.26	2.640	

FRONT (1):	8'
FRONT FACING GARAGE:	20'
SIDE:	0' (2)
STREET SIDE:	10' (3)
REAR:	15'

(1) FRONT SETBACK SHALL BE MEASURED TO PATIOS, LIVABLE SPACE, AND SIDE ENTRY GARAGES. IF HOMES FACE TOWARD A COLLECTOR STREET, FRONT PORCHES MAY FACE OUT TOWARDS THE STREET SO LONG AS A MINIMUM DISTANCE OF 10 FEET IS PROVIDED BETWEEN THE SIDEWALK AND THE PORCH AND NO VEHICULAR ACCESS IS ALLOWED FROM/THE COLLECTOR STREET TO INDIVIDUAL LOTS. WALLS WITHIN THE FRONT SETBACK SHALL BE NO GREATER THAN 4 FEET IN HEIGHT AND PARALLEL WALLS SHALL BE LOCATED NO CLOSER THAN 10 FEET FACE TO FACE. PATIOS SHALL BE A MINIMUM OF 6 FEET DEEP AND A MINIMUM OF 66 SQUARE FEET.

(2) ATTACHED SIDE SETBACKS SHALL BE 0 FEET, WHEREAS BUILDING SEPARATION SHALL BE A MINIMUM OF 5 FEET. IF A PORCH/PATIO IS LOCATED ON THE SIDE OF AN ATTACHED TOWNHOME (FACING THE STREET), SUCH PATIOS/PORCHES MAY ENCR OACH THE SIDE SETBACK UP TO 4 FEET WITH A MAXIMUM WALL HEIGHT OF 40 INCHES. CORNICES AND EAVES, MAY PROJECT INTO ANY REQUIRED YARD NOT MORE THAN TWO (2) ADDITIONAL FEET, PROVIDED, HOWEVER, THAT THE SUM OF SUCH PROJECTIONS ON ANY WALL DOES NOT EXCEED ONE-THIRD (1/3) THE LENGTH OF SAID WALL.

(3) WHERE A MINIMUM 10-FOOT-WIDE LANDSCAPE TRACT IS PROVIDED, THE TYPICAL SIDE SETBACKS RATHER THAN STREET SIDE SETBACK APPLIES. IF A PORCH/PATIO IS LOCATED ON THE SIDE OF AN ATTACHED TOWNHOME (FACING THE STREET), SUCH PATIOS/PORCHES MAY ENCR OACH THE STREET SIDE SETBACK UP TO 4 FEET WITH A MAXIMUM WALL HEIGHT OF 40 INCHES. CORNICES AND EAVES, MAY PROJECT INTO ANY REQUIRED YARD NOT MORE THAN TWO (2) ADDITIONAL FEET, PROVIDED, HOWEVER, THAT THE SUM OF SUCH PROJECTIONS ON ANY WALL DOES NOT EXCEED ONE-THIRD (1/3) THE LENGTH OF SAID WALL.

27.0' PRIVATE DRIVE
EASEMENT

5.0' SW EASEMENT 13.5' TO B/C 13.5' TO B/C 5.0' SW EASEMENT

PRIVATE STREET TRACT
N.T.S.

A-A

15.0' B.S.L. 15.0' B.S.L.

26' PRIVATE DRIVEWAY
EASEMENT

3.0' 12' B/C 8.0' PUE 12' B/C 3.0'

2' CURB

PRIVATE DRIVEWAY EASEMENT (ALLEY)
N.T.S.

* 3-FT. TO FACE OF GARAGE

B-B

158TH AVENUE - LOOKING NORTH

N.T.S.

EXISTING ADJACENT STREET SECTION

ROOSEVELT ST - LOOKING EAST

N.T.S.

EXISTING ADJACENT STREET SECTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 6,
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING DESCRIBED MORE
PARTICULARLY AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6:

THENCE NORTH 9 DEGREES 46 MINUTES 22 SECONDS WEST, (BASIS OF BEARING) ALONG THE EAST WEST MID-SECTION LINE OF SAID SECTION 6 A DISTANCE OF 1304.79 FEET TO THE EAST LINE OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SAID SECTION 6 AS SHOWN ON THE PLAT OF PARKWAY VILLAGE RECORDED IN BOOK 828, PAGE 31 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 06 MINUTES 32 SECONDS WEST, ALONG SAID EAST LINE 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ROOSEVELT STREET AS SHOWN ON THE PLAT OF TRAVIS PARK RECORDED IN BOOK 864, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 06 MINUTES 32 SECONDS WEST, CONTINUING
ALONG SAID EAST LINE 689.06 FEET TO THE NORTH LINE OF SAID TRAVIS
PARK;

THENCE NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST, ALONG SAID NORTH LINE 579.98 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF 158TH AVENUE AS SHOWN ON SAID TRAVIS PARK;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING
COURSES AND DISTANCES;

THENCE NORTH 00 DEGREES 06 MINUTES 45 SECONDS EAST 79.67 FEET TO
THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS
OF 470.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A
CENTRAL ANGLE OF 27 DEGREES 33 MINUTES 57 SECONDS AN ARC
DISTANCE OF 226.12 FEET;

THENCE NORTH 27 DEGREES 40 MINUTES 42 SECONDS EAST 100.00 FEET
TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A
RADIUS OF 530.00 FEET.

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27 DEGREES 26 MINUTES 53 SECONDS AN ARC DISTANCE OF 253.90 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 05 MINUTES 22 SECONDS AND A DISTANCE OF 39.31 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ROOSEVELT STREET AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET;

THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING
COURSES AND DISTANCES;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE
OF 12 DEGREES 26 MINUTES 13 SECONDS AND ARC DISTANCE OF 115.04
FEET;

THENCE NORTH 77 DEGREES 47 MINUTES 36 SECONDS EAST 100.00 FEET
TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A
RADIUS OF 470.00 FEET;

THENCE NORTHEASTERLY ALONG THE OF SAID TANGENT CURVE
THROUGH A CENTRAL ANGLE OF 12 DEGREES 26 MINUTES 13 SECONDS
AN ARC DISTANCE OF 102.02 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 11 SECONDS EAST 81.97 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION PER TITLE REPORT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 06195620-026-NM2, DATED AUGUST 3, 2021.

CITY OF GOODYEAR BENCHMARK G347 BRASS CAP IN SOUTH HANDHOLE
LOCATED AT THE INTERSECTION OF SARIVAL AVENUE AND VAN BUREN
STREET.
NAVD88 ELEVATION: 996.48 FEET

CITY OF GOODYEAR BENCHMARK G335 BRASS CAP IN SOUTH HANDHOLE
LOCATED IN THE CENTERLINE OF SARIVAL AVENUE ONE HALF MILE
NORTH OF YUMA ROAD.
NAVD88 ELEVATION: 983.73 FEET

PROPERTY OWNER:
 FFH RENTAL LLC
 7204 N. 16TH STREET, NO. 110
 PHOENIX, AZ 85020

ENGINEERING & PLANNING:
 EPS GROUP, INC.
 1130 N ALMA SCHOOL RD., SUITE 120
 MESA, AZ 85201
 TEL: (480)-503-2250
 FAX: (480)-503-2258
 CONTACT: BRENNAN MAHER
 brennan.maher@epsgruppinc.com

DEVELOPER:
 ASCENT COMPANIES
 2525 E. CAMELBACK ROAD, STE 500
 PHOENIX, AZ 85016
 TEL: (602) 725-1351
 CONTACT: BRADLY RICHARDSON
 brichardson@ascentcos.com

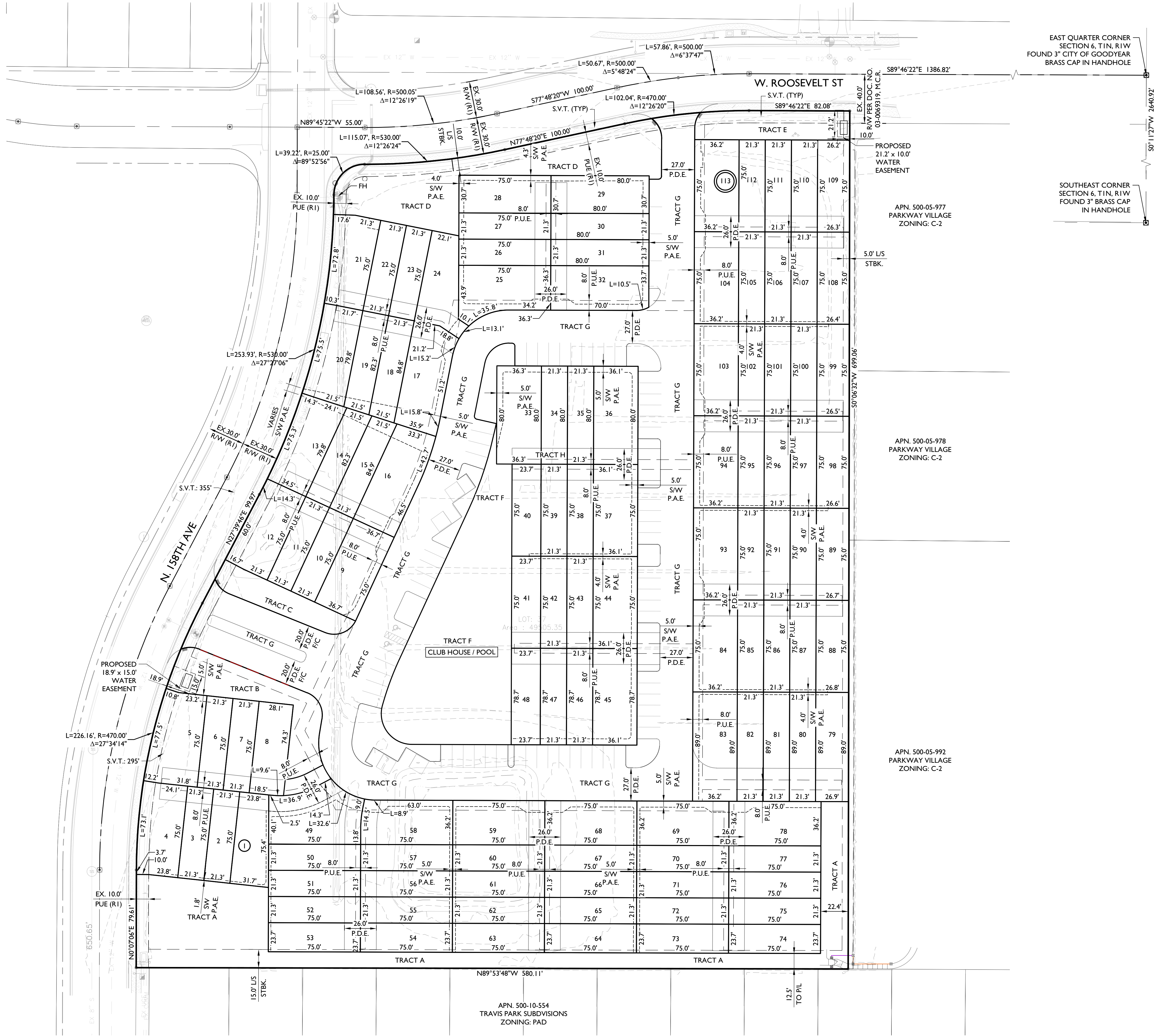
LANDSCAPE ARCHITECT:
 COLLABORATIVE V DESIGN STUDIO
 7116 EAST 1ST AVENUE, SUITE 103
 SCOTTSDALE, AZ 85251
 TEL: (480) 347-0590
 CONTACT: SCOTT HEFFERNAN
 scoth@collaborative.v.com

APN:	500-05-974
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	SINGLE-FAMILY RESIDENTIAL
EXISTING ZONING:	R1-A PAD
GROSS AREA:	8.62 ACRES
NET AREA:	7.84 ACRES
LOT SIZE:	21.3' x 75'
LOT AREA:	1,600 SF
NO. OF UNITS:	113
NET DENSITY:	14.41 DU/AC
OPEN SPACE:	1.35 AC / 58,586 SF (17% OF NET)
PARKING BREAKDOWN:	
REQUIRED:	
RESERVED (2 PER UNIT):	226 SPACES
GUEST (0.5 PER UNIT):	57 SPACES
TOTAL REQUIRED:	283 SPACES
PROVIDED:	
RESERVED (GARAGE):	226 SPACES
GUEST (UNCOVERED):	68 SPACES
TOTAL PROVIDED:	294 SPACES

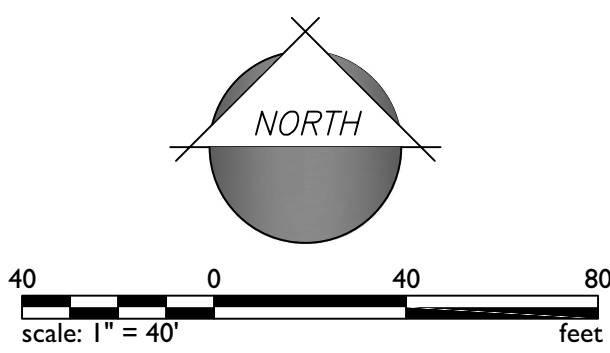
THE CENTERLINE OF ESTRELLA PARKWAY BEING THE EAST LINE
OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1
NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA.
ASSUMED BEARING: N 00°11'27" E

WATER:	CITY OF GOODYEAR
SEWER:	CITY OF GOODYEAR
REFUSE:	CITY OF GOODYEAR
FIRE:	CITY OF GOODYEAR
GAS:	SOUTHWEST GAS
ELECTRIC:	APS
TELEPHONE:	COX COMMUNICATIONS
CABLE TV / INTERNET:	COX COMMUNICATIONS

SHEET ONE	PP01	COVER, TABLES & CROSS SECTION
SHEET TWO	PP02	PRELIMINARY PLAT
SHEET THREE	PP03	PRELIMINARY SITE PLAN (CONTE
SHEET FOUR	PP04	TYPICAL UNIT DETAILS



- LEGEND**
- STREET CENTERLINE
 - STREET RIGHT-OF-WAY
 - PUBLIC UTILITY EASEMENT
 - LOT LINE
 - SEWER LINE
 - WATER LINE
 - FIRE HYDRANT
 - MANHOLE
 - R/W RIGHT-OF-WAY
 - P.U.E. PUBLIC UTILITY EASEMENT
 - P.D.E. PRIVATE DRIVEWAY EASEMENT
 - BCF BRASS CAP FLUSH
 - BCHH BRASS CAP IN HANDHOLE
 - FD FOUND
 - RB REBAR
 - SNF SEARCHED FOR, NOTHING FOUND
 - MCDOT MARICOPA COUNTY DEPT. OF TRANSPORTATION
 - S.V.E. SIGHT VISIBILITY EASEMENT
 - S.V.T. SIGHT VISIBILITY TRIANGLE
 - (R.I) BOOK 864, PAGE 26, MCR
 - P.A.E. PEDESTRIAN ACCESS EASEMENT



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS
GROUP

Project:
ASCENT AT CANYON TRAILS
Goodyear, AZ

Preliminary Plat

Revisions:
MARCH 31, 2023 - 1ST SUBMITTAL PRELIM PLAT
JUNE 8, 2023 - 2ND SUBMITTAL PRELIM PLAT
AUGUST 4, 2023 - 3RD SUBMITTAL PRELIM PLAT
SEPTEMBER 14, 2023 - 4TH SUBMITTAL PRELIM PLAT

Call at least two full working days
before any begin excavation.

ARIZONA
REGISTERED PROFESSIONAL ENGINEER
No. 14114 - Exp. 06/30/2024
In Maricopa County (002263-1100)

Designer: BH
Drawn by: JAJ

CERTIFICATE NO.
54652
BRIAN
NICHOLLS
Exp. 06/30/2024

Job No.
21-1032

PP02

Sheet No.
2
of 4

Goodyear

Approved 09/22/23 23-50000002 - ASCENT AT CANYON TRAILS

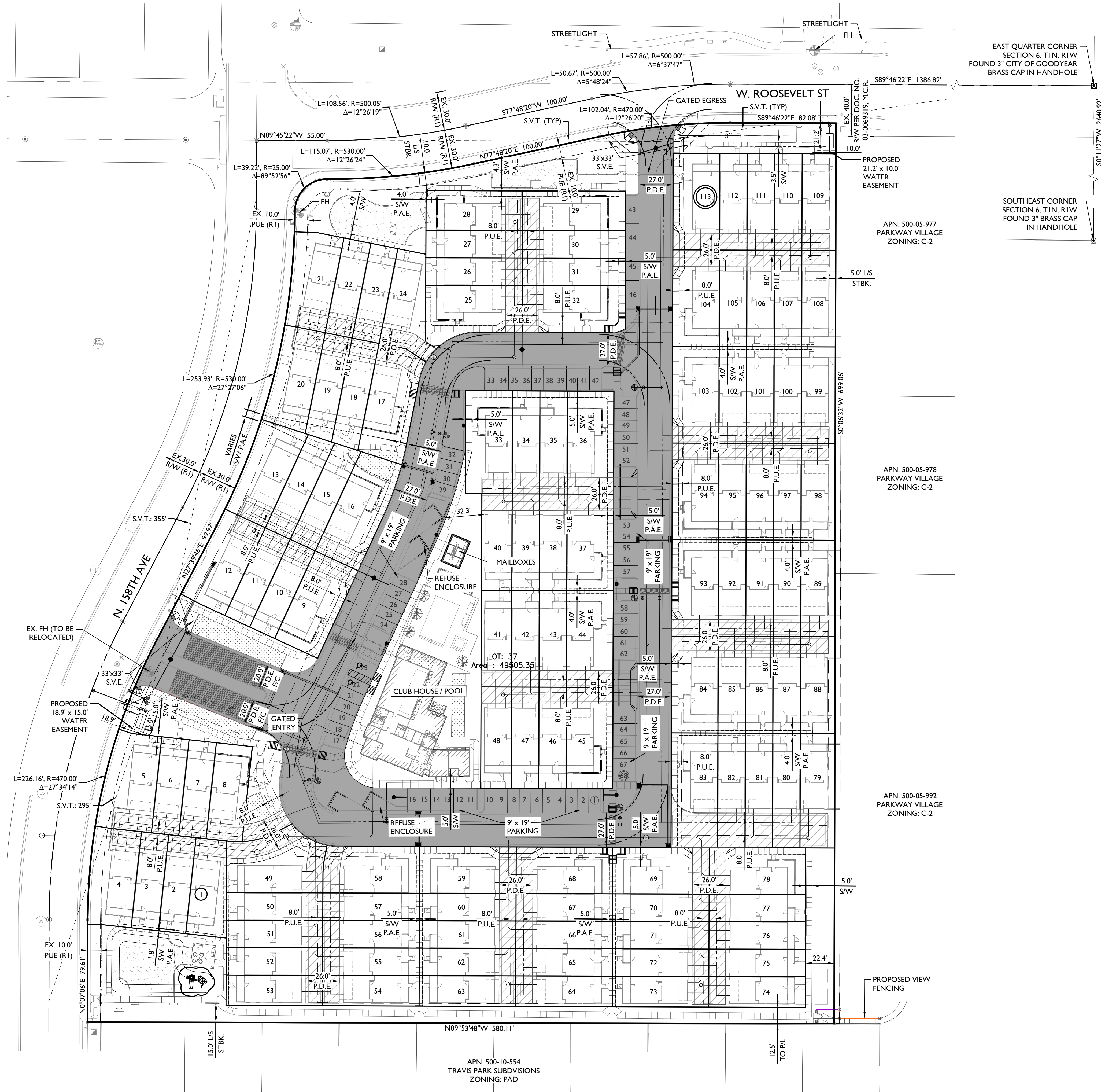
CITY OF

Goodyear

CITY OF

Goodyear

Approved 09/22/23 23-50000002 - ASCENT AT CANYON TRAILS

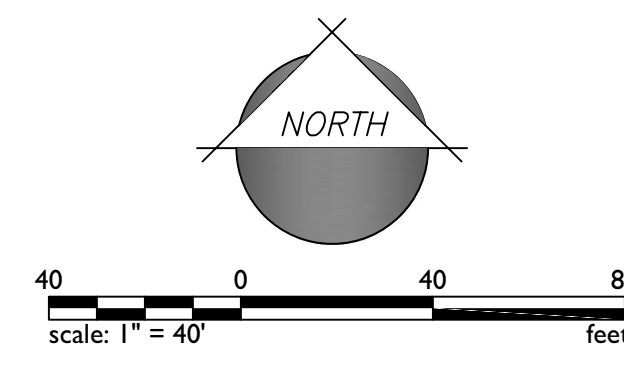


LEGEND

- STREET CENTERLINE
- STREET RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENT
- LOT LINE
- SEWER LINE
- WATER LINE
- FIRE HYDRANT
- MANHOLE
- R/W RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- P.D.E. PRIVATE DRIVEWAY EASEMENT
- BCF BRASS CAP FLUSH
- BCHH BRASS CAP IN HANDHOLE
- FD FOUND
- RB REBAR
- SFNF SEARCHED FOR, NOTHING FOUND
- MCDOT MARICOPA COUNTY DEPT. OF TRANSPORTATION
- S.V.E. SIGHT VISIBILITY EASEMENT
- S.V.T. SIGHT VISIBILITY TRIANGLE
- P.A.E. PEDESTRIAN ACCESS EASEMENT
- (R) BOOK 864, PAGE 26, MCR
- PRIMARY UTILITY BUILD OUT
- UTILITY BUILD OUT TO ACCOMPANY ADJACENT BUILDING PERMITS

NOTE

- ALL UNITS ARE TOWNHOMES FOR RESIDENTIAL USE AND HAVE A FOOTPRINT AREA OF 956 SQUARE FEET. FINISHED FLOOR ELEVATIONS ARE PER GRADING PLAN.
- FOR SITE LANDSCAPE AND FRONT YARD LANDSCAPE, SEE LANDSCAPE PLAN ADJOINING PRELIMINARY PLAT.



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project:
ASCENT AT CANYON TRAILS
Goodyear, AZ

Preliminary Site Plan

Revisions:

MARCH 31, 2023 - 1ST SUBMITTAL PRELIM PLAT	
JUNE 8, 2023 - 2ND SUBMITTAL PRELIM PLAT	
AUGUST 4, 2023 - 3RD SUBMITTAL PRELIM PLAT	
SEPTEMBER 14, 2023 - 4TH SUBMITTAL PRELIM PLAT	

Call at least two full working days before you begin excavation.

ARIZONA

DESIGNER: BH
DRAWN BY: JAJ

Professional Engineer Seal:
BRIAN NICHOLLS
54652
Expires 08/30/25

Job No.
21-1032

PP03

Sheet No.
3 of 4

CITY OF Goodyear Approved 09/22/23 23-50000002 - ASCENT AT CANYON TRAILS

A. THE PROPERTY IS IN CLOSE PROXIMITY TO AN INERT MATERIALS LANDFILL AND MAY THEREFORE BE SUBJECT TO NOISE, DUST, AND ODORS ASSOCIATED WITH SUCH USES; AND,

B. 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 LUKE AIR FORCE BASE AND OR THE PHOENIX-GOODYEAR AIRPORT; AND,

C. THE PROPERTY IS SUBJECT TO NOISE, CHEERING, PADDLES OR BATS MAKING CONTACT WITH BALLS, BOUNCING BALLS, SPLASHES, FIREWORKS AND OTHER LOUD NOISES COMMONLY ASSOCIATED WITH RECREATION CENTERS, PARKS, BALLPARK/SPORTS COMPLEXES AND THE LIKE; AND,

D. THE PROPERTY IS SUBJECT TO LOUD NOISES COMMONLY ASSOCIATED WITH ADJACENCY TO COMMERCIAL SHOPPING CENTERS; AND,

E. THE HOA SHALL OWN AND IS RESPONSIBLE FOR MAINTAINING ALL PRIVATE OPEN SPACE AREAS; COMMON AREAS, AND ALL AMENITIES AND ENHANCEMENTS DESCRIBED ABOVE, EXCEPT THAT THE HOA SHALL NOT OWN, ANY OF THE ENHANCEMENTS OR AMENITIES LOCATED WITHIN RIGHT-OF-WAY CONVEYED TO THE CITY OF GOODYEAR IN FEE, BUT SHALL BE RESPONSIBLE FOR MAINTAINING SUCH AMENITIES AND ENHANCEMENTS. THE HOA SHALL ALSO BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING WITHIN STREET RIGHT-OF-WAY WITHIN OR ABUTTING THE PROPERTY EXCEPT FOR LANDSCAPING WITHIN MEDIANS LOCATED WITHIN ANY ARTERIAL STREET. NOTWITHSTANDING THE FOREGOING, ANY PORTION OF THE MARICOPA TRAIL LOCATED WITHIN RIGHT-OF-WAY CONVEYED TO THE CITY SHALL BE MAINTAINED BY THE CITY; AND,

F. SIGNAGE SHALL BE POSTED WITHIN ALL SALES OFFICES AND, IF ANY, ALL RENTAL OFFICE OFFICES THAT THE PROPERTY IS: NEAR AN INERT MATERIALS LANDFILL AND MAY BE SUBJECT TO NOISE, DUST, AND ODORS ASSOCIATED WITH SUCH USES 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, LUKE AIR FORCE BASE AND OR THE PHOENIX-GOODYEAR AIRPORT; AND SUBJECT TO NOISE, CHEERING, PICKLEBALL PADDLES MAKING CONTACT WITH PICKLEBALLS, BOUNCING BALLS, SPLASHES AND OTHER LOUD NOISES COMMONLY ASSOCIATED WITH RECREATION CENTERS, PARKS AND THE LIKE; AND IS SUBJECT TO LOUD NOISES COMMONLY ASSOCIATED WITH ADJACENCY TO COMMERCIAL SHOPPING CENTERS; AND,

G. SIGNAGE SHALL BE POSTED WITHIN ALL SALES OFFICES AND, IF ANY, ALL RENTAL OFFICE OFFICES IDENTIFYING THE LOCATION OF THE LUKE AIR FORCE BASE: ACCIDENT POTENTIAL ZONES (APZS), 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 LUKE AIR FORCE BASE: ACCIDENT POTENTIAL ZONES (APZS), 65 LDN AND HIGHER NOISE CONTOURS, DEPARTURE CORRIDORS, AND VICINITY BOUNDARY AND ALL OF THE BUILDINGS ON THE PROPERTY; AND,

H. THE PROPERTY IS SUBJECT TO AN APPROVED PARKING PLAN ADDRESSING PARKING MANAGEMENT. ALL PARKING SHALL ADHERE TO THE APPROVED PARKING PLAN. THE FAILURE TO COMPLY WITH AN APPROVED PARKING PLAN SHALL CONSTITUTE A ZONING VIOLATION. CC&RS SHALL ADDRESS PROVISIONS OF THE APPROVED PARKING PLAN TO BE ENFORCED; AND,

I. THE HOA SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF AN APPROVED PARKING PLAN ADDRESSING PARKING MANAGEMENT. ALL PARKING SHALL ADHERE TO THE APPROVED PARKING PLAN. THE FAILURE TO COMPLY WITH AN APPROVED PARKING PLAN SHALL CONSTITUTE A ZONING VIOLATION. CC&RS SHALL ADDRESS PROVISIONS OF THE APPROVED PARKING PLAN WHICH SHALL BE ENFORCED; AND,

J. OWNER SHALL OBTAIN FROM ALL INITIAL HOMEBUYERS AN EXECUTED ACKNOWLEDGEMENT AND WAIVER THAT RUNS WITH THE LAND THAT INCLUDES THE FOLLOWING:

i. BUYER(S) ACKNOWLEDGE THAT THE LOT BEING PURCHASED IS SUBJECT TO AN INERT MATERIALS LANDFILL AND MAY THEREFORE BE SUBJECT TO NOISE, DUST, AND ODORS ASSOCIATED WITH SUCH USES; AND,

ii. BUYER(S) ACKNOWLEDGE THAT THE LOT BEING PURCHASED IS SUBJECT TO LOUD NOISES COMMONLY ASSOCIATED WITH ADJACENCY TO COMMERCIAL SHOPPING CENTERS; AND,

iii. BUYER(S) ACKNOWLEDGE THAT THE LOT BEING PURCHASED IS SUBJECT TO ATTENDANT NOISE, VIBRATIONS, DUST, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY OVER FLIGHTS AND BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, LUKE AIR FORCE BASE AND OR THE PHOENIX-GOODYEAR AIRPORT, AND HEREBY RELEASES AND DISCHARGES THE CITY OF GOODYEAR FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR FUTURE DAMAGES TO PERSONS OR PROPERTY AND COMPLAINTS OF ANY KIND THAT MAY ARISE AT ANY TIME IN THE FUTURE FROM THE OPERATION OF SUCH AIRCRAFT NEAR AND OVER THE LOT BEING PURCHASED; AND,

iv. BUYER(S) ACKNOWLEDGE THAT THE LOT BEING PURCHASED IS IN CLOSE PROXIMITY RECREATIONAL AMENITIES THAT ARE SUBJECT TO NOISE, CHEERING, PICKLEBALL PADDLES MAKING CONTACT WITH PICKLEBALLS, BOUNCING BALLS, SPLASHES AND OTHER LOUD NOISES COMMONLY ASSOCIATED WITH RECREATION CENTERS, PARKS AND THE LIKE AND HEREBY RELEASES AND DISCHARGES THE CITY OF GOODYEAR FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR FUTURE DAMAGES TO PERSONS OR PROPERTY AND COMPLAINTS OF ANY KIND THAT MAY ARISE AT ANY TIME IN THE FUTURE FROM RECREATIONAL USES AND OPERATIONS NEAR THE LOT BEING PURCHASED; AND,

v. BUYER(S) ACKNOWLEDGE THAT THE LOT BEING PURCHASED IS SUBJECT TO A CITY OF GOODYEAR APPROVED PARKING PLAN ADDRESSING PARKING MANAGEMENT SHALL BE SUBMITTED AND APPROVED WITH THE SITE PLAN OR PRELIMINARY PLAT. ALL PARKING SHALL ADHERE TO THE APPROVED PARKING PLAN. THE FAILURE TO COMPLY WITH AN APPROVED PARKING PLAN SHALL CONSTITUTE A ZONING VIOLATION. CC&RS SHALL ADDRESS PROVISIONS OF THE APPROVED PARKING PLAN TO BE ENFORCED, AND HEREBY RELEASES AND DISCHARGES THE CITY OF GOODYEAR FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR FUTURE DAMAGES TO PERSONS OR PROPERTY AND COMPLAINTS OF ANY KIND THAT MAY ARISE AT ANY TIME IN THE FUTURE FROM THE HOA ENFORCEMENT OF THE PARKING PLAN.

K. OWNER WHO RENTS MORE THAN ONE RESIDENTIAL UNIT WITHIN THE PROPERTY SHALL OBTAIN AN EXECUTED ACKNOWLEDGMENT FROM EACH TENANT IN WHICH THE TENANT ACKNOWLEDGES THAT THE RESIDENTIAL UNIT THEY ARE RENTING IS: IN CLOSE PROXIMITY TO AN INERT MATERIALS LANDFILL AND MAY THEREFORE BE SUBJECT TO NOISE, DUST, AND ODORS ASSOCIATED WITH SUCH USES; 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, LUKE AIR FORCE BASE AND OR THE PHOENIX-GOODYEAR AIRPORT; AND SUBJECT TO NOISE, CHEERING, PICKLEBALL PADDLES MAKING CONTACT WITH PICKLEBALLS, BOUNCING BALLS, SPLASHES AND OTHER LOUD NOISES COMMONLY ASSOCIATED WITH RECREATION CENTERS, PARKS AND THE LIKE; AND IS SUBJECT TO LOUD NOISES COMMONLY ASSOCIATED WITH ADJACENCY TO COMMERCIAL SHOPPING CENTERS.

STATE OF ARIZONA)
)
COUNTY OF MARICOPA) SS

KNOW ALL MEN BY THESE PRESENTS: BY THIS RATIFICATION AND CONSENT, GOODYEAR ROOSEVELT TOWNHOMES OWNERS ASSOCIATION, LLC, AN ARIZONA LIMITED LIABILITY COMPANY (HOA): (i) ACKNOWLEDGES, CONSENTS TO, AND ACCEPTS THE EASEMENTS DEDICATED HEREIN; (ii) ACKNOWLEDGES, CONSENTS TO, AND ACCEPTS THE MAINTENANCE RESPONSIBILITIES AND OTHER RESPONSIBILITIES REFERRED TO IN THIS PLAN; AND (iii) HEREBY ACCEPTS OWNERSHIP OF TRACTS A THROUGH T, INCLUSIVE, SUBJECT TO THE EASEMENTS AND RESTRICTIVE COVENANTS GRANTED HEREIN, THAT ARE CONVEYED TO ASCENT AT CANYON TRAILS COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION AS PROVIDED HEREIN.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE
AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 20____

GOODYEAR ROOSEVELT TOWNHOMES OWNERS ASSOCIATION, LLC, AN ARIZONA LIMITED LIABILITY COMPANY,

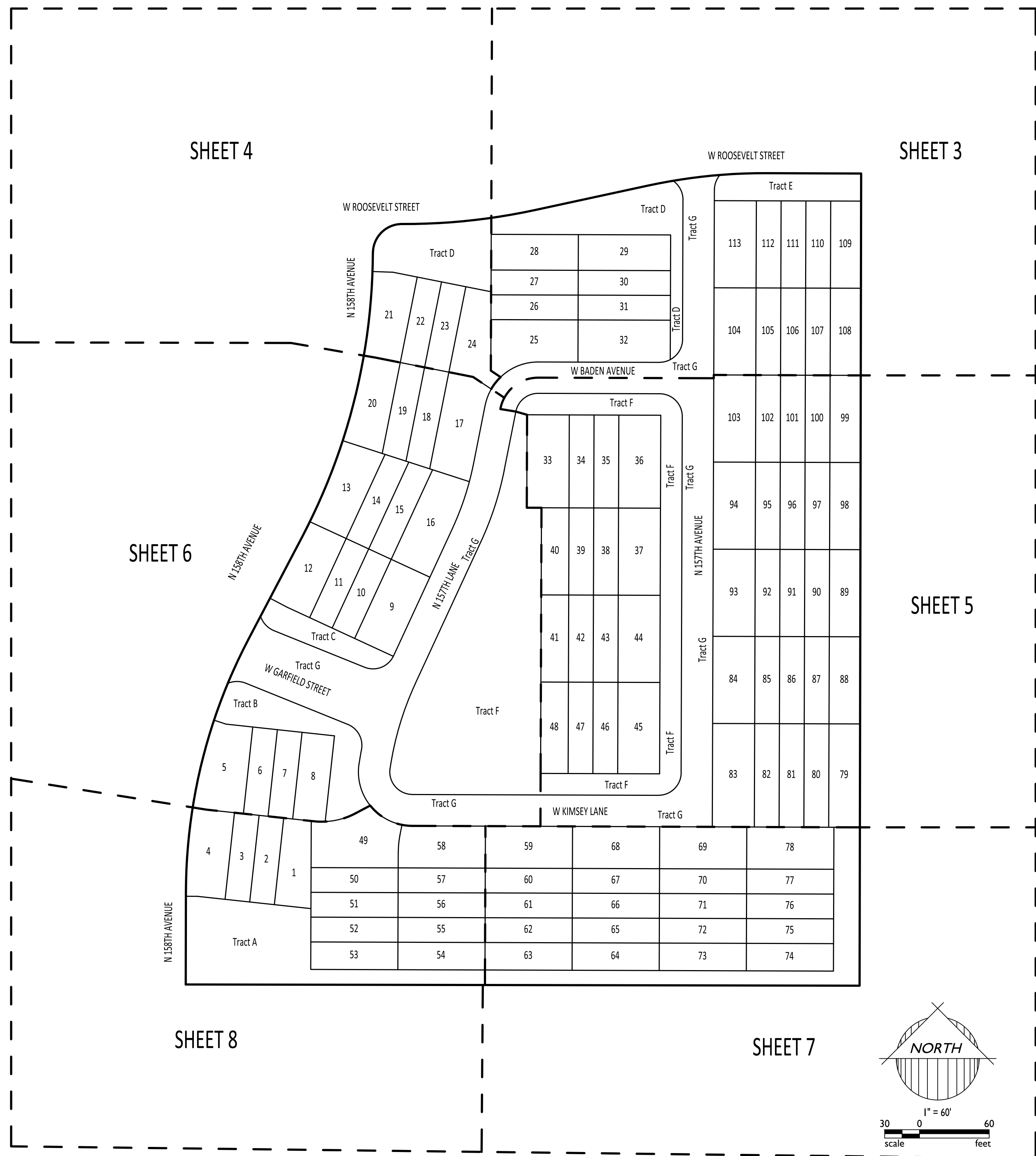
BY: _____

ITS: _____

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

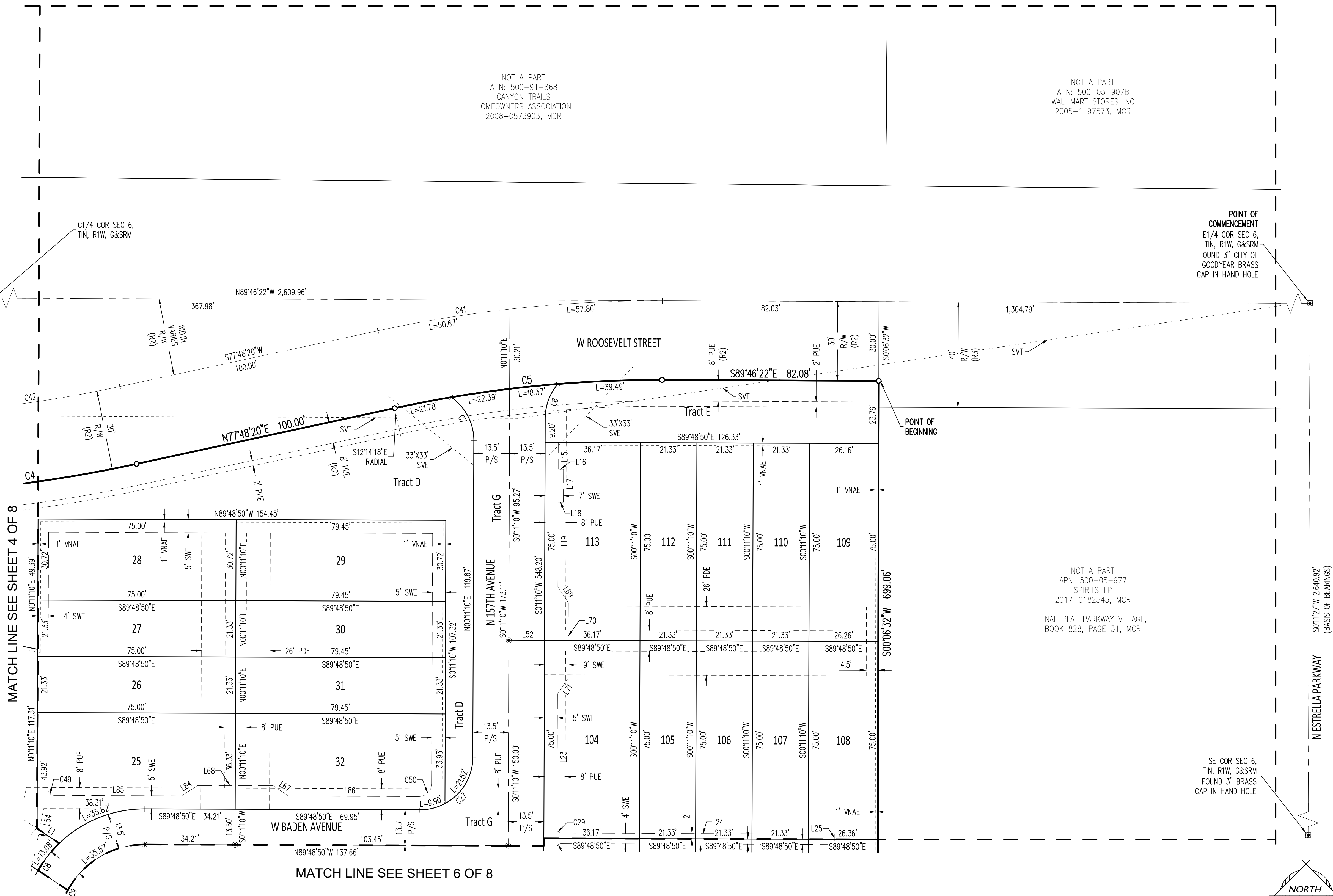
ON THIS ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED, _____, WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE _____ OF _____, GOODYEAR ROOSEVELT TOWNHOMES OWNERS ASSOCIATION, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND BEING AUTHORIZED TO DO SO ON BEHALF OF SAID ENTITY, EXECUTED THIS PLAT FOR THE PURPOSES THEREIN CONTAINED.

BY: _____
NOTARY PUBLIC MY COMMISSION EXPIRES: _____



LEGEND

- SECTION MONUMENT AS NOTED
- SET REBAR W/ CAP RLS 37495
- SET BRASS CAP AT COMPLETION OF CONSTRUCTION
- FOUND MONUMENT AS NOTED
- GILA AND SALT RIVER MERIDIAN
- BOUNDARY LINE
- CENTER LINE
- LOT LINE
- RIGHT-OF-WAY
- SECTION LINE
- MID-SECTION LINE
- SIDEWALK EASEMENT
- PRIVATE DRIVEWAY EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- WME WATER METER EASEMENT
- VNAE VEHICLE NON-ACCESS EASEMENT
- R/W RIGHT-OF-WAY
- P/S PRIVATE STREET
- APN ASSESSORS PARCEL NUMBER
- SVT SIGHT VISIBILITY TRIANGLE
- SVE SIGHT VISIBILITY EASEMENT



1130 N. Alma School Rd, Suite 120
Mesa, AZ 85201
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Project: ASCENT AT CANYON TRAILS
MARICOPA COUNTY, ARIZONA
FINAL PLAT

Revisions:

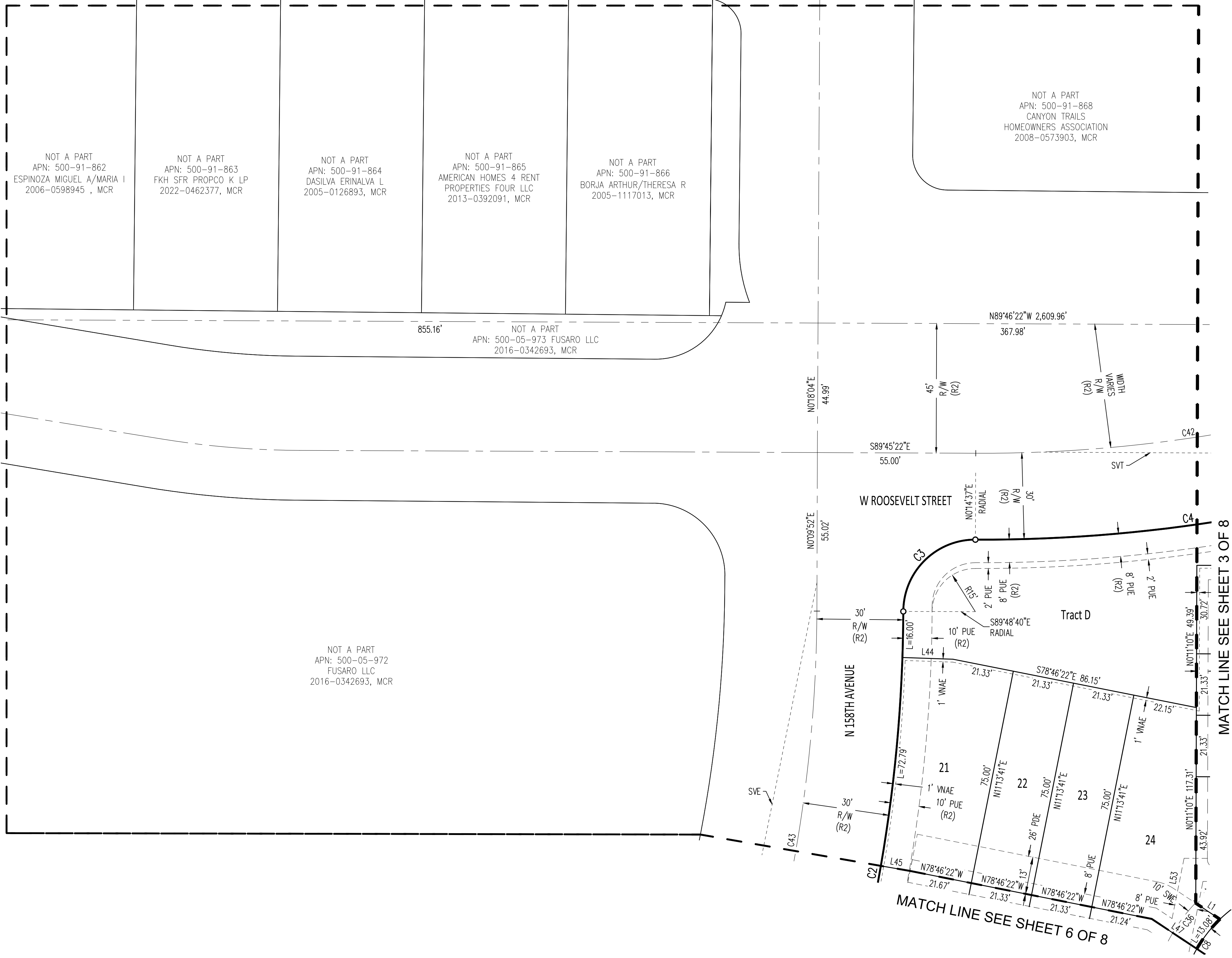
Call at least two full working days before you begin excavation.

ARIZONA
STATE BOARD OF LAND SURVEYORS
JULY 1, 1911 - FEBRUARY 1, 1912

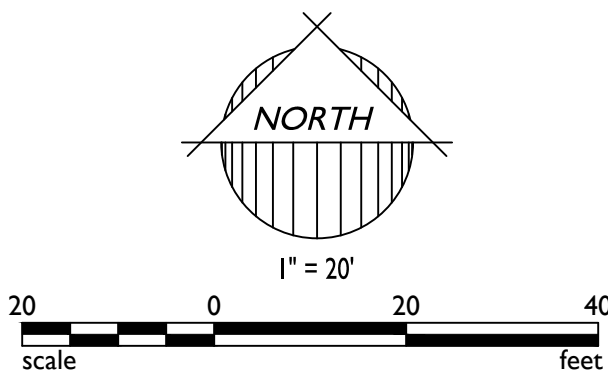
Drawn by: CAJ
Reviewed by: RAJ

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 37495
ROBERT A. JOHNSTON

Job No. 21-1032
FP01
Sheet No. 3 of 8



LEGEND	
	SECTION MONUMENT AS NOTED
	SET REBAR W/ CAP RLS 37495
	SET BRASS CAP AT COMPLETION OF CONSTRUCTION
	FOUND MONUMENT AS NOTED
	GILA AND SALT RIVER MERIDIAN
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	CENTER LINE
	LOT LINE
	RIGHT-OF-WAY
	SECTION LINE
	MID-SECTION LINE
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	PRIVATE DRIVEWAY EASEMENT
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Project:

ASCENT AT CANYON TRAILS
MARICOPA COUNTY, ARIZONA

Revisions:

Drawn by: CAJ

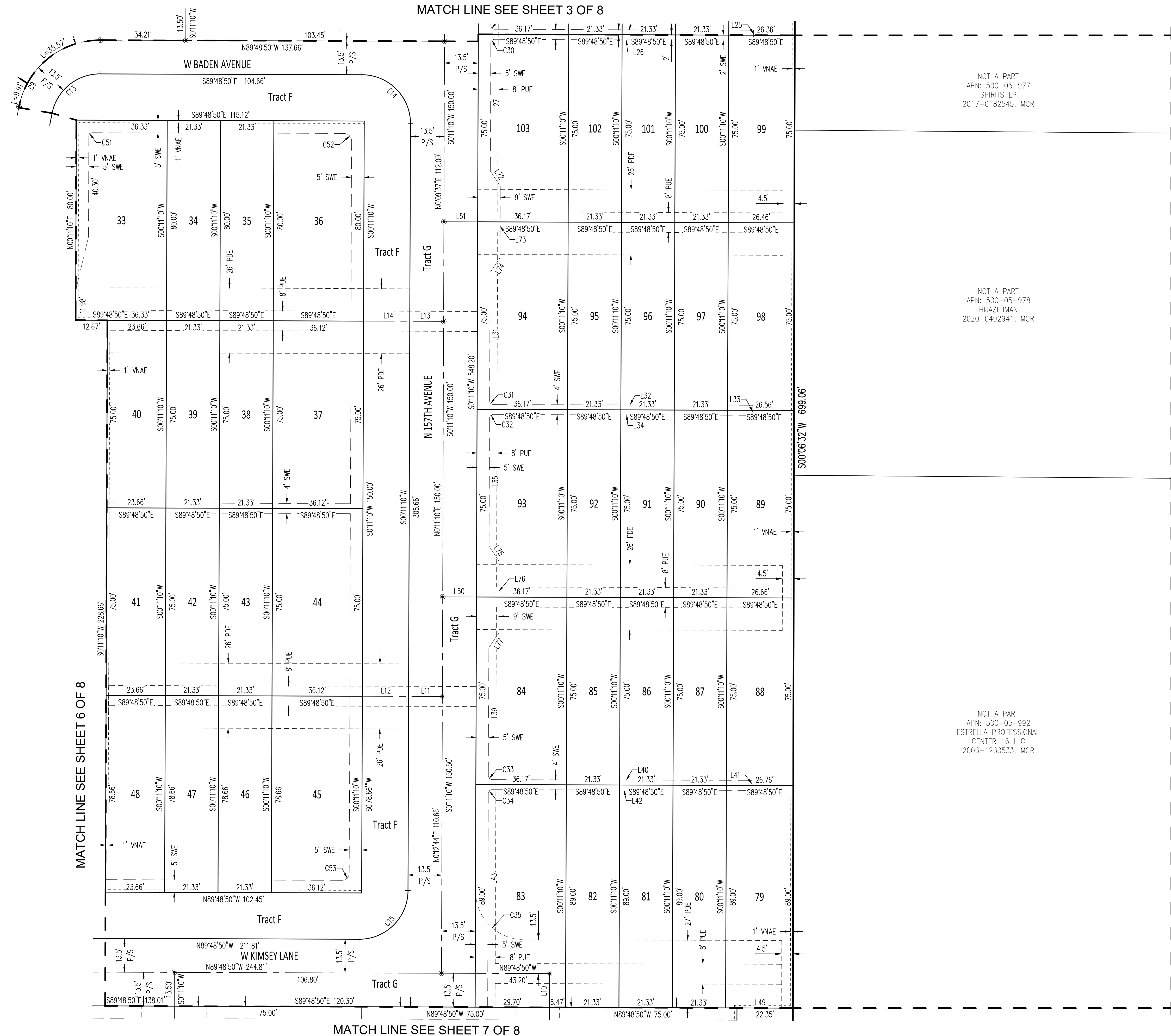
Reviewed by: RAJ

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 37495
ROBERT A. JOHNSTON
MARICOPA COUNTY, ARIZONA

Job No.
21-1032

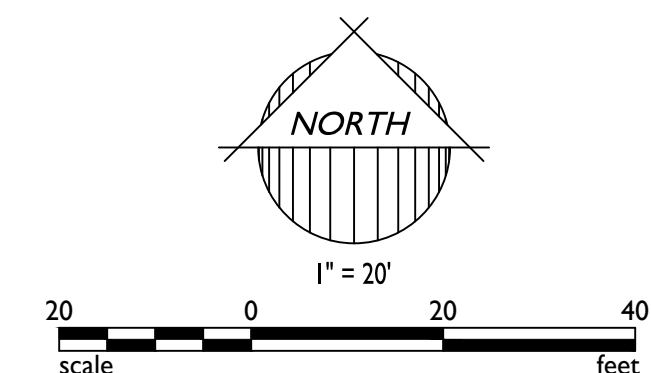
FP01

Sheet No.
4
of 8



- G&SRM
- SWE
PDE
PUE
WME
VNAE
R/W
P/S
APN
SVT
SVE

SECTION MONUMENT AS NOTED
SET REBAR W/ CAP RLS 37495
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OF CONSTRUCTION
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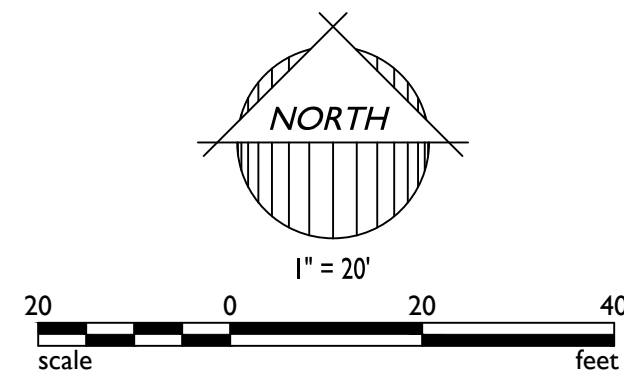


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climenez



- LEGEND**
- SECTION MONUMENT AS NOTED
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Project:

Revisions:

Call at least two full working days before you begin excavation.

Small print text about ARIZONA 811 and Maricopa County.

Drawn by: CAJ

Reviewed by: RAJ

Job No.
21-1032

FP01

Sheet No.
6 of 8

ASCENT AT CANYON TRAILS

MARICOPA COUNTY, ARIZONA

FINAL PLAT

Sep 17, 2024 11:24am S:\Projects\2021\21-1032\Land Survey\Draws\Plat\Final\Plat\21-1032 - Plat Final.dwg cJimenez

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	2,081	0.0478
2	1,600	0.0367
3	1,600	0.0367
4	2,715	0.0623
5	3,022	0.0694
6	1,600	0.0367
7	1,600	0.0367
8	2,103	0.0483
9	2,754	0.0632
10	1,600	0.0367
11	1,600	0.0367
12	2,705	0.0621
13	2,746	0.0630
14	1,729	0.0397
15	1,784	0.0410
16	3,147	0.0723
17	3,107	0.0713
18	1,783	0.0409
19	1,730	0.0397
20	2,556	0.0587
21	2,576	0.0591
22	1,600	0.0367
23	1,600	0.0367
24	2,329	0.0535
25	2,945	0.0676
26	1,600	0.0367
27	1,600	0.0367
28	2,304	0.0529
29	2,441	0.0560
30	1,695	0.0389
31	1,695	0.0389
32	2,879	0.0661

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
33	2,907	0.0667
34	1,707	0.0392
35	1,707	0.0392
36	2,889	0.0663
37	2,709	0.0622
38	1,600	0.0367
39	1,600	0.0367
40	1,775	0.0407
41	1,775	0.0407
42	1,600	0.0367
43	1,600	0.0367
44	2,709	0.0622
45	2,841	0.0652
46	1,678	0.0385
47	1,678	0.0385
48	1,862	0.0427
49	3,300	0.0758
50	1,600	0.0367
51	1,600	0.0367
52	1,600	0.0367
53	1,775	0.0407
54	1,775	0.0407
55	1,600	0.0367
56	1,600	0.0367
57	1,600	0.0367
58	2,691	0.0618
59	2,713	0.0623
60	1,600	0.0367
61	1,600	0.0367
62	1,600	0.0367
63	1,775	0.0407
64	1,775	0.0407

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
65	1,600	0.0367
66	1,600	0.0367
67	1,600	0.0367
68	2,713	0.0623
69	2,713	0.0623
70	1,600	0.0367
71	1,600	0.0367
72	1,600	0.0367
73	1,775	0.0407
74	1,775	0.0407
75	1,600	0.0367
76	1,600	0.0367
77	1,600	0.0367
78	2,713	0.0623
79	2,387	0.0548
80	1,899	0.0436
81	1,899	0.0436
82	1,899	0.0436
83	3,219	0.0739
84	2,713	0.0623
85	1,600	0.0367
86	1,600	0.0367
87	1,600	0.0367
88	2,003	0.0460
89	1,996	0.0458
90	1,600	0.0367
91	1,600	0.0367
92	1,600	0.0367
93	2,713	0.0623
94	2,713	0.0623
95	1,600	0.0367
96	1,600	0.0367

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
97	1,600	0.0367
98	1,988	0.0456
99	1,981	0.0455
100	1,600	0.0367
101	1,600	0.0367
102	1,600	0.0367
103	2,713	0.0623
104	2,713	0.0623
105	1,600	0.0367
106	1,600	0.0367
107	1,600	0.0367
108	1,973	0.0453
109	1,965	0.0451
110	1,600	0.0367
111	1,600	0.0367
112	1,600	0.0367
113	2,713	0.0623

LINE TABLE		
LINE	BEARING	LENGTH
L1	S56°25'14"E	10.07'
L2	N11°13'50"E	8.99'
L3	S00°11'10"W	13.83'
L4	N89°52'54"W	10.00'
L5	S65°11'12"E	13.50'
L6	S71°33'30"E	10.84'
L7	N62°07'04"E	13.84'
L8	S11°13'50"W	13.50'
L9	N80°58'49"W	12.19'
L10	S00°11'10"W	13.50'
L11	S89°48'50"E	13.55'
L12	S89°48'50"E	18.50'
L13	S89°48'50"E	13.55'
L14	S89°48'50"E	18.50'
L15	S00°11'10"W	10.11'
L16	S89°48'50"E	2.00'
L17	S00°11'10"W	12.50'
L18	N89°48'50"W	2.00'
L19	S00°11'10"W	32.09'
L20	N24°24'16"W	8.50'
L21	N11°13'28"E	45.32'
L22	N24°48'48"E	26.15'
L23	S00°11'10"W	51.20'
L24	S89°48'50"E	103.53'
L25	S00°06'32"W	4.00'
L26	N89°48'50"W	103.53'
L27	S00°11'10"W	51.20'
L28	N58°30'12"E	7.21'
L29	N24°48'48"E	28.60'
L30	N08°52'37"W	7.21'

LINE TABLE		
LINE	BEARING	LENGTH
L31	S00°11'10"W	51.20'
L32	S89°48'50"E	103.73'
L33	S00°06'32"W	4.00'
L34	N89°48'50"W	103.73'
L35	S00°11'10"W	51.20'
L36	N24°48'48"E	42.60'
L37	N65°11'12"W	11.51'
L38	S68°01'09"E	101.64'
L39	S00°11'10"W	51.20'
L40	S89°48'50"E	103.93'
L41	S00°06'32"W	4.00'
L42	N89°48'50"W	103.94'
L43	S00°11'10"W	85.50'
L44	N88°01'39"W	17.59'
L45	N80°09'31"W	10.29'
L46	N71°59'32"W	14.27'
L47	S56°25'14"E	18.77'
L48	S62°20'14"E	16.66'
L49	S89°48'50"E	26.88'
L50	S89°48'50"E	13.50'
L51	S89°48'50"E	13.50'
L52	S89°48'50"W	13.50'
L53	S11°13'28"W	21.36'
L54	N11°13'28"E	38.31'
L55	S78°46'32"E	108.88'
L56	N65°11'12"W	110.73'
L57	S24°48'48"W	24.87'
L58	S27°52'56"E	44.57'
L59	S27°52'56"E	20.17'
L60	S89°48'50"E	17.79'

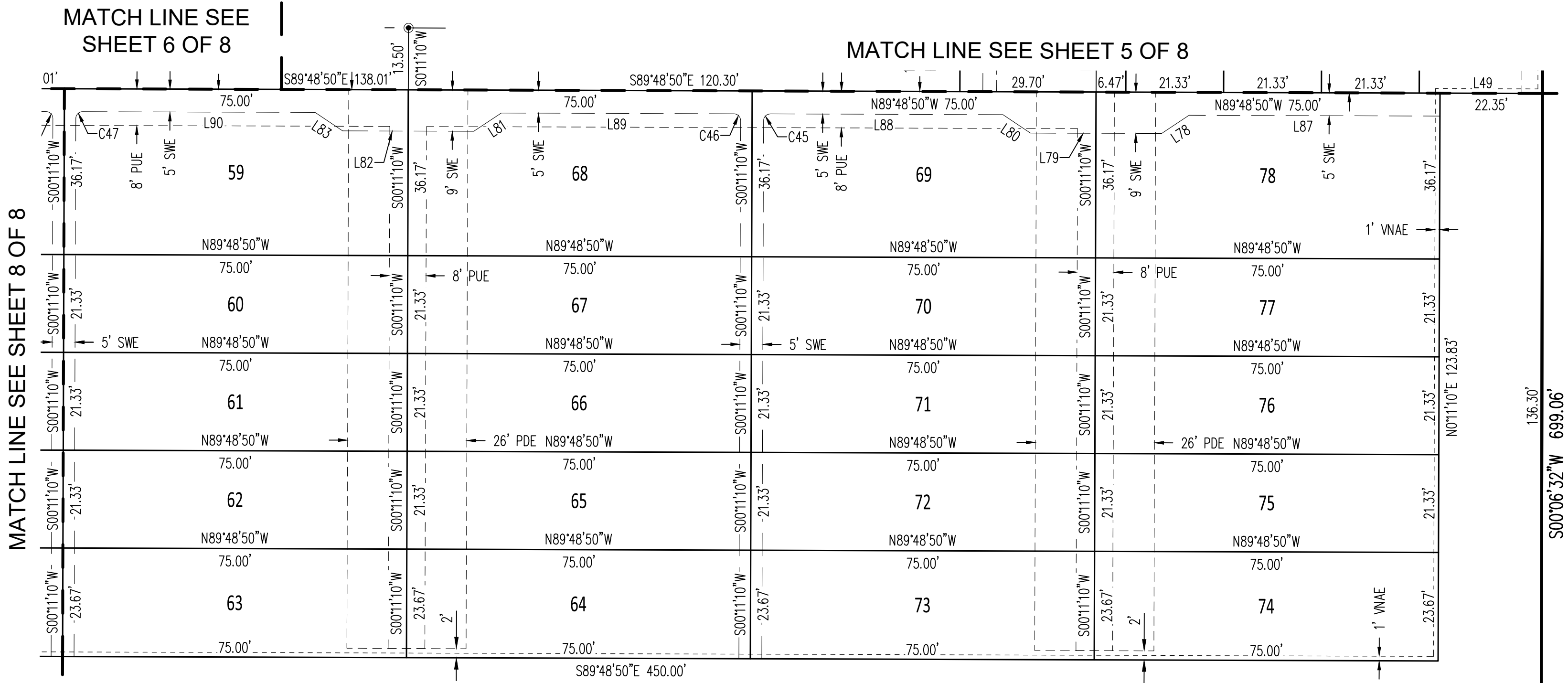
LINE TABLE		
LINE	BEARING	LENGTH
L61	N62°07'04"E	14.34'
L62	N83°49'10"W	90.83'
L63	S83°49'10"E	90.83'
L64	N89°48'50"W	48.50'
L65	S43°24'49"W	6.86'
L66	N89°48'50"W	5.81'
L67	S56°07'26"E	7.21'
L68	N90°00'00"E	28.60'
L69	S33°30'14"E	7.21'
L70	S00°11'10"W	28.60'
L71	S33°52'34"W	7.21'
L72	S33°30'14"E	7.21'
L73	S00°11'20"W	28.60'
L74	S33°52'00"W	7.21'
L75	S33°30'14"E	7.21'
L76	S00°11'10"W	28.60'
L77	S33°52'34"W	7.21'
L78	S56°29'46"W	7.21'
L79	N89°48'50"W	28.60'
L80	N56°07'26"W	7.21'
L81	S56°29'46"W	7.21'
L82	N89°48'50"W	28.60'
L83	N56°07'26"W	7.21'
L84	S75°06'53"E	7.16'
L85	S89°48'50"E	48.20'
L86	S89°48'50"E	49.15'
L87	N89°48'50"W	54.70'
L88	N89°48'50"W	50.70'
L89	N89°48'50"W	50.70'
L90	N89°48'50"W	50.70'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	226.16'	470.00'	27°34'14"
C2	253.93'	530.00'	27°27'06"
C3	39.22'	25.00'	89°52'56"
C4	115.07'	530.00'	12°26'24"
C5	102.04'	470.00'	12°26'20"
C6	14.11'	20.00'	40°25'29"
C7	19.34'	20.00'	55°24'49"
C8	64.08'	46.50'	78°57'43"
C9	45.48'	33.00'	78°57'43"
C10	33.39'	19.50'	98°05'53"
C11	76.56'	265.39'	16°31'44"
C12	64.87'	273.50'	13°35'20"
C13	26.87'	19.50'	78°57'43"
C14	30.63'	19.50'	90°00'00"
C15	30.63'	19.50'	90°00'00"
C16	61.66'	260.00'	13°35'20"
C17	58.46'	246.50'	13°35'20"
C18	29.67'	19.50'	87°10'03"
C19	17.43'	20.00'	49°56'04"
C20	15.78'	20.00'	45°12'20"
C21	80.46'	278.89'	16°31'44"
C22	26.81'	19.50'	78°47'06"
C23	12.66'	292.39'	2°28'54"
C24	79.61'	46.50'	98°05'53"
C25	56.50'	33.00'	98°05'53"
C26	36.86'	62.00'	34°03'46"
C27	31.42'	20.00'	90°00'00"
C28	14.46'	75.00'	11°02'40"
C29	2.36'	1.50'	90°00'00"
C30	2.36'	1.50'	90°00'00"

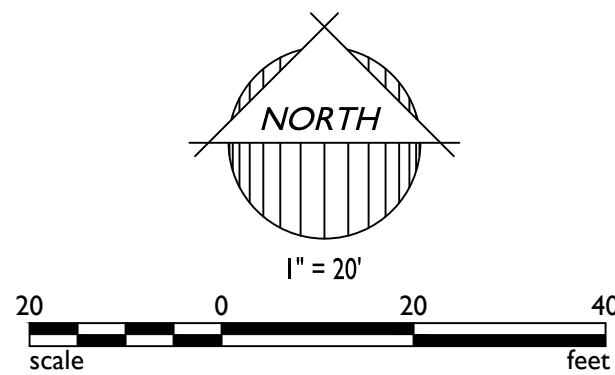
CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C31	2.36'	1.50'	90°00'00"
C32	2.36'	1.50'	90°00'00"
C33	2.36'	1.50'	90°00'00"
C34	2.36'	1.50'	90°00'00"
C35	30.93'	19.50'	90°53'18"
C36	13.21'	56.50'	13°23'44"
C37	16.69'	56.50'	16°55'15"
C38	14.32'	14.50'	56°34'38"
C39	10.85'	56.50'	11°00'21"
C40	23.60'	56.50'	23°55'51"
C41	108.53'	500.00'	12°26'10"
C42	108.56'	500.00'	12°26'23"
C43	239.58'	500.00'	27°27'12"
C44	240.58'	500.00'	27°34'08"
C45	2.36'	1.50'	90°00'00"
C46	2.36'	1.50'	90°00'00"
C47	2.36'	1.50'	90°00'00"
C48	2.36'	1.50'	90°00'00"
C49	3.93'	2.50'	90°00'00"
C50	7.85'	5.00'	90°00'00"
C51	2.36'	1.50'	90°00'00"
C52	4.71'	3.00'	90°00'00"
C53	4.71'	3.00'	90°00'00"
C54	26.88'	241.50'	6°22'38"
C55	5.03'	3.00'	95°59'40"

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	OPEN SPACE / LANDSCAPE / PUE	16,491	0.3786
Tract B	OPEN SPACE / LANDSCAPE / PUE / PRIVATE DRIVEWAY EASEMENT	4,867	0.1117
Tract C	OPEN SPACE / LANDSCAPE / PUE	2,372	0.0544
Tract D	OPEN SPACE / LANDSCAPE / PUE	11,064	0.2540
Tract E	OPEN SPACE / LANDSCAPE / PUE	2,957	0.0679
Tract F	OPEN SPACE / LANDSCAPE / PUE / PRIVATE DRIVEWAY EASEMENT** / AMENITY	34,634	0.7951
Tract G	PRIVATE STREET* / PARKING / PUE	43,017	0.9875

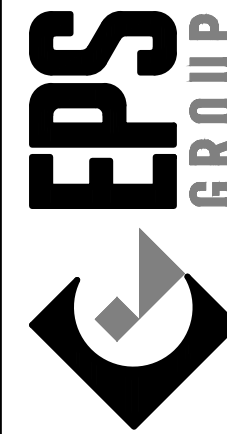
* PRIVATE STREET COVERS THE ENTIRE TRACT
** PRIVATE DRIVEWAY EASEMENT AS SHOWN IN SHEET 5
NOTE: ALL TRACTS TO BE MAINTAIN PER THE GOODYEAR ROOSEVELT TOWNHOMES HOA



- LEGEND**
- SECTION MONUMENT AS NOTED
 - SET REBAR W/ CAP RLS 37495
 - SET BRASS CAP AT COMPLETION OF CONSTRUCTION
 - FOUND MONUMENT AS NOTED
 - GILA AND SALT RIVER MERIDIAN
 - BOUNDARY LINE
 - CENTER LINE
 - LOT LINE
 - RIGHT-OF-WAY
 - SECTION LINE
 - MID-SECTION LINE
 - SIDEWALK EASEMENT
 - PRIVATE DRIVEWAY EASEMENT
 - PUBLIC UTILITY EASEMENT
 - WATER METER EASEMENT
 - VEHICLE NON-ACCESS EASEMENT
 - RIGHT-OF-WAY
 - PRIVATE STREET
 - ASSESSORS PARCEL NUMBER
 - SIGHT VISIBILITY TRIANGLE
 - SIGHT VISIBILITY EASEMENT
- SWE
PDE
PUE
WME
VNAE
R/W
P/S
APN
SVT
SVE



1130 N. Alma School Rd, Suite 120
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T:480.503.2320 | F:480.835.1799
www.epsgroupinc.com



ASCENT AT CANYON TRAILS

MARICOPA COUNTY, ARIZONA

FINAL PLAT

Project:

Revisions:



Drawn by: CAJ
Reviewed by: RAJ



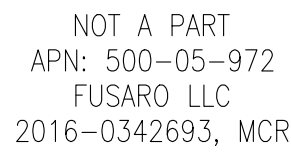
Job No.

21-1032

FP01

Sheet No.

7
of 8



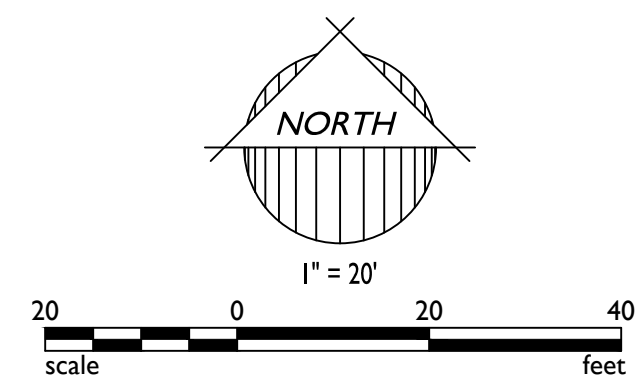
MATCH LINE SEE SHEET 6 OF 8

MATCH LINE SEE SHEET 7 OF 8

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G&SRM

- | | |
|-------|---|
| ● | SECTION: MONUMENT AS NOTED |
| ○ | SET REBAR W/ CAP RLS 37495 |
| ● | SET BRASS CAP AT COMPLETION OF CONSTRUCTION |
| ● | FOUND MONUMENT AS NOTED |
| G&SRM | GILA AND SALT RIVER MERIDIAN |
| _____ | BOUNDARY LINE |
| _____ | CENTER LINE |
| _____ | LOT LINE |
| _____ | RIGHT-OF-WAY |
| _____ | SECTION LINE |
| _____ | MID-SECTION LINE |
| SWE | SIDEWALK EASEMENT |
| PDE | PRIVATE DRIVEWAY EASEMENT |
| PUE | PUBLIC UTILITY EASEMENT |
| WME | WATER METER EASEMENT |
| VNAE | VEHICLE NON-ACCESS EASEMENT |
| R/W | RIGHT-OF-WAY |
| P/S | PRIVATE STREET |
| APN | ASSESSORS PARCEL NUMBER |
| SVT | SIGHT VISIBILITY TRIANGLE |
| SVE | SIGHT VISIBILITY EASEMENT |



ITEM #: 7.
DATE: 10/28/2024
AI #:2242



CITY COUNCIL ACTION REPORT

SUBJECT: USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (PANDA EXPRESS)

STAFF PRESENTER(S): Ann Dolmage, Principal Planner

SUMMARY

A request for a use permit for a drive-through restaurant on a 1.2-acre parcel within Cottonflower Marketplace commercial center, located at the southwest corner of Yuma Road and Cotton Lane (proposed Loop 303). The Cottonflower Marketplace commercial center is zoned Planned Area Development with a C-2 General Commercial designation within the Cottonflower Planned Area Development (PAD).

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the request for a Use Permit for a convenience use (drive-through restaurant) within five hundred (500) feet of a residential zoning district, on an approximately 1.2-acre parcel located at the southwest corner of Yuma Road and Cotton Lane (proposed Loop 303) zoned Planned Area Development (PAD), subject to stipulations. (Ann Dolmage, Principal Planner)

STIPULATIONS

The approval of the Use Permit is subject to the following conditions and stipulations:

1. The development of the Property shall be in substantial conformance with the Site Plan for Panda Express on Cottonflower Marketplace Lot 4 (the "Site Plan") attached hereto, the Building Elevations attached hereto, and with all other approved Site Plan submittal documents, none of which have received final approval. An amendment to the use permit shall be required if any deviation from the attached Site Plan is requested.
2. The development of the Property shall comply with the Cottonflower Marketplace Design Guidelines that were approved for the center on June 16, 2008.
3. In no instance shall queued vehicles obstruct designated fire lanes or public streets. Any obstruction observed by city staff shall be immediately remediated by the owner/operator and the owner/operator shall prepare a traffic management plan to prevent future obstructions. The traffic management plan shall be submitted to the Fire Chief and Director of Engineering (or their respective designees) within thirty (30) days of city staff's observation of the obstruction. Said plan shall require approval from the

Fire Chief and Director of Engineering or their designees. Failure to submit a traffic management plan and implement said plan in a timely fashion may result in termination of this use permit. Repeated observations of obstructions to designated fire lanes and/or public streets may also result in termination of this use permit.

4. Permanent exterior ladders affixed to a building shall not be permitted on the Property.

5. Sound from drive-through-speakers shall be mitigated using volume control, sound attenuation walls, landscaping, or other measures acceptable to the Zoning Administrator or designee. Drive-through speakers located on the Property shall not be audible from any residentially zoned property.

6. The development of 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.

7. No signage is approved as part of this use permit. All signage proposed on the Property shall require a separate submittal and review. The proposed signage shall comply with the comprehensive sign package approved for Cottonflower Marketplace as it may be amended.

8. Any future subdivision that includes the Property shall conform to the development standards as established in the C-2 (General Commercial) zoning district, including (but not limited to) building setbacks, minimum parking requirements, lot coverage, and landscaping.

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 located within the Cottonflower PAD. The PAD zoning was approved on October 12, 1999. Pursuant to the PAD, commercial uses are permitted on the Property.

The Property consists of an undeveloped 1.2-acre lot within the commercial center known as Cottonflower Marketplace. A master site plan for the full center, including design guidelines, was approved on June 16, 2008, under Case No. 07-600-00062. A comprehensive sign package was approved on December 15, 2008, under Case No. 08-630-00003. Off-site and most on-site improvements have been completed for this commercial center.

To expedite development requiring a use permit or special use permit, staff have implemented a process in 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 and 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 building elevations, copies of which are attached hereto.

STAFF ANALYSIS

Current Policy:

Restaurants with drive-through lanes located within five hundred (500) feet of any residential zoning district are required to obtain use permit approval per Article 3-3-3-A-30 of the Goodyear Zoning Ordinance. 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. All drive-through restaurants, regardless of whether a use permit is required, must meet certain operational and design requirements related to drive-through queuing capacity, traffic and pedestrian circulation, screening, speaker volume, and canopy location, as set forth in Section 4-2-18 of the Goodyear Zoning Ordinance.

Details of the Request:

The Property Owner is requesting a use permit for a drive-through restaurant on a 1.2-acre lot within the Cottonflower PAD. As previously noted, the Property is designated for commercial uses and will be developed in accordance with the PAD's design guidelines and city's C-2 (General Commercial) zoning district. As required in the C-2 zoning district, a restaurant with drive-through lanes within five hundred (500) feet of a residential zoning district must obtain approval of a use permit prior to development.

The proposed use is a single-story Panda Express restaurant, approximately two-thousand seven hundred (2,700) square feet in size. While the facility will contain about nine-hundred fifty-two (952) square feet of indoor dining space, drive-through service will be a large focus of the business. Two drive-through lanes will be provided, each with its own menu board and speaker. The two lanes will merge into one lane in the space between the menu boards and the pickup window. Combined, the drive-through lanes will provide stacking room for sixteen (16) vehicles, including eleven (11) vehicles between the lane entrances and the menu boards, and five vehicles between the menu boards and window. The lane design meets all minimum requirements for queuing capacity, linear length, width, and turning radius as described in Article 4-2-18 of the Zoning Ordinance.

As shown on the building elevations submitted with the use permit, the design for the building will utilize the materials and colors approved for the Cottonflower Marketplace under Case No. 07-600-00062.

Forty-one (41) vehicle parking spaces will be provided on the Panda Express lot, which exceeds the minimum requirement for the use as described in Article 6-4-2 of the Zoning Ordinance. Four (4) bicycle spaces will be provided as well.

The Arizona Department of Transportation (ADOT) is planning an extension of Loop 303 from Van Buren Street to MC-85, to include interchange improvements at major intersections, including Yuma Road. Because the Project is in proximity to the proposed extension and Yuma Road interchange, the use permit application was forwarded to ADOT for their review. ADOT commented that the easternmost driveway from Yuma Road into Cottonflower Marketplace (a right-in/right-out driveway) will eventually need to be closed as part of the extension project. Only the westernmost driveway (a full-access driveway) for access to and from Yuma Road will remain within the Cottonflower Marketplace. Additionally, ADOT will construct new curb and sidewalk improvements along the Yuma Road frontage of Cottonflower Marketplace as part of the extension project. An exact timeline of the driveway closure and roadway improvements is not known at this time, although as of the writing of this report, the ADOT website indicates that work will start in 2025 and will take three years to complete. For informational purposes, the applicant has provided a "Future Condition Site Plan (with ADOT Improvements to Yuma Road)" that shows how proposed improvements to construct the future Loop 303 extension will impact the Panda Express project.

ADOT has noted in prior reviews for projects in Cottonflower Marketplace that the northernmost driveway from Cotton Lane into the center will be closed as a result of the Loop 303 extension project, leaving one driveway (at the southeast corner of the center) on this frontage as well. While ADOT did

not specifically discuss Cotton Lane access in their comments for Panda Express, this access closure is mentioned in the traffic impact study that was prepared for the project, and ADOT has reviewed and approved this study. Furthermore, exhibits on the ADOT website show one driveway entrance remaining on the east side of the center upon completion of the Loop 303 project. Since this driveway will be connected to a one-way frontage road running alongside the freeway, it will be right-in/right-out only.

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;

Panda Express will be located in Cottonflower Marketplace, a commercial center adjacent to a single-family residential neighborhood. A stipulation is proposed that will prohibit drive-through speakers from being audible to nearby residential development. The Property is in the city's Lighting Zone 2, which requires house-side shielding for all perimeter lighting. Traffic impacts have been reviewed and determined to be in conformance with the roadway capacity and improvements for this area, including future improvements related to ADOT's Loop 303 extension project. The restaurant's drive-through lanes and queue will be internalized to the Property, and a stipulation is proposed that prohibits queued vehicles from obstructing fire lanes or public streets and requires a traffic management plan should obstructions occur. Vehicular queuing space has been provided in conformance with the applicable requirements in Article 4-2-18 of the Goodyear Zoning Ordinance.

2. The proposed use is reasonably compatible with uses permitted in the surrounding area;

The Property is located within a commercial center that currently contains two drive-through restaurants, a drive-through coffee shop, and a fitness center. Additional uses including a dental office, auto repair facility, and tire shop have obtained site plan approval and are in the permitting process but have not yet started construction. The Property is also in proximity to other commercial centers along Yuma Road and Cotton Lane, including Canyon Trails Towne Center at the northeast corner of Yuma and Cotton, and Sarival Marketplace at the northwest corner of Yuma and Sarival. Quik-Trip has obtained use permit and site plan approval to construct a convenience store on the northwest corner of Yuma and Cotton, across the street from the Property.

The nearest residential development to the proposed restaurant is the Cottonflower neighborhood to the west, with approximately two-hundred eighty (280) feet of separation between the speaker box in the outer drive-through lane and the nearest residence, and approximately two-hundred fifty (250) feet of separation between the food pickup window and that same residence. Given these separation distances, the existence of a six (6) to eight (8)-foot high perimeter wall around the residential neighborhood, and the fact that Cottonflower Marketplace cannot be directly accessed from the residential neighborhood, it is not expected that this project will create noise, light, traffic, or other impacts for nearby residents. Stipulations are proposed requiring the project to adhere to outdoor lighting standards in the Zoning Ordinance and to ensure that speaker noise is not audible to surrounding residences.

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 1.2-acre parcel is of sufficient size and configuration to accommodate the proposed restaurant with drive-through. The proposed access and internal traffic circulation pattern have been designed to be

consistent with the overall master site plan. Queuing space for the drive-through meets applicable city requirements and can be accommodated onsite. While the drive-through is not expected to create adverse impacts to public streets or adjacent land uses, a stipulation is proposed that outlines a course of remedial action in the event public streets or fire lanes are obstructed.

2. Compatibility of the proposed hours of operation with adjacent residential areas.

The proposed hours of operation for this use are 10:00AM to 10:00PM, seven days a week. The proposed use will be located within an established commercial center, which contains one 24-hour restaurant, two other restaurants that close at 7:00PM and 9:00PM nightly, and a fitness center that closes at midnight on most weekdays. Staff does not recommend any restrictions on hours of operation for this use.

3. Required traffic and access mitigation measures, if any.

The proposed project does not require additional right of way, off-site traffic mitigation measures, or restriction of traffic movements through signs or other measures. While ADOT does intend to close one driveway into the center on Yuma Road and complete other street improvements as part of the Loop 303 extension project described above, these activities were programmed by ADOT before this Use Permit application was submitted and will occur regardless of whether the application is approved or whether the restaurant is built. The center allows for shared vehicle and pedestrian access across all access drives within the center via its Declaration of Commercial Covenants, Conditions, Restrictions and Easements.

4. Other concerns which may place the advisability of the proposed convenience use in question.

There are no other concerns affecting the advisability of the proposed convenience use.

Fire Department:

Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184	3.03	1.52	3.03	1.52	#188	3.04	1.52	3.04	1.52

Public Participation:

A Citizen Review meeting was held on March 20, 2024. In accordance with the city’s Citizen Review Ordinance, notices were sent to all property owners within five hundred (500) feet of the Property, including the Cottonflower HOA and residents, to invite them to attend. Additionally, a sign was posted on the Property to announce the date and time of the meeting. Aside from City staff and the applicant, the meeting was unattended.

Notices for the public hearings before the Planning and Zoning Commission and City Council 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. To date, staff has received no inquiries on the project.

The Planning and Zoning Commission considered this item at their regular meeting on October 16, 2024. One question was asked about the operating hours of existing restaurants in the center and how they compare to the operating hours of the proposed restaurant. Black Rock Coffee and Salad and Go open earlier in the morning than Panda Express is expected to open, and close earlier in the evening, while Federico’s is open 24 hours a day. No members of the public spoke about the project. At the conclusion of the Public Hearing, the Commissioners voted 5-0 to forward a recommendation of

approval to City Council.

Staff Findings:

Staff finds that the proposed Use Permit for a drive-through restaurant on the Property meets the Zoning Ordinance requirements for drive-through uses, will not be materially detrimental to adjacent properties, and will be compatible with the surrounding area, subject to the conditions and stipulations set forth above. Staff is recommending approval of the Use Permit subject to the conditions and stipulations set forth above.

Attachments

Site Plan for Panda Express on Cottonflower Marketplace Lot 4

"Future Condition" Site Plan (with ADOT Improvements to Yuma Road)

Project Narrative

Exterior Elevations

Aerial Exhibit

Presentation

- EDS&PM 8.1.1.C
C. SITE PLAN NOTES

- 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 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, ROOTING, FERTILIZING, PRUNING, 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 LIVELY, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BURNED SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
- f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

- (IFC 503.4.1/EDS&PM 8.1.5.C10 - TRAFFIC CALMING DEVICES) THE FIRE DEPARTMENT DOES NOT ALLOW SPEED BUMPS OR ANY OBSTRUCTIONS THAT MAY IMPEDE AN EMERGENCY VEHICLE RESPONSE ON A FIRE DEPARTMENT ACCESS ROADWAY.

BUILDING CODE ANALYSIS	
OCCUPANCY CLASSIFICATION	GROUP A-2 (ASSEMBLY)
TYPE OF CONSTRUCTION	V-B
FIRE SPRINKLER	YES, SPRINKLERED

PANDA EXPRESS		
RESTAURANT AREA	2.700 S.F.	
EMPLOYEES	3 EMPLOYEES / SHIFT (2 SHIFTS PER DAY)	
	<u>PROVIDED</u>	<u>REQUIRED / ALLOWED</u>
HEIGHT	23'-3"	-
STORY	1	-
AREA	2.700 SQ.FT.	-
OCCUPANT LOAD	60	-

SITE INFORMATION	
LOT AREA	52,081 SQ. FT. (1.196 ACRE)
LOT COVERAGE (FLOOR AREA RATIO)	0.05
LANDSCAPE PROVIDED	4,753 SQ. FT.
PROPERTY ZONE / CLASSIFICATION	PAD (PLANNED AREA DEVELOPMENT)
ADJACENT ZONING DISTRICTS	CAD (PLANNED AREA DEVELOPMENT) P-1 (NEIGHBORHOOD COMMERCIAL) AU (AGRICULTURAL/URBAN)
PROPERTY TYPE / UNIQUE CHARACTERISTICS	NEW CONSTRUCTION; FREESTANDING RESTAURANT WITH A DRIVE-THRU
APN #	503-43-964

PARKING REQUIREMENTS:		
RESTURANT AREA	FLOOR AREA DIVIDED BY FACTOR	RESULT
DINNING AREA	952 S.F. DIVIDED BY 50 S.F	19
EMPLOYEE AREA	1,447 S.F. DIVIDED BY 150 S.F	10
OUTDOOR PATIO AREA	0 S.F. DIVIDED BY 150 S.F	0

	PARKING RATIO	PARKING REQUIRED	PARKING PROVIDED
PANDA EXPRESS	1 SPACE PER 50 SQUARE FEET OF DINING AREA	19	19
	1 SPACE PER 150 SQUARE FEET OF KITCHEN & EMPLOYEE SERVICE AREA	10	10
	1 SPACE PER 150 SQUARE FEET OF OUTDOOR PATIO AREA	0	12
ADA	1 FOR EVERY 25 STALLS	2	2
TOTAL		29	41
SHORT TERM BICYCLE PARKING		4	4

Scale= NTS | A-100

DEVELOPER
STEVE BLEVINS, PROJECT MANAGER
PANDA EXPRESS, INC.
1683 WALNUT GROVE AVE,
ROSEMEAD, CA 91770
T: 626.799.9898
F: 626.372.8288

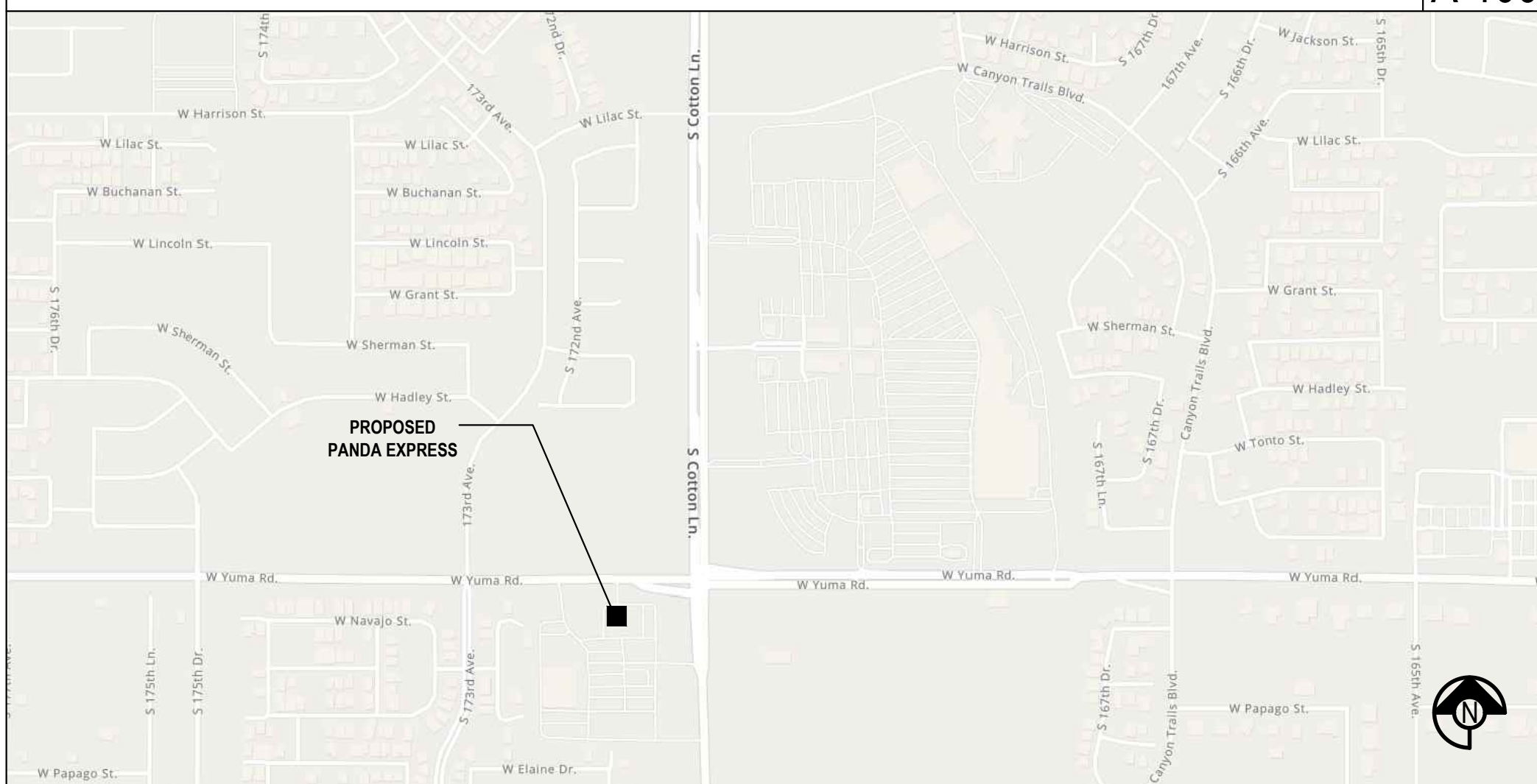
PROPERTY OWNER
HH-LAVEEN LOT 2, LLC.
C/O HINKSON COMPANY
5050 N 40TH STREET, STE. 350,
PHOENIX, AZ 85018
T: 480.794.1887

APPLICANT
RUBEN RODELA, PROJECT MANAGER
GARY WANG, AIA
GARY WANG & ASSOCIATES
1000 CORPORATE CENTER DR., SUITE # 550
MONTEREY PARK, CA 91754
T: 626.288.6898

Scale= NTS | A-100

1	PROPERTY LINE	12	DRIVE-THRU MENU BOARD (2)	23	DIRECTIONAL ARROW	34	FIRE TRUCK TURNING PATH
2	NEW LANDSCAPE AREA	13	DRIVE-THRU SPEAKER BOX (2)	24	EXISTING ACCESSIBLE PATH OF TRAVEL	35	CONCRETE PAD FOR TRASH ENCLOSURE PER CITY STANDARDS
3	TRASH ENCLOSURE FOR RECEPTACLE ONLY	14	THANK YOU / DO NOT ENTER SIGN	25	EXISTING STOP SIGN		
4	DESIGNATED ACCESSIBLE PARKING SPACE	15	EXISTING CURB CUT / DRIVEWAY ENTRANCE	26	EXISTING LIGHT POLE		
5	ACCESSIBLE STAMPED CONCRETE DESIGN PATH OF TRAVEL	16	STRIPING	27	EXISTING MONUMENT SIGN		
6	CURB RAMP & SIDEWALK	17	EXISTING DRIVE AISLE	28	EXISTING FIRE HYDRANT		
7	WALKWAY	18	EXISTING LANDSCAPE	29	DRIVE-THRU PORTE COCHERE. SEE EXTERIOR ELEVATIONS		
8	EXISTING PUBLIC SIDEWALK	19	KNOX BOX (MODEL 3200 SERIES)	30	FIRE RISER ROOM		
9	NUMBER OF STALLS	20	EXISTING DECORATIVE SCREEN WALL	31	SHORT TERM BICYCLE RACK FOR 4 MODEL: 125-20		
10	DRIVE-THRU LANE	21	NEW DECORATIVE SCREEN WALL 3 FT. TALL	32	WHEEL STOP, TYP.		
11	CLEARANCE BAR (2)	22	EXISTING WALKWAY	33	RED PAINTED CURBING LABELED "FIRE LANE NO PARKING" IN WHITE BLOCK LETTERS 3 INCHES IN HEIGHT		

Scale= NTS A-100



Scale= NTS A-100



PANDA EXPRESS, INC.
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Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

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REVISIONS:

[illegible]

DRAWN BY: RR/C

PANDA PROJECT #: S8-25-D28403

PANDA STORE #:

ARCH PROJECT #: 23-123



GARY WANG
& ASSOCIATES, INC.

1000 Corporate Center Dr., Suite 550
Monterey Park, CA 91754
TEL: (626) 288-6898 FAX: (626) 768-7101
<http://www.garywang.com>



Expires 09/30/2021

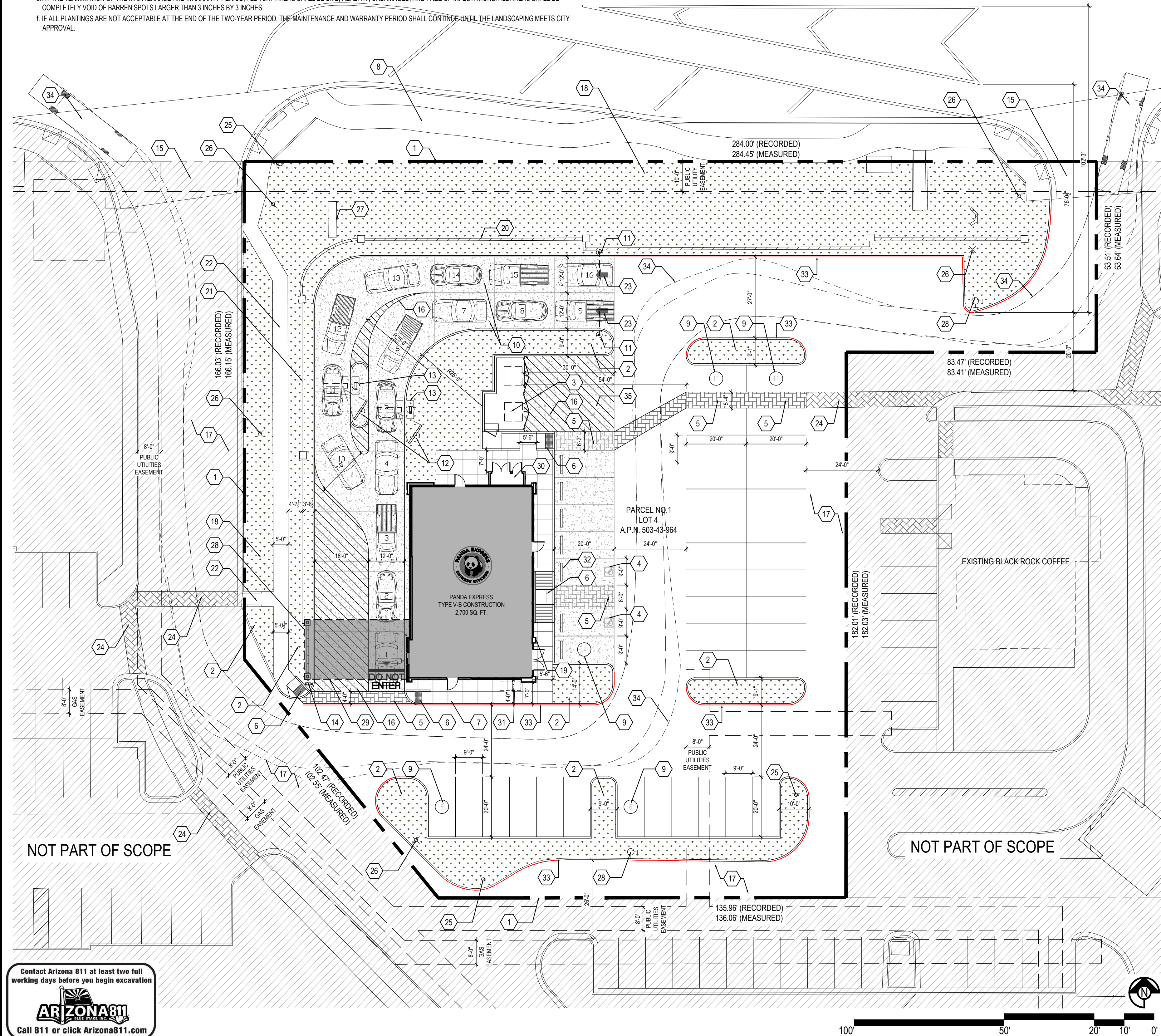
PANDA EXPRESS

COTTONFLOWER MARKETPLACE
COTTON LN. & YUMA RD.
GOODYEAR, AZ 85338

A PORTION OF THE NORTHEAST QUARTER OF SECTION 14
TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SAL
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

A-100

SITE PLAN



Scale= 1" = 20' | A-1





Scale= 1" = 20' A-10

Scale= NTS A-100.1

FUTURE ADOT IMPROVEMENT PLAN



Gary Wang & Associates, Inc.

Member of American Institute of Architects
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Suite 550
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Fax: (626) 768-7101

April 2nd, 2024

City of Goodyear
Planning & Zoning / Development Services
1900 North Civic Square
Goodyear, AZ 85395

Panda Express
Cottonflower Marketplace
Intersection of Cotton Ln. & Yuma Rd.
Goodyear, AZ 85338
APN: 503-43-964

Project Narrative

The proposed project will be a freestanding, Panda Express restaurant, approximately 2,700 square feet, with a drive-through feature and 44 new parking spaces. The proposed Panda Express project is located on the north end of Cottonflower Marketplace Shopping Center, along Yuma Road, approximately 1.5 miles south of Interstate 10 Highway.

The project will occupy an existing, undeveloped PAD zoned parcel (APN: 503-43-964). This proposal is to apply for a Use Permit and Commercial Pad Site Plan review process. The project will consist of a single-phase construction. The property is neighboring commercial developments such as Black Rock Coffee Bar, Salad & Go, Esporta Fitness, and Federico's Mexican Restaurant within the shopping center.

Panda Express is a fast-food restaurant chain that serves American Chinese cuisine. Panda Express offers a variety of food such as Orange Chicken, Beijing Beef, Mandarin Chicken, and Walnut Shrimp. Combination meals are served with fried rice, steamed rice, chow mein, and/or mixed steamed vegetables. Alcohol will not be served at this location.

The intended hours of operation for this restaurant would be Sunday through Saturday from 10:00 A.M. to 10:00 P.M. The restaurant is projected to have three employees per shift, 2 shifts per day. However, during lunch and dinner peak times, an additional 2-3 employees per shift will come in to assist. There will also be a shift manager during each shift to assist during peak hours. One of these employees might also assist at the drive-thru lane in case a long queue begins to form. But, the addition of the second menu board/speaker box would assist in this scenario.

The proposed new restaurant will incorporate Panda Express' latest design concept named Home Design, while integrating the Cottonflower Marketplace's design criteria. This innovative design boasts of natural colors and stone veneers, along with a swooping metal roof element surrounding the perimeter of the building. The double drive-thru pick-up window area will be covered by a porte cochere incorporating similar building colors. All paint and stone colors match the shopping center's design criteria, minus the corporate design wall signs. Minor extrusions in building form



Gary Wang & Associates, Inc.

Member of American Institute of Architects

1000 Corporate Center Drive

Suite 550

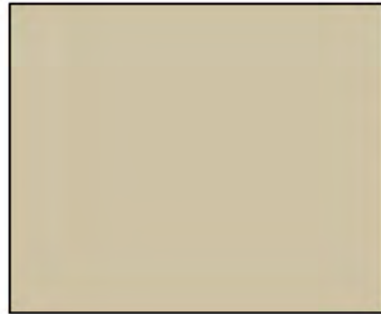
Monterey Park, CA 91754

Tel: (626) 288-6898

Fax: (626) 768-7101

and lighting elements create a more intriguing and varied sense of style. The swooping roof element fuses traditional Asian Architecture with post-modern design elements to further build on the identity of Panda Express.

This project would greatly benefit the existing commercial zone and the surrounding community by contributing to the local social fabric. The restaurant's drive-thru feature offers a convenient solution to the local community's busy schedules and active lifestyles. While considering the guests' dynamic way of life, the physical infrastructure of the restaurant enables stronger connections to take place between the residents and surrounding businesses.



EIFS (EIFS-1)
MANUFACTURE: DUNN EDWARDS
PRODUCT: #629 EIFS
COLOR: DESERT TRAIL
FINISH: FINE



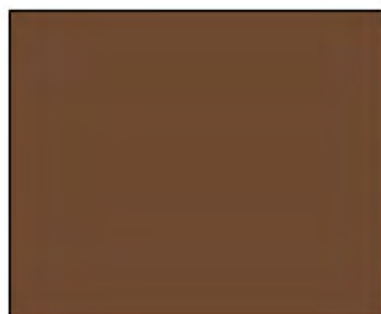
EIFS (EIFS-2)
MANUFACTURE: DUNN EDWARDS
PRODUCT: #462 EIFS
COLOR: WESTERN TRAIL
FINISH: FINE



ST-1 (ST-1)
MANUFACTURE: DURA STONE
PRODUCT: STONE VENEER
COLOR: CARMEL COUNTRY



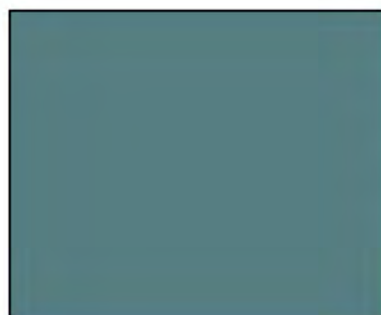
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MANUFACTURE: CORONADO STONE
PRODUCT: URBANA SPLIT - FACE STONE VENEER
COLOR: TIMBER TRAILS #354



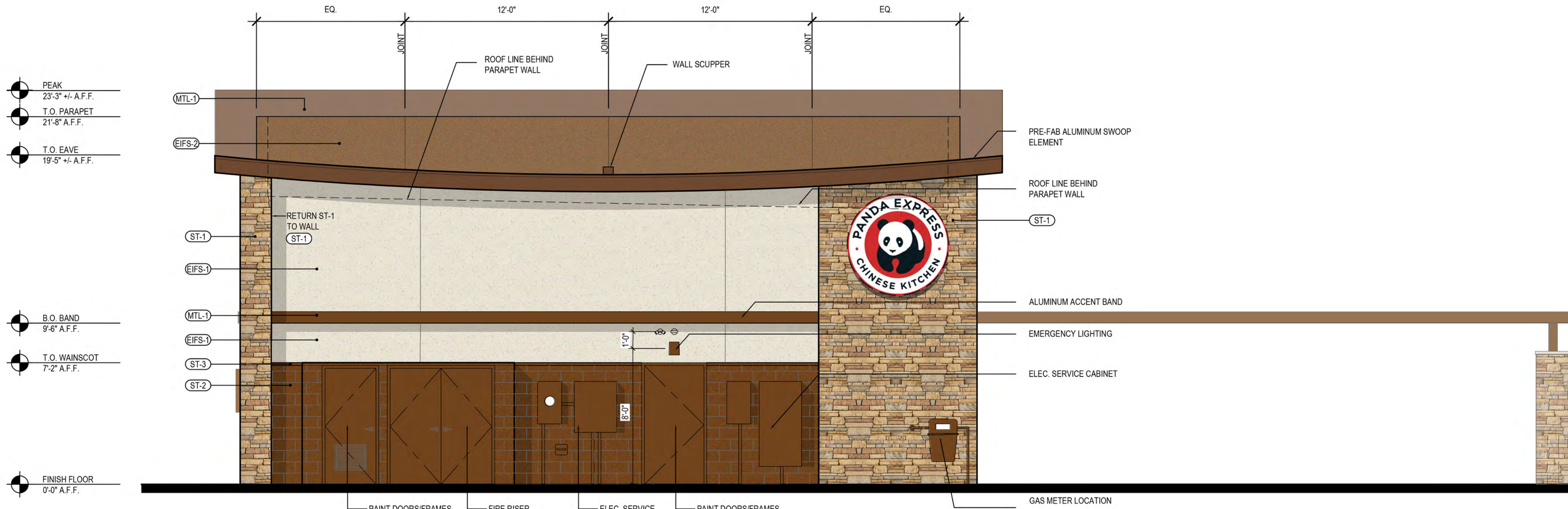
ST-3 (ST-3)
MANUFACTURE: CORONADO STONE
PRODUCT: CORONADO 900 SERIES - STONE CAP
COLOR: TIMBER TRAILS #354



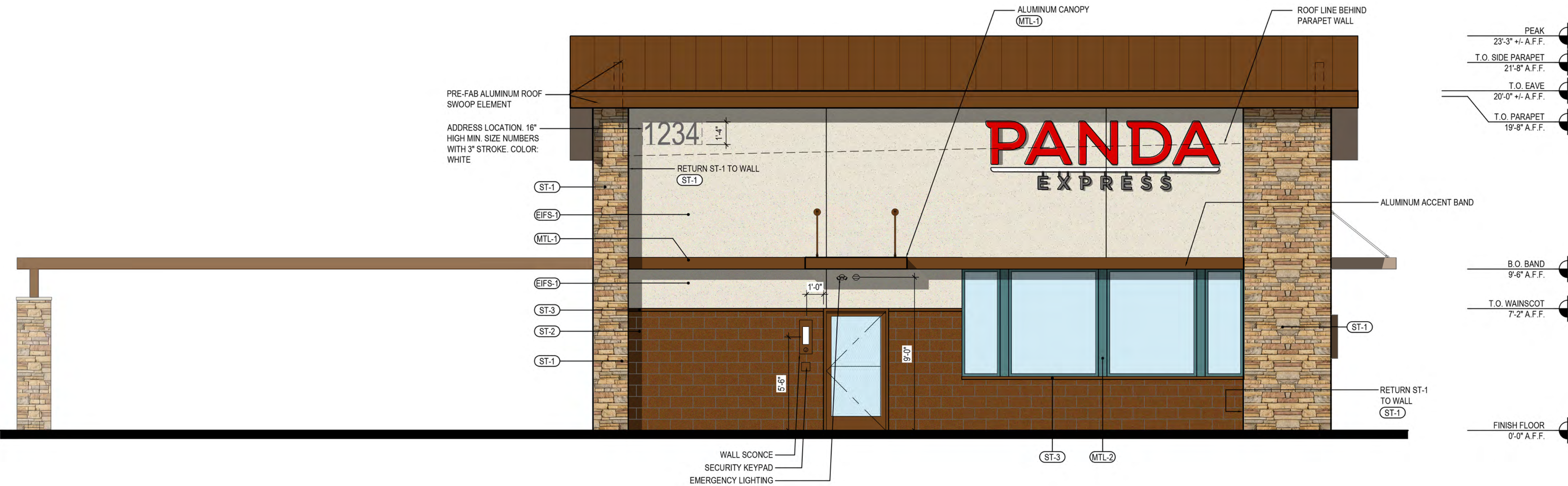
MTL-1 (MTL-1)
MANUFACTURE: PANDA VENDOR
PRODUCT: ALLEN INDUSTRIES
COLOR: TIMBER TRAILS #354
FINISH: SATIN



MTL-2 (MTL-2)
MANUFACTURE: ICI PAINTS
PRODUCT: -
COLOR: FALL'S RIVER #1266
FINISH: FINE



NORTH ELEVATION 2
Scale= 1/4" = 1'-0" A-200



SOUTH ELEVATION 1
Scale= 1/4" = 1'-0" A-200



PANDA EXPRESS, INC.
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REVISIONS:		
ISSUE DATE:		
1ST	1ST PLANNING SUBMITTAL	12-13-23
2ND	2ND PLANNING SUBMITTAL	04-02-24

DRAWN BY: RRC/J

PANDA PROJECT #: S8-25-D28403
PANDA STORE #: -
ARCH PROJECT #: 23-123

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PANDA EXPRESS
COTTONFLOWER MARKETPLACE
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RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

A-200

EXTERIOR
ELEVATIONS



EIFS (EIFS-1)
MANUFACTURE: DUNN EDWARDS
PRODUCT: #629 EIFS
COLOR: DESERT TRAIL
FINISH: FINE



EIFS (EIFS-2)
MANUFACTURE: DUNN EDWARDS
PRODUCT: #462 EIFS
COLOR: WESTERN TRAIL
FINISH: FINE



ST-1 (ST-1)
MANUFACTURE: DURA STONE
PRODUCT: STONE VENEER
COLOR: CARMEL COUNTRY



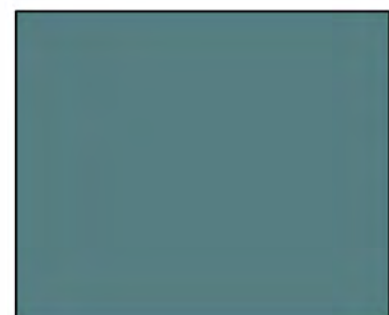
ST-2 (ST-2)
MANUFACTURE: CORONADO STONE
PRODUCT: URBANA SPLIT - FACE STONE VENEER
COLOR: TIMBER TRAILS #354



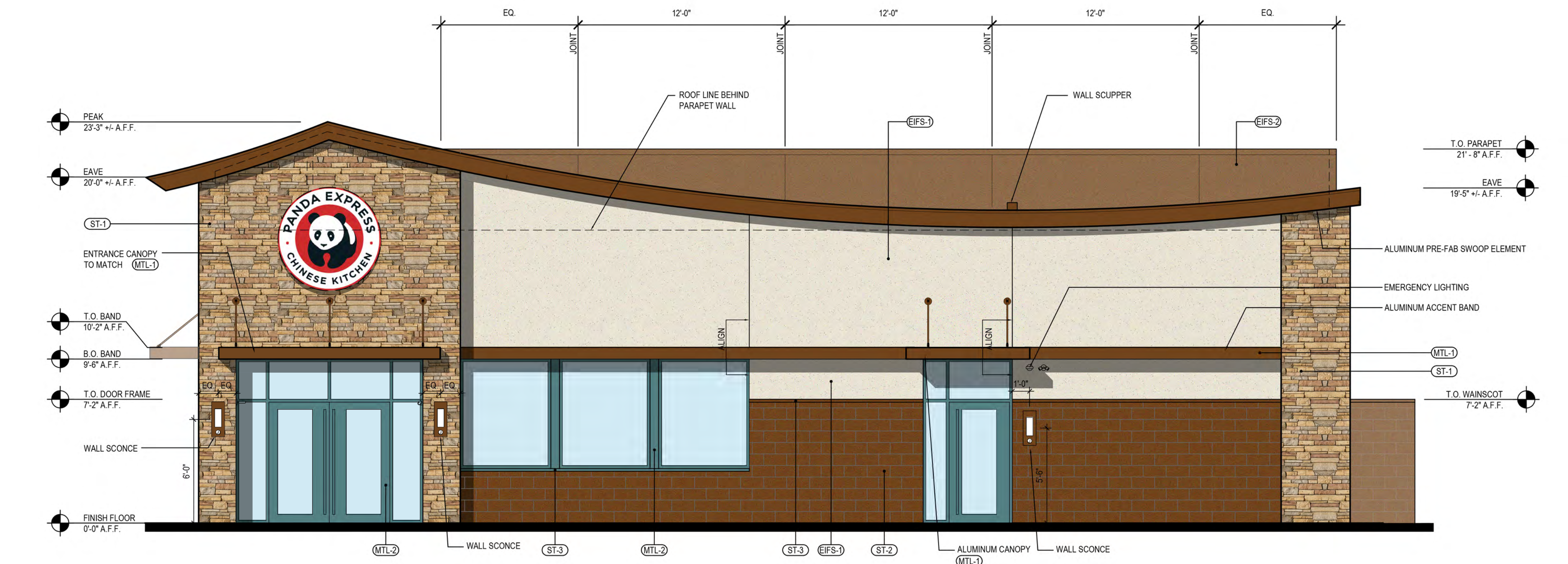
ST-3 (ST-3)
MANUFACTURE: CORONADO STONE
PRODUCT: CORONADO 900 SERIES - STONE CAP
COLOR: TIMBER TRAILS #354



MTL-1 (MTL-1)
MANUFACTURE: PANDA VENDOR
PRODUCT: ALLEN INDUSTRIES
COLOR: TIMBER TRAILS #354
FINISH: SATIN

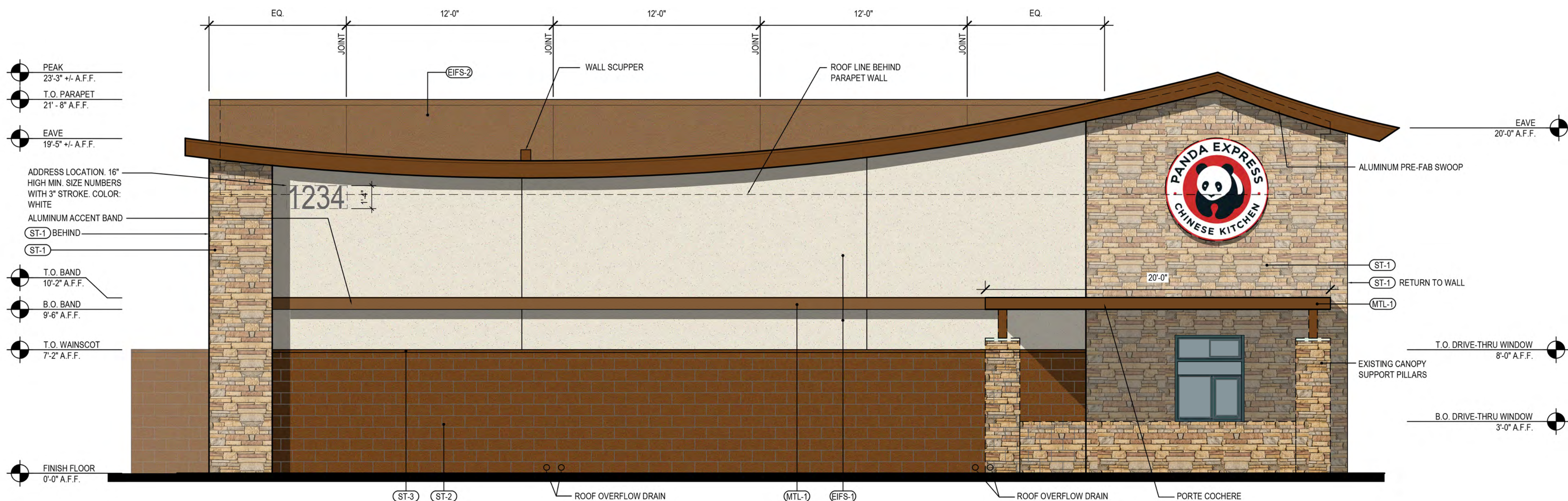


MTL-2 (MTL-2)
MANUFACTURE: ICI PAINTS
PRODUCT: -
COLOR: FALL'S RIVER #1266
FINISH: FINE



EAST ELEVATION 2

Scale= 1/4" = 1'-0" A-201



WEST ELEVATION 1

Scale= 1/4" = 1'-0" A-201



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REVISIONS:

ISSUE DATE:

1ST	1ST PLANNING SUBMITTAL	12-13-23
2ND	2ND PLANNING SUBMITTAL	04-02-24

DRAWN BY: RR/CJ

PANDA PROJECT #: S8-25-D28403

PANDA STORE #: -

ARCH PROJECT #: 23-123



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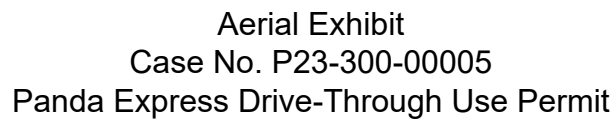
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RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

A-201

EXTERIOR
ELEVATIONS



PANDA EXPRESS DRIVE-THROUGH USE PERMIT



PANDA EXPRESS DRIVE-THROUGH USE PERMIT

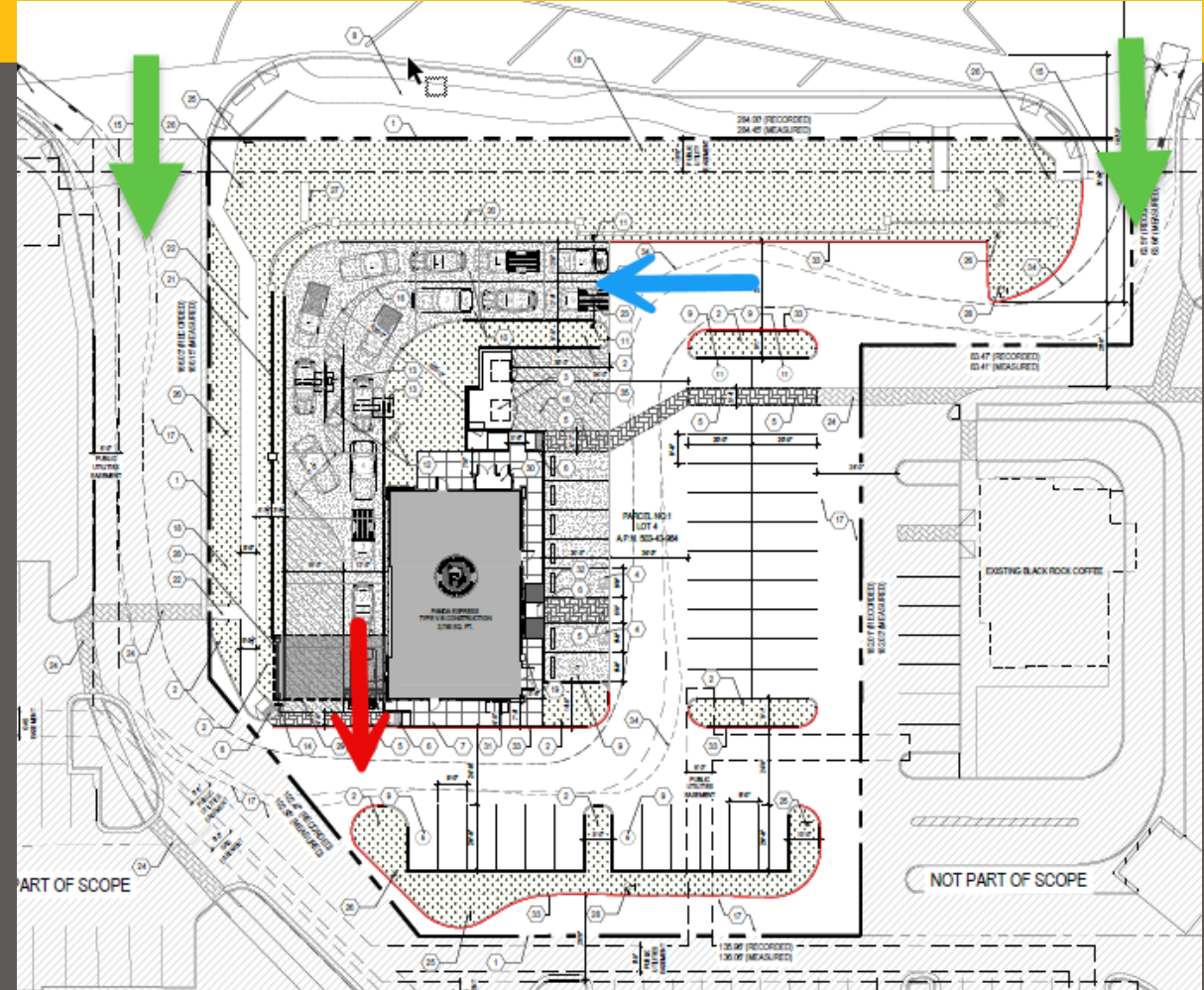
- 1.2 acres in Cottonflower Marketplace
- Zoning: Planned Area Development (PAD) permitting C-2 uses



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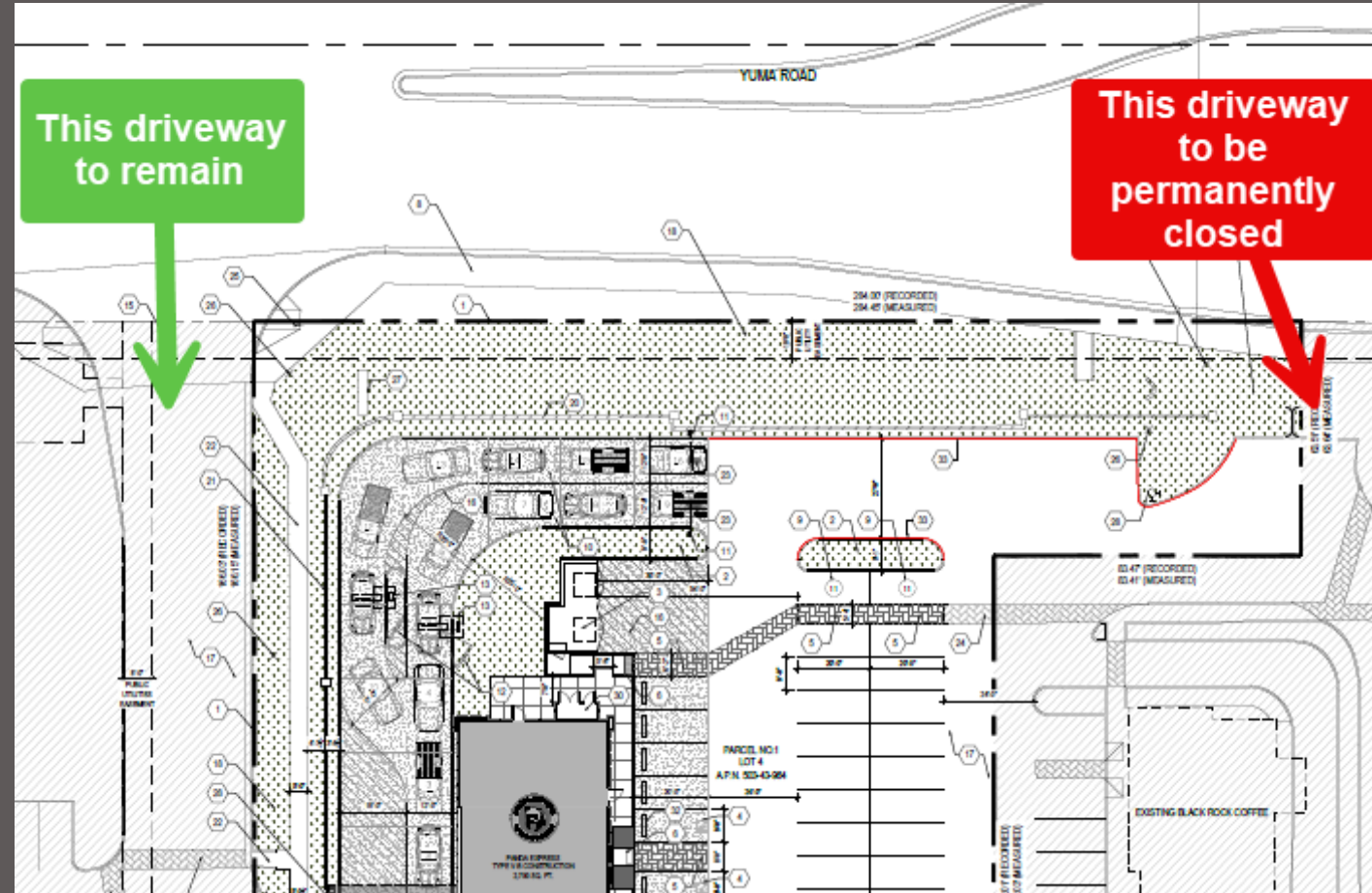
PANDA EXPRESS DRIVE-THROUGH USE PERMIT

- Two driveway entrances from Yuma
- Queuing capacity for 16 vehicles in drive-through
- Parking: 41 vehicles, 4 bicycles

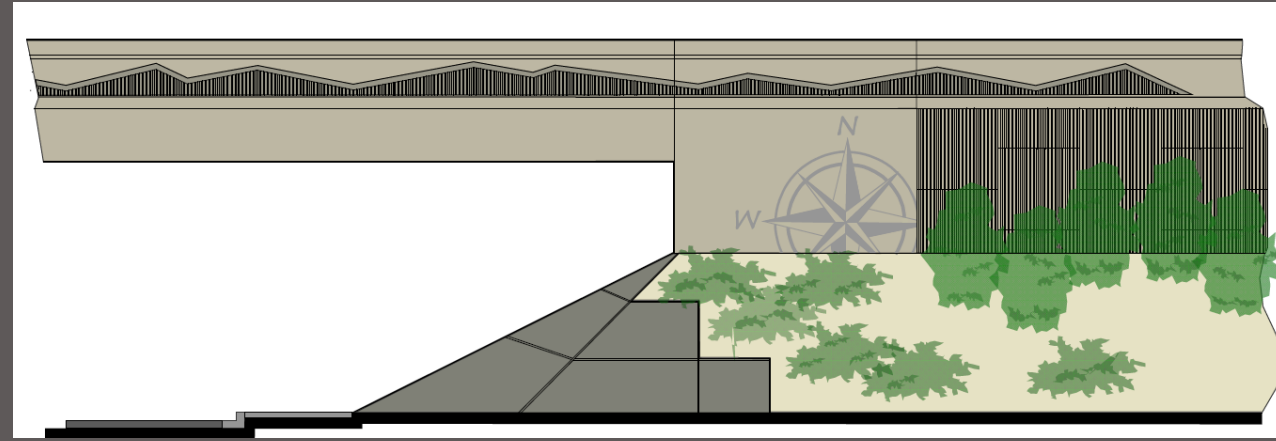
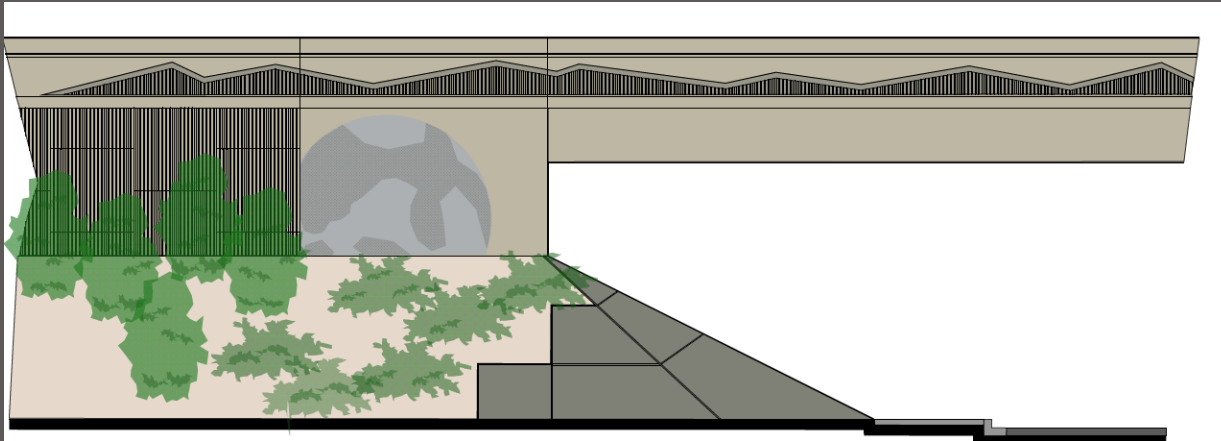


PANDA EXPRESS DRIVE-THROUGH USE PERMIT

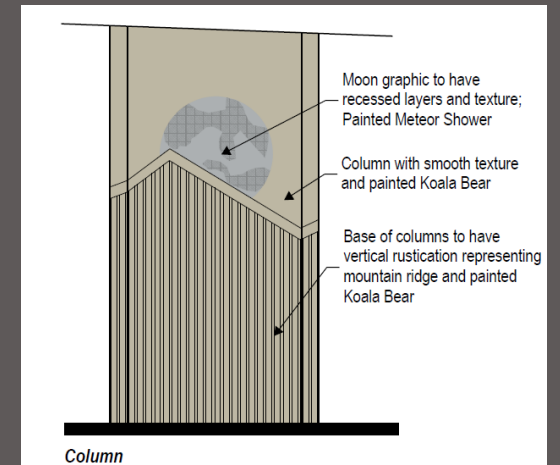
- Loop 303 extension project will alter Yuma Road
- Driveway closure most significant impact to this project



PANDA EXPRESS DRIVE-THROUGH USE PERMIT

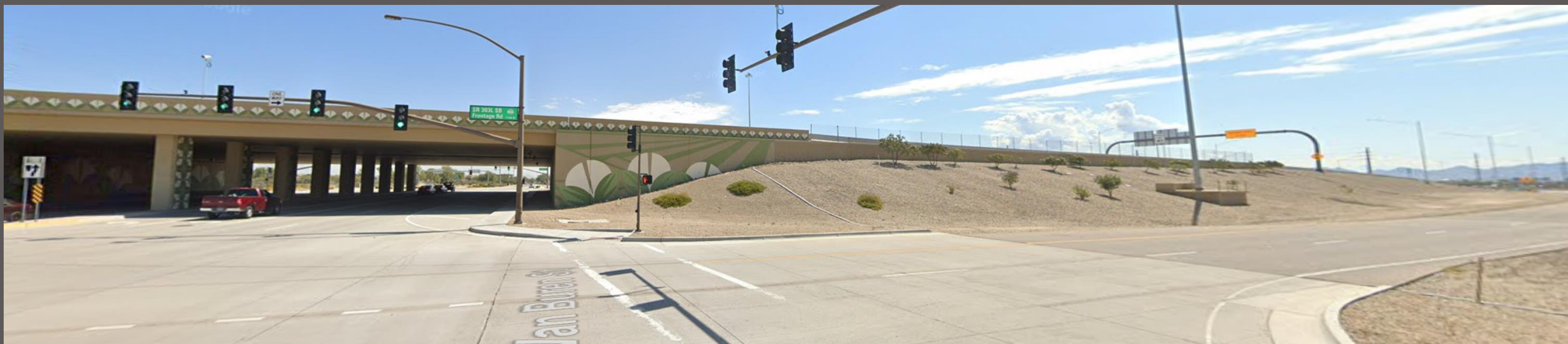


Top: Proposed design for Yuma Road overpass
Right: Center column for overpass



Source: Structures Aesthetic Study, SR303L (Estrella), Phase 1: MC85 to Van Buren Street
(ADOT/AZTEC, Final Version Revised 7/12/24)

PANDA EXPRESS DRIVE-THROUGH USE PERMIT



Existing Van Buren overpass

(Looking east/southeast from the southbound on-ramp)



Design consistent with Cottonflower Marketplace design guidelines

(East and west elevations shown)



PANDA EXPRESS DRIVE-THROUGH USE PERMIT





-



PANDA EXPRESS DRIVE-THROUGH USE PERMIT

Citizen Review and Public Hearing Processes

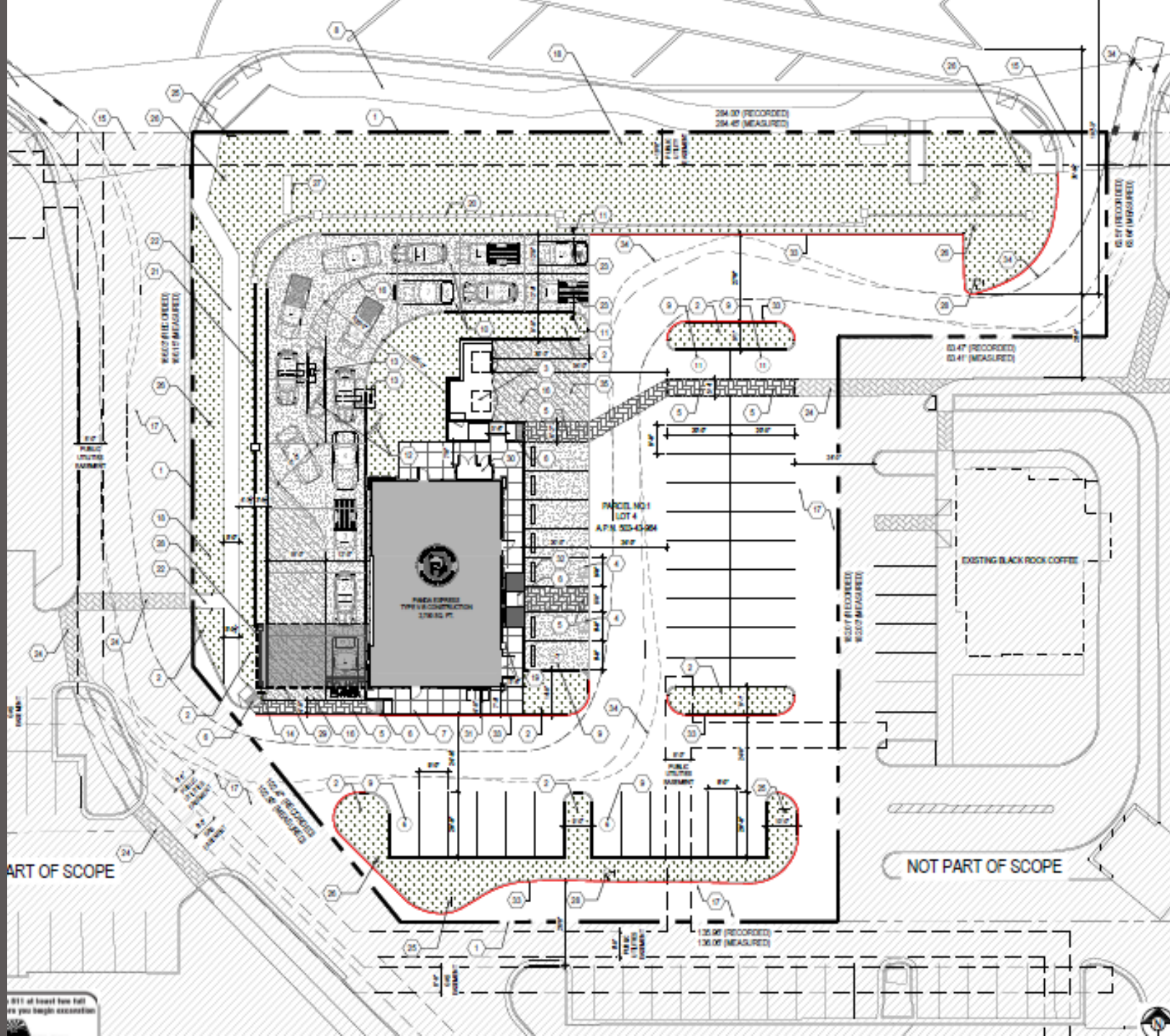
- Neighborhood meeting on March 20
- Planning & Zoning Commission hearing on October 16
 - Voted 5-0 to forward a recommendation of approval



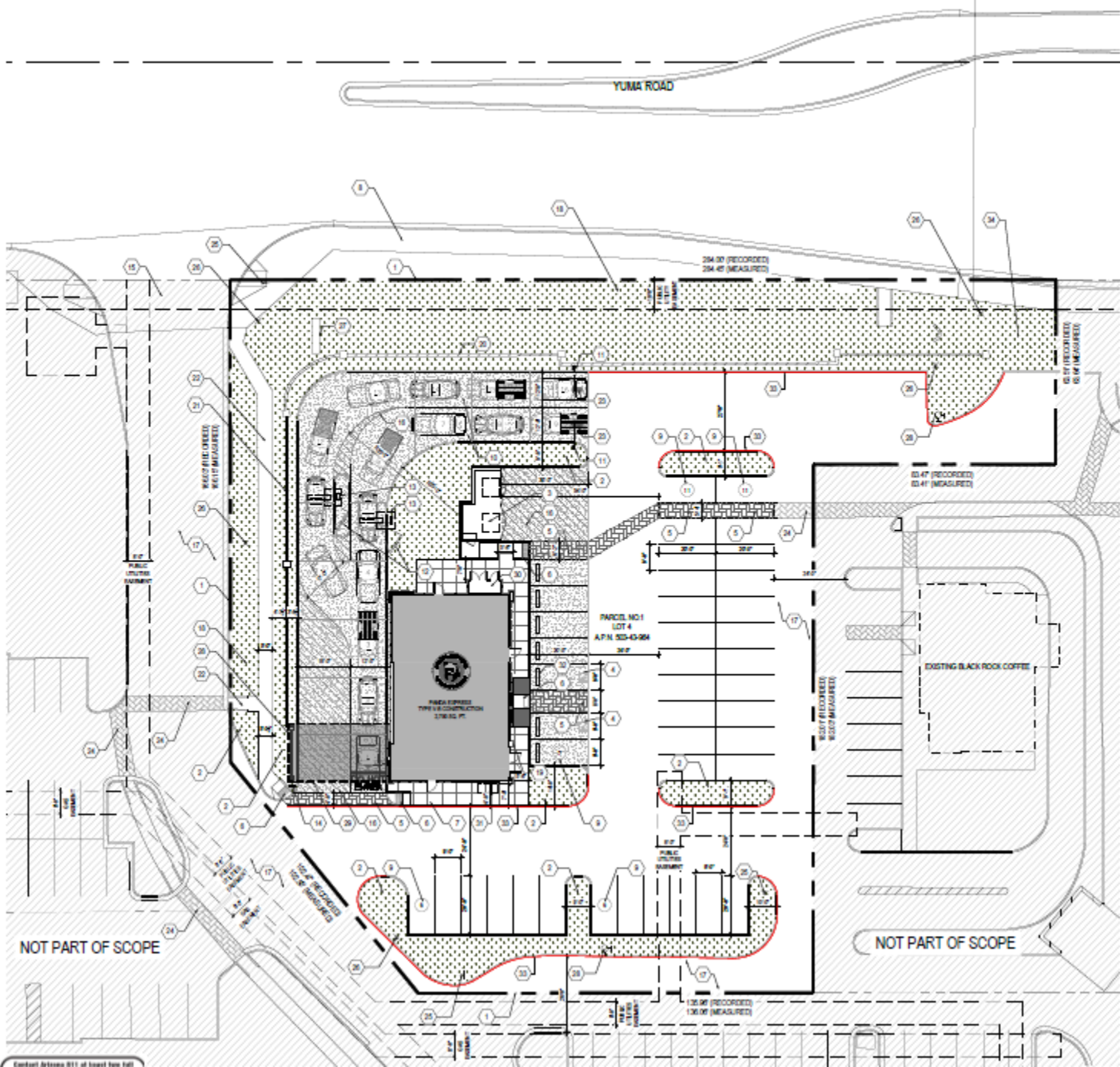
PANDA EXPRESS DRIVE-THROUGH USE PERMIT

Recommendation

Approval subject to proposed stipulations



Site Plan



Future
Conditions
(with ADOT
changes to
Yuma Road)



ITEM #: 8.
DATE: 10/28/2024
AI #:2299



CITY COUNCIL ACTION REPORT

SUBJECT: ADOPTION OF TRAFFIC SIGNAL CAMERA OPERATION AND RECORDING POLICY

STAFF PRESENTER(S): Steve Scinto, Director of Engineering

SUMMARY

This report presents a proposed Traffic Signal Camera Operation and Recording Policy that establishes limits and responsibilities concerning the operation and recording of video from traffic signal cameras within Goodyear. The proposed Policy was prepared to address a project identified within the City's fiscal year (FY) 25-27 Strategic Plan.

The City's traffic signal cameras, managed by the Engineering Department's Traffic Operations Division, are used to monitor traffic conditions and enhance traffic flow. The proposed Policy regulates camera usage, video access, and retention procedures.

STRATEGIC PLAN ALIGNMENT



INFRASTRUCTURE

RECOMMENDATION

Adopt the proposed Traffic Signal Camera Operation and Recording Policy. (Steve Scinto, Director of Engineering)

FISCAL IMPACT

If the proposed Policy is adopted by Council, City staff would purchase the necessary equipment to record traffic signal camera footage. The virtual storage space required to store the recorded footage is quoted at \$293,700, which includes a monthly subscription fee for the first three years. This will be funded through an approved \$300,000 supplemental in the FY25 Engineering budget, which was requested for this purpose.

BACKGROUND AND PREVIOUS ACTIONS

The proposed Policy (Attachment A) aligns with a fiscal year (FY) 2025 project identified within the City's FY25-27 Strategic Plan, which instructs staff to, "identify legally acceptable, best practices for recording traffic cameras." The Traffic Operations Division within the Engineering Department operates and maintains closed circuit television (CCTV) cameras, also known as Pan, Tilt, and Zoom (PTZ) cameras, at traffic intersections to monitor traffic flow. Currently, the existing PTZ cameras do not record footage, and can only be viewed in real-time.

Video from select locations may be recorded and stored per state retention guidelines. The proposed Policy establishes procedures for managing and using video footage from the traffic signal cameras. It

specifies who may access the system and under what circumstances video recordings can be retrieved and used. In preparing the proposed Policy, staff also developed an Internal Footage Request Form (Attachment B), which will be used to request stored footage from the traffic signal cameras.

STAFF ANALYSIS

The proposed Policy establishes a clear framework for the operation, access, and use of traffic signal cameras throughout the city. Key points include:

- **Access:** Only authorized personnel can access or retrieve stored video footage. Public and media access to live feeds is restricted.
- **Use of Recorded Video:** Video footage may be used for specific city operations such as traffic investigations, police inquiries, and operational reviews. A formal request process is outlined to ensure compliance.
- **Video Retention:** All video recordings are subject to state retention guidelines and will be maintained until their administrative value is served.

Attachments

Attachment A: Drafted Policy

Attachment B: Drafted Internal Request Form

Attachment C: Presentation

POLICY STATEMENT

Subject: Goodyear Traffic Camera Operation and Recording

Origination Date: 08/01/2024

Revision Date:

Policy Number: 1100

Purpose

The purpose of this policy is to provide limits and responsibilities regarding the operation and recording of video related to the City of Goodyear's (the City) traffic signal cameras.

Policy

The City's Engineering Department installs, maintains, and operates closed circuit television (CCTV) video cameras, also referenced as Pan, Tilt, and Zoom (PTZ) Cameras at traffic intersections throughout the City. These cameras are utilized by the Engineering Department for the purpose of monitoring traffic conditions and increasing the effective flow of traffic. Cameras at select locations within the public right-of-way may be recorded, and the video footage stored in a short-term storage device, which is maintained by the Engineering and Information Technology Departments. These cameras shall not be intentionally used to record footage outside of the public right-of-way. Collectively, these comprise the City's traffic signal camera and recording system (System).

A. Access

The traffic cameras are maintained, and master controlled by the City of Goodyear Engineering Department's Traffic Operations Division who retains priority use of the cameras to complete the Division's assigned functions and duties related to traffic operations. Select employees assigned by the System Manager will be the only City personnel authorized to access the System and recover any stored video recordings. Members of the public and media do not have real time access to live video feeds from the System.

B. Use of Recorded Video

Traffic Video Request Forms shall be directed to the City Traffic Engineer or designee who will be responsible for fulfilling the request, in accordance with this policy. The specific authorized City use of stored video recordings shall meet one of the following criteria:

1. Traffic Operations Division investigation/review of service complaints or damage to equipment
2. Traffic Operations Division operational and study purposes
3. Police investigation / inquiry
4. Other (*requires a brief description*)`
5. City Traffic Camera Video Retention

System video recordings will be retained in accordance with State retention [guidelines](#). Notwithstanding the retention period, the recordings may be retained until after administrative or reference value has been served.

See Form 1100.1 Traffic Video Request

DRAFT

TRAFFIC CAMERA VIDEO REQUEST



POLICY #1100 – GOODYEAR TRAFFIC CAMERA OPERATION AND RECORDING

ENGINEERING

All requests for stored City Traffic Camera archive videos are for official use only.

The retention period for the video recordings from the traffic cameras is fourteen (14) days, and recordings may be recorded over/deleted after the fourteen (14) days. Notwithstanding the 14-day retention period, the recordings may be retained until after administrative or reference value has been served. This applies even if the recordings are later used for law enforcement purposes as they are not law enforcement recordings. The exemption applies to law enforcement recordings created by law enforcement personnel, which is not the case under this policy since the recordings are primarily for Engineering purposes.

To submit the Traffic Camera Video Request, send email to: _____

REQUESTOR INFORMATION:

Name: _____ Department: _____

Email: _____ Phone Number: _____

Reason for Request:

1. Traffic Operations Division investigation/review of service complaints or damage to equipment
2. Traffic Operations Division operational and study purposes
3. Police investigation / inquiry
4. Other (*please describe*) _____

INCIDENT DETAILS:

Type of Incident: _____

Date of Incident: _____ Timeframe Requested: _____ Police Report Number: _____

Specific Intersection: _____

Requestor Signature: _____ Date Requested: _____

Supervisor Signature: _____ Date Requested: _____

TRAFFIC CAMERA VIDEO REQUEST



POLICY #1100 – GOODYEAR TRAFFIC CAMERA OPERATION AND RECORDING

ENGINEERING

Authorized Personnel Fulfilling Request: _____ Date Request Fulfilled: _____

DRAFT



Traffic Camera Recording Policy





Strategic Plan Alignment

- Infrastructure
 - “Identify legally acceptable, best practices for recording traffic cameras”



Key Features

- Regulates the operation and recording of traffic camera footage
- **Access:** Restricted to authorized Engineering personnel
- **Usage:** Traffic operations and police investigations
- **Retention:** Follows state requirements





Project Implementation

- **Cost:** Project funded in the current fiscal year (FY25) @ \$300,000
- **Implementation Schedule:** Starts in November, anticipated completion by end of FY25



Recommendation

Adopt the proposed
Traffic Signal Camera
Operation and
Recording Policy

ITEM #: 9.
DATE: 10/28/2024
AI #:2280



CITY COUNCIL ACTION REPORT

SUBJECT: COMBINE CIP PROJECTS RELATED TO ROADWAY, INTERSECTION AND TRAFFIC SIGNAL IMPROVEMENTS ALONG YUMA ROAD AND ASSOCIATED BUDGET AMENDMENT

STAFF PRESENTER(S): Steve Scinto, Director of Engineering

OTHER PRESENTER(S):

Logan Hopp, Senior Project Manager

SUMMARY

This is a request to combine CIP Project #42037 Yuma Road Canyon Trails to Sarival and CIP Project #42062 Traffic Signal 165th Avenue and Yuma into one project (CIP #42037). Additionally, this is a request to authorize a budget amendment of \$3,000,000 and the expenditure of construction funds up to \$9,213,800 for the combined CIP Project #42037 – Yuma Road, Canyon Trails to Sarival.

STRATEGIC PLAN ALIGNMENT



Fiscal Resource
Management



SAFE &
VIBRANT
COMMUNITY



INFRASTRUCTURE

RECOMMENDATION

Authorize combining CIP Project #42037 Yuma Road Canyon Trails to Sarival and CIP Project #42062 Traffic Signal 165th Avenue and Yuma into one project (CIP #42037), and to approve a budget amendment of \$3,000,000 and the expenditure of construction funds up to \$9,213,800 for the combined CIP Project #42037 – Yuma Road, Canyon Trails to Sarival. (Steve Scinto, Director of Engineering)

FISCAL IMPACT

CIP Project #42037– Yuma Road, Canyon Trails to Sarival is currently programmed in the FY2025-FY2029 CIP with a total budget of \$5,291,500. With prior fiscal year obligations and expenditures of \$1,038,500, the total current project budget is \$6,330,000. The requested \$3,000,000 budget amendment is being funded through the Development Impact Fee fund and would bring the total current project budget to \$9,330,000.

CIP Project #42062– Traffic Signal 165th Ave and Yuma is currently programmed in the FY2025-FY2029 CIP with a total budget of 1,361,400. With prior fiscal year obligations and expenditures of \$36,600, the total current project budget is \$1,398,000, which is funded through CIP general fund.

If this request is approved, the new total project budget for the combined CIP project (CIP #42037), including the \$3,000,000 budget amendment and transfer of budget from CIP#42062, will be \$10,728,000. The project has an estimated completion date of March 2026.

BACKGROUND AND PREVIOUS ACTIONS

Per City of Goodyear Resolution 08-1255, all expenditures of budgeted funds in excess of \$500,000 must obtain Council approval.

On June 7, 2021 (AI-115), Council approved CIP #42037 - Yuma Road, Canyon Trails to Sarival in the adoption of Resolution No. 2021-2161 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the City of Goodyear for FY2022.

On June 6, 2022 (AI-806), Council approved the carryover of CIP #42037 - Yuma Road, Canyon Trails to Sarival and approved CIP #42062 – Traffic Signal 165th Avenue & Yuma Road in the adoption of Resolution No. 2022-2253 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the City of Goodyear for FY2023.

On May 22, 2023 (AI-1529), Council authorized a budget increase of \$2.37 million for Capital Improvement Program Project #42037 Yuma Road, Canyon Trails to Sarival and related budget amendments.

On May 22, 2023 (AI-1520), Council authorized that fee simple and easement interests in certain real property be acquired by the City of Goodyear by dedication, donation, purchase, or the exercise of the power of eminent domain as a matter of public necessity and providing authorization.

On June 12, 2023 (AI-1537), Council approved CIP #42037 - Yuma Road, Canyon Trails to Sarival and CIP #42062 – Traffic Signal 165th Avenue & Yuma Road in the adoption of Resolution No. 2023-2318 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the City of Goodyear for FY2024.

On June 10, 2024 (AI-1797), Council approved CIP #42037 - Yuma Road, Canyon Trails to Sarival and CIP #42062 – Traffic Signal 165th Avenue & Yuma Road in the adoption of Resolution No. 2024-2381 Determining and Adopting the Final Estimates of Proposed Revenues and Expenditures for the City of Goodyear for FY2025.

STAFF ANALYSIS

CIP Project #42037 – Yuma Road, Canyon Trails to Sarival will provide final construction services for the project's proposed improvements, which include the addition of 2 eastbound travel lanes, a raised median, streetlights, traffic signal, utility relocations, storm drain and retention system, landscaping, and driveway and fencing modifications.

The budget amendment requested is a result of the following:

- \$2.6M (87%) for construction cost escalation of the Guaranteed Maximum Price (GMP).
- \$300k (10%) for Roosevelt Irrigation District (RID) scope consisting of relocation of existing pipeline, associated utility relocations, monument sign removal.
- \$100k (3%) for condemnation of homeowner's association easements, right-of-way, compensation for monument signs, and associated legal fees.

This Council Action Request is to obtain authorization of the budget amendment and expenditure for the construction of CIP Project #42037 –Yuma Road, Canyon Trails to Sarival, in addition to combining CIP projects #42037 and #42062 for efficiencies during the construction phase.

Attachments

Presentation



CIP Project #42037 Yuma Road – Canyon Trails to Sarival







CIP Project #42037 Yuma Road – Canyon Trails to Sarival

Request Summary

CIP BUDGET

Current: \$7.7M

Request: \$3M (39%)

Total Project: \$10.7M

CONSTRUCTION SCHEDULE

Start: October 2024

Completion: March 2026

Primary impact:

- Construction cost increases/inflation

Secondary impacts:

- Scope change for RID pipe relocation
- Additional Right-of-Way (ROW) expenses