

## **ORDINANCE NO. 2025-XXXX**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 267 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF N. CITRUS ROAD AND W. ROOSEVELT STREET, TO BE KNOWN AS I-10 CITRUS GATEWAY, FROM THE LAS PALMAS PLANNED AREA DEVELOPMENT (PAD) TO THE I-10 CITRUS GATEWAY PAD.

WHEREAS, the property subject to this Ordinance consists of approximately 267 acres and is located at southwest corner of N. Citrus Road and W. Roosevelt Street and is known as I-10 Citrus Gateway as more particularly described in that certain document titled "Zoning Legal Description," which is declared a public record herein and which is referred to and made a part hereof as if fully set forth in this Ordinance (the "Property"); and

WHEREAS, on October 14, 2003, the City Council adopted Resolution No. 03-894 approving a Pre-Annexation Development recorded in the Official Records of Maricopa County (MCR) as Instrument No. 2003-1506843 regarding the annexation and development of the Property; and,

WHEREAS, on November 10, 2003, the City Council adopted Ordinance No. 03-875 annexing the Property into the municipal boundaries of the City, and adopted Ordinance No. 03-876 rezoning the Property to the Preliminary Planned Area Development (PAD) zoning district; and,

WHEREAS, the owners of the Property along with a number of owners of other properties located within West Goodyear (the "West Goodyear Properties") entered into a Memorandum of Understanding regarding West Goodyear Regional Infrastructure (the "West Goodyear MOU") recorded in the Official Records of Maricopa County Recorded as Instrument No. 2005-1315299, which was approved by Resolution No. 2005-981 adopted by the City Council on May 23, 2005; and,

WHEREAS, on November 14, 2005, the City Council adopted Ordinance No. 2005-972 rezoning the Property to Final PAD to be developed in accordance with the Las Palmas Final Planned Area Development Narrative and Development Guide, dated August 26, 2005; and,

WHEREAS, on November 14, 2005, the City Council approved a Preliminary Plat subdividing the Property into 470 single family residential lots and 2 court home parcels; and,

WHEREAS, to facilitate the development of the West Goodyear Properties, the owners prepared utility master plans identifying regional water and wastewater improvements needed to serve the West Goodyear Properties, which were approved by the city and the City Council subsequently adopted cost recovery resolutions that provided for the recovery costs of the installation of wastewater lines from owners of the West Goodyear Properties benefited by the regional improvements; and,

WHEREAS, on July 10, 2006, the Goodyear City Council adopted Resolution of Intention 06-1065 authorizing the formation of a Special Public Improvement Project Area for the construction of Special Public Improvements consisting of various regional wastewater trunk lines and authorizing the City to seek reimbursement from the owners of the properties benefited by the Special Public Improvements for the costs of constructing the Special Public Improvements, which was subsequently amended by Resolution 14-1622, adopted by City Council on May 19, 2014, and Resolution 16-1748 adopted by City Council on April 16, 2016 (collectively Resolution No. 06-1065 and the two amendments are referred to as the "West Goodyear Wastewater Cost

Recovery Resolution"); and,

WHEREAS, owner of the Property is required to construct the regional wastewater improvements identified in the master utility plans approved for the West Goodyear Properties and identified in the West Goodyear Wastewater Cost Recovery Resolution as benefitting the Property; and

WHEREAS, on September 26, 2022, the City Council adopted Ordinance No. 2022-1557 approving the current zoning of the property to the 2022 Las Palmas PAD with 137.34 acres of Reduced R1-4 and 91.11 acres of Reduced R1-6 Residential Zoning Districts, 7.11 acres of Public Facilities (PFD) District, and 38.16 acres of C-2 General Commercial Zoning District with PAD Overlay; and,

WHEREAS, if approved, the Property would rezone approximately 267 acres, excluding the 7.11 acre of Public Facilities (PFD) District, from the Las Palmas PAD to Business Park (BPD) District with a PAD Overlay that includes flex C-2 General Commercial and I-1 Light Industrial Park zoning in certain areas of the property and modifies the permitted uses and development standards for the Property as shown on the PAD Overlay attached herein; and,

WHEREAS, no development has occurred on the Property since it was annexed into the City and the City has repeatedly taken action to facilitate development of the Property including the adoption and amendment of Cost Recovery Resolutions to provide for the development of core wastewater infrastructure needed to serve the properties subject to the West Goodyear MOU and repeatedly amending and or replacing development agreements governing the development of the Property; and

WHEREAS, the Second Amended & Restated Development Agreement for Las Palmas, which is the current development agreement for Las Palmas, identified various obligations related to the development of the property, including triggers for the construction of certain off-site and onsite street improvements, requirements for constructing regional wastewater transmission lines, and requirements for payments owed under the West Goodyear Cost Recovery Resolutions towards the cost of the regional wastewater transmission lines constructed by other; and it provided various benefits such as density bonuses and vesting of currently approved but unrecorded final plats; and

WHEREAS, because of 2022 rezoning and actions that have occurred since the effective date of the Second Amended & Restated Development Agreement for Las Palmas, various terms in the agreement are no longer needed, and other terms are not acceptable to the City because they are either not consistent with the proposed zoning or are not acceptable to the City because of the substantial changes to the development of the Property that will result under the re-zoning; and rather than amend or replace the Second Amended & Restated Development Agreement for Las Palmas, the agreement will be terminated as a condition of the re-zoning and the outstanding obligations, including modified triggers for the construction of certain on-site and off-site street improvements and in-lieu payments, are being included as conditions of the rezoning; and

WHEREAS, the proposed rezone would change the property's entitlements from the Las Palmas PAD to I-10 Citrus Gateway PAD for business park, light industrial, and commercial uses.

WHEREAS, the proposed zoning is in conformance with the General Plan and should not adversely impact the surrounding area; and

WHEREAS, city staff finds that the proposed rezoning will not adversely impact the surrounding area as the proposed land uses will allow for the orderly growth and development of currently undeveloped land; and,

WHEREAS, a Neighborhood Meeting was conducted for this proposal and notice of the application was provided to property owners within 500 feet of the property on January 7, 2025 and a sign advertising the Neighborhood Meeting was posted to the site on October 25, 2024 and updated on January 8, 2025; and,

WHEREAS, the Neighborhood Meeting took place in-person on January 22, 2025 and was attended by 7 nearby residents where they had discussions with the applicant's group regarding the configuration of the Roosevelt Street frontage road, egress and ingress access to north of Roosevelt Street to their properties, and possible building reflection onto their properties, and,

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on April 9, 2025, appeared in the Arizona Republic Southwest Valley edition on March 21, 2025 and postcards were mailed to adjoining owners on March 17, 2025 and the sign on the site was updated on March 18, 2025 to notify residents of the scheduled public hearing; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 26, 2022; and

WHEREAS, at that meeting the Planning and Zoning Commission voted (#-#) to recommend approval, subject to the stipulations in the draft ordinance that was presented); and

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on April 28, 2025 appeared in the Arizona Republic Southwest Valley's March 21, 2025 Edition; postcards were mailed to adjoining owners on March 17, 2025; and a sign on the site was updated on March 18, 2025 to notify residents of the scheduled public hearing; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find the adoption of this Ordinance to be in the best interests of the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the City.

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

SECTION 1. DESCRIPTION OF PROPERTY BEING REZONED

This Ordinance No. 2025-#### applies to approximately 267 acres located at the southwest corner of N. Citrus Road and W. Roosevelt Street as shown on the "Official Supplementary Zoning Map No. 24-226", a copy of which is attached hereto as Exhibit A, and legally described in that certain document titled "Zoning Legal Description" attached hereto as Exhibit B (the "Property").

SECTION 2. ADOPTION OF FINDINGS

The clauses set forth above are hereby adopted and incorporated herein by this reference as if fully set forth herein.

### SECTION 3. REZONING

The Property is conditionally rezoned to the I-10 Citrus Gateway PAD (Planned Area Development), attached hereto as Exhibit C. The Property shall be developed in accordance with the Permitted Uses and Development Standards as set forth in the I-10 Citrus Gateway Planned Area Development dated March 2025 attached hereto as Exhibit C except as further modified by the Conditions of Approval/Stipulations in Section 4 below:

### SECTION 4. CONDITIONS OF REZONING

1. Approval of the rezoning does not constitute approval of any site plan for the development within the Property. All future development will be subject to site plan review and approval by city staff, at which time all elements of the site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, driveway locations, driveway spacing, access and circulation;
2. Except as modified by the PAD or the conditions of approval/stipulations, development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear Design Guidelines, and all other applicable federal, state, and local laws, ordinances, regulations, standards, and policies, including but not limited to, the City of Goodyear subdivision regulations, the City of Goodyear's Engineering Design Standards and Policies, and Building Codes; and
3. The Traffic Impact Analysis Study (TIA) submitted with the application for rezoning is not approved. Updated TIAs shall be submitted with submittals for final plats, minor land divisions and site plans unless the City Engineer or designee advise in his/her discretion that an updated TIA is not required; and
4. All overhead utilities within or adjacent to the Property, including cable television, and electric lines, shall, at no cost to the City, be placed underground (with the exception of 69kV or larger electric lines) prior to the issuance of the first Temporary Certificate of Occupancy or permanent Certificate of Occupancy for any structure within the Property; and
5. All outdoor activities within portions of the Property located within 300 feet of a residential property line loading/unloading of materials are prohibited between the hours of 10PM and 6AM. This includes by way of example, but not limitation truck idling, trailer maneuvering, loading and unloading. All activity within the portions of the Property located within 300 feet of a residential property line shall be conducted wholly within a confined structure; and

6. Prior to the issuance of building permits for each building within the Property, Luke Air Force Base staff ("Luke") shall be given an opportunity to review and provide written comment on all building plans and changes to the building plans required or recommended by Luke based on safety concerns shall be made, including reductions in height of the structure or building, including equipment installed on the top of the structure or building; and
7. Owner shall dedicate, at no cost to the city, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the City to provide wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City Engineer or designee, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by terms of a written development agreement approved by the Goodyear City Council or a written phasing plan approved by the City Engineer or designee, all required dedications shall be made prior to or concurrent with recordation of a final plat or minor land division subdividing all or part of the Property, that includes the area in which the property to be dedicated is located, the issuance of a construction permit for work within the Property, or within sixty days of the date requested by the City Engineer or designee, whichever is earlier; and
8. Owner shall acquire and dedicate, at no cost to the City, all rights-of-way and/or easements outside the boundaries of the Property that are needed for the construction of infrastructure improvements required for the City to provide wastewater services to the Property and that are needed for the construction of any of the infrastructure improvements Owner is required to construct pursuant to the conditions of approval/stipulations set forth herein. Any right-of-way required for the construction of street improvements shall be acquired in fee, and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to

by the City Engineer or designee, free of all other easements or other encumbrances.

- a. If any of the rights-of-way are Owner is required to work in good faith to acquire and dedicate are located outside the boundaries of the City, Owner shall, at no cost to the City, process an annexation application to annex the right-of-way into the City. The annexation required herein shall be submitted prior to the City's acceptance of the infrastructure improvements for which the right-of-way is acquired; and
9. If any of the infrastructure improvements Owner is required to design and construct pursuant to the terms of this Ordinance have been constructed or is to be constructed by others, Owner shall remit a payment to the city in the amount of the actual costs incurred in the design and construction such infrastructure improvements if completed or, if not completed, the payment shall be in the amount of an engineer's estimate of the costs as approved by the Goodyear City Engineer or designee. The payment requirement herein shall be paid prior to or concurrent with the recordation of a final plat triggering Owner's obligation to design and construct the infrastructure improvements; and
10. Owner shall, at Owner's sole cost and expense construct the following:
  - a. Owner shall obtain the permission of the Maricopa County Department of Transportation ("MCDOT") to modify W. Roosevelt Street between the western limits of the Property and N. Citrus Road to provide one lane for each direction of travel and a two-way left-turn lane, along with a two-way frontage road north of Roosevelt Street extending from 185th Avenue to approximately 350 feet west of N. Citrus Road (the "Roosevelt Access Road"). Owner shall, at Owner's sole cost and expense, design and construct the Roosevelt Access Road, which shall provide direct access to those properties along W. Roosevelt Street that currently have direct access to W. Roosevelt Street. The Roosevelt Access Road shall be separated from W. Roosevelt Street by a 7-foot median described below. Owner shall, at Owner's sole cost and expense, design and construct the Roosevelt Access Road Improvements and shall acquire, at Owner's sole cost and expense, any additional right-of-way required by MCDOT for the Roosevelt Access Road. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until the Roosevelt Access Road has been completed and accepted by MCDOT; and
  - b. Owner shall, at Owner's sole cost and expense, construct a 7-foot wide median along the W. Roosevelt Street alignment (the southern boundary of the existing Maricopa County right-of-way) between 185th Avenue to approximately 350 feet west of N. Citrus Road as approved by the City and as approved by MCDOT if required by MCDOT. The median shall provide median breaks at all existing streets, with the exception of 183rd Drive, unless

otherwise directed by the City and/or MCDOT. The median shall be landscaped with tree and shrubs as required by the City to provide screening from the operations and lighting from the Property. The property owner shall be responsible to construct the taper from the three-lane road to match into the county two-lane road. Full street improvements shall be made on W. Roosevelt Street between 180th Drive and N. Citrus Road including terminating the Roosevelt Access Road, and transitioning from the roadway cross-section with the Roosevelt Access Road to the typical city cross-section at the intersection of W. Roosevelt Road and N. Citrus Road. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until the median described herein has been completed and accepted by the City subject to completion of the two- year warranty period; and

- c. The section of W. Roosevelt Street between 185th Avenue to approximately 350 feet west of N. Citrus Road shall be realigned on the south side of the median described above. Owner shall, at Owner's sole cost and expense, design and construct the realigned section of W. Roosevelt Street between 185th Avenue to approximately 350 feet west of N. Citrus Road with the following improvements: three travel lanes (one in each direction and a two-way left-turn lane) and curb, gutter, drainage facilities to take the run-off from W. Roosevelt Road and the Roosevelt Access Road, sidewalk, landscaping improvements, lighting and signage and any other improvements typically required for a minor collector, but modified to provide for the integration of the Roosevelt Access Road, including but not limited to, the removal of bike lane (the "Roosevelt Street Improvements") as approved by the City and as approved by MCDOT if required by MCDOT. Owner shall, at Owner's sole cost and expense, convey to the City, lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances, all right of way needed for the Roosevelt Street Improvements. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until the Roosevelt Street Improvements have been completed and accepted by the City subject to completion of the two-year warranty period; and
11. To the extent that any part of the existing Maricopa County right-of-way for W. Roosevelt Street is located on the south side of the median that is to be constructed pursuant to Rezoning Condition 10 above, Owner shall, at no cost to the City, process an annexation application to annex the right-of-way into the City. The annexation required herein shall be submitted prior to the City's acceptance of the Roosevelt Street Improvements; and
12. Parking along the north and south sides of Roosevelt Streets and along the north side of Van Buren Street shall be prohibited and prior to the

issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property, Owner shall make an in-lieu payment to the City for the costs of purchasing and installing signage needed to prohibited parking on the north half of the section of W. Van Buren Street adjacent to the Property and on the north and south halves of the section of Roosevelt Street between N. Perryville Road and N. Citrus Road. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until the in- lieu payment required herein has been paid to the City; and

13. Owner shall, at no cost to the City, design and construct full half-street improvements, except for the construction of the median and median landscaping, for the north-half of the section of W. Van Buren Street from the southwest corner of the Property east to the west of the Roosevelt Irrigation District ("RID") Canal required for a Minor Arterial as set forth in the City of Goodyear Engineering Design Standards in effect when the improvements are constructed, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting. City will work in good faith to leave the existing bridge intact, which may require some modifications to the cross-section, and including west of the RID Canal, where the Minor Arterial cross-section for W. Van Buren Street will transition to not include the raised median (14') across the bridge crossing over the RID Canal, as determined by the City Engineer or his/her designee at the time of site plan approval; and
14. Owner shall remit to the City an in-lieu payments for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is required under the City of Goodyear Engineering Design Standards to be installed within the section of W. Van Buren Street from the southwest corner of the Property east to the southeast corner of the Property along W. Van Buren Street. The in-lieu payment required herein shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. The in-lieu payment required herein shall be made when a permit is issued for the construction of the Van Buren Street Improvements from the southwest corner of the Property to the southeast corner of the Property or when the W. Van Buren Street Improvements In-Lieu Payment is due; and
15. Owner shall, at no cost to the City, design and construct full half-street improvements for the west-half of the section of N. Citrus Road from W. Roosevelt Street to the south side of the RID Canal required for a Minor Arterial as set forth in the Engineering Design Standards in effect when the improvements are constructed or as approved by the City Engineer, which includes, but is not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting. North of the RID Canal, the Minor Arterial cross-section of N. Citrus Road will transition to not include the raised median (14') across the bridge crossing over the RID Canal (the "Citrus Road

- Improvements"), as determined by the City Engineer at the time of site plan approval, or Owner shall remit to the City an in-lieu payment for 25% of the cost of the bridge based out of an engineer's cost estimate at the time of permit issuance or recordation of final plat; and
16. Owner is responsible for any improvements in addition to City standards warranted by updates to Traffic Impact Analyses or Traffic Impact Statements submitted at the time of site plan approval; and
  17. Owner is responsible for a proportionate share of the costs of full traffic signals at the intersections identified below:
    - a. 25% of the cost of the full traffic signal (all four legs) at W. Roosevelt Street and N. Citrus Road. The in-lieu payment required herein shall be made when a permit is issued for the construction of the Roosevelt Street Improvements.
    - b. 25% of the cost of the full traffic signal (all four legs) at W. Van Buren and N. Perryville Road. The in-lieu payment required herein shall be made when a permit is issued for the construction of Van Buren Street Improvements.
    - c. The in-lieu payment required herein shall be based on the actual cost of the traffic signal(s) if previously completed by others or based on the estimated cost of the traffic signal(s) as determined by the City Engineer or designee.
  18. If a traffic signal is identified in TIA as being needed at Van Buren Street and any entrance into/out of the Property, Owner shall, at Owner's sole cost and expense, design and construct the traffic signals (all legs of the intersection) identified as being needed in TIA and for acquiring and dedicating to the City, at no cost to the City, all right-of-way needed for the construction of the traffic signals. Unless modified by a written phasing plan approved by the City Engineer or designee or by a development agreement approved by the City Council, the traffic signals required herein shall be completed and accepted by the City Engineer or designee subject to completion of the two-year warranty period, prior to the issuance of any Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property. If a written phasing plan is approved by the City Engineer or designee for the construction of any or all of the traffic signals required herein, the required traffic signals shall be completed as provided in the written phasing plan (the "Completion Deadline") and the City shall be entitled to withhold building permits requested after the Completion Deadline and Certificates of Completion, Temporary Certificates of occupancy, and Permanent Certificates of Occupancy for any structure within the Property completed after the Completion Deadline until such time as the required traffic signals have been completed; and
  19. In addition to being responsible for a proportionate share of the cost of full traffic signals (all four legs) identified above, Owner is also responsible for a proportionate share of the costs of full traffic signals at any other street intersections adjacent to the Property if an approved TIA

reflects the need for such traffic signals. Owner shall make an in-lieu payment for a proportionate share of the cost of traffic signals infrastructure as follows. Owner shall make an in-lieu payment to the City based on the number of intersection corners located on or adjacent to the Property (i.e. if 2 corners of a 3-corner intersection are located on or adjacent the Property, Owner would be responsible for two thirds (2/3) of the cost of the full intersection (3 legs)). The in-lieu payment shall be calculated based on the actual cost of the traffic signal if it has been constructed or, if the payment is made before the traffic signal has been completed, upon an engineer's estimate of the probable cost of the signal approved by the City Engineer or designee. Owner shall, at no cost to the City, convey, in fee, lien free, and free of any easements or encumbrances unless specifically agreed to by the City, all right-of-way needed for the construction of the portion of the traffic signal that will be located on the Property. The dedication(s) and in-lieu payment(s) required herein shall be made at the earlier of the following: (i) before the issuance of any permit for any of the work reflected in a site plan, Minor Land Division, map of dedication, or final plat that includes, is adjacent to, or requires connection to the intersection where the traffic signal is needed; or (ii) before the recordation of any map of dedication, final plat or minor land division that includes, is adjacent, or requires connection to the intersection where the traffic signal is needed; and

20. Prior to recordation of the first map of dedication providing for the dedication of any right- of-way required to be dedicated to the City, the recordation of the first final plat or minor land division subdividing all or part of the Property, or the issuance of the first construction permit for work within the Property, whichever is earlier, Owner shall remit a payment to the City in the amount of \$1,774,751.17, which represents the proportionate share of the costs of regional wastewater lines B, E, 1, J, and K attributable to the Property as described in the West Goodyear Cost Recovery Resolution that have been fully constructed; and
21. Unless Line L as described in the West Goodyear Wastewater Cost Recovery Resolution, ("Wastewater Line L") has been or is being fully constructed by others when the first map of dedication, final plat or minor land division subdividing all or part of the Property is recorded and/or when the first permit is issued for any work within the property, Owner shall, at its sole cost and expense except for reimbursements available under the West Goodyear Cost Recovery Resolution, design and construct Wastewater Line L or the section of Wastewater Line L that has not been completed. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until Wastewater Line L has been completed and accepted by the City Engineer or designee subject to completion of the two-year warranty period; and
22. Unless Owner is constructing the entire section of Wastewater Line L, Owner shall make a cost recovery payment for its proportionate share for the cost of Line L pursuant to the West Goodyear Wastewater Cost Recovery Resolution. The amount of the cost recovery payment owed shall be based on the percentage of the actual cost of Wastewater Line

L if it has been constructed when the cost recovery payment is made or if Wastewater Line L is under construction but has not been completed or if Owner is not constructing Wastewater Line L, the amount of the cost recovery payment shall be \$622,289.31 which is the amount reflected in the West Goodyear Wastewater Cost Recovery Resolution. The cost recovery payment for Line L shall be made prior to recordation of the first map of dedication, final plat or minor land division subdividing all or part of the Property or the approval of the issuance of the first construction permit for work within the Property, whichever is earlier. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until Owner has made any cost recovery payment owed under the West Goodyear Wastewater Cost Recovery Resolution for Wastewater Line L; and

23. Unless Line M as described in the West Goodyear Wastewater Cost Recovery Resolution, ("Wastewater Line M") has been or is being fully constructed by others when the first map of dedication, final plat or minor land division subdividing all or part of the Property is recorded and/or when the first permit is issued for any work within the Property, Owner shall, at its sole cost and expense except for reimbursements available under the West Goodyear Cost Recovery Resolution, design and construct Wastewater Line M or the section of Line M not being constructed by others. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until Wastewater Line M has been completed and accepted by the City Engineer or designee subject to completion of the two-year warranty period; and
24. Unless Owner is constructing the entire section of Wastewater Line M, Owner shall make a cost recovery payment for its proportionate share for the cost of Line M pursuant to the West Goodyear Wastewater Cost Recovery Resolution. The amount of the cost recovery payment owed shall be based on the percentage of the actual cost of Wastewater Line M if it has been constructed when the cost recovery payment is made or if Wastewater Line M is under construction but has not been completed or if Owner is not constructing Wastewater Line M, the amount of the cost recovery payment shall be \$936,526.99 which is the amount reflected in the West Goodyear Wastewater Cost Recovery Resolution. The cost recovery payment for Line M shall be made prior to recordation of the first map of dedication, final plat or minor land division subdividing all or part of the Property or the issuance of the first construction permit for any work within the Property, whichever is earlier. No Certificate of Completion, Temporary Certificate of Occupancy or Permanent Certificate of Occupancy for any structure within the Property shall be issued until Owner has made any cost recovery payment owed under the West Goodyear Wastewater Cost Recovery Resolution for Wastewater Line M; and
25. Owner shall acquire and dedicate to the City, at no cost to the City, lien free and free of easements or encumbrances unless specifically agreed to by the City, easements, in a form acceptable to the City Attorney or

designee, for property outside the boundaries of the Property needed to install Wastewater Line L and Wastewater Line M if Owner is required to construct such improvements and the rights-of-way and/or easements needed have not previously been dedicated to the City. The City shall have no liability or responsibility for acquiring any rights- of-way and/or easements needed for any of the regional wastewater trunk lines identified in the West Goodyear Wastewater Cost Recovery Resolution as benefiting the Property; and

26. If alterations of the Floodplain are required for the development of the Property, a CLOMR shall be submitted to the City Engineer prior to or concurrent with the first preliminary plat for the Property by the Goodyear City Council. A CLOMR shall be submitted to and approved by the City Engineer or designee prior to submittal of any map of dedication, final plat and/or civil construction drawings for development within the floodplain unless a CLOMR is not required as determined by the City Engineer, in which case Owner may proceed directly to LOMR which shall be submitted and approved by the City Engineer or designee before the issuance of construction permits for work within the floodplain.

#### SECTION 5. ABRIDGMENT OF OTHER LAWS

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

#### SECTION 6. AMENDMENT TO ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning of the Property provided herein by certain document titled, "Supplementary Zoning Map No. 24-226" attached hereto as Exhibit A, and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

#### SECTION 7. CORRECTIONS

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

#### SECTION 8. SEVERABILITY

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

#### SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law.

## SECTION 10    PENALTIES

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

### Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.
- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.
- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
  - a. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
  - b. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

## SECTION 11.    RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder's Office.

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

\_\_\_\_\_  
Joe Pizzillo, Mayor

Date: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jasmine Pernicano, Acting City Clerk

\_\_\_\_\_  
Roric Massey, City Attorney

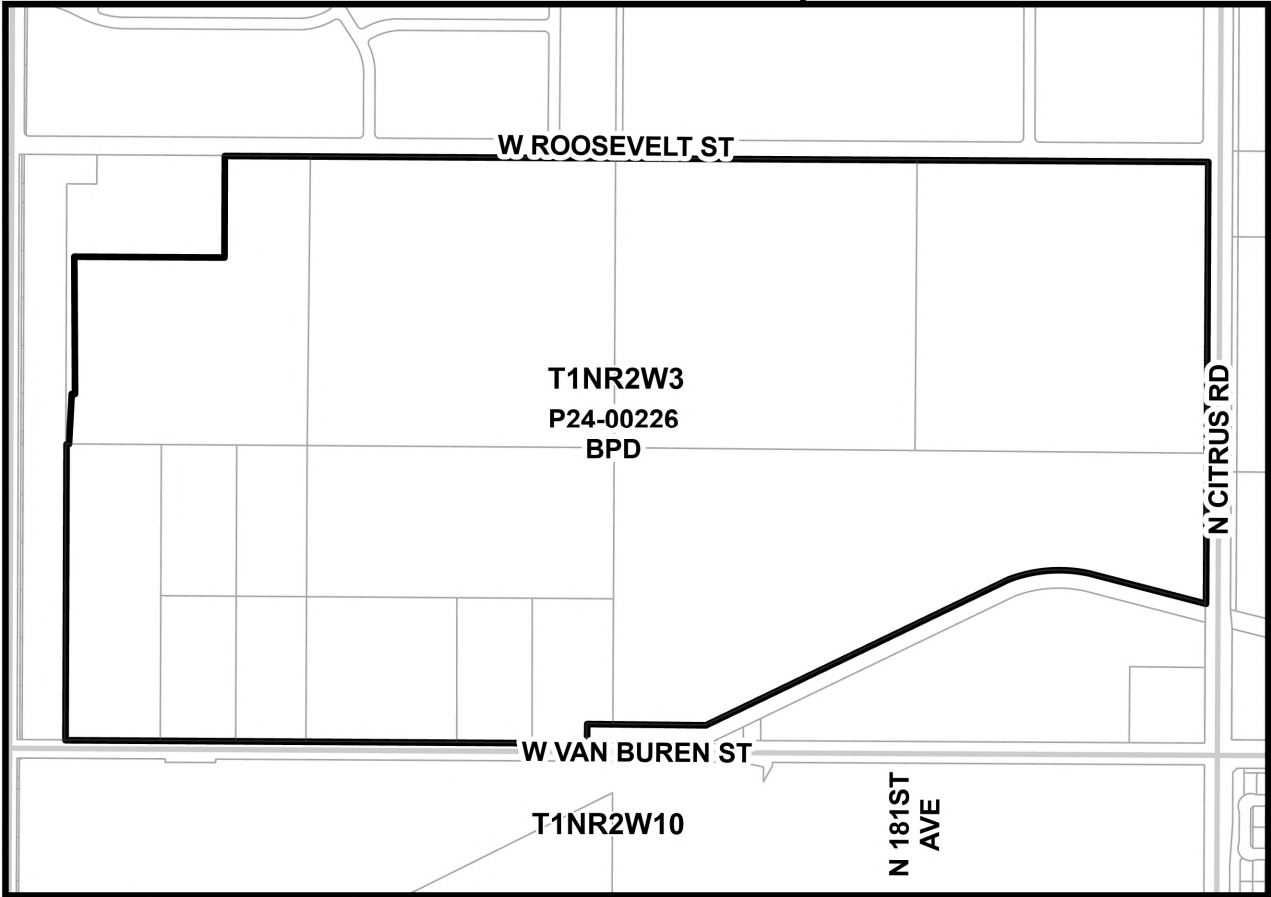
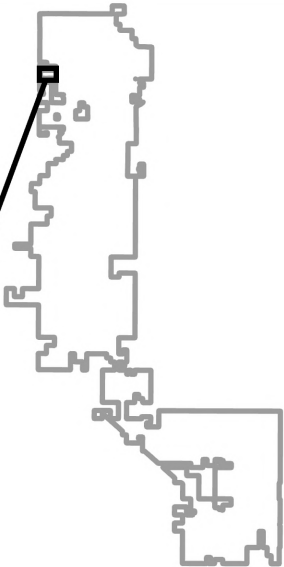
All exhibits are on file with the City Clerk's Office online at  
<https://www.goodyearaz.gov/government/departments/city-clerk-s-office/public-notice>  
or at Goodyear City Hall, 1900 N Civic Square, Goodyear, AZ 85395.

**OFFICIAL SUPPLEMENTARY ZONING MAP NO. 24-226**  
AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF  
THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO. \_\_\_\_\_,  
PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**SUBJECT PROPERTY:**  
**A PARCEL OF LAND LYING WITHIN A PORTION OF THE SOUTH  
HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST,  
OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY,  
ARIZONA**



SOURCE: CITY OF GOODYEAR G.I.S.

**CITY OF GOODYEAR, AZ - REZONE CASE**

|              |                        |           |                     |
|--------------|------------------------|-----------|---------------------|
| EXHIBIT<br>A | REZONE FROM PAD TO PAD | P24-00226 | DATE:<br>March 2025 |
|--------------|------------------------|-----------|---------------------|

# Exhibit B

## ZONING LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN A PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS AND DISTANCES SHOWN HEREON PER ALTA/NSPS LAND TITLE SURVEY, PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST OF GILA AND SALT RIVER MERIDIAN, PERFORMED BY HUBBARD ENGINEERING, PROJECT NUMBER 24121, DATED 4/26/2024.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 3 BEARS NORTH 00°12'33" EAST, A DISTANCE OF 2642.22 FEET;

THENCE SOUTH 89°38'30" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 241.70 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°12'33" EAST, A DISTANCE OF 1334.46 FEET;

THENCE NORTH 89°37'05" EAST, A DISTANCE OF 10.77 FEET;

THENCE NORTH 03°03'05" EAST, A DISTANCE OF 223.04 FEET;

THENCE SOUTH 89°39'55" EAST, A DISTANCE OF 14.52 FEET;

THENCE NORTH 00°19'10" WEST, A DISTANCE OF 599.63 FEET;

THENCE SOUTH 89°39'02" EAST, A DISTANCE OF 657.40 FEET;

THENCE NORTH 00°13'09" EAST, A DISTANCE OF 445.27 FEET;

THENCE NORTH 89°39'02" WEST, A DISTANCE OF 550.00 FEET;

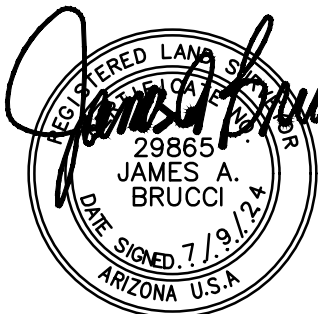
THENCE NORTH 00°13'13" EAST, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 89°39'02" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 2264.42 FEET;

THENCE SOUTH 89°39'02" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 2646.33 FEET;

THENCE SOUTH 00°17'12" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 1967.84 FEET;

CONTINUED ON SHEET 2



TITLE: XB01  
DATE: 7/9/24  
DESC: ZONING EXHIBIT

**HUNTER**  
ENGINEERING

10446 N. 74TH ST., SUITE 140  
SCOTTSDALE, AZ 85258  
T 480 991 3985  
F 480 991 3986

PAGE 1 OF 4

CIVIL AND SURVEY

PROJ.NO. XB01  
PROJ.NO. RANK001

# ZONING EXHIBIT

CONTINUED FROM SHEET 1

THENCE NORTH 74°48'31" WEST, A DISTANCE OF 555.62 FEET TO A POINT OF TANGENT CURVATURE CONCAVE SOUTHERLY WHOSE RADIUS IS 626.02 FEET AND WHOSE CHORD BEARS SOUTH 84°38'27" WEST A CHORD DISTANCE OF 439.51 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 41° 06' 04" AN ARCH LENGTH OF 449.07 FEET;

THENCE SOUTH 64°05'56" WEST, A DISTANCE OF 1748.43 FEET;

THENCE NORTH 89°40'58" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, A DISTANCE OF 102.84 FEET;

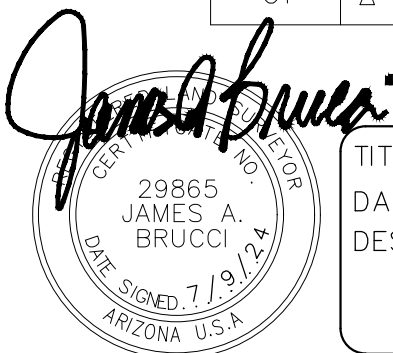
THENCE NORTH 89°38'30" WEST, A DISTANCE OF 2399.36 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 267.10 ACRES ±

- ① WEST 1/4 CORNER, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST MCHD BCHH
- ② CENTER SECTION, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST
- ③ EAST 1/4 CORNER, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST MCHD BCHH
- ④ SOUTHEAST CORNER, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST MCHD BCHH
- ⑤ SOUTH 1/4 CORNER, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST BCHH
- ⑥ SOUTHWEST CORNER, SECTION 3, TOWNSHIP 1 NORTH, RANGE 2 WEST MCHD BCHH

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | N00°12'33"E | 1334.46' |
| L2         | N89°37'05"E | 10.77'   |
| L3         | N03°03'05"E | 223.04'  |
| L4         | S89°39'55"E | 14.52'   |
| L5         | N00°19'10"W | 599.63'  |
| L6         | S89°39'02"E | 657.40'  |
| L7         | N00°13'09"E | 445.27'  |
| L8         | N89°39'02"W | 550.00'  |
| L9         | N00°13'13"E | 40.00'   |
| L10        | S89°39'02"E | 2264.42' |
| L11        | S89°39'02"E | 2646.33' |
| L12        | S00°17'12"W | 1967.84' |
| L13        | N74°48'31"W | 555.62'  |
| L14        | S64°05'56"W | 1748.43' |
| L15        | N89°40'58"W | 102.84'  |
| L16        | N89°38'30"W | 2399.36' |

| CURVE TABLE |                              |         |         |                 |              |
|-------------|------------------------------|---------|---------|-----------------|--------------|
| CURVE       | DELTA                        | RADIUS  | LENGTH  | CHORD DIRECTION | CHORD LENGTH |
| C1          | $\Delta = 41^{\circ}06'04''$ | 626.02' | 449.07' | S84°38'28"W     | 439.51'      |



TITLE: **XB01**  
 DATE: 7/9/24  
 DESC: ZONING DESCRIPTION

**HUNTER**  
 ENGINEERING

10446 N. 74TH ST., SUITE 140  
 SCOTTSDALE, AZ 85258  
 T 480 991 3985  
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**PAGE 2 OF 4**

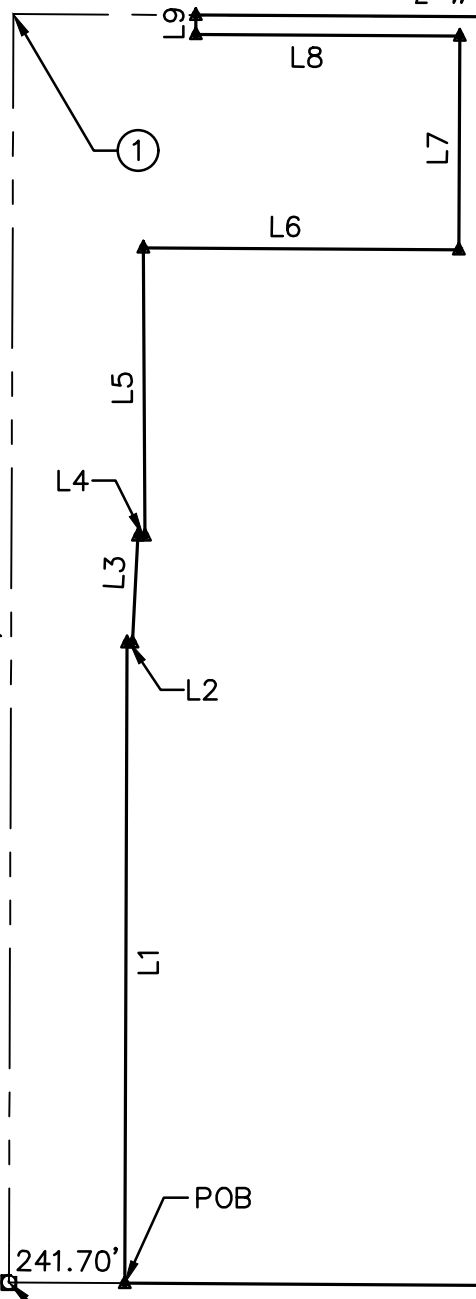
CIVIL AND SURVEY

PROJ.NO. XB01  
 PROJ.NO. RANK001

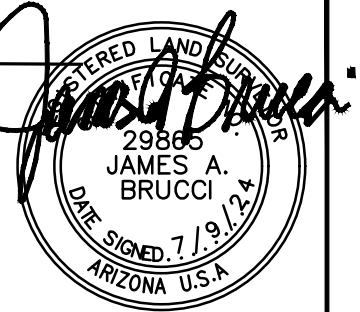
NORTH PERRYVILLE RD.  
N 00°12'33" E BASIS OF BEARING 2642.22'  
WEST LINE, SW 1/4, SEC. 3, T1N, R2W

WEST ROOSEVELT ST.  
E-W MID- SECTION LINE, SEC. 3, T1N, R2W

ZONING EXHIBIT



SUBJECT PARCEL  
GROSS AREA  
267.102 ACRES±



MATCH LINE

|                                                                                                                          |                    |                                   |
|--------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------|
| <b>HUNTER</b><br>ENGINEERING<br>10446 N. 74TH ST., SUITE 140<br>SCOTTSDALE, AZ 85258<br>T 480 991 3985<br>F 480 991 3986 | <b>PAGE 3 OF 4</b> | PROJ.NO. XB01<br>RANK NO. RANK001 |
|                                                                                                                          | CIVIL AND SURVEY   |                                   |

|                     |                                 |
|---------------------|---------------------------------|
| <b>TITLE:</b> XB01  | <b>SCALE:</b> 1"=400'           |
| <b>DATE:</b> 7/9/24 | <b>DESC:</b> ZONING DESCRIPTION |

WEST ROOSEVELT ST.  
E-W MID- SECTION LINE, SEC. 3, T1N, R2W

L11

SUBJECT PARCEL  
GROSS AREA  
267.102 ACRES±

MATCH LINE

L14  
ROOSEVELT IRRIGATION DISTRICT CANAL

C1

L13

L12

CITRUS ROAD.  
S 00°17'12" W 2641.13 EAST LINE, SE 1/4, SEC. 3, T1N, R2W

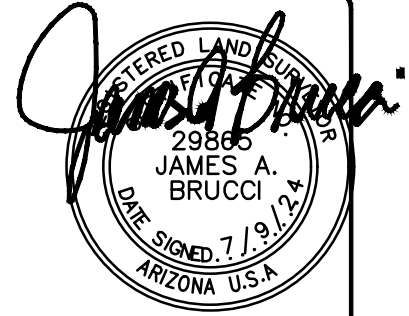
ZONING  
EXHIBIT



3

4

WEST VAN BUREN ST.  
N 89°40'58" W 2646.10' SOUTH LINE, SW 1/4, SEC. 3, T1N, R2W



PAGE 4 OF 4

**HUNTER**  
ENGINEERING

10446 N. 74TH ST., SUITE 140  
SCOTTSDALE, AZ 85258  
T 480 991 3985  
F 480 991 3986

CIVIL AND SURVEY

PROJ.NO. XBO1  
RANK NO. RANK001

TITLE: XBO1

SCALE: 1"=400'

DATE: 7/9/24

DESC: ZONING  
DESCRIPTION

# **I-10 CITRUS GATEWAY**

## **PLANNED AREA DEVELOPMENT**

### **March 2025**

This I-10 Citrus Gateway Planned Area Development (“PAD”) document is intended to provide the allowable land uses and regulatory zoning provisions to guide the implementation of project design for development of the Property through the plan review and development permit process in accordance with the provisions of the City of Goodyear, Arizona Zoning Ordinance (the “Goodyear Zoning Ordinance”). All administration and procedures shall adhere to Article 1, Article 2, and Article 4 of the Goodyear Zoning Ordinance and other applicable city, state, and federal requirements. In the event of a conflict between the provisions of this document and the Goodyear Zoning Ordinance, the provisions of this PAD shall prevail. In the event of a conflict between any stipulation or condition of approval in the ordinance adopting this document and the Goodyear Zoning Ordinance and/or the provisions of this PAD, the stipulation or condition of approval in the ordinance shall prevail.

#### **PERMITTED USES**

##### **Permitted Uses by Land Use District:**

Except as otherwise prohibited or excluded herein, the Permitted Uses for the development of the Property are as follows:

- The Permitted Uses in Land Use Districts designated as BPD in the Land Use Plan attached hereto as Exhibit 1 are as follows:
  - Uses permitted under Section 3-3-6 (BP, Business Park District) of the Goodyear Zoning Ordinance.
  - Wireless communication facilities are permitted without the need for a Special Use Permit provided they are developed in accordance with development standards established in Section 4-2-4 (Wireless Communication Facilities (Commercial)) of the Goodyear Zoning Ordinance.
- The Permitted Uses in Land Use Districts designated as BPD-LI in the Land Use Plan attached hereto as Exhibit 1 are as follows:
  - Uses permitted under Section 3-3-6 (BP, Business Park District) of the Goodyear Zoning Ordinance.
  - Uses permitted under Section 3-4-1 (I-1, Light Industrial Park District) of the Goodyear Zoning Ordinance.
  - Wireless communication facilities are permitted without the need for a Special Use Permit provided they are developed in accordance with development standards established in Section 4-2-4 (Wireless Communication Facilities (Commercial)) of the Goodyear Zoning Ordinance.
- The Permitted Uses in Land Use Districts designated as BPD-C in the Land Use Plan attached hereto as Exhibit 1 are as follows:
  - Uses permitted under Section 3-3-6 (BP, Business Park District) of the Goodyear Zoning Ordinance.
  - Uses permitted under Section 3-3-3 (C-2, General Commercial District) of the Goodyear Zoning Ordinance.
  - Wireless communication facilities are permitted without the need for a Special Use Permit provided they are developed in accordance with development standards established in Section 4-2-4 (Wireless Communication Facilities (Commercial)) of the Goodyear Zoning Ordinance.

- The Permitted Uses in Land Use Districts designated as BPD-C-LI in the Land Use Plan attached hereto as Exhibit 1 are as follows:
  - Uses permitted under Section 3-3-6 (BP, Business Park District) of the Goodyear Zoning Ordinance.
  - Uses permitted under Section 3-3-3 (C-2, General Commercial District) of the Goodyear Zoning Ordinance.
  - Uses permitted under Section 3-4-1 (I-1, Light Industrial Park District) of the Goodyear Zoning Ordinance.
  - Wireless communication facilities are permitted without the need for a Special Use Permit provided they are developed in accordance with development standards established in Section 4-2-4 (Wireless Communication Facilities (Commercial)) of the Goodyear Zoning Ordinance.

The following uses are prohibited in the entire Property:

- Adult bookstore, adult novelty store and adult theater
- Establishments that allow for the on-premises consumption of tobacco products, including cigarettes, cigars, and e-cigarettes or other vaping products
- Pawn shop

## **DEVELOPMENT STANDARDS**

Except as otherwise amended by the PAD Development Standards Table below, the Development Standards for development within the Land Use District identified as BPD in the attached Land Use Plan are the Development Standards applicable to the BPD (Business Park District) Zoning District in the Goodyear Zoning Ordinance.

Except as otherwise amended by the PAD Development Standards Table below, the Development Standards for development within the Land Use Districts identified as BPD-LI in the attached Land Use Plan shall be either the Development Standards applicable to the BPD (Business Park District) Zoning District in the Goodyear Zoning Ordinance if a permitted BPD use is being developed or the Development Standards applicable to the I-1 (Light Industrial District) Zoning District in the Goodyear Zoning Ordinance if a permitted Light Industrial Use is being developed and the development standards will be set during the site plan process.

Except as otherwise amended by the PAD Development Standards Table below, the Development Standards for development within the Land Use Districts identified as BPD-C in the attached Land Use Plan shall be either the Development Standards applicable to the BPD (Business Park District) Zoning District in the Goodyear Zoning Ordinance if a permitted BPD use is being developed or the Development Standards applicable to the C-2 (General Commercial District) Zoning District in the City of Goodyear Zoning District if a permitted General Commercial (C-2) Use is being developed and the development standards will be set during the site plan process.

Except as otherwise amended by the PAD Development Standards Table below, the Development Standards for development within the Land Use Districts identified as BPD-C-LI in the attached Land Use Plan shall be either the Development Standards applicable to the BPD (Business Park District) Zoning District in the Goodyear Zoning Ordinance if a permitted BPD use is being developed; the Development Standards applicable to the C-2 (General Commercial District) Zoning District in the City of Goodyear Zoning District if a permitted General Commercial (C-2) Use is being developed; or the Development Standards applicable to the I-1 (Light Industrial District) Zoning District in the City of Goodyear Zoning District if a permitted Light Industrial Use is being developed and the development standards will be set during the site plan process.

PAD DEVELOPMENT STANDARDS TABLE

| Districts                                                                                                             | C                                | BPD                             | LI                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------|
| *Standards Applicable to Development is Based on Permitted Use Being Developed as Determined at the Time of Site Plan | C-2                              | BPD                             | I-1                                                                                                             |
| Minimum Net Site Area                                                                                                 | 10,000 square feet <sub>1</sub>  | 20,000 square feet <sub>1</sub> | 1 acre                                                                                                          |
| Minimum Lot Width                                                                                                     | 150 feet <sub>1</sub>            |                                 | 300 feet                                                                                                        |
| Maximum Height (within 300 feet of the project property line)                                                         | 56 feet <sub>4</sub>             |                                 | 56 feet                                                                                                         |
| Maximum Height (more than 300 feet from project property line)                                                        | 70 feet <sub>4</sub>             |                                 | 70 feet (additional 5 ft. allowed for mechanical equipment, screening, and architectural embellishments)        |
| Maximum Height, more than 300 feet from project property line) with a Use Permit                                      | 100 feet <sub>4</sub>            |                                 | 100 feet                                                                                                        |
| Maximum Building Coverage                                                                                             | 50%                              |                                 | 50%                                                                                                             |
| Minimum Setback Front <sub>5</sub>                                                                                    | 30 feet <sub>2,3</sub>           |                                 | 30 feet                                                                                                         |
| Minimum Setback Side <sub>5</sub>                                                                                     | N/A <sub>4</sub>                 |                                 | 30 feet                                                                                                         |
| Minimum Setback Rear <sub>5</sub>                                                                                     | N/A <sub>4</sub>                 |                                 | 20 feet                                                                                                         |
| Minimum Setback Street Side <sub>5</sub>                                                                              | 30 feet <sub>2</sub>             |                                 | 30 feet                                                                                                         |
| Above ground silos, tanks, and similar structures for accessory uses to the primary building                          | N/A                              |                                 | 65 ft. Maximum (additional 5 ft. allowed for mechanical equipment, screening, and architectural embellishments) |
| Landscape Area                                                                                                        | Minimum 15% of the net site area |                                 | Minimum 8% of the net site area                                                                                 |

|                  |                                                                                                                                                                                                                                                                                         |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Retention Basins | Retention basins, in excess of 50% of the landscaped frontage, may be permitted to locate on the internal project side of the required open space trail if they are not substantially visible from public ROW with the exception of what is required by the City for regional drainage. |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

<sup>1</sup> Minimum net site area and lot width requirements do not apply for lots within a unified commercial development, which is a development intended for three or more businesses, so long as the development has permanent cross-access, shared parking and access easements, in a form approved by the City Attorney or his/her designee, necessary to meet minimum parking and maneuvering requirements and any other applicable requirements.

<sup>2</sup> Buildings with heights exceeding 30 feet shall provide an additional 1 foot of setback for each foot of building over 30 feet.

<sup>3</sup> The setback for lots within a unified commercial development, which is intended for three or more businesses with permanent cross access and shared parking easements, shall be measured from the nearest public streets. If there are conflicts between this exception and other requirements in the Goodyear Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum setbacks, this exception shall not apply.

<sup>4</sup> Buildings, as measured from the property line of a single family of two-family residential use or a single family or two-family residential district, shall provide a setback of 30 feet when the building height is 20 feet or less, a setback of 50 feet when the building height is 21 – 30 feet, and a setback of 50 ft. plus 5 ft for every 1 foot of additional building height over 30 ft when the building height exceeds 30 feet; Buildings adjacent to Multi-Family Use or District shall provide a 30 foot setback when the building height is 20 feet or less, and a setback of 50 feet when the building height is over 21 feet.

<sup>5</sup> There shall be a minimum 50-foot landscape setback along the southern, southeastern, and northern boundaries of the Property and there shall be a minimum 50-foot landscape setback along the western boundary of the Property when adjacent to a residential zoning district.

## ADDITIONAL DEVELOPMENT STANDARDS APPLICABLE TO THE DEVELOPMENT OF PROPERTY

Except as expressly modified by the PAD, development of the Property shall comply with all applicable provisions of the Goodyear Zoning Ordinance, Design Guidelines, and Engineering Design Standards, including, but not limited to the following:

- Except as expressly modified by this PAD, the walls, fencing, and landscaping requirements set forth in Article 5 of the Goodyear Zoning Ordinance shall apply to development within the Property.
- Except as expressly modified by this PAD, the parking requirements set forth in Article 6 of the Goodyear Zoning Ordinance shall apply to development within the Property.
- Except as expressly modified by this PAD, all signage within the Property shall comply with the requirements set forth in Article 7 of the Goodyear Zoning Ordinance.
- Except as expressly modified by this PAD, the requirements set forth in Article 8 (General Provisions) of the Goodyear Zoning Ordinance shall apply to development within the Property.

The property shall comply with the lighting standards for Lighting Zone 2 and the lighting standards set forth in Article 10 (Outdoor Lighting Standards) of the Goodyear Zoning Ordinance.

Wireless Communication Facilities (WCF) shall follow the building setbacks applicable to development within the I-10 Citrus Gateway Commercial District.

- Wireless Communication Facilities shall not exceed a maximum height of 65-feet except the WCF may be increased to 75-feet when the pole or tower incorporates design elements to conceal the WCF.

Loading, delivery, dock and roll-up doors, service and wash bays, and storage and loading areas may not front and/or back onto the northern, western, or southern property lines unless a landscape buffer with a minimum width of 100 feet is provided along the property lines. This buffer shall contain a double row of 24-inch box trees, and include a decorative eight-foot masonry wall, which shall be constructed in a location within or along the boundaries of the buffer to provide the most effective buffer as determined by the Zoning Administrator during the site plan process.

All truck courts shall be substantially screened from the public right of ways along N. Citrus Road, W. Roosevelt Street, and W. Van Buren Street and the residential properties to the west and south of the Property. Screening shall be accomplished through either/or a combination of building, walls, and berms. If screening is accomplished through walls in excess of 8 feet, landscaping including berms and trees shall be included at the base of the wall facing the public roadways and/or the residential properties.

Developer shall construct a trail as described herein. The construction of the trail satisfies the requirement that there be a minimum of 5% recreational open space within the entirety of the Property. The trail required herein shall comply with all of the following:

- The trail shall be a minimum of 10-feet wide and shall be constructed with compacted decomposed granite
- The trail shall run along the southern, southeastern, eastern and northern boundaries of the Property and shall be located within the landscape setbacks along the southern, southeastern, eastern, and northern boundaries of the Property.
- The trail shall be high and dry.
- The trail shall be open and accessible to the public and shall be maintained by a property owner's association.

- The trail shall include a minimum of ten amenities shall be included within the Trail with there being a minimum of four (4) being located within the trail along Roosevelt Street, two (2) being located within the trail along Van Buren Street, a minimum of one (1) being located along the RID canal, and a minimum of one (1) within the trail along Citrus Road. The amenities that are to be installed shall be any of the following: shaded trellises, plaza area, shaded seating area, gardens, or other amenities in conformance with Exhibit 2 Trail Fencing & Amenities that provide the public with meaningful recreational opportunities as determined by the Zoning Administrator.
- Unless otherwise approved in a written phasing plan approved by the Zoning Administrator or their respective designee, the trail described herein, including the amenities, required herein shall be completed along with the adjacent street improvements.

# Land Use District Map

- Legend:
-  **BPD**  
Business Park District
  -  **BPD-LI**  
Business Park District or Light Industrial
  -  **BPD-C**  
Business Park District or Commercial
  -  **BPD-C-LI**  
Business Park District or Commercial or Light Industrial

